THE CLASSIC OWNERS MOTORCYCLE CLUB INCORPORATED

CONSTITUTION



1. **TITLE.** The name of the association is The Classic Owners Motorcycle Club Incorporated referred to as The Club or The 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 relating to motorcycles.
   2.4. To foster friendship and goodwill amongst motorcyclists.

3. **MEMBERSHIP.**
   3.1. Membership is limited to natural persons.
   3.2. Membership is for the financial year 1st July to 30th June.
   3.3. Membership requires acceptance of The Club Constitution, Rules and responsibilities.
   3.4. Membership is not conditional upon owning a motorcycle.
   3.5. Members are entitled to all privileges and facilities appropriate to their class of membership.
   3.6. **Classes of Membership**
      3.6.1. **Full**. A Full Member is entitled to all the privileges of The Club.
      3.6.2. **Family**. On payment of an additional fee Family Membership is extended to the spouse or partner of a member. The status of such member is equal to Full Membership.
      3.6.3. **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.
      3.6.4. **Life**. Life Membership may be proposed for any member who has given ten (10) years exceptional, meritorious and active service to The Club. Life membership may be proposed by any member using The Club Nomination Form and submitted to the Executive two months prior to the AGM for consideration. Life Membership may be conferred only at an Annual Meeting. Life Membership carries all the privileges of financial Full Membership.

   3.7. **Resignation.** A member may resign from The Club by giving written notice to the Secretary.

   3.8. **Admission to Membership**.
   Persons may be admitted to membership subject to the following:

      3.7.1. The application form has been completed, nominated and seconded by two (2) financial members and appropriate fees paid.

      3.7.2. The completed form is submitted to The Committee for consideration.

      3.7.3. The approved applicant is presented to a General Meeting.

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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 1st July and may be paid after ratification at the April General Meeting.

4.3. **Concessions** are available for

4.3.1. Members possessing a concession card.

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 of The Club and up to eight (8) other elected Officers.

5.1.2. **The Executive** is comprised of the President, Vice President, Secretary, Treasurer and the Machine Registrar.

5.1.3. **Tenure**. The Committee is elected at the Annual General Meeting and holds 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.

5.1.4. **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 duty 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 holds the Common Seal which is used pursuant to resolution of the Committee.

5.2.5. The **Public Officer** role is undertaken by the Secretary. Duties include the preparation and lodgement of statutory documents.

5.2.6. **The Treasurer** is responsible for The Club finances as directed by the Committee. The Treasurer receives all monies due to The Club, issues receipts, banks all monies as soon as practicable, pays accounts authorised by any two of the Treasurer, Secretary or President. The Treasurer maintains a register of income and expenditure, reports to all Club meetings and arranges for an annual financial review of accounts for presentation at the Annual General Meeting or as soon as practical thereafter.

6. INSPECTION OF RECORDS. Where reasonable notice is given, financial members may inspect Club records or books of the respective Officers under the supervision of the Committee.

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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 and 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 and Committee Meetings** are conducted monthly or as required.
8.2. The Annual General Meeting is conducted at the conclusion of the July General Meeting.
8.3. **Notice of General and Committee Meetings** will be posted on The Club website no less than two weeks before the scheduled 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(s) for calling a Special General Meeting. The meeting shall be called by the Secretary within twenty-one (21) days of receipt of such request. Members shall be notified by post, email or as posted on The Club website of the time, place and the reasons for calling such 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 to express opinion.
8.6. **Quorum**. Numbers which constitute a quorum are:
  8.6.1. Twenty-five (25) financial Full Members at General, Special and Annual meetings;
  8.6.2. Two (2) Executive Officers and three (3) other Officers at Committee meetings.

9. VOTING RIGHTS.

9.1. At all meetings only financial members are entitled to vote.
9.2. All financial members, regardless of their Class of Membership, have full and equal voting rights.
9.3. At Committee meetings only elected Officers **OR** their Deputies, as appointed in accordance with The Club Rules, are entitled to vote.
9.4. Voting shall be in accordance with The Club Rules.
9.5. **Resolutions**.

9.5.1. 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.

9.5.2. For a motion to pass as a **special resolution** a three quarters majority (75%) of votes is required of members present and voting at a General Meeting.

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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 in writing of such motion and the 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 11.1.2.

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 the 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, Financial Reviewer 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 been occasioned through their own wilful act, default or culpable negligence.