

**LAND ROVER REGISTER
OF SOUTH AUSTRALIA
(INCORPORATED)**

**CONSTITUTION
&
CLUB RULES**



Versions

Constitution: September 2015

Club Rules: September 2015

For the latest versions, see <http://www.lrregsa.org.au>

Land Rover Register of South Australia (Incorporated)

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LAND ROVER REGISTER OF SOUTH AUSTRALIA (INCORPORATED)

CONSTITUTION

1 Name

- 1.1 The name of the Association is the Land Rover Register of South Australia Incorporated ("the Association").

2 Definitions

- 2.1 The following terms are defined as follows:

- "committee" means the committee of management of the Association
- "general meeting" means a general meeting of members of the Association convened in accordance with these rules
- "the Act" means the Associations Incorporation Act 1985 as amended
- "member" shall mean any financial or life member of the Association as defined by this Constitution
- "Land Rover" shall mean any vehicle which was manufactured bearing the name Land Rover, and modifications thereof
- "CPI" means the Consumer Price Index (All Groups) for Adelaide for the previous financial year.

3 Objects or Purposes of the Association

- 3.1 The objects of the Association are:

- to encourage the restoration and the preservation of historic Land Rovers
- to perpetuate the marque of Land Rover
- to promote interest in the Land Rover marque amongst enthusiasts and owners of all models of Land Rover.

4 Powers of the Association

- 4.1 The Association shall have all the powers conferred by section 25 of the Act.

5 Membership

5.1 Applications for membership

- 5.1.1 An individual or family may apply for membership in writing on the prescribed form signed by the applicant and enclosing the prescribed fee.
- 5.1.2 All applications for membership shall be forwarded to the Treasurer and be presented to the Membership Officer for inclusion on the database.
- 5.1.3 When a new Member has been admitted to the Association the Member shall receive a copy of this Constitution and shall be entitled to all privileges of membership and shall be deemed to have agreed to be bound by this Constitution, Association rules and by-laws.

5.2 Types of Membership

5.2.1 Individual Membership

- 5.2.1.1 Application for Individual Membership may be made by a person who is either the owner or part owner of:

- a Land Rover, or
- a part of a Land Rover consisting of at least the chassis which is currently in use or undergoing a rebuild or restoration.

- 5.2.1.2 Individual Members shall have full voting rights.

5.2.2 Family Membership

- 5.2.2.1 Application for Family Membership may be made by up to two adults in a personal relationship and any dependants who are under the age of 18, all of whom live at the same address, provided that one of the adults is either the owner or part owner of:

- a Land Rover, or
- a part of a Land Rover consisting of at least the chassis which is currently in use or undergoing a rebuild or restoration.

- 5.2.2.2 Both adults of a Family Membership shall have voting rights.

5.2.3 Life Membership

- 5.2.3.1 A Life Member is a person who has given outstanding service to the Association and who has been nominated by the Committee and

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approved by the membership at an Annual General Meeting. Life Members shall not be required to pay membership fees and shall have voting rights for as long as they remain a Member of the Association. Life Members are not required to be owner or part owner of a Land Rover, or a part thereof.

5.2.4 Associate Membership.

5.2.4.1 A single or family member who has been a full member of the club for more than 2 years may apply to become an Associate member if they no longer own a Land Rover.

5.2.4.2 Associate members will be entitled to attend club meetings and other static events but will not be entitled to take part in club trips except as a passenger of a club member. They will receive the club magazine.

5.2.4.3 Associate members will not be entitled to voting rights or be entitled to hold club office bearer positions or be a member of the committee.

5.3 Subscriptions

5.3.1 The subscription fees for membership shall be increased by a minimum of CPI or as shall determine from time to time at a General Meeting at the recommendation of the committee.

5.3.2 The subscription fees shall be payable annually on 1 January or at such other time as the Committee shall determine.

5.4 Membership Renewal

5.4.1 Application for renewal of membership shall be made on the prescribed form and forwarded to the Treasurer with the appropriate subscription fee.

5.4.2 Any Member whose subscription is outstanding for more than two months after the due date for payment shall cease to be a Member of the Association, provided always that the Committee may reinstate such a person's membership on such terms consistent with this Constitution as it thinks fit.

5.5 Resignation

5.5.1 A Member may resign from membership of the Association by giving written notice to the Secretary or Public Officer of the Association. Any Member so resigning shall not be entitled to a refund of membership fees but shall be liable for any outstanding membership fees which may be recovered as a debt due to the Association.

5.5.2 Any Member who resigns or is suspended or expelled must return all Association property in their possession or under their control to a Committee Member.

5.6 Suspension or Expulsion

- 5.6.1 Subject to giving a Member a right of reply (as defined in 5.6.4 below), the Committee may resolve to suspend or expel a Member upon a charge of conduct detrimental to the objects, purposes or interests of the Association.
- 5.6.2 Particulars of the charge shall be communicated to the Member at least one month before the meeting of the Committee at which the matter will be determined.
- 5.6.3 The determination of the Committee shall be communicated to the Member, and in the event that the Committee resolves to suspend or expel the Member, the membership will (subject to 5.6.4 below), suspend or cease 14 days thereafter.
- 5.6.4 The Member shall be entitled to appeal to the Association at a General Meeting against the suspension or expulsion. The intention to appeal shall be communicated to the Secretary or Public Officer of the Association within 14 days after the determination of the Committee has been communicated to the Member.
- 5.6.5 In the event of an appeal under 5.6.4 above, the appellant's membership of the Association shall not be suspended or terminated unless the determination of the Committee to suspend or expel the Member is upheld by the Members of the Association at a General Meeting. In such event membership will be terminated at the date of the General Meeting.

6 Register of Members

- 6.1 A Register of Members must be kept and contain:
- the name, address telephone number and email address of each Member;
 - details (e.g. VIN or chassis number) and model of the qualifying Land Rover or chassis (except in the case of Life Members);
 - the date on which each Member joined the Association;
 - the date of membership renewal or as determined by the committee from time to time; and
 - if applicable, the date of, and reason(s) for, suspension or termination of membership.

7 Rights and Liabilities

- 7.1 Every Member of the Association shall, subject to this Constitution, and any rules made by the Committee under section 8.1.4, be entitled to take part

in any of the activities of the Association and to use all facilities provided by the Association.

- 7.2 Membership of the Association does not confer on a Member, except as may be provided by this Constitution, any right, title or interest in any real or personal property of the Association.
- 7.3 Except as is provided by this Constitution, a Member is not liable to contribute towards the payment of the debts and liabilities of the Association, or the costs, charges and expenses of winding up the Association.

8 Committee

8.1 Powers and Duties

- 8.1.1 The affairs of the Association shall be managed and controlled by a Committee which in addition to any powers and authorities conferred by this Constitution may exercise all such powers and do all such things as are within the objects of the Association, and are not by the Act or by this Constitution required to be done by the Association at a General Meeting.
- 8.1.2 The Committee has the management and control of the funds and other property of the Association.
- 8.1.3 The Committee shall have authority to interpret the meaning of this Constitution and any other matter relating to the affairs of the Association on which this Constitution is silent.
- 8.1.4 The Committee may make rules for the management of the Association provided that the rules shall not be inconsistent with the provisions of this Constitution.
- 8.1.5 The Committee shall appoint a Public Officer as required by the Act.
- 8.1.6 The Committee may appoint Members as office bearers within the Association. These positions do not form part of the Committee.
- 8.1.7 The Committee shall appoint signatories from its membership who, subject to clause 10, will have authority to sign cheques and otherwise manage the Association funds.
- 8.1.8 No Member of the Committee, or of the Association at large, shall undertake any obligation on behalf of the Association unless authorised by the Committee.

8.2 Appointment to the Committee

- 8.2.1 The Committee shall be comprised of a President, Vice President, Secretary, Treasurer, and other positions as decided by Annual General Meeting, up to a maximum of twelve Members.
- 8.2.2 No Member shall hold more than one of the positions of President, Vice President, Secretary, and Treasurer.
- 8.2.3 Except in the case of a casual vacancy, the term of each Committee appointment shall be two years.
- 8.2.4 Where a Committee Member resigns, or is disqualified, or a position otherwise is vacant, the Committee may appoint a person to fill the casual vacancy for the balance of the original term.
- 8.2.5 In odd numbered years the President, Secretary and the Committee Members who have served for two years shall retire or seek re-election. In even numbered years the Vice President, Treasurer and the Committee Members who have served for two years shall retire or seek re-election.
- 8.2.6 A Committee Member who does not attend three consecutive Committee Meetings without apology shall be deemed to have resigned from their position.

8.3 Proceedings of the Committee

- 8.3.1 Committee Meetings shall be held on dates determined by the Committee.
- 8.3.2 A quorum for all Committee Meetings shall consist of half of the Committee membership.
- 8.3.3 Extraordinary Committee Meetings may be called by the Secretary as the Committee determines, or by requisition of any four Members of the Committee. At least seven days notice of such meeting will be given to all Committee Members.
- 8.3.4 A Member of the Committee having a pecuniary interest in the outcome of a decision under discussion by the Committee must disclose the nature and extent of that interest to the Committee and shall abstain from voting.
- 8.3.5 The Committee shall have the power to appoint a sub-committee to review and report on Association affairs.
- 8.3.6 Members may attend Committee Meetings but must not participate or speak from the floor without first obtaining permission from the chair.

9 Meetings

9.1 General Meetings

- 9.1.1 A General Meeting of the Association shall be held monthly at such place and time as decided by the Committee.
- 9.1.2 The President of the Association or in the alternative the Vice President shall preside over all meetings. In their absence, a majority of Members present shall elect a Committee Member to take the chair.
- 9.1.3 A quorum for a General Meeting shall consist of four Committee Members and ten Members eligible to vote or one third of the Members eligible to vote, whichever is the lesser.

9.2 Annual General Meeting

- 9.2.1 The Annual General Meeting will precede the first General Meeting of each calendar year, to elect those Committee positions which fall vacant, to present the audited accounts and to deal with any notice of motion.
- 9.2.2 Not less than one month's written notice will be given to Members of the Annual General Meeting to their nominated address. The non-receipt of such notice by any Member shall not invalidate the proceedings at such meeting.
- 9.2.3 The audited accounts which must have previously been provided to the Member shall be presented for approval at the Annual General Meeting.
- 9.2.4 A quorum for an Annual General Meeting shall consist of twenty Members eligible to vote or one half of the Members eligible to vote, whichever is the lesser.

9.3 Special General Meeting

- 9.3.1 A Special General Meeting may be called by the Committee or by written requisition of any twenty Members of the Association eligible to vote.
- 9.3.2 Not less than one month's written notice will be given to Members of the Association at their nominated address. The non-receipt of such notice by any Member shall not invalidate the proceedings at such meeting.
- 9.3.3 A quorum for a Special General Meeting shall consist of twenty Members eligible to vote or one half of the Members eligible to vote, whichever is the lesser.

9.4 Voting

- 9.4.1 The chairperson of a meeting shall have a casting vote only.
- 9.4.2 Only financial Individual, Family or Life Members present at the meeting shall be entitled to vote.

9.4.3 Voting at meetings shall be by show of hands except that:

- any contested election at the Annual General Meeting, unless all Members present resolve otherwise, shall be by secret ballot,
- a Member may, by majority show of hands, require a vote to be by secret ballot.

9.4.4 Postal Votes

Where a meeting has been called to consider a proposed alteration to the Constitution, members who are unable to attend the meeting may vote by post in the following manner:

- The member must use the ballot paper supplied (and initialled) by the Chairman.
- The ballot paper must be received by the Chairman prior to the commencement of the meeting
- The ballot paper must detail the member' name and address on a tear off section (which will be removed after the ballot paper has been validated by the Chairman)
- The ballot paper must clearly indicate whether the member supports or opposes the motion as proposed in the notice of meeting
- If the motion is amended in a manner which changes its original intent the postal vote shall become invalid
- The Chairman shall have absolute discretion in determining if the postal vote is to be considered valid or not
- To avoid doubt a member who returns a valid postal vote shall be regarded as having attended the meeting for the purpose of determining if a quorum has been achieved.

9.5 Minutes

9.5.1 Minutes of all proceedings of General Meetings of the Association and of meetings of the Committee, shall be entered within one month after the relevant meeting in minute books.

9.5.2 The minutes shall be confirmed by the Members of the Association or the Members of the Committee (as relevant) at a subsequent meeting.

9.5.3 The minutes shall be signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the next succeeding meeting at which the minutes are confirmed.

9.5.4 Where minutes are confirmed and signed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held, that all proceedings held at the meeting shall be deemed to have been duly

held, and that all appointments made at a meeting shall be deemed to be valid.

9.5.5 Each Member has the right to inspect Association minutes without charge.

10 Finances

10.1 All money received by or on behalf of the Association shall be paid into the Association's bank account. All cheques, bills of exchange, or withdrawal forms drawn on the Association's funds are to be signed by at least two of three signatories, one of whom shall be the President, Vice President, Secretary, or Treasurer.

10.2 Association expenditure must be approved by the Committee, subject to funds being available. All financial transactions on behalf of the Association shall be presented by the Treasurer at the next General Meeting.

10.3 The income and capital of the Association shall only be applied toward the promotion of its objects and purposes, and no member of the Committee or other Member is entitled to remuneration or benefit from such income.

10.4 The accounts shall be maintained in a competent manner which allows for review and scrutiny of all monies received or expended, and of the Association's assets. The accounts shall be subject to audit by an independent person appointed by the Committee.

10.5 Include an asset register.

10.6 All expenditure on behalf of the Association is to be supported by receipts.

10.7 All income received by the Association shall be recorded in the Association's name.

10.8 The financial year of the Association shall close on 30 September each year.

11 Alteration of Constitution

11.1 This Constitution may be altered, rescinded or replaced (including an alteration to the Association's name) by an Annual General Meeting or Special General Meeting called for the sole purpose subject to the approval of two thirds' of the Members of the Association present.

11.2 The alteration shall be registered with the Office of Consumer and Business Affairs, Corporate Affairs and Compliance Branch, as required by the Act.

11.3 The registered Constitution shall bind the Association and every Member to the same extent as if they have respectively signed and sealed it, and agreed to be bound by all of the provisions thereof.

12 Dissolution

12.1 The Association may be wound up in the manner provided for in the Act.

13 Winding Up and Disposal of Assets

13.1 If after the winding up of the Association there remains "surplus assets" as defined in the Act, such surplus assets shall be distributed to any organisation which has similar objects and has rules which prohibit the distribution of its assets and income to its Members, or if no such Association exists within Australia, such registered charity as the majority of Members present at the Special General Meeting may decide.

CLUB RULES

1 Club Officers

- 1.1 The committee can create such club officer positions (for example Magazine Editor, Club Shop, Membership Officer, Historic Registration Officer, Trips Manager, Asset Manager, Display Manager, Library Manager, Social Coordinator, Training Coordinator, Webmaster, etc) as it thinks necessary to help run the club.
- 1.2 The committee may require that certain club officer positions be held by members of the committee in order to ensure efficient club administration
- 1.3 Club officer positions are held for two years. Members can nominate for vacant club officer positions at the AGM. Where there are multiple candidates for a single position, a vote of members present at the AGM, as per clause 9.4 of the constitution, will decide who will hold the position. The committee can appoint a member to a vacant position at any other time as required, and also has the right to replace a member who in its opinion is not adequately performing the duties of the position. Such replacement is subject to the provisions of clause 5.6 of the constitution.

2 Membership

- 2.1 Membership fees for new members will be adjusted pro rata.
- 2.2 All club stickers and insignia must be removed from a member's vehicle when they sell the vehicle or leave the club.

3 Magazine

- 3.1 The offer of goods in lieu of money for advertising must be approved by the committee.
- 3.2 Advertising rates shall be reviewed by the committee at 30 September each year, and shall be advertised in the club magazine.

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Financial members are permitted to run a permanent business card size advertisement in the magazine at no charge.

- 3.3 Deadline for magazine articles will be determined by the editor, and announced in the club magazine and at general meetings.
- 3.4 No member is to have their contact details published in the club magazine, on the website, or otherwise made available to a third party without their permission.
- 3.5 A liability disclaimer is to be published in the club magazine.
- 3.6 The committee is empowered to deal with the matter of club public liability insurance.

4 Club Trips

- 4.1 All members taking vehicles on club activities will be required to hold a minimum of current third party property insurance on the vehicle.
- 4.2 All club trips and events must be recorded on an office Club trip sheet.
- 4.3 Driving on club trips or events is to be undertaken only by those members holding a current driving license, and each member is bound by the condition of that license.
- 4.4 All members participating in a Club trip must complete a medical form.
- 4.5 A club incident report is to be available to members on club trips and events.
- 4.6 Competitions shall be run according to rules made by a sub-committee and a safety officer appointed for the event.
- 4.7 An event organiser may restrict the attendance of any person or persons from an event or trip, but only after being granted prior permission by the committee. The trip leader or safety officer may restrict the use of a vehicle from an event or trip if the said vehicle is considered unsafe, unroadworthy or otherwise unsuitable.
- 4.8 Members intending to go on a club trip must place their name on the trip sheet by the designated date. The trip leader is not responsible for anyone who fails to do so.
- 4.9 Dogs are welcome on any club trip where permitted. No dogs are to attend a trip where the land owner has indicated no dogs, or on any trip where the trip accesses National Parks. The trip leader reserves

the right to say NO Dogs on any club trip. Please check with the listed trip leader prior to the trip commencing.

4.10 The trip leader's decision on the number of vehicles on a Club trip is final.

4.11 Under the Club ethos of tread lightly, reduction of tyre pressures will be at the discretion of the trip leader, failure by a trip participant to comply will result in a report to the committee.

Dog Owner's Responsibilities

- All dogs are to be kept under control at all times, not left to roam and disturb other trip participants
- All dogs are to be kept away from communal areas during eating times
- Clean up all dog poo immediately and dispose of appropriately i.e. doggy-do bags
- Dogs must be on a lead when requested or indicated
- Dogs must be registered and display their registration tag
- The individual dog owner is responsible for the control of their own animal.

The trip leader has the right to ask the owner to abide by the above. Failure to do so will be brought to the committee for discussion and ruling, and may result in the dog/s not being permitted on future club trips.

4.12 Firearms are not to be taken on club trips.

5 Club Shop

5.1 Shop accounts of the club shop is to be made available on request by the committee.

6 Club Property and Library

6.1 All club property is to be listed on an inventory held by the club asset manager. Club property may only be borrowed by members for use on club events.

6.2 A collection of videos of club events and club photo albums are to be maintained.

6.3 A catalogue of the club library and loan register is to be made available at general meetings.

7 Risk Management Policy

7.1 Preamble

The club is concerned to ensure that all reasonable steps are taken to identify, mitigate and manage risks associated with our club activities. We recognise that some formality regarding risk management is required to protect:

- Personal safety
- Personal property
- Club assets including financial assets and records
- The club, members and officers against legal actions
- The clubs reputation

This document is a statement of our policy in relation to risk management and the methodology by which it will be enacted.

The constitution of the club provides for the committee to make rules governing the activities of the club (8.1.4) and it is this authority which will be used to both endorse and enforce this policy.

7.2 Statement of intent

As a club, and in relation to club activities, we owe a duty of care to people and organisations involved in, related to or effected by those club activities. This includes:

- Members of our own club
- Members of others clubs
- Volunteers
- Other road users
- Suppliers of goods and services including property owners
- The General Public

The club fulfils this obligation with a programme of ongoing risk assessment and mitigation, and the development of rules, guidance and other support tools endorsed by the club committee and enforced by that committee by enacting appropriate rules.

7.3 Programme of risk assessment

To ensure that risks associated with our activities are appropriately managed, the committee will endorse a programme of risk assessments. The programme will identify priority topics and the frequency of assessment and subsequent reviews.

7.4 Risk policies and support tools

The programme of risk assessment described above will result in recommendations for the management of known risks. Documented

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rules, guidance, procedures, checklists etc. will be endorsed by the committee under this umbrella policy and consequently will have the force of club rules under the constitution.

7.5 Recommendation

That the committee approve this document as the high level approach to be adopted for the management of risks associated with club activities.

7.6 Endorsement

Approved in Committee [insert date once finalised].

Hans Wiemers, Club President