

Constitution of the Canberra Hot Rod Association (Inc)

Original draft issued 1984

Amended October 1994

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ARTICLE 1: NAME AND INSIGNIA

ARTICLE 1 SECTION 1: Name

1. The name of this Association shall be the Canberra Hot Rod Association (inc).
2. The Canberra Hot Rod Association (inc) shall be an affiliate of the Australian Street Rod Federation (ASRF)

ARTICLE 1 SECTION 2: Insignia

1. The Canberra Hot Rod Association (inc) shall have such official insignia as the membership shall determine.

ARTICLE 1 SECTION 3: Definition

1. A Hot Rod is defined as a vehicle which has been manufactured;
 - (a) before 1949, or
 - (b) after 1948 to resemble a pre 1949 vehicle having major components such as body, doors, bonnet, grille shell, chassis etc. designed and built to interchange with pre 1949 components.
 - (c) A Hot Rod differs from a Vintage/Veteran/Historic or a restored vehicle in that it has been altered or modified to use components not produced as part of the pre 1949 vehicle. A Street Rod is defined as a Hot Rod for the purpose of this document.
 - (d) The Canberra Hot Rod Association (inc) is referred to, in this document, as the 'Association'.

ARTICLE 2: OBJECTS

ARTICLE 2 SECTION 1: Hot Rods

1. To promote interest in Hot Rods, their safe construction and their safe operation.

ARTICLE 2 SECTION 2: Hot Rodders

1. To create good fellowship among the members.

ARTICLE 2 SECTION 3: Operations

1. To conduct Association operations and activities in such a manner as to bring about a clearer understanding on the part of the public, the press and agencies of organised activities of these objects.

ARTICLE 2 SECTION 4: Promotion

1. To promote these objects of the Canberra Hot Rod Association and the Australian Street Rod Federation to other Agencies, Organisations and Associations with similar objects and interests.

ARTICLE 3: MANAGEMENT.

ARTICLE 3 SECTION 1: Committee

1. The affairs of the Canberra Hot Rod Association shall be managed by a committee as outlined in **ARTICLE 7: COMPOSITION OF THE COMMITTEE**. The committee:
 - (a) shall control and manage the business and affairs of the Canberra Hot Rod Association (inc);
 - (b) may, subject to the constitution, exercise all powers and functions as may be exercised by the Canberra Hot Rod Association (inc) other than those required by the constitution to be exercised at the General, Annual General and Special General meetings of the Canberra Hot Rod Association.
 - (c) subject to the Association Incorporation Act 1991 and this constitution, has power to perform all such acts and things as appear to the committee to be essential for the power management of the business and affairs of the Canberra Hot Rod Association (inc).
 - (d) shall appoint sub-committees for the purpose of carrying out such functions of the Canberra Hot Rod Association (inc) as the committee directs. Such subcommittees may include non-members, but must include one or more members who are responsible for that sub-committee.

ARTICLE 4: MEMBERSHIP

ARTICLE 4 SECTION 1: Types of Membership

1. There shall be two types of membership.
 - (a) Full Membership;
 - (b) Honorary Membership
 - (c) Life Membership.
2. Full Membership
 - (a) Shall be for financial ASRF members only.
 - (b) shall be for owners and/or builders of Hot Rods as defined under ARTICLE 1 SECTION 3: Definition.
 - (c) Shall be full voting membership for one individual over 18 years.
 - (d) All applicants for full membership must complete a membership form.
 - (e) Fees, as determined under ARTICLE 5 SECTION 1: Fees, will apply to Full Membership.
3. Honorary Membership.
 - (a) Shall be non-voting membership for individuals as deemed appropriate by the committee.
 - (b) Candidates for Honorary Membership shall be individuals who have demonstrated extraordinary support of the Objects of the CHRA.
 - (c) Fees are not payable by Honorary Members.
4. Life Membership
 - (a) Shall be the equivalent of Full Membership, except for ARTICLE 4 SECTION 1: Types of Membership 2. (e), for as long as the member remains associated with the CHRA.
 - (b) Life Membership shall be bestowed upon individual Full Members of long standing who have, in the opinion of the Committee, demonstrated consistent leadership and support for the Objects of the CHRA.
 - (c) Fees are not payable for Life Membership.

ARTICLE 4 SECTION 2: Rights of Members

1. Individual Full members (including Life Members):
 - (a) shall be entitled to attend all Committee meetings, General Meetings, Annual General Meetings and Special General Meetings and be entitled to one (1) vote at these meetings.
 - (b) shall be eligible for election to any office or the committee.
 - (c) shall be entitled to vote on any item arising from the agenda at Annual, Special General and General Meetings.
 - (d) shall be entitled to move any motion at General, Annual General and Special General Meetings.
2. Individual Honorary members:
 - (a) shall be entitled to attend all Committee meetings, General Meetings, Annual General Meetings and Special General Meetings but may not vote at these meetings.
 - (b) shall not be eligible for election to any office or the committee.
 - (c) shall not be entitled to move any motion at General, Annual General, and Special General Meetings.

ARTICLE 4 SECTION 3: Termination of Membership

1. A member may, at any time, resign from the Canberra Hot Rod Association by written notice of resignation addressed to the Committee.
2. Any member whose fees shall be more than 3 (three) months in arrears shall be deemed unfinancial. Unfinancial members may not hold any office, be members of any committee or be entitled to vote.
3. A membership may be terminated by a two thirds majority vote at a Special General Meeting, Annual General Meeting or General Meeting under the guidelines stated in ARTICLE 4 SECTION 6: Disciplining of Members.

ARTICLE 4 SECTION 4: Members' Liabilities

1. The liability of a member to contribute towards the payment of the debts and liabilities of the Canberra Hot Rod Association or the costs, charges and expenses of the winding up of the Canberra Hot Rod

Association is limited to the amount, if any, unpaid by the member in respect of membership in accordance with ARTICLE 4: MEMBERSHIP.

ARTICLE 4 SECTION 5: Conduct

1. All members shall conduct themselves in an orderly and responsible manner while engaged in activities which reflect the objects of the Canberra Hot Rod Association

ARTICLE 4 SECTION 6: Disciplining of Members

1. Where the Committee is of the opinion that a member:
 - (a) has persistently refused or neglected to comply with a provision of the Constitution;
 - (b) has persistently and willfully acted in a manner prejudicial to the interests of the Canberra Hot Rod Association;

the committee may, by resolution;

- (c) expel the member from the Canberra Hot Rod Association or,
 - (d) suspend the member from such rights and privileges of membership of the Canberra Hot Rod Association as the committee may determine for a specified period.
 - (e) A resolution of the committee under Para. (c). and (d.) is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under ARTICLE 4 SECTION 6: Disciplining of Members (Para 2), confirms the resolution in accordance with this rule.
2. Where the committee passes a resolution under ARTICLE 4 SECTION 6: Disciplining of Members (Para 1), the secretary shall, as soon as practicable, cause a notice in writing to be served on the member;
 - (a) setting out the resolution of the committee and the grounds on which it is based;
 - (b) stating that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
 - (c) stating the date, place and time of that meeting; and

- (d) informing the member that the member may do either or both of the following:
 - i attend and speak at that meeting;
 - ii submit to the committee at or prior to the date of that meeting written representations relating to the resolution.
- 3. Subject to section 50 of the Incorporations Act, at a meeting of the committee mentioned in ARTICLE 4 SECTION 6: Disciplining of Members (Para. 2), the committee shall;
 - (a) give to the member mentioned in ARTICLE 4 SECTION 6: Disciplining of Members (Para 1) an opportunity to make oral representations;
 - (b) give due consideration to any written representations submitted to the committee by that member at or prior to the meeting; and
 - (c) by resolution determine whether to confirm or to revoke the resolution of the committee made under ARTICLE 4 SECTION 6: Disciplining of Members (Para 2).
- 4. Where the committee confirms a resolution under ARTICLE 4 SECTION 6: Disciplining of Members (Para 2) the secretary shall, within 7 days after that confirmation, by notice in writing, inform the member of that confirmation and of the member's right of appeal under ARTICLE 4 SECTION 7: Right of Appeal of Disciplined Member.
- 5. A resolution confirmed by the committee under ARTICLE 4 SECTION 6: Disciplining of Members (Para 2) does not take effect;
 - (a) until the expiration or the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period in accordance with ARTICLE 4 SECTION 7: Right of Appeal of Disciplined Member; or
 - (b) the Canberra Hot Rod Association confirms the resolution in accordance with ARTICLE 4 SECTION 7: Right of Appeal of Disciplined Member (Para 4).

ARTICLE 4 SECTION 7: Right of Appeal of Disciplined Member

- 1. A member may appeal to the Association at a General Meeting, Annual General Meeting or Special General Meeting against a resolution of the committee which is confirmed under ARTICLE 4 SECTION 6: Disciplining of Members (Para 4), within 7 days after

notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

2. Upon receipt of a notice under ARTICLE 4 SECTION 7: Right of Appeal of Disciplined Member (Para 1), the secretary shall notify the committee which shall convene a Special General Meeting of the Canberra Hot Rod Association to be held within 21 days after the date on which the secretary received the notice, or as soon as practicable after that date.
3. At the Special General Meeting of the Canberra Hot Rod Association convened under ARTICLE 4 SECTION 7: Right of Appeal of Disciplined Member (Para 2);
 - (a) no business other than the question of the appeal shall be transacted;
 - (b) the committee and the member shall be given the opportunity to make representations in relation to the appeal orally or in writing or both; and
 - (c) the members present shall vote by secret ballot on the question of whether the resolution made under ARTICLE 4 SECTION 6: Disciplining of Members (Para 2) should be confirmed or revoked.
4. If the meeting passes a special resolution in favour of the confirmation of the resolution made under ARTICLE 4 SECTION 6: Disciplining of Members (Para 4) that resolution is confirmed.

ARTICLE 5: FEES AND DUES

ARTICLE 5 SECTION 1: Fees

1. A yearly fee as determined by the Canberra Hot Rod Association shall be paid by all Full and Associate members.
2. ASRF Fees shall be determined on a pro rata basis in accordance with the ASRF State Divisional Council advice.

ARTICLE 5 SECTION 2: Period

1. Fees are to be paid in full from the date of application to the end to financial year being the 30th. June, and thereafter annually.

ARTICLE 5 SECTION 3: Pro rata

1. New members fees to be paid on application on a pro-rata basis and all members annual fees within three months of the Annual General

Meeting. Failure to comply will result in a forfeit of voting rights in accordance with ARTICLE 4 SECTION 2: Rights of Members until fees are paid.

ARTICLE 6: FUNDS

ARTICLE 6 SECTION 1: Source

1. The funds of the Canberra Hot Rod Association shall be derived from annual fees of members, donations and, subject to any resolution passed by the Canberra Hot Rod Association in General Meetings and subject to section 114 of the Incorporation Act, such other sources as the committee determines.

ARTICLE 6 SECTION 2: Accounting

1. All money received by the Canberra Hot Rod Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank account.

ARTICLE 6 SECTION 3: Receipt

1. The Canberra Hot Rod Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

ARTICLE 7: COMPOSITION OF THE COMMITTEE.

ARTICLE 7 SECTION 1: Office Bearers

1. The committee of the Canberra Hot Rod Association shall comprise the office bearers of the Canberra Hot Rod Association , viz.:
 - (a) President;
 - (b) Secretary;
 - (c) Treasurer;
 - (d) ASRF Delegate; and
 - (e) Delegated Committee Persons.

ARTICLE 7 SECTION 2: Composition

1. The offices shall be elected annually in accordance with the guidelines set out in ARTICLE 9: ELECTION OF MEMBERS OF THE COMMITTEE from among the members. The composition of the Committee, including office bearers, shall not exceed 10 (ten) in number.

ARTICLE 8: DUTIES OF OFFICERS

ARTICLE 8 SECTION 1: The President

1. The President of the Canberra Hot Rod Association shall:
 - (a) preside at all meetings of the Association and the Committee;
 - (b) determine types of voting taking place;
 - (c) issue call for special meetings;
 - (d) attend to public relations matters concerning the Canberra Hot Rod Association ; and
 - (e) any other duties as decided by the committee.

ARTICLE 8 SECTION 2: The Secretary

1. The Secretary of the Canberra Hot Rod Association shall:
 - (a) keep the minutes of Association meetings;
 - (b) keep membership records;
 - (c) give notice of all regular and special meetings;
 - (d) handle Association correspondence; and
 - (e) have custody of all records of the Association other than those normally kept by the Treasurer.

ARTICLE 8 SECTION 3: The Treasurer

1. The Treasurer of the Canberra Hot Rod Association shall:
 - (a) collect fees from Full and Associate members;
 - (b) collect all other monies due to the Association;
 - (c) keep Association account books;
 - (d) make payments from Association funds when so called upon by the committee to do so;
 - (e) make regular reports of the financial position of the Association at meetings. All cheques and/or withdrawals from accounts shall be countersigned by President/Secretary and Treasurer.

ARTICLE 8 SECTION 4: ASRF Delegate

1. The ASRF Delegate shall
 - (a) attend ASRF DC Meetings at a time appointed by the State Director (ACT ASRF)
 - (b) shall report the details of such meetings to the Association at Annual General, Special general and General Meetings.

ARTICLE 8 SECTION 5: Committee Persons

1. shall comprise the remainder of the Committee, and shall have such duties as deemed by the Committee, including, but not limited to:
 - (a) Public Relations officer. Shall form a sub-committee to handle the Publicity relating to events and activities organised by the Association.
 - (b) Public officer (refer ARTICLE 14: PUBLIC OFFICER);
 - (c) Committee Person 1.
 - (d) Committee Person 2.

ARTICLE 8 SECTION 6: Casual Vacancies

1. In the event of a casual vacancy occurring in the office of one of the office Bearers, the Committee shall appoint one of their numbers or a member of the Association to the vacancy, and the member so appointed shall hold office until the next Annual General Meeting.

ARTICLE 8 SECTION 7: Meetings of the Committee

1. Regular meetings of the committee shall be held 30 minutes prior to each General Meeting as determined necessary by the committee. At all other times:
 - (a) Reasonable notice shall be given of meetings of the Committee.
 - (b) Special meetings of the Committee may be called by the President or by any 3 (three) members of the committee;
 - (c) Notice shall be given to members of the Committee of any special meeting, specifying the nature of the business, and no other business shall be transacted at such a meeting.
 - (d) one office bearer and two committee members constitutes a quorum for the transaction of business at Regular and Special Meetings of the Committee (ARTICLE 12: QUORUM refers).

ARTICLE 9: ELECTION OF MEMBERS OF THE COMMITTEE

ARTICLE 9 SECTION 1: Nominations

1. Nominations of candidates for election as officers and Committee persons of the Canberra Hot Rod Association :
 - (a) shall be from full financial members and must be seconded by any other full financial member;
 - (b) shall be accompanied by acceptance of that position from the nominee;
 - (c) shall clearly state the office for which the candidate has been nominated;
 - (d) shall be delivered to the Secretary of the Canberra Hot Rod Association prior to the Annual General Meeting either in writing or verbally in accordance with ARTICLE 11 SECTION 1: Annual General Meeting (Para 7).

ARTICLE 9 SECTION 2: Insufficient Nominations

1. If insufficient nominations are received to fill the vacancies of the Committee, those candidates nominated are deemed to be elected and further nominations called for from within the Annual General Meeting.

ARTICLE 9 SECTION 3: No Contest

1. If the nominations received equals the number of vacancies to be filled, then those positions shall be deemed filled by the nominees.

ARTICLE 9 SECTION 4: Ballots

1. If the nominations received exceeds the number of vacancies, a ballot shall be held in accordance with the directions of the Committee.

ARTICLE 10: VACATION OF OFFICE

ARTICLE 10 SECTION 1: Vacancy

1. The office of any member of the Committee is deemed vacant if the member:
 - (a) dies;

- (b) becomes bankrupt or applies to take advantage of any law relating to bankrupt or insolvent creditors or compounds with his or her creditors;
- (c) becomes of unsound mind;
- (d) resigns his or her office by writing under his or her hand addressed to the Committee;
- (e) ceases to be a resident of the Australian Capital Territory region;
- (f) fails, without leave granted by the committee, to attend four (4) consecutive meetings of the committee, provided that, after the third consecutive absence, the member is notified in writing of the time and place of the next meeting and that failure to attend will result in the cessation of that person's membership to the committee.
- (g) ceases to be a member of the Canberra Hot Rod Association ;
- (h) fails to comply with the guidelines as set out in ARTICLE 5: FEES AND DUES.

ARTICLE 11: MEETINGS

ARTICLE 11 SECTION 1: Annual General Meeting

1. The Canberra Hot Rod Association shall, in each year, hold an Annual General Meeting (AGM) at or close to, the beginning of the financial year, the 'Financial Year' being the year ending on 30th. June.
2. No less than 14 (fourteen) days notice of the Annual General Meeting shall be in writing to each financial member of the Canberra Hot Rod Association , or by the placement of an advertisement in at least one newspaper published in the Australian Capital Territory specifying the place, date and time.
3. All committee positions shall become vacant at the Annual General Meeting and the Public officer or, in the absence of the Public officer, a member of good standing shall be appointed by the outgoing President to conduct the elections of the new office bearers.
4. All nominees for office shall be voting members in good standing.
5. All elected and appointed officers must remain voting members in good standing during their term of office.
6. All officers shall be elected at the Annual General Meeting each year and shall assume office as from the conclusion of the Annual General

Meeting for a period of one year or until their successors are duly elected and qualified.

7. Nominations for elections to the committee shall be taken by the chairperson and all voting will be by secret ballot in accordance with ARTICLE 9 SECTION 4: Ballots.
8. Upon resignation of any officer, the Committee shall appoint an acting officer who shall remain in office until the Annual General Meeting. ARTICLE 8 SECTION 6: Casual Vacancies refers.
9. Elections shall be decided by a majority vote of all voting members present at the Annual General Meeting. ARTICLE 9: ELECTION OF MEMBERS OF THE COMMITTEE refers.

ARTICLE 11 SECTION 2: Special General Meetings

1. Special General meetings of the Canberra Hot Rod Association may be convened:
 - (a) by the committee, as it sees fit.
 - (b) by the Secretary on the written request of not less than ten (10) members of the Canberra Hot Rod Association
2. A request for a Special General Meeting shall state the objects of the meeting and shall be signed by the requisitioners and formally received by an officer of the Committee of the Canberra Hot Rod Association .

ARTICLE 11 SECTION 3: General Meetings

1. General meetings will normally be held at regular intervals at a convenient location as deemed fit by the committee.
2. General meetings are to be chaired by the President, or in the absence of the President, any Office Bearer.

ARTICLE 11 SECTION 4: Non attendance

1. In the case of Annual General, Special and General Meetings:
 - (a) Apologies to be received prior to the start of the meeting.
 - (b) Members not attending are to notify a committee member.
 - (c) A member may not vote in absentia, whether an apology has been submitted to the committee or not.

ARTICLE 12: QUORUM

ARTICLE 12 SECTION 1: Annual and Special General Meetings

1. No business shall be voted upon unless a quorum is in attendance. A quorum shall be defined as: 50% of voting membership plus 1.

ARTICLE 12 SECTION 2: General Meetings

1. No business shall be voted upon unless a quorum is in attendance. A quorum shall be defined as: 50% of voting membership plus 1.

ARTICLE 12 SECTION 3: Committee Meetings

1. A quorum for Committee meetings shall comprise no less than one office bearer and two committee persons.

ARTICLE 13: STAFF

ARTICLE 13 SECTION 1: Appointment

1. The committee may appoint or arrange to be appointed such staff as needed by the Canberra Hot Rod Association, and shall designate the terms and conditions of these appointments.

ARTICLE 14: PUBLIC OFFICER

ARTICLE 14 SECTION 1: Appointment

1. The committee of the Canberra Hot Rod Association shall, within Fourteen days (14 days) after the Incorporation of the Association, appoint a resident in the A.C.T. region to the Public Officer of the Association and, if the office becomes vacant, shall re-appoint a person within fourteen days (14 days).

ARTICLE 14 SECTION 2: Vacancy

1. The position of Public officer is deemed vacant if the Public officer:
 - (a) dies;
 - (b) becomes bankrupt or applies to take advantage of any law relating to bankrupt or insolvent creditors or compounds with his or her creditors;
 - (c) becomes of unsound mind;
 - (d) resigns his or her office by writing under his or her hand addressed to the Committee;

- (e) ceases to be a resident of the Australian Capital Territory region;
or
- (f) ceases to be a member of the Canberra Hot Rod Association .

ARTICLE 15: COMMON SEAL

ARTICLE 15 SECTION 1: Custody

- 1. The common seal of the Canberra Hot Rod Association shall be kept in the custody of the Secretary.

ARTICLE 15 SECTION 2: Use

- 1. 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 of 2 members of the committee.

ARTICLE 16: INSPECTION OF BOOKS

ARTICLE 16 SECTION 1: Inspection

- 1. The records, books and other documents of the Canberra Hot Rod Association shall be open to inspection at a place in the Territory, free of charge, by a member of the Canberra Hot Rod Association at any reasonable hour.

ARTICLE 17: DISCLOSURE OF INTEREST - CONTRACTS ETC

ARTICLE 17 SECTION 1: Interest

- 1. A member of the committee who has interests in any contract or arrangement made or proposed with the Canberra Hot Rod Association shall disclose that interest at the first meeting of the committee in which the contract or arrangement is first taken into consideration if the interest then exists; or, in any other case, at the first meeting of the committee after the acquisition of the interest.
- 2. If a member of the committee becomes interested in a contract or arrangement after it is made or entered into, the member shall disclose that interest at the first meeting of the committee after becoming so interested.

ARTICLE 17 SECTION 2: Voting

- 1. No member of the committee shall vote as a member of the committee in respect of any contract or arrangement in which that member is so interested and the member votes, the vote shall not be counted.

ARTICLE 18: CONSTITUTIONAL AMENDMENTS

ARTICLE 18 SECTION 1: Conditions

1. Amendments to this constitution can only be made at a specially convened meeting after 30 days notice in writing to all members and/or by an advertisement in the Classified section of any A.C.T. newspaper.
2. Amendments to this constitution may be proposed at any Annual General Meeting for debate and action at a General Meeting as agreed to by a vote of the members at that Annual General Meeting.

ARTICLE 18 SECTION 2: Amendments

1. Amendments will be determined by a majority vote of 80% of voting members in attendance.

ARTICLE 19: WINDING UP

ARTICLE 19 SECTION 1: Dissolution

1. If, upon dissolution of the Canberra Hot Rod Association, there remains, after the satisfaction of all debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members, but shall be given or transferred to a charitable society, institution or organisation, or to some other institution having similar objects as those of the Canberra Hot Rod Association, or, in default, by the Supreme Court of the Australian Capital Territory.