The Classic Owners Motorcycle Club Inc.

Incorporated in South Australia

Constitution

1. **TITLE.** The name of the association is The Classic Owners Motorcycle Club of S.A. Incorporated referred to as The Club or COMCC
2. OBJECTS. The objects of the Club are.
   - 2.1 To cater for and encourage the preservation and restoration of Classic or interesting motorcycles
   - 2.2 The staging of events relating to motorcycles and motorcycling
   - 2.3 The collection of material of interest to motorcycles
   - 2.4 To foster friendship and goodwill amongst motorcyclists
3. MEMBERSHIP.
   - 3.1 Membership is for the financial year 1st July to 30th June
   - 3.2 Membership requires acceptance of the Club Constitution Rules and responsibilities.
   - 3.3 Membership is not conditional upon owning a motorcycle
   - 3.4 Members are entitled to all privileges and facilities appropriate to the class of membership
   - 3.5 **Classes of membership**
     - 3.5.1 **Full** Member is entitled to all the privileges of the Club
     - 3.5.2 **Family** On payment of an additional fee Family Membership is extended to the spouse or partner of the member. The status of such member is equal to Full Membership.
     - 3.5.3 **Honorary:** Visitors and persons rendering assistance to **The Club** may be granted Honorary Membership at the discretion of the Committee. For the duration of such membership. Honorary members are entitled to all the privileges of membership except voting at meetings.
     - 3.5.4 **Life:** Life Membership may be proposed for any member who has given ten (10) years exceptional service to the CLUB. Life Membership may be conferred only at an Annual General Meeting and must be passed by special resolution. Only one (1) member per year may be elected. Life Membership carries all the privileges of financial Full Membership.
   - 3.6 **Resignation** A member may resign from the CLUB by giving written notice to the Secretary.
   - 3.7 **Admission to Membership :** Persons may be admitted to membership subject to the following
     - 3.7.1 Their application has been proposed and seconded by two (2) financial full members.
     - 3.7.2 Their application form is properly completed and presented to a general meeting.
     - 3.7.3 Their application is approved by the Committee and conferred on the applicant at the general meeting.
     - 3.7.4 The appropriate fee and subscription are paid.

4. SUBSCRIPTIONS

4.1 The Joining Fee and Subscriptions shall be reviewed annually by the Committee and its recommendations shall be presented to members for ratification at the April General Meeting.

4.2 Subscriptions are due by the 1st of July and may be paid after ratification at the April General Meeting.

4.3 Concessions are available for:

4.3.1 Members who qualify for Commonwealth Concession Card holders

4.3.2 New Applications received after 31st December.

5. THE COMMITTEE

5.1 MEMBERSHIP

5.1.1 THE COMMITTEE is comprised of the executive Officers ot The Club and up to eight (8) other elected Officers

5.1.2 THE EXECUTIVE is comprised of the President the Vice President the Secretary and the Treasurer

5.1.3 TENURE The Committee is elected at the Annual General Meeting and hold office for a period of one year. Retiring Officers are eligible for re-election. Officers are expected to attend all meetings except where granted leave of absence.

.1.4 Casual Vacancy : A casual vacancy shall be filled by election at a General Meeting.

5.2 Duties and Responsibilities

5.2.1 **The Committee** controls the affairs of the Club

5.2.2 **The President** provides leadership and direction to the Club and presides at all Committee and General Meetings

5.2.3 The **Vice President** assumes the duties of the President in the absence of the President.

5.2.4 The **Secretary** collaborates with the President to call meetings and produce agendas. The Secretary is responsible for correspondence as directed by the Committee, maintains a record of all correspondence, records and distributes minutes of meetings, maintains records in a uniform and orderly manner and forwards monies received to the Treasurer as soon as practicable. The Secretary is the Public Officer of the Club and Hold the Common Seal which is used pursuant to resolution of the Committee.

5.2.5 The **Treasurer** is responsible for the Club finances as directed by the Committee. The Treasurer receives all monies and issues receipts, banks all monies as soon as practicable, pays accounts by cheque signed by any two of the President , Secretary or Treasurer. The Treasurer maintains a register of Income and expenditure, reports to all Club meetings and arranges for an audit of accounts for presentation at the Annual General Meeting.

6. INSPECTION OF RECORDS

Where reasonable notice is given financial members may inspect Club records or books pf the respective Officers under the supervision of the Committee.

7. **POWERS.** The COMCC has all those powers conferred by Section 25 of the Associations Incorporation Act 1985

7.1 The powers are vested in the Committee which has control and management of the affairs of the assets of The Club. The Committee has the power to:

7.1.1 Call meetings of The Club in accordance with clause 5.2.4

7.1.2 Appoint a special sub-committee to consider business as directed by the Committee and to report back with any recommendations.

7.1.3 Raise and expend monies and take action consistent with the objects of the Club

7.1.4 Suspend or expel members where just cause is proven

7.2 No Member by reason of membership has any transmissible or assignable interest in the property or assets of The Club

7.3 The Committee is not authorised to borrow money

8. MEETINGS

8.1 **General Meetings** are conducted monthly

8.2 **Committee Meetings** are conducted monthly or as required.

8.3 **The Annual General Meeting** is conducted at the conclusion of the July General Meeting

8.4 **A Special General Meeting** shall be convened upon receipt by the Secretary of a written request signed by five (5) financial Full Members. The request must state the reason(s0 for calling a Special General Meeting. The meeting shall be called by the Secretary within twenty one (21) days of receipt of the request. Members shall be notified by post of the time, place and the reasons for calling such a Special General Meeting. Members shall be given at least twenty one (21) days notice of the Special General Meeting.

8.5 Any Club member may attend a Committee Meeting to raise any matter of concern or express opinion.

8.6 **Quorum** Numbers which constitute a quorum are:

8.6.1 Twenty five (25) financial Full Members at a General, Special and Annual General Meeting.

8.6.2 Two (2) Executive Officers and three (3) other officers at Committee meetings.

9. V**OTING RIGHTS**

9.1 At all meetings only financial members are entitled to vote.

9.2 At Committee meetings only elected Officers OR their Deputies, as appropriate in accordance with The Club Rules, are entitled to vote.

9.3 Voting shall be in accordance with the Club Rules

9.4 **RESOLUTIONS**

9.4.1 For a motion to pass as an **ordinary resolution** only a simple majority of votes is required of members present and voting at a General Meeting.

9.4.2 For a motion to pass as a Special Resolution a three quarters majority (75 percent) of votes is required of members present and voting at a general meeting.

10. CLUB RULES

All business of the CLUB, including meetings and events are to be conducted in accordance with the Club Rules as well as with this constitution.

11. AMENDMENT OF CONSTITUTION

11.1 The constitution may be amended or rescinded and replaced with a substitute constitution provided:

11.1.1 A written notice of motion to that effect signed by five (5) Financial Full Members is presented to a General Meeting:

11.1.2 Members are given at least twenty one (21) days notice by post of such a motion and a general meeting at which the motion is to be debated.

11.1.3 The motion is passed by Special resolution at the General Meeting nominated in 11.1.1

11.2 Such an amendment or rescission shall be registered with the Office of Consumer and Business Affairs as required by the Act.

12. DISSOLUTION

12.1 The Club may be dissolved after a motion in writing to that effect is signed by five (5) financial full members and is passed by **Special Resolution** at a special general meeting.

12.2 in the event of the Club being dissolved, the assets that remain after such dissolution and the satisfaction of all debts and Liabilities will be transferred to any organisation with similar objects and which has rules prohibiting distribution of assets and income to its members.

12.3 Such transfer will be identified and determined by Special Resolution at the Special General Meeting which dissolves the Club

13. GENERAL INDEMNITY

Every Member of the Committee, Auditor and other Officers of the Club shall be so indemnified out of the funds of the Club against all costs, charges, damages and expenses by reason of any covenant entered into or act or default done or made by them in any way in the execution of their office or trusts, except where same will have occasioned through their wilful act, default or culpable negligence.

August 2005
The Classic Owners Motorcycle Club of S.A. Incorporated
RULES

1. **THE COMMITTEE AND OTHER ELECTED OFFICERS**

1.1 THE COMMITTEE is comprised of the executive officers of the Club and up to eight (8) other elected officers

1.2 EXECUTIVE OFFICERS the executive officers are to under- take those duties and responsibilities as set out in the constitution clauses 5.2.2 – 5.2.5

1.3 OTHER OFFICES

1.3.1 THE CLUB CAPTAIN is responsible for the organisation of club runs in accordance with the club rules.

1.3.2 THE MACHINE REGISTRAR is responsible for inspecting vehicles for authenticity of eligibility for concessional Historic Registration as directed by the Club Rules for eligibility and authorised by the Registrar of Motor Vehicles. The Machine Registrar certifies eligible vehicles and maintains a club register.

1.3.3 THE SOCIAL SECRETARY organises Club social events.

1.3.4 THE MEMBERSHIP SECREATARY maintains a register of Life Past and Financial members.

1.3.5 THE EDITOR collates material received for publication in the magazine **THE CLASSIC COURIER**. The Editor organises the publication and distribution of the magazine to Members.

1.3.6 THE REPRESENTATIVES TO THE FEDERATION OF HISTORIC MOTORING CLUBS OF S.A. Inc. Attend meeting of the Federation and reports to General meetings.

1.3.7 THE LIBRARIAN maintains the Club Library and the borrowing system.

1.3.8 THE PHOTOGRAPHER creates a visual record of club events.

1.4 DEPUTIES where ever possible, a deputy should be appointed to the above positions.

2. STANDING ORDERS AND GENERAL RULES FOR THE CONDUCT OF MEETINGS

2.1 **Order of Business** At all meeting the order of business should be:

2.1.1 Chair Person shall take the Chair, open the meeting and welcome those attending. In the absence of the President and the Vice President a Chair Person shall be elected.

2.1.2 The Presence of any visitors, Guest Speakers and New Members shall be acknowledged and apologies received.

2.1.3 The minutes of the previous meeting shall be read and confirmed.

2.1.4 Business arising from the previous minutes shall be attended to.

2.1.5 Notice of election or resignation of members shall be given.

2.1.3 Correspondence shall be read & received.

2.1.7 The Treasurers monthly financial statement shall be presented.

2.1.8 Reports from other officers shall be presented.

2.1.9 Motions for which notice has been given shall be addressed.

2.1.10 General Business

2.1.11 At the Annual General Meeting the outgoing Committee shall retire and incoming Committee shall be elected according to customary practice. The outgoing Committee shall transfer all records to the incoming Committee as soon as practicable.

2.1.12 The Chair Person shall close the Meeting.

2.1 DEBATE

2.2.1 **All motions** must be moved and seconded before being put to the vote. The maximum number of amendments to any one motion shall be two. A member (except the mover of the motion, who has the right of reply,) shall not speak more than once on any motion or amendment except by permission of the meeting. The member speaking shall address the chair in a respectful manner and confine remarks to the subject under discussion.

2.2.2 When a **point of order** is raised the member raising same shall sate the point of order without debate, and if a member be speaking such member shall be seated until the point of order is decided.

2.2.3 A member shall not **speak for longer than ten minutes** unless by permission of the meeting. Except the mover of the motion, who when moving it may speak for fifteen minutes.

2.2.4 Should the ruling of the **Chair be challenged**, the member who challenges the ruling shall be heard for not longer than 5 minutes and the Chair Person having been heard in reply shall put the challenge to the vote without discussion.

2.2.5 When it appears to the Chair during any debate that the subject has been adequately debated and it is the evident desire of the meeting that the **question be put**, the Chair Person shall forthwith without debate put the motion that the question be put and if such motion be carried by **ordinary resolution** of financial Full Members present, the question shall be put without delay.

2.2.6 A motion or amendment may not be withdrawn without the agreement of the Seconder.

2.2.7 The Chair may give visitors permission to address the meeting.

2.3 VOTING

2.3.1 Voting rights are set out in the Constitution Clause 9

2.3.2 Voting may be taken on a show of hands or by other means as agreed to by the meeting.

2.3.3 In the event of an equality of votes the Chair Person has a casting vote as well as a deliberative vote

2.3.4 No provision is made for voting by proxy.

2.4 **SUSPENSION OF STANDING ORDERS**

The order of business may be altered when a motion is passed that the standing orders be suspended in order to discuss business that is of utmost importance to the club as a whole. A motion must be passed by a quorum of financial members present at the meeting (see constitution clause 8.6)

2.5 **REOLUTIONS BINDING MEMBERS: ADJOURNMENT**

All resolutions passed at a meeting shall conclusive and binding on all members of the Club, whether they have been present at such meeting or not, provided such meeting shall have been held in conformity with rules of the Club. All meetings of members and of the Committee shall have power to adjourn their proceedings.

2.6 **Any matter on which these Rules are silent** and which is brought before the Committee shall be determined by that Committee and any such resolution shall be binding on all members subject to no amendment being carried in according to rule 2.7 Amendment of Rules

2.7 **AMENDMENT OF RULES**. The rules may be amended and rescinded and replaced with substitute rules provided;

2.7.1 A written notice to effect signed by five (5) financial Full Members is presented to a General Meeting

2.7.2 `The motion is passed by **special** resolution at the following General Meeting

3. CONDUCT OF RUNS

3.1 Machines are to be roadworthy as required by the Road Traffic Act.

3.2 Suitable protective clothing must be worn

3.3 The Club Captain, The Assistant Club Captain or the nominated Run Leader will lead all riders for the duration of any Club Run and no member on the run will pass the leader without the Leaders permission.

3.4 Where ever possible riders will ride as a group, however the group should not impede the progress of other road users.

3.5 Runs will proceed at a speed that complies with all road rules and also to allow for the varying performance of the machines on the Run.

3.6 No Rider will leave any run before its final stopping place without insuring the Leader is informed.

3.7 Adequate comfort and refreshment stops will be made.

3.8 Members behaviour at all times should honour the good name of the Club.

3.9 When possible, a member will act as tailender to ensure all riders remain within the group. Should a rider be unable to continue for any reason, the tailender will convey the circumstance to the run Leader. The 'tailender' is not expected to carry out repairs.

4. HISTORIC REGISTRATION SCHEME ELIGIBILITY RULES

Supplementary Rules to the code of practice for registration of Historic Vehicles authorised by the Registration and Licensing section of Transport S.A. and endorsed by the Federation of Historic Motoring Clubs of S.A. Inc.

4.1 **Applicability**: the code of practice and these Rules apply only to eligible motorcycles owned by financial members of the Classic Owners Motorcycle Club of S.A. Inc. and as defined in the S.A. Road Traffic Act – vehicle standard rules 1999, which sates: "M**otor Bike**- means a motor vehicle with two wheels, includes a two wheeled motorbike with a side car attached (so it is supported by a third wheel)".

4.2 **Responsibility**: The responsibility for the administration of the code of practice and supplementary rules rest with the Club Registrar in accordance with the relevant clause in section 6.2 of the Code of Practice. If the Registrar cannot determine the Historic Authenticity of a motorcycle, the application must be referred to the Club Committee, in the unlikely event the Club Committee cannot determine the eligibility of a machine the matter must be referred to the Federation.

4.3 Eligibility Criteria:

4.3.1 **Motorcycles** which may be approved by the Clubs Registrar must comply with the Code of Practice and may have all or any of the following modifications.

- Properly manufactured non- standard period parts that replace factory manufactured components no longer available.
- Modifications undertaken after a machine was first registered in order to:
- Make the machine comply with local regulations
- Improve the safety and durability of the machine

- Satisfactory non-standard period accessories fitted in lieu of the original accessories either because the standard accessories are not available are of significantly lower quality or have an unreasonable purchase price.
- Correctly fitted sidecars of appropriate size and design for the motorcycle.

4.3.2 **The Clubs Policy**, which is to ensure that motorcycles approved for Historic Registration meet the spirit of the concessional scheme, shall be the basis in all cases for the Clubs Registration decision. That is :

- The performance of the machine is substantially the same as the original product.
- The riding and handling properties are at least as good as the original product.
- The braking and general safety performance is at least as good as the original product.
- The appearance is as far as practical the same as the original product.