

## CONSTITUTION

### **1. NAME**

1.1. The name of the Society is the Garden Route Motor Club.

### **2. LEGAL STANDING**

2.1. The Society shall be a legal entity and persona in law, having an existence entirely distinct from its members and shall be able to buy, sell, let, hire, acquire, hold, deal with, alienate, encumber, mortgage, dispose of or contract in any other manner in its own name.

2.2. The liability of each member shall be limited to the extent of his or her unpaid subscriptions.

2.3. The Society shall be a Recreational Club for taxation purposes and compliant with the requirements of Section 30A of the Income Tax Act 58 of 1962 which requires inter alia that:

2.3.1. the activities of the Society shall be carried out in a non-profit manner, and

2.3.2. no surplus funds shall be distributed directly or indirectly to any person.

### **3. PRINCIPAL OBJECT**

3.1. The principle object of the Society is to provide social and recreational amenities or facilities for its members.

### **4. ANCILLARY OBJECTS**

4.1. To preserve, restore and operate any self-propelled vehicle including motor cycles (herein after referred to as an "autocar") built before a certain date as prescribed by SAVVA. This does not exclude more modern vehicles, but will preclude these vehicles from participating in events where a permit is issued by SAVVA or MSA.

4.2. To hold meetings, functions, rallies, reliability runs, tours, tests and shows where the autocars may be displayed, demonstrated and inspected, and information provided and exchanged to promote these ends.

4.3. To educate and encourage the interest of the general public in the history of autocars.

4.4. To establish and build up a library of books and literature on the history of autocars.

4.5. To do any of all things calculated to promote the above ends.

### **5. THE SOCIETY**

5.1. The Society shall consist of (a) a Chairman (b) a Vice-Chairman (c) a Secretary (d) a Treasurer (e) a Committee member (f) a SAVVA Representative (g) Members.

### **6. MANAGEMENT**

- 6.1. Management shall be in the hands of the Committee which shall have full power to do and perform all acts and things within the scope of the objects as defined in clauses 3 and 4 which are not specifically reserved to the Annual General Meeting.
- 6.2. The committee shall consist of as many members as required elected at the Annual General Meeting and shall hold office from conclusion of the Annual General Meeting. Two of the first elected members decided by drawing lots shall retire after the first year and thereafter members shall retire in rotation. Retired members may make themselves immediately available for re-election.
- 6.3. The Committee shall elect from its ranks a Chairman and a Vice-Chairman, and appoint a Treasurer and a Secretary, who need not be full members of the Society, but in this event they shall have no vote on the Committee.
- 6.4. The term of office of the Chairman is limited to a maximum of three consecutive years, after which time the Chairman will stand down and may not make himself immediately available for re-election.
- 6.5. A quorum for a Committee Meeting shall be 4 members present. Resolutions shall be passed on a majority of votes. The Chairman only to be used in the case of an equality of votes.
- 6.6. Vacancies on the Committee shall be filled by co-option if the Committee so decides.
- 6.7. Election to the Committee can only take place if a member signifies his acceptance, verbally or in writing.
- 6.8. Nominations for the new Committee must be in writing 14 days before the commencement of the Annual General Meeting. Voting by members for election to the Committee must be by secret ballot on voting slips, if the number nominated exceeds the maximum allowed (9) but can be by show of hands on any lesser number.

## **7. MEMBERS**

- 7.1. There shall be the following class of member;
  - 7.1.1. Full members who are required to own an autocar acceptable to the Committee, which is legally entitled to be used on public roads and which is considered presentable by the Committee, or an acceptable autocar in the process of being built in a manner which satisfies the Committee, or has an interest in the Veteran and Vintage movement.
  - 7.1.2. Honorary members.
  - 7.1.3. Associate membership, at a fee of 25% of full membership, is available only to relatives of a full paid up member residing with such a full member. Every associate member shall be entitled to all privileges of membership, excepting the associate member shall not be entitled to individual correspondence or voting rights.
  - 7.1.4. Spouses of fully paid up members automatically qualify for Associate Membership and will enjoy full voting rights, if serving on the Committee.
- 7.2. All members of the Society are entitled to annual membership.

7.3. No members of the Society are allowed to sell their membership rights or entitlement in terms thereof.

## **8. FEES**

8.1. Fees for membership shall consist of an Entrance Fee and an Annual Fee subject to a yearly increase agreed upon by the Committee.

## **9. FINANCIAL YEAR:**

9.1. The Financial Year of the Society shall be from 1st July in any year to 30th June of the following year.

## **10. APPLICATION FOR MEMBERSHIP.**

10.1. Application shall be on the prescribed form and must be accompanied by the Entrance Fee and the Annual Fee and Indemnity Application form (plus fee) where the applicant is not in possession of a valid current SAVVA Indemnity number.

10.2. The Committee need not give reason to anybody if an application for membership is rejected, but shall refund all monies in this event.

## **11. ANNUAL GENERAL MEETING**

11.1. This shall be held yearly within four months of the financial year-end.

11.2. The meeting shall consider the Chairman's report, the Treasurer's Annual Financial Statement and business arising therefrom.

11.3. The meeting shall elect a new Committee for the ensuing year.

11.4. The meeting may discuss any general business considered relevant by the Chairman.

## **12. SPECIAL GENERAL MEETING**

12.1. The Committee may, whenever they see fit, call a Special General Meeting.

## **13. QUORUM FOR A GENERAL MEETING**

13.1. This will consist of at least two thirds of the serving Committee's members, plus an equal number of ordinary members, plus one extra ordinary member personally present. Should a quorum not be present the meeting shall stand adjourned to at any time not less than a week and not more than two weeks that day thence at which meeting resolutions shall be passed by a majority of votes of those members present. The Chairman shall have an extra casting vote in the equality of votes.

## **14. AMENDMENTS TO THE CONSTITUTION**

14.1. Members may alter, repeal, vary or amend the constitution of the Society in any manner by a majority of votes of those present at a General Meeting.

#### **15. NOTICE OF A GENERAL MEETING**

15.1. Not less than 14 days written notice of a general meeting shall be given and the act of posting shall be considered the act of giving notice.

#### **16. MINUTES TO BE KEPT**

16.1. The resolution and business of any General or Committee meeting shall be recorded in a Minute Book, which shall be signed by the Chairman and Secretary as correct after adoption at the next ensuing meeting.

16.2. Committee minutes shall be held secret, to the Committee only.

#### **17. ACCOUNTS**

17.1. The Treasurer shall keep a true, fair and accurate financial record of the Society's affairs, and shall report on them whenever called upon to do so by the Committee, and shall submit a Financial Report and Balance Sheet at the Annual General Meeting.

#### **18. EXPULSION AND TERMINATION OF MEMBERSHIP**

18.1. Any member who, in the opinion of the Committee, is guilty of conduct making it desirable that he should cease to be a member, may be expelled from the Society or be suspended from the privileges of membership for a period that the Committee may determine, after a Committee enquiry at which the member in question shall have been invited to attend.

18.2. Any member who defaults in payment of any debt to the Society shall have his membership terminated, without prejudice to the Society's right of recovery of that debt.

18.3. Any member, on written notice to the Committee, may terminate his membership but shall not thereby be released from his liability for any subscription or due to the Society.

#### **19. DATING OF AUTOCARS**

19.1. Members may elect to have their autocars officially dated as the year of manufacture, by a sub-committee and a Chairman thereof, appointed by the Committee, on payment of the prescribed fees, and in a manner to be laid down from time to time by the Committee.

#### **20. DONATIONS TO CHARITY**

20.1. The Committee shall be empowered to make any donation to any charity of any excess funds the Society may have in hand and provided that the charity is a Public Benefit Organisation.

## **21. REMUNERATION**

- 21.1. No remuneration shall be paid to any person which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered, nor shall any remuneration be determined as a percentage of any amounts received or accrued to the Society.

## **22. CLOSING OF THE SOCIETY:**

- 22.1. The Society's existence may be closed or terminated by a resolution of two thirds of those members present in a General Meeting called for the purpose.
- 22.2. Any funds that may be available at the close of the Society shall be transferred to either:
- 22.2.1. another recreation club with similar objects to those of the Society or,
  - 22.2.2. a Public Benefit Organisation.

## **23. INTERPRETATION**

- 23.1. The Committee shall be sole authority for the interpretation of the Constitution and their decision shall be final and binding on all members.
- 23.2. Unless the context otherwise requires, words importing the singular shall include the plural and vice versa, and words importing the masculine gender shall include the female gender.