

TORC OFF ROAD RACING CLUB INC.

BY-LAWS



2008

TORC OFF ROAD RACING CLUB INC. BY-LAWS

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TORC OFF ROAD RACING CLUB INC. BY-LAWS

COMPLIANCE WITH THIS HANDBOOK IS COMPULSORY.

BY-LAWS OF TORC OFF ROAD RACING CLUB INC.

- 1 Name: This body shall be known as TORC Off Road Racing Club Inc (Vic)
(Hereinafter called "The Club")
- 2 Colours: The main colours for the club shall be Red, Blue and White in any combination.
- 3 Aims: To promote and encourage motor racing with machines as outlined in the current "Class Specifications & Rules" book

AMENDMENTS TO BY-LAWS, TECHNICAL OR SPORTING REGULATIONS:

- 1 A quorum of regular committee members plus a minimum of three (3) life members shall be required before an amendment to the By-Laws shall be voted upon.
- 2 A resolution causing an amendment to the By-Laws shall only be passed with two thirds of life members present voting in favour and two thirds of the quorum present voting in favour of a resolution.
- 3 The Midyear General Meeting shall be held in conjunction with the June General Meeting.
- 4 Proposals for amendments to the Technical or Sporting Regulations will be put forward at a General Meeting that is no later than two (2) meetings prior to the Midyear General Meeting. They will then be published in a special notice (via email and/or newsletter and/or website) and discussion will take place at the May General Meeting and a vote will be conducted at the June Midyear General Meeting.
- 5 A resolution resulting in an amendment to the Sporting or Technical Regulations shall only be passed with a two thirds majority vote. Any amendments to the sporting or technical regulations shall require final approval from The Confederation Of Australian Motor Sports (hereinafter called CAMS).

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MEMBERSHIP:

- 1 Applications for membership are open to any interested person who has been nominated in writing by an existing club member.
- 2 Applications must be submitted on a TORC membership application form accompanied by the joining fee and annual membership fee.
- 3 Membership renewal is on the 01/07 (first of July) of each year and all fees must be paid to allow a person to participate in a race meeting.
- 4 New memberships only shall be subject to a pro rata membership. Full payment must be made upon joining. The pro rata payment shall be made in the second year to make up a full years membership.
- 5 All membership applications will be reviewed by the Committee Executive. The Committee Executive shall retain the right to reject an application. The Committee Executive reserves the right to request further documentation from applicants before processing any application. All applicants will be contacted within thirty (30) days of their application.
- 6 The Committee may give Life Membership to any member who has given ten (10) or more years of service to the club, and who is in good standing in the club.

A limit of two (2) Life Members may be added in one year.

- 7 Honorary Membership may be given to a person, who in the opinion of the Committee and members has given outstanding support as a sponsor or helper to the club.
- 8 All Honorary and Life Memberships must be paid for by the club and are able to vote at all meetings.
- 9 Non racing committee memberships, Life Memberships and Honorary Memberships will run from 1st January to 31st of December. All non-racing committee memberships shall be paid for by the club.
- 10 Only financial members are allowed to vote at any General Meeting
- 11 Only financial members are eligible for End of Year Points and End of Year trophies
- 12 On application for membership, applicants authorise the distribution of their name, email address, phone number and class of vehicle within the committee.

NON-FINANCIAL / UNLICENSED MEMBERS:

Members who attempt to compete whilst non-financial or unlicensed will be suspended for a minimum of 6 months and will not be eligible for End of Year points. Entrants and/or drivers involved may be liable for disciplinary action at the discretion of the committee.

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ACCEPTABLE CONDUCT:

- 1 Members attending any club organised events do so as representatives of the Club.
- 2 All members shall conduct themselves in a proper, respectful and sober manner without causing disturbance or interference to the public or other members. Failure to comply will result in disciplinary action as laid down in these By-Laws.

THE COMMITTEE EXECUTIVE:

The Committee Executive will consist of the following Office Bearers, each of whom shall be elected separately each year:

President
Vice President
Secretary
Treasurer
Scrutineer

The Committee Executive shall meet at least monthly and on any other additional occasions as required by the President.

Powers and Objectives of the Committee Executive:

- 1 To decide, determine and ensure the correct functioning of the club generally.
- 2 To enforce, administer and promote the rules and regulations set out in this handbook.
- 3 To represent the club on behalf of its members to the best of its ability
- 4 To determine, oversee and execute appropriate action regarding issues and incidents concerning the clubs functioning and wellbeing.
- 5 To oversee, guide and nurture further development of the club, its members and potential members.
- 6 To encourage involvement and co-operation of the Committee and club members.
- 7 To administer the financial affairs of the club.
- 8 To ensure all official positions are filled with the most qualified people available.
- 9 The Executive Committee will be guided in administration by the By-Laws and rules of the Club and of any rules required by CAMS or the controlling body.

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THE COMMITTEE:

President
Vice President
Secretary
Treasurer
Scrutineer
Odyssey/Buggy Representatives
Ordinary Member
Ordinary Member
Ordinary Member
Race Secretary
Chief Lap Scorer

Powers and Objectives of the Committee:

The Committee, having regard to the constitution and rules of the club, shall have the following powers:

- 1 To assist the Committee Executive with the running of the club and to promote the club to the best of its ability.
- 2 To liaise with and encourage members and prospective members.
- 3 To assist all competitors and show where necessary in a sportsman-like way the correct way that they should conduct themselves.
- 4 To help arrange representations of any class so as to participate in an outside of club function if the Executive Committee agrees to participate in such functions.
- 5 To act on behalf of all classes to ensure equal representation at club level.
- 6 To register all competitive members and officials with C.A.M.S.
- 7 To ensure all Life Members and Honorary Members be invited in writing to attend the end of year presentations, AGM, Mid Year Meeting and any other events as deemed relevant.
- 8 The Committee has the right to invite to the presentations anyone they see fit, i.e. Sponsors, helpers etc. This should be done in writing.
- 9 To ensure that all competitors are current financial members of the club and that all fees are paid before they compete in an event.
- 10 To ensure that all official race day positions are filled prior to the commencement of a race meeting.

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DUTIES OF THE OFFICE BEARERS:

President:

- 1 Shall attend all meetings within reason and carry out his/her duties in a matter befitting his/her office and shall have casting vote only at such meetings. He/she shall direct his/her Vice President to perform such duties in his/her absence.
- 2 Shall attend race meetings and discuss directly with the Chief Steward any problems arising from the meeting.

Vice-President:

- 1 Shall attend all meetings within reason and carry out their duties in a manner befitting their office, and shall help the President in all matters and requests.
- 2 Shall be advisor to all Representatives.
- 3 Shall be responsible to ensure that all members have a current copy of these by-laws.

Secretary:

- 1 The Secretary of the club shall keep Minutes of the resolutions and proceedings of each General Meeting and each Committee Meeting in books provided for that purpose together with a record of the names of persons present at these meetings.
- 2 Shall make available a copy of any previous meetings minutes to any financial member who so requests and hand out a typed copy of previous meetings minutes at each General/Committee meeting.
- 3 The Secretary shall maintain a register of all current members.
- 4 Has at each meeting an up-to-date list of financial members.
- 5 Shall handle all correspondence in and out.
- 6 On payment of club membership, issue a membership card.

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Treasurer:

- 1 Shall collect and receive all monies due to the club and make all payments authorised by the club.
- 2 Shall keep correct accounts and books showing the financial expenditure connected with the activities of the club.
- 3 The accounts and books referred to in sub-clause (2) shall be available for inspection by members at each meeting.
- 4 A copy of the annual report and balance sheet be presented at the Annual General Meeting along with an audit report for the year.
- 5 That a copy of the monthly Treasurer's report be given to each Committee member at the monthly meeting, made up to a maximum of four days prior to the meeting.
- 6 All monies received must be banked within five (5) working days.
- 7 Shall operate a bank account for paying in of monies and withdrawing monies with any two (2) of three (3) signatures authorised by the Executive Committee.
- 8 Shall ensure that no two signatories are related personally or professionally.

Representatives:

- 1 Will make themselves available to the Executive Committee and attend Committee Meetings and put forward any requests or complaints from members.
- 2 Will act on behalf of the members as their spokesperson to the Committee.
- 3 Will hold an unbiased view of what the member requests.
- 4 Will report any discontent to the Committee in regards to Class eligibility, machine compliance or general conduct.
- 5 Assist and welcome new members in the club by giving advice on their involvement and their fellow competitors.

Ordinary Members:

- 1 To attend meetings as required and help and advise the Executive Committee as required in the day to day running of the club.
- 2 To be able to take on jobs as requested by the Committee from time to time.
- 3 To make themselves available to new members and help them settle into the club by introducing them to Officials and members.

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QUORUM:

- 1 A quorum at Meetings shall consist of six (6) members and must include at least three of the following, President, Vice President, Secretary and Treasurer of the club, or their appointed deputies.
- 2 All members, including Executive, to have one (1) vote except the President who shall have the casting vote, only if necessary at all Committee/General meetings.
- 3 The Quorum shall be empowered to elect any necessary replacement committee members.
- 4 The Committee may from time to time form sub-committees as are deemed necessary to carry out functions of the club. The Committee is empowered to direct sub-committees as it deems fit. The Committee will decide how any monies or finances raised by such sub-committees shall be expended or distributed.
- 5 A gazetted General Meeting which does not make up a quorum 30 minutes after its scheduled start time shall consider the attending members a quorum for the purposes of general club business.

NOMINATIONS FOR OFFICE BEARERS:

All nominations, in writing, for Office Bearers of the club, signed by both nominator and nominee, shall be in the hands of the Secretary prior to the Annual General Meeting.

GENERAL:

All monies raised by the club in any way shall be presented to the Treasurer immediately on receipt of said monies and no person shall hold said monies in their possession for a period exceeding 48 hours. The Treasurer shall give a receipt for said monies to the persons handing over such.

Any person or business wishing to donate a trophy should be asked to present to the Committee the value of the trophy in cash. All trophies are to be purchased by the Committee.

Any member of the Committee who is absent from three (3) consecutive meetings, without reasonable explanation, will dispose themselves of that Committee and any vacancy so caused may be filled by anyone so chosen by the Committee.

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RESIGNATIONS:

The Committee by majority vote may request the resignation of any office bearer who is considered by the committee not to be fulfilling their duties. Resignations of members should be submitted in writing addressed to the Secretary and will be processed upon receipt.

GENERAL MEETING PROTOCOL:

General Meetings shall be held on the Monday prior to a race meeting or in the case of a public holiday the next convenient day as agreed by the Committee Executive. General Meetings may be convened at any other practical time as required by the President or three financial members. Only financial members are able to vote at any Club Meeting. Non financial members and observers may attend General Meetings, and may, at the discretion of the chair, be requested not to take part in discussions during the meeting.

- 1 The president or his appointed deputy shall chair a General Meeting.
- 2 The meeting shall be called to order and the assembly welcomed.
- 3 The previous General Meetings minutes shall be read by the President. A call is made to declare any errors to be adjusted and a motion put forward to adopt the minutes.

Reports

The Treasurers' report is presented and a motion to adopt the report as true and correct is put forward. Reports from around the table are presented and discussed.

Business

Business arising from the previous minutes is presented.
All new business is presented and discussed.

Meeting Close

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AGM PROTOCOL:

An Annual General Meeting (AGM) shall be held during the period no longer than 21 days after the final race meeting of the year. The AGM shall be advertised at least 60 days prior via the Club Newsletter. All Life and Honorary Members must be invited to attend in writing.

- 1 The AGM shall require a Quorum of financial members and must consist of a minimum of three (3) of the Committee Executive members.
- 2 The President or his appointed Chairperson shall chair the AGM.
- 3 The AGM shall be called to order and the President welcomes the assembly.
- 4 Previous AGM minutes are presented by the President. A call is made to declare any errors to be adjusted. A motion to adopt the previous minutes shall be put forward.

Reports

Reports from President, Vice President, Treasurer, Secretary, Chief Scrutineer and Buggy Representatives are put forward in that order. Further reports may be submitted as necessary.

A motion shall be put forward to resolve any outstanding monies owing.

Business

Election of New Committee.

All Office bearers other than the Vice President shall stand down at which time all positions are declared vacant other than that of Vice President. The Vice President shall open nominations for official positions and select any nominations for President. If nominations for any position tie a vote among financial members shall determine the outcome. On appointment of the President, the Vice President shall stand down and the president shall continue with the nominations for the Committee Executive followed by all other office bearers.

Discussion/Question Time

The elected president welcomes the new Committee and office bearers and opens the meeting for discussion and questions

Meeting Close

SPECIAL/EXTRAORDINARY MEETINGS:

Special or Extraordinary Meetings of the Committee Executive or Committee may be convened as required by the President. Minutes shall be kept of such meetings.

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DISSOLUTION OF COMMITTEE:

A resolution causing the dissolution of the Committee shall only be passed by a quorum of regular committee members plus a minimum of three (3) life members with two thirds of life members present voting in favour and two thirds of the quorum present voting in favour of a resolution.

In the event of dissolution of the Committee of The Club, all liabilities and/or monies standing to the credit of the Committee shall be handed to The Club.

DISPUTES COMMITTEE:

A "Non Race" dispute which can not be resolved among members shall be brought to the attention of the President. If the issue cannot be resolved with the intervention of the disputes committee, written notice addressed to the Committee Executive outlining the nature of the dispute may be made by either party. The Disputes Committee shall consist of three of the following;

- An Ordinary Member
- A Financial Member
- The President
- The Vice President

The disputes committee shall liaise with all parties to seek a resolution in any manner they deem necessary.

APPEALS COMMITTEE:

An Appeals Committee shall consist of three or more life members. Prior contact shall be made and all life members shall be invited in writing by the Committee Executive to hear an appeal.

The findings of said Committee shall be binding on all persons involved.

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DISCIPLINE, SUSPENSION AND EXPULSION:

Subject to these By-Laws, if the Committee Executive is of the opinion that a member has;

- (1) Refused or neglected to comply with these By-Laws or Rules and regulations or;
- (2) Has been guilty of conduct unbecoming a member or prejudicial to the best interests or objectives of the Club, CAMS or Motorsport or;
- (3) Brought the Club, CAMS or Motorsport into disrepute or;
- (4) Received financial gain at the detriment of the club.

The Committee Executive may resolve to;

- (1) Issue a written reprimand; or
- (2) Fine that member an amount not exceeding ten times the current membership fee; or
- (3) Suspend that member from the Club and events for a specified period; or
- (4) Expel that member from the club.

APPEAL:

- (1) A fined, suspended or expelled member may appeal the decision in writing which must be received by the Secretary within seven (7) days from the date of postage of notification by registered mail.
- (2) An appeal shall only be accepted in writing and must have the members full name, address, reason for appeal and be signed and dated.
- (3) The appeal notice must be submitted with a processing fee, ten times the current membership fee, which will be refunded if the resolution is revoked.
- (4) If the processing fee is in cheque form the process will proceed upon clearance of the funds into the club bank account.
- (5) The Committee Executive shall appoint an appeals Committee within seven days.
- (6) All documentation supporting an appeal shall be presented to the Appeals Committee no later than 28 days from the resolution of disciplinary action.
- (7) The Appeals Committee shall conduct the appeal as they see fit.
- (8) The Appeals Committee may review and re-issue any penalties as they see fit.
- (9) The Appeals Committee shall deliberate on said appeal within three (3) weeks of lodgement of documentation.
- (10) The Appeals Committee shall hand down its findings in writing within 14 days of its decision
- (11) The decision of the Appeals Committee is final.

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RE-INSTATEMENT:

- (1) A membership application from an expelled member shall not be accepted under any circumstances.
- (2) A membership application by a suspended member who did not appeal the decision will be assessed by the Committee Executive.
- (3) A membership application by a suspended member who appealed the decision and whose appeal was not revoked shall only be re-instated as a member by a majority vote of an Appeals Committee. Said Appeals Committee may institute any conditions to the re-instatement they deem appropriate.
- (4) A suspended member shall not be eligible to hold office within the club.

CLUB PERSON OF THE YEAR:

- 1 At each Race Meeting, two (2) Officials will be asked to award 3, 2, 1, points to three people who have benefited the club either at or outside of the race meeting.
- 2 Officials to do this will be either; Chief Steward, Clerk of Course, Scrutineer or the Race Secretary. These people will be notified prior to the race day.
- 3 Club Person points will be sealed in an envelope and held with the End Of Year points and will be totalled at the last Committee Meeting before the Christmas break-up.