

## 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 annual fee.
- 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 principal object of the Society is to provide social and recreational amenities for its Members.

### **4. ANCILLARY OBJECTS**

- 4.1. To encourage Members to preserve, restore and operate any self-propelled vehicle including motor cycles (herein after referred to as an "autocar").
- 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 do any of all things calculated to promote the Society, including membership of motoring institutions such as South African Veteran and Vintage Association (SAVVA).

### **5. THE SOCIETY**

- 5.1. The Society shall consist of its Members.

### **6. MANAGEMENT**

- 6.1. Management shall be in the hands of a 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 at least seven members, with a maximum of nine, elected at the Annual General Meeting and shall hold office from conclusion of the Annual General Meeting and shall retire at the next Annual General Meeting. Retired members may make themselves immediately available for re-election, without nomination.

- 6.3. The Committee shall elect from its ranks a 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. A quorum for a Committee Meeting shall be four 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.
- 6.5. Vacancies on the Committee may be filled by co-option if the Committee so decides.
- 6.6. Nominations for the Committee, together with the nominee's signed acceptance, must be in writing and be delivered to the Secretary 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, but may be by show of hands for any number within the maximum.
- 6.7. Spouses/partners of fully paid up Members have voting rights when serving on the Committee.
- 6.8. The Committee may co-opt Members to the committee temporarily for special purposes or projects, in this event they have no voting rights on the Committee.

## **7. MEMBERS**

- 7.1. There shall be the following class of Member;
  - 7.1.1. Full Members, or Member Couples: who own an autocar(s) acceptable to the Committee which is legally entitled to be used on public roads, or an acceptable autocar in the process of being built or restored in a manner which satisfies the Committee, or have an interest in motor vehicles, classic motor vehicles and/or the Veteran and Vintage movement.
    - 7.1.1.1 Member Couples have only one vote at General Meetings.
  - 7.1.2. Honorary Members: Honorary membership may be bestowed upon a Member by the Committee where it is considered appropriate, for services rendered to the Society.
- 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.
- 7.4. Members who intend to resign their membership must do so by informing the secretary before the end of the financial year.

## **8. FEES**

- 8.1. Fees for membership shall consist of an Entrance Fee, approved at a General Meeting and an Annual Fee that may be subject to a yearly review, agreed upon by the Committee, subject to any increase in the Annual fee being limited to a maximum of ten percent without the approval by Members at a General Meeting.

## **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 together with the SAVVA Indemnity Application form 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 any monies paid, in this event.

## **11. ANNUAL GENERAL MEETING**

- 11.1. A General Meeting shall be held yearly within four months of the financial year-end.
- 11.2. The meeting shall adopt the minutes of the previous meeting.
- 11.3. The meeting shall consider the Chairman's report, the Treasurer's Annual Financial Statement and any business arising therefrom.
- 11.4. The meeting shall consider any proposed resolution.
- 11.5. The meeting may discuss any general business considered relevant by the Chairman.
- 11.6. The meeting shall elect a Committee for the ensuing year.

## **12. SPECIAL GENERAL MEETING**

- 12.1. The Committee may, whenever they see fit, convene a Special General Meeting.
- 12.2. The Committee shall convene a Special General Meeting at the written request of not less than ten full members of good standing. The request must be accompanied by the proposed resolution and delivered to the Secretary not less than twenty one (21) days prior to any suggested date of the Special General Meeting.
- 12.3. Not less than fourteen days notice of a Special General Meeting shall be given to Members in writing specifying the business to be transacted and be accompanied by a copy of the proposed resolution to be considered.

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

- 13.1 This will consist of at least two thirds of the serving Committee members (rounded up), plus an equal number of Full or Honorary Members, plus one extra Full or Honorary Member personally present. Should a quorum not be present the meeting shall stand adjourned to any time not less than a week and not more than two weeks of 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/e-mailing 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.

#### **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. The Committee may terminate the membership of any member whose annual fee remains unpaid three months after the beginning of the Society's financial year.
- 18.3. 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.
- 18.4. Any member, on written notice to the Committee, may terminate his membership but shall not thereby be released from his liability for any annual fee or dues to the Society.

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

- 19.1. Members may elect to have their autocars officially dated as to the year of manufacture by an appropriate person appointed by the Committee on payment of any prescribed fees determined 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 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**

- 23.2 The Committee shall be sole authority for the interpretation of the Constitution and their decision shall be final and binding on all Members.
- 23.3 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.

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