



Constitution

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Version Control

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Document Location

This version, as found on the BORRCCC website, is stored on the BORRCCC Google Drive repository accessible by current Committee Members. It is the responsibility of the current forming committee (in particular, the Club Secretary) to keep the information contained in this document current.



1. Executive Summary

The purpose of this document is to provide information relevant to the structure, rules, objectives, roles and responsibilities associated with the operation and running of the Bendigo On Road Radio Control Car Club (BORRCCC).

This document forms the basis for how BORRCCC will conduct itself on behalf of all club members and the rules that will be applicable to all members (general and committee).

2. Club Title

Bendigo On Road Radio Control Car Club Inc
Hereby referred to as "BORRCCC".

3. Interpretation

Throughout this Constitution, the words "Club" and "Association" shall mean the Bendigo On Road Radio Control Car Club.

The word "rule" shall mean a constitutional rule unless otherwise stated.

4. Objectives of the Club

To promote and develop 1/10th scale radio controlled electric on-road model racing for all age groups across the Central Victoria geographic region and to foster community engagement with other like-minded and affiliated clubs throughout Victoria including Metropolitan Melbourne clubs.

5. Membership

a) Membership is open to all and will be granted in accordance with the following classes:

b) LIFE MEMBERSHIP

- i. Honorary Life membership of the Club may be granted at the Annual General meeting to persons whose services, to the Club in particular, or in pursuit of their hobby in general, are deemed to be worthy of such honour.
- ii. Nominations are to be by the Committee and accepted by a majority vote of Committee members.
- iii. Life members are not required to pay annual membership fees.
- iv. Active Life Members have full voting rights.

c) FULL MEMBERSHIP (JUNIOR, SENIOR AND FAMILIES)

- i. Available to both drivers and non-drivers. ii. Membership fees are payable. iii. Full voting rights for senior members only.
- ii. Membership will be granted upon acceptance of the completed Membership Application form (either paper or online) with full payment for the current year.



6. Membership Fees

- a) The annual membership fee for Junior, Senior and Families shall be determined by the Committee.
- b) The Club membership year shall be from 1 July to 30 June in line with the financial year.
- c) Members who join from 1 March onwards will have their membership carried through the following financial year.
- d) Membership will not be discounted based on when a member joins (notwithstanding the concessions made in 5(c))
- e) The subscriptions payable shall be calculated and displayed as part of the Membership Registration form for the current year.

7. Cancellation of Membership

- a) The Committee shall have the power to terminate or suspend the membership of any Club member at any time for breach of the Club's Code of Conduct. The severity of the penalty will be based on the nature of the breach and will be determined following a majority vote of the Committee.
- b) The person whose membership has been revoked shall cease to be a member of the Club and shall not be eligible to regain membership without the express permission of the Committee.
- c) All membership fees are non-refundable.

8. Eligibility to Participate

Eligibility to participate in any non-sanctioned event run by the Club will be open to any interested person or persons and not restricted to members only.

Eligibility to participate in any RCRA (previously known as AARCMCC) affiliated event will be open to financial members only.

9. Committee Members

The Committee shall comprise of up to six (6) persons as follows:

- President
 - Secretary
 - Treasurer
 - Three (3) additional general committee members
- a) The President shall only cast votes in a tied-scenario within the Committee for all decisions applicable to a vote.
 - b) Committee members shall be proposed, seconded, and elected at each Annual General meeting of the Club, and shall hold office until the following Annual General Meeting. They shall be eligible for re-election from year to year.
 - c) The position of Secretary and Treasurer may be combined and undertaken by one committee member if necessary.
 - d) All Committee members will have full voting rights in all matters at Committee meetings.
 - e) All Committee members must be a member of the Club. Membership fees must be received in full within one month of the Annual General Meeting. If this does not occur, Committee membership will be terminated.
 - f) Any Committee member missing three consecutive committee meetings of the Club without valid reason shall have their seat declared vacant.



10. Duties of the President

- The President shall ensure that the well-being and objectives of the Club are maintained.
- The President shall preside at all Committee and Annual General Meetings and see that the business is conducted in a proper manner.
- The President may call either a Committee meeting or General Meeting in cases of an emergency.
- The President will preside over Club events including but not limited to running the drivers meeting and presenting trophies.
- The President will deliver an annual report to the Annual General Meeting.
- The President shall be responsible for a transition of these duties to a replacement President including all knowledge and associated information through a formal transition process.

11. Duties of the Secretary

- The Secretary shall attend all Committee and Annual General Meetings and take minutes.
- The Secretary shall keep a record of all inward and outward correspondence.
- The Secretary shall maintain a master list of all Club members.
- The Secretary shall be responsible for updating the Club website (or organising for the Club website to be updated).
- The Secretary shall carry out such duties as required by this constitution and may also attend to such other matters as the Club may, from time to time, direct.
- The Secretary will lodge with MyCav the annual financial statements in accordance with the scheduled timelines outlined by Consumer Affairs Victoria.
- The Secretary shall be responsible for a transition of these duties to a replacement Secretary including all knowledge and associated information through a formal transition process.

12. Duties of the Treasurer

- The Treasurer shall maintain adequate books of accounts, receive all monies on behalf of the Club and give receipts therefore on official receipt forms.
- The Treasurer shall put such monies received into such bank account or accounts as the Club may, from time to time decide.
- The Treasurer shall submit an Annual Financial Report, Balance Sheet, and other such information as the Club may require at each Annual General Meeting, and at any other time when so directed by the President.
- The Treasurer shall present Financial Reports at each Committee Meeting.
- The Treasurer shall be responsible for a transition of these duties to a replacement Treasurer including all knowledge and associated information through a formal transition process.

13. Duties of the General Committee Members

- Attend and provide input at Committee and Annual General Meetings. Assist in the running of Club events as required.
- Participate in Club events as required.
- Assist in any other tasks as directed by the Committee.



14. Financial Year

The club's financial year shall be from July 1st to June 30th.

15. Powers of the Association

- a) The Committee, subject to this Constitution, may exercise all powers of the Club as are not, by this Constitution, required to be exercised by the Club in a General meeting and, without prejudice to the generality of the foregoing, shall have the following powers:
- b) To control the finances, property, funds and interests of the Club.
- c) To control all exhibitions, displays, events and competitions arranged by the Club.
- d) To make by-laws for the conduct of meetings, exhibitions, displays, events and competitions of the Club, and may alter, rescind and add to any by-laws. Such by-laws shall be binding on members as if they were rules of the Club unless and until rescinded by the Committee, or at the direction of a General Meeting.
- e) To declare vacant, the seat of a Committee member who, without satisfactory reason absents him/herself from three consecutive meetings of the Committee.

16. Rules of the Association

- a) The Association may alter or rescind these rules, or make rules additional to these rules, in accordance with the following procedure:
 - i. The Association may alter its rules by special resolution but not otherwise;
 - ii. Within one month of the passing of a special resolution altering its rules, the Association must notify its members setting out the particulars.
 - iii. An alteration of the constitutional rules of the Association does not take effect until sub-rule (ii) is complied with;
- b) Rules bind every member and the Association to the same extent as if every member and the Association had signed and sealed these rules and agreed to be bound by all their provisions.

17. Meetings

- a) The Annual General Meeting of the Club shall be held between March and June. Members shall be given at least fourteen days' notice of such meeting.
- b) The Secretary shall call a special meeting of the Club whenever required to do so by the Committee or upon receipt by the Secretary of a written request for a special General Meeting, signed by at least eight members. Such request must state the matter for consideration at such Special General Meeting. Members shall be given at least fourteen days' notice of a Special General meeting and shall, when advised of such meeting, be apprised of the business to be transacted thereat. No business except that of which notice shall have been so given, shall be transacted at any Special General Meeting.
- c) The Committee shall meet monthly or at such times as it shall deem necessary and further, shall meet whenever required to do so by the President.
- d) Any Club member may attend a Committee Meeting provided prior notice of attendance is received by the Secretary.



18. Minutes of Meetings of Association

- a) The Secretary must record proper minutes of all proceedings of all general meetings and Committee meetings to be taken and then to be entered within 30 days after the holding of each general meeting or Committee meeting, as the case requires, in electronic form, a printed copy kept for that purpose.
- b) The Chairperson must ensure that the minutes taken of a general meeting of Committee meeting under sub-rule (18 (a)) are checked as correct by the Chairperson of the general meeting or Committee meeting to which those minutes relate or by the Chairperson of the next succeeding general meeting or Committee meeting, as the case requires.
- c) When minutes have been entered and checked as correct under this rule, they are, until the contrary is proved, evidence that:
 - i. The general meeting or Committee meeting to which they relate (in this sub-rule called “the meeting”) was duly convened and held;
 - ii. All proceedings recorded as having taken place at the meeting did in fact take place at the meeting; and
 - iii. All appointments or elections purporting to have been made at the meeting have been validly made.

19. Annual Reports

At each Annual General Meeting, the President shall present a written report on the affairs of the Club for the preceding twelve months.

The Treasurer shall make an Annual Financial Statement offering all relevant documents, including a balance sheet, for inspection at the meeting.

20. Quorums

- a) A quorum for Committee meetings shall comprise of at least four members.
- b) A quorum for an Annual General Meeting shall comprise of at least four members of the Committee and three other members.

21. Vacancies

When an extraordinary vacancy occurs in the Committee, the Committee meeting next following may proceed without further notice to select an eligible member for the vacancy, but only for the remainder of the current term, and such selection may be made by resolution or ballot.

If the office of President shall become vacant, the Secretary shall forthwith call a Special General Meeting for the purpose of election of a new President.



22. Voting

- a) Each member present at an Annual General Meeting of the Club shall be entitled to one vote. The Chairperson at any meeting shall be entitled to cast a deliberative vote and shall further be entitled to a casting vote. Voting shall be by simple majority except where otherwise expressly provided herein:
 - i. Voting shall be by show of hands but any two members shall be entitled to demand a ballot.
 - ii. Unless such ballot is so demanded, a declaration by the Chairperson that a resolution has been carried, and an entry to that effect in the minutes of the meeting, signed by the Chairperson, shall be sufficient evidence of the fact, and shall be deemed to be the resolution of the Club.
 - iii. Should a member be unable to attend a meeting, they may cast a proxy vote which must be forwarded to the Secretary prior to the meeting.

23. Amendments to Club Racing and Rules

The Committee shall be responsible for any amendment and subsequent approval of the Club Race Rules and Specifications.

24. Income / Profit

The income and profit of the Club where so ever derived shall be applied solely to the promotion of it's objectives as set forth in Section 4 of this constitution and no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonuses or otherwise howsoever to its members, provided that nothing herein shall prevent the payment in good faith or remuneration to any member of the Club for services actually rendered to the Club.

25. Inspection of Records, ETC. of Association

A Committee member may at any reasonable time inspect without charge the books, documents, records and securities of the Association.



26. Disputes and Mediation

- a) The grievance procedure set out in this rule applies to disputes under these rules between:
 - i. A member and another member; or
 - ii. A member and the Association; or
 - iii. If the Association provides services to non-members, those non-members who receive services from the Association, and the Association.
- b) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- c) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- d) The mediator must be –
 - i. A person chosen by agreement between the parties; or
 - ii. In the absence of agreement –
 1. In the case of a dispute between a member and another member, a person appointed by the Committee of the Association;
 2. In the case of a dispute between a member or relevant non-member (as defined by sub-rule (26 (a) (iii)) and the Association, a person who is a mediator appointed to, or employed with, a not for profit organisation.
- e) Any member of the Association can be a mediator.
- f) The Mediator cannot be a member who is a party to the dispute.
- g) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- h) The mediator, in conducting the mediation, must –
 - i. Give the parties to the mediation process every opportunity to be heard;
 - ii. Allow due consideration by all parties of any written statement submitted by any party; and
 - iii. Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- i) The mediator must not determine the dispute.
- j) The mediation must be confidential and without prejudice.
- k) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

27. Dissolution

- a) The Club may be dissolved or wound up by a resolution of a General or Extraordinary Meeting called for such purpose.
- b) If Upon the dissolution or winding up of the Club, there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to, or distributed among the members of the Club, but shall be transferred to some other club or institution having objects similar, wholly or in part, to the objects of this Club, and which shall prohibit the distribution of it's or their income and property among it's or their members, or to some charitable object or objects, which Club, institution or object shall be determined by the members of this Club at or before the time of dissolution or winding up. In default thereof, or if and insofar as effect cannot be given to such determination, then such payment or distribution shall be determined by a Judge of the Supreme Court.



28. Not For Profit

The income and property of the Club where so ever derived, shall be applied solely towards the promotion of its objectives as set forth in this Constitution, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, or otherwise howsoever to its members, provided that nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Club for services actually rendered in the Club.

