ESTABLISHED 1993

INC. NO A0028569B

PO Box 346, COLAC. 3250 Vic.

www.colacccc.com.au

CONSTITUTION

and

RULES

of the

COLAC COLLECTABLE CAR CLUB INC.

COLAC COLLECTABLE CAR CLUB INC.

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AGENDA FOR MEETING

Apologies:

Any visitors/New members:

Minutes of Last Meeting:

Business Arising: 1.

2.

3.

Correspondence:

Reports: Financial:

Runs committee

Registrar/Red Plate permit:

Reports Received:

General Business: 1.

2.

3.

4.

5.

6.

7.

CONSTITUTION OF THE COLAC COLLECTABLE CAR CLUB INC.

1 The name of the Incorporated Association is the **COLAC COLLECTABLE CAR CLUB INCORPORATED** (in these rules called the Association).

2 INTERPRETATION

(1) In the constitution unless the contrary intention appears:-

"**Committee**" means the Committee of Management of the Association.

"**Financial year**" means the year ending on 30 June

"**General Meeting**" means a general meeting of members convened in accordance with Rule No. 19.

"Member" means a member of the Association.

"**Ordinary Member of the Committee**" means a member of the Committee who is not an officer of the Association.

"**The Act**" means the Associations Incorporation Reform Act 2012.

"**The Regulations**" means regulations under the Act.

"**Unfinancial person**" means a person who has not paid their current membership fees.

(2) In these rules, a reference to a secretary of an Association is a reference to a person who holds office under these rules as secretary/public officer of the Association.

(3) Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 and the act as in force from time to time.

3 ALTERATION OF THE CONSTITUTION & STATEMENT OF PURPOSE

These rules and the statement of purpose of the Association shall not be altered except in accordance with the Act by an appointed sub-committee whose recommendations are approved by a three quarter majority of an Annual Meeting.

4 STATEMENT OF PURPOSE

4.1 Without limiting the generality of any of the objects of the Club of any associated activities, the aim of the Association shall be to:

(a) Sponsor and encourage amateur restoration, preservation and use of vehicles.

(b) Form a group of owners of vehicles who shall subscribe to these objects.

(c) Engage in rallies, exhibitions and other events suitable for vehicles.

(d) Offer the services of the Association, its members and vehicles to such charitable organisations as may be decided by the Committee.

(e) Engage in other activities associated, or allied with all, or any, of the above objects which may be intended, or calculated, to promote a better and wider knowledge and understanding of vehicles among Association members and the public generally.

(f) Encourage the retention of vehicles.

(g) To promote a spirit of fellowship and goodwill among members and participate in the running of the Club and organised activities.

(h) Restored vehicles should be as original in appearance as possible allowing for period modifications.

4.2 Solely for the purpose of furthering the purposes set out above the Association shall have power:-

(a) To subscribe to, become a member of and co-operate with any other association, Club or organisation whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with its funds any Club, Association or organisations which does not prohibit the distribution of its income and property among its members to any extent at least as great as that imposed on the Association under or by virtue of the rules.

(b) To purchase, take on lease or in exchange hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purpose of, or capable of being conveniently used in connection with, any of the objects of the Association: Provided that in case the Association shall take or hold any property

which may be subject to any trusts the Association shall only deal with the same in such manner as is allowed by law having regard to such trusts.

(c) To enter into any arrangements with any other Government or Authority that are incidental or conductive to the attainment of the objects and the exercise of the powers of the Association; to obtain
from any such Government or Authority any rights, privileges and concessions which the Association may think is desirable to obtain; and to carry out, exercise and comply with such arrangements, rights, privileges and concessions.

(d) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association.

(e) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Associations interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.

(f) To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit.

(g) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.

(h) To lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise assist any person or body corporate.

(i) To borrow or raise money either alone or jointly with any other person or legal entity in such a manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any monies and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock, perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or part of the Incorporated Association's property or assets present or future and to repurchase, redeem or payoff any such securities.

(j) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.

(k) To sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association.

(l) To take or hold mortgage, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, or any part of the Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchasers and others.

(m) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to the provision in paragraph (b).

(n) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise.

(o) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects.

(p) To amalgamate with any one or more incorporated associations having objects altogether or part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of the rules.

(q) To purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorized to amalgamate.

(r) To transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated associations with which the Association is authorized to amalgamate.

(s) To make donations for patriotic, charitable or community purposes.

(t) To do all such other things as are incidental or conductive to the attainment of the objects and the exercise of the powers of the Association.

RULES

5 APPLICATION FOR MEMBERSHIP

5.1 MEMBERSHIP OF THE ASSOCIATION is to be open to all persons interested in vehicles, their restoration and preservation.

5.2 QUALIFICATION FOR MEMBERSHIP

(a) Members of the Club shall be financial persons. Unfinancial persons shall not be permitted to take part in the management of the Club.

(b) Membership of the Association shall be:

(i) FAMILY MEMBERSHIP applies to a person, the person's spouse or partner and the children of the family who have not reached the age required to hold a drivers licence.

(ii) INDIVIDUAL MEMBERSHIP applies to a person.

(iii) REMOTE INDIVIDUAL MEMBERSHIP applies to a person who for reasons of physical incapacity or geographical location is unable to attend meetings and events of the Association.

(iv) LIFE MEMBERSHIP applies to a person who the Committee determines has provided outstanding service to the Association over an extended period of time and from whom no membership fee is required, but, has all the privileges of a family membership.

(v) HONORARY MEMBERSHIP applies to a person who is granted that status for a period of not more than twelve months by the Committee at an Annual General meeting and from whom no membership fee is required.

Members in the categories of FAMILY, INDIVIDUAL, REMOTE INDIVIDUAL and LIFE MEMBERSHIP shall be regarded as Financial Members.

5.3 **VOTING**

(a) The right to vote at ordinary, special and annual General Meetings shall be;

(I) FAMILY MEMBERSHIP shall have one collective vote regardless of the number of persons in the family.

(ii) INDIVIDUAL MEMBERSHIP shall have one individual vote.

(iii) REMOTE INDIVIDUAL MEMBERSHIP shall have one individual vote

(iv) LIFE MEMBERSHIP shall have one individual vote.

6 ADMISSION TO MEMBERSHIP

(a) Intending members shall be admitted after being duly nominated and seconded by financial members.

(b) The Committee reserves the right to accept or refuse membership to any person.

(c) Membership applications will be considered at the next committee meeting.

7 PRIVILEGES & DUTIES OF MEMBERSHIP

(a) All members shall have use of Club facilities and equipment at the set rate and be able to participate in activities organised by the Club.

(b) All members shall attend at least 2 general meetings and 2 Club runs per year. Exemptions can be granted by the committee upon written request from a member detailing reasons why exemption should be granted.

(c) It is up to each member to sign the attendance sheet at meetings and on Club runs for scrutineering purposes. This will determine whether Permit renewal papers are signed.

8 MEMBERSHIP FEES

(a) The membership fee shall be determined annually at the Annual General Meeting.

(b) Fees shall become due and payable by the end of the Financial Year.

(c) A joining fee may be administered.

9 MEMBERS WHO BECOME UNFINANCIAL

If a member fails to renew his/her membership, the appropriate authority (VicRoads/RTA) will be notified, as soon after July 1 as possible, if the club believes the lapsed member had red plate permits through the club. It is an offence for a member to drive his/her vehicle with red plates whilst unfinancial.

10 CESSATION OF MEMBERSHIP

(a) The Committee shall have the power to terminate membership if, in its opinion, such member has not adhered to the rules set out in the Constitution.

(b) If a member desires to terminate membership at any time, the member may do so by notifying the Committee in writing.

11 DISPUTES AND MEDIATION

11.1 APPLICATION

(a) The grievance procedure set out in this Division applies to disputes under these Rules between—

(1) a member and another member;

(2) a member and the Committee;

(3) a member and the Association.

(b) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

11.2 PARTIES MUST ATTEMPT TO RESOLVE THE DISPUTE

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

11.3 APPOINTMENT OF MEDIATOR

(a) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 11.2, the parties must within 10 days—

(i) notify the Committee of the dispute; and

(ii) agree to or request the appointment of a mediator; and

(iii) attempt in good faith to settle the dispute by mediation.

(b) The mediator must be—

(i) a person chosen by agreement between the parties; or

(ii) in the absence of agreement—

(1) if the dispute is between a member and another member—a person appointed by the Committee; or

(2) if the dispute is between a member and the Committee or the Association—a person appointed or employed by the Dispute Settlement Centre of Victoria.

(c) A mediator appointed by the Committee may be a member or former member of the Association but in any case must not be a person who—

(i) has a personal interest in the dispute; or

(ii) is biased in favour of or against any party.

11.4 MEDIATION PROCESS

(a) The mediator to the dispute, in conducting the mediation, must—

(i) give each party every opportunity to be heard; and

(ii) allow due consideration by all parties of any written statement submitted by any party;

(iii) ensure that natural justice is accorded to the parties throughout the mediation process.

(b) The mediator must not determine the dispute.

11.5 FAILURE TO RESOLVE DISPUTE BY MEDIATION

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

12 DISCIPLINARY ACTION

12.1 GROUNDS FOR TAKING DISCIPLINARY ACTION

The Association may take disciplinary action against a member in accordance with this Division if it is determined that the member—

(a) has failed to comply with these Rules; or

(b) refuses to support the purposes of the Association; or

(c) has engaged in conduct prejudicial to the Association.

12.2 DISCIPLINARY SUBCOMMITTEE

(a) If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.

(b) The members of the disciplinary subcommittee—

(i) may be Committee members, members of the Association or anyone else; but

(ii) must not be biased against, or in favour of, the member concerned.

12.3 NOTICE TO MEMBER

(a) Before disciplinary action is taken against a member, the Secretary must give written notice to the member—

(i) stating that the Association proposes to take disciplinary action against the member;

(ii) stating the grounds for the proposed disciplinary action; and

(iii) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the disciplinary meeting);

(iv) advising the member that he or she may do one or both of the following—

(1) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;

(2) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and

(v) setting out the member's appeal rights under rule 12.5.

(b) The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

12.4 DECISION OF SUBCOMMITTEE

(a) At the disciplinary meeting, the disciplinary subcommittee must—

(I) give the member an opportunity to be heard; and

(ii) consider any written statement submitted by the member.

(b) After complying with subrule 12.4(a), the disciplinary subcommittee may—

(I) take no further action against the member; or

(ii) subject to subrule 12.4(c)—

(1) reprimand the member; or

(2) suspend the membership rights of the member for a specified period; or

(3) expel the member from the Association.

(c) The disciplinary subcommittee may not fine the member.

(d) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

12.5 APPEAL RIGHTS

(a) A person whose membership rights have been suspended or who has been expelled from the Association under rule 12.4 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.

(b) The notice must be in writing and given—

(i) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or

(ii) to the Secretary not later than 48 hours after the vote.

(c) If a person has given notice under subrule 12.5(b), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.

(d) Notice of the disciplinary appeal meeting must be given to each member of the Association who is entitled to vote as soon as practicable and must—

(i) specify the date, time and place of the meeting; and

(ii) state—

(1) the name of the person against whom the disciplinary action has been taken; and

(2) the grounds for taking that action; and

(3) that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

12.6 CONDUCT OF DISCIPLINARY APPEAL MEETING

(a) At a disciplinary appeal meeting—

(i) no business other than the question of the appeal may be conducted; and

(ii) the Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and

(iii) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.

(b) After complying with subrule 12.6(a), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.

(c) A member may not vote by proxy at the meeting.

(d) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

13 REGISTER OF MEMBERS

The secretary/ registrar shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member and their vehicles (to comply with Vicroads requirements). This will not be available for club members not on the committee.

14.1 ANNUAL GENERAL MEETINGS

(1) The Association shall in each calendar year convene an Annual General meeting of its members.

(2) The Annual General Meeting shall be held on the third Friday in July each year.

(3) The Annual General Meeting shall be specified as such in the notice convening it.

(4) The ordinary business of the Annual General Meeting shall be:-

- (a) To confirm the minutes of the preceding Annual General meeting held since that meeting;
- (b) To receive from the Committee reports upon the transactions of the Association during the last financial year
- (c) To elect officers of the Association and the ordinary members of the Committee; and
- (d) To receive and consider the statement submitted by the Association in accordance with Section 30(3) of the Act.

(5) The Annual General Meeting may transact special business of which notice is given in accordance with these rules.

(6) The Annual General Meeting shall be in addition to any other general meetings that may be held in the same year.

14.2 GENERAL MEETINGS

1. The ordinary General Meetings shall be held on the second Friday quarterly starting in March except where the Committee deems it unadvisable.
2. The President, Secretary and Treasurer or their respective deputies, together with four financial members shall form a quorum.

15 CONVENING OF GENERAL MEETINGS

(1) The Secretary must give to each member of the Association—

- (a) at least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or
- (b) at least 14 days' notice of a general meeting in any other case.

(2) The notice must—

- (a) specify the date, time and place of the meeting; and
- (b) indicate the general nature of each item of business to be considered at the meeting;
- (c) if a special resolution is to be proposed—
  - (i) state in full the proposed resolution; and
  - (ii) state the intention to propose the resolution as a special resolution.

(1) This rule does not apply to a disciplinary appeal meeting.

(2) The Secretary shall notify members of General meetings of the Association via the newsletter sent to his address appearing in the register of members or emailed. The notice (newsletter) shall state the place, date and time of the meeting.

(5) A member desiring of bringing any business before a meeting may give notice in writing of that business to the secretary, but general business from the floor may be accepted at the discretion of the chair person.

16 PROXIES

No proxy votes

17 PROCEDURE OF GENERAL MEETINGS

(1) All business that is transacted at a special general meeting and all business that is transacted at the Annual General Meeting, with the exception of that specially referred to in these rules as being the ordinary business of the Annual General Meeting, shall be deemed to be special business.

(2) No item of business shall be transacted at the general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that business.

(3) If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present the meeting if convened upon the request of members shall be dissolved and in any other case shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the chairman at the time of the adjournment or by written notice to members given before the day at which the meeting is adjourned) at the same place if at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 3) shall be a quorum.

(4) The president, or in his absence, the Vice-President, shall preside as Chairman at each general meeting of the Association.

(5) If the President and Vice-President are absent from a general meeting, the members present shall elect one of their number to preside as Chairman at that meeting.

18. The Chairman of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, 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.

(1) Where a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.

(2) Except as provided in sub-clauses (1) and (2), it is not necessary to give notice of an adjournment or the business to be transacted at the adjourned meeting. A question arising at a general meeting of the Association shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairman that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the Minute book of the Association is evidence of the fact, without the proof of the number of proportion of the votes recorded in favour of, or against that resolution.

19 Upon any question arising at a general meeting of the Association, a member has one vote only.

(1) All votes shall be given personally.

(2) In the case of an equality of voting on a question the Chairman of the meeting is entitled to exercise a second or casting vote.

20 If at a meeting a poll on any question is demanded by not less than three members, it shall be taken at that meeting in such a manner as the Chairman may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.

(1) A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.

(2) A member is not entitled to vote at any general meeting unless all monies due and payable by him to the Association have been paid, including the amount of the annual subscription payable in respect of the current financial year.

21 MINUTES OF MEETING

(1) The Committee must ensure that minutes are taken and kept of all meetings.

(2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.

(3) In addition, the minutes of each annual general meeting must include—

(a) the names of the members attending the meeting; and

(b) any financial statements submitted to the members; and

(c) the certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Association; and

(d) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

22 COMMITTEE OF MANAGEMENT

(1) The affairs of the Association shall be managed by a Committee of Management.

(2) The Committee:-

(a) Shall control and manage the business and affairs of the Association.

(b) May, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these rules to be exercised by the general meetings of the members of the Association; and

(c) Subject to these rules, the regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.

23 The Management of the Club shall consist of the following office bearers elected at the Annual General Meeting:

1. President
2. Vice President
3. Secretary
4. Treasurer
5. Editor
6. Runs organizer
7. Red plate permit rep
8. General member
9. General member

SUB-COMMITTEES

Sub-Committees may be formed for specific purposes at any time, at an ordinary general meeting by the Committee. The Sub-Committee will not have the power to make binding decisions, but must report to the general committee meeting.

24 In the event of a casual vacancy in any office, the Committee may appoint one of its members to the vacant office and the members so appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of his appointment.

25 The Secretary must—

(a) maintain the register of members in accordance with rule 18; and

(b) keep custody of the common seal (if any) of the Association and, except for the financial records, all books, documents and securities of the Association in accordance with rule 30; and

(c) subject to the Act and these Rules, provide members with access to the register of members omitting phone numbers and addresses, provide members with access and ability to obtain copies of the minutes of general meetings and other books and documents; access to the minutes of the committee meetings are at the discretion of the committee and

(d) Perform any other duty or function imposed on the Secretary by these Rules.

26 ELECTION OF COMMITTEE

(1) All offices will be declared vacant at the Annual General Meeting. A temporary Chairman to be appointed while the election of a new President takes place. Each nomination must be seconded and if more than one nomination is received for the one position, a ballot must take place. This ballot must be secret if so requested.

(2) Nominations of candidates for election as officers of the Association or as ordinary members of the Committee:-

(a) Shall be made in writing, signed by two members of the Association 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 Association not less than 7 days before the date fixed for the holding of the Annual General Meeting.

(3) If insufficient nominations are received to fill all vacancies on the Committee, the Candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.

(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.

(5) A general meeting of the Association may—

(a) by special resolution remove a committee member from office; and

(b) elect an eligible member of the Association to fill the vacant position in accordance with this Division.

27 VACANCY OF COMMITTEE MEMBERSHIP

For the purposes of these rules, the office of an officer of the Association or of an ordinary member of the Committee becomes vacant if the officer as member:-

(a) Ceases to become a member of the Association;

(b) Becomes an insolvent under administration within the meaning of the Companies (Victoria) code; or

(c) Resigns his office by notice in writing given to the Secretary.

28 PROCEEDINGS OF COMMITTEE

(1) The committee shall meet as required in each year at such place and such times as the committee may determine.

(2) Special meetings of the committee may be convened by the President or by any 4 of the members of the committee.

(3) Notice shall be given to the members of the committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.

(4) Any 4 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.

(5) No business shall be transacted 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 shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.

(6) At the meeting of the committee:-

(a) The president or in his absence the Vice President shall preside; or

(b) If the president and the Vice-President are absent such one of the remaining members of the committee as may be chosen by the members present shall preside.

(7) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee shall be determined by a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.

(8) Each member at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question the person presiding may exercise a second or casting vote.

(9) Notice of each committee meeting shall be served on each member of the committee by delivering it to him/her at a reasonable time before the meeting.

(10) Subject to clause (4) the committee may act notwithstanding any vacancy on the committee.

29 COMMITTEE MEETINGS

Minutes of meeting

(1) The Committee must ensure that minutes are taken and kept of each committee meeting.

(2) The minutes must record the following—

(a)the names of the members in attendance at the meeting;

(b)the business considered at the meeting;

(c)any resolution on which a vote is taken and the result of the vote;

(d)any material personal interest disclosed.

30 FINANCE

(1) The Association shall have a bank account where and when it deems fit in the name of the "Colac Collectable Car Club Inc." with any of the recognized banks.

(2) The Association banking account shall be operated on by any two of the signatories appointed by the Committee.

(3) The financial year shall end on the 30th June each year.

(4) The Treasurer shall keep true accounts of all receipts, assets, payments and liabilities in which income and expenditure have been dealt with, and all other matters necessary for showing a true

financial position at the end of the financial year. The Treasurer shall submit to the Annual General Meeting a statement of receipts and the expenditure for the financial year and duly certified, audited copy of the same after the 30th June each year.

(5) The accounts referred to in sub-clause (4) shall be available for inspection by members.

31 CHEQUES, ETC

All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two members of the Committee.

32 COMMON SEAL

(1) The Common Seal of the Association shall be kept in the custody of the Secretary.

(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 of either of two members of the Committee or one member of the Committee and of the secretary of the Association.

33 WINDING UP OR CANCELLATION

(1) Income and property of the Club whatsoever and whomsoever derived, shall be applied solely towards the promotion of non-professional activities, and no Trustee, Committee member or ordinary member of the Club shall be appointed to any salaried office, or office of profit, in the Club, and no remuneration or other benefit in money or money's worth shall be given by the Club to any such Trustee, Committee Member or ordinary member, except the repayment of 'out-of-pocket' expenses, interest on money lent, or reasonable and proper rent for premises demised or lent to the Club.

(2) No member of the Club shall receive any assets or funds of the Club following dissolution, but all such assets and funds remaining after payment of any liabilities shall be distributed at the discretion of the Trustees either to a fund exclusively for the promotion of non-professional activities or to a fund exclusively for charitable purposes.

34 CUSTODY OF BOOKS

(1) Except as otherwise provided in these Rules, the Secretary/treasurer shall keep in his/her custody or under his/her control all books, documents and securities of the Association.

(2) Members may on request inspect free of charge—

(a) the register of members;

(b) the minutes of general meetings;

(c) subject to subrule (3), the financial records, books, securities and any other relevant document of the Association, including minutes of Committee meetings.

(3) The Committee may refuse to permit a member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.

(4) The Committee must on request make copies of these rules available to members and applicants for membership free of charge.

(5) Subject to subrule (3), a member may make a copy of any of the other records of the Association referred to in this rule and the Association may charge a reasonable fee for provision of a copy of such a record.

(6) For purposes of this rule—

relevant documents means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Association and includes the following—

(a) its membership records;

(b) its financial statements;

(c) its financial records;

(d) records and documents relating to transactions, dealings, business or property of the Association.

35 SOURCE OF FUNDS

The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and other such sources as the Committee determines.

36 CLUB PERMIT SCHEME

Qualification

To qualify a vehicle for the Club Permit Scheme the owner must

a) Be a member of the Association.

b) The Vehicle must be at least 25 years old

c) The member shall supply a roadworthy certificate or safety inspection certificate and vehicle particulars to the permit officer when applying for admission to the Club Permit Scheme. A safety check inspection certificate may replace a road worthy certificate at the safety check officer's discretion.

d) Vehicle must not be the member's main mode of transport.

e) All members must adhere to the rules and regulations in force in Victoria with respect to the Club Permit Scheme.

f) Club Permit Scheme is a privilege for association members not a right.

37 BREACH OF CLUB PERMIT REGULATIONS IN VICTORIA

All complaints of breaches of the Club Permit shall be investigated at a Special Committee Meeting.
The committee shall afford the member against whom the complaint is made, full and ample opportunity to respond to the complaint under the principle of being innocent.

Procedure:

Clauses A, B, C, D

A. If a complaint of breach of the Club Permit is sustained, the member will be required to attend a special committee meeting.

B. The member will be notified by mail at least 14 days prior to the Special Committee Meeting

C. The Special Committee meeting may:

(I) Dismiss the Complaint

(II) Issue a warning to the member

(III) Suspend the member for a period of time

(IV) Expel the member

(V) Should the member be expelled or suspended, all plates must be surrendered to the registrar.

D. Must notify appropriate authorities of abuse and/or expulsion.