

NORTHERN DISTRICTS DUCATI OWNERS CLUB
PO BOX 5059 Dora Creek NSW 2264

CONSTITUTION AND RULES

Northern Districts Ducati Owners Club

Constitution and Rules

1996

CONSTITUTION AND RULES

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1. NAME

The name of the club shall be NORTHERN DISTRICTS DUCATI OWNERS CLUB (NSW) Inc. hereafter called the Club.

2. OBJECTIVES

The objectives of the Club are:

- i. To promote and encourage motorcycling and cooperate with kindred bodies in fostering and maintaining motorcycling as a sport.
- ii. To encourage and conduct social outings, competitions so as to encourage good fellowship amongst the members.
- iii. To encourage the prestige of the Club, the marque "Ducati" and the sport.

3. MEMBERSHIP

3.1 ADMISSION OF MEMBERS

All applications for Club membership shall be in writing, or in person, to the Secretary.

3.1.1 FULL MEMBERSHIP

All persons of good character who are interested in motorcycles and in the fostering and maintaining of motorcycling as a sport, are qualified and eligible for Full Membership, subject to being the owner of a DUCATI motorcycle.

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3.1.2 FAMILY MEMBERSHIP

A family Membership will be granted to a couple subject to being the owner of a DUCATI motorcycle.

Such members shall receive one(1) official journal each publication and be limited to one(1) vote per person on each voting issue raised.

3.1.3 ASSOCIATE MEMBERSHIP

The Club may grant any person the opportunity to subscribe to the official journal of the Club and shall be called an Associate member.

Such a member shall receive one(1) official journal each publication but is not permitted to vote on each voting issue raised.

3.1.4 ASSOCIATE FAMILY MEMBERSHIP

The Club may grant any couple the opportunity to subscribe to the official journal of the Club and shall be called Associate Family Members.

Such members shall receive one(1) official journal each publication and not be permitted to vote on each voting issue raised.

3.2 ANNUAL SUBSCRIPTION

An applicant upon admission to the Club shall pay the membership fee as determined by the committee.

Payment for membership renewal is due yearly on the first day of July each year. Membership ceases if fees are in arrears in excess of ninety(90) days.

The financial year of the Club shall commence on the FIRST day of July on each calendar year and close on the THIRTEENTH day of June next following.

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3.3 REGISTER OF MEMBERS

The Secretary of the Club shall establish and maintain a register of members of the Club, specifying the name and address of each person who is a member of the Club.

All members shall notify the Secretary immediately of any change in their registered address.

The register shall be open to inspection, free of charge, to any member of the Club at any reasonable hour.

3.4 SERVICE OF NOTICE

Any notice of any meeting or other business concerning the Club may be served on any member by post forwarded to their registered address.

3.5 INSPECTION OF BOOKS

The records, books and other documents of the Club shall be opened to inspection, free of charge to any member at any reasonable hour.

3.6 MEMBERS LIABILITY

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 the membership of the Club.

3.7 DISCIPLINE

A general meeting may admonish, suspend or expel from the Club, any member whose conduct is such as shall be in the opinion of a two-thirds majority of the members present and voting at a meeting be injurious to the welfare, progress, characters or interests of the Club or render them unfit to be identified as a member of the Club. Such a member shall have the right of appeal.

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3.8 RIGHT OF APPEAL

A member may appeal to the Club Secretary in writing within seven(7) days of the notice being given to that member. Upon receipt of the notice from the member a general meeting will be called within twenty-one(21) days after the date on which the Secretary received the notice.

No other business shall be transacted at the General Meeting other than the question of appeal. The member shall be given the opportunity to state their cases orally or in writing, or both. The members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

3.9 REGISTRATION OF MEMBERS

The Secretary shall, upon the registration of a member, make an appropriate entry in the register of members, recording the date on which the member joined or ceased membership.

3.10 CESSATION OF MEMBERS

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

- i. Dies
- ii. Resigns their membership. Any member(s) whose subscription is not in arrears and who desires to resign their membership shall tender their resignation by writing given to the Secretary. On acceptance of such resignation, membership shall cease to be and the member(s) shall forfeit all rights and privileges of membership.
- iii. Is expelled from the Club. Upon expulsion, membership shall cease to be and the member(s) shall forfeit all rights and privileges of membership.
- iv. Is in arrears after 30th September.

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4. THE EXECUTIVE COMMITTEE

4.1 ELECTION OF EXECUTIVE COMMITTEE MEMBERS

Nomination for candidates for the election as office bearers of the Club shall be in writing and received by the Secretary up to two(2) weeks before the Annual General Meeting. Candidates must be nominated and their nomination seconded by financial full members of the Club, subject to the written consent of the candidate.

Where insufficient nominations are received to fill the vacancies on the Executive Committee, further nominations shall be received at the Annual General Meeting. If there are still insufficient nominations to fill vacant positions remaining on the Executive Committee, these positions shall be deemed casual vacancies to be filled at each general meeting as required or until such positions are properly filled.

The ballot for the election of the Executive Committee shall be conducted at the Annual General Meeting. The candidate with the majority of votes shall be deemed elected.

4.2 OFFICE BEARERS

The Executive Committee members of the Club shall consist of the President, Secretary, Treasurer, Vice President, Assistant Secretary/Treasurer, Magazine Editor/Publicity Officer.

The Executive Committee shall control and manage the affairs of the Club. The Executive Committee has the power to perform such acts and do all such things that are necessary or desirable for the proper management of the Club affairs.

Each member of the Executive Committee shall hold office until the conclusion of the Annual General Meeting following the date of the member's election.

In the event of a casual vacancy occurring in the Executive Committee, the Executive Committee may appoint a member of the Club to fill the vacancy and that member shall hold office, subject to the rules, until the conclusion of the Annual General Meeting following the date of the appointment.

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4.3 DUTIES OF THE BEARERS

4.4 SECRETARY

The Secretary shall:

- i. Keep a record of all appointments of office bearers and Executive Committee members.
- ii. Keep minutes of all proceedings at Executive Committee and General Meetings
- iii. Keep a record of the names of members and Executive Committee members present at Executive and General meetings
- iv. Keep a register of members current.
- v. Lodge notice with the Club of their address for future written communications.
- vi. Carry out the duties of Public Officer should that position be vacant.

4.5 TREASURER

The Treasurer shall:

- i. Attend to all the financial business of the Club.
- ii. Keep a detailed account of all monies received and paid out during their tenure of office and bank all money in the Club's authorised banking account within seven(7) days of the receipt thereof.
- iii. In no circumstances dispose of the funds to any member, cause of purpose whatsoever except when authorised by the meeting constituted by these rules. Cheques drawn on the Club account must be signed by the Treasurer and countersigned by either the President or the Secretary so long as both signatories are not members of the same family.
- iv. Keep their books current and be ready at all times to lay before or hand over to the General Meeting, any book, receipt or account on demand.
- v. Prepare a balance sheet for the Annual General Meeting.

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4.6 VOTING AND DECISIONS

Questions arising at a meeting of the Executive Committee or any Sub-Committee appointed shall be a majority of votes of members of the Executive Committee or Sub-Committee present at the meeting.

Each Member present at the meeting of the Executive Committee or Sub-Committee is entitled to one(1) vote but, in the event of an equality of votes of any question, the person presiding may exercise a second or casting vote.

4.7 DELEGATION BY EXECUTIVE COMMITTEE TO SUB-COMMITTEE

A Sub-Committee may elect a Chairperson and Secretary and may meet and adjourn, as it thinks proper.

At least one(1) elected Executive Committee member shall be on any Sub-Committee, except the Appeals Committee. That member shall have the responsibility of conveying any business arising from that particular Sub-Committee back to the other Executive Committee members and to the Club.

Any act of thing done or suffered by a Sub-Committee has the same force and effect as it would if it had been done by the Executive Committee. The Executive Committee may revoke wholly or in part any delegation.

4.8 REMOVAL OF EXECUTIVE COMMITTEE MEMBERS

The Club in a General Meeting may by resolution remove any member of the Executive Committee from their office before the expiration of that member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

An Executive Committee member shall immediately vacate their office if they are declared by vote of a General Meeting to have lost the confidence of the Club members.

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4.9 CASUAL VACANCIES

A casual vacancy in the office of a member of the Executive Committee occurs if the member:

- i. Dies
- ii. Ceases to be a member of the Club
- iii. Is removed from office or
- iv. Is absent from three(3) consecutive General Meetings without leave of absence.

5. MEETINGS

5.1 PROCEDURES

No item of business shall be transacted at an Annual General Meeting unless a quorum of financial members under the rules is present during the time the meeting is considering that item. If within half(1/2) an hour after the appointed time for the meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned by the same day in the following week at the same time (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to the members before the day to which the meeting is adjourned) at the same place. If at the adjourned meeting a quorum is not present within half(1/2) an hour after the time appointed for the commencement of the meeting, the members present (being no less than three(3) shall constitute a quorum.

5.2 NOTICE

A member desiring to bring any business before a General Meeting may give notice in writing of that business to the Secretary who will include that business in the notice of the next General Meeting after the receipt of the notice by the member, or, members will be given an opportunity at the General Meeting to raise any general business that they consider should be noted by the Club Members.

Where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Club, the Secretary shall, at

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least twenty-one(21) days before the date fixed for the holding of the General Meeting, caused notice to be sent to each member specifying the place, date and time of the meeting as well as the nature of the proposition and that intention is to propose the resolution as a special resolution. No resolution of a General Meeting shall be recognised at any meeting except after notice of motion therefore signed by the proposer and seconder, such notice must be in the hands of the Secretary seven(7) days prior to the General Meeting of the Club at which the motion is to be moved.

Notices of the General Meeting and the notices of motion will be published in the monthly newsletter to all financial members. If the newsletter will not be available to all financial members within the time specified, then notice shall be sent by prepared postage to the registered address of each member.

5.3 MEETINGS AND QUORUMS

The Executive Committee shall meet monthly in each period of twelve(12) months at such place and time as the Executive Committee may determine.

Additional meetings of the Executive Committee may be convened by the President or any other member of the Executive Committee.

Any three(3) members of the Executive Committee shall constitute a quorum for the transaction of the business of a meeting of the Executive Committee. The Executive Committee shall transact no business unless a quorum is present. If a quorum is not present within half(1/2) an hour of the time appointed for the meeting, the meeting shall be dissolved and adjourned to a new time and place which the executive members not present shall be notified of.

At a meeting of the Executive Committee the President or the Vice President in their absence, shall preside over that meeting. If both the President and Vice President are absent or unwilling to preside at such a meeting, one of the remaining of the Executive Committee as chosen by the members present shall preside over the meeting.

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5.4 PRESIDING MEMBER

The President or, in the President's absence, the Vice President shall preside as Chairperson at each General Meeting of the Club.

If both the President and Vice President are absent or unwilling to chair the meeting, the members shall elect one(1) of their members to preside at the meeting.

5.5 ADJOURNMENT

The Chairperson of a General Meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting to another time and place, where no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

5.6 RULES OF DEBATE

Except where otherwise provided therein, parliamentary rules of debate shall apply at all meetings.

5.7 GENERAL MEETING

General Meetings of the Club shall be held regularly as decided as required by General Meeting. Members shall be notified at least seven(7) days before the General Meeting if there is a change to the date of the General Meeting. Seven(7) financial members constitute a quorum at a meeting.

The order of business of a General Meeting shall be:

- i. Minutes from the previous General Meeting
- ii. Correspondence received by the Club
- iii. Treasurer's report
- iv. Proposal of New Members
- v. Reports from Sub Committees
- vi. General Business

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5.8 BY-LAWS

The members present at a General Meeting shall have the power to amend or rescind by-laws, if considered necessary, for facilitating the work and in furthering the objectives of the Club. Such by-laws shall be consistent with the constitution and the rules.

5.9 ANNUAL GENERAL MEETINGS

The Annual General Meeting of the Club shall be held before 31 August of each year for the purpose of receiving the Annual report from the Secretary, Treasurer (including the statement of income, expenditure and balance sheet) and the election of officers for the following year and General Business. One calendar month's notice shall be given for the holding for the annual General Meeting to the financial member. Twelve(12) financial members shall constitute a quorum at the Annual General Meeting.

The order of business at the Annual General Meeting shall be:

- i. the minutes of the last Annual General Meeting
- ii. To receive the Treasurer's Annual Report and Balance sheet
- iii. The election of officers
- iv. The consideration of any additions, deletions or amendments to the Constitution or Rules of the Club, providing they appear in the agenda.

5.10 SPECIAL GENERAL MEETINGS

A Special General Meeting of the Club shall be called by the Secretary upon resolution of a General Meeting or upon receipt of a written requisition signed by no less than one-third(1/3) of the financial members of the Club. Such a requisition shall state the reason for calling the meeting. At least five(5) days notice shall be given to all financial members of any Special General Meeting and shall be held not less than fourteen(14) days after receipt by the Secretary of such a requisition. Seven(7) financial shall constitute a quorum at a Special General Meeting. No business other than that specified in such a requisition shall be conducted at the Special general Meeting.

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5.11 ALTERATION, ADDITION OR SUSPENSION OF RULES

The Constitution or Rules shall not be altered except at the Annual General Meeting or a Special Meeting called by a Special Resolution. Twenty-one(21) days notice of any proposed alteration must be lodged with the Secretary, who, if subsequent to Annual General meeting, shall convene a Special General Meeting. Notice of such a meeting will state the object for the same will be given to all financial members not less than twenty-one(21) days before the fixed date of the meeting. Special resolutions to alter the constitution must be passed by a majority of three-quarters(3/4) of the financial members present or by the proxy of financial member(s).

5.12 VOTING

At all General Meetings of the Club, every financial members present shall be entitled to one personal vote and up to two(2) proxy votes, as registered with the Secretary as per the appointment of proxies, on every question. The Chairperson of the meeting shall have a casting vote only in the case of a tied vote.

A question arising at a General Meeting shall be determined by a show of hands and unless a secret ballot is demanded, a declaration by the Chairperson that the question has by the show of hands has been won or lost. An entry to that effect shall be made in the minute book of the Club as evidence of the fact that the resolution was by a show of hands for or against the question.

5.13 APPOINTMENT OF PROXIES

Each member is entitled to appoint another member as proxy by notice given to the Secretary no later than twenty-four(24) hours before the time of the meeting in respect of which proxy is appointed.

5.14 SPECIAL RESOLUTIONS

A resolution of the Club is a special resolution if it is passed by a majority which comprises not less than three-quarters(3/4) of such members of the Club being entitled under these rules to vote in person or by proxy at a

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General Meeting of which not less than twenty-one(21) days written notice specifying the intention to propose the resolution as a special resolution.

5.15 WINDING-UP

The Club shall be dissolved upon affirmation vote by secret ballot, or not less than three-quarters(3/4) of the financial members of the Club present, at a special resolution meeting of the Club. At least twenty-one(21) days notice of any proposal of winding up shall be given by the Secretary in writing to all the members.

6. FINANCES

6.1 INSURANCE

The Club shall take up and maintain insurance.

6.2 FUNDS

The funds of the Club shall be derived from joining fees and annual subscriptions of members, donations and subject to any resolution passed at a General Meeting, such other sources as the executive Committee determines.

All money collected shall be deposited to the credit of the Club's bank account as soon as possible from the time of collection.

The Club shall, as soon as practicable after receiving said monies, issue a receipt.

Subject to any resolutions passed by the Club at any general Meeting, the funds of the Club shall be used in the pursuance of the objects of the Club in such a manner as the Executive Committee determines.

6.3 COMMON SEAL

The Common Seal of the Club shall be kept in the custody of the Secretary and the Treasurer. The Common Seal shall not be affixed to

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any instrument except by the authority of the Executive Committee and the affixing of the Common Seal shall be attested to by the signatures of two(2) members of the Executive Committee.

6.4 DONATIONS BY THE CLUB

The subject of a proposed donation shall be discussed at a General Meeting before being voted upon at that General Meeting unless it is moved that it be an agenda item for the next General Meeting.

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7. CONSTITUTION FOR THE USE OF HISTORIC VEHICLES

7.1.1 PART 1 – ELIGIBILITY

- a) All motorcycles must be a minimum age of 30 years old the onus of proof of age shall be with the member applicant. However, the final arbitrator shall be the Committee.
- b) Member of one year standing who attended eight(8) club outing are eligible to apply for the Historic Registration Scheme.
- c) All applicants shall be handed a copy of this Constitution. Applicants shall read and sign the form attached (see Appendix A) indicating they fully understand their responsibilities and agree to abide with this Constitution before approval of their application by the Club Registrar.

7.1.2 PART 2 – CLUB EVENTS

- a) Historic motorcycles shall only be used for Club events, except as set out in Part 3 – Servicing of Club vehicles.
- b) Club events shall be:
 - 1) Events as set out in the Club Events calendar.
 - 2) Events conducted by Council of Heritage Motor Clubs or affiliated Motorcycle Clubs to which an official invitation has been received by the Club.
 - 3) Events conducted by the NSW Automotive Museum Association to which an official invitation has been received by the Club.

7.1.3 PART 3 – SERVICING OF MOTORCYCLES

All movements of Conditional registered motorcycles must be recorded in the Day Book held by the Club registrar.

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Journeys necessary for the servicing or road testing of motorcycles may be up to 40 kilometres from the notified garaging place of the said motorcycle by the shortest possible route and are permitted at any time, but the movement of the motorcycle must be recorded.

- a) Any longer runs necessary for the servicing of motorcycles may only be made after receiving permission from the Club Registrar or, in his absence from the President, Vice president, Secretary or Treasurer. This permission must be properly recorded in the Club Records by the person approving the movement with full details of time, place and reason.
- b) Service runs for road testing a motorcycle after extensive work must not exceed 80 kilometres radius of the point of garaging. Permissionj to be obtained as in Part 3 Section a).

7.1.4 PART 4 – RESPONSIBILITY OF CLUB MEMBERS

All enquiries must be direct to the Club Registrar. Individual approaches to the Roads and Traffic Authority (RTA) are not permitted.

Historic number plates are issued to a member of the Club and are not transferable either to another motorcycle or person in the event of the motorcycle being sold.

Plates must be immediately returned to the RTA:

- a) In the event of the sales of the motorcycle on which they are used.
- b) Upon the Members resignation from the Club.
- c) Upon the member's failure to remain a financial member within the meaning of this Constitution or failure to pay any levy that may be constitutionally approved by a duly constituted Club meeting.
- d) At the directive of a Committee decision.
- e) If the Machine Examiner considers the vehicle has been made unsafe or altered after it has been inspected.

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Historic Registration application is approved in the belief that the member's prime intended use is for Club Events. The Committee reserves the right to reconsider eligibility or renewal should cease to be the case or if the motorcycle does not attend Club Events during the year without good cause.

7.1.5 PART 5 – ANNUAL MOTORCYCLE INSPECTION

All motorcycles must undergo an annual inspection and unregistered motorcycles must be trailered to and from inspection.

The Machine Examiner(s) will be designated as the inspector. As such the Machine Examiner(s) are the only persons authorised to certify motorcycles roadworthy under this Constitution as required by the RTA>

The applicant will pay the current inspection fee (as set by the RTA) to the Club.

Monies payable for Club membership shall be paid on or before the annual inspection.

By special arrangements, the Club Registrar may process Historic Vehicle renewals through the RTA. Issue of Historic registration to the member shall, however, be withheld until the motorcycle is inspected and passed by the Machine Examiner.

Chassis and engine numbers will form part of the identification of a Historic motorcycle. Any change must be notified in writing to the RTA and the Club Registrar.

7.1.6 PART 6 – INSURANCE REQUIREMENTS

A minimum insurance cover of Third Party Property Insurance is required. Proof of cover must be proved to the Club Registrar.

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7.2 APPENDIX A

(Eligibility Part 1 Section c.)

7.2.1 AGREEMENT OF CONSTITUTION FOR USE OF HISTORIC VEHICLES

I,.....

(full name)

of.....

(address)

being a member of the Northern Districts Ducati Owners Club, have received a copy of the Constitution for the use of Historic vehicles.

I agree to the conditions as set out in this constitution.

Signature of member.....

Date.....