

AUCKLAND THREE QUARTER MIDGET ASSOCIATION INCORPORATED CONSTITUTION

1) TITLE

The title of the club shall be "AUCKLAND THREE QUARTER MIDGET ASSOCIATION INCORPORATED"

2) REGISTERED OFFICE

The registered office of the club shall be in the city of Auckland, New Zealand and notice of any change in the situation of the registered office shall be given to all members.

3) OBJECTS OF ASSOCIATION

- a) To protect the rights of the members engaged in the Three Quarter Midget Car Racing.
- b) To support by-laws and regulations governing Three Quarter Midget Car racing.
- c) To adjudicate any cases of abuse connected with Three Quarter Midget Car racing.
- d) To hear and determine appeals from drivers, owners and officials.
- e) To acquire by purchase, exchange, lease or otherwise (and either alone or in conjunction with any other person, club or corporation) upon such terms as may be thought fit any real or personal property, and any rights and privileges either necessary or convenient for the club to progress. To dispose or join in disposing of, by sale, lease letting license, exchange or otherwise any property (real or personal) or any rights or privileges not immediately required for the use for the purposes of the track.
- f) To encourage safe and skilful driving on the race track.
- g) To help educate drivers in the handling of their Three Quarter Midgets.
- h) To build and construct or otherwise provide, improve or alter stands, racing tracks and all buildings and conveniences necessary or requisite for the purposes of the club. To borrow or raise money or mortgage of the real or personal property of the club or any part thereof or upon debentures or mortgage debentures charging the arrange part of the assets of the club and to execute mortgages and other instruments to secure such debentures or to borrow money from bankers or other persons with or without security.

4) MEMBERSHIP

- a) Members of the club shall consist of active drivers, owners, intending drivers, enthusiasts and such officials as shall be approved by the committee.
- b) Application for membership will be made on the clubs "Application for membership form"
- c) No more than two life members may be elected annually at the AGM. Any member, who has, in the opinion of the members, by his services to the club merited nomination, is eligible for election as a life member
- d) Any person who has rendered the club a good service, financially or other otherwise, and who in the opinion of the committee, is entitled to honorary membership, may be duly nominated and elected as a honorary member at a general meeting

- e) A member may resign by notice to the committee in writing, signed by him/her and lodged at the registered office, provided however those resignations shall not, unless the committee shall otherwise determine, release him from any subscriptions or other sums due or accruing, due him/her as a member at the time of resignation. The name of any member ceasing to be such, shall be reported by the secretary to the committee, who shall there upon cause the same to be removed from the list of members or memorandum to be made, whether by retirement, removal from the list, death, neglect or failure to pay the annual subscription or otherwise, howsoever shall forfeit all right or claim (if any) upon or in respect of the club and its property

5) CONSTITUTION OF EXECUTIVE COMMITTEE

The affairs of the club shall be controlled by an executive committee consisting of President, Club Captain, Secretary, Treasurer and five committee persons. These officers shall be elected at the Annual General Meeting.

Any vacancies occurring after the Annual General Meeting may be filled by the committee until the next Annual General Meeting.

The officers and committee collectively or individually shall be removed by a vote at a special meeting of the club, called for the purposes and in case of such removal, a meeting shall be called to fill vacancies forthwith and elect others to carry on the business of the club until the next annual general meeting.

6) MEETING OF THE EXECUTIVE COMMITTEE

The executive committee shall meet as often as required by the nature of the business to be transacted and the committee members are given seven (7) days' notice.

A quorum shall consist of five (5) committee members. Any committee member who misses three consecutive committee meetings without apology shall be automatically excluded from the committee

7) POWERS OF THE

The executive shall have all the power necessary to efficiently carry out the objects of the club. It shall have control over the entire management of the club and all its activities including every section, assets and funds

a) CHAIRMAN

The president or in his absence the club captain shall preside at all meetings of the executives

b) SECRETARY/TREASURER

The duties of the Secretary/Treasurer shall be to receive all monies due to the club and pay all debts contracted to it, keeping a correct account in the books provided for the purposes and make a report to the annual meeting, which shall include a balance sheet duly audited, of the funds and disbursements of the club. To keep records of the minutes of proceedings of the club and record of all members and their addresses.

c) AUDITOR

An independent auditor shall be appointed. It shall be his/her duty to check and examine the books of the club and see that they are properly kept and balanced, and also audit the annual balance sheet of the club

d) SUB-COMMITTEE

The club committee can form from time to time to set up sub committee's to deal with special matters, but these powers shall be limited because their decisions shall be limited to and to the club committee. Confirmation to act and power to enact decisions will be needed first from the club committee.

8) YEAR

The financial year shall begin on the 1st day of June and end on the 31 day of May each year.

9) ANNUAL GENERAL MEETING

- a) The Annual General Meeting of the club shall be held in the month of June each year at a place arranged by the executive.
- b) The voting at all annual general meetings and special meetings of the members of the club shall be in accordance with **Rule 10**.
- c) All remits or notices of motion from members of business, to be brought before the Annual General Meeting shall be in the hands of the club Secretary at least 14 days prior to the date of the Annual General Meeting.
- d) The Treasurer shall produce a balance sheet at the Annual General Meeting.
- e) Voting by proxy will be allowed for financial members outside Auckland City.
- f) The Secretary shall call a general or special general meeting of the club on the following authority:
 - i) The President
 - ii) The Committee
 - iii) A requisition signed by three members of the committee
 - iv) A requisition signed by ten members of the club
- g) The mode of summoning a meeting shall be by means of notification in writing addressed to each member at his/her address as such shown on the register of members.
- h) All members shall have at least seven (7) days' notice prior to the Annual and special general meetings.
- i) The quorum for Annual General Meeting and special meetings shall be fifteen (15). If there is not a quorum present, then the meeting shall be adjourned for one week and those members present at the meeting shall form a quorum.
- j) Any member whose subscription remains unpaid at the commencement of the Annual General Meeting will be deemed to be unfinancial, with consequential loss of privileges and voting powers.

10) VOTING RULES

- a) **GENERAL** – except when special conditions apply (see 9e, 10c, 10d & 15)
 - i) Voting may by a show of hands.
 - ii) Only those members currently financial can vote.
 - iii) A vote will be carried by a majority of those members present, voting in person.
- b) **SCRUTINEERS** – Scrutineers shall be appointed when voting on selection of officers, rules, remits, and constitution changes or when called by a majority of members present at a meeting which a vote is to be taken on any other issue.
- c) **ELECTION OF OFFICERS**
 - i) Nominations in writing and/or from the floor will be accepted.
 - ii) If there are more nominations than positions to be filled, then all nominees may be required to leave the meeting while a vote is taken.
 - iii) In the event of the nominees having to leave the meeting for the taking of the vote, then they may record by written ballot.
 - iv) Voting by proxy will be allowed for members outside of Auckland.

d) RULES, REMITS & CONSTITUTION CHANGES

- i) Voting on racing related matters shall be restricted to currently competing members or car owners who must also be financial members of the club at the time of voting.
- ii) Where a car owner exercises his right to vote, there must remain the limit of one vote for one car.
- iii) Voting by proxy will be allowed for members outside of Auckland.

11) SUBSCRIPTIONS

The local membership subscription to the club shall be determined by the executive. Any subscriptions received during the month of March will be included in the financial year to come.

12) MEMBERSHIP RULES

- a) Anyone considered to be undesirable character will not gain membership.
- b) Committee of the club reserves the right to refuse entry to any club function.
- c) Any member abusing club privileges shall be brought up in front of the committee for censure.
- d) Any member with complaints shall file them with the committee in writing.
- e) If any member causes deliberate strife and set out to cause discontent and resentment to the detriment of the clubs goodwill and good name, then if recognized and identified as such by the committee, his/her resignation will be called for.
- f) Any club member attending committee meetings must regard all business as confidential.
- g) The conduct of any member at any place whatsoever that would prejudice the club could be expelled, fined or suspended.
- h) The enforcement of the above rules will be taken by a majority vote of the committee.

13) CONTROL AND INVESTMENT OF FUNDS

All Real and personal property owned by the club shall be held and disposed of in the name and title of the club or any person or body.

All sums paid by the way of annual subscriptions or otherwise, shall be received by the treasurer who shall place the sum forthwith in such bank as may be from time to time appointed by the committee, to an account to be called "Auckland Three Quarter Midget Association Incorporated".

Such funds to be absolutely at the disposal of the committee to further the objectives of the club.

The Treasurer or other such person as may be authorized by the committee from time to time is empowered to draw execute cheques on the said account for the sums payable by the club and authorized by the committee from time to time

14) ALTERATION TO THE RULES

The rules of the club may be altered, added to or rescinded at an Annual General Meeting, and such alterations or additions there to shall be carried by a majority of at least two thirds of those members present, voting in person. Any members desiring to propose an amendment there to shall forward the same in writing to the Secretary fourteen (14) days prior to the date of the meeting.

15) CONTINGENCIES NOT PROVIDED FOR

Any contingencies not provided for the foregoing, may be dealt with by the committee, pending consideration at the next general meeting of the club.

16) WINDING UP

In the event of winding up the club all such assets, after the payment of all costs, debts and liabilities shall be donated to a charity decided on by the standing committee of the time.

17) COMMON SEAL AND ITS USES

The common seal of the club shall be that appointed by the committee and shall be in safe custody of the Secretary or other such member of the committee duly authorized by the committee. Whenever the common seal of the club is required to be affixed to any deed document writing or other instrument, the seal shall be affixed pursuant to a resolution of the committee in the presence of the president and any other authorized member of the committee. The President and the authorized member shall at the time sign a document to which the seal is affixed.

18) INTERPRETATION

In these rules and in any by-laws of the association, unless a contrary intention appears, "Club" means "Auckland Three Quarter Midget Association Incorporated", "Executive Committee" means the executive committee for the time being appointed under the rules of the Association. "Year" means the year the Association and the words importing the masculine gender shall be deemed to include the feminine gender and the words importing the singular number shall be deemed to include the plural and vice versa.