

Trakmaster Off-Road Caravan Club Inc

RULES OF THE CLUB

Incorporating all amendments including the latest
Adopted at the Annual General Meeting 21st November 2009

Table of Contents

Rule		Page
1.	NAME	2
2.	STATEMENT OF PURPOSE	2
3.	DEFINITIONS	2
4.	ELIGIBILITY FOR MEMBERSHIP	2
5.	FOUNDATION MEMBERS	2
6.	MEMBERS	3
7.	TERMINATION OF MEMBERSHIP	3
8.	REGISTER OF MEMBERS	4
9.	DISCIPLINE OF MEMBERS	4
10.	FEES AND SUBSCRIPTIONS	4
11.	COMMITTEE	4
12.	ELECTION OF OFFICE BEARERS AND ORDINARY COMMITTEE MEMBERS	5
13.	VACANCIES ON THE COMMITTEE	5
14.	COMMITTEE MEETINGS	5
15.	QUORUM AT COMMITTEE MEETINGS	5
16.	NOTICE OF COMMITTEE MEETINGS	5
17.	DECISIONS AT COMMITTEE MEETINGS	6
18.	REGIONAL REPRESENTATIVES OR ORGANIZERS	6
19.	CONDUCT OF MEETINGS	6
20.	CALL FOR A POLL	6
21.	MINUTES	6
22.	ANNUAL GENERAL MEETINGS	7
23.	SPECIAL GENERAL MEETINGS	7
24.	SPECIAL BUSINESS	7
25.	NOTICE OF GENERAL MEETINGS	7
26.	QUORUM AT GENERAL MEETINGS	8
27.	PROXIES	8
28.	DECISIONS AT GENERAL MEETINGS	8
29.	MANAGEMENT OF FUNDS	9
30.	FINANCIAL YEAR	9
31.	COMMON SEAL	9
32.	BOOKS AND RECORDS	9
33.	INSPECTION OF DOCUMENTS BY MEMBERS	9
34.	ALTERATIONS TO STATEMENT OF PURPOSES AND RULES	9
35.	DISPOSAL OF SURPLUS ASSETS ON WINDING UP	9
36.	GRIEVANCE PROCEDURE	10
37.	DISCREPANCY IN RULES	10

1. NAME

The name of the club shall be the **TRAKMASTER OFF-ROAD CARAVAN CLUB INCORPORATED**, in these rules referred to as “the club”.

2. STATEMENT OF PURPOSE:

The club is a not for profit organisation for the purpose of:

- Providing social, educational and recreational activities for its members.
- Organising and conducting caravan and or four wheel drive outings for the enjoyment of members.
- Providing the opportunity for members to gain experience and knowledge in operating their caravan and vehicle efficiently and safely in all conditions.
- Promoting goodwill and friendship and cooperation between members of the club as well with clubs having similar purpose.
- Supporting the conservation of the natural environment.
- Facilitating the training of members of the club in the use of their caravan and tow vehicle.
- Promoting the safe recreational use of caravans.
- Assisting with community services where possible.
- Helping to keep the Trakmaster name in good standing.

3. DEFINITIONS

In these rules, unless the contrary intention appears:

<i>the Act</i>	The Associations Incorporation Act 1981.
<i>the club</i>	The Trakmaster Off-Road Caravan Club Incorporated.
<i>these rules</i>	The Rules of the Trakmaster Off-Road Caravan Club Incorporated.
<i>the committee</i>	The Committee of Management of the club.
<i>financial year</i>	The club financial year ending on October 31.
<i>general meeting</i>	A General Meeting of members convened in accordance with these rules.
<i>member</i>	A person admitted into membership in accordance with Rule 6.
<i>full member</i>	A person admitted into membership in accordance with Rule 6.1.
<i>social member</i>	A person admitted into membership in accordance with Rule 6.2.
<i>officer</i>	A person elected to office by the members in accordance with these rules.
<i>ordinary committee member</i>	An elected member of the committee who is not an officer of the club.
<i>regulations</i>	The regulations under the Act.
<i>relevant documents</i>	Has the same meaning as in the Act.
<i>RV</i>	Recreational Vehicle eg caravan, slide-on, other.

In these rules, a reference to the Secretary is a reference to the person elected by the members to the office of Secretary, or in any other case, to the Public Officer of the club.

4. ELIGIBILITY FOR MEMBERSHIP

Membership shall be open to those owners and former owners of Trakmaster RV Products who agree to abide by the objectives of the club, are eligible for admission to membership in accordance with these rules, and are accepted by the committee.

5. FOUNDATION MEMBERS

Owners of Trakmaster RV Products who are present in person or by proxy at the Inaugural General Meeting of the club shall be admitted to membership.

6. MEMBERS

There shall be two categories of membership:

- (a) Full Membership.
- (b) Social Membership.

6.1 FULL MEMBERS

An owner of a Trakmaster recreational vehicle may apply for full membership of the club by completing a full membership application form and submitting it to the committee together with the applicable annual subscription and joining fee.

An intending owner of a Trakmaster recreational vehicle who has placed an order and paid a deposit of at least one thousand dollars may apply for full membership of the club by completing a full membership application form and submitting it to the committee together with the applicable annual subscription and joining fee.

6.2 SOCIAL MEMBERS

A full member or former full member of the club who, through some illness, difficulty, or other special circumstance acceptable to the committee, has ceased to be the owner of a Trakmaster recreational vehicle may apply for social membership of the club.

Application shall be by completing a social membership application form and submitting it to the committee together with the applicable annual subscription and joining fee, and shall be approved only if three-quarters or more of the committee members present at the committee meeting at which it is presented vote in its favour.

In the case of an applicant who has already paid a full member's subscription for the current year, no fee need accompany the application, and if the application is successful the social membership subscription for the current year will be deemed to have been paid.

Social members shall enjoy the same rights and privileges as full members except that:

- * They cannot be elected to the committee.
- * Full members have priority for club events where the number of places available is limited. Any uncertainty in the application of this provision shall be resolved by the committee or its appointee.

6.3 ALL MEMBERS

The committee may at its discretion admit or decline to admit a person to membership and shall not be required to give reasons for doing so.

A person denied admission by the committee shall have the right to appeal to the membership at the next general meeting following such denial. The decision of the general meeting shall be by a simple majority of those members present in person or by proxy, and shall be final. In the case of a tied vote, the Chair shall have, in addition to a deliberative vote, a second or casting vote.

7. TERMINATION OF MEMBERSHIP

A member shall cease to be a member:

- If the member's annual subscription is not paid within sixty days of being due.
- If the member notifies the Secretary of his or her resignation.
- If a full member ceases to be the owner of a Trakmaster recreational vehicle and has not paid a deposit on a replacement Trakmaster recreational vehicle. Except that in special circumstances the committee may at its discretion grant the member admission to social membership in accordance with Rule 6.2.
- If the member was admitted to membership under the "intending owner" clause in Rule 6.1 and subsequently cancels the order and/or does not proceed with the purchase.

The Secretary shall record in the register of members the date on which a member ceases to be a member.

8. REGISTER OF MEMBERS

The Secretary shall keep a register of members in which is recorded the name, address, category of membership, date on which the person became a member, and whether the current subscription has been paid.

The Secretary shall, upon request, make the register available for inspection to any member without charge.

A member may make a copy of entries in the register.

9. DISCIPLINE OF MEMBERS

The committee shall have the power to expel a member for any breach of the rules or behaviour or conduct which in the opinion of the committee is not in the best interests of the club.

In the event of a member being expelled by the committee, such member shall have the right to appeal to a special general meeting of which prior notice has been given to members in compliance with the rules. The appeal shall be regarded as a special resolution and voting shall be as stated for special resolutions in Rule 28.

10. FEES AND SUBSCRIPTIONS

Fees are made up of an annual subscription and a joining fee. Both the annual subscription and the joining fee of each category of membership shall be determined by the committee and reviewed each year at the annual general meeting. Members admitted during any year may, at the discretion of the committee, be eligible to pay a pro rata fee for their first year of membership. The fees and subscriptions are decided by the committee from time to time and are shown on or accompany the application form.

11. COMMITTEE

The club shall be managed by a committee of full members of the club consisting of:

- President
- Vice-President
- Secretary
- Treasurer
- Trip Coordinator
- Editor (of the club magazine and/or newsletter)
- Webmaster
- A Trakmaster representative (This representative is nominated by Trakmaster Pty Ltd. It is not an elected position.)
- Two ordinary committee members
- And, optionally, one or two additional ordinary committee members.

One or both of the optional ordinary committee members may be elected by the annual general meeting if the meeting so desires. To whatever extent these optional positions are not filled at the annual general meeting, the committee may appoint them by cooption if it so desires.

The committee shall have the entire control and management of the club and shall have power to do anything necessary or convenient to achieve the purposes of the club.

Each member of the committee shall hold office until the annual general meeting next after the date of his or her election or cooption but is eligible for re-election.

12. ELECTION OF OFFICE BEARERS AND ORDINARY COMMITTEE MEMBERS

Nominations of candidates for election as office bearers and ordinary committee members shall be:

- Made in writing, signed by two members of the club, and endorsed by the candidate.
- Handed or sent to the Secretary so that it is received not less than seven (7) days before the date fixed for the holding of the annual general meeting,

A candidate may only be nominated for one office, or as an ordinary committee member, prior to the annual general meeting.

If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.

If the number of nominations is less than the number of vacancies, those persons nominated shall be declared elected, and nominations for the unfilled positions may be received at the annual general meeting.

The ballot for election of committee members may be conducted in such manner as the committee may direct.

13. VACANCIES ON THE COMMITTEE

A person shall cease to be a member of the committee if the person:

- Is absent without leave from three consecutive meetings of the committee of which notice has been given in accordance with these rules.
- Resigns by notice in writing to the Secretary.
- Ceases to be a member of the club.
- Is dismissed by special resolution at a special general meeting called to discuss the dismissal.

In the event of a casual vacancy on the committee, the committee may appoint a member of the club to fill the vacancy and the member appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

14. COMMITTEE MEETINGS

Ordinary meetings of the committee shall be held at least two (2) times during the year.

Special meetings of the committee may be convened by the President or by any four (4) members of the committee

15. QUORUM AT COMMITTEE MEETINGS

Take the total number of members elected or appointed to the committee and divide by 2. Note the result. The quorum for committee meetings shall be the first whole number greater than that result. (Using this formula the quorum for committees of 10 and 11 is 6; the quorum for a committee of 12 is 7.)

16. NOTICE OF COMMITTEE MEETINGS

Written notice of each committee meeting must be given to each member of the committee at least two (2) weeks before the date of the meeting.

Notice must also be given to members of the committee of any special meeting, specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

17. CONDUCT OF COMMITTEE MEETINGS

The President, or in the President's absence the Vice-President, shall preside at all meetings of the committee. If the President and the Vice-President are absent from a meeting, or are unable to preside, the members present must select one of their number to take the Chair.

Unless otherwise provided in these rules, all decisions at committee meetings except a decision to close a meeting shall be made by simple majority of those committee members present. In the case of a tied vote, the person presiding shall have, in addition to a deliberative vote, a second or casting vote

The decision to close a committee meeting shall be at the discretion of the person presiding, unless a motion to close the meeting is proposed and supported by at least three-quarters of committee members present. In the latter case, the meeting is closed by resolution.

18. REGIONAL REPRESENTATIVES OR ORGANIZERS

The committee may appoint Regional Representatives or Organizers, and define their roles, at its discretion. These appointees shall not be members of the committee unless they are elected or appointed to the committee in accordance with rules 11 and 12, but the committee may invite them to attend committee meetings when it so desires, to report on and discuss matters relating to their regions.

19 CONDUCT OF GENERAL MEETINGS

The President, or in the President's absence the Vice-President, shall preside at all general meetings. If the President and the Vice-President are absent from a meeting, or are unable to preside, the members present must select one of their number to take the Chair.

Members may vote personally or by proxy. Each member has one vote only.

A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the club have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

Upon any question arising at a meeting the motion shall be determined by a show of hands unless a poll is called for.

20. CALL FOR A POLL

A procedural motion calling for a poll on the matter being discussed by the meeting may be moved at any time during the discussion, or immediately after a vote on a show of hands.

This motion must be accepted and must be put immediately without speakers or discussion. If the motion receives support on a show of hands from at least one-fifth of members present in person, the matter before the meeting shall be decided by poll and any vote already taken on a show of hands shall be superseded.

21. MINUTES

The Secretary of the club shall keep, or cause to be kept, minutes of the resolutions and proceedings of each general meeting and each committee meeting, together with a record of the names of persons present at committee meetings.

22. ANNUAL GENERAL MEETINGS

The Annual General Meeting of the club shall be held within four (4) months of the end of the club's financial year.

Notice of the meeting shall specify that it is the annual general meeting and shall include details of any Special Business.

The Ordinary Business of the Annual General Meeting shall be:

- To confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting.
- To receive from the committee a report of the activities of the club during the preceding year.
- To receive an audited financial report for the preceding financial year.
- To elect officers of the club and the ordinary members of the committee.
- To receive and consider the statement submitted by the club in accordance with section 30(3) of the Act.

The annual general meeting may conduct any Special Business of which notice has been given in accordance with these rules

23. SPECIAL GENERAL MEETINGS

In addition to the annual general meeting, other general meetings may be held in the same year.

All general meetings other than the annual general meeting are special general meetings.

The committee may, on its own initiative, convene a special general meeting of the club.

The committee must, on the request in writing of members representing not less than 5 per cent of the total number of members, convene a special general meeting of the club.

The request for a special general meeting must:

- State the objects of the meeting.
- Be signed by the members requesting the meeting.
- Be sent to the address of the Secretary.

If the committee does not cause a special general meeting to be held within one month after the date on which the request is sent to the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than 4 months after that date.

If members, in accordance with this rule convene a special general meeting, it must be convened in the same manner so far as possible as a meeting convened by the committee and the club must refund all reasonable expenses incurred in convening the special general meeting to the persons incurring the expenses.

24. SPECIAL BUSINESS AT GENERAL MEETINGS

All business that is conducted at a special general meeting, and all business that is conducted at the annual general meeting except for business conducted under the rules as Ordinary Business of the annual general meeting, is deemed to be Special Business.

25. NOTICE OF GENERAL MEETINGS

At least 14 days, or if a Special Resolution has been proposed, at least 21 days, before the date fixed for holding a general meeting, the Secretary must cause a notice to be sent to each member of the club stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.

Notice shall be sent

- By prepaid post to the address appearing in the register of members,
- OR, if the member requests it, by facsimile transmission or electronic transmission.

No business other than that set out in the notice convening the meeting may be conducted at the meeting.

26. QUORUM AT GENERAL MEETINGS

No item of business may be conducted at a general meeting unless a quorum of members entitled under these rules to vote is present at the time when the meeting is considering that item.

Five personally present (being members entitled under these rules to vote at a general meeting) constitute a quorum for the conduct of the business of a general meeting.

If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present:

- In the case of a meeting convened upon the request of members, the meeting must be dissolved.
- In any other case the meeting shall stand adjourned to a time and place agreed by those members present.

If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than 3) shall be a quorum.

27. PROXIES

Each member is entitled to appoint another member as a proxy. The appointment must be in writing or by email. A form for appointment in writing is available from the Secretary. An appointment by email must contain the same information as required by the form available from the Secretary, and must originate from the email address that the member appointing the proxy has registered with the club.

A member's notice appointing a proxy for a particular meeting shall not be accepted unless in the hands of the Secretary at least 24 hours before the starting time for the meeting.

28. DECISIONS AT GENERAL MEETINGS

The following are Special Resolutions:

- A resolution to alter the Name, the Statement of purposes and the rules, or to rescind or make additional rules.
- A resolution to dismiss a member of the committee.
- Any resolution required by the Associations Incorporation Act to be a special resolution.
- Any resolution required by these rules to be a special resolution.

A special resolution shall be declared lost unless three-quarters or more of the members present, in person or by proxy, vote in favour of the resolution.

All other resolutions shall be termed Ordinary Resolutions and shall be confirmed if a simple majority of members present, in person or by proxy, vote in favour of the resolution. In the case of a tied vote, the Chair shall have, in addition to a deliberative vote, a second or casting vote.

Except in the case of a poll, a declaration by the Chair that a resolution has been carried, carried unanimously, carried by a particular majority, or lost, and an entry made to that effect in the minute book of the club, shall be evidence of the fact without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

In the case of a poll, the results of the count shall be announced to the meeting and recorded in the minutes, and shall be the decision of the meeting.

29. MANAGEMENT OF FUNDS

The Treasurer of the club shall:

- Collect and receive all moneys due to the club and make all payments authorised by the club.
- Keep correct accounts and books showing the financial affairs of the club with full details of all receipts and expenditure connected with the activities of the club.
- Present a current financial status summary at each general meeting.
- Each year, prepare a financial report detailing the financial affairs of the club, arrange for the report to be audited and present the report to the members at the Annual general meeting.

All cheques, drafts, bills of exchange, promissory notes, and other negotiable instruments shall be signed by two members of the committee.

The funds of the club shall be derived from joining fees, annual subscriptions, donations and such other sources as the committee determines.

30. FINANCIAL YEAR

The financial year of the club shall be the year ending 31st October.

31. COMMON SEAL

The Secretary shall be responsible for the custody of the common seal, which shall only be affixed in accordance with a resolution of the committee and in the presence of two members of the committee.

32. BOOKS AND RECORDS

The Secretary shall be responsible for the custody of the books, records and securities of the club.

33. INSPECTION OF DOCUMENTS BY MEMBERS

The members of the club shall be entitled, after giving reasonable notice to the Secretary, to inspect the books and documents of the club.

34. ALTERATIONS TO STATEMENT OF PURPOSES AND RULES

The Statement of Purposes and Rules of the club may not be altered except in accordance with the Act and only by a Special Resolution carried at a general meeting of the club. Such alteration/s shall not take effect until lodged with and approved by the Registrar of Incorporated Clubs.

35. DISPOSAL OF SURPLUS ASSETS ON WINDING UP

Any surplus assets remaining on the dissolution of the club shall be given to such organisations having similar purposes to those of the club as is decided by a special resolution of the members present at the meeting at which the resolution to wind up the club is passed or if no such decision is made, by a special resolution of members at a general meeting called to discuss the same. Failing the making of such a special resolution the assets of the club shall be disposed of in accordance with the provisions of the Act.

36. GRIEVANCE PROCEDURE

The grievance procedure set out in this rule applies to disputes under these rules between:

- A member and another member; or
- A member and the club.

The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute with fourteen (14) days after the dispute comes to the attention of all of the parties.

If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within ten (10) days, hold a meeting in the presence of a mediator.

The mediator must be:

- A person chosen by agreement between the parties; or
- In the absence of agreement:
 - * In the case of a dispute between a member and another member, a person appointed by the committee of the club.
 - * In the case of a dispute between a member and the club, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

A member of the club can be a mediator.

The mediator cannot be a member who is a party to the dispute.

The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

The mediator, in conducting the mediation, must:

- Give the parties to the mediation process every opportunity to be heard.
- Allow due consideration by all parties of any written statement submitted by any party.
- Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

The mediator must not determine the dispute.

If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

37. DISCREPANCY IN RULES

These rules shall be read in conjunction with the Act and the Model Rules for Incorporated Clubs.

Where a discrepancy exists between these rules and the Act, the Act shall be taken as the authority.

Where a discrepancy exists between these rules and the Model Rules, these rules shall prevail except to any extent prevented by the Act or by law.

If a situation arises for which there is no provision in these rules, and there is a provision in the Model Rules, the Model Rules shall be taken as the authority.
