

The Constitution of



The American Car Club of Australia Inc

1. **Name**

The name of the club formed under this Constitution shall be '**The American Car Club of Australia Inc**'.

2. **Objectives**

The objectives shall be to:

- a) *Maintain an interest in American Cars and provide a forum for the exchange of information about American cars.*
- b) *Promote the restoration and preservation of American Cars.*
- c) *Promote friendship and courtesy on the road and to conduct meetings and events for American Cars.*
- d) *Promotion and social enjoyment of American Cars.*

However, the Committee may recommend that cars of "non American" manufacture, but with the generic names of American car manufacturers, be accepted for the purpose of membership of the American Car Club of Australia Inc. and its associated Club events.

3. **Management**

The management of the club (except as otherwise provided in these rules) shall be under the control of a committee of not more than ten (10) members, hereinafter referred to as the '**The Committee**'.

- a) *The Committee shall comprise the following office bearers:*
 1. *President, Vice-President, Secretary, Treasurer.*
 2. *Other offices include; Publicity Officer, Events Organiser, Editor, and Past President. These Offices shall be filled as required by the club, to be voted on at the Annual General Meeting.*
- b) *The President, Secretary, and Treasurer shall be Executive members of the Committee, hereinafter referred to as '**The Executive**'.*
- c) *Office bearers of the Club forming the Committee shall be elected at each Annual General Meeting by simple majority.*
- d) *A quorum for Meetings, not being the Annual General or special meetings, shall be not less than six members being entitled to vote, provided that at least one shall be an Executive member and another two Committee Members.*
- e) *The Executive is empowered to enter into contracts with advertisers for and on behalf of the club. The signatures of any two members of the Executive on such a contract shall be sufficient.*

4. **Full Members**

All persons who aspire to the objectives of the Club shall be eligible for membership and shall be deemed 'Full Member' upon payment of the prescribed membership fee.

5. **Life Members**

Any Member who has rendered service of outstanding merit may, on the recommendation of the Committee, be elected a Life Member by a majority of not less than two thirds of the Members present at a General Meeting.

- a) *Life Members shall enjoy all the rights and privileges of full Members.*
- b) *A Nominator of a proposed Life Member shall make nomination in writing to Committee stating reasons why the nominated party should be considered.*
- c) *If Committee rejects nomination the nominator shall be advised in writing as to why, by the Secretary prior to any discussion at a General Meeting or Annual General Meeting of the Club.*
- d) *If Committee accepts nomination, said nomination stating reasons to be published in the newsletter prior to a General Meeting or Annual General Meeting at which not less than two thirds of Members present must agree.*
- e) *Voting on said nomination to be by written ballot.*

6. **Honorary Members**

The Committee may accept any person as an honorary member for any period as they see fit. Honorary members may attend meetings, but shall have no power to vote. Members visiting from an interstate Club shall automatically become honorary members.

- 7. *Application for membership by eligible persons shall be made on an application form prescribed by the committee and shall be accompanied by the prescribed fees as decided by the Committee from time to time.*
- 8. *Life and Honorary Members shall be subject to the rules and regulations of the Club.*
- 9. *All members and invited guests shall be subject to the rules and regulations of the Club and also the premises, grounds or other Clubs regulations where the meeting or event is being held.*
- 10. *As soon as practicable, after acceptance by the Committee, a member shall receive a copy of the Club Constitution and rules and any other items to which the member is entitled.*
- 11. *All members shall be entitled to the benefits within the Club and shall be entitled to attend all meetings, events and functions, subject to the payment of any prescribed fee.*
- 12. *Membership shall be renewed on the prescribed application form and shall be accompanied by payment of the prescribed fee that shall be paid by **30 June** each year. **Members who are not financial by 31 August shall cease to be members.***
- 13. *All members, with the exception of honorary members, shall be entitled to one (1) vote. The wife or spouse of the member is also entitled to one (1) vote. All votes shall be made in person unless authorised otherwise by the Committee.*

14. **Resignation**

Any member may resign his or her membership by giving the Secretary notice in writing to that effect. Every such notice shall, unless otherwise expressed, be deemed to take effect as from the receipt of such notice.

- 15. *Any person shall, upon ceasing to be a member of the Club, forfeit all rights and claims upon the Club and its property and funds. Any property issued shall be returned to the Club upon cessation of membership. No membership fees will be refunded.*

16. **Committee Vacancy**

The Committee shall have the power to appoint a member to fill a casual vacancy on the Committee, such appointment shall be for a period as such vacancy exists, or until the next Annual General Meeting.

- 17. *In the case of a Treasurer retiring, an audited balance sheet must be presented to, and accepted by, the Committee prior to his or her resignation being accepted.*
- 18. *The Committee shall have the power to make and publish any by-laws for the better management and control of the Club. These by-laws must not be inconsistent with the Constitution.*

19. *The Committee shall have the power to invite any other person to attend at Committee Meetings who may be of assistance to them in a professional, technical or skilled manner for his or her advice or guidance. Such person shall not be entitled to vote at said Committee Meetings.*
20. *A member is not entitled to hold the same position on the same Committee for a period in excess of three (3) consecutive years unless otherwise expressly requested by the Committee members.*
21. **Financial Year**
*The financial year of the Club shall conclude on the **thirtieth (30th) day of June** each year.*
22. **Annual General Meetings**
*The Annual General Meeting of the Club shall be held in the month of **November in each year** upon the date and time to be set by the Committee for the following purposes:*
- a) *To receive from the Committee a report, balance sheet and statement of accounts for the preceding financial year and a statement of the preceding financial year and a statement of the receipts and expenditures for the current financial year.*
 - b) *To receive from the Committee, a report on achievements for the years calendar.*
 - c) *To elect a Committee and to appoint an auditor for the ensuing year.*
 - d) *To decide any resolution which may be duly submitted as herein provided.*
23. *Any member desirous of moving any resolution at the Annual General Meeting shall give notice thereof in writing delivered to the Secretary not less than three (3) weeks before the date of such meeting.*
24. *The Committee will decide whether the request will be granted. However, should twenty percent (20%) or more of the members request in writing a special or general meeting, the Committee will be obliged to call such a meeting within one calendar month of receiving the written request.*
25. *Thirty (30) days at least before any Annual General Meeting a notice of such meeting shall be advertised in the Club Newsletter.*
26. *Minutes of all meetings shall be kept.*
27. **Funds**
The Treasurer shall be responsible for the safe custody of the Club's financial assets. The Financial assets of the Club, excluding the amount authorised to be held as cash, shall be deposited within seven (7) days of receipt in an account operated in the Clubs name. All accounts shall have two of the three executive signatures. The Treasurer, together with either the President or Secretary shall operate the account(s).
28. *The liability of the members is limited for all purposes to the payment of any payable membership subscriptions or pro-rata thereof. No member shall be personally liable for the discharge of debts or liabilities of the Club, upon its winding up or dissolution.*
29. **Accounts**
All accounts for payment shall be presented to a meeting for consideration, prior to passing for payment on all accounts over \$100:00. All financial transactions shall be receipted.
30. **Audit**
An Auditor or Auditors shall be nominated and approved by the Committee, provided that the said Auditor(s) is not a Committee member of the Club or a person who has prepared or assisted in the preparation of the accounts(1).
31. **Amendments**
This Constitution may be amended at an Annual General Meeting or a Special General Meeting convened for that purpose, provided that the amendment is accepted by a simple majority of the members present and voting at that meeting.
32. *Written notice of such amendment must be sent to all financial voting members at least four (4) weeks prior to the meeting. Any decision of the Executive Committee or of the members at any meeting, save and except aforesaid, shall be decided by the majority of those present and voting.*

33. **Suspension or cancellation of membership**

The Club shall have the right to suspend or cancel the membership of any person who by his or her acts or behaviour imperils the Clubs good name or threatens its very existence. The member shall be summoned to appear before the Committee of the Club of a meeting specially convened for that purpose. The verdict of the Committee must be unanimous to cancel a membership, or a simple majority to suspend a membership.

34. **Dissolution**

In the event of the membership being less than eight (8) members, notice shall be served on members of a General Meeting to determine whether or not the Club shall be dissolved. If at the General Meeting seventy five percent (75%) of the members vote to dissolve the Club it shall be dissolved. Upon dissolution, assets and funds on hand may, after payment of all expenses and liabilities, be handed over to such other Club or similar association having objectives such as stated in clause two (2) of the Constitution. If such an association cannot be located the funds will be donated to a charitable organization.

AMENDMENT STATUS

- (1) Amendment (1) Change to the requirements for the "Appointment of an Auditor", endorsed at the ACCA AGM 6 September 2004
- (2) Amendment (2) Change to the month of the AGM from 'SEPTEMBER' TO 'NOVEMBER' (Endorsed at the ACCA AGM 7 November 2005)
- (3) Amendmenr (3) Expand paragraph 2 to include cars of "non American" manufacture, but with the generic names of American car manufacturers. (Endorsed at the ACCA AGM 7 November 2005)
- (4) Amendment (4) Include provision for 'LIFE MEMBERS' (Para 5) (Endorsed at the ACCA AGM 7 November 2005)
