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CONSTITUTION OF THE SANDGROPER CARAVANNERS INC.

CONSTITUTION OF THE SANDGROPER CARAVANNERS INC.

Adopted at a General Meeting of the Club held on Tuesday, 3<sup>rd</sup> August 1996 and amended at Annual General Meetings of the Club held on Sunday 8<sup>th</sup> and Sunday 20<sup>th</sup> July 2003.

Lodged at the Office of the Commissioner of Fair Trading on the 1 - AUG 2003

1. NAME

The name of the club is the, "SANDGROPER CARAVANNERS INC.", hereinafter referred to as the, "Club".

2. DEFINITIONS

In this Constitution, unless the contrary intention appears:

- "family" means a married or de facto couple and any unmarried children they may have who are under the age of 18 years provided that voting and other entitlements under this Constitution shall be limited to the adults in the family.
- "fee" means any fee required to be paid under this Constitution and applies on a "per caravan" basis
- "member" means any person, who having attained the age of eighteen (18) years has been admitted as a member of the Club, either singly or as part of a family.
- "subscription" means any subscription required to be paid under this Constitution and applies on a "per caravan" basis.

3. OBJECTS

- 3.1 To become a good social club and encourage good fellowship among all caravanners.
- 3.2 To do any lawful thing that may be in the best interest of the Club and its members.
- 3.3 To stimulate the invention and adoption of equipment for the purpose of good caravanning.
- 3.4 To promote the advantages of caravanning for recreational and social purposes.
- 3.5 The property and income of the Club shall be applied solely towards the promotion of the objects or purposes of the Club and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members of the Club, except in good faith in the promotion of those objects or purposes.

4. MEMBERSHIP

4.1 A Member

- 4.1.1 A member is deemed to be a person who has been duly elected as provided below (Clause 4.3) and who has paid the nomination fee, the annual subscription and any special purpose fee that has been determined as provided below (Clause 5).
- 4.1.2 A member may at any reasonable time request to examine the books, documents, records and securities of the Club. Such request shall be considered by the Executive Committee who shall endeavour to satisfy the request provided that the relevant materials are not removed from the control of their custodians as provided for in this Constitution (Clause 6.3).

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4.2 Applications for Membership

- 4.2.1 Prospective new members must attend two Club rallies before being eligible for membership. Notwithstanding this provision however, prospective members who attended any rally of the group proposing to form this Club held prior to the adoption of this Constitution and the meeting at which this Constitution was adopted or who attended that meeting plus one subsequent Club rally held prior to formal incorporation of the Club shall be eligible for immediate membership.
- 4.2.2 Applicants for membership must complete and sign the application form provided for that purpose and must be proposed and seconded by a financial member of the Club.
- 4.2.3 Application for membership shall be submitted to the Management Committee on the form provided together with the currently approved nomination fee.

4.3 Election to Membership

- 4.3.1 Election to membership shall be by the Management Committee who may refuse any application without giving any reason for such refusal.
- 4.3.2 Life Membership may be conferred on a member for outstanding work done for the Club over a number of years if recommended by the Management Committee and confirmed by resolution of the majority of members present and voting at a General Meeting.

4.4 Register of Members

- 4.4.1 The Management Committee shall, following the Annual General Meeting, appoint one of its committee members to be Membership Secretary.
- 4.4.2 The Membership Secretary shall on behalf of the Club keep and maintain a Register of Members in which shall be recorded the name, address and membership category of all members together with the date on which each member was elected, the number and dates of Club rallies or other Club functions attended, details of any Club awards received (Clause 19), the member's current financial status within the Club and any other relevant details as directed by the Management Committee.

4.5 Limit on Membership (Caravans)

The number of members of the Club shall be such that the number of associated caravans does not exceed forty (40) caravans. This limit may be varied by resolution of a simple majority of members present and voting at an Annual General Meeting provided that notice of motion to effect such a variation has been given and that no financial member desirous of continuing as a member is prevented from so doing as a result of any reduction in the limit. ~~Persons wishing to join the Club after the prevailing limit has been reached shall be placed on a waiting list and notified if and when a membership vacancy occurs.~~

- 4.5.1 When a membership vacancy occurs the Management Committee may take what ever action it deems appropriate to recruit new members to restore membership up to the prevailing limit.

4.6 Members Attendance Requirement

Members are required to attend a minimum of three (3) Club rallies each year. For the purpose of this provision attendance at a Club rally means bringing a Caravan to the rally site and staying for at least one night or spending at least one night at the rally site in alternative accommodation. Where a member fails to achieve this minimum attendance requirement the Management Committee may at its discretion, deem that Membership to have lapsed and that as a result a membership vacancy has occurred.

As amended at  
AGM on  
08/07/2001

4.6.1 Leave of absence may be granted by the Management Committee

5. FEES

5.1 Annual Subscription

5.1.1 The amount of annual subscription shall be set by the Management Committee for ratification by a simple majority of members present and voting at the Annual General Meeting.

5.1.2 Annual subscriptions become due and payable in advance from the date of the Annual General Meeting.

5.2 Nomination Fee

The amount of the nomination fee which must accompany all applications for membership shall be set by the Management Committee for ratification by a simple majority of members present and voting at the Annual General Meeting.

5.3 Special Purpose Fee

5.3.1 A special purpose fee, for example an Amenities Fee, may be set by the Management Committee for ratification by a simple majority of members present and voting at a General Meeting of the Club.

5.3.2 A special purpose fee becomes due and payable in advance from the date of the General Meeting at which it was approved.

5.3.3 Only one (1) special purpose fee may be levied in any financial year and such fee must be amended, cancelled, continued or replaced by another special purpose fee as determined by resolution of a simple majority of members present and voting at the next Annual General Meeting.

5.4 Payment of Fees

5.4.1 Membership shall be deemed to have lapsed if the annual subscription and any special purpose fee are not paid in full within two months of the date on which they were established.

5.4.2 Due consideration of the above provision shall be given to any members who may be overseas or interstate during the period by which fees must be paid.

5.4.3 Any lapsed member who wishes to renew their membership will be treated as a new applicant ~~and may be placed on any membership waiting list (Clause 4.5).~~ A lapsed member will be required to pay any nomination fee, annual subscription and special purpose fee applicable at the time of application for readmission.

As amended  
at AGM on  
08/07/2001

6. MANAGEMENT

The management of the Club shall be vested in a Management Committee and Executive Committee.

6.1 Management Committee

6.1.1 The members of the Management Committee of the Club shall be: President, Vice President, Honorary Secretary, Honorary Treasurer and five (5) members.

6.1.2 All members of the Management Committee shall be proposed seconded and elected by a simple majority of members present and voting at the Annual General Meeting.

6.1.3 Nominations for positions on the Management Committee may be accepted at the Annual General Meeting.

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As amended  
at AGM on  
20/07/2003

6.1.4 The President shall hold office from the declaration of election to that office at an Annual General Meeting until the declaration of results of the elections at the next ~~but one~~ Annual General Meeting, ie for a ~~two (2)~~ one (1) year term. The President shall be eligible for re-election as ~~President for up to two (2) such terms~~ for a further one (1) year term in succession following which at least one (1) year must elapse before that person again becomes eligible for election as ~~President~~ to the Management Committee.

As amended  
at AGM on  
20/07/2003

6.1.5 Other office bearers and members of the Management Committee shall hold office from the declaration of their election at an Annual General Meeting until the declaration of results of elections at the next Annual General Meeting, ie for a one (1) year term. Management Committee members shall be eligible for re-election for ~~up to two (2) such terms~~ for a further one (1) year term in succession following which at least one (1) year must elapse before that person again becomes eligible for election as a Management Committee member unless the retiring member is nominated and elected as President.

6.1.6 The President shall preside at all meetings of the Management Committee or in the President's absence, the Vice President. In their absence a member chosen by those present shall preside.

6.1.7 The position of any member of the Management Committee shall become vacant if that member resigns from the Management Committee or is absent from three or more consecutive meetings of the Management Committee without prior leave or ceases to be a member of the Club.

6.1.8 The Management Committee may appoint any individual member of the Club to fill any vacancy on the Management Committee and such appointment shall remain valid until the election of the new Management Committee at the next Annual General Meeting.

6.1.9 The Management Committee may coopt additional members.

6.1.10 The Management Committee shall meet on a regular basis as required but not less than four (4) times per annum at such place and time as the President shall appoint. The venue for the next meeting shall be arranged at each committee meeting.

6.1.11 All members of the Management Committee shall have the right to one vote on any motion and the Chairperson shall have a second or casting vote.

6.1.12 The quorum at Management Committee meetings shall be five (5).

6.2 Executive Committee

6.2.1 The Executive Committee of the Club shall be: President, Vice President, Honorary Secretary and Honorary Treasurer any three of whom shall constitute a quorum for the purpose of exercising its functions.

6.2.2 The Executive Committee shall consider and determine any urgent matter when it is impracticable for such matter to be referred to the Management Committee, or where the Management Committee has directed it to take any specific action and shall report any such actions at the next meeting of the Management Committee.

6.3 Duties and Powers of the Management Committee

The duties of the various officers of the Club shall, in addition to those provided elsewhere in this Constitution, be those laid down by the Management Committee from time to time and shall also include:

**6.3.1 Honorary Secretary**

The Honorary Secretary shall:

- (i) Convene all meetings of the Club and the Management Committee.
- (ii) Record and maintain full and correct minutes of all meetings of the Management Committee and of the Annual General Meeting, General Meetings and Special General Meetings of the Club.
- (iii) Conduct the correspondence of the Club and have custody of all documents of the Club other than those required to be kept and maintained by, or in the custody of the Membership Secretary (Clause 4.4.2) and the Honorary Treasurer (Clause 6.3.2).

**6.3.2 Honorary Treasurer**

The Honorary Treasurer shall:

- (i) Receive all money on behalf of the Club, give receipts therefore and pay such monies into such account at such financial institution as the Management Committee may from time to time decide.
- (ii) Keep the accounts of the Club and shall make up an annual statement of accounts, balance sheet and property statement of the Club to the thirtieth (30th) day of June each year.
- (iii) Have custody of the books of account, chequebook, credit card (if any) and Petty Cash imprest of the Club and be responsible for their safekeeping.

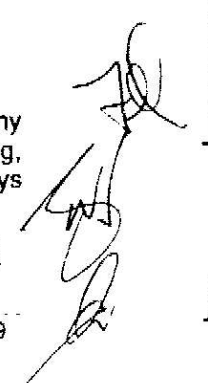
**6.3.3 Notwithstanding powers conferred upon it elsewhere in this Constitution, the Management Committee shall have the following additional powers, authorities and discretions:**

- (i) To be responsible for the formulation and execution of the Club policy and for the proper conduct of Club affairs.
- (ii) To appoint sub-committees for such purposes and with such powers as it thinks fit.
- (iii) To control the finances and property of the Club with the proviso that the income and property of the Club shall be applied solely to the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of pecuniary profit to members provided that remuneration may be paid in good faith to officers and servants of the Club or other persons in return for services actually rendered to the Club.
- (iv) To purchase, lease, hire or otherwise acquire any equipment, property, real or personal estate for the purpose of the Club.
- (v) Subject to prior approval at a General Meeting of members to borrow or raise upon loan any sum or sums of money and for the purpose of securing the repayment thereto to execute or give any mortgages, charges or other securities over all or any of the property of the Club as may be deemed necessary and to liquidate, redeem or pay off such obligations and securities or any of them.

**7. GENERAL MEETINGS**

**7.1 Powers**

Without affecting the generality of powers conferred on it by this Constitution, any General Meeting of members may, by a simple majority of members present and voting, assume outright control of the affairs of the Club, provided that at least fourteen days notice of motion to that effect has been given to all members.



**7.2 Quorum**

At all General Meetings of the Club, a number equivalent to one-third of members entitled to vote, or fifteen (15) such members, shall constitute a Quorum.

**7.3 Chairperson**

At all General Meetings of the Club, the President shall preside as Chairperson of the meeting and in the absence of the President, the Vice President shall preside. In the absence of both the President and the Vice President the General Meeting shall elect a Chairperson from the meeting.

**7.4 Voting**

7.4.1 All financial members in attendance shall have the right to one vote on any motion. In all matters, however, the Chairperson shall have a casting vote as well as an original vote.

7.4.2 Decisions on motions duly proposed and seconded shall be by a simple majority save in the question of amendments to this Constitution which question shall require a three-fourths majority of those present and voting.

7.4.3 Voting shall be by the show of hands, but a secret ballot may be ordered by the Chairperson or called for by not less than six (6) members.

**7.5 Adjournment**

The Chairperson may adjourn any meeting from time to time.

**7.6 Notice of Meetings**

The Honorary Secretary shall convene any General Meeting required under this Constitution by giving at least fourteen (14) days notice to all members in the Register of Members. Notification per medium of the Club Magazine or Newsletter shall satisfy this provision.

**8. ANNUAL GENERAL MEETING**

8.1 The financial year of the Club shall commence on the first day of July each year.

8.2 The Annual General Meeting of the Club shall be held as soon as possible on or after July 1<sup>st</sup>, but not later than October 31<sup>st</sup>, each year at a time and place to be determined by the Management Committee.

8.3 The order of business shall be:

8.3.1 The President's Report

8.3.2 The Treasurer's Report and Acceptance of Audit

8.3.3 Other Reports eg Rally Coordinator's Report, as directed by the President.

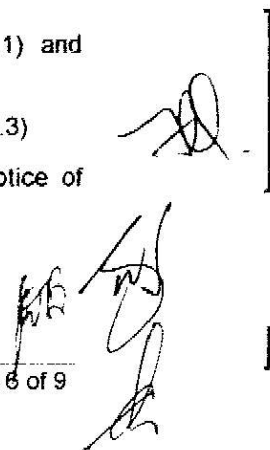
8.3.4 Election of the Management Committee (Clause 6.1)

8.3.5 Determination of the amount of the Annual Subscription (Clause 5.1) and Nomination Fee (Clause 5.2) for the coming year

8.3.6 Consideration of any Special Purpose Fee existing or proposed (Clause 5.3)

8.3.7 Consideration of proposed amendments to this Constitution proper notice of which has been given (Clause 15)

8.3.8 Any other business for which notice of motion has been given.





- 8.4 An audited financial statement of the Club's accounts for the previous year or as required by the Management Committee, shall be submitted to the Annual General Meeting by the Honorary Treasurer, together with a certified property statement.
- 8.5 In the event that there is no quorum within thirty (30) minutes of the appointed starting time for the Annual General Meeting, the meeting stands adjourned for two (2) weeks. No quorum shall be necessary at the adjourned meeting save if any proposal to amend this Constitution is included on the agenda for the meeting.

**9. GENERAL AND SPECIAL GENERAL MEETINGS**

- 9.1 A General Meeting of members may be held at the discretion of the Management Committee.
- 9.2 A Special General Meeting must be held on the petition of one-third of the members entitled to vote or fifteen (15) such members (whichever is the lesser). The President or the Vice President must be the recipient of such petition and the meeting must be held within twenty-eight (28) days of the receipt of the petition by the President or Vice President who shall instruct the Honorary Secretary to convene the meeting.
- 9.3 The business of any General or Special General Meeting shall be confined to the consideration of motions on notice.

**10. BANKING**

- 10.1 All monies received by the Club shall be deposited to an account at any financial institution in Western Australia approved by the Management Committee from time to time.
- 10.2 The account shall be operated by the President, Vice President, Honorary Secretary and Honorary Treasurer with any two (2) to sign cheques drawn on the account.
- 10.3 The Club may operate a Credit Card associated with the approved account subject to the proviso that the credit facility be limited to a maximum amount as shall be approved by the Management Committee from time to time and shall not include a cash withdrawal facility.
- 10.4 All claims for payment received by the Club shall be submitted to a meeting of the Management Committee for approval prior to payment except that where payment is deemed to be urgent by the Honorary Treasurer payment may be approved by the Executive Committee and such approval shall be reported to the next meeting of the Management Committee.
- 10.5 All normal payments shall be made by cheque, approved credit card or an electronic banking facility operated by the Club's financial institution. Notwithstanding this provision however, the Management Committee may authorise the Honorary Treasurer to retain a Petty Cash imprest for small, ad hoc expenses in such amount as may be approved from time to time.

**11. PROPERTY**

Property includes any Real Estate, any building thereon, and any movable property owned by the Club, and shall vest in the Management Committee.

**12. DISCIPLINE**

- 12.1 All members of the Club are bound by this Constitution and are deemed to have notice of it. The Honorary Secretary shall give or send to each new member a copy free of charge.
- 12.2 The Management Committee may suspend any member for such period as the Committee decides, and after any hearing or investigations may expel such member.

- 12.3 Should any complaint be received by the Club with regard to the conduct of any member on a camping ground, caravan park, or on the road with their caravan, the member shall be notified of such complaint which shall be investigated by the Management Committee at a meeting at which the member is entitled to be heard or represented.
- 12.4 In the event of a member being suspended or expelled, the member shall have the right to appear at a Special General Meeting called for the purpose.
- 12.5 The Club shall have the right to take suitable action in cases where the Club's property is used without authority.
- 12.6 Members, on arriving at a rally destination, shall proceed to any space allotted by the Marshal, Rally Coordinator or Park Management.
- 12.7 No dogs shall be allowed at Club rallies. No other pets shall be allowed at Club rallies without the permission of the Management Committee, who may only exercise discretion in this respect in exceptional circumstances.

**13. MAGAZINE**

A Club Magazine or Newsletter shall be published in accordance with the direction of the Management Committee. All financial categories of membership are entitled to receive a copy of the Club Magazine or Newsletter.

**14. ACCIDENT**

The Club shall not be responsible for the cost of any injuries or accidents to any person or property occurring at any function under the Club's control.

**15. ALTERATION OF RULES**

No alteration or rescission of these rules shall be made except at an Annual General Meeting or a Special General Meeting called for that purpose, notice of which meeting shall include the proposed alteration or rescission of rules.

**16. INTERPRETATION**

Any disagreement regarding the interpretation of these rules shall be referred to the Management Committee whose decision shall be final.

**17. COMMON SEAL**

The Common Seal of the Club shall be kept in the care of the President. The seal shall only be used or affixed to any deed or document pursuant to a resolution of the Management Committee and in the presence of the President and two members of the Management Committee, both of whom shall subscribe their names as witnesses.

**18. LIABILITY INSURANCE**

The Management Committee shall arrange adequate insurance cover indemnifying the Club against public liability risk, or property damage.

**19. LONG MEMBERSHIP**

The Management Committee may recognise long-standing members of the Club by awarding a star, badge, bar or other suitable medallion. Qualification for such an award shall be on the basis of the number of Club rallies attended (Clause 4.6), the first interval of which shall be attendance at fifty (50) Club rallies and thereafter in spans of twenty-five (25) rallies.

**20. BY-LAWS**

20.1 The Management Committee may from time to time, make, amend or repeal By-Laws and other rules for the good order and proper conduct of the affairs of the Club and its members. Such By-Laws and other rules shall be promulgated to members per media of



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the Club Magazine or Newsletter immediately following their adoption and a record of them shall be maintained in a suitable format by the Honorary Secretary.

20.2 If Club By-Laws or other rules conflict in any way with this Constitution then the provisions of this Constitution shall prevail.

20.3 No alteration or rescission of the By-Laws or other rules save as provided above (Clause 20.1) shall be made except at an Annual General Meeting or a Special General Meeting called for that purpose, notice of which meeting shall contain the proposed alteration or rescission.

21. DISSOLUTION

21.1 The Club may be dissolved or wound up by a resolution passed at a General Meeting convened specifically for that purpose and obtaining a majority of seventy five percent (75%) of members present and entitled to vote.

21.2 Upon the passing of such resolution the property of the Club shall be realised and all the debts and liabilities discharged.

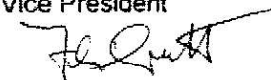
21.3 If after the discharge of the debts and liabilities there remains a residue of the property of the Club or of the proceeds of realisation of that property then the residue shall be given or transferred to some other incorporated association determined by the members at or before the time of the dissolution or winding-up which has objects similar to those of the Club or to an incorporated association with charitable objects.

END OF CONSTITUTION

The members of the Executive Committee of the Sandgroper Caravanners Inc. whose signatures are appended below, having read and initialled each of the above nine (9) pages, hereby certify that this document is a true and correct copy of the Constitution of the Sandgroper Caravanners Inc. as adopted at a General Meeting of Members held on Tuesday 3<sup>rd</sup> August 1999 and amended at the Annual General Meeting held on Sunday 8<sup>th</sup> July, 2001, and the Annual General Meeting held on Sunday 20<sup>th</sup> July 2003.

  
G. W. SAVAGE  
President

F. E. McGRATH  
Vice President



  
C. D. REEVE  
Honorary Secretary



J. D. BURN  
Honorary Treasurer

Lodged in the Office of the  
Commissioner for Fair  
Trading on the  
1 - AUG 2003

