



**RULES AND CONSTITUTION**  
**Skylines Australia VIC Incorporated, 2004**

**1. Name:**

- 1.1 The name of the club shall be “Skylines Australia VIC Inc.”(Hereinafter referred to as "the Club")
- 1.2 A Nissan Skyline is defined as any vehicle manufactured by the Nissan Motor Corp. and sold as Skyline. If necessary the Executive shall decide on the interpretation of this definition in relation to any vehicle.

**2. Office:**

- 2.1 The office of the Club is and shall remain in VIC Australia.

**3. Objectives of the Club:**

- 3.1 To promote, organise and conduct within the Club and with other motor vehicle clubs, events such as: rallies, tours, trials, competitions, exhibitions, social functions and other similar events.
- 3.2 To assist members of the Club in the maintenance, restoration and enhancement of club members’ vehicles.
- 3.3 To regularly distribute a newsletter concerning the activities and interests of the Club.
- 3.4 To provide and maintain a website concerning the activities and interests of the Club.
- 3.5 To obtain and maintain historical, statistical and other records and documents pertaining to the club members’ vehicles.
- 3.6 To affiliate with the Confederation of Australian Motor Sport Ltd (CAMS) abide by it’s rules and constitution and those of the FIA.
- 3.7 To promote friendship and courtesy on the road, and in competition between members of the Club.

**4. Management:**

- 4.1 The affairs of the Club shall be managed by the Executive Committee (hereinafter referred to as “the Committee”) consisting of a President, Vice-President, Secretary, Treasurer and such other members as shall be decided upon at the AGM. The President shall be the Chairman of all meetings except that in his absence the Vice-President shall be Chairman.
- 4.2 The Committee shall be elected at the AGM and shall hold office for a period of twelve months. The whole of the Committee shall retire at the end of each twelve months and shall be eligible for re-election.

- 4.3 The President may allocate assistants as necessary, subject to approval of the Committee. These assistants may be of Ordinary, Life or Honorary members.
- 4.4 The Committee is empowered to carry out on behalf of the Club all matters authorised under these rules.
- 4.5 The Committee may appoint sub-Committees when required.
- 4.6 The Committee may interpret any ambiguities in these rules as they see fit but in doing so will set a precedent which must be followed.

## **5. Membership:**

- 5.1 Membership of the Club shall be open to any person having an interest in Nissan Skylines and interested in the furtherance of the Objectives of the Club.
  - 5.1.1 The minimum age for a Standard Member shall be fourteen (14) years of age at time of joining.
  - 5.1.2 The minimum age for a Committee Member shall be twenty-one (21) years of age at time of election.
- 5.2 The membership shall consist of the following classes:
  - 5.2.1 Standard Members - Being all members described in 5.1.
  - 5.2.2 Corporate Members - Being companies having interests related to those of the club. (Corporate membership does not entitle the holder to vote, unless they are also an Ordinary or Life Member.)
  - 5.2.3 Life Members - Being such persons elected in accordance with the club rules.
  - 5.2.4 Honorary Members – Honorary Membership may be conferred on non-members by the Executive Committee. The period of Honorary Membership shall be determined by the Executive Committee.
- 5.3 Membership applicants for all classes except Life Members shall apply in writing on the prescribed form.
- 5.4 Every membership application shall be accompanied by the relevant subscription.
- 5.5 All members shall be elected by the Committee of the club. The Committee may decline any membership application.
- 5.6 Successful applicants shall be furnished with a copy of these rules upon request. All members shall agree to abide by them.
- 5.7 Life Members:
  - 5.7.1 A Life Member is a person who has rendered significant service to the club.
  - 5.7.2 Life Members must be nominated and their membership status confirmed by vote at the next Annual General Meeting, provided due notice has been given in accordance with Article 18.
  - 5.7.3 For Life Membership to be conferred on a Member, a unanimous vote of the Committee and a three quarter (3/4) majority vote of Ordinary members present at the AGM shall be required.
  - 5.7.4 A Life Member shall not be liable for annual subscriptions.

## **6. Termination of Membership:**

- 6.1 Any member may resign their membership of the club by giving notice in writing to the Secretary and paying all outstanding fees and subscriptions.
- 6.2 Any member over three months in arrears with a subscription shall cease to be a member of the club but will remain liable for any outstanding fees and subscriptions.
- 6.3 A member may be expelled from the club in accordance with the disciplinary rules of the club.

## **7. Membership Subscriptions:**

- 7.1 All members except Life Members and Honorary Members are required to pay an annual subscription.
- 7.2 Subscription rate increases for all classes of membership shall be determined at the Annual General Meeting by vote.
- 7.3 All subscriptions shall be utilised solely for the benefit of the club.
- 7.4 Annual subscription shall be payable by all members of the Club, in accordance with the schedule of fees determined by the Committee.
- 7.5 A single Membership card will be issued per single Subscription paid for in full, with the subscribing members name, serial number, and expiry date.
- 7.6 Replacement cards whether they're lost or stolen will be reissued at a cost of \$5.00 per card, and accompanying a membership form. A new serial number may be issued as seen fit by the President.

## **8. Election of Committee:**

The election of members of the Committee shall take place in the ensuing manner –

- 8.1 Any two ordinary members of the club may nominate a member to serve on the Committee. Nominations must be in writing, and forwarded to the Secretary at least twenty-one days before the AGM, accompanied by a written memorandum from the candidate agreeing to serve, if elected. In the event of there being insufficient nominations so received, those to hand shall be automatically elected and nominations shall then be called from those members present to fill the vacancies.
- 8.2 A list of the names of the candidates for each position, in alphabetical order, shall be forwarded to the members of the Club at least fourteen days before the AGM. Balloting lists shall be prepared containing the names of the candidates only and each ordinary member present at the AGM shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.
- 8.3 Paragraphs 8.1 and 8.2 notwithstanding, for the 2005 Annual General Meeting an exception shall be made that nominations for all Executive Committee positions shall be accepted at the meeting. Voting shall be by a show of hands. Each financial member shall be entitled to one vote for each position.

### **9. Casual Vacancies:**

Any casual vacancy on the Committee may be filled by the Committee and any member so chosen shall retire at the following AGM but shall be eligible to become a candidate for election to the Committee at such AGM.

### **10. Powers of Committee:**

10.1 The Executive committee shall have power to make and publish any by-laws for the improved management and control of the Club which shall not be inconsistent with this Constitution, and shall have the power to invite any other person to attend Committee Meetings who may be of assistance to them in a professional and skilled manner for his or her advice and guidance thereon, provided that such person shall not be entitled to a vote upon the Committee.

10.2 The Committee in addition to the powers hereinafter specifically conferred upon them shall have the control of the finances of the Club, power to engage, control and dismiss the Club servants and all such administrative powers as may be necessary to properly carry out the objects of the Club in accordance with these rules.

### **11. By-Laws:**

The Committee is empowered to make, repeal and amend such by-laws as they consider necessary for the proper conduct of the Club. By-laws made as aforesaid shall have effect until otherwise determined by the Committee or at an AGM or Extraordinary General Meeting (EGM) of the Club. In particular, but not exclusively, such by-laws may provide for and regulate –

11.1 The method whereby Honorary Members may be elected to membership and the Committee and method of election of a committee to manage their affairs.

11.2 The admission of visitors to meetings and benefits of the Club and fees to be paid by such visitors.

11.3 The provision of fines for the breach of any by-law.

11.4 Generally all matters as are commonly the subject matter of rules, regulations or by-laws of a club.

### **12. Committee Meetings:**

12.1 The Committee shall meet at least quarterly in the months of February, April, July and October, and at such other times as decided upon by the Committee; and also upon a written request from a majority of members of the Committee given seven days notice.

12.2 Any Committee member failing to attend three consecutive Committee meetings without apology or just cause shall thereby render himself/herself liable to exclusion from that office or Committee, by the Committee.

### **13. Quorum:**

13.1 At AGM and EGM, a quorum shall be three (3) Committee Members and six (6) Ordinary Members present.

13.2 At a Committee Meeting, a quorum shall be three (3) Committee Members present.

**14. Annual General Meeting:**

14.1 The Annual General Meeting (AGM) of the Club shall be held not later than the last day of May in each year, at which time the Annual Report and Balance Sheet shall be presented, and elections held for the Committee.

**15. Extraordinary General Meetings:**

15.1 The Committee may call an EGM when any question of urgent importance shall arise and shall be bound to do so on receiving a requisition signed by ten (10) Ordinary Members of the Club for a specifically stated purpose, or by a member who has been expelled by the Committee and has duly given notice of his or her desire to appeal to an EGM.

**16. General Meetings:**

16.1 At all General Meetings (GM) any two (2) of the Committee and any financial members present shall form a quorum.

**17. Voting:**

17.1 At all meetings, i.e. AGM, EGM and GM, every financial Ordinary or Life Member shall be entitled to one vote. In cases of equal voting the Chairperson shall have the casting vote except in elections.

17.2 In the case of equal voting in any election it shall be decided by lots.

17.3 All votes will be of an open nature.

17.4 Ballot papers will be issued with newsletters not less than 10 days prior to voting date.

**18. Notice of Meeting:**

18.1 At least 14 days clear notice of intention to convene an EGM or an AGM shall be given by the Secretary to all members. Any notice of motion intended to be put to the meeting and shall be delivered to the Secretary not later than 21 days prior to the date fixed for the meeting, and shall be included with the notice for the Meeting.

**19. Amendment of Constitution:**

19.1 The constitution may be amended at an EGM or a AGM convened in accord with Article 18, provided that the amendment is approved by at least two-thirds of the members present and voting at the meeting, and provided that this Article shall not empower the Club to amend this Constitution as far as it refers to the provisions set out in Articles 21 (Funds) and 28 (Dissolution).

**20. Duties of Treasurer:**

20.1 It is the duty of the Treasurer to receive all money payable to the club. The Treasurer shall deposit and withdraw all funds from a bank account in the name of the Club.

**21. Funds:**

21.1 The funds of the Club shall be banked in the name of the Club, and the bank account shall be operated upon by any two of the President, Vice-President, Secretary and Treasurer.

21.2 The Club is prohibited from making any distribution to its members, whether in money, property or otherwise howsoever, of any assets; provided however, that this shall not prevent payment in good faith of remuneration to any officers or servants, or reimbursement of authorised out of pocket expenses incurred in facilitating the objectives of the Club.

**22. Accounts:**

22.1 All accounts for payment shall be presented to the Committee for consideration prior to passing for payments.

22.2 All payments from the club accounts greater than annual membership fee shall be co-signed by the president.

**23. Financial Year:**

23.1 The Club's financial year shall conclude on the last day of February in each year.

**24. Duties of Secretary:**

24.1 The Secretary shall conduct the correspondence of the Club and subject to the control of the Committee, shall have the custody of all documents belonging to the Club. He or she shall keep full and correct minutes of all proceedings of the Club and of the Committee.

24.2 A register of the members shall be kept by the Secretary and shall contain names, addresses and joining date and any other information deemed relevant by the Secretary. Members shall notify the Secretary of any changes in information contained in the register.

24.3 All notices issued by the club shall be issued by the Secretary.

**25. Branches:**

25.1 The club may establish branches at any place and determine the boundaries of the branches. A branch shall not be established with less than 6 members.

25.2 There shall not be a formation of splinter branches, factions, sub groups, or sub clubs with the body of the Club, with out ratification by the Committee and brought before a GM for vote.

**26. Misconduct:**

26.1 Any member of the club may be disciplined, suspended or expelled by the Committee.

**27. Dissolution:**

27.1 The club shall be dissolved in the event of the membership being less than 3 persons.

27.2 The club may be dissolved voluntarily by a three quarter ( $\frac{3}{4}$ ) majority vote of the members present at an EGM convened to consider such question.

27.3 Proxies votes will be allowed at such EGM provided the Committee verifies them.

27.4 After discharging all liabilities the club's assets and funds on hand shall be handed over to such other club or similar association having objects such as are stated in Article 3 of this constitution or such registered

**28. Forfeiture of Rights:**

28.1 Any member, in accordance with the rules or otherwise, ceasing to be a member of the Club, shall forfeit all such rights to, or claim upon the Club, or its property as he otherwise would have by reason of membership.

**29. Club Property:**

29.1 No member shall take away or permit to be taken away from the Club under any pretext whatever any newspaper, pamphlet, book or other article being the property of the Club.

29.2 No member shall damage or permit to be damaged any article being the property of the club.

29.3 Article 30.1 notwithstanding, the Committee may permit such articles to be borrowed by a member as it sees fit.

**30. Expulsion of Members:**

30.1 If any member shall refuse or neglect to comply with any of the rules or by-laws of the Club or shall be guilty of conduct which, in the opinion of the Committee is injurious to the character or interests of the Club, the committee may call upon such member to make an explanation either in writing or by personal attendance before a meeting of the Committee specially called for the purpose and if, after considering the matter at such meeting, including the explanation (if any) offered by the member concerned, at least two-thirds of the Committee present are of the opinion that the charge has been sustained, the committee may, by the affirmative vote of a two-thirds majority, expel such member. The Committee shall, in writing, advise the member concerned of its decision. A member who has been expelled as aforesaid may, within 30 days thereafter give notice in writing to the Secretary, of his or her desire to appeal against the decision and in that case an appeal may be made to an EGM of the Club called for that purpose (See Article 18) at which the member shall be given an opportunity to attend and make a statement. After considering such an appeal, such EGM may affirm or reverse the decision of the Committee.

This constitution was presented to the members of this Club at a General meeting on the ..... Day of ..... 2004, and was unanimously adopted.

President..... Signed.....

Secretary..... Signed.....