

BUICK OWNERS CLUB OF WESTERN AUSTRALIA INCORPORATED

CLUB CONSTITUTION



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Name and Objects

1. The name of the Association is the “Buick Owners Club of Western Australia Incorporated (or Inc)
2. The objects of the Association are:
 - (a) To form groups of owners of Buick built vehicles, irrespective of the year of manufacture, and enthusiasts of Buick built vehicles.
 - (b) To collect and disseminate as widely as possible information relative to the history of Buick built vehicles and/or productions.
 - (c) To encourage the collection and restoration of older Buick built vehicles.
 - (d) To assist in the location of vehicles and/or component parts for members of the Association.
 - (e) To pursue all avenues for the provision and/or collation of technical information relating to Buick built vehicles.
 - (f) To promote and encourage safe and courteous driving techniques.
 - (g) To promote and encourage proper maintenance techniques.
 - (h) To establish libraries to contain available literature relative to Buick products, particularly early models.
 - (i) To encourage affiliation and closer relationship with other associations and other historic motoring clubs.
 - (j) To extend membership of the Association throughout Australia.
 - (k) To promote and assist in the promotion of competition trials and other events in which Buick built vehicles can participate.
 - (l) To protect the interests of the Association and its members generally and to do all such other things as are incidental or conducive to the attainment of the above objects.

Membership

1. BOCWA (Inc) shall consist of Ordinary members, Family members (two or more related members of the same household of which one is a financial member), Honorary Life members and Junior members (under 17 years of age).

The Association must have at least six members with full voting rights.

Membership will be considered solely on the merits of the applicant. They may own a Buick, jointly own a Buick or by reason of their interest in Buick built vehicles and/or the aims and objects of the Association seek membership.

Application for Membership

1. All members of BOCWA (Inc) except for Life members shall be admitted from time to time in the following manner:

Intending new members shall submit the completed application form signed by the applicant and a current financial member (nominee) together with the necessary fees.

The Committee members shall consider each application at a committee meeting and shall at that committee meeting or a subsequent committee meeting accept or reject that application.

In the event of the criteria for membership not being met, then the normal expulsion procedure can commence and fees returned to the applicant.

The Secretary, on behalf of the Club must comply with Section 27 of the Act by keeping and maintaining in an up to date condition, a register of the members of the Club and their postal or residential addresses and, upon the request of a member of the Club, shall make the register available for the inspection of the member and the member may make a copy of or take an extract from the register but shall have no right to remove the register for that purpose.

Life Members

1. Any person who is a member of a minimum of ten years standing who in the opinion of the Committee of Management has rendered long and valuable

service to the Association may be elected as an Honorary Life Member. The number shall not exceed three at any one time.

Any proposal for the creation of such Honorary Life Member shall be submitted to the next Annual General Meeting or a special General Meeting of members for election.

Honorary Life Members shall not be liable for any fees or levies and shall be deemed to be financial members for the purposes of Code 404.

Subscriptions

1. The Committee may from time to time determine the amount of the annual membership fee, if any, to be paid by each member or each class of members.
2. Each member must pay the members annual membership fee to the Treasurer.
3. Members in default of payment of the membership fee shall cease to be members within 30 days of the due date of the fees.
4. The financial year of the Association will be the period of 12 months commencing on the 1st July and ending on the 30th June each year.

Committee of Management

1. Shall administer the Club and shall consist of: President, Vice President, Secretary, Treasurer, Events Co-ordinator, Magazine Co-ordinator and not less than three other persons. The Committee at their discretion shall appoint members to the positions of Web Co-ordinator and Vehicle Concessional Licensing Registrar.
2. Elected officers of the Association shall hold office for a period of two years after which they may nominate for re-election. At the Annual General meeting every year those members whose term of office has expired shall retire from office. Nominations for any position shall be made in writing by a Life Member or Ordinary Member duly together with the nominees written consent to stand for office and delivered to the Secretary 28 days before the date of the Annual General Meeting.

If the number of persons nominated for election to membership of the Committee does not exceed the number of vacancies in that membership to be filled:

- a. the Secretary shall report accordingly to; and
- b. the President shall declare those persons to be duly elected as members of the Committee at the Annual General Meeting concerned.

When a casual vacancy occurs in the membership of the Committee:

- a. the Committee may appoint a member to fill that vacancy; and
- b. a member appointed under this rule shall:
 - iii. hold office until the commencement of; and
 - iv. be eligible for election to membership of the Committee at the next following Annual General Meeting.

Role and Responsibilities of Committee Members

1. A committee member must exercise his or her powers and discharge his or her duties in good faith and in the best interests of the Association and for a proper purpose.

A committee member or former committee member must not improperly use their position or information obtained as a committee member to:-

- a. gain an advantage for himself or herself or another person or
- b. cause detriment to the Association.

13The President shall act as Chair at all General Meetings and Committee Meetings. In the President's absence, the Vice President or a separate chair is to be appointed from those present at the meeting.

14The Secretary shall:-

- (a) co-ordinate the correspondence of the Association.
- (b) keep full and correct minutes of the proceedings of the Committee and of the Association.
- (c) keep and maintain in an up to date condition the rules of the Association and any by-laws of the Association made in accordance with Rule 23.
- (d) maintain the register of members referred to in Rule 4.

(e) have custody of all books, documents, records and registers of the Association, other than those required by rule 15(f) to be kept and maintained by, or in the custody of, the Treasurer and

(f) perform such other duties as are imposed by these rules on the Secretary.

15The Treasurer shall:-

(a) be responsible for the receipt of all moneys paid to or received by, or by him or her on behalf of the Association and shall issue receipts for those moneys in the name of the Association.

(b) pay all moneys referred to in paragraph (a) into such account or accounts of the Association as the Committee may from time to time direct;

(c) make payments from the funds of the Association with the authority of a General meeting or of the Committee and in so doing ensure that all cheques are signed by two Committee members.

(d) comply on behalf of the Association with Part 5 of the Act in respect of the accounting records of the Association.

(e) whenever directed to do so by the President, submit to the Committee a report, balance sheet or financial statement in accordance with that direction;

(f) have custody of all securities, books and documents of a financial nature and accounting records of the Association, including those referred to in paragraphs (d) and (e); and

(g) perform such other duties as are imposed by these rules on the Treasurer.

16Casual vacancies in membership of the Committee

A casual vacancy occurs in the office of a Committee member and that office becomes vacant if the Committee member:-

- a. dies;
- b. resigns by notice in writing delivered to the President or, if the Committee member is the President, to the Vice President.
- c. is convicted of an offence under the Act;

- d. is permanently incapacitated by mental or physical ill-health;
- e. is absent from more than;
- vi. 3 consecutive Committee meetings without tendering an apology to the person presiding at each of those Committee meetings; or
- vii. 3 Committee meetings in the same financial year, of which he or she has received notice without tendering an apology to the person presiding at each of those Committee meetings; or
- h. Ceases to be a member of the Association.

Meetings

17An Annual General Meeting of the Club shall be held in July of each year. The Meeting shall be held at such place and at such time as the Committee shall determine, and not less than 30 days' notice shall be given to all members of the Annual General Meeting.

18At the Annual General Meeting the Officers, Committee Members shall be elected. Only Life Members and Ordinary Members who are financial, shall be eligible to vote whether in person or by postal or proxy vote.

19Members wishing to have any matter placed on the Agenda of the Annual General Meeting must submit notices of motion in writing to the Secretary, before the first day of June each year. Such notices of motion will only be accepted from Life Members or Financial Ordinary Members and will be published preceding the Annual General Meeting.

20A Special General Meeting of the Club may be convened if desired by the Committee, or if demanded by notice in writing signed by not less than 15 percent of the total number of members entitled to vote who, in their application, shall state the object of the meeting. Not less than thirty days' notice shall be given to all members of Special General Meetings so called. Only Life Members and Ordinary Members who are financial shall be eligible to vote whether in person or by postal or proxy vote.

21A General Meeting of the Club shall be held at a convenient place, date and time of every second month unless otherwise authorised by the Committee. Only Life Members and Ordinary Members who are financial shall be eligible to vote. Any

ordinary resolution put to the vote shall be decided by a majority of votes cast, except as hereinafter provided. At a General Meeting ten members present in person or by proxy constitute a quorum.

22A Committee Meeting of the Club shall be held at a convenient place, date and time not less than four times per year and the President may at any time convene a meeting of the Committee;

(a)each Committee member has a deliberate vote;

(b)at a Committee meeting five Committee members constitute a quorum.

By Laws

23The Committee shall have the power to frame by-laws. Such by-laws shall be binding on the members until rescinded or amended by the Committee. The Committee shall have full power to alter, amend or rescind such by-laws as the occasion may require, and such by-laws shall be equally binding as, but shall not be opposed to, this Constitution.

Various

24The Committee shall have the power to decide all matters not provided for in this Constitution subject to an appeal to an Annual or Special General Meeting called for that purpose.

25A current register of Members shall be kept as required by the Associations Incorporations Act, 2015.

26 No alterations or additions shall be made to this Constitution except by a three quarters majority of Financial Members present at, or who vote by postal or proxy ballot at an Annual General Meeting or, at a Special General Meeting convened for that purpose, for which the specified period of notice has been given.

27In this Constitution, where the context so admits, the singular shall include the plural and vice versa; and the masculine shall include the feminine and vice versa.

Non-Profit Character of the Club

28The Income and profit of the Club shall be applied solely towards the promotion of the foregoing objects and no portion shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to Members of the Club. Nothing shall prevent the payment in good faith of remuneration to any Officer or Member of the Club in return for any service actually rendered to the Club or for goods supplied in the ordinary or usual course of business or reimbursement of expenses necessarily incurred by any Member, nor prevent the payment of interest on money borrowed from any Member of the Club or reasonable and proper rent for premises, let by any Member of the Club.

29If upon the winding up or dissolution of the Club there remains after satisfaction of all its debts and liabilities any property whatsoever, the same must not be paid to or distributed among the Members, or former Members. The surplus property must be given or transferred to another association incorporated under the Act which has similar objects and which is not carried out for the purposes of profit or gain to its individual members, and which association shall be determined by resolution of the members.

Dissolution

30The Club may be wound up voluntarily whenever a resolution, of which at least thirty-two (32) days notice has been given to all Members of the Club, has been duly passed by a three quarters majority of Members entitled to be present at a Special Meeting of all Members of the Club for the time being.

Passed by the members of the Club at a Special General Meeting held 31st January, 2018.

Registered by the Dept of Mines, Industry, Regulation & Safety on the 16th March, 2018.

