



**Trail Track 4x4 Club Inc**

## **Constitution**

**These are the rules of management of Trail Track 4x4 Club Incorporated.**

**Contents**

1. NAME ..... 2  
2. OBJECTS .....2  
3. MEMBERSHIP .....3  
4. MEMBERS .....7  
5. FEES AND SUBSCRIPTIONS .....8  
6. FINANCIAL YEAR .....8  
7. MANAGEMENT OF THE CLUB .....9  
8. DUTIES OF OFFICE BEARERS .....11  
9. MEETINGS .....14  
10. QUOROM .....18  
11. INSURANCE .....19  
12. FUNDS .....19  
13. SERVICE OF NOTICES .....19  
14. INDEMNITY .....20  
15. AUDIT .....20  
16. CUSTODY OF BOOKS AND DOCUMENTS / INSPECTIONS THEREOF .....20  
17. COMMON SEAL .....21  
18. AMENDMENTS .....21  
19. DISSOLUTION .....21  
20. BY-LAWS .....21

**1. NAME**

**1.1** The name of the Association formed under this Constitution shall be Trail Track 4x4 Club Inc (referred to as the "Club" in this document) and this Club shall be a non profit organisation duly incorporated in the state of New South Wales.

**2. OBJECTS**

The objects for which the Club is established are:

**2.1** To promote goodwill, friendship and courtesy between club members and the general community through the organisation of, and participation in, four wheel drive trips and events, club meetings, social activities and competitions either between club members or with other similar clubs.

**2.2** To promote and practice a responsible demeanor towards recreational four wheel driving and other related activities on public and private property, any such activities shall be promoted and conducted in a safe manner.

**2.3** To promote the conservation of the natural environment including cultural heritage and the sustainable use of National Parks, Forests and Reserves.

**2.4** To conduct meetings and classes where members will be encouraged to obtain knowledge enabling them to become proficient in safe driving practices both on the road and during recreational four wheel drive activities, assessing and use of areas classed as environmentally sensitive, safe recovery procedures, navigation, care and maintenance of their vehicle.

**2.5** To co-operate and support wherever possible with other organisations having similar interests to the Club.

**2.6** To assist with community services and community projects where ever and whenever necessary and or possible.

**2.7** To do all such acts and matters and other things that are lawful and .considered appropriate by the Club which may assist in any way to achieve and further the objects of the Club

### **3. MEMBERSHIP**

#### **3.1 Membership qualifications**

A person is qualified to be a member of the Club if, but only if:

**(a)** the person is a person referred to in section 15(1) (a), (b) or (c) of the Act and has not ceased to be a member of the Club at any time after incorporation of the Club under the Act, or

**(b)** the person is a natural person:

**(i)** who has been nominated for membership of the Club as provided by rule 3.3, and

**(ii)** who has attended at least 2 outings of the Club and conducted them self in a satisfactory manner prior to the Executive Committee fully considering the application, and

**(iii)** who has been approved for membership of the Club by the committee of the Club.

#### **3.2 Associate Membership**

**3.2.1** There shall be a provision made for interested parties who do not own a four wheel drive vehicle but wish to participate in regular social activities and outings with the Club to be permitted to become an Associate member of the Club.

**3.2.2** Applications for Associate membership must be examined by the Executive Committee who will determine whether the application is suitable for referral to a general meeting. Associate members will be entitled to such correspondence as financial members receive and shall be permitted to participate in such activities as the Executive sees fit. Associate members will not hold any voting rights.

#### **3.3 Nomination for membership**

**3.3.1** A nomination of a person for full membership of the Club:

**(a)** must be made by a member of the Club in writing in the form set out in Appendix 1 to these rules, and

**(b)** must be lodged with the secretary of the Club.

**3.3.2** A nomination of a person for associate membership of the Club :

**(a)** must be made by a member of the Club in writing in the form set out in Appendix 2 to these rules, and

**(b)** must be lodged with the secretary of the Club.

**3.3.3** As soon as practicable after receiving a nomination for membership, the secretary must refer the nomination to the committee which is to determine whether to approve or reject the nomination.

**3.3.4** As soon as practicable after the committee makes that determination, the secretary must:

**(a)** notify the nominee, in writing, that the committee approved or rejected the nomination (whichever is applicable), and

**(b)** If the committee approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under these rules by a member as joining fee and annual subscription.

**3.3.5** The secretary must, on payment by the nominee of the amounts referred to in clause (3.3.4) (b) within the period referred to in that provision, enter the nominee's name in the register of members as either a financial member or an associate member and, on the name being entered, the nominee becomes a member of the Club.

**3.3.6** An application for membership to the Club shall be considered at a general meeting and shall be accepted or rejected on a simple majority.

### **3.3 Cessation of membership**

A person ceases to be a member of the Club if the person:

**(a)** dies, or

**(b)** resigns or does not renew membership, or

**(c)** is expelled from the Club.

### **3.4 Membership entitlements not transferable**

A right, privilege or obligation which a person has by reason of being a member of the Club:

**(a)** is not capable of being transferred or transmitted to another person, and

**(b)** terminates on cessation of the person's membership.

### **3.5 Resignation of membership**

**3.5.1** A member of the Club is not entitled to resign that membership except in accordance with this rule.

**3.5.2** A member of the Club who has paid all amounts payable by the member to the Club in respect of the member's membership may resign from membership of the Club by first giving to the secretary written notice of at least 2 weeks (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

**3.5.3** If a member of the Club ceases to be a member under clause (3.5.2), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

### **3.6 Resolution of internal disputes**

**3.6.1** Disputes between members (in their capacity as members) of the club, and disputes between members and the club, are to be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act 1983.

**3.6.2** At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

### **3.7 Disciplining of members**

**3.7.1** A complaint may be made to the committee by any person that a member of the club:

**(a)** has persistently refused or neglected to comply with a provision or provisions of these rules, or

**(b)** has persistently and willfully acted in a manner prejudicial to the interests of the club.

**3.7.2** On receiving such a complaint, the committee:

**(a)** must cause notice of the complaint to be served on the member concerned; and

**(b)** must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and

(c) must take into consideration any submissions made by the member in connection with the complaint.

**3.8 Expulsion of a member**

**3.8.1** The committee may, by resolution, expel the member from the club or suspend the member from membership of the club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.

**3.8.2** If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under rule 3.9.

**3.8.3** The expulsion or suspension does not take effect:

(a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or

(b) if within that period the member exercises the right of appeal, unless and until the club confirms the resolution under rule 3.9(5), whichever is the later.

**3.9 Right of appeal of disciplined member**

**3.9.1** A member may appeal to the club in general meeting against a resolution of the committee under rule 3.8, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

**3.9.2** The notice may, but need not, be accompanied by a statement on the grounds on which the member intends to rely for the purposes of the appeal.

**3.9.3** On receipt of a notice from a member under clause (1), the secretary must notify the committee which is to convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.

**3.9.4** At a general meeting of the club convened under clause (3):

(a) no business other than the question of the appeal is to be transacted, and

(b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and

(c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

**3.9.5** If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

#### **4. MEMBERS**

##### **4.1 Member Definitions**

Member status will be defined by the following rules

**4.1.2** Financial Member shall mean single member who has paid the prescribed joining fee and annual membership fee as required by the Club.

**4.1.3** Family Member shall mean an immediate family member of a financial member of the Club. Family members shall not hold any voting rights nor shall they be permitted to be nominated or elected to undertake the role of an office bearer or committee member.

**4.1.4** Charter Member shall mean a founding member of the Club at its inception, being 5 members in total. Charter members will also be known as Life Members of the Club. Charter members will hold all the rights of a financial member.

**4.1.5** Associate Member shall mean a single member of the Club who has had their application for membership as an associate member approved by the committee and paid the prescribed annual fee for associate membership as required by the Club. Associate members shall not hold any voting rights nor shall they be permitted to be nominated or elected to undertake the role of an office bearer or executive committee member. However they may accept a position on a sub-committee as delegated by the executive committee.

##### **4.2 Register of members**

**4.2.1** The public officer of the Club must establish and maintain a register of members of the Club specifying the name and address of each person together with the date on which the person became a member.

**4.2.2** The Public Officer will hold a current record of the register of members and a current copy must be kept at the principal place of administration of the Club, if different to the public officer's place. The register of members must be open for inspection, free of charge, by any member of the Club at any reasonable hour.



**4.2.3** A member of the Club may obtain a copy of any part of the register on payment of a fee of \$1 for each page copied or, if some other amount is determined by the committee, that other amount.

#### **5. FEES AND SUBSCRIPTIONS**

**5.1** A member of the Club must, on admission to membership, pay to the Club a joining fee of \$50 or, if some other amount is determined by the committee, that amount.

**5.2** In addition to any amount payable by the member under clause 5.1, a member of the Club must pay to the Club an annual membership fee of \$70 or, if some other amount is determined by the committee, that other amount:

**5.3** The Executive Committee prior to the AGM each year will consider the per capita rate of fees. Proposed changes will be noted for discussion at the following AGM and will be implemented when the annual membership fees next fall due.

**5.4** The Clubs Annual membership fees are due on 1st July and are payable in advance for the coming year.

**5.5** Members who have not paid their fees by the 1st September of any year will be deemed to be unfinancial. The Executive Committee has the power to exercise some discretion regarding overdue payments upon written request for an extension of time from an existing member who has been a financial member of the Club for a minimum period of 12 months.

**5.6** Charter members will not be liable to pay annual membership fees, if they so wish to do so this will be on a voluntary basis. Regardless of whether a charter member has or has not paid annual membership fees, charter members will be recognised as financial members of the Club for as long as the Club, in one form or another, continues to exist.

#### **5.7 Member's Liabilities**

The liability of a member of the Club to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership fees of the Club as required by rule 4.2

#### **6. FINANCIAL YEAR**

**6.1** The financial year of the Club shall commence on 1st July of any one calendar year and shall conclude on 30th June of the following year.

## **7. MANAGEMENT OF THE CLUB**

**7.1** The day to day management of the Club will be vested in the Executive Committee.

**7.2** The Executive will be elected by the members in accordance with the rules of the club, and shall consist of the following:

- President
- Vice President
- Secretary
- Treasurer
- Sub Committee Liaison Officer

**7.2.1** The Executive may appoint club members of good standing to other positions such as;

- Trip Co-Ordinator/s
- Special Events/Projects Co-ordinator/s
- Equipment & Technical Officer/s
- Magazine Editor
- Public Relations Officer
- Driver Training Officers
- Environmental Officers
- State Association Delegate/s
- Purchasing Officer

**7.2.2** The holders of these positions may attend any executive committee meeting and engage in discussions of any issue.

**7.3** The Club shall also appoint a Public Officer who shall ensure that the Association's obligations of incorporation are met.

**7.4** Members of the Executive Committee must be financial members of the Club and in good standing prior to nomination and election of the committee.

**7.5** No person is to hold more than one position on the Executive Committee at a time. With the exception that in the event of a vacancy occurring unexpectedly, an Executive Committee member may be appointed to hold a second position for a period not exceeding six months, with the appointment by and the unanimous agreement of the remainder of the Executive Committee.

**7.6** A position on the executive committee will be deemed to have become vacant if the member

**(a)** dies, or

**(b)** Ceases to be a member of the club, or

**(c)** Presents a written resignation to the Club Secretary, or

**(d)** Becomes physically or mentally incapable of performing their duties.

**7.7** Casual Vacancies on the Executive Committee are to be filled by appointment of persons to the Executive Committee to serve the remainder of the original term. Such appointments are to be ratified by a vote at the next club General Meeting.

**7.8** The quorum at Executive Committee Meetings is to be no less than 2/3 of the number of persons holding executive committee positions.

**7.9** The Executive may delegate any of its powers to a Sub Committee. Sub Committees may be a standing Sub Committee or any Sub Committee formed by the Executive from time to time for a specific purpose. Sub Committees will conform to any regulations imposed upon them by the Executive.

**7.10** The Executive Committee shall be empowered to act on behalf of the Club in its best interest and within the bounds of the constitution. Any action, including financial transactions, undertaken by the Executive Committee shall be reported to the members of the club as soon as possible.

**7.11** The appointment of any Executive Committee member may be terminated at a general meeting by a 75% majority of club members present and voting.

**7.12** The following sub committees may be formed as deemed necessary by the Executive Committee or by motion carried at a general meeting.

- Public Relations and Promotion.
- Driver Training and Education.
- Community Services.
- Editorial.
- Trip Services Coordination.

- Special Events.
- Special Purpose.

**7.13** Sub committees will consist of as many people as is necessary from time to time, and will be formed by appointment by the Executive Committee.

**7.14** Voting rights on Sub committees are restricted to financial members of the club. Each person on the Sub committee who is a financial member of the club will have one vote.

**7.15** The Chairperson of the Sub committee shall be a financial member of the club and will report to the Sub committee Liaison Officer. Other members of Sub committees may make dissenting reports in writing to the Sub committee Liaison Officer.

## **8. DUTIES OF OFFICE BEARERS**

### **8.1 PRESIDENT.**

The president shall conduct and chair committee meetings of the Club and be responsible for the overall organisation of the club and its committee. This will also encompass delegation of responsibilities and duties to committee members as required for the efficient administration of the Club. The President shall also, after consultation with the Executive, guide the Club in matters of Policy and its effect.

### **8.2 VICE PRESIDENT.**

The Vice President shall assist the President in the performance of his duties and act on their behalf in their absence. The Vice President shall also advise the President in matters of Policy and its effect.

### **8.3 SECRETARY.**

The Secretary shall be responsible for keeping Minutes of all Executive Committee and General meetings, attend to all club correspondence and shall administer all Club records.

### **8.4 TREASURER**

The Treasurer shall be responsible for the handling of all monies of the Club. Responsibility is extended to maintaining accurate records of all transactions with a monthly [or as otherwise decided by the executive] reconciled statement presented to the committee meetings. On an annual basis the Treasurer is responsible for preparing financial statements as required by the committee and [if applicable] their external auditors.

### **8.5 SUB COMMITTEE LIAISON OFFICER**

The Sub committee Liaison Officer is to provide liaison between Sub committees and the Executive Committee. The Sub committee Liaison Officer will present reports to club meetings on behalf of any sub committees if required.

### **8.6 DUTIES OF OTHER POSITIONS**

#### **8.6.1 Trip Co-ordinator**

The role of the trip co-ordinator is to ensure that all proposed Club trips are submitted to the club in the standard format and are subsequently reviewed to ensure members safety and that the trip's purpose is in line with the objectives of the Club. To sanction trips as official Club trips, to arrange or check that trip logs and the classification of trip degree of difficulty, are documented in standard formats and passed on to prospective participants. Trip documentation is to be kept for the club files including a post trip report in line with the Clubs standard format and photographs for the newsletter/website.

#### **8.6.2 Special Events/Projects Co-ordinator/s**

To provide ongoing organisational assistance to the related sub-committees of the club with external special events and projects the club volunteers to organise or be involved with. To provide ongoing organisational assistance to the related subcommittees of the club with special events and projects within the club. To assist the sub-committees collate post event reports and submit them to the Sub Committee Liaison Officer.

#### **8.6.3 Equipment & Technical Officer/s**

To maintain the Club's equipment and property in good working condition and safe storage where applicable, keep a register / database of assets and property and reference material by physical maintenance and tracking members usage by appropriate record keeping and inventory checks. The building of maintenance of a Club reference library of recreational information, maps, trip logs, videos, literature on driving techniques etc is the responsibility of the Equipment & Technical Officers.

#### **8.6.4 Magazine Editor**

To co-ordinate the preparation of a club newsletter periodically as determined by the committee.

#### **8.6.5 Public Relations Officer**

All general Club and member correspondence will be co-ordinated via the Public Relations Officer.

#### **8.6.6 Driver Training Officer**

Driver training officers will co-ordinate the driver training for Club members and ensure the registrar is informed so that membership records can be updated. Also liaise with the Driver Training Unit of 4WD NSW & ACT on behalf of the club.

#### **8.6.7 Environmental Officer**

The duties will include education of members regarding the environmental standards required by the committee. Planning and execution of environmental exercises and projects. In co-operation with the Public Relations Officer, the Magazine Editor and the Special Events/Projects Officer, distribution of information about environmental projects undertaken by the club.

#### **8.6.8 State Association Delegate**

To attend State meetings whereby voting by clubs affiliated with 4WD NSW & ACT impact the administration of the Association in all manners.

#### **8.6.9 Purchasing Officer**

To organise, order and distribute club merchandise. To keep accurate records of merchandise ordered and current stock levels.

The responsibilities stated above act as a guide to responsibilities of the various officers however may be changed from time to time by the committee as required and as agreed by the committee.

### **8.7 DUTIES OF SUB-COMMITTEES**

#### **8.7.1 Public Relations and Promotion.**

Develop and maintain strategies for the promotion of the Club. Prepare, publicise and promote four wheel drive touring and camping as a responsible and legitimate recreation.

#### **8.7.2 Driver Training Education.**

Assist the Driver Training Officer in organising and deploying driver training and awareness courses for club members and assist in collating reports on the outcome of post driver training courses to be submitted to the Sub-committee Liaison Officer.

#### **8.7.3 Community Services.**

Assist with, promote and liaise in the provision of community service activities.

#### **8.7.4 Editorial.**

Collation production and distribution of the club Newsletter/Magazine.

Collation and production of information referencing the club and it's activities for flyers and club brochures. Review publications and digital media, such as dvd's of club trips/events to ensure content meets adopted guidelines and develop, maintain and improve such guidelines.

#### **8.7.5 Trip and Services Co-Ordination.**

Maintain an up-to-date record of closed areas/tracks. Review club trip calendar to ensure upcoming planned trips and areas to visit are open and available to use. Maintain appropriate recording systems.

#### **8.7.6 Special Events.**

To organise, plan and implement whatever may be required and distribute related information to club members in regard to external special events and projects the club volunteers to organise or to be involved with. To organise, plan and implement whatever may be required to hold special events and projects within the club.

#### **8.7.7 Special Purpose.**

Provide research on projects / purposes / areas of expertise that fall outside the above sub-committees or that may arise from time to time.

### **9. MEETINGS**

#### **9.1 Committee Meetings**

**9.1.1** The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.

**9.1.2** Additional meetings of the committee may be convened by the president or by any [two] member[s] of the committee. The Club also meets to discuss news, events and programmes within the Members Area of the Club's website.

**9.1.3** Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as many be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.

**9.1.4** Notice of a meeting given under clause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.

**9.1.5** Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.

**9.1.6** No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.

**9.1.7** If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.

**9.1.8** At a meeting of the committee:

**(a)** the president or, in the president's absence, the vice president is to preside, or

**(b)** if the president and the vice-president are absent or unwilling to act, one one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

**9.1.9** A sub-committee may meet and adjourn, as it thinks proper.

### **9.2 Voting and decisions**

**9.2.1** Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.

**9.2.2** Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

**9.2.3** Subject to rule 9.1.5, the committee may act despite any vacancy on the committee.

**9.2.4** Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

### **9.3 General meetings**

**9.3.1** General meetings of the Club shall be held not less than once every six months.



**9.3.2** General meetings shall be convened by the Secretary who shall provide written notification not less than 14 days in advance stating the time, place and nature of the meeting and business to be transacted in the form of an Agenda.

**9.3.3 Annual general meetings – holding of**

**(1)** With the exception of the first annual general meeting of the club, the club must, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the association, convene an annual general meeting of its members.

**(2)** The club must hold its first annual general meeting:

**(a)** within the period of 18 months after its incorporation under the Act, and

**(b)** within the period of 6 months after the expiration of the first financial year of the association.

**(3)** Clauses (1) and (2) have effect subject to any extension or permission granted by the Director-General under section 26(3) of the Act.

**9.4 Annual general meetings – calling of and business at**

**9.4.1** The annual general meeting of the club is, subject to the Act and to rule 9.3, to be convened on such date and at such place and time as the committee thinks fit.

**9.4.2** Annual General meetings shall be convened by the Secretary who shall provide written notification not less than one month in advance stating the time, place and nature of the meeting and business to be transacted in the form of an Agenda.

**9.4.3** In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:

**(a)** to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,

**(b)** to receive from the committee reports on the activities of the association during the last preceding financial year, including Annual Reports, Balance Sheet and (if applicable) Auditors Report of the previous financial year.

**(c)** to elect office-bearers of the association and ordinary members of the committee,

**9.5 Special general meetings – calling of**

**9.5.1** Special general meetings of the club may be convened by the President or the committee or any three financial members. As much notice as is practicable shall be given for a special general meeting and such notice shall state the business to be transacted. No business other than that of which notice has been given shall be conducted at such a meeting.

**9.6** Minutes of the proceedings of all meetings shall be recorded and kept and shall be forwarded to all members within four weeks.

**9.7** Financial Members will have the right to appoint a proxy to attend and vote at all club meetings.

**9.8** Proxy votes are to be registered with the Chairperson or the Club Secretary by 9am on the day of the relevant meeting.

Establishment of proxy will be in writing, similar in form to point 9.9. The original of the declaration is to be held by the Club Secretary.

**9.9** The instrument appointing proxy may be in the following form or in a common or usual form.

I, ..... of .....  
*(full name) (address)*

being a member of .....  
*(name of incorporated association)*

hereby appoint ..... of .....  
*(full name of proxy) (address)*

being a member of that incorporated club, as my proxy to vote for me on my behalf at the general meeting of the club (annual general meeting or special general meeting, as the case may be) to be held on the .....day of ....., .....  
*(mth and year)*

and at any adjournment of that meeting.

\* My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).

\* to be inserted if desired.

.....

Signature of member appointing proxy

Date .....

NOTE: A proxy vote may not be given to a person who is not a member of the club.

**9.10** A simple majority of votes cast shall decide any motion except where otherwise provided.

**9.11** In motions requiring a simple majority in which there is a split vote, the motion shall lapse for that meeting and may be reconsidered at a subsequent meeting.

**9.12** Where elections for Executive Committee positions are held, written nominations similar in form to point 9.13 may be submitted to the chairperson no later than 9.00AM on the day of the elections.

**9.13** Nominations may be in, or similar to, the following form:

I, .....  
Nominate .....  
For election to the position of .....

.....  
(signature and date)

Nomination seconded by .....  
(signature and date)

I, .....  
Accept the nomination .....  
(signature and date)

**10. QUORUM**

**10.1** A quorum for a general meeting, annual general meeting or a special general meeting of this club shall be formed by representation from at least 1/3 of the number of financial members.

**10.2** No item of business is to be transacted at a general meeting, annual general meeting or a special general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

**10.3** If within half an hour after the appointed time for the commencement of a general meeting, annual general meeting or a special general meeting a quorum is not present, the meeting:

(a) if convened on the requisition of members, is to be dissolved, and  
(b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

**10.4** If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) is to constitute a quorum.

#### **11. INSURANCE**

**11.1** The club may effect and maintain insurance.

#### **12. FUNDS**

##### **12.1 Funds source**

**12.1.1** The funds of the club are to be derived from joining fees and annual subscriptions of members, trip donations and, subject to any resolution passed by the club in general meeting, such other sources as the committee determines.

**12.1.2** All money received by the club must be deposited as soon as practicable and without deduction to the credit of the club's bank account.

**12.1.3** The club must, as soon as practicable after receiving any money, issue an appropriate receipt.

##### **12.2 Funds management**

**12.2.1** Subject to any resolution passed by the club in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.

**12.2.2** All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed jointly by two members of the Executive who are approved signatories in respect of the bank account.

##### **12.3 Bank Accounts**

**12.3.1** The Executive Committee may authorise the opening of special accounts for discrete purposes, or for the investment of non-operational funds. Any disbursements from Association accounts must be signed jointly by two members of the Executive who are approved signatories in respect of these accounts.

### **13. SERVICE OF NOTICES**

**13.1** For the purpose of these rules, a notice may be served on or given to a person:

- (a)** by delivering it to the person personally, or
- (b)** by sending it by pre-paid post to the address of the person, or
- (c)** by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

**13.2** For the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:

- (a)** in the case of a notice given or served personally, on the date on which it is received by the addressee, and
- (b)** in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- (c)** in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

### **14. INDEMNITY**

**14.1** Office bearers of the Association who by the authority of the Association accept or incur any pecuniary liability on behalf of the Association shall be held indemnified by the Association against any personal loss in respect of such liability.

### **15. AUDIT**

**15.1** If possible an Honorary Auditor shall be appointed at a general meeting and it shall be his or her responsibility to examine all accounts vouchers, receipts and books, and furnish a report thereon. If an Honorary auditor is not appointed, the Executive Committee will have the authority to engage a professionally qualified auditor.

### **16. CUSTODY OF BOOKS AND DOCUMENTS / INSPECTIONS THEREOF**

**16.1** The Treasurer shall be responsible for the safe custody of all financial books, records and securities of the Club. Except as otherwise provided by these rules, the Public Officer must keep in his or her safe custody or under his or her control all records, books and other documents relating to the club. The financial records of the Association shall be available for inspection by any financial member, provided that a written request is submitted to the Secretary. Upon receipt of such a request the Secretary shall transmit it immediately to the Public Officer who will make arrangement to have the records available, free of charge, for inspection within 2 weeks of having received such request.

**17. COMMON SEAL**

**17.1** The Public Officer shall have custody of the Seal which shall be used only by the authority of the Executive Committee and every instrument to which the seal is affixed shall be signed by a member of the Committee and should be countersigned by the Secretary or by a second member of the Executive Committee.

**18. AMENDMENTS**

**18.1** The Constitution may be amended by a special resolution at a general meeting, provided that at least two months notification of the special resolution has been given in writing to all members, and provided that such notice shall specify all proposed amendments. To be passed, a special resolution shall require at least three quarters of financial members who, being entitled to vote, vote in person at the meeting or by proxy. In the event that a minimum of 3 out of the 5 founding members of the association, either in person or by proxy, vote against any proposed amendment then it will be deemed that a special resolution regarding the said proposed amendment has not been passed regardless of the number of votes from the remaining financial members in favour of the proposed amendment. Amendments to the constitution may be proposed to the Secretary in writing by any financial member.

**19. DISSOLUTION**

**19.1** The club may be dissolved by special resolution, or in such other manner as permitted or required by the Law.

**19.2** Upon passing of a special resolution to dissolve the club, the committee must cause the realisation of all assets and discharge of all liabilities of the club and distribute the remaining balance of funds, if any, as per the Trail Track 4x4 Club policy.

**20. BY-LAWS**

**1.** For the purpose of these By-Laws, only those activities which have been approved by the committee shall be recognised as official club activities. Any activity not approved shall be considered as a private activity.

**2.** All members and visitors must adhere to the Clubs Constitution, By-Laws, Rules and Regulations whilst participating in Club Activities.

**3.** All members and visitors must at all times abide by the regulations laid down by all government authorities.

**4.** No member shall act in a manner prejudicial to the interests of the club.

- 5.** On any club trip or activity members and visitors shall be prepared to act under the guidance of the trip leader. The trip leader may report to the Committee any serious misconduct.
- 6.** Any member who at any time identifies himself/herself with the club either visibly or in any other way whatsoever, shall be bound to comply with these By-Laws for full duration of the time in which such identification may be visible.
- 7.** All members must comply to the following:
  - \* There shall be no destruction of flora and fauna.
  - \* All public and private property shall be respected.
  - \* Permission shall be obtained from the landowner before travelling through any private property.
  - \* Every effort should be made not to disturb stock.
  - \* Local water supply must be respected.
- 8.** Firearms are permitted to be used during the course of a club activity. When carried in vehicles, firearms will be concealed from view. Firearm owners must comply with all government laws concerning the use and ownership.
- 9.** All members must comply with all road traffic regulations and observe road courtesy.
- 10.** Whilst travelling in convoy, vehicle position must be maintained with ample space left between vehicles to enable other vehicles to overtake throughout the convoy.
- 11.** The use of pyrotechnics is forbidden on any Club outing by individuals. Organised Club pyrotechnics licensed with Workcover and approved by the committee and ratified by members will be exempted.
- 12.** Intoxicating liquor will not be consumed by the passenger or driver of any vehicle during the driving portion of any Club activity. Alcohol may be consumed in moderation during rest periods.
- 13.** Members will ensure that there is no rubbish left at any stopping place. The "burn, bash and bury" principle no longer applies. All rubbish to be removed from the area and disposed of in a correct manner. All camp fires to be properly extinguished prior to departure from camp sites.
- 14.** The trip leader will be in charge of all recovery operations, unless delegated otherwise by the trip leader. All other vehicles must be well clear of the operation.

**15.** No two vehicles should attempt to negotiate the same obstacle at the same time. Always wait until the preceding vehicle is well clear before moving on.

**16.** In the interests of conservation, vehicles shall keep to formed tracks at all times.

**17.** All vehicles must have Front and rear approved recovery points.

**18.** No member of the convoy shall be left in trouble without help. To signal that help is required flash headlights or contact the trip leader or next person in convoy using UHF or CB radio.

**19.** All vehicles must carry a basic recovery kit, in good working condition and First Aid kit.

**20.** The trip leader has the right to refuse to take any member or visitor on a club activity or trip if they feel the vehicle or it's participants are unsuitable or not prepared for the activity or trip.

**21.** Channel 12 on UHF CB radio shall be used as the primary channel for club communication, alternatively Channel 21 will be used in such event that the primary channel is not available.

**22. TRIP CLASSIFICATION CODES.**

These codes are designed to give drivers a guide. The trip designation can change from the time of classification to the actual trip. Some trips can change easily in different weather conditions – easy trips can become difficult and the opposite can also be the case. All care has been taken to ensure these classifications are reasonably accurate but drivers should still be aware of the potential changes and be sure of themselves and their vehicles before attempting any trip.

**All trips are to be graded in their level of difficulty as follows:**

**\* A – EXTREME**

Extremely difficult requiring high ground clearance, traction aids and recovery equipment, strong chance of vehicle damage if inexperienced. Participants will be required to have experience at travelling over difficult terrain. The trip leader will have the right to reject a request from someone who is considered inexperienced.

**\* B – HARD**

Moderate to difficult, chance of difficult terrain mixed with an amount of winching and or towing will almost certainly be required. Under extreme weather conditions, this trip could develop into a class A trip.



\* **C – MEDIUM**

Moderate trip. Various sections of the trip will require cautious driving in order to negotiate, but in most circumstances, winching should not be necessary.

\* **D - EASY**

Easy trip. It is unlikely that any winching or towing will be required.

\* **E – SOCIAL**

Social trip. A social trip is considered to be very easy with little or no four wheel driving involved.

APPLICATION FOR MEMBERSHIP

**Address all correspondence to:**

The Secretary PO Box 73 Albury NSW 2640

The club requires prospective members to attend a minimum of two organised club events.

This includes official club trips, camping/driving weekends or social occasions. The purpose of this is to get to know one another and ensure that the Trail Track 4x4 Club Inc is right for you.

Applications for membership must be lodged with a nomination from an existing club member.

**PLEASE FILL IN ALL APPLICABLE FIELDS:**

**SURNAME FIRST NAME DATE OF BIRTH**

Mr / Mrs / Ms .....

Mr / Mrs / Ms .....

Children .....

.....

.....

.....

**ADDRESS:**

.....

**PHONE:**

[H].....[W].....[M].....

E-MAIL: .....

LICENCE No 1: .....

NAME:.....

LICENCE No 2: .....

NAME:.....

USERNAME (Forum):

.....

**EMERGENCY CONTACT DETAILS :**

1. Name: ..... Relationship: .....

Home: ..... Work: ..... Mobile: .....

2. Name: ..... Relationship: .....

Home: ..... Work: ..... Mobile: .....

**NO EXTRA CHARGE FOR SECOND VEHICLE, BUT PLEASE STILL LIST INFORMATION**

**VEHICLE # 1 VEHICLE # 2**

**MAKE**

**MODEL**

**YEAR**

**REGO NUMBER**

**Indemnity:**

I/We hereby agree that members and guests participating in any Club activity, do so at their own risk

and shall exonerate the Club, it's officers and members from any liability arising from the said activity.

I/We hereby apply for membership of Trail Track 4X4 CLUB Inc. I/We understand that the application is subject to the requirements set out on this form and will be considered for approval/rejection by the club's executive committee. If the application is approved

I/We agree to abide by the constitution and By-Laws set down by the Club.

**CLUB FEES ARE DUE AND PAYABLE BY 1st JULY**

New Membership Joining Fee \$50.00 One Time Only

Annual Membership \$70.00 Per annum

Half Yearly Membership \$40.00 1st January to 30th June

**1. SIGNATURE:** ..... **DATE:** .....

**2. SIGNATURE:** ..... **DATE:** .....

**NOMINATED BY:**

**NAME:** .....

**SIGNATURE:** ..... **DATE:** .....

**OFFICE USE ONLY**

Date Lodged: ..... Requirements met: Yes/No Approved: Yes/No Date: .....

Amount Paid \$ ..... Date Paid: ..... Receipt issued: Yes/No

Membership No ..... Constitution issued: Yes/No

Signed:

President/Treasurer ..... Date: .....

.....

Secretary/Registrar ..... Date: .....

.....

**Trail Track 4x4 Club Inc**

**APPLICATION FOR ASSOCIATE MEMBERSHIP**

**Address all correspondence to:**

The Secretary, PO Box 73 Albury NSW 2640

The club requires prospective associate members to attend a minimum of two organised club events. This includes official club trips, camping/driving weekends or social occasions.

The purpose of this is to get to know one another and ensure that the Trail Track 4x4 Club is right for you. Associate Membership is only available to persons who do not own a four wheel drive.

Applications for membership must be lodged with a nomination from an existing club member.

**PLEASE FILL IN ALL APPLICABLE FIELDS:**

**SURNAME FIRST NAME DATE OF BIRTH**

Mr / Mrs / Ms .....

Mr / Mrs / Ms .....

Children .....

.....

.....

.....

ADDRESS:

.....

PHONE:

[H].....[W].....[M].....

E-MAIL: .....FAX

.....

LICENCE No 1: ..... NAME:

.....

LICENCE No 2: ..... NAME:

.....

USERNAME (Forum):

.....

**EMERGENCY CONTACT DETAILS :**

1. Name: ..... Relationship: .....

Home: ..... Work: ..... Mobile: .....

2. Name: ..... Relationship: .....

Home: ..... Work: ..... Mobile: .....

**NO EXTRA CHARGE FOR SECOND VEHICLE, BUT PLEASE STILL LIST**

**INFORMATION**

**VEHICLE # 1 VEHICLE # 2**

**MAKE**

**MODEL**

**YEAR**

**REGO NUMBER**

**COLOUR**

**Indemnity:**

I/We hereby agree that members and guests participating in any Club activity, do so at their own risk and shall exonerate the Club, it's officers and members from any liability arising from the said activity.

I/We hereby apply for associate membership of Trail Track 4X4 Club Inc. I/We understand that the application is subject to the requirements set out on this form and will be considered for approval/rejection by the club's executive committee. If the application is approved

I/We agree to abide by the constitution and By-Laws set down by the Club.

**CLUB FEES ARE DUE AND PAYABLE BY 1st JULY**

New Associate Membership Joining Fee \$45.00 One Time Only

Associate Annual Membership \$35.00 Per annum

**1. SIGNATURE:** ..... **DATE:** .....

**2. SIGNATURE:** ..... **DATE:** .....

**NOMINATED BY:**

**NAME:** .....

**SIGNATURE:** ..... **DATE:** .....

**OFFICE USE ONLY**

Date Lodged: ..... Requirements met: Yes/No Approved: Yes/No Date:  
.....

Amount Paid \$ ..... Date Paid: ..... Receipt issued: Yes/No

Associate Membership No ..... Constitution issued: Yes/No

Signed:

President/Treasurer ..... Date:  
.....

Secretary/Registrar ..... Date:  
.....