



The Light Car Club of WA (Inc.) Constitution

PART 1 – REPORTING AND ASSOCIATION IDENTIFIERS

- 1) The name of Association is: **The Light Car Club of WA (Inc).**
- 2) The objects of The Light Car Club of WA (Inc) are:
 - a) **Promote, foster and encourage motoring:** To promote and conduct the sport of automobilism and motor sport generally in all its disciplines.
 - b) **Organise competitions:** To organise and conduct competitions, sports, entertainments, social outings and to encourage good fellowship among members.
 - c) **Achieve high standard of road safety:** To encourage all members, including junior members and general public to achieve and maintain a high standard of road safety, courtesy and driving skills.
 - d) **Affiliation with CAMS Limited:** To affiliate with CAMS Limited and recognise its Articles of Association and agree to observe and abide by the National Competition Rules of CAMS Limited.
- 3) Any **Ten** members personally present (being members entitled to vote under these rules at a general meeting) will constitute a quorum for the conduct of business at a general meeting.
- 4) Any **Five** committee members constitute a quorum for the conduct of the business of a committee meeting.
- 5) The Light Car Club of WA (Inc)'s financial year will be the period of 12 months commencing on **1 January** and ending on **31 December** of each year.

The identifying information for The Light Car Club of WA (Inc) includes:

- 6) Club colours are Royal-Blue and Yellow-Gold.
- 7) The distinguishing badge of the Club shall be a design approved by the members from time to time.
- 8) The official journal is 'Club Torque'. All notices to members as laid down in these rules shall be deemed to be given if published in the official journal.



The Light Car Club of WA (Inc.) Constitution

PART 1 - PRELIMINARY

1 Terms Used

In these rules, unless the contrary intention appears —

Act means The Associations Act 2015;

associate member means a member with the rights referred to in rule 8(6);

association means the incorporated association to which these rules apply;

books, of The Light Car Club of WA (Inc), include the following —

- (a) a register;
- (b) financial records, financial statements or financial reports, however compiled, recorded or stored;
- (c) a document;
- (d) any other record of information;

by laws means by-laws made by The Light Car Club of WA (Inc) under rule 64;

chairperson means the Committee member holding office as the chairperson of The Light Car Club of WA (Inc);

club means The Light Car Club of WA(Inc);

Commissioner means the person for the time being designated as the Commissioner under section 153 of the Act;

committee means the management committee of the Club;

committee meeting means a meeting of the committee;

committee member means a member of the committee;

financial records includes —

- (a) invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and
- (b) documents of prime entry; and
- (c) working papers and other documents needed to explain —
 - (i) the methods by which financial statements are prepared; and
 - (ii) adjustments to be made in preparing financial statements;

financial report, of a tier 2 association or a tier 3 association, has the meaning given in section 63 of the Act;

financial statements means the financial statements in relation to The Light Car Club of WA (Inc) required under Part 5 Division 3 of the Act;

financial year, of The Light Car Club of WA (Inc), has the meaning given in rule 2;

general meeting, of The Light Car Club of WA (Inc), means a meeting of The Light Car Club of WA (Inc) that all members are entitled to receive notice of and to attend;

junior, means a person aged between 12 and 17 years at the time of membership payment.

member means a person (including a body corporate) who is an ordinary member or an associate member of The Light Car Club of WA (Inc);

ordinary committee member means a committee member who is not an office holder of The Light Car Club of WA (Inc) under rule 27(3);

ordinary member means a member with the rights referred to in rule 8(4);

register of members means the register of members referred to in section 53 of the Act;



The Light Car Club of WA (Inc.) Constitution

rules means these rules of The Light Car Club of WA (Inc), as in force for the time being;

secretary means the committee member holding office as the secretary of The Light Car Club of WA (Inc);

special general meeting means a general meeting of The Light Car Club of WA (Inc) other than the annual general meeting;

special resolution means a resolution passed by the members at a general meeting in accordance with section 51 of the Act;

subcommittee means a subcommittee appointed by the committee under rule 48(1)(a);

tier 1 association means an incorporated association to which section 64(1) of the Act applies;

treasurer means the committee member holding office as the treasurer of The Light Car Club of WA (Inc).

2. Financial Year

- (1) The first financial year of The Light Car Club of WA (Inc) is to be the period notified to the Commissioner under section 7(4)(e) or, if relevant, section 29(5)(e) of the Act.
- (2) The financial year of the Light Car Club of WA (Inc) commences on the 1st of January and ends on the 31st of December each calendar year.
- (3) Each subsequent financial year of the Association is the period of 12 months commencing at the termination of the first financial year
- (4) or the anniversary of that termination.



The Light Car Club of WA (Inc.) Constitution

PART 2 – ASSOCIATION TO BE NOT FOR PROFIT BODY

3. Not-for-profit body.

- (1) The property and income of The Light Car Club of WA (Inc) must be applied solely towards the promotion of the objects or purposes of The Light Car Club of WA (Inc) and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in the promotion of those objects or purposes.
- (2) A payment may be made to a member out of the funds of The Light Car Club of WA (Inc) only if it is authorised under subrule (3).
- (3) A payment to a member out of the funds of The Light Car Club of WA (Inc) is authorised if it is —
 - (a) the payment in good faith to the member as reasonable remuneration for any services provided to The Light Car Club of WA (Inc), or for goods supplied to The Light Car Club of WA (Inc), in the ordinary course of business; or
 - (b) the payment of interest, on money borrowed by The Light Car Club of WA (Inc) from the member, at a rate not greater than the cash rate published from time to time by the Reserve Bank of Australia; or
 - (c) the payment of reasonable rent to the member for premises leased by the member to The Light Car Club of WA (Inc); or
 - (d) the reimbursement of reasonable expenses properly incurred by the member on behalf of The Light Car Club of WA (Inc).



The Light Car Club of WA (Inc.) Constitution

PART 3 - MEMBERS

DIVISION 1 – MEMBERSHIP

4. Eligibility for membership

- (1) Any person who supports the objects or purposes of The Light Car Club of WA (Inc) is eligible to apply to become a member.
- (2) An individual who has not reached 12 years of age is not eligible to be a member.
- (3) An individual who has not reached the age of 18 years is not eligible to apply for a class of membership that confers full voting rights.
- (4) An individual who has not reached the age of 18 years is only eligible to be a junior member.

5. Applying for membership

- (1) A person who wants to become a member must apply in writing to The Light Car Club of WA (Inc).
- (2) The application must include a member's nomination of the applicant for membership.
- (3) The application must be signed by the applicant and the member nominating the applicant.
- (4) The applicant must specify in the application the class of membership, if there is more than one, to which the application relates.

6. Dealing with membership applications

- (1) The committee must consider each application for membership of The Light Car Club of WA (Inc) and decide whether to accept or reject the application.
- (2) Subject to subrule (3), the committee must consider applications in the order in which they are received by The Light Car Club of WA (Inc).
- (3) The committee may delay its consideration of an application if the committee considers that any matter relating to the application needs to be clarified by the applicant or that the applicant needs to provide further information in support of the application.
- (4) The committee must not accept an application unless the applicant —
 - (a) is eligible under rule 4; and
- (5) has applied under rule 5. The committee may reject an application even if the applicant —
 - (a) is eligible under rule 4; and
 - (b) has applied under rule 5.
- (6) The committee must notify the applicant of the committee's decision to accept or reject the application as soon as practicable after making the decision.
- (7) If the committee rejects the application, the committee is not required to give the applicant its reasons for doing so.

7. Becoming a member

An applicant for membership of The Light Car Club of WA (Inc) becomes a member when —

- (a) the committee accepts the application; and
- (b) the applicant pays any membership fees payable to The Light Car Club of WA (Inc) under rule 12.



The Light Car Club of WA (Inc.) Constitution

8. Classes of membership

- (1) The Light Car Club of WA (Inc) consists of ordinary members plus any associate members provided for under sub rule (2).
- (2) The Light Car Club of WA (Inc) may have any class of associate membership approved by resolution at a general meeting. The approved associate memberships are:
 - (a) one day member; and
 - (b) event volunteer; and
 - (c) sponsor.
- (3) A person can only:
 - (a) be an ordinary member; or
 - (b) be an honorary member; or
 - (c) be a junior member; or
 - (d) belong to one class of associate membership.
- (4) A member under subrule (3a) has full voting rights and any other rights conferred on members by these rules or approved by resolution at a general meeting or determined by the committee.
- (5) An associate member has the rights referred to in subrule (4) other than full voting rights.
- (6) Honorary member means a member of The Light Car Club of WA (Inc) for whom membership is not conditional upon payment of membership fees and shall include —
 - (a) Life Members.
 - (b) Affiliated Members.
- (7) Junior member (aged 12 to 17) under subrule (3d) has the rights referred to in subrule (4) other than full voting rights.
- (8) Life Member means a member that:
 - (a) has continuous membership for a significant portion of their life; and
 - (b) has always been in good standing; and
 - (c) has, as a member, assisted in achievement the objects of The Light Car Club of WA (Inc); and
 - (d) is elected at an Annual General Meeting following a motion brought by the committee.
- (9) One day member means a member for the purposes of competing in a single day competition under a CAMS club permit.

9. When membership ceases.

- (1) A person ceases to be a member when any of the following takes place —
 - (a) for a member who is an individual, the individual dies;
 - (b) for a member who is a body corporate, the body corporate is wound up;
 - (c) the person resigns from The Light Car Club of WA (Inc) under rule 10;
 - (d) the person is expelled from The Light Car Club of WA (Inc) under rule 15;
 - (e) the person ceases to be a member under rule 12(4).
- (2) The secretary must keep a record, for at least two years after a person ceases to be a member, of —
 - (a) the date on which the person ceased to be a member; and
 - (b) the reason why the person ceased to be a member

10. Resignation

- (1) A member may resign from membership of The Light Car Club of WA (Inc) by giving written notice of the resignation to the secretary.
- (2) The resignation takes effect —
 - (a) when the secretary receives the notice; or
 - (b) if a later time is stated in the notice, at that later time.
- (3) A person who has resigned from membership of The Light Car Club of WA (Inc) remains liable for any fees that are owed to The Light Car Club of WA (Inc) (the owed amount) at the time of resignation.
- (4) The owed amount may be recovered by The Light Car Club of WA (Inc) in a court of competent jurisdiction as a debt due to The Light Car Club of WA (Inc).



The Light Car Club of WA (Inc.) Constitution

11. Rights not transferable.

The rights of a member are not transferable and end when membership ceases

Division 2 – Membership Fees

12. Membership Fees.

- (1) The committee must determine the entrance fee (if any) and the annual membership fee (if any) to be paid for membership of The Light Car Club of WA (Inc).
- (2) The fees determined under subrule (1) may be different for different classes of membership.
- (3) A member must pay the annual membership fee to the treasurer, or another person authorised by the committee to accept payments, by the date (the ***due date***) determined by the committee.
- (4) If a member has not paid the annual membership fee within the period of 3 months after the due date, the member ceases to be a member on the expiry of that period.
- (5) If a person who has ceased to be a member under subrule (4) offers to pay the annual membership fee after the period referred to in that subrule has expired —
 - (a) the committee may, at its discretion, accept that payment; and
 - (b) if the payment is accepted, the person's membership is reinstated from the date the payment is accepted.

Division 3 – Register of members

13. Register of Members.

- 1) The secretary, or another person authorised by the committee, is responsible for the requirements imposed on The Light Car Club of WA (Inc) under section 53 of the Act to maintain the register of members and record in that register any change in the membership of The Light Car Club of WA (Inc).
- 2) In addition to the matters referred to in section 53(2) of the Act, the register of members must include the class of membership (if applicable) to which each member belongs and the date on which each member becomes a member.
- 3) The register of members must be kept at the secretary's place of residence, or at another place determined by the committee.
- 4) A member who wishes to inspect the register of members must contact the secretary to make the necessary arrangements.
- 5) If
 - (a) a member inspecting the register of members wishes to make a copy of, or take an extract from, the register under section 54(2) of the Act; or
 - (b) a member makes a written request under section 56(1) of the Act to be provided with a copy of the register of members,the committee may require the member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring that the purpose is connected with the affairs of The Light Car Club of WA (Inc).



The Light Car Club of WA (Inc.) Constitution

PART 4 – DISCIPLINARY ACTION, DISPUTES AND MEDIATION

DIVISION 1 – TERM USED

14. Term Used.

In this Part – **member**, in relation to a member who is expelled from the Light Car Club of WA (Inc), includes former member.

DIVISION 2 – DISCIPLINARY ACTION

15. Suspension or expulsion.

- (1) The committee may decide to suspend a member's membership or to expel a member from The Light Car Club of WA (Inc) if —
 - (a) the member contravenes any of these rules; or
 - (b) the member acts detrimentally to the interests of The Light Car Club of WA (Inc).
- (2) The secretary must give the member written notice of the proposed suspension or expulsion at least 28 days before the committee meeting at which the proposal is to be considered by the committee.
- (3) The notice given to the member must state —
 - (a) when and where the committee meeting is to be held; and
 - (b) the grounds on which the proposed suspension or expulsion is based; and
 - (c) that the member, or the member's representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the proposed suspension or expulsion;
- (4) At the committee meeting, the committee must —
 - (a) give the member, or the member's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the proposed suspension or expulsion; and
 - (b) give due consideration to any submissions so made; and
 - (c) decide —
 - (i) whether or not to suspend the member's membership and, if the decision is to suspend the membership, the period of suspension; or
 - (ii) whether or not to expel the member from The Light Car Club of WA (Inc).
- (5) A decision of the committee to suspend the member's membership or to expel the member from The Light Car Club of WA (Inc) takes immediate effect.
- (6) The committee must give the member written notice of the committee's decision, and the reasons for the decision, within 7 days after the committee meeting at which the decision is made.
- (7) A member whose membership is suspended or who is expelled from The Light Car Club of WA (Inc) may, within 14 days after receiving notice of the Committee's decision under subrule (6), give written notice to the secretary requesting the appointment of a mediator under rule 23.
- (8) If notice is given under subrule (7), the member who gives the notice and the committee are the parties to the mediation.

16. Consequences of suspension.

- (1) During the period a member's membership is suspended, the member —
 - (a) loses any rights (including voting rights) arising as a result of membership; and
 - (b) is not entitled to a refund, rebate, relief or credit for membership fees paid, or payable, to The Light Car Club of WA (Inc).
- (2) When a member's membership is suspended, the secretary must record in the register of members
 - (a) that the member's membership is suspended; and
 - (b) the date on which the suspension takes effect; and
 - (c) the period of the suspension.
- (3) When the period of the suspension ends, the secretary must record in the register of members that the member's membership is no longer suspended.



The Light Car Club of WA (Inc.) Constitution

DIVISION 3 – RESOLVING DISPUTES

17. Terms used.

In this Division –

Grievance procedure means the procedures set out in this Division;

Party to a dispute includes a person –

- (a) who is a party to the dispute; and
- (b) who ceases to be a member within 6 months before the dispute has come to the attention of each party to the dispute.

18. Application of Division.

The procedure set out in this Division (the grievance procedure) applies to disputes –

- (a) between members; or
- (b) between one or more members and the Light Car Club of WA (Inc).

19. Parties to attempt to resolve dispute.

The parties to the dispute must attempt to resolve the dispute between themselves within 14 days after the dispute has come to the attention of each party.

20. How the grievance procedure is started.

- (1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 19, any party to the dispute may start the grievance procedure by giving written notice to the secretary of –
 - (a) the parties to the dispute; and
 - (b) the matters that are the subject of the dispute.
- (2) Within 28 days after the secretary is given the notice, a committee meeting must be convened to consider and determine the dispute.
- (3) The secretary must give each party to the dispute written notice of the committee meeting at which the dispute is to be considered and determined at least 7 days before the meeting is held.
- (4) The notice given to each party to the dispute must state –
 - (a) when and where the committee meeting is to be held; and
 - (b) that the party, or the party's representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute.
- (5) If –
 - (a) the dispute is between one or more members and The Light Car Club of WA (Inc); and
 - (b) any party to the dispute gives written notice to the secretary stating that the party –
 - (i) does not agree to the dispute being determined by the committee; and
 - (ii) requests the appointment of a mediator under rule 23,

The committee must not determine the dispute.