

Revised Rules & Constitution

Prepared for Registration with Incorporated Societies
Including all Changes

July 2010

THE INCORPORATED SOCIETIES ACT 1908
NELSON SPEEDWAY ASSOCIATION Inc

Rules and Constitution

1. TITLE

The title of the Society shall be the Nelson Speedway Association (Incorporated) herinafter called "the club".

2. OBJECTS

The objects of the club shall be:-

- (a) To protect the interests of Speedway competition, also Club members, and to manage and promote the sport of Speedway racing in the Nelson District;
- (b) To make bylaws and regulations for the conduct of Speedway racing in the Nelson District;
- (c) To enter into reciprocal agreements with any kindred body with regard to mutual recognition of registration, disqualifications, records, etc;
- (d) To affiliate with a National Body;
- (e) To amalgamate with any other Incorporated Society;
- (f) To purchase, lease, hire or otherwise acquire land, buildings and any other real or personal property which the Committee may from time to time deem necessary, expedient or useful in the attainment of any of the objects of the society, whether alone or in conjunction with any other person, Society, firm or Corporation, and to build, erect, alter or improve or contribute towards the cost of building, erecting or improving any such buildings or other property as aforesaid;
- (g) To invest any of the society's funds in such investments or assets as the Committee may from time to time decide, notwithstanding that the same may be of a wasting, speculative or reversionary nature;
- (h) To do all such other matters and things as in the opinion of the Committee shall be conducive to the attainment of any of the foregoing objects or to exercise of any of the foregoing powers.

3. MEMBERSHIP

- (a) The membership of the club shall not be less than twenty (20) persons;
- (b) Every candidate for membership shall be nominated by one and seconded by another financial member of the Club. All nominations shall be in writing, upon such forms as the committee may from time to time determine. All candidates shall be elected at a committee meeting. The committee shall have power to refuse nomination of any candidate for membership and shall give the reason for any such refusal;
- (c) Any member may resign from the Club by giving notice of such resignation in writing to the Secretary within fourteen (14) days of the members annual subscription falling due in any financial year. Unless such notice is given, such resigning member shall be liable to the society for his or her subscription for that financial year, provided that the committee shall have in its discretion to accept the resignation of any member at any time and make such rebate or refund in his or her subscription as the committee deems right and proper;
- (d) **Suspension or Expulsion**
The committee may suspend or expel from membership any member wilfully disobeying any of the rules or bylaws of the club or guilty of any conduct rendering him or her in the opinion of the Committee unfit or unsuitable to be a member of the Club or deserving of suspension or expulsion. PROVIDED THAT before suspending or expelling any member the Committee shall hear any accusations against the member, ask questions and give explanations and the Committee shall give any such member the opportunity of defence.

(e) **Life Members**

The committee shall have the right to appoint any person who has given outstanding service to the Club as a Life Member. Such appointments may be requested for consideration by any member of the Club. Life Members shall not be required to pay an annual subscription to the Club and shall receive full membership rights.

4. SUBSCRIPTIONS

- (a) Each member shall pay an annual subscription. Subscriptions shall be due within one calendar month after the Annual General Meeting of the Club and shall run for one year from this date. All members subscriptions are to be paid within three calendar months of the Annual General Meeting or the committee may reserve the right to cancel membership.
- (b) The Committee on the recommendation of the Annual General Meeting, shall determine the subscription in special circumstances and shall also determine the amount of the annual subscription to be paid by members.

5. ALTERATION OF RULES

- (a) The rules of the club may be altered, added to or replaced by a resolution passed by two thirds majority at any Annual General or other General Meeting of the Club;
- (b) Any change in the rules of the Club as aforesaid shall be introduced by way of Notice of Motion, which shall be forwarded to the Secretary not later than fourteen days before the date of the General Meeting.

6. GENERAL MEETINGS

- (a) **Annual General Meeting:** The Committee shall arrange for the Annual General Meeting to be held not later than the 30th day of June in every year at such time and place as the Committee shall determine.
- (b) The Committee may at any time and shall within fourteen (14) days after the requisition in writing signed by at least seven (7) members of the Club (which requisition shall set out the business proposed to be transacted at such meeting) convene a "Special General Meeting" for any purpose or purposes. At any meeting so called, only the business set out in the said notice shall be dealt with;
- (c) **Notice of General Meeting**
The Secretary shall at least seven (7) days before any General Meeting place a notice in the local newspaper stating the time and place where it will be held and in the case of Special General Meetings the business it is proposed to put before the meeting;
- (d) **Procedure and Quorum at General Meetings**
At all General Meetings the chair shall be taken by the Chairman, but if he or she is not present when the time the meeting is due to start, those present shall elect a Chairman for the meeting from among the members of the Committee present and willing to act, the Secretary excepted, and if no member of the Committee is present, then from among the members generally and the Chairman so elected shall remain in the chair until the arrival of the official Chairman;

Every member present shall have one (1) vote and in the case of equal voting the Chairman shall have a second or casting vote. Only financial members shall be entitled to vote or take part in any discussion. The quorum at a General Meeting shall be fifteen (15) members;

Voting at General Meetings shall be indicated by a show of hands or if five members so desire, then by ballot. Voting by proxy will not be permitted at General Meetings;

7. COMMITTEE

- (a) The entire management and control of the Club's affairs and property, both real and personal, shall be in the hands of a Committee consisting of the Executive Committee which shall comprise the six (6) undermentioned Executive Officers and eight (8) other Committee members, who shall all be current financial members of the club.
- (b) The Executive Officers and the Committee Members of the Club shall be nominated in writing at least two weeks prior to and elected annually at the Annual General Meeting or at a Special General meeting. To be eligible for election nominees must be present at the Annual or Special General Meeting or have given a written apology and consent to their nomination. If there are insufficient nominations in writing, nominations may be taken from the floor.
- (c) In the event that there shall be a single vacancy on the committee and only one person nominated for that position on the committee, the following shall apply:

- (i) A vote shall be taken of all financial members present at the; meeting as to whether the sole nominee shall be elected to the position to which such person shall have been nominated.
- (ii) If the nominated person shall receive the endorsement of 50% or more of the votes cast then such nominee shall be deemed to be elected.
- (iii) If the nominated person receives less than 50% of the votes cast then the nominee shall be deemed not to have been elected and shall not become a member of the committee.
- (iv) If no person is elected to any position then in such event the vacant position shall remain open until filled at a subsequent General Meeting of the Club.

EXECUTIVE OFFICERS

- (i) A **PRESIDENT** who shall preside at all meetings of the Club, Executive, Committee or Subcommittee and shall perform all duties usually appertaining to the office of Chairman. In the absence of the President, the Vice President shall be Chairman of the Meeting or in the absence of both Officers, the Committee shall elect a Chairman. To be eligible for election as President, a nominee must have served as a committee member for at least twelve months.
- (ii) A **VICE PRESIDENT** who shall perform those duties normally done by the President where the President is not available, or other such duties as the President may request.
- (iii) A **SECRETARY** who shall hold a correct record of all members and their addresses, file all correspondence, records and reports connected with the Club and conduct all correspondence. The Secretary shall keep a record of race results and record attempts and carry out such other duties as the Committee require him or her to do so.
- (iv) A **TREASURER** who shall receive all moneys due to the club and Pay all debts contracted by it, keeping a correct account. He/she shall make a report at each meeting of the committee of the financial position of the club, and present at the Annual General Meeting, a balance sheet duly audited of the funds and disbursements of the Club;
- (v) An **ASSISTANT SECRETARY-TREASURER/MINUTE SECRETARY** who shall keep correct minutes of proceedings of the Club and perform any duties assigned him or her from time to time by the Committee. The Assistant Secretary shall provide the committee with a copy of the minutes of any committee meeting within seven days of that meeting;
- (vi) A **CLUB CAPTAIN** who shall be responsible for promoting the good conduct of members and for maintaining good liaison between the Committee and Members, and for generally promoting the affairs of the Club;
- (vii) **PATRON** A Patron of the club may be appointed from time to time by the Committee or by any General Meeting provided that nothing in this rule shall be deemed to require the appointment of a Patron at any time.

(e) **COMMITTEE MEETINGS**

- (i) The committee shall meet at such times and places as it may from time to time decide and a meeting shall be called upon the requisition of the President and or the Secretary or any three (3) members of the Committee. Any such meetings so requisitioned shall be called within fourteen (14) days of receipt of such requisition by the Secretary.
- (ii) Quorum for Committee Meetings: At any committee meeting six (6) members of the Committee personally present shall constitute a quorum and the Chairman shall in the case of equality of voting have a deliberative or casting vote in addition to his or her ordinary vote. Proxy Voting shall not be permitted at Committee Meetings;
- (iii) Every Committee Member who is absent from three (3) consecutive meetings without furnishing an apology shall automatically cease to be a member of the Committee.

8. POWERS OF THE COMMITTEE

The Committee shall have all powers necessary to efficiently carry out the objects of the Club, such powers to include;

- (a) To order and see that all races and competitions are held in accordance with Club Rules or the rules of any affiliated body.
- (b) To appoint such additional or temporary stewards, referees and other officials as it thinks fit.

- (c) To make bylaws to govern and control Speedway meetings at the Top of the South Speedway, Nelson.
- (d) To enter into such contracts on behalf of the Club as it thinks fit.
- (e) To call a General or Special General meeting of the Club to consider any matter of sufficient interest.
- (f) To elect or appoint subcommittees to exercise and carry out any or all of the duties on direction of the Committee, and to appoint any person to the committee or subcommittee for any period of time for any specific purpose as the committee sees fit. The President and Secretary shall be ex officio members of all such committees.
- (g) The committee shall make appointments of all officials required by the national body;
- (h) In the event of the Society not being affiliated to a National Body;-
 - (i) To deal with any breach of the rules on the part of members, hear appeals against decisions of any steward, referee or protest committee. The committee in dealing with any breach of the rules, or appeal, shall appoint a time and place for the hearing and shall give notice to the individuals concerned. The committee shall permit all parties to state fully their respective cases before giving a decision. The committee's decision shall be final and binding except that upon affiliation with a National Body an appeal may be lodged with the Executive Committee of such a body and the Club committee and all parties shall abide by that Executive Committee's decision;
 - (ii) To make, alter, remove or endorse disqualifications, suspensions or fines:
 - (iii) To appoint such officials as are necessary to run a race meeting.

9. COMMON SEAL

The Committee shall provide a common seal for the Club and shall have the power from time to time to destroy the same and substitute a new one in lieu thereof. The common seal shall be kept by the Secretary or Club Solicitor, and shall be used only as and when directed by the Committee, and for the purpose of executing documents, shall be affixed in the presence of the Secretary.

10. FINANCE AND INVESTMENT OF FUNDS

- (a) The financial year of the Club shall end on the 30th day of April in every year
- (b) **Annual Report and Statement of Accounts**
At the Annual General Meeting in each year, the Committee shall submit a report of the years activities of the Club from the preceding financial year and a Statement of Income and Expenditure Account and a Balance Sheet
- (c) The Club shall have powers to open and operate any bank account or Accounts at the Discretion of the Committee and any such accounts may be operated upon and cheques and other withdrawals signed and/or endorsed by such person or persons as the committee shall from time to time decide.;
- (d) The Club at the discretion of the Committee shall have the power to invest any surplus finds in such manner as the Committee shall from time to time decide.

11. BORROWING POWERS

The Club may at the discretion of the Committee raise or borrow any sum of Money upon any mortgage, debenture or other security charging any of the real or personal property both present and future of the club or any part or parts thereof, or by way of overdraft or otherwise without security and upon such terms as the Committee may from time to time decide PROVIDED THAT the borrowing of any money in excess of the sum of ten thousand dollars (\$10,000) shall require the sanction of a General Meeting convened for the purpose.

12. BYLAWS

The Committee shall have the power to make alter or repeal such bylaws as it may deem fit for the well-being of the Club and the decision of the Committee on all questions shall be final and binding unless and until set aside or varied by the Club in a General Meeting. The Committee shall have the power to delegate all or any of its powers to any subcommittee or person as the Committee in its sole discretion may deem fit.

13. REGISTER OF MEMBERS

The Treasurer for the time being of the Club shall keep a register of members which shall contain the names, addresses and occupations of those members, and the dates at which they became members, and the register shall be available for inspection by members upon request at all reasonable times. The Secretary shall hold a copy of the register of members.

14. WINDING UP

Should the resolution for winding up be confirmed by the Special General Meeting Called for that purpose, that meeting shall have the power to direct the method of disposal of the funds, property and assets of the Club, after payment of its debts and liabilities, and the costs of such winding up, subject to the condition that any remaining funds, property and assets shall not be paid to, or distributed amongst the members but shall be disposed of to an association or associations involved in the promotion, development, fostering and encouragement of motor sport.