

**THE CONSTITUTION OF THE
MACARTHUR DISTRICT
FWD CLUB (Inc.)**



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PART I

1. INTERPRETATION

1.1 In these rules, except insofar as the context or subject matter otherwise indicates or requires;-

**"the club" means;
The Macarthur District Four Wheel Drive Club (Inc.)**

**"ordinary member" means;-
a member of the club who is not an office bearer of the club, as referred to in rule 15.2**

**"secretary" means;-
a) the person holding office under these rules as secretary of the club; or
b) where no such person holds office, the public officer of the club.**

**"special general meeting" means;-
a general meeting of the club as arranged under rule 26, which is not an annual general meeting or a general monthly meeting.**

**"general monthly meeting" means;-
a meeting that is held once a month that is opened to all members and their guests as arranged under rule 27.**

**"the Act" means;
the Associations Incorporation Act 1984, and any of its amendments.**

**"the regulations" means;
the Associations Incorporation Regulation 1994, and any of its amendments**

1.2 In these rules;-

- (a) the reference to a function includes a reference to a power, authority and duty; and**
- (b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.**

**1.3 The provisions of the Interpretation Act 1987;
Apply to in respect of these rules in the same manner as those provisions would also apply if these rules were an instrument made under the Act.**

PART II

2. AIMS

- 2.1 To conduct a variety of trips on an organised, responsible and safe basis.
- 2.2 Adhere to the Code of Ethics as listed in Appendix "A" including the "Tread Lightly" philosophy.
- 2.3 To promote the club, its philosophies and expertise throughout the community
- 2.4 To provide social opportunities between individuals and families with a common interest in 4 Wheel Driving, Touring and Camping.
- 2.5 To assist in the development of club members in the varied disciplines of 4 Wheel Driving, thereby increasing members skills and knowledge.
- 2.6 To be actively involved in our local community and to be capable of providing assistance when requested by statutory bodies and voluntary organisations.
- 2.7 To foster and encourage relationships with club sponsors.
- 2.8 To establish, develop and maintain relationships with like minded clubs and organisations.
- 2.9 To raise funds by legal means to further the aims and interests of the club.

3. MEMBERSHIP QUALIFICATIONS

- 3.1 A person is qualified to be a member of the Club if, and only if;-
 - a) The person is a person referred to in section 15(1), (a) and (b) of the Act and has not ceased to be a member of the club at any time after incorporation of the club under the Act; or
 - b) Is a person who;
 - i) has been nominated for membership of the club provided by rule 4; and
 - ii) has been approved for membership of the club by the committee of the club,
 - iii) has fulfilled the obligations as set by the committee, on the application form,
 - iv) is interested in the development of the aims of the club.

4. NOMINATION FOR MEMBERSHIP

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- 4.1 A nomination of a person for membership of the club shall be made by a member of the club in writing on the nominated application form as determined by the committee, and shall be lodged with the Vice President of the club.
- 4.2 As soon as practicable the Vice President shall refer the nomination to the committee, which shall determine whether to approve or reject the nomination.
- 4.3 Where the committee determines the nomination for membership, the Vice President shall, as soon as practical notify the nominee of that approval or rejection.
- 4.4 If approved the nominee shall pay within one calendar month after notification of their acceptance. The nominee shall pay the joining fee and annual subscription as set out in section 10. Fees are to be paid to the Treasurer.
- 4.5 The Vice President shall, on payment by the nominee, enter the nominee's name in the register of members and, upon the name being so entered, becomes a member of the club.

5. CESSATION OF MEMBERSHIP

- 5.1 A person ceases to be a member of the club if the person;-
 - a) dies
 - b) resigns that membership;
 - c) is expelled from the club; or
- d) defaults on the payment of their fees by the end of the December general monthly meeting of each year.

6. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

- 6.1 A right, privilege, or obligation which a person has by reason of being a member of the club;-
 - a) is not capable of being transferred or transmitted to another person; and
 - b) terminates upon cessation of the person's membership.

7. TYPES OF MEMBERSHIP

- 7.1 **Membership:**
Shall consist of one (1) or two (2) adult persons eligible to hold a drivers licence, which may include dependent children under the age of seventeen (17) years or a person with special needs, as nominated on the application form and approved by the committee.
Membership fee shall be as determined by the committee from time to time.
- 7.2 **Life Membership**

**A person may be elected a life member of the club by:
Either holding a Committee position for a minimum 15 years or being a member who has given outstanding service to the club over a period of 20 years not necessarily consecutively. A maximum of two nominations are entitled to be voted on at any Annual General Meeting (AGM). Voting on a life member of the club at any annual general meeting is to be by a majority of 75% of members present whose membership is current and are entitled to vote. Nominations for life membership must be made in writing to the committee at least 2 months prior to the AGM, and no person shall be elected as a life member of the club unless their nomination for such election is recommended by the committee.**

8. RESIGNATION OF MEMBERSHIP

- 8.1 A member of the club is not entitled to resign that membership except in accordance with this rule.**
- 8.2 Any financial member of the club may resign from the club by giving notice in writing to the secretary of their intention.**
- 8.3 Where the member of the club ceases to be a member, the Vice President shall make the appropriate entry in the register of members, recording the date when membership ceased.**
- 8.4 When membership ceases there will be no refund of membership fees to that member.**

9. REGISTER OF MEMBERS

- 9.1 The committee shall nominate a member to establish and maintain a register of members of the club specifying the name and address of each person who is a member of the club together with the date on which the person became a member.**
- 9.2 The register of members shall be kept at the secretary's and vice president's place of residence and shall be open for inspection, free of charge, by any member of the club at any reasonable hour.**

10. FEES, SUBSCRIPTIONS, ETC

- 10.1 A member of the club shall, upon admission to membership pay to the club a one off joining fee, as determined by the committee from time to time.**

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- 10.2** In addition to any amount payable by the member under clause 10.1 a member of the club shall pay an annual membership fee, as determined by the committee from time to time
- 10.3** Membership is due on the 1st July and can be paid before or at the July general meeting and each succeeding year regardless of initial date of joining the club.
- 10.4** Membership is to be paid by or at the September general monthly meeting. After this date a member will incur the rejoining fee in addition to the membership fee, as determined by the committee from time to time.
- 10.5** New members joining after the 1st February shall pay 50% of the annual membership fee, as determined by the committee from time to time.

11. MEMBER'S LIABILITIES

- 11.1** The members of the club shall have no liability to contribute towards the payment of debts and liabilities of the club or the costs, charges and expenses of the winding up of the club except to the amount of any unpaid membership fees.

12. DISCIPLINING OF MEMBERS

- 12.1** Where the Committee is of the opinion that a member of the club:-
- a)** Has persistently refused or neglected to comply with a rule or the rules of the club, or
 - b)** Has persistently and wilfully acted in a manner prejudicial to the interests of the club, or
 - c)** Has breached a condition of any code of behaviour of the club as determined from time to time by the Committee.
- 12.2** The Committee (with a quorum of 7) shall decide whether the issue should be referred to a hearing of the Judiciary Committee. All relevant parties to the incident shall be informed within 7 days and no later than 14 days of the outcome.
- 12.3** Should either party be dissatisfied with the Committee's decision, they have the right to have the incident referred to a Judiciary Committee.
- 12.4** Where the Committee refers a matter to the Judiciary Committee, the Judiciary Committee shall be formed consisting of 3 members of the Committee and 2 general members, deemed impartial to the complaint. This shall occur within 48 hours or as soon as practicable thereafter. The Judiciary Committee shall notify the parties

concerned that they are to appear before the Judiciary Committee and serve notice advising:

- i) The nature of any complaint and the grounds on which it is based,
- ii) That the member is required to appear before the Judiciary Committee at a meeting to be held not earlier than three (3) days and no later than fourteen (14) days after service of the notice
- iii) The date, the place and time of that meeting; and
- iv) That the member may at the meeting;
 - a) Make oral presentation
 - b) Ask any questions of the complainant or any witnesses called to give evidence on the matter.
 - c) Submit any written material or evidence;
 - d) Produce any witness on their behalf; and
 - e) be represented

12.5 When the Judicial Committee has reached their decision the Secretary shall within seven (7) days inform by registered mail all parties involved of their decision and action to be taken This being either:

- a) Expel the member from the club; or
 - b) Suspend the member from membership of the club for a specific period; or
 - c) has no case to answer
- This notification shall also inform the member their rights of appeal.

12.6 A resolution confirmed by the Committee under the clause 12.5 does not take effect;-

- a) until the expiration of seven (7) days within which the member is entitled to appeal against the decision, or
- b) If within that period of time the member does use their right of appeal, disciplinary action does not take effect until a special general meeting is called within twenty one (21) days, and at that meeting a decision is reached and takes effect immediately.

13. RIGHT OF APPEAL OF DISCIPLINED MEMBER

13.1 A member may appeal to the club against the decision of the Judiciary Committee within seven (7) days of receipt of the decision, in writing to the Secretary.

13.2 Upon receipt of the appeal the Secretary shall notify the Committee which shall convene a special general meeting of the club to be held within twenty one (21) days after the date on which the Secretary received the notice.

13.3 At a special general meeting of the club convened under section 13.2

- a) no business other than the question of appeal shall be transacted
- b) the Judiciary Committee and the members shall be given the opportunity to state their respective cases orally, or in writing or in both and

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- c) **the members present shall vote by secret ballot on the question of whether the decision shall be confirmed or revoked.**
- 13.4 **If at the special general meeting a majority vote upholds the Committee's findings then disciplinary action is effective immediately.**

PART III THE COMMITTEE

14. POWERS, ETC. OF COMMITTEE

- 14.1 **The committee shall be called the committee of management of the club and, subject to the Act, the Regulation and these rules and to any resolution passed by the club in general meeting;-**
- a) **shall control and manage the affairs of the club;**
 - b) **may exercise all such functions as may be exercised by the club other than those functions that are required by these rules to be exercised by a general meeting of members of the club; and**
 - c) **has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the club.**

15. CONSTITUTION AND MEMBERSHIP

- 15.1 **Subject in the case of the first members of the committee to section (23) of the Act, the committee shall consist of:-**
- a) **the executive of the club; and**
 - b) **9 ordinary members, each of whom shall be elected at the annual general meeting of the club pursuant to rule 16**
- 15.2 **The executive of the club shall be;-**
- a) **the president;**
 - b) **the vice president;**
 - c) **the treasurer;**
 - d) **the secretary; and**
 - e) **the editor.**
- 15.2A **The non executive of the club shall be:-**
- a) **the trip coordinator**
 - b) **the social secretary**
 - c) **the driver development and environmental officer**
 - d) **the public relations officer**
 - e) **the material assets officer**
 - f) **the merchandising officer**

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- g) the canteen officer
- h) the web master
- i) the competition officer

15.3 Each member of the committee shall, subject to these rules, hold office until the conclusion of the annual general meeting following the date of the member's election, and is eligible for re-election.

15.4 In the event of a casual vacancy occurring in the committee. This vacancy shall be referred to a general meeting as soon as practicable, to elect a new committee member to fill a vacancy and the member so appointed shall hold office until the next annual general meeting. The position may be filled by a present committee member if no nomination from the general meeting is received, a committee member can not hold two (2) executive positions.

16. ELECTION OF MEMBERS OF COMMITTEE.

16.1 Nomination of candidates for election as *executives* of the club or as ordinary members of the committee;-

- a) shall be made in writing, signed by 2 members of the club and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
- b) shall be delivered to the secretary of the club not less than 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.

16.2 If no nominations are received to fill all vacancies on the committee, nominations shall be received at the annual general meeting.

16.3 If no nominations are received any vacant positions remaining on the committee shall be deemed to be casual vacancies.

16.4 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

16.5 If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.

16.6 The ballot for the election of *executive* and ordinary members of the committee shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct

- 16.7 A nomination of a candidate for election under this clause is not valid if that candidate has been elected to an position at the same election.**

17. SECRETARY

- 17.1 The Secretary of the club shall, as soon as practicable after being appointed as secretary, lodge notice with the club of his or her address.**
- 17.2 It is the duty of the secretary to keep minutes of;-**
- a) all appointments of the executive and members of the committee;**
 - b) the names of members of the committee present at a committee meeting or a general meeting; and**
 - c) all proceedings at committee meetings and general meetings.**
- 17.3 Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.**

18. TREASURER

- 18.1 It is the duty of the treasurer of the club to ensure that;-**
- a) all money due to the club is collected and received and that all payments authorised by the club are made; and**
 - b) correct books and accounts are kept showing the financial affairs of the club including full details of all receipts and expenditure connected with the activities of the club.**

19. CASUAL VACANCIES

- 19.1 For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member;-**
- a) dies;**
 - b) ceases to be a member of the club;**
 - c) becomes an insolvent under administration within the meaning of the Companies (New South Wales) code;**
 - d) resigns office by notice in writing given to the secretary who will present the resignation at the next committee meeting for confirmation by the committee;**
 - e) is removed from office under rule 20**
 - f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health, or**
 - g) is absent without the consent of the committee from all meetings held during a period of 3 months.**

20. REMOVAL OF MEMBER, OF COMMITTEE

- 20.1** The club in a general meeting may by resolution remove any member of the committee from office before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- 20.2** A member who has been removed from a committee position may appeal under the guidelines of clause 13.

21. MEETINGS AND QUORUM, OF COMMITTEE.

- 21.1** The committee shall meet at least 8 times in each period of 12 months at such place and times as the committee may determine.
- 21.2** The quorum for the Committee meeting shall be 7 to be made up of at least 3 executive members and 4 ordinary committee members
- 21.3** Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the committee) before the time appointed for the holding of the meeting.
- 21.4** Notice of a meeting given under clause 21.4 shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting except business which the committee members present at the meeting unanimously agree to treat as urgent for the transaction of the business of a meeting of the committee.
- 21.5** No business shall be transacted by the committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned and reconvened as in 21.4.
- 21.6** If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
- 21.7** At a meeting of the committee:-
- a) the president or, in the president's absence, the vice president shall preside; or
 - b) if the president and the vice president are absent or unwilling to act such one of the remaining members of the committee as may be chosen by the members present at the meeting shall preside.

22. DELEGATION BY COMMITTEE TO SUB-COMMITTEE

- 22.1** The Committee shall provide in writing the terms of reference under which the sub-committee may act.
- 22.2** The committee may delegate to one or more sub-committees, consisting of such member or members of the club as the Committee thinks fit, other than,
- a)** this power of delegation; and
 - b)** a function which is the duty imposed on the committee by the Act or by another law.
- 22.3** A function, the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of reference.
- 22.4** Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.
- 22.5** Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.
- 22.6** The committee may, in writing, revoke wholly or in part any delegation under this rule.
- 22.7** A sub-committee may meet and adjourn, as it thinks proper

23. VOTING AND DECISIONS

- 23.1** Questions arising at a meeting of the committee or any sub-committee appointed by the committee shall be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- 23.2** Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the chairperson at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the chairperson may exercise a second or casting vote.
- 23.3** Subject to rule 21.2, the committee may act notwithstanding any vacancy on the committee.
- 23.4** Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or a sub-committee appointed by the committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

PART IV GENERAL MEETINGS

24. ANNUAL GENERAL MEETINGS - HOLDING OF

- 24.1** With the exception of the first annual general meeting of the club, the club shall at least once in each calendar year and within the period of six months after the expiration of each financial year of the club, convene an annual general meeting of it's members.
- 24.2** The club shall holds it's first annual general meeting
- a) within the period of 18 months after its incorporation under the Act; and
 - b) within the period of two months after the expiration of the first financial year of the club.
- 24.3** Clauses 24.1 and 24.2 have effect subject to any extension or permission granted by the Commission under section 26(3) of the Act.

**25. ANNUAL GENERAL MEETINGS –
CALLING OF AND BUSINESS AT**

- 25.1** The annual general meeting of the club shall, subject to the Act and to rule 24, be convened on such date and at such place and time as the committee thinks fit.
- 25.2** In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be -
- a) to confirm the minutes of the last annual general meeting and of any special general meeting held since that meeting;
 - b) to receive from the committee reports on the activities of the club during the preceding financial year;
 - c) to elect the executive of the club and ordinary members of the committee; and
 - d) to receive and consider the statement which is required to be submitted to the members pursuant to section 26(6) of the Act (Reviewed Financial Statements)

**26. SPECIAL GENERAL MEETINGS –
CALLING OF**

- 26.1** The committee may, whenever it thinks fit, convene a special general meeting of the club.
- 26.2** The Committee shall on receipt of notification from no less than 15% of financial members consider convening a Special General meeting of the club.

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26.3 The Notification:

- a) shall state the purpose or purposes of the meeting;**
- b) shall be signed by the members making the request;**
- c) shall be lodged with the Secretary; and**
- d) may consist of several documents in a similar form, each signed by one or more members making the request.**

26.4 When a Special General Meeting is called the Secretary shall notify all financial members no later than 21 days prior to the next or subsequent General meeting.

26.5 If the committee fails to convene a Special General Meeting to be held within 2 months after the date on which a receipt of notification from the members is lodged with the Secretary, any one or more of the members that made the request may convene a Special General Meeting to be held no later than 3 months after that date.

26.6 A Special General Meeting convened by a member or members as referred to in section 26.5 shall be convened as nearly as practical in the same manner as general meetings are convened by the committee, and any member who thereby incurs expenses in calling the Special General Meeting, is entitled to be reimbursed by the club for any expenses so incurred.

26.7 No business other than that specified in the notice shall be voted upon at any of these meetings.

27. NOTICE OF

27.1 Within 4 weeks of the Annual General Meeting a calendar of dates or specific dates/days of each month shall be made available to all financial members for the holding of General Meetings for the year. These dates may change due to specific circumstances and members will be notified.

27.2 A member wishing to bring any relevant business before a General Meeting shall give notice to the Secretary who shall include that business in the agenda, to be carried out under general business.

28. PROCEDURE

28.1 No item of business shall be transacted at a General Meeting unless a quorum of 15% of financial members is present in person.

- 28.2** If within half an hour of the appointed time for the commencement of a General Meeting a quorum is not present, the meeting shall be dissolved and shall stand adjourned to the same day in the following fortnight at the same time, unless another place and/or time is specified at the time of the adjournment by the person presiding at the meeting, or subsequently by the Secretary in writing.
- 28.3** If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the commencement of the meeting, the members present (being not less than 10% of the Financial members) shall constitute a quorum.

29. PRESIDING MEMBER

- 29.1** The president or, in the president's absence, the vice-president, shall preside as chairperson at each general meeting of the club.
- 29.2** If the president and the vice-president are absent from a general meeting they may nominate a member to preside as chairperson at the meeting.
- 29.3** If the president and the vice-president are unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

30. ADJOURNMENT

- 30.1** The chairperson of a General Meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting to another time, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 30.2** Where a general meeting is adjourned more than fourteen days, the secretary shall give written or oral notice of the adjourned meeting to each member of the club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 30.3** Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

31. MAKING OF DECISIONS

- 31.1** A question arising at a General Meeting of the club shall be determined on a show of hands and, unless before or on the declaration by the chairperson that a resolution has, on a show of hands, be carried or lost, be recorded in favour or against that resolution.

31.2 At a general meeting of the club, a poll may be demanded by the Chairperson or by a financial member in person or by registered proxy at the meeting.

31.3 Where a poll is demanded at a general meeting, the poll shall be taken --

- a) immediately in the case of a poll which relates to the election of a chairperson of the meeting or to the question of an adjournment; or**
- b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.**

32. ALTERATION OF OBJECTS AND RULES

32.1 The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the club.

33. SPECIAL RESOLUTION

33.1 A resolution of the club is a special resolution if -

- a) it is passed by a majority which comprises not less than fifty percent plus one of such members of the club as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which not less than 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or**
- b) where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) - the resolution is passed in a manner specified by the Commission.**

33.2 A Special Resolution must be passed by a Special General Meeting of the club to effect the following changes.

- a) an alteration of the club's name;**
- b) an alteration of the club's rules;**
- c) an alteration of or an addition to the clubs objects and aims;**
- d) an alteration of the club's logo and colours;**
- e) an amalgamation with another incorporated or unincorporated association;**
- f) to voluntarily wind up the club and distribute it's property; or**
- g) to apply for registration as a company or a co-operative society.**

34. VOTING

34.1 Upon any question arising at a general meeting of the club a member has one vote only.

- 34.2 All votes shall be given personally or by proxy but no member may hold more than 3 proxies.**
- 34.3 In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.**
- 34.4 A member or proxy must be a financial member to be entitled to vote.**

35. APPOINTMENT OF PROXIES

- 35.1 Each member shall be entitled to appoint another member as proxy by notice given to the secretary no later than the time appointed for the commencement of the meeting in respect of which the proxy is appointed.**
- 35.2 The notice appointing the proxy shall be in the form set out in Appendix "B" to these rules.**

PART V. MISCELLANEOUS

36. INSURANCE

- 36.1 The club shall effect and maintain insurance pursuant to section 44 of the Act.**
- 36.2 In addition to the insurance required under clause (1), the club may effect and maintain other insurance.**

37. FUNDS - SOURCE

- 37.1 The funds of the club shall be derived from entrance fees and annual subscriptions of members, magazine advertising fees, donations and, subject to any resolution passed by the club in a general meeting, such other sources as the committee determines.**
- 37.2 All money received by the club shall be deposited as soon as practicable and without deduction to the credit of the club's bank account.**
- 37.3 The club shall, as soon as practicable after receiving any money, issue an appropriate receipt.**

38. FUNDS – MANAGEMENT

- 38.1 Any committee member may incur expenses and or liabilities to the club, limited to a value as determined by the committee at the first committee meeting after the AGM and approved by the following general meeting each year, in extraordinary circumstances this limit may be exceeded with the approval of at least 2 executive members**
- 38.2 The committee may incur expenses or liabilities to the club to cover the cost of printing the club magazine.**
- 38.3 Subject to any resolution passed by the club in general meeting, the funds of the club shall be used in pursuance of the objects of the club in such manner as the committee determines.**
- 38.4 All cheques, draft, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two office bearers or employees of the club, being members or employees authorised to do so by the committee.**

39. COMMON SEAL

- 39.1 The common seal of the club shall be kept in the custody of the public officer.**
- 39.2 The common seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the public officer or secretary.**

40. CUSTODY OF BOOKS, ETC.

Except as otherwise provided by these rules, the public officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the club.

41. INSPECTION OF BOOKS,ETC.

- 41.1 The records, books and other documents of the club shall be open to inspection, free of charge, by a member of the club at any reasonable hour.**

42. SERVICE OF NOTICES

- 42.1** For the purpose of these rules, a notice may be served by or on behalf of the club upon any member either personally or by sending it by post to the member at the member's address shown in the register of members.
- 42.2** Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purpose of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

43. SURPLUS PROPERTY

- 43.1** At a Special General Meeting of the Club members shall pass a special resolution nominating an incorporated association to vote on the distribution of surplus property pursuant to section 53(2) of the Act, in the event of winding up of or the cancellation of the incorporation of the club.

44. MATERIAL ASSETS

- 44.1** Material assets of the club shall be listed and updated by the committee as required.
- 44.2** The material assets shall be stored or kept at a place acceptable to the proper caring of them, as determined by the committee.
- 44.3** The material assets trustee shall be responsible for the recovery, storage, maintenance, issue and receipt of the material assets.
- 44.4** The material assets shall be for use by the club on organised club activities or functions approved by the majority of the committee.
- 44.5** Should the material assets be required as per rule 44.4, the member heading the activity or function shall request the material assets from the trustee, within a reasonable period of time.
- 44.6** In the event of two organised club activities or functions requiring the use of the same material assets, the decision to it's allocation shall be made by the Trips Co-ordinator or their delegate.
- 44.7** All incidents, defects, shortages or malfunctions must be notified to the trustee in writing, by the member who requisitioned the material assets, upon it's return. The trustee shall then submit the report to the next meeting of the committee.
- 44.8** All requested material assets will be returned at the earliest possible convenience before the next organised activity.

APPENDIX-A

(Rule 2.2)

FOUR-WHEEL-DRIVERS CODE OF ETHICS

- 1. Keep to the laws and regulations for 4WD vehicles
(They may change State-to-State)**
- 2. Keep to constructed vehicle tracks. Do not drive "off road".**
- 3. Keep the environment clean. Carry your own - and maybe other people's rubbish home.**
- 4. Obey restrictions on use of public lands. Respect national parks and other conservation areas.**
- 5. Obtain permission before driving on private land.
Leave livestock alone and gates as found.**
- 6. Keep your vehicle mechanically sound.**
- 7. Take adequate water, food, fuel and spares on trips.
In remote areas travel with another vehicle.**
- 8. Respect our wildlife. Stop and look, but never disturb or chase animals.**
- 9. Respect other recreationalists right to peace and solitude in the bush.**
- 10. Obey all fire restrictions. Extinguish your fire before leaving. Don't let your exhaust emit sparks.**
- 11. Help in bushfires emergencies and search and rescue, if you are properly equipped and able.**
- 12. Join a 4WD club and support 4WD touring as a responsible and legitimate recreational activity.**

APPENDIX-B

6. CODE OF CONDUCT – MEMBERS & VISITORS.

No pets (with the exception of registered companion dogs) are allowed on Club trips at any time for any reason.

THE CONSTITUTION OF THE MACARTHUR DISTRICT FWD CLUB (Inc.)

No motorbikes or ATV's are allowed on any club trip.

No firearms / weapons or pyrotechnics are allowed on any club trip.

Abusive language on the UHF, between members of the club or visitors, or club members / visitors and the general public, will not be tolerated.

Abusive language or behavior of members or visitors, around the camping area is not acceptable.

Driving in a manner considered to be unsafe either to the rest of the convoy or the general public will not be tolerated, if a person persists with this kind of behavior, the Trip Leader has the right to ask that person to leave the trip.

Driving in a manner that destroys or damages the environment will not be tolerated and may lead to expulsion from the club.

Comments made on social media or forums which do not reflect the ethics of the club may be removed without notice and access declined.

If membership of the club ceases or you sell your vehicle all club stickers and signage must be removed

APPENDIX-C

(Rule 35.2)

APPOINTMENT OF PROXY FORM

I (.....)
full name mbr. no.

of
address

being a member of MACARTHUR DISTRICT 4WD CLUB Inc.

hereby appoint (.....)
full name of proxy mbr. no.

of
address

being a member of MACARTHUR DISTRICT 4WD CLUB Inc., as my proxy to vote for me, on my behalf at the general meeting of the club (annual general meeting or special general meeting, as the case may be) to be held on the

..... day of 20..... and any adjournment of that meeting.

My proxy is authorised to vote in favour of / against (*delete as appropriate*) the resolution (*insert details below*)

.....
.....
.....
.....

..... / / 20.....
signature of member appointing proxy date

**** NOTE :**

A proxy vote may not be given to a person who is not a member of the club.
No more than three proxies may be held by one member. (as per rule 34.2)