

CONSTITUTION
NQ PERFORMANCE FORD CLUB

NAME

1. The name of the club is NQ Performance Ford Club.

OBJECT

2. The object of the club is to project and enhance both the knowledge and understanding of performance Ford vehicles in the wider community.

POWERS

3. The club has the powers of an individual, the club may for example –
 - (a) enter into contracts; and
 - (b) acquire, hold, deal with and dispose of property; and
 - (c) make charges for services and facilities it supplies; and
 - (d) do other things necessary or convenient to be done in carrying out it's affairs.
4. The club may also issue secured and unsecured notes, debentures and debenture stock for the club.

CLASSES OF MEMBERS

5. The membership of the club shall consist of ordinary members and affiliate members:

Ordinary members consist of:

 - (a) single members; and
 - (b) family members.
6. Affiliate members consist of those people who are members of other clubs and wish to be a part of this club, people who don't require full membership or people who don't own a performance vehicle. Affiliate members don't have the right to vote on club matters.
7. The number of ordinary members is unlimited.

MEMBERSHIP

8. An applicant for membership of the club, must be proposed by one member of the club (the proposer) and seconded by another member (the seconder). The only criteria for ordinary membership is that the member must own a

performance ford vehicle. That vehicle can be either factory or privately modified.

9. An application for membership must be-
 - (a) in writing;
 - (b) signed by the applicant; and
 - (c) on the form provided.

MEMBERSHIP FEES

10. The membership fee for each class of membership –
 - (a) is the amount decided by the members from time to time at a general meeting; and
 - (b) is payable when, and in the way, the committee decides.

ADMISSION AND REJECTION OF MEMBERS

11. The committee must consider an application for membership at the next meeting of the committee held after it receives –
 - (a) the application; and
 - (b) the appropriate membership fee for the application.
12. The committee must decide at the meeting whether to accept or reject the application. If a majority of the committee members present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member to the class of membership applied for.
13. The secretary of the club must, as soon as practicable after the committee decides to accept or reject an application, give the applicant a written notice of the decision.

WHEN MEMBERSHIP ENDS

14. A member may resign from the club by giving a written notice of resignation to the secretary.
15. The resignation takes effect on –
 - (a) the day at the time the notice is received by the secretary; or
 - (b) if a later day is stated in the notice – the later day.
16. The committee may terminate a members membership if the member –
 - (a) is convicted of an indictable offence; or
 - (b) does not comply with any of the provisions of these rules; or

- (c) has membership fees in arrears at least 2 months; or
 - (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the club.
17. Before the committee terminates a members membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
18. If, after considering all representations made by a member, the committee decides to terminate the membership, the secretary of the committee must give the member a written notice of the decision.

APPEAL AGAINST DECISION

19. A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the persons intention to appeal against the decision.
- (a) A notice of intention to appeal must be given to the secretary within 1 month after the person receives written notice of the decision.
 - (b) If the secretary receives a notice of intention to appeal, the secretary must, within 3 months after the day of receipt, call a general meeting to decide the appeal.
 - (c) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
 - (d) Also, the committee and the committee members who rejected the application or terminated the membership must be given an opportunity to show why the application should be rejected or the membership terminated.
 - (e) An appeal must be decided by a vote of the members present at the meeting.
 - (f) If a person whose application has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the application fee paid by the person.

REGISTER OF MEMBERS

20. The committee must keep a register of members.
- (1) The register of members must include the following particulars of each member –
- (a) the full name and residential address of the member;
 - (b) the date of admission;
 - (c) any other particulars that the committee decides

- (2) The register must be open for inspection at all reasonable times.
- (3) However, before the member may inspect the register, the member must apply to the secretary to inspect it.

SECRETARY

- 21. If the club has not elected an interim officer as secretary for the club, the members must ensure one is appointed or elected within 1 month of the club forming.
- 22. If a vacancy occurs in the office of secretary, the members of the committee must ensure that a secretary is appointed or elected within 1 month of the vacancy occurring.
- 23. The secretary must be an individual residing in Queensland, who is –
 - (a) a member of the club elected into the position; or
 - (b) any of the following persons appointed by the committee –
 - (i) a member of the committee;
 - (ii) a member of the club;
 - (iii) another person.
- 24. The committee may appoint and remove the club's secretary at any time.

MEMBERSHIP OF THE COMMITTEE

- 25. The committee of the club consists of a president, vice president, treasurer, secretary and general committee members.
- 26. A member of the committee other than the secretary, must be a member of the club.
- 27. At the AGM (Annual General Meeting) the members of the committee must retire from office, but are eligible, on nomination, for re-election.

ELECTING THE COMMITTEE

- 28. A member of the committee may be elected as follows –
 - (a) any 2 members may nominate another member (the candidate);
 - (b) The nomination must be –
 - (i) in writing;
 - (ii) signed by the candidate and those members who nominated him or her; and

- (iii) given to the secretary at least 14 days before the AGM at which the election is to be held.
 - (c) each member present may vote for any number of candidates not more than the number of vacancies.
 - (d) if, at the start of the meeting there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
29. A list of candidates names in alphabetical order, with the names of the members who nominated them, must be posted in a conspicuous place at least 7 days prior to the AGM.

RESIGNATION OR REMOVAL FROM OFFICE OF A COMMITTEE MEMBER

30. A member of the committee may resign by giving written notice to the secretary.
31. The resignation takes effect on –
- (a) the day and at the time the secretary receives the notice; or
 - (b) if a later day is stated in the notice – the later day.
32. a member may be removed from office at a general meeting if a majority of members present vote in favour of removing the member.
33. Before such a vote is taken, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
34. A member has no right of appeal against removal from office under this section.

VACANCIES ON COMMITTEE

35. If a casual vacancy occurs on the committee, the continuing members of the committee may appoint another member of the club to fill the vacancy until the next general meeting.
36. The continuing members of the committee may continue to act despite a casual vacancy on the committee.
37. However, if the number of committee members remaining does not constitute a quorum, then the continuing members may act only to –
- (a) increase the number of committee members to the number required for a quorum; or
 - (b) call a general meeting of the club.

FUNCTIONS OF THE COMMITTEE

38. Subject to these rules or a resolution of the club members carried at a general meeting, the committee –
- (a) has general control and management of the affairs , property and funds of the club; and
 - (b) has authority to interpret the meaning of these rules and any matter relating to the club on which the rules are silent.
39. The committee may exercise the powers of the club –
- (a) to borrow, raise or secure the payment of amounts in a way the club members decide; and
 - (b) to purchase, redeem or pay off any securities issued;
 - (c) to borrow amounts from members and pay interest on the amounts borrowed;
 - (d) to mortgage or charge the whole or part of it's property;
 - (e) to invest in a way the members of the club may from time to time decide
40. For sub section 2 (c), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent by –
- (a) the financial institution for the club;

MEETINGS OF THE COMMITTEE

41. The committee may meet and conduct it's proceedings as it considers appropriate.
42. The committee must meet at least once every 4 months to exercise it's functions.
43. The committee must decide how a meeting is to be called.
44. Notice of a meeting is to be given in the way decided by the committee.
45. At a committee meeting, more than 50% of the members elected form a quorum.
46. Any question arising is to be decided by a majority vote, if the votes are equal, the question is decided in the negative.
47. If the president is unavailable to attend a meeting , then the vice president is to preside at that meeting.
48. If neither the president or vice president are available then the remaining members may choose 1 of there number to preside.

49. If a quorum is not present then the meeting lapses.

DELEGATION OF COMMITTEE POWERS

50. The committee may delegate all or some of its powers to a sub-committee consisting of club members considered appropriate by the committee.
51. A sub-committee may only delegate powers in the way the committee decides.
52. A sub-committee may elect a chairperson of its meetings.
53. A sub-committee may meet and adjourn as it considers appropriate.
54. A question arising at a sub-committee meeting is to be decided by a majority vote, if the votes are equal then the question is decided in the negative.

ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

55. An act performed by the committee, a sub-committee or a person acting as a member of the committee is taken to have been validly performed.
56. Section 55 applies even if the act was performed when –
- (a) there was a defect in the appointment of a member of the committee, sub-committee or person acting as a member of the committee; or
 - (b) a committee member, sub-committee member or a person acting as a member of the committee was disqualified from being a member.

RESOLUTIONS OF COMMITTEE WITHOUT MEETING

57. A written resolution signed by each member of the committee for the time being entitled to receive notice of a committee meeting is as valid and effectual as if it had been passed at a committee meeting that had been called and held.
58. A resolution mentioned in subsection (1) may consist of several documents in like form, each signed by 1 or more members of the committee.

FIRST GENERAL MEETING

59. The first general meeting must be held not less than 1 month, and not more than 3 months after the day the club formed.
60. The committee must decide where the meeting is to be held.

FIRST ANNUAL GENERAL MEETING (AGM)

61. The first AGM must be held within 18 months after the day the club was formed.

SUBSEQUENT AGM'S

62. Each subsequent AGM must be held –
- (a) at least once a year; and
 - (b) within 6 months after the end of the associations previous financial year.

BUSINESS CONDUCTED AT THE AGM

63. The following business must be conducted at each AGM –
- (a) receiving the statement of income, expenditure, assets, liabilities and charges affecting the property of the club for the last financial year.

NOTICE OF GENERAL MEETING

64. The secretary may call a general meeting of the club.
65. The secretary must give at least 14 days notice to the members.
66. The committee may decide in which way to give the notice.
67. However, notice of the following meetings must be given in writing –
- (a) a meeting called to decide an appeal against rejection or termination; or
 - (b) a meeting called to decide a special resolution of the club.
68. A notice of a general must state the business to be conducted at the meeting.

QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING

69. At a general meeting the number of members present must be double the number of the committee plus 1 to form a quorum.
70. No business may be conducted at a general meeting unless a quorum is present when the meeting proceeds to business.
71. The chairperson may, with the consent of any meeting at which a quorum is present, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
72. If a meeting is adjourned under section 71, only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.

PROCEDURE AT A GENERAL MEETING

73. Subject to these rules, at each general meeting –
- (a) If the president is absent then the vice president is to act as the chairperson;
 - (b) If the vice president is absent the members must elect 1 of their number to chair the meeting;
 - (c) the chairperson must conduct the meeting in a proper and orderly way;
 - (d) any question, matter or resolution must be decided by a majority vote;.
 - (e) each member present is entitled to 1 vote only, in the event of a tie the chairperson has the casting vote.
 - (f) a member is not entitled to vote if his/her annual subscription is in arrears.
 - (g) voting may be a show of hands, a division of members or a secret ballot.
 - (h) if a secret ballot is held the chairperson must appoint 2 members to conduct the ballot in the way the chairperson decides; and
 - (i) If a member is unable to attend a meeting he/she may tend a proxy vote, this proxy vote must be in writing and signed by the member;
 - (j) the secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each committee and general meeting; and
 - (k) the secretary must ensure the minute book for each general meeting is open for inspection at all reasonable times by any financial member, who previously applied for inspection.
74. To ensure accuracy the minute book must be audited and signed as proof of the audit by the president 3 times a year.

BY LAWS

75. The committee may make, amend or repeal by-laws, not consistent with these rules, for the internal management of the club.
76. A by-law may be put aside by a vote of members at a general meeting of the club.

ALTERATION OF RULES

77. Club rules may be amended, repealed or added to by a special resolution carried at a general meeting.

FUNDS AND ACCOUNTS

78. The funds of the club must be kept in an account in the name of the association in a financial institution decided by the committee.
79. Records must be kept in the English language showing full and accurate particulars of the financial affairs of the club.
80. All amounts must be deposited into the financial institution as soon as practicable after receipt.
81. All outgoing cheques must be signed by at least 2 committee members.
82. A petty cash system must be kept to enable day to day running.
83. All expenditure must be approved or ratified at a committee meeting.
84. The treasurer must at the end of the financial year prepare a financial statement for presentation at the AGM.

DOCUMENTS

85. The committee must ensure the safe custody of books, documents, instruments of title and securities of the club.

FINANCIAL YEAR

86. The financial year of the association closes on the 31 Oct in each year

CLUB REGISTRATION

87. To retain club registration of the motor vehicle in their name the member must:
- (a) remain a financial member of the club;
 - (b) attend a minimum of 4 club events over the financial year; and
 - (c) abide by all the rules associated with club registration.
88. If any of the above rules are broken the member when notified must give reason before the committee as to why the rules were broken. If no valid reason is given then a letter will be sent to the Department of Transport informing them that club registration is to be rescinded.