

# PEUGEOT CAR CLUB OF WESTERN AUSTRALIA (INC)

## CONSTITUTION

### 1. NAME OF THE CLUB

The name of the Association shall be The Peugeot Car Club of Western Australia Inc, hereinafter referred to as "the Club".

### 2. DATE OF FOUNDATION

The Club shall be deemed to have been founded on Tuesday the twelfth of April 1983, the date of its inaugural meeting.

### 3. OBJECTS OF THE CLUB

The objects of the Club shall be:

- (a) to present and uphold Peugeot before the general public;
- (b) to extend the technical expertise of owner/members;
- (c) to provide members with the opportunity to maintain their vehicles at a reasonable cost;
- (d) to organise social gatherings for members and their families;
- (e) to form a link between Peugeot sales and service people and Peugeot owners.

### 4. POWERS

The club shall have the power to do all such things as are necessary, incidental or conducive to the effective attainment of the objects of the Club.

## 5. MEMBERSHIP

The Club shall consist of:

- (a) **Full Members -**  
Persons who are owners of Peugeot motor vehicles, or have unlimited use of Peugeot motor vehicles.
- (b) **Associate Members -**  
Any member of a full member's family or a person who has previously held membership by virtue of their eligibility consistent with 5 (a) above. Members having satisfied eligibility criterion 5 (a) who do not currently drive or own a Peugeot motor vehicle shall have their membership subject to periodic review by the Club Committee.
- (c) **Transfer Members -**  
Persons who can demonstrate to the satisfaction of the Club Committee that they are current financial members of a bona fide Peugeot Club, Society or Association in another state or territory of Australia or overseas. Such persons shall not be liable to pay any membership subscription to the Peugeot Car Club of Western Australia (Inc) prior to the 1st of July in the year in which that person joined.
- (d) **Honorary Members -**  
Shall be any member or person who has rendered such service to the Club as in the opinion of the Committee entitles him/her to the distinction of honorary membership for such periods and upon such conditions as the Committee elects. An Honorary member shall not be required to pay any subscription to the Club. An Honorary member shall be regarded as a Full Financial Member.
- (e) In this Constitution, wherever the word "Member" appears without qualification, it shall be deemed to include Full Members and Honorary Members, and the masculine shall include the feminine.
- (f) In every case of an application for membership, the applicant shall complete an "Application for Membership" form. On this form the applicant shall furnish such personal and other details as will enable the Club Committee to decide upon the suitability or otherwise of the applicant for Club membership.
- (g) The Committee shall have the right to refuse membership to any person without having to advance reasons for so doing, provided that such a person has right of appeal to a General Meeting.
- (h) An entry in the Register of Members indicating that any member has ceased to be such, except in the case of manifest error, shall constitute final and conclusive evidence of cessation of membership.

## **NON-PROFIT NATURE OF THE CLUB**

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

### **7. VOTING**

- (a) All full financial members shall have one (1) vote each.
- (b) Associate members shall not be permitted to cast a vote.
- (c) At all meetings of the Club, decisions shall be decided by a majority of members, personally present and voting. The Chairman shall have a casting vote in the event of a tie.
- (d) An ordinary member may appoint an individual who is an ordinary member as his or her proxy to vote and speak on his or her behalf at the annual general meeting.
- (e) The appointment of a proxy must be in writing and signed by the member making the appointment.
- (f) The form appointing a proxy must be given to the secretary before the commencement of the annual general meeting for which the proxy is appointed.
- (g) The member appointing the proxy must give specific directions in writing as to how the proxy is to vote on his or her behalf.

**8. SUBSCRIPTION**

- (a) The annual subscription to the Club shall be decided from time to time by members at the Annual General Meeting of the Club. The Committee may waive all or any part of any subscription of any person not being a member of the Committee.
- (b) The annual subscription shall be payable upon application for membership and thereafter on the first day of July of each club financial year.
- (c) Provided where application for membership is accepted during the membership period, the annual subscription for membership shall be on a monthly pro-rate amount, which but for this proviso would be payable in respect of the period ending on the 30<sup>th</sup> June. All levies and charges and any joining fee applicable shall be payable at the fall rate to the year ended 30<sup>th</sup> June of the following year

**9. CESSATION OF MEMBERSHIP**

Any member shall cease to be such if they:

- (a) tender their resignation in writing,
- (b) allows their subscription to fall into arrears for two (2) calendar months, provided that no member is deprived of their membership pursuant to this clause unless the Secretary shall first have sent them one (1) calendar months notice in writing of the Club's intention to cancel their membership and they fail to pay their membership subscriptions within the said period of one (1) calendar month, or
- (c) conducts themselves in a manner which in the opinion of the Committee is prejudicial to the good order and conduct of the Club, provided that the Committee's decision is subject to appeal at a General meeting.

10.

**MANAGEMENT**

- (a) Subject to this Constitution and to any direction given from time to time by any General Meeting or Special General Meeting, the control and management of the Club shall be in the hands of the Committee which shall be elected for a term of one year at the Annual General Meeting. An elected nominee may continue to hold the same position for successive one year terms to a maximum of five (5) continuous years.
- (b) The Committee of the Club shall consist of the following Office Bearers, all of whom shall be full Members before election;

<i><u>Mandatory</u></i>	<i><u>Optional</u></i>
President	Publicity
Secretary	Social
Treasurer	Merchandising
Editor	Sporting
	Club Typist
	CMC delegate
- (c) After being called for, nominations for election of Office Bearers must be forwarded to reach the Secretary at or before the Annual General Meeting. If only one candidate is proposed for a vacancy, they shall automatically be elected.
- (d) A Full Member accepting nomination for any position of Office Bearer must be present at the Annual General Meeting, or must indicate in writing to the Secretary their intention to stand for a position or positions on the Committee, to be eligible for election.
- (e) The President shall call a meeting of the Committee if requested by a majority of Committee members to do so or when they see fit.
- (f) Should a Committee member be absent from three (3) consecutive Committee meetings, they shall be deemed to have resigned unless a reasonable explanation has been received by the Committee and accepted by it. Any member of the Committee may apply for leave of absence in advance.
- (g) If a Committee position becomes vacant, for a reasonable reason such as death, illness, resignation, or extended holiday, the Committee may appoint an eligible member to the vacant position on a permanent or temporary basis as necessary to maintain the workings of the club.

- (h) Any Sub-Committee formed shall be under the control and direction of the Committee and shall be required to give reports at General Meetings, if called upon.
- (i) Any Sub-branches which the Committee deems wise to form, shall be required to conform with this and any other amended Constitution of the Club, and shall be under the control of the Committee of this Club.
- (j) The President, Secretary and Treasurer of the Club shall be ex-officio members of any Sub -Committees or Sub-branches formed, but shall not be considered as such in order to constitute a quorum thereof.
- (k) The Club shall have the power at a General or Annual General Meeting to create or alter the duties of the optional committee positions so as to ensure the efficient management of the Club.

#### 11. **FUNDS**

- (a) The funds of the Club shall be banked in the name of the Club, and the bank account shall be operated upon by any two of the President, Secretary and Treasurer.
- (b) The Committee shall have the power to make such payments from the funds of the Club as are from time to time considered necessary to the good management of the Club or the furthering of its aims. The payment of monies to members in the way of remuneration or bonuses is forbidden, except that reimbursements may be made for out-of-pocket expenses incurred on the Club's behalf.

#### 12. **ACCOUNTS**

All accounts for payment shall be presented to the Committee for consideration prior to passing for payment.

#### 13. **AUDIT**

An Accounts Auditor shall be elected at a General Meeting two months prior to the Annual General meeting and it shall be their responsibility to examine all accounts, vouchers receipt books and relevant documents, and furnish a report thereon at the Annual General Meeting. Audits shall be conducted at regular intervals of 12 months.

14. **FINANCIAL YEAR AND ANNUAL GENERAL MEETING**

The financial year of the Club shall begin at 1<sup>st</sup> July and end on the 30<sup>th</sup> June the year following and the Annual General Meeting shall be held not later than the last day in September of each year. The Annual General Meeting may replace a General Meeting.

15. **OTHER / MEETINGS**

- (a) The Club will publish a calendar of events for each year which shows the date of the AGM, the date of general meetings and the date of any proposed events.
- (b) General Meetings shall be held each month unless due notice to the contrary is given by the Committee.
- (c) A Special General Meeting may be convened for the purpose of considering special business. Such a meeting may be convened by the Committee or upon the request of not less than ten (10) members. All members must be informed in writing of the purpose of such a meeting, fourteen (14) days prior to that meeting. A notice in the Club journal or newsletter shall be deemed to be sufficient notification for this purpose.
- (d) Minutes of the AGM and each General Meeting are to be recorded and reproduced for inclusion in the Club magazine for that month.

16. **QUORUM**

- (a) A quorum for a General Meeting, Annual General Meeting or Special General Meeting shall be twenty percent (20%) of members, personally present.
- (b) A quorum for a Committee meeting shall consist of three (3) members personally present.
- (c) A quorum for a Sub-Committee shall be a majority of the members of such Sub-Committee, personally Present.
- (d) In the event of a quorum not being obtained at a Special General Meeting within thirty (30) minutes of the advertised starting time that Meeting shall be reconvened 14 days later. If no quorum is obtained at the reconvened meeting, the Committee shall decide the issue, except in the case of a change of this Constitution, in which case the matter will lapse.

17. **DISSOLUTION**

The Club may be dissolved or wound up by a resolution to be passed by a 75% majority of members present at any General Meeting or Special General Meeting called for such purpose. If upon the dissolution of winding up the Club there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to, transferred or distributed amongst the members of the Club. It shall be given to some other Association, Institution. or body having objects similar wholly or in part to the objects of the Club provided that the Association, Institution or body shall prohibit the distribution of its income and property amongst its members, or it shall be paid to or transferred to some charitable object, which Association, Institution, body or object shall be determined by members of the Club at or before the item of dissolution or winding up. In default of any such resolution such payment, transfer or distribution shall be determined by a Judge of the District Court

18. **ALTERATION OF CONSTITUTION**

This Constitution may be added to, amended or repealed by the resolution of General Meeting in a two -thirds majority of members voting thereon provided that sufficient notice in writing has been given to the Secretary to fourteen (14) days notice in writing to all members of the motion before the meeting. A notice in the Club journal or newsletter shall be deemed to be sufficient notification for this purpose.

19. **COMMON SEAL**

The Common Seal of the Club engraved with the name of the Club shall be kept in the care of the President. The seal shall not be used or affixed to any deed or other document except pursuant to a resolution of the Committee and in the presence of the President and two members of the Committee both of whom shall subscribe their names as witnesses.

20. **CLUB LIBRARY**

The Club will maintain a library (elected member) that will store any related club technical data and printed media.

21. **CLUB REGISTER**

The Club will maintain a register of member personal details and vehicle ownership data.

Members are able to gain access to this data base on a personal level only. Requests for access to the data base may be made through the club Secretary.



22. **DISPUTE RESOLUTION**

The Club will strive to resolve any conflict or dispute between members or between a member and the club by a personal approach by the President.

Should a dispute not be able to be resolved satisfactorily by the above method then a Special Committee consisting of three Club members will be formed to meet with the aggrieved parties. The resolution ruling given by the Special Committee shall be binding on all parties.