

CONSTITUTION OF THE PORT AUGUSTA VEHICLE RESTORERS CLUB INC – A8590



1. NAME

The name of the club shall be the Port Augusta Vehicle Restorers Club Incorporated, hereinafter called the Club.

2. OBJECTS

The objects of the Club shall be:

- a) The encouragement of interest in and the restoration and preservation of vehicles
- b) To co-operate with Clubs having similar objects
- c) The Club shall be a nonprofit organization
- d) To do all such things as shall be conducive or incidental to the attainment of the above objects or any one or number of them.
- e) The association shall have all the powers conferred by Section 25 of the Act to further the objects of the association.

3. DEFINITIONS

Conditional Registration Scheme “Code of Practice” – Registrar of Motor Vehicle SA Scheme Vehicles

1.1 The Scheme is open to all historic, left-hand drive, street rod and individually constructed vehicles meeting the criteria as detailed in the Regulations and which have been built or modified in accordance with the requirements or specifications accepted by the Registrar which are detailed in this Code.

Historic Vehicles

1.2 A motor vehicle is a historic vehicle if (see Code of Practice) years or more have elapsed since 1 January of the year in which the vehicle was manufactured.

Eligible vehicles can also include motorcycles and trailers.

Left-Hand Drive Vehicles

1.4 A motor vehicle is a left-hand drive vehicle if (see Code of Practice) years or more have elapsed since 1 January of the year in which the vehicle was manufactured, and that vehicle has its steering wheel on the Left.

Street Rod Vehicles

1.6 Of the Code of Practice.

Dispute Resolution

1.13 Of the Code of Practice.

INDIVIDUALLY CONSTRUCTED VEHICLE.

1.11 Individually constructed vehicles are constructed by an individual typically as a one-off type vehicle built to an individual plan or design. An Individually Constructed Vehicle (ICV) is a new vehicle that is not a Production Vehicle, Modified Production Vehicle or a Production Vehicle which has had the body or chassis replaced. Not only must high quality components be

used, but all components used in the design must be correctly matched to each other to ensure safe operation, performance, and compliance with the relevant standards. The vehicle must meet construction requirements for ICV (including ADRs) as set out publicly by the Department in fact sheets and/or web pages. To qualify for the Scheme, an ICV must have undergone all of the required Department inspections and be categorised by the Department as a registrable vehicle prior to seeking access to Scheme registration.



The Act is *Associations Incorporation Act 1985* (SA)

The regulations are: the *Associations Incorporation Regulations 2023* (SA)

4. MEMBERSHIP

- a) Membership shall be available to persons subscribing to the objects of the club and shall enjoy full voting rights and the privileges offered by the club.
- b) The committee shall have the right to refuse membership to any person without assigning a reason, therefore.

5. ADMISSION TO MEMBERS

The Secretary or Treasurer shall have the power to admit to membership any person under the provisions of Rule 4 upon receipt of their annual subscription subject to the following conditions: -

- a) Approval by the Committee and payment of annual subscription.
- b) That such person has supplies such information as may be required for inclusion in the Club register.

6. EXPULSION

In the case of conduct of any member shall, in the opinion of the Committee, be injurious to the character or interests of the Club or its members, that member may be expelled or may be suspended from membership for a period not exceeding one year. Provided however that such a member shall have the right of appeal to an Extraordinary General Meeting called by the Committee for this purpose. Such appeals shall be lodged in writing by the member with the Secretary within fourteen (14) days of such expulsion or suspension and the Extraordinary General Meeting called by the Committee shall be held not more than twenty-one (21) days after the lodging of the notice of appeal. Voting on this issue both in Committee and in Extraordinary General Meetings shall be by secret ballot.

7. ANNUAL SUBSCRIPTION

(a) Annual Subscription

The annual subscription for a Full member shall be set at the Annual General Meeting.

(b) Payment of subscription

The annual subscription for a Full and Family Membership shall be due after the AGM and paid by 30 April each year. Family Membership being Full Member and Partner.



No new member shall be entitled to take part in the proceedings of the Club, nor entitled to take any of its privileges until their subscription has been paid.

8. RESIGNATION

Any member may resign their membership by giving notice in writing to the Secretary. Upon cessation of membership there shall be no claim upon the Club nor upon any of its property.

9. ARREARS OF SUBSCRIPTION

Membership will cease if a member's subscription remains unpaid sixty (60) days after the due date. The Committee may re-admit the said person to membership upon payment of their subscription. The Committee shall have the right to extend to any member or members a further period or periods in which to pay subscription as the Committee sees fit.

10. HONORARY MEMBERS

- a) Visitors may be admitted by the Committee to the Club as Honorary Members (visiting) for a period not exceeding three calendar months, during which time they shall enjoy all the privileges of the Club except voting at meetings.
- b) For services rendered to the Club or for any other reasons, a member may on agreement of a two thirds majority of all members present at a General Meeting be elected as an Honorary Life Member with full privileges, without fees or subscriptions provided at least fourteen (14) days' notice of such proposal is given to all members by the Secretary before the General Meeting at which such vote shall be taken. Voting on these issues shall be by secret ballot.
- c) It will not be normal to nominate a member as an Honorary Life Member unless they have been an ACTIVE member for at least ten (10) years. There could be, however, exceptions to this and the above is a guideline only.

11. FINANCIAL YEAR

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

12. MEETINGS

- a) **ANNUAL GENERAL MEETING** – The Annual General Meeting of the Club shall be held within one (1) month of the end of the financial year in each year at such time and place as the Committee may direct. The Chairperson's report and audited financial statement for the past year shall be presented at this meeting and the election of office bearers and committee members shall be held. Voting for these positions shall be by secret ballot.
- b) **GENERAL MEETINGS** - General Meetings shall be held each calendar month and shall be held at a time and place as advised by the Committee.
- c) **EXTRAORDINARY GENERAL MEETINGS** - Extraordinary General Meetings shall be called by the Chairperson or Vice Chairperson from a request, in writing, signed by at least 10% of full membership of the Club. The Meeting shall be called within twenty one (21) days of such request at a time and place agreed upon by the Committee.
- d) **COMMITTEE MEETINGS** – The Committee shall meet together for dispatch of business as required, with 7 days' notice required. Decisions made at General Meetings need to be ratified by the Committee.



13. QUORUM

A quorum of a General Meeting and Extraordinary General Meeting shall consist of 10% of all members of the Club and at Committee Meetings shall consist of eight (8) Committee members

14. VOTING

- a) Each member present at a meeting shall be entitled to one (1) vote per motion. In the event of an equality of voting the Chairperson shall have the casting vote.
- b) Proxy or postal voting shall be allowed.

15. MANAGEMENT

- a) The management of the club shall be vested in the committee, which shall consist of a Chairperson, Vice Chairpersons, Secretary, Treasurer and at least two (2) Historic Vehicle Registrars and no less than two (2) other committee members.
- b) The committee shall appoint a public officer as required by the Act.
- c) The Committee has the management and control of funds and other property of the association.

16. ELECTION OF OFFICE BEARERS

- a) The office bearers shall be elected at the Annual General Meeting. Officers shall hold office for a period of one (1) year at the termination of which, they shall be eligible for re-election up to 3 consecutive years.
- b) No member shall hold more than one office at any one time unless otherwise determined by a two thirds majority of members present at an Annual General Meeting and even then, at no time more than two (2) offices.



17. AUDIT

Auditor or Auditors shall be appointed by the Committee and it shall be the Auditors responsibility to examine all accounts, vouchers, receipt books and furnish a report thereon at the Annual General Meeting. Audits shall be conducted at the conclusion of each financial year or at other times as the Committee shall direct.

18. FUNDS

The funds of the Club shall be banked in the name of the Club and such Bank accounts shall be operated upon by the Treasurer and any one (1) of the following, the Secretary, Chairperson, Vice Chairpersons, which will include Cheque and Electronic Funds Transfers on a two (2) to sign authority. Debit Cards are operated by one signatory.

19. AMENDMENT TO CONSTITUTION

- a) This constitution may be amended at a General Meeting or Extraordinary General Meeting of the Club convened for that purpose, provided that the amendment is accepted by a majority of two thirds of all members present at the meeting. Proposals to amend the Constitution shall be given in writing to all members signed by the mover and seconder of the motion and at least three other members of the Club at least fourteen (14) days prior to the subsequent General Meeting or Extraordinary General Meeting convened for that purpose.
- b) The mover and seconder of the motion are the only persons who can rescind the motion.

20. DISSOLUTION

The Club shall be dissolved upon the vote of a two thirds majority of all members present at an Extraordinary General Meeting convened to consider such a question. Upon dissolution assets and funds on hand shall, after payment of all expenses and liabilities to be handed over to such other Club, or similar Association having objects such as are stated in article 2 of this Constitution or such charity as the members present at that Extraordinary General Meeting may decide. Any club receiving surplus funds is prohibited from disbursing profits to members.

21. PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS

The income and capital of the association shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to members or their associates except as bona fide remuneration of a member for services rendered or expenses incurred on behalf of the association



22. CONFLICTS OF INTEREST

- a) A member of the committee having a direct or indirect pecuniary interest in a contract or proposed contract with the association must disclose the nature and extent of that interest to the committee as required by the Act and shall not vote with respect to that contract or proposed contract.
- b) The member of the committee mentioned in subsection (3) must disclose the nature and extent of his or her interest in the contract at the next annual general meeting of the association.

The Constitution shall be read in conjunction with the Standing Orders.

This amended Constitution was presented to the members of the Club at an Extraordinary (Special) General Meeting held on 3 August 2025 and was adopted on 3 August 2025.