

TILLIGERRY AUTO CLUB

Incorporated

p.o. box 3023

Lemon Tree Passage

NSW 2319

Constitution

Made under Associations Incorporation

Act (NSW) 2009

28th March 2012

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CONSTITUTION

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CONSTITUTION

Made under Associations Incorporation Act (NSW) 2009

DEFINITIONS

The ACT means:	Associations Incorporations Act (NSW) 2009
AGM means:	Annual General Meeting
Association means:	Tilligerry Auto Club Incorporated
Associate member means:	A member who is sponsored by a Full financial member whose nomination has been accepted by the committee and is fully financial. An Associate Member may enjoy the same rights and privileges as a Full Member under this Constitution
Vehicles/Motor cycles means:	Veteran Motor Vehicle and Motor Cycle self propelled road vehicle manufactured up to and including 31/12/18 Vintage Motor Vehicle and Motor Cycle self propelled road vehicle manufactured between 01/01/1919 up to and including 31/12/1930. Post Vintage motor vehicle shall mean any self propelled road vehicle manufactured between 01/01/1931 and up to and including 31/12/1949. Historic motor vehicle shall mean any self propelled road vehicle manufactured between 01/01/1950 and up to and including 31/12/1989.
Committee means:	The management Committee of the Association comprising both Executive and Ordinary Members
Constitution means:	The Constitution of the Tilligerry Auto Club Incorporated TAC
CRS means:	Conditional Registration Scheme
EGM means:	Extraordinary General Meeting
Financial Member means:	A Member who is fully paid-up following the call for annual dues, and is shown on the TAC Register having been accepted by the Committee as a Financial Member
Full Member means:	A member whose nomination has been accepted by the Committee and is fully financial. A Full Member has the rights and privileges enjoyed under this Constitution.
Honorary Member means:	An individual, granted limited membership by the committee in order to fulfil a task, or to provide professional advice, and which is limited to no longer than three (3) months duration. An Honorary member has no voting rights.
Life Member means:	A member of the Association who through exemplary dedication and contact to the Association has been recognised by a majority of the Association's Members at an AGM as a Life Member. A nominee shall have not less than 10 years continuous financial membership of the Association

- Member means: Full Member, Associate Member, Life Member of the Association unless otherwise state. (Also see Clause 2.0)
- Register means: The TAC Register showing all member and Committee Members of the Club who are financial.

INTRODUCTION

This Association, formed under this Constitution and Incorporated under Associations Incorporation Act (NSW) 2009 and registered with the NSW Department of Fair Trading is known as “Tilligerry Auto Club Incorporated”.

- 1.0 Objectives of the Association
- 1.1 Objectives of the Association are:
 - 1.1.1 To promote, foster and conduct events, activities and opportunities to enjoy The ownership of a motor vehicle/s or motor bike/s.
 - 1.1.2 To promote friendship and courtesy both on and off the road between members of the association.
 - 1.1.3 To promote and engender social activities amongst all Members
 - 1.1.4 To conduct meetings whereby Members may enjoy each other’s fellowship and obtain knowledge on all facets of owning and maintaining a motor vehicle/motor bike.
 - 1.1.5 To foster safe and responsible driving, under the Australian Road Rules, by it’s members.
 - 1.1.6 To publish at such time and under such circumstances as the Association may from time to time resolve a periodical or newsletter to be distributed to all members of the Association and to such other persons to be determined.
 - 1.1.7 To comply with the rules governing conditional Registration.

2.0 MEMBERSHIP

- 2.1 Members of the Association shall be comprised of the members of the Association immediately prior to Incorporation, together with such other people as the management committee admits to membership.
- 2.2 All members must be natural persons and may be members of other similar Associations.
- 2.3 The Association has the following types of Membership
 - 2.2.1 Full Membership
 - 2.2.2 Associate Membership
 - 2.2.3 Honorary Membership
 - 2.2.4 Life Membership
- 2.3 Full Membership shall be open to any person who owns, or controls a motor Vehicle or motor cycle as earlier defined.
- 2.4 All applications for membership must be in writing and shall be in such format as shown in the By-Laws (see Clause 2.5 and Addendum B)

- 2.5 All applications for Membership, regardless of type, shall be approved by the Committee of the Association with the exception of “Life Membership” which is to be approved by a majority of Members voting at the AGM
- 2.6 A Full financial Member of the Association may sponsor one Associate member . All Associate members shall be approved by the Committee of the Association. An Associate member should be married/ in a relationship with/ Personally known to/ related to their sponsor. A Associate member may occupy a position on the Committee. An Associate member may also own a Motor vehicle/bike.
- 2.7 A Full Member who no longer owns, or controls a motor vehicle or motor bike may continue to sponsor an Associate member whilst they are considering the replacement of their vehicle/bike.
- 2.8 Life Membership may be conferred on Full Members at the AGM. A Life Member, who through exemplary dedication and conduct to the Association, may be recognised and nominated by the Committee at the AGM , but must be voted in as a “Life Member” by a majority of the Association’s members, subject to 10 years continuous financial membership. Life members may sponsor an Associate Member under the terms of this Constitution.
- 2.9 Honorary Membership may be conferred upon an individual by the Executive Committee, for a specific purpose, but such membership shall not exceed three (3) calendar months in duration.
- 2.10 Annual fees and subscriptions for Association membership (in all categories) shall be determined by the Committee, but such fees and subscriptions must be ratified by a majority vote by members at a Annual General Meeting (AGM)

3.0 THE COMMITTEE

- 3.1 Management of the Association (Executive and Ordinary Committee)
Shall comprise:
 - 3.1.1 The Executive Committee with the following members, in order of seniority.
 - 3.1.1.1 President
 - 3.1.1.2 Vice President
 - 3.1.1.3 Secretary
 - 3.1.1.4 Treasurer
 - 3.1.2 The Ordinary Committee with not more that seven (7) members who may be assigned specific duties by the Executive Committee in such cases their title will be Committee Member followed by a description of their duty.
- 3.2 The office of President, Vice President, Treasurer and Secretary are exclusive in that no one Member of the Executive Committee shall hold more than one office in the Executive Committee at any one time.

However, a member of the Executive Committee may hold office as an Ordinary member, but only one position as an Ordinary Member.

- 3.3 Both the Executive and Ordinary Committee Members shall be elected at the AGM and shall hold office for one calendar year (until the following AGM) . At each AGM both the Executive and Ordinary Committee shall Retire their office. They shall be eligible for re-election (see Clause 6.0)
- 3.4 In the event that there is no nomination, or no nominations are received by the due date for a Committee position (whether in the executive or ordinary) then the sitting Office bearer shall be elected “opposed”.
- 3.5 The Committee is responsible to all Members of the Association in accordance with the Associations Incorporations Act (NSW) 2009
- 3.6 The Association, at an EGM , may decide, by a majority vote of no less Than seventy-five (75) percentum (75%) of the Association to remove a Committee Member from the Committee. Such removal does not expel the member from the Association. The member has a right to appeal as indicated at Clause 22.10
- 3.7 The Committee, may by an instrument in writing, delegate to a Sub-Committee to investigate, co-ordinate, arrange, or undertake a project on behalf of the Association. Such authority must be revoked in writing at the conclusion of the requirement, or task. Sub-Committee Members have no voting rights in the Committee.
- 3.8 The Association at the AGM shall appoint The Public Officer and where Appropriate The Historic Plates (CRS) Registrar.
 - 3.8.1 The Public Officer must be a person who is aged 18 years or more and is ordinarily a resident in New South Wales. He/She may be an Executive Committee Member, Ordinary Committee Member or any Other financial member of the Association.
 - 3.8.2 The Historic Plates Registrar may be an Executive Committee Member, Ordinary Committee Member, or any other financial member of the Association.

4.0 COMMITTEE MEETINGS

- 4.1 The Committee shall meet at least quarterly, and as such other times as decided upon by the Executive Committee
- 4.2 The Committee shall also meet, upon request from the majority of the Ordinary Committee giving seven(7) days notice in writing to the Secretary.

- 4.3 The President shall be the Chairperson of all Committee Meetings, Except that in his/her absence, the Vice President shall act as Chair Person. In the event of the absence of the Vice President, the order of seniority of the acting Chairman is given at Clause 3.1.1

5.0 FAILURE TO ATTEND COMMITTEE MEETINGS

- 5.1 Any Committee Member who fails to attend any three (3) consecutive Committee Meetings without written apology, or just cause (to either the President, Vice President, or Secretary), may require to “show cause why” in writing to the Committee why they should not be expelled from his/her office.
- 5.2 Any decision in relation to Clause 5.1 must be taken at a Committee Meeting and the result advised to the Members of the Association at the next General Meeting.
- 5.3 The Committee has the right to fill Casual Vacancies as they occur, from time-to-time (see Clause 7.0)

6.0 ELECTION OF COMMITTEE

- 6.1 The election of the TAC Committee shall take place in the following manner
- 6.1.1 The Secretary shall give written notice of the AGM and for the election of the TAC Committee (at least twenty-eight (28) calendar days prior to the AGM) to all Association Members
- 6.1.2 Any two members of the Association may nominate a Financial Member to serve on the Committee. Nominations must be in writing and forwarded to the Secretary at least twenty-one (21) calendar days prior to AGM.
- 6.1.3 All nominations must be accompanied by a written memorandum from the nominee agreeing to serve on the Committee, if elected. In the event of there being insufficient nominations received, those nominations to hand shall be automatically elected and nominations shall then be called from those financial members present at the AGM to fill Casual Vacancies (but also see Clause 3.4)
- 6.1.4 A list of names of the nominations for each Committee position, in alphabetical order, shall be forwarded to the Members of the Association at least fourteen (14) calendar days prior to the AGM. Ballot lists shall be prepared containing the names of the nominees and each member present (providing he/she is a Financial Member) at the AGM, shall be entitled to vote for any number of such nominations (not exceeding the number of vacancies)
- 6.1.5 If two or more nominees obtain an equal number of votes a further ballot

will be held restricted to such nominees. If after a further vote the ballot is tied once again, then the position is to be drawn from “a Hat”.

- 6.1.6 Voting for nominees, when called upon, is to be by a “show of hands”.

7.0 CASUAL VACANCIES AND APPOINTMENTS

- 7.1 In accordance with Clause 5.0 the Committee can fill Casual Vacancies as they occur
- 7.2 A Casual Vacancy must be a Financial Member of the Association and must accept the position before it can be filled.
- 7.3 The Casual Vacancy must be registered in the Association’s Member Register.
- 7.4 A Casual Vacancy appointed to the Committee shall retire at the next AGM despite his/her term served, but shall be eligible for re-election in accordance with Clause 3.0 ad 6.0

8.0 POWERS OF THE COMMITTEE

- 8.1 The Committee has the power to invite any other Member (or individual) to attend Committee Meetings who may be of assistance to provide professional or skilled advice as required. Such individual (if not a member) may be appointed as an Honorary Member (in accordance with Clause 2.10) but shall not be entitled to vote at any Committee Meeting.
- 8.2 The Committee, in addition to the powers conferred upon them to properly carry out the objects of the Association by this Constitution, also have legislative duties and responsibilities conferred upon them under Parts 4 and 5 of the Associations Incorporations Act (2009).

9.0 BY-LAWS

- 9.1 The Committee is empowered, for the purposes of efficient and effective management of the Association to make, repeal and amend By-Laws as they consider necessary.
- 9.2 By-Laws made as aforesaid, shall only have effect until otherwise determined by the Association at an AGM or EGM.
- 9.3 In particular, but not exclusively, such By-Laws may provide for, and regulate all matters as are commonly the subject matter of this Constitution, or By-Laws of an Association.
- 9.4 The following By-Laws form part of this Constitution:

- 9.4.1 ADDENDUM A – The TAC Use of the Conditional Registration Scheme for motor vehicles, or motor cycles on RMS Historic Plates
- 9.4.2 ADDENDUM B - Nomination for Membership of the Association
- 9.4.3 ADDENDUM C - Duties of Office Bearers and Appointees

10.0 ASSOCIATION FUNDS AND MANAGEMENT

- 10.1 Association Funds are to be derived from annual subscriptions, donations, sponsorship and subject to any resolution passed by a majority vote at a General Meeting, or such other sources as the Committee determines, at the time, to be in the “best interests of the Association”.
- 10.2 The Association’s funds shall be banked in the name of the Association. The Association’s bank account shall be operated with any two signatories from the Committee. This cannot be delegated without the majority approval of the Association at a General Meeting.
- 10.3 The Association is prohibited from making distribution to it’s Members (whether in money, property or otherwise) or any assets whatsoever. This does not however prevent the payment, in good faith of remuneration, to any Committee member, or disbursements incurred in facilitating the objectives of the Association, provided such member can produce a receipt to the Treasurer for such payment.
- 10.4 Members do not have the authority, at any time, to commit the Association in respect to any monetary, or financial liability, unless especially directed to do so, in writing, by the Executive Committee.
- 10.5 All accounts for payment shall be presented by the Treasurer to the Executive Committee for consideration prior to passing for payment (also see Clause B.4.1.8)
- 10.6 Association funds are to be used in pursuance of the objects of the Association, but only in such a manner as approved by the majority of the committee.
- 10.7 Any expense over the limit of \$599.00AUD is to be passed by a majority of members at a General Meeting.

- 10.8 The Treasurer must keep in his/her custody, and under his/her control , all Records of Account and upon vacating office hand such records to the Public Officer.

11.0 AUDIT OF THE ASSOCIATION'S FINANCIAL AFFAIRS

- 11.1 An auditor, or auditors shall be appointed by the Executive Committee (exempt the Treasurer) at least six (6) calendar weeks prior to the AGM
- 11.2 The auditor/s is/are to be given the task/s to examine all records of account, financial documents (including vouchers, receipt books, income statements, cheque books, bank statements) etc
- 11.3 An audited and typed Annual Statement of Accounts and the Association's Balance Sheet is to be furnished by the Treasurer to the Executive Committee at least seven (7) calendar days prior to the AGM for their agreement and signature. The approved and audited documents are to be made available to all Association Members at the AGM.
- 11.4 Audits shall be conducted at intervals or not more than thirteen (13) calendar months.

12.0 ASSOCIATION'S FINANCIAL YEAR

- 12.1 The Association's financial year shall be from the 1st July of one year until the 30th June of the following year.
- 12.2 The Treasurer is responsible to have all such records mentioned at Clause 11.2 available for audit at a date so agreed between the Committee and the Auditor appointed by the Committee.

13.0 GENERAL MEETINGS

- 13.1 General Meetings will be held at the advertised place and time.
- 13.2 General Meetings will be chaired by the President, Vice President or any member of the Committee or nominated full member from the floor.
- 13.3 Meetings are to be in the following format

Open Meeting

Guests

Apologies

New Faces

Previous meeting's minutes read, moved and seconded

Business arising from previous minutes

Treasurer's report read, moved and seconded

Inward and outward mail

Registrar's report

Previous runs, activities

Future runs, events

For sale/ wanted

General business

Close

- 13.4 Minutes from previous meeting are to be read in full or in brief only if members have a full copy of the previous month's minutes. Minutes are to be moved and seconded by full members who were present at that previous meeting.
- 13.5 Treasurer's Report will be presented and read in full to the meeting for the previous month. Treasurer's report to be moved and seconded by a full member.

14.0 ANNUAL GENERAL MEETING (AGM)

- 14.1 The Association's AGM shall be held not later than the last day of October in each calendar year
- 14.2 The Association's Annual Report, audited Records of Account , along with any other reports that the Committee considers appropriate shall be presented at the AGM
- 14.3 The Annual election of office bearers is to be conducted, by an impartial Member (i.e. one who is not a nominee for election), who is to oversee the election to ensure that it accords with the ACT
- 14.4 The election of office bearers is to be the last agenda item on the AGM Agenda

- 14.5 Such election is to be by a “show of hands”, the outcome of which is to be advised by the impartial Member and recorded in the Minute Book, or an entry to that effect in the Minute Book is evidence of the fact without proof of the number of proportions of votes recorded in favour or against that resolution.
- 14.6 Any notice of motion intended to be placed on the AGM’s Agenda is to be served on the Secretary, in writing, not later than twenty-one (21) days prior to the date fixed for the AGM.
- 14.7 The AGM Agenda shall be forwarded to all Members by the Secretary fourteen (14) days before the AGM

15.0 EXTRAORDINARY GENERAL MEETING (EGM)

- 15.1 The Committee may call an EGM by notifying all Members at least fourteen (14) calendar days in advance of the date intended for the EGM
- 15.2 An EGM Agenda is to be limited only to emergency, or urgent items
- 15.3 An EGM shall also be called when a request, in writing and signed by at least five (5) percentum (5%) of the Association Members is served personally upon the President/Secretary, stating the specific purpose for such EGM
- 15.4 An Association Member, who has been expelled by the Committee, may also appeal to an EGM by personally serving a notice, in writing, upon the President/Secretary (see Clause 25) The only Agenda item at this EGM is the appeal notice. The Appellant must state, in full, and in writing his/her grounds for the appeal.

16.0 VOTING AT AGM, EGM, COMMITTEE OR GENERAL MEETINGS – QUORUM

- 16.1 All Full and financial Members, Associate Members, Life Members have only one (1) deliberative vote
- 16.2 A majority vote, cast by a “show of hands” must be carried at an AGM, EGM or General Meeting
- 16.3 The Chairperson has a deliberative, but not a casting vote at an AGM, EGM or General Meeting. Motions with equal voting “for and against” shall be declared lost
- 16.4 A quorum at AGM, EGM and General Meetings shall be no less ten (10) Financial Members (but also see Clause 16.2)
- 16.5 A quorum at Committee Meeting shall be no less than five (5) Members

17.0 AMENDMENT OF THE CONSTITUTION

- 17.1 The Association's Constitution may be amended by a resolution at an AGM, EGM or General Meeting convened in accordance with this Constitution
- 17.2 An amendment to the Constitution must be approved by not less than seventy-five (75) per centum (75%) of the total number of the Association's Members voting
- 17.3 Any amendment to the Constitution, as far as it refers to the provisions set out in Clauses 10.0 and 11.0 (Funds) and 18.0 (Dissolution) must be passed by a quorum of no less than eighty-five (85) per centum (85%) of the total number of the Association's Members voting

18.0 DISSOLUTION OF THE ASSOCIATION

- 18.1 The Association, in the event that it is to wound-up, is responsible to conform with Part 6 of the Act
- 18.2 If upon the Winding-up, or Dissolution of the Association there remains after satisfaction of all of the Association's debts and liabilities, any property whatsoever, this property must not be distributed amongst the Members, or former Members of the Association.
- 18.3 Such property, chattels, choses-in-auction/possession must be given, or transferred to another Association incorporated under the Act, which has similar objects to this Association, but which is not carried out for the purpose of profit, or gain to its Members.

19.0 PAYMENT AND ANNUAL SUBSCRIPTIONS

- 19.1 Members who have Motor Vehicles/Motor Cycles registered under the Conditional Registration Scheme (CRS) i.e. Historic Plates, must have their subscription paid on, or before the AGM/EGM to be eligible to vote
- 19.2 All other Member's annual subscriptions shall be payable on the first (1st) day of August each calendar year
- 19.3 Any Member whose subscription remains unpaid following three (3) calendar months from the date that it fell due, shall cease to be a Member and his/her name shall be expunged from the Registration of Members of the Association (see also Clauses 20.0 and 22.0)
- 19.4 Such cessation of membership may be reinstated by the Committee on the payment to the Treasurer of all arrears

19.5 Subscription rates shall be determined as required by the Committee, but to be valid, must be voted on by a majority of Members at an AGM, EGM , or General Meeting.

20.0 ASSOCIATION MEMBERS' REGISTER

20.1 This Register must be kept in the State of New South Wales and is subject only to the laws of this State.

20.2 Every Member shall communicate his/her name and address to the Secretary at the time of seeking membership or at the time of annual renewal

20.3 Such details shall be inserted in the Members' Register

20.4 It shall be the personal responsibility of all Members to notify the Secretary of any change of address and /or personal details

21.0 RECORDS OF ACCOUNT OF THE ASSOCIATION

21.1 Except for CRS records and those held by the Treasurer (see also Clause 10.8) the Secretary must keep in his/her custody, or under his/her control, all records books and other documents relating to the Association and upon vacating office hand such records to the public officer

21.2 Any Association Member may inspect, by providing fourteen (14) days notice in writing to the Committee, the Association's Records of Account, and other records of the Association, at such time/s so arranged beforehand between the Treasurer/Secretary and the Member

22.0 RESIGNATION

22.1 A Member may, at any time by giving notice in writing to the Secretary at least twenty-eight (28) calendar days in advance, resign his/her membership of the Association (but shall continue to be liable for any annual fees, or subscription due unpaid at the date of such resignation)

22.2 Any such Member having discharged all of his/her liabilities to the Association and wishing to re-join the Association may re-nominate for membership in accordance with this Constitution

22.3 Any Member, who has resigned (and that resignation has been accepted by the Committee) shall forfeit his/her rights to any entitlements which may arise as a result of his/her membership

- 22.4 Once a Member's resignation has taken effect, the Secretary is to expunge his/her name from the Association's Register (see Clause 20.0)

23.00 COMPLAINTS, DISPUTES AND EXPULSION OF MEMBERS

- 23.1 Any Member of the Association may make a complaint to the Committee, but such complaint must be in writing and addressed to the Secretary
- 23.2 The Committee may deal with the complaint in accordance with this Constitution, or it may refuse to deal with the complaint, should the majority feel that it is trivial, vexatious, or not in the best interests of the Association to do so.
- 23.3 The Committee must notify the complainant in writing of the outcome of his/her complaint
- 23.4 A dispute between a Member and another Member (in their capacity as Members) of the Association, or a dispute between a Member, or Members and the Association shall, in the first instance, be resolved through reasonable discussions between the Member/s and the Committee
- 23.5 If in the event that a resolve cannot be found with the aforesaid then a Mediator (acceptable to both parties) shall be appointed by the Committee who shall use his/her best endeavours to resolve the issue to hand
- 23.6 If the dispute remains unresolved after a reasonable period of time, i.e. no more than twenty-eight (28) calendar days, then the Committee shall call an EGM to put the matter to the Members of the Association
- 23.7 If any Members shall refuse, or neglect to comply with this Constitution, or By-Laws of the Association, or shall be guilty of conduct which, in the opinion of the Committee is likely to place the Association into disrepute, then the Committee may call upon such Member to make a full written explanation to the Committee concerning his/her alleged conduct
- 23.8 In the event that the majority of the Committee is of the opinion that the allegations against the member have merit, then a majority of at least seventy-five (75) per centum (75%) of the Committee may vote to expel the Member
- 23.9 In the event that the Member is so expelled, the Committee is to advise the Member in writing of his/her expulsion
- 23.10 A Member who has been expelled as aforesaid may within Twenty-Eight (28) calendar days thereafter, give notice in writing to the Secretary of his/her desire to appeal against the expulsion. In this case, the appeal must be put to an EGM, where the Members may by a majority of at least seventy-five (75) per centum (75%) vote to uphold the expulsion, or to dismiss the expulsion of the Member as the case may be.

23.11 The costs so arising as a result of a Complaint, Dispute, or Mediation shall be carried by each party

24.00 MEMBER'S LIABILITIES

24.1 The liability of any one Member of the Association to contribute towards the payment of the debts, of liabilities of the Association, or the costs, charges and expenses of the winding-up of the Association is limited to the amount, if any unpaid by the Member in respect of his/her membership of the Association as required by Clause 19.0 of this Constitution

25.0 JURISDICTION

25.1 This Constitution remains within the jurisdiction of the State of New South Wales

26.0 CONTACT DETAILS

26.1 All Association correspondence is to be addressed to

The Secretary

TAC

Po Box 3023

Lemon Tree Passage. NSW 2319

26.2 Service to/from the Association ("method of service") is accepted when served

26.2.1 By personal service (and is considered as served at the time of personal service)

26.2.2 By Australian Post (but is not considered served until three(3) days following the date of posting)

26.2.3 By facsimile (and is considered served once sent and the date/time is printed on the facsimile)

26.3 While e-mail correspondence is an acceptable form of transmission, it is not a formal method of service

BY- LAWS OF THE ASSOCIATION

**ADDENDUM A THE TAC USE OF THE CONDITIONAL
REGISTRATION SCHEME FOR MOTOR VEHICLES,
OR MOTOR CYCLES ON RMS HISTORIC PLATES**

ADDENDUM B NOMINATION FOR CLUB MEMBERSHIP

**ADDENDUM C DUTIES OF THE OFFICE BEARERS AND
APPOINTEES**

ADDENDUM A

THE TAC USE OF THE CONDITIONAL REGISTRATION SCHEME FOR MOTOR VEHICLES, OR MOTOR CYCLES ON RMS HISTORIC PLATES

Definitions:

For the purpose of the addendum:

TAC means: Tilligerry Auto Club Incorporated

RMS means: New South Wales Roads and Maritime Services

CRS means: Conditional Registration Scheme

CTP means: Compusory Third Party

Historic Plates Registrar means: TAC Historic Plates Registrar or a person seconded by them to act on their behalf

Introduction:

- A1.0 This document is intended to be used in conjunction with, and is subservient to the current constitution of TAC and the RMS rules for CRS Vehicles as amended from time to time.**
- A2.0 The NSW RMS registers historic vehicles under the CRS, which provides the vehicle with limited access to the road network and CTP insurance cover. At present historic vehicles registered under this scheme are exempt from the payment of stamp duty, motor vehicle tax and national charges. This legislation provides a significant benefit to TAC members by reducing the cost of participation in Association activities. The Committee of the TAC requires all participating members to be familiar with the RMS historic vehicle policy and any revisions to that policy that may occur from time to time. Members are also expected when making decisions about the use of their CRS vehicles to always act within the spirit of the legislation.**

Part 1

Eligibility:

- A.3.0 An applicant must be a full financial Member of the TAC, or become a full financial Member of the TAC. If transferring from another Car Club with a vehicle already on CRS Plates, and be the holder of a current NSW Driver's Licence. The final arbitrator as to an Applicant's eligibility and the vehicle's suitability to be included in the Association's CRS register will be the Committee of the TAC.**

- A.4.0** Vehicle must be a minimum of 30 years old, the onus of proof shall be with the Applicant. However the final arbitrator of the vehicles age will be the NSW RMS
- A.5.0** The vehicle must be as close to original condition as possible, may be left, or right hand drive, with NO alterations except for safety features such as seat belts, tyres, and turn indicators, or period accessories and options if desired.
- A.6.0** The vehicle must be in good order and appearance with the body-work, paint and internal trim in good condition and be mechanically sound.
- A.7.0** Vehicles approved by the TAC and the RMS to carry CRS Plates, will only remain in force whilst the owner continues to be a Full Financial Member of the TAC and the vehicle remains garaged within NSW.
- A.8.0** Applicants must read and sign the attached RMS Form.

Part 2

Vehicle Roadworthiness:

- A.9.0** The vehicle operating under this TAC Constitution addendum must be declared roadworthy ANNUALLY via a Safety Inspection Report (pink slip) carried out by an Authorized Inspection Station Examiner.
- A.10.0** A copy of the vehicles current registration certificate must be provided to the Historic Plates Registrar for information and filing.
- A.11.0** The vehicle must display the conditional registration number plates plus a current registration label affixed to the vehicle in the prescribed manner.

Part 3

Association Events & Vehicle Use:

- A.12.0** Vehicles may only be used under this scheme, for events
- A.12.1** Organized by the TAC
- A.12.2** Organized by another Car Club or Automotive Association provided a written invitation has been received by the TAC Committee
- A.12.3** Organized by a recognized community organization where a specific or a general invitation has been received and accepted by the TAC Committee.
- A.13.0** The vehicle may also be used on the road or road related area for the sole purpose of servicing, repair or inspection of the vehicle. These servicing type movements do not require approval from the Historic Plates Registrar provided they are only a short distance from the place of garaging.

- A.13.1** A distance of up to 10km from their place of garaging would be defined as the nearest place at which the servicing, or inspection can be done from their garaging address.
- A.14.0** Vehicles may be used non-commercially for a family member, or friend's wedding.
- A.14.1** Any Association Member wishing to use their vehicles for the carriage of persons to, or from a wedding, or reception should first check their legal obligation under the Passenger Transport Act (NSW) 1990 with the Ministry of Transport's Manager Accreditation and Licensing on (02)96868829. The Association must also authorize the use of the vehicle for this purpose.
- A.14.2** All applications for movements of the vehicle other than under the provision set out in part 3 (b) of this document must be submitted by email to the Historic Plates Registrar who will grant approval by return email if appropriate.
- A.15.0** All vehicle movement applications must be received by the Historic Plates Registrar at least 24 hours prior to the proposed use of the vehicle and the vehicle movement cannot take place until approval has been received.
- A.16.0** Whilst in use the vehicle must carry a copy of the movement approval for that day unless being used under the provision set out in clause (A.13.0) of this document.
- A.17.0** The Historic Plates Registrar will maintain written records of all vehicle movement that have been approved.
- A.18.0** If the vehicle is used outside of the conditions set out in of Part 3 of this document the vehicle may be deemed unregistered and uninsured.

Part 4

Responsibility of Conditional Registration Plate Holders

- A.19.0** All enquiries for CRS Plates must be directed in the first instance to the Historic Plates Registrar for approval. After such approval is granted the vehicle owner is required to apply to RMS to establish the Conditional registration and renewals.
- A.20.0** Historic number plates are issued to a member of the TAC by the RMS and are not transferable to another vehicle, or person in the event of the vehicle being sold.
- A.21.0** Plates must immediately be returned to the RMS in the event that:
- A.21.1** The vehicle is sold

- A.21.2 The member holding the historic plates ceases to be a Full financial Member of the TAC.**
- A.21.3 The resignation of the member from the TAC**
- A.21.4 At the written directive of a TAC Committee**
- A.21.5 If an Authorized Inspection Station Examiner considers the vehicle has been made unsafe, or altered after CRS Plates were initially granted.**
- A.22.0 The TAC member, who is the registered owner of the vehicle, may permit other member, relatives, or friends to drive the vehicle at TAC Events however it is the vehicle owner's responsibility to ensure that the driver holds a current driver's licence and fully understands, and is bound by the rules set out in this Constitution addendum.**
- A.22.1 Conditional Registration is issued in the belief that the member's prime intended use is for Club outings and events and as such a member must attend 3 outings or events in a year. Otherwise the committee retains the right to re-consider eligibility for issue of removal of Conditional Registration unless good cause can be shown.**

Part 5

Insurance Requirements

- A.23.0 A minimum insurance cover of Third Party Property insurance is required however comprehensive insurance is recommended.**
- A.24.0 As part of the RMS CRS, CTP insurance is collected by the RMS on behalf of the insurer when establishing or renewing Conditional Registration.**

Part 6

A.25.0 General Modification

- A.25.1 Vehicles fitted with 6 volt may be converted to 12 volt**
- A.25.2 Wheel rims must comply with RMS standards and must be in the era of the vehicle. Proof in writing may be required. Raised white lettering is not acceptable for cars before 1974.**
- A.25.3 Guards cannot be modified to suite tyres.**
- A.25.4 Brake upgraded from original, but they must satisfy the Historic Plates Registrar of their safety or the club may require an engineers report.**
- A.25.5 No Structural changes when modifying brakes.**

- A.25.6 Brake upgrades must not alter the exterior appearance of the car.**
- A.25.7 Any accessories fitted to the car must be as close as possible to the original part. The Historic Plates Registrar will have the right to ask for documentation proving the authenticity of the accessories to be fitted**
- A.25.8 Springs, sway bars and shock absorbers may be upgraded so long as they do not alter the external appearance of the vehicle.**
- A.25.9 The exhaust system may be altered, however it must comply with (Part 6 & 7 above).**
- A.25.10 Children from birth up to the age of 7 years are to be appropriately restrained in a motor vehicle with an approved child restraint.**
- A.25.11 If the vehicle was manufactured with seatbelt anchorages, seat belts must be fitted. If seatbelts are fitted to the vehicle approved child restraints must be used as per the specific RMS regulations. If the vehicle was manufactured without seatbelt anchorages there is no requirement to fit seatbelts.**

NOTE: If no seatbelts are fitted to the vehicle it is an offence to carry children under 7 years of age in the vehicle.

It is legal to carry a child 7 (seven) to 16 (sixteen) in a vehicle that does not require seatbelts to be fitted.

Fitting aftermarket seatbelts to a historic vehicle not manufactured with seatbelt mounts would allow children under 7 years to travel in such historic vehicles but would make the vehicle ineligible for NSW HCRS and it would have to be engineer certified for full NSW registration.

GENERAL

- A.26.0 Motor cars, tourers and limousines can only carry one person per seating position. Seat belts must be worn, where fitted. Buses can only carry 7 passengers except for special events and with specific approval from the RMS.**
- A.26.1 This policy applies to NSW and ACT Clubs listed on the RMS database. All members must be financial members of those approved clubs and be NSW residents.**
- A.26.2 Vehicles registered under the scheme may operate temporarily in other states and territories, under the same conditions as apply in NSW. Temporarily is considered to be 3 (three) months continuously.**
- A.26.3 Interstate vehicles (operating under a similar scheme in their home state/territory) may be driven in NSW if they legally comply with the rules and Regulations of their permit/registration.**

YOUR VEHICLE INFORMATION

Type..... Type.....
Model..... Model.....
Year.....Registration No..... Year.....Registration No.....

DO YOU WISH TO SPONSOR AN ASSOCIATE? YES/NO

(see Constitution’s Definitions in Accordance with Clause 2.0 of this Constitution

IF YES, PLEASE FILL IN ASSOCIATE’S DETAILS BELOW:

SURNAME..... OTHER NAMES.....

ADDRESS:.....

PHONE:.....MOBILE.....

EMAIL.....FEE \$.....

DOES THE ASSOCIATE OWN A CLASSIC VEHICLE YES/NO

ASSOCIATE’S SIGNATURE.....

PLEASE RETURN THIS FORM TO THE SECRETARY, OR POST TO CLUB’S POSTAL ADDRESS – PO BOX 3023 LEMON TREE PASSAGE 2319

FEES MAY BE PAID VIA CASH, OR CHEQUE TO THE TREASURER AT THE CLUB’S POSTAL ADDRESS OR DIRECTLY AT THE NEXT ACTIVITY

Notes

1. By completing this nomination for Membership of the Club, the nominee accepts that he/she shall waive any claim (in chose, or equity), redress, right, demand, remedy, or cause-of-action that he/she may have now, or in the future, against the Club, or it’s Committee, or Members.

2. By completing this nomination for Membership of the Association, the nominee accepts the requirements of the Privacy and Personal Information Protection Act (NSW) 1998 as it applies to the Club and understands that the collection of personal information is strictly for Club purposes only and not for the distribution to third parties

ADDENDUM C

DUTIES OF THE OFFICE BEARERS AND APPOINTEES

C.1 DUTIES OF THE PRESIDENT

C.1.1 The President shall:

C.1.1.1 Be responsible to the Members of the Club for all aspects of the Association as required by Associations Incorporations Act (NSW) 2009.

C.1.1.2 Ensure the efficient, economic, competent and resourceful running of the Association.

C.1.1.3 Oversee, monitor and supervise the Committee in all aspects of their duties and responsibilities

C.1.1.4 Seek and rely on the advice of the Committee in relation to their duties and responsibilities.

C.1.1.5 Be responsive to the needs of the Club and it's Members.

C.1.1.6 Represent the Club as necessary.

C.2 DUTIES OF THE VICE PRESIDENT:

C.2.1 The Vice President shall:

C.2.1.1 Understudy the President

C.2.1.2 Be prepared to act as President in his/her absence.

C.2.1.3 Promote the objective of the Club.

C.2.1.4 Represent the Club as directed

C.2.1.5 Other duties as directed.

C.3 DUTIES OF THE SECRETARY

C.3.1 The Secretary shall:

C.3.1.1 Represent the Committee on behalf of the Club in all matters concerning the public image of the Club

C.3.1.2 Accept all correspondence "inwards" and register receipt of that correspondence

C.3.1.3 Prepare correspondence for Meetings

C.3.1.4 Prepare "outward" correspondence as directed

- C.3.1.5 Prepare and maintain the minutes of all meetings**
- C.3.1.6 Direct the Public Officer as required in the performance of his/her duties.**
- C.3.1.7 Prepare and deliver all documents and correspondence required for the AGM and EGM as required by this Constitution and as directed by the Executive Committee (exempt the Secretary)**
- C.3.1.8 Other duties as directed**
- C.4 DUTIES OF THE TREASURER**
- C.4.1 The Treasurer shall:**
- C.4.1.2 Keep the financial accounts of the Club in good order at all times,**
- C.4.1.3 Provide a monthly synopsis of the financial position of the Club to General Meetings**
- C.4.1.4 Prepare and table the Annual Statement of Accounts and Balance Sheet of the Club to the end of June in each financial year for the purpose of audit.**
- C.4.1.5 Prepare and table the audited and typed Annual Statement of Accounts and Balance sheet of the Club to the AGM. Sufficient copies must be made available to each Member of the Club at the AGM.**
- C.4.1.6 Receive and provide Club receipts for all income .**
- C.4.1.7 Account for an bank all income within seven(7) days of receipt**
- C.4.1.8 Prepare cheques (or other payment orders as directed) for payment as directed by the Executive Committee.**
- C.4.1.9 Other duties as directed.**
- C.5 DUTIES OF THE HISTORIC PLATES REGISTRAR**
- C.5.1 The Historic Plates Registrar shall:**
- C.5.1.1 Be responsible to the Committee for the registration of Club Member's historic cars and /or motor bikes with the NSW Roads and Maritime Services (RMS)**
- C.5.1.2 Liaise with the RMS in respect to historic plates/registration**
- C.5.1.3 Issue "run numbers" on request from Club Members .**

- C.5.1.4** **Keep Member's informed at General Meetings in regard to historic plate/RMS information.**
- C.5.1.5** **Other duties as directed**

- C.6** **DUTIES OF THE PUBLIC OFFICER**
- C.6.1** **The Public Officer is responsible for:-**
- C.6.1.1** **Notifying NSW Fair Trading of any change in the Club's official address within 28 days.**
- C.6.1.2** **Collecting all Club documents from the former Committee members and delivering the documents to the new Committee member.**
- C.6.1.3** **Returning all Club documents to a Committee member within 14 days upon vacating office.**
- C.6.1.4** **Acting as the official contact for the Club, including taking delivery of documents served on the Club and bringing them to the attention of the Committee as soon as possible.**
- C.6.1.5** **Custody of any documents as required by the Constitution.**
- C.6.5.6** **Other duties as directed.**
- C.6.5.7** **The first Public Officer shall be the person who completed the application for Incorporation of the Association.**
- C.6.5.8** **The Public Officer is required to notify the Office of Fair Trading:- Appointment, Change of residential address, change in Association objects and rules, financial affairs, change of name, all within prescribed times and forms**