

# **TRUE STREET CAR CLUB INCORPORATION'S**

## **CONSTITUTION**

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**Part 1. PRELIMINARY**

**1. Definitions**

In this Constitution:

"the Club" means True Street Car Club Incorporated.

"the Act" means the Associations Incorporation Act 1981

"Committee" means both the Executive and General Committee members.

"General Meeting and Special General Meeting" means a meeting of the Club other than an Annual General Meeting.

"Secretary" means the person holding office under this Constitution as Secretary of the Club and is the Public Officer of the Club.

"Inc" is an abbreviation for Incorporated.

"Regulation" means the Associations Incorporation Regulation

## **Part 2. NAME & OBJECTIVES**

### **2. Name**

2.1 The name of the Association shall be **True Street Car Club Incorporation**

### **3. Objectives**

3.1 The primary aims and purposes of True Street Car Club Inc are:

- a) To bring together friends and family interested in shows, vehicles and related organised events.
- b) To periodically participate in and attend car shows, runs, road trips, night cruises, charity events, club displays of vehicles, equipment, camping, and recreational activities for the car enthusiasts.
- c) To be a non-profit making organisation. Accumulated profits are to be used for the requirements of the club.

3.2 Members and Prospective members should remember that True Street Car Club Inc was created and is being further developed to promote enjoyment and friendship of car enthusiasts with Classis and Muscle cars up to 1987 vehicles.

## **Part 3. MEMBERSHIP**

### **4. Membership Classes**

4.1 The True Street Car Club Inc shall consist of:

- a) **Full member** - Anyone who has a classic or muscle car up to 1987 vehicle and has paid the joining donation, the yearly donation and actively participates. Full member have full voting rights.
- b) **Family member** - The Club acknowledges the immediate family of a member to have all entitlements of the full member other than the ability to vote, unless they are also financial full members.  
The Club is family oriented and encourages family participation in all events.
- c) **Prospective member** - Someone who is not yet a member but has attended one or more events or meetings and wants to join Club. No voting rights.
- d) **Honorary member** - Anyone whom the Committee decides has given long and outstanding service to the Club. Honorary member's donation is waived. Honorary members have full voting rights.

### **5. Membership Qualification**

5.1 Membership requires the following from its members:

- a) Member's vehicles must remain with and/or above Club vehicle standards. (set out in Section 36)
- b) All members must agree to abide by the True Street Car Club Inc Constitution and By-Laws set forth herein.
- c) Members must be willing to participate in organised events, meetings and runs.

5.2 True Street Car Club Inc is a Club with standards. Therefore we are required to set certain standards (Standards of behaviour, presentation and enthusiasm).

- 5.3 As Member's vehicles continue to wear the Club sticker before, after and in between events their vehicles are always representing the Club and therefore they should conduct themselves in an appropriate manner.
- 5.4 Full membership entitles a True Street Car Club Inc member to a Club sticker, a membership card at time of joining. If card is lost there is a replacement cost of \$8.00

## **6. Nomination for Membership**

- 6.1 A nomination of a person for membership of the Club:
- a) Membership is to be made in writing by correctly filling out a True Street Car Club Inc membership form.
  - b) Applications for membership shall be lodged with any Committee member.
  - c) The prospective member should give the Club a donation upon joining,
- 6.2 The Committee or Meeting of full members may, at their discretion.
- a) Refuse any nomination for membership and need not give any reasons to the unsuccessful nominee. Upon refusal the nominee's deposit shall be refunded without interest.
  - b) In considering a nomination for membership pursuant to this rule, the Committee must ensure that a person who is not qualified for membership of the Club under the Act is not admitted as a member.
- 6.3 Once a nominee is successful in applying for membership.
- a) The Membership Officer must on payment of the nominee of the amounts referred to in subclause (6.1-c), enter or cause to be entered the nominee's name in the Register of Members.
  - b) It is the Committee's responsibility to ensure that the member receives their Club sticker, cap and membership card as soon as possible.

## **7. Cessation of Membership**

- 7.1 A person ceases to be a member of the Club if the person:
- a) dies, or
  - b) resigns membership, or
  - c) is expelled from the Club, or
  - d) fails to pay the annual membership fee under clause (11.2) within 2 months after the fee is due.
- 7.2 The Committee can expel a member for any of the following reasons:
- a) A conflict, wrong doing, or any other justified reason of matter.
  - b) Majority vote by members of the Committee upon a member.
  - c) Any member who intentionally participates in the damage of property will be excluded immediately.
  - d) Any member who conducts themselves in a manner prejudicial or detrimental to the interests of the Club.
- 7.3 Any family members or friends associated with a member brings the Club into dispute may cease membership and if any member is excluded from the Club then associated family members are automatically excluded.
- 7.4 Any member who is excluded from the Club must remove any Club sticker immediately.

## **8. Membership Entitlements Not Transferable**

- 8.1 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.
  - b) Terminates on cessation of the person's membership.

## **9. Resignation of Membership**

- 9.1 A member may at anytime by giving notice in writing to the Secretary, withdraw membership from the Club.

9.2 If a member of the Club ceases to be a member, the Secretary must make an appropriate entry in the Register of Members recording the date on which the member ceased to be a member.

#### **10. Register of Members**

10.1 The Secretary must keep and maintain a register of members.

10.2 The Secretary shall:

- a) Keep a register of members containing the full names and postal addresses of all members and date on which the person became a member.

10.3 The Register of Members must be open for inspection free of charge, by any member of the Club at any reasonable hour.

10.4 If a member requests that any information contained on the Register about the member (other than the member's name) not be available for inspection that information must not be made available for inspection.

10.5 A member must not use information about a person obtained from the Register to contact or send material to the person, other than for:

- a) The purposes of sending the person a newsletter, a notice in respect of a meeting or event relating to the Club or other material relating to the Club or,
- b) Any other purpose necessary to comply with a requirement of the Act or Regulation.

10.6 All members shall notify the Membership Officer of any change of name or address or other information held in the Register of Members as soon as possible after such change. These changes will be noted in the Register of Members

#### **11. Fees and Subscriptions**

11.1 In addition to any amount payable by the member under clause (1), a member of the Club must pay to the Club an annual membership fee of \$2 or, if some other amount is determined by the Committee.

11.2 Membership renewal fees:

- a) Are due 31st of March each year

#### **12. Disciplining of Members**

12.1 Any conflict between members will be dealt with by each other. If the conflict meets no resolution, Club Committee Members will facilitate a resolution. This may mean both parties being excluded from the Club for a set period of time or indefinitely. It is the Executive Committee's choice and their decision is final.

12.2 Members must establish a line between Club business and non-Club business.

12.3 No negative attitude will be accepted.

### **Part 4. THE COMMITTEE**

#### **13. Powers of the Committee**

13.1 Subject to the Act, the Regulation and this Constitution and to any resolution passed by the Club in a General Meeting, the Committee:

- a) Is to control and manage the affairs of the True Street Car Club Inc.
- 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.
- 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.

#### **14. Composition and Membership of Committee**

- 14.1 True Street Car Club Inc Committee positions shall be selected by the Club members as a whole and shall be responsible for the administration and development of the Club and its interests.
- 14.2 The Office - Bearers of the True Street Car Club Inc Club are to be:
- a) President.
  - b) Secretary.
  - c) Treasurer.
- 14.3 The Office Bearers shall also be known as the Executive Committee.
- 14.4 Each member of the Committee is, subject to these rules, to hold office until the conclusion of the Annual General Meeting following the date of the member's election, but is eligible for re-election.
- 14.5 In the event of a casual vacancy occurring in the membership of the Committee, the Club may appoint a member of the Club to fill the vacancy through a vote.

### **15. Election of Committee Members**

- 15.1 The Secretary is to give eight weeks notice to all members about the roles of each Office - Bearer and what each position entails.
- 15.2 At each Annual General Meeting all members of the Committee shall be retired from their position.
- 15.3 The interim period when the serving Committee has stepped down and prior to a new Committee being elected, the Annual General Meeting will be chaired by a nominated guest.  
This guest will oversee the election of the new Committee and then relinquish the role of chair.
- 15.4 A member needs to be nominated by another member or themselves for consideration of an Office Bearer position.  
This nomination needs to be seconded. Only after the nomination has been seconded and has accepted the position can the nominee be considered for the Committee.
- 15.5 There is no limit to how many members can be nominated for a position. If there is only one nominee, that nominee receives the position open for election. If there is more than one nominee then a vote needs to take place to determine the nominee who has been awarded the position.
- 15.6 Once a member has been successfully voted onto the Committee, that person cannot be nominated for any other position.

### **16. Duties of the Committee**

- 16.1 All roles require dedication throughout the year and applicants for Committee positions must be able to donate their time to the administration of the Club. These positions should not be taken lightly and it is these ten positions that ensure the Club can continue to run successfully.
- 16.2 President
- a) The role of President should not be taken lightly as it is a very involved position.
  - b) The President is the Chairman of all Meetings of the Club.
    - i) To ensure required number of Club meetings are held and formally conducted.
  - c) To ensure all Club requirements are fulfilled and to oversee and assist other Committee members.
  - d) The key public relations person.
  - e) Act as one of the cheque signatories for the Club bank account.
- 16.3 Secretary
- a) Responsible for keeping the minutes of :
    - i) All appointments of Office Bearers and members of the Committee.
    - ii) The names of Committee and members present at Committee, General, Special and Annual General Meetings.
    - iii) All proceedings at Committee, General, Special and Annual General Meetings.

- b) Minutes of proceeding at a meeting must be signed by the chair person of the meeting or by the chair person of the next succeeding meeting.
- c) Receive, open, distribute and send all official correspondence of the Club.
- d) Be the Public Officer of the Club.
- e) Act as one of the cheque signatories for the Club bank account.

16.4 Treasurer

- a) It is the duty of the Treasurer of the Club to ensure:
  - i) That all money due to the Club is collected and received and that all payments authorised by the Club are made.
  - ii) That 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.
- b) Responsible to insure that the True Street Car Club Inc remains a non-profit organisation at the end of each financial year.
- c) Act as one of the cheque signatories for the Club bank account.

**17. Removal or Resignation of Committee Members**

17.1 Should it appear to the Executive Committee that any Officer is not properly performing his duties, the Executive Committee may by a special resolution declare such offices to be vacant, provided that any Officer so removed shall have the right of appeal at Committee level.

- a) If the Officer is removed from office under this rule they shall not be eligible for re-election to their former or any office during the currency of that financial year.

17.2 If an Officer resigns, or is unable to perform their duties then a Special General Meeting is to be called by the Secretary. This meeting will take place when the Club's General Meeting would have taken place.

- a) A Committee Member may resign by giving notice in writing to the Secretary.
- b) The process for re-electing a new Committee position is the same as it is for electing a Committee position at the Annual General Meeting.

**Part 5. MEETINGS**

**18. Meetings**

18.1 An Annual General Meeting of the True Street Car Club Inc will be held each year on a Sunday in November

18.2 There shall be 3 Club Meetings held each year

- a) These monthly meeting are not considered compulsory but members are encouraged to be present for these meetings.

18.3 Additional meetings of the Committee may be convened by the President or by any member of the Committee.

18.4 The Committee may whenever it thinks fit, convene a Special General Meeting of the Club.

18.5 At a meeting:

- a) The President or, in the President's absence, the Secretary or the Treasurer is to chair.

**19. Quorum**

19.1 Any three members of the Committee constitute a quorum and any five members present (being members entitled under this Constitution to vote at a General Meeting) constitutes a quorum for the transaction of the business of a General Meeting.

19.2 No item of business is to be transacted at a Committee or General Meeting unless a quorum of members entitled under this Constitution to vote is present during the time the Meeting is considering that item.

19.3 If within half an hour of the time appointed for the Meeting, a quorum is not present; the Meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.

- a) If at the adjourned Committee Meeting a quorum is not present within half an hour after the time appointed for the commencement of the Meeting, the Meeting is to be dissolved.
- b) If at the adjourned General Meeting a quorum is not present within half an hour after the time appointed for the commencement of the Meeting, the members present (being at least 3) are to constitute a quorum.

## **20. Meeting Procedures**

- 20.1 The business of an Annual General Meeting is to include the following:
- a) To confirm the Minutes of the last preceding AGM and of any Special or General Meetings held since that meeting.
  - b) To receive from the Committee reports on the activities of the Club during the last preceding financial year.
  - c) To elect Office - Bearers of the Club.
  - d) To receive and consider any financial statements or reports required to be submitted to members under the Act.
- 20.2 All Meetings will follow an agenda and each item on the agenda will need to be accepted and seconded or dismissed, under the guidelines of the Act. Their names will be recorded as part of the Minutes.
- 20.3 Every member present at any Club Meeting shall sign their name in an attendance book in accordance with the Act.
- 20.4 Each Committee member is required to present a report at each Club Meeting detailing the Club's progress in regards to their role on the Committee. Vice President and Club Secretary are excluded from giving a report.
- 20.5 The Secretary shall have and maintain Minutes of Meeting:
- a) Made in books provided for the purpose, and in particular:
    - i) Of all appointments of Committee members;
    - ii) Of the names of the members of the Committee present at Committee Meetings and all members present at General Meetings.
    - iii) Of all resolutions and proceedings at all Meetings.
  - b) Minutes must be recorded in the Minute Book within 14 days of the date of the Meeting to which they relate. The Minute Books must attend all Club and Committee Meetings.
  - c) The confirmation of such Minutes, signed by the chairperson, shall be taken as the first business at the next succeeding Meeting of the Committee to which the Minutes relate. If it is impracticable for the Minutes to be confirmed at that meeting, then the Minutes shall be confirmed at the next succeeding Meeting.
  - d) The Minute Books must be made available to view upon request from a full member. If the books are not present at the time of the request, a suitable time must be arranged when the member(s) can view the Minute Books. This time must be set within 14 days of the member's initial request.

## **21. Special Resolutions**

- 21.1 A special resolution may only be passed by the Club in accordance with section 39 of the Act.

## **22. Voting**

- 22.1 On any question arising at a Meeting of the Club a member has one vote only.
- 22.2 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.
- 22.3 A member is not entitled to vote at a General Meeting of the Club unless all money due and payable by the member to the Club has been paid.
- 22.4 Voting will be either verbal or with written ballots.
- 22.5 Votes are to be cast by the name that appears on the membership application form.  
No voting from spouses of friends unless financial.
- 22.6 The voting will be done with a show of hands. If there is no clear majority then a secret ballot will take place.
- a) The votes of the secret ballot will be counted by the interim chair and two members who are not intending to join the Committee.



**23. Proxy Voting.**

- 23.1 Proxy voting can be undertaken at or in respect of a General Meeting.
- 23.2 For members who can't attend a vote should be able to appoint a proxy who is financial member and or able to do a postal vote

**Part 6. FINANCES**

**24. Auditor**

- 24.1 The Annual General Meeting shall elect or appoint an Auditor or Auditors.
- 24.2 The Auditor/s shall examine and audit all the books and accounts of the Club annually and have the power to call for all books, papers, accounts, receipts etc., of the Club and report there on to the Annual General Meeting.
- 24.3 The Auditor will balance the Club books during the month of January. The Annual Statement will then be submitted to the Department of Fair Trading in accordance with the Act.

**25. Financial Year**

- 25.1 The financial year of the Club is from the 1<sup>st</sup> July to 30<sup>th</sup> June of each year.

**26. Finances**

- 26.1 The Club under the Act is a not for profit organisation. Strict record keeping needs to be maintained. It is the responsibility of the Treasurer to maintain the Club finances, cheque book balance, petty cash and receipts.
- 26.2 The Club will seek a financial institution for the use of a cheque book and to set up an account from which the Club can keep its monies
- 26.3 The Club will have two sources to draw money: a Club cheque book and petty cash.
- a) Cheque Book:
- i) The Club cheque book requires two signatures. One of these signatures will be that of the Club Treasurer. The other must be a Committee Member.
  - ii) Club supplies including merchandise will be paid for with a cheque.
- b) Petty Cash:
- i) The Club will keep a petty cash float of \$100.
  - ii) Cash given on requirement of receipt
  - iii) Over \$150.00 Cheque is given. The receipt is to be taken to a meeting when a Cheque is required.
  - iv) When you need to top up Petty Cash take to a General Meeting.
- 26.4 If a member purchases an item on behalf of the Club and is seeking reimbursement, it will need the majority of a General Meeting to agree to the reimbursement. The reimbursement will be given in the form of a cheque. In order to receive the reimbursement the member must show proof of purchase and surrender any receipts they may have.

**27. Insurance**

- 27.1 The True Street Car Club Inc may effect and maintain insurance.

**28. Funds - Source**

- 28.1 The funds of the Club are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Club, in General Meeting, such other sources as the Committee determines.
- 28.2 All money received by the Club must be deposited as soon as practicable, and without deduction, to the credit of the Club's bank or other authorised deposit-taking institution account.

28.3 The Club must, as soon as practicable after receiving any money, issue an appropriate receipt.

**29. Funds - Management**

29.1 Subject to any resolution passed by the Club in General Meeting, the funds of the Club are to be used in pursuance of the objects of the Club in such manner as the Committee determines.

29.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any two Members of the Committee of the Club, being members authorised to do so by the Committee.

**Part 7. MISCELLANEOUS**

**30. Change of Name, Objects and Constitution**

30.1 An application to the Director-General for registration of a change in the Club's name, objects or Constitution in accordance with section 10 of the Act is to be made by the Public Officer or a Committee member.

**31. Custody of Books etc**

31.1 Except as otherwise provided by this Constitution, the Treasurer must keep in his or her custody, or under his or her control all records, books and other documents relating to the Club.

**32. Inspection of Books etc**

32.1 The following documents must be open to inspection, free of charge, by a member of the Club at any reasonable hour:

- a) records, books and other financial documents of the Club,
- b) this Constitution,
- c) Minutes of all Committee Meetings and General Meetings of the Club.

32.2 A member of the Club may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.

**33. Service of Notices**

33.1 For the purpose of this Constitution, a notice may be served on or given to a person:

- a) by delivering it to the person personally, or
- b) by sending it by pre-paid post to the address of the person, or
- c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

33.2 For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:

- a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
- b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

**Part 8. BY-LAWS**

**34. Club By-Laws**

34.1 Alcohol consumption must be in accordance with any legislation or legal notice and will only be tolerated when it does not affect the overall image of the Club.

34.2 All members must conduct themselves in an orderly fashion at club meetings and outings.

34.3 All members are requested to notify the Club of their inability to attend Club functions and General Meetings.

34.4 These By-Laws do not exclude the Committee in any way.

### **35. Cruise Rules**

35.1 All vehicles must be registered and in a safe road worthy condition to Queensland Transport Department standards.

35.2 Members will obey all road rules and drive safely at all times.

35.3 If a member should be pulled over, the rest of the Club will proceed to the next left exit and wait.

35.4 The Club and its Committee will under no circumstances be held responsible for damage, fines, or theft received while on a cruise.

35.5 If there is an accident or incident between members those members should discuss arrangements to rectify this between themselves.

35.6 Any member whether they be a full member or a members guest who deliberately participates in the damage of any property (member's or otherwise) will be excluded immediately from the run/from the Club and reported to police.

### **36. Vehicle Standards**

36.1 The following rules apply to a Club member's vehicle:

- a) All vehicles must be deemed to meet a standard at the Committee's discretion.
- b) All vehicles must be in road worthy condition.

### **37. Club Logo and Sticker**

37.1 True Street Car Club Inc logo sticker, in any form, and its slogans remain the property of Club.

- a) The use of the Clubs name or logo whether implied or inferred by any Club member for private or business use is prohibited.

37.2 Any Club Symbol or logo affixed to a vehicle must be returned to the Club Secretary upon resignation or exclusion.

37.3 **Name** - The name shall be True Street Car Club Inc. The name and its abbreviation shall remain the property of the Club and are registered and covered by state and federal law as such.

37.4 **Emblem** - The emblem shall be the True Street Car Club Inc logo sticker. The logo shall be of the original form as created by the Club and by request can, incorporate the symbol created by Club members.

- i) Any second developed emblem of True Street Car club Inc is not considered the official logo but is an acceptable alternative and is covered by state and federal laws as such.

37.5

37.6 The member is responsible for their membership cost and this includes the issue of one Club sticker. Any additional sticker is at the rate set by the Committee.

37.7 If there is a new design of Club logo or sticker, then the member will be issued with a new sticker at no cost.