

KARTING TAS INC

THE CONSTITUTION

NAME OF ASSOCIATION

1. The name of the Association shall be KARTING TAS Inc. (hereinafter referred to the as the "Association"). Previously known as AKA Tas (Inc)

MANAGEMENT OF THE ASSOCIATION

1(b) In these rules, unless contrary intention appears, "Association" also means the management group of the Association – known as the State Karting Council (SKC), which consists of The Executive, Ordinary Officers and Member Delegates.

ASSOCIATION OFFICE

2. The office of the Association shall be at 22 Hawthorn Drive, Kingston TAS 7050, or such other place as the Association may from time to time determine.

OBJECTS AND PURPOSES OF ASSOCIATION

3 (1) The basic objects and purposes of the Association shall be to promote, co-ordinate and control karting within the State of Tasmania.

(2) In addition to the basic object of the Association, the objects and purposes of the

Association shall be deemed to include:-

- a. the purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property that may be deemed necessary or convenient for any of the objects or purposes of the Association;
- b. the buying, selling and supplying of, and dealing in, goods of all kinds;
- c. the construction, maintenance and alteration of buildings or works necessary or convenient for any of the objects or purposes of the Association;
- d. the accepting of any gift, whether subject to a special trust or not, for any one or more of the objects or purposes of the Association;
- e. the taking of such steps from time to time as the executive or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Association, whether by way of donations, subscriptions, or otherwise;
- f. the printing and publishing of such newspapers, periodicals, books, leaflets, or other documents as the council (SKC) or the members in general meeting may think desirable for the promotion of the objects and purposes of the Association;
- g. the borrowing and raising of money in such a manner and on such terms as the Association may think fit or as may be approved or directed by resolution passed at a general meeting;
- h. subject to the provisions of the Trustee Act 1898, the investment of any moneys of the Association not immediately required for any of its objects or purposes in such manner as the council (SKC) may from time to time determine;
- i. the making of gifts, subscriptions, or donations to any of the funds, authorities or

- institutions to which paragraph (a) of section 78 of the Income Tax and Social Services Contribution assessment Act 1936-1964 of the Commonwealth relates;
- j. the establishment and support, or aiding in the establishment and support, of associations, institutions, funds, trusts, schemes and conveniences calculated to benefit servants or past servants of the Association and their dependants, and the granting of pensions, allowances, or other benefits to servants or past servants of the Association and their dependants, and the making of payments towards insurance in relation to any of those purposes;
 - k. the establishments and support, or aiding in the establishment or support, of any other association formed for any of the basic objects of the Association;
 - l. the purchase or acquisition, and undertaking, of all or any part of the property, assets, liabilities, and engagements of any association with which the Association may at any time become amalgamated in accordance with the provisions of the Act and the rules of the Association; and
 - m. the doing of all such other lawful things as are incidental or conducive to the attainment of the basic objects of the Association or of any of the objects and purposes specified in the foregoing provisions of this sub-rule.

MEMBERSHIP

4. (1) any person who is a financial member of an affiliated club and is nominated by that affiliated club to be a delegate of their club is eligible to be a member of the Association, provided that no more than four members of any one affiliated club may be members of the Association at any one time.
- (2) Except where a member of an affiliated club who has not been accepted under Rule 4. (1) can be nominated for elected position on the State Executive and Ordinary Officers of KARTING Tas Inc. Ordinary Officers are voting members of the council.
- (a) The Secretary of the Association shall receive from each affiliated club the names of up to four delegates for membership of the Association prior to the Association's annual general meeting.
- (3) Members shall be appointed as the first item of business at the annual general meeting by ordinary resolution of the Association and each person so appointed shall remain a member of the association until the annual general meeting next after his appointment but is eligible for re-appointment.
- (4) Clubs may nominate one (1) extra delegate as a Co-delegate member, he/she may act as a personal proxy in the event of all four delegates being absent. This is to be notified to the Secretary as per 4.2a. and 17.4 applies
- (5) If a casual vacancy occurs in the membership of the Association as a result of the resignation, retirement, withdrawal of support by their Club, or death of a member of the Association or otherwise, the Secretary shall receive a nomination or nominations from the affiliated club of which the vacating member was nominated, and a new member shall be appointed by ordinary resolution of the Association.

(6) The State Karting Council (SKC) may elect a person who has given long and exceptional service to the Association as an honorary life member of the association. Nominations for life membership are to be forwarded to the State Secretary for consideration. Acceptance of this nomination is to be unanimous vote of the current KARTING Tas Inc executive. Life members are nonvoting members.

AFFILIATED CLUBS

5. (1) For the purpose of these rules "affiliated club" refers to the following:

The Launceston Kart Club Inc
The Southern Tasmanian Kart Club Inc
The North Western Kart Club Inc
The Circular Head Kart Club Inc.

(2) Any of the affiliated clubs mentioned in sub-rule (1) may cease to become affiliated clubs if this is approved by the Association.

(3) Any member of the Association may nominate any other club or clubs that are incorporated in accordance with the Company Act to become an affiliated club of the Association and upon such nomination being approved by the Association, the nominated club or clubs shall become an affiliated club.

ACCOUNTS OF RECEIPTS, EXPENDITURE, ETC.

6. (1) True accounts shall be kept

- a. of all sums of money received and expended by the Association and the matter in respect of which the receipt or expenditure take place; and
- b. of the property, credits and liabilities of the Association and subject to any reasonable restrictions as to time and manner of inspecting them that may be imposed by the Association for the time being, those accounts shall be open to inspection of the membership of the Association.

(2) The Treasurers of the Association shall faithfully keep all general records, accounting books and records of receipts and expenditure connected with the operations and business of the Association in such form and manner as the committee may direct.

(3) The accounts, books and records referred to in sub-rules (1) and (2) of this rule shall be kept at the Association's office or at such other places as the Association may decide.

SIGNING OF CHEQUES, ETC

7. All cheques, drafts, bills of exchange, promissory notes, credit card vouchers and other negotiable instruments shall be signed by the Treasurer, or in his absence by such other member or members as the Association may nominate for that purpose.

AUDITOR

8. (1) At each annual general meeting of the Association the members present shall appoint a person as the auditor of the Association.

(2) A person so appointed shall hold office until the annual general meeting next after that at which he is appointed and is eligible for re-appointment.

(3) The first auditor of the Association may be appointed by the Association before the first

annual general meeting, and, if so appointed shall hold office until the first annual general meeting, unless previously moved by a resolution of the members at a general meeting. In which case the members at that meeting may appoint an auditor to act until the first annual general meeting.

- (4) If an appointment is not made at an annual general meeting the Association shall appoint an auditor of the Association for the then current financial year of the Association.
- (5) Except as provided in sub-rule (3) of this rule, the auditor may only be removed from office by special resolution.
- (6) If a casual vacancy occurs in the office of auditor during the course of a financial year of the Association, the Association may appoint a person as the auditor and the person so appointed shall hold office until the next succeeding annual general meeting.

AUDIT OF ACCOUNTS

9. (1) Once at least in each financial year of the Association, the accounts of the Association shall be examined by the auditor.
- (2) The auditor shall certify as to the correctness of the accounts of the Association and shall report thereon to the members present at the annual general meeting.
- (3) In his report, and in certifying to the accounts, the auditor shall state-
 - a. whether he/she has obtained the information required by them;
 - b. whether, in their opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Association according to the information at their disposal and the explanations given to them and as shown by the books of the Association; and
 - c. whether the rules relating to the administration of the funds of the Association have been observed.
- (4) The public officer of the Association shall be caused to be delivered to the auditor a list of all the accounts, books and records of the Association.
- (5) The auditor-
 - a. has a right of access to the accounts, books, records, vouchers, and documents of the Association;
 - b. may require from the servants of the Association such information and explanations as may be necessary for the performance of his duties as auditor;
 - c. may employ persons to assist them in investigating the accounts of the Association; and
 - d. may in relation to the accounts of the Association, examine any member or servant of the Association.

ANNUAL GENERAL MEETING

10. (1) The Association shall, in each year, hold an annual general meeting.
- (2) The annual general meeting shall be held on such day (being not later than three months

- after the close of the financial year of the Association) as the Association may determine.
- (3) The annual general meeting shall be specified as such in the notice convening it.
 - (4) The ordinary business of the annual general meeting shall be-
 - a. to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - b. to receive from the auditor, and servants of the Association reports upon the transactions of the Association during the last preceding financial year;
 - c. to elect the officers of the Association and to appoint the delegate members of the Association for the following year;
 - d. to appoint the auditor and determine his remuneration; and
 - e. to determine the remuneration of servants of the Association.
 - (5) The annual general meeting may transact special business of which notice is given in accordance with these rules.
 - (6) All general meetings other than the annual general meeting shall be called special general meetings.

SPECIAL GENERAL MEETINGS

11. (1) The association may, whenever it thinks fit, convene a special general meeting of the Association, providing notice is given according to these rules.
- (2) The Association shall, on the requisition in writing of not less than four members, convene a special general meeting of the Association in accordance with the requirements of these rules.
- (3) A requisition for a special general meeting shall state the objects of the meeting and shall be signed by all the requisitionists. The requisition may consist of several documents in the like form, each signed by one or more of the requisitionists.
- (4) If the Association does not cause a special general meeting to be held within twenty-one days of the requisition being received at the office of the Association, the requisitionists, or any of them, may convene the meeting, but any meeting so convened shall not be held after three months from the date of the deposit of the requisition.

NOTICE OF GENERAL MEETING

- (12) The Secretary of the Association shall, at least seven days before the date fixed for holding a general meeting of the Association causes to be delivered either personally, by post or by electronic communication to each member a notice specifying the place, day and time for the holding of the meeting and the nature of the business to be transacted thereat.

BUSINESS AND QUORUM AT GENERAL MEETING

13. (1) All business that is transacted at special general meetings and all business that is transacted at the annual general meeting, with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting; shall be deemed to be special business.
- (2) No item of business shall be transacted at a meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is

considering that item.

- (3) Seven members personally present (being members entitled under these rules to vote thereat) constitute a quorum for the transaction of the business of a general meeting of the Association.

ADJOURNMENT OF GENERAL MEETING

14. If within thirty minutes after the appointed time for the commencement of a meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved, and in any other case it shall stand adjourned to the same date in the next week, at the same time and (unless another place is specified by the chairman at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within thirty minutes after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

PRESIDING AT MEETINGS

15. (1) The President, or in his absence, the Vice - President shall preside as chairman at every meeting of the Association.
- (2) If the President and the Vice - President are absent from the meeting, the members shall elect one of their number to preside as chairman thereat.
- (3) The chairman of the meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place

DETERMINATION OF QUESTIONS AT GENERAL MEETING

16. A question arising at a general meeting of the Association shall be determined on a show of hands or in the case of a phone meeting by voices and unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the chairman that a resolution has on a show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, and an entry to that effect in the minute book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

VOTES

17. (1) Upon any question arising at a meeting of the Association, a delegate member has one vote only provided that only two appointed delegate members from each affiliated club shall be entitled to vote on any particular question arising.
 - (2) The President, Vice — President, Secretary and Treasurer have one collective vote in addition to 17(1).
 - (3) Ordinary Officers, as association members, have one vote each.
 - (4) All votes shall be given personally.
 - (5) A tied vote is a lost vote and there shall be no casting vote.

TAKING OF POLL

18. If at any meeting a poll is demanded it shall be taken at that meeting in such manner as the chairman may direct, and the result of the poll shall be deemed to be the resolution of the meeting on that question.

OFFICERS OF THE ASSOCIATION

19. (1a) The Executive officers of the Association shall be:

- a. a President
- b. a Vice - President
- c. a Secretary
- d. a Treasurer

(1b) The Ordinary Officers of the Association shall be:

- e. a Technical Officer
- f. a Track Inspector
- g. a Licencing Officer.
- h. an Officials Coordinator.

(1c) Appointed Officers:

The Executive of the association may appoint to the Association, with approval by the members, the role of CMS Technical Officer or other officer as required. This/these officer/s is/are non-elected officer/s and are expertise based. Non-elected officers are re-appointed, by approval of the members at the associations Annual General Meeting. Non-elected officers are non-voting members.

(2) Each officer of the Association shall hold office until the annual general meeting next after the date of his/her election but is eligible for re-election.

(3) In the event of a casual vacancy in any office mentioned in sub-rule (1) of this rule, the Association may appoint one of its members or officers to the vacant position, and the member or officer so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of his/her appointment.

(4) The Executive consists of: A President, a Secretary, a Vice-President and a Treasurer

(5) The executive of the association is to be elected for a two year term. The President and Secretary are to be elected for a two year term and then in alternate years Vice President and Treasurer be elected for a two year term, to allow continuity of office bearers. The Vice-President and Treasurer are next due for election in 2012. The President and Secretary are next due for election in 2013.

ELECTION OF OFFICERS OF THE ASSOCIATION

20. (1) Nominations of candidates for election as Executive/Ordinary officers of the Association shall be:

- a. made in writing signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination) and
- b. delivered to the Secretary of the Association at least 10 days before the day fixed for the holding of the annual general meeting.

(2) If insufficient nominations are received to fill all vacancies of officers of the Association the

candidates nominated shall be deemed to be elected and further nominations for positions as officers for which nomination in writing have not been received shall be accepted from the members or officers at the annual general meeting.

- (3) If the numbers of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (4) If the numbers of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- (5) The ballot for the election of officers of the Association shall be conducted at the annual general meeting in such usual and proper manner as the members may direct.

VACATION OF OFFICE

21. For the purpose of these rules, the office of an officer of the Association becomes vacant if the officer-

- a. dies;
- b. becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his creditors, or makes any assignment of his estate for their benefit;
- c. becomes of unsound mind;
- d. resigns his/her office by writing under his/her hand addressed to the association;
- e. ceases to be resident in the State;
- f. fails, without leave granted by the Association, to attend three consecutive meetings of the Association;
- g. ceases to be a member of the association; or
- h. fails to pay all arrears of subscription due by them within fourteen days after he/she has received a notice in writing signed by the public officer stating that he/she has ceased to be a financial member of the Association;
- i. loses the support of the Association.

NUMBER OF MEETINGS

22. The Association shall meet at least four times in each year at such place and at such times as may be determined.

DISCLOSURE OF INTERESTS IN CONTRACTS, ETC.

23. No member shall vote in respect of any contract or arrangement in which he is interested, and if he/she does vote his/her vote shall not be counted.

ANNUAL SUBSCRIPTION

24. The annual subscription payable shall be \$50.00 or a sum as decided by the Association for each affiliated club and such subscription shall be payable by each affiliated club on or before the first day of the financial year of the Association.

FINANCIAL YEAR

25. The financial year of the Association is the period beginning on 1st January in each year and ending on the 31st December in the same year.

NOTICE TO MEMBERS

26. A notice to members may be delivered personally or by sending it through the post in a prepaid letter addressed to the member at his/her usual or last known place of abode or by electronic means.

EXPULSION OF MEMBERS

27. (1) Subject to this rule, the members may expel a member of the Association if, in the opinion of the members, the member has been guilty of conduct detrimental to the interest of the Association.

(2) The expulsion of a member does not take effect-

- a. until the expiration of fourteen days after the service on the member of a notice, or
- b. the member exercise his/her right of appeal under this rule, until the conclusion of the special general meeting convened to hear the appeal, whichever in the later date.

(3) Where the members expel a member from the Association, the Secretary, of the Association shall, without undue delay, cause to be served on the member a notice in writing-

- a. stating that the members have expelled the member
- b. specifying the grounds for the expulsion, and
- c. informing the member that if he/she so desires he/she may, within fourteen days after the service of the notice on them, appeal against the expulsion as provided in this rule.

4. A member on whom a notice is served may appeal against the expulsion to a special general meeting by delivering or sending by post to the Secretary/ of the Association, within fourteen days after the service of that notice, a requisition in writing demanding the convening of such a meeting for the purposes of hearing there appeal,

5 Upon receipt of a requisition the Secretary shall forthwith notify the members of its receipt and shall cause a special general meeting of member to be held within twenty-one days after the date on which the requisition is received by the Secretary.

6. At a special general meeting convened for the purpose of this rule-

- a, no business other than the question of the expulsion shall be transacted
- b. the expelled member shall be given an opportunity to be heard
- c. the members shall be given an opportunity to be heard
- d. the members present shall vote by secret ballot on the question whether the expulsion should be lifted or confirmed.

7. If at the special general meeting a majority of the members present vote against the confirmation of the expulsion. The expulsion shall be deemed to have been lifted and the expelled member is entitled to continue.

8. If at the special general meeting a majority of members present vote in favour of the confirmation of the expulsion, the expulsion takes effect, and the expelled member ceases to be a member of the Association.

9. When a member of the Association has been expelled from the Association no further

nomination for membership of the Association shall be received from the affiliated club from which that member was nominated until the annual general meeting next following.

10. An expelled member is not eligible to be a member of the association until a period of at least two years has elapsed after his expulsion.

DISPUTES

28. (1) Subject to this rule, a dispute between a member of the Association, in his/her capacity as a member, and the Association shall be determined by arbitration in accordance with the provisions of the Arbitration Act 1892.
- (2) Nothing in this rule affects the operation of rule 27.

SEAL OF THE ASSOCIATION

- 29 (1) The seal of the Association shall be in the form of a rubber stamp inscribed with the name of the association encircling the word "seal".
- (2) The seal of the Association shall not be affixed to any instrument except by the authority of the executive, and the affixing thereof shall be attested by the signatures either of two members of the council or of one member of the council and of the public officer of the Association or of such other person as the council may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the council.
- (3) The seal shall remain in the custody of the public officer.

SUB-COMMITTEES

30. (1) The Association may at any time appoint a sub-committee from the Association as it may think fit and shall prescribe the powers and functions thereof.
- (2) The Association may co-opt as members of a sub-committee such persons as it thinks fit, whether or not those persons are members of the Association, but a person so co-opted is not entitled to vote.
- (3) Two thirds of the number of appointed members of a sub-committee constitute a quorum at a meeting of the sub-committee.
- (4) The public officer of the Association is responsible for calling meetings of a sub-committee.
- (5) Written notice of each sub-committee meeting shall be served on each member of the sub-committee by delivering it to him at a reasonable time before the meeting or by sending it by post in a prepaid letter addressed to him/ her at his usual or last known place abode in time to reach them in due course of post before the date of the meeting.

ALTERATION OF RULES

31. The rules, objects and purposes of the Association or any of them may be altered, rescinded or added to only by special resolution of the Association.

Amendments List:

Passed by Special Resolution 27/01/2012

Change of Financial year from:

FINANCIAL YEAR

25. The financial year of the Association is the period beginning on 1st July in each year and ending on the 30th June in the next year.

Change to:

FINANCIAL YEAR

25. The financial year of the Association is the period beginning on 1st January in each year and ending on the 31st December in the same year.