

AUSTRALIAN LAND YACHTING FEDERATION (INCORPORATED)
CONSTITUTION

1. NAME OF FEDERATION

The name of the FEDERATION shall be “THE AUSTRALIAN LAND YACHTING FEDERATION (INCORPORATED)”.

2. OBJECTIVES

The objectives of the FEDERATION shall be:

- A).** To arrange sites and venues and safety equipment for LAND YACHTING.
- B).** To hold, promote or participate in open or FEDERATION LAND YACHTING regattas and competitions.
- C).** To provide instruction in LAND YACHTING.
- D).** To provide social and recreational facilities.
- E).** To promote and advance the sport of LAND YACHTING.

3. POWERS

For the purpose of achieving or furthering these objectives, the FEDERATION shall have power:

- A).** To purchase, sell, hold, lease or rent real estate or personal property.
- B).** To borrow, raise or secure the payment of money to secure the repayment or performance of any debt, liability, contract or guarantee incurred or to be entered into by the FEDERATION.
- C).** To enter into any arrangements with any government or local government authority or instrumentality.
- D).** To employ, hire or engage managers, clerks, secretaries, workmen, curators, coaches or other persons.
- E).** To invest the monies of the FEDERATION.
- F).** To make gifts or give prizes.
- G).** To amalgamate or associate with any other LAND YACHTING FEDERATION or other sporting FEDERATION.
- H).** To do all such things as are incidental or conducted to objectives of the FEDERATION.

4. INCOME AND PROPERTY

The income and property of the FEDERATION shall be applied solely towards the promotion of the objectives of the FEDERATION and no portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the FEDERATION, provided that nothing shall prevent the payment in good faith of remuneration to any officer or employee of the FEDERATION or to any person other than a member, in return for services actually rendered to the FEDERATION.

5. MEMBERSHIP

Membership of the FEDERATION shall be open to all persons interested in LAND SAILING at the discretion of the Committee.

A). The membership of the FEDERATION consists of unlimited ordinary members, and any of the following classes of members:

- a) affiliate members
- b) delegate members
- c) personal members and life members

The number of members will be unlimited

Register of members:

A register of members will be kept in accordance with the law
Sail numbers will be attached to this register as well

A). Life members - the Committee shall have the power to admit a person to honorary membership on a temporary basis. The AGM shall have the power to admit a person to honorary membership on a permanent basis or temporary basis or as a life member. Not more than four people shall be elected to honorary life membership in any five year period.

B). The committee shall have the power to create or modify the classes of membership within these classes.

C). A member or past member who has rendered notable service to the FEDERATION or has held important office may be elected a life member by the Annual General Meeting (AGM) upon the recommendation of the Committee.

D). A member shall cease to be a member if:

- (i) he or she resigns
- (ii) he or she fails to pay any membership and/or levy due
- (iii) he or she is suspended or expelled

6. PATRON AND HONORARY VICE-PRESIDENTS

At the AGM there may be elected a Patron and not more than six Honorary Vice-Presidents who shall be entitled to participate in any general meeting but shall not be entitled to vote or otherwise participate in the FEDERATION.

7. ENTRANCE FEE AND MEMBERSHIP

A). The entrance fee and membership for each class of member shall be determined by the members of the FEDERATION at the AGM or at an Extraordinary General Meeting (EGM).

B). Any person wishing to become a member shall submit an application on a form approved by the Committee together with an entrance fee for one year and the Committee may accept or reject any application without being required to give reasons.

C). All memberships shall be due and payable in advance on the same day on which the AGM is held.

8. OFFICERS

A). The officers of the FEDERATION shall be at least:

- (i) President/Commodore
- (ii) Vice-President/Commodore
- (iii) Secretary
- (iv) Treasurer
- (v) 6 Committee members , comprised of individual States of Australia
- (vi) 1 Australian Blokart Association representative, that is voted to hold the position by the Ausrtalian Blokart Association.

B). The President/Commodore and Vice-President/Commodore shall not hold office continuously for a period longer than three years.

C). No person shall be an officer of the FEDERATION unless they shall be a financial, an honorary or a life member of the FEDERATION.

9. COMMITTEE

A). The administration of the FEDERATION shall be the responsibility of the committee.

B). The Committee shall be comprised of the officers of the FEDERATION and not less than four and not more than eight other members.

C). The officers and other members of the Committee shall be nominated by and elected from the financial members of the FEDERATION and shall be elected annually at the AGM and shall take office on the following day.

D). The Committee shall meet on at least three occasions each year.

E). The quorum shall consist of at least 75% of the Committee.

F). The Committee shall have the power to form sub-committees.

G). The Committee shall have the power to fill any vacancy of officer or other member of the Committee as may occur before the next AGM.

10. ANNUAL GENERAL MEETINGS

A). Financial year – the end date of the FEDERATION’s financial year is 30th June each year. The AGM shall be held during the month of June each year, on a day and time to be arranged by the Committee, except as covered in clause 10 (C) below.

B). The quorum for the AGM shall be forty (40) percent of members.

C). If at any AGM or EGM there is no quorum within thirty minutes of the time appointed for the meeting, then the meeting shall be adjourned, then the meeting shall be adjourned by the Chairman. The Secretary shall then fix the date for the meeting, which shall be within a period of six (4) weeks from the date previously fixed for the meeting, and shall give to the members of the FEDERATION notice in writing of the date, time and place to which such meeting has been adjourned. If at such adjourned meeting no quorum is present, then those present shall be deemed to be a quorum notwithstanding the requirements of Clause 10(B) or Clause 11(B) of the Constitution.

D).In the event that an AGM is adjourned due to a quorum not being present, then all officers and committee members shall remain in office until the election of officers and committee at the next meeting called.

E).The business of the AGM shall include:

- (i) Confirmation of minutes and matters arising.
- (ii) The President/Commodore's Report.
- (iii) The Treasurer's Report and Statement of Accounts for the preceding financial year.
- (iv) The election of officers of the committee.

- (v) The election of a patron and honorary officials.
- (vi) The appointment of an auditor.
- (vii) Motion of notice.
- (viii) General business.

11. MEETINGS OF MANAGEMENT COMMITTEE

A). Subject to this rule, the management committee may meet and conduct its proceedings as it considers appropriate.

B).The management committee must meet at least once every 4 months to exercise its functions.

C).The management committee must decide how a meeting is to be called.

D). Notice of a meeting is to be given in the way decided by the management committee.

E). The management committee may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussion as they happen.

F). A committee member who participates in the meeting as mentioned in sub rule (5) is taken to be present at the meeting.

G). A question arising at a committee meeting is to be decided by a majority vote of members of the committee present at the meeting and, if the votes are equal, the question is decided in the negative.

H). A member of the management committee must not vote on a question about a contract or proposed contract with the FEDERATION if the member has an interest in the contract or proposed contract and, if the member does vote, the members vote must not be counted.

I).The president is to preside as chairperson at a management committee meeting.

J).If there is no president or if the president is not present within 10 minutes after the time fixed for a management committee meeting, the members may choose 1 of their number to preside as chairperson at the meeting.

K). Electronic communication. For the purpose of these rules, the contemporaneous linking together by telephone, radio, closed circuit television or other electronic means of audio or audio-visual communication of a number of committee members not less than

the quorum together with the Secretary, shall be deemed to constitute a meeting of the committee and all the provisions in these rules shall apply to such meetings.

12). QUORUM FOR, AND ADJOURNMENT OF, MANAGEMENT COMMITTEE MEETING

A). At a management committee meeting, more than 50% of the members elected to the committee as at the close of the last general meeting of the members form a quorum.

B). If there is no quorum within 30 minutes after the time fixed for a management committee meeting called on the request of members of the committee, the meeting lapses.

C). If there is no quorum within 30 minutes after the time fixed for a management committee meeting called other than on the request of the members of the committee –

(i) the meeting is to be adjourned for at least 1 day; and

(ii) the members of the management who are present are to decide the day, time and place of the adjourned meeting

D). If, at an adjourned meeting mentioned in sub rule (3), there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

11. EXTRAORDINARY GENERAL MEETING

A). An EGM may be called in one of the following ways:

(i) By resolution of the Committee.

(ii) By petition in writing by at least ten members of the FEDERATION.

(iii) By the President/Commodore or Vice-President/Commodore.

(iv) By resolution at a previous AGM or EGM.

B). The quorum for EGM's shall be forty (40) percent of members, or fifteen members present in person which ever is the lesser.

12. CHAIRMAN OF GENERAL MEETING

A). The President/Commodore, or in his/her absence the Vice-President/Commodore, shall preside at the AGM and at any EGM.

B). In the absence of the President/Commodore or Vice-President/Commodore, the meeting shall elect any member of the FEDERATION to preside.

C). The chairmen of any General Meeting (GM) shall have a casting vote as well as a deliberative vote.

13. VOTING

A). Only financial senior members and Life Members shall be eligible to vote at any GM of the FEDERATION.

B). At every GM a resolution put to the vote shall be decided by a show of hands by a numerical majority of members present and eligible to vote.

C). At all GM's each member eligible to vote shall be entitled to only one vote on any resolution.

D). At all GM's each member eligible to vote shall only be entitled to vote if he or she is present at the time the vote is taken.

14. NOTICE OF MEETINGS

A). Thirty day's notice shall be given of the AGM by letter to all members.

B). Fourteen day's notice shall be given of an EGM by notice displayed at the FEDERATION in a prominent place or by letter to members.

C). Seven day's notice shall be given of a committee Meeting in any manner convenient to the Secretary.

D). Notices of Motions for the meeting shall be in the hands of the Secretary in writing at least twenty one days prior to such a meeting.

15. MINUTES OF MANAGEMENT COMMITTEE MEETINGS

A). The secretary or a minutes secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting are entered in a minute book.

B). To ensure the accuracy of the minutes, the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy.

16). MINUTES OF GENERAL MEETINGS

To ensure the accuracy of the minutes-

the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting of the FEDERATION that is a general meeting or annual general meeting, verifying their accuracy.

Subject to the discretion of the President/Commodore's minutes of all meetings shall be open to inspection by any member at a time and place convenient to the Secretary.

17. SUSPENSION AND EXPULSION OF ORDINARY OR OTHER MEMBERS

A). Any member of the FEDERATION who fails to observe the rules of the FEDERATION or whose conduct in the opinion of the Committee is prejudicial to the interests of the FEDERATION or to LAND YACHTING may be suspended or removed from membership of the FEDERATION by a majority of at least two-thirds of the Committee as shall be present and vote at a meeting of the Committee called for that purpose and for which seven day's notice shall have been given to all members of the Committee and to the member whom it is proposed to suspend or expel.

B). The member whom it is proposed to suspend or expel may attend such meeting for the purpose of being heard and offering an explanation for his alleged conduct if he or she so desires.

C). An appeal shall lie to an EGM which shall be called by the Committee at the request in writing of the member who has been suspended or expelled within seven day's of the Committee's decision.

- D).** Any member who is suspended or expelled shall not be entitled to any refund of any entrance fee or subscription or levy.
- E).** On appeal from a decision of the Committee, the EGM may make such resolution as it may see fit to allow or disallow the appeal in whole or in part and may vary the decision of the Committee.
- F).** Where a member is suspended, such member shall be deemed to be not a member during the period of his or her suspension until such time as the suspension is lifted.

18. RESIGNATION, REMOVAL OR VACATION OF OFFICE OF MANAGEMENT COMMITTEE MEMBER

- A).** A member of the management committee may resign from the committee by giving written notice of resignation to the secretary.
- B).** The resignation takes effect at –
 - (i) the time the notice is received by the secretary; or
 - (ii) if a later time is stated in the notice – the later time.
- C).** A member may be removed from office at a general meeting of the FEDERATION if a majority of the members present and eligible to vote at the meeting vote in favor of removing the member.
- D).** Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- E).** A member has no right of appeal against the members removal from office under this rule.
- F).** A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

RESIGNATION OF ORDINARY AND OTHER MEMBERS

- A).** Any person who wishes to resign his or her membership shall do so in writing by letter addressed to the Secretary.
- B).** Any person who fails to pay his or her annual subscription before the AGM each year shall be deemed to have resigned from the membership of the FEDERATION.

19. FUNDS AND ACCOUNTS

- A).** The funds of the FEDERATION must be kept in an account in the name of the FEDERATION in a financial institution decided by the management committee.
- B).** Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the FEDERATION.
- C).** All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- D).** A payment by the FEDERATION of \$100 or more must be made by cheque or electronic funds transfer.
- E).** If a payment is made by cheque, the cheque must be signed by any 2 of the following
 - (i) the president

- (ii) the secretary
 - (iii) the treasurer
 - (iv) any 1 of 3 other members of the FEDERATION who have been authorized by the management committee to sign cheques issued by the FEDERATION.
- F).** However, 1 of the persons who signs the cheque must be the president, the secretary or the treasurer.
- G).** Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.
- H).** A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.
- I).** All expenditure must be approved or ratified at a management committee meeting
- J).** A balance sheet containing a summary of the assests and liabilities of the FEDERATION on May 31st together with a statement of profit and loss for the preceding year shall be made out and submitted to the next AGM.
- K).** The accounts shall be audited by the Auditor who shall make a report on the accounts.
- L).** The Committee shall conduct its financial transactions through a bank or other financial institution.
- M).** The accounts shall be open to inspection by any member upon giving reasonable notice to the Treasurer at a time and place convenient to the Treasurer.
- N).** The management committee must ensure the safe custody of books, documents, instruments of title and securities of the FEDERATION.

20. AUDITOR

The auditor shall be appointed by resolution at the AGM to audit the accounts and he or she shall not be a member of the Committee. The Auditor may attend the AGM and take part in discussions.

21. COMMON SEAL

The FEDERATION shall have and use a common seal inscribed with the name of the FEDERATION which shall be held in custody of the President/Commodore and it shall be used or affixed to any document after authority has been given by the Committee. The affixation of the seal shall be witnessed by the president/Commodore and any two members of the Committee.

22. VISITORS

- A).** The Committee shall have power to determine and charge a visitor's fee.
- B).** Any member may bring a visitor to the FEDERATION and shall be responsible for payment of any fee.
- C).** No one visitor shall be permitted to sail at the FEDERATION venue on more than three occasions in any season.

23. DISSOLUTION

- A).** The FEDERATION may at any time, with the consent of a majority of three quarters of the members present at a GM called for the purpose, be dissolved.

B). If upon the dissolution or winding up of the FEDERATION there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of the FEDERATION but shall be given or transferred to some other FEDERATION or institution having objects similar wholly or in part to the objects of the FEDERATION and which shall prohibit the distribution of its and their income and property among its or their members or to some charitable object or objects which FEDERATION, institution or object shall be determined by the members of the FEDERATION at or before the time of dissolution or winding up or in default thereof or if and insofar as effect cannot be given to such determination then such payment or distribution shall be determined by a Judge of the Supreme Court.

24. INSPECTION

The Rules shall be open to inspection by any member upon giving reasonable notice to the Secretary at a time and place convenient to the Secretary.

25. ALTERATION OF RULES

- A).** Subject to the act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting, and called for such purpose by a majority of two-thirds of the members present.
- B).** However an amendment, repeal or addition is valid only if it is registered by the chief executive.