

THE RULES

of

SOUTH AUSTRALIAN VETERAN CYCLING ASSOCIATION INCORPORATED

1 NAME

The name of the incorporated association is South Australian Veteran Cycling Association Incorporated referred to herein as "the association".

2 DEFINITIONS

"committee"	means the committee of management of the association
"general meeting"	means a general meeting of members of the association convened in accordance with these rules
"member"	means a member of the association
"the Act"	means the Associations Incorporation Act 1985 or any Act which supersedes or replaces it.
"representative"	means a representative of an affiliated Club on the committee
"AVCC"	means the Australian Veteran Cycling Council Incorporated
"national delegate"	means an association representative to an AVCC national conference
"insurance"	means a policy that covers; personal accident, medical, loss of income, public liability, and professional indemnity.
"veteran"	means a male becoming 35 years or over in the current year and females 30 years or over in the current year

3 OBJECTS AND PURPOSES OF THE ASSOCIATION

The objects of the association are

- i) To bring together, promote and foster friendly competitive racing among veteran cycling clubs.
- ii) To coordinate and administer the sport of veteran cycle racing in South Australia.
- iii) To arrange insurance by way of issuing an AVCC racing licence to members of affiliated clubs or associations.
- iv) To control the South Australian Veterans Cycling Championships.

4 AFFILIATIONS

The association will affiliate to the AVCC

5 POWERS OF THE ASSOCIATION

The association shall have all the powers conferred by section 25 of the Act as at 28 April 2010 except that the association shall not have the power to borrow money or give security for the discharge of liabilities incurred by the association.

6 MEMBERSHIP

6.1 Ordinary membership

6.1.1 Membership is automatic for any committee member of an affiliated club. In addition any person who, is a member of an affiliated club or association and who supports the objects of the association and agrees to be bound by its rules and who applies for membership of the association shall be proposed by one member and seconded by another member. The application for membership shall be made in writing, signed by the applicant. Upon the acceptance of the application by the committee and upon payment of the first annual subscription, the applicant shall be a member of the association.

6.1.2 Members of the committee of an affiliated club shall be notified that they are members of the South Australian Veteran Cycling Association by default and be given the option to renounce their entitlement to membership of the association.

6.2 Life members

6.2.1 A nominee for Life membership will have given exceptional service in the task of promoting the interests and objectives of the association as a member of the association for a continuous period of not less than ten years.

6.2.2 Nominations for Life membership may be made to the association by any member in writing at least one month prior to the annual general meeting

6.2.3 Life membership may be bestowed upon a member at an annual general meeting of the association on the decision of a majority of the members present.

6.2.4 No more than one member may be elected a Life member in any financial year.

6.3 Subscriptions

6.3.1 The subscription fees for membership shall be such sum, as the members shall determine from time to time in general meeting

6.3.2 The subscription fees shall be payable annually in January or at such other time as the committee shall determine.

6.3.3 Any member whose subscription is outstanding for more than three months after the due date for payment shall cease to be a member of the association, provided always that the committee may reinstate such a person's membership on such terms as it thinks fit.

6.3.4 Life members will have free association membership.

6.4 Resignations

A member may resign from membership of the association by giving written notice thereof to the secretary or public officer of the association.

6.5 Expulsion of a member

6.5.1 Subject to giving a member an opportunity to be heard or to make a written submission, the committee may resolve to expel a member upon a charge of misconduct detrimental to the interests of the association.

6.5.2 Particulars of the charge shall be communicated to the member at least one month before the meeting of the committee at which the matter will be determined.

6.5.3 The determination of the committee shall be communicated to the member, and in the event of an adverse determination the member shall cease to be a member 14 days after the committee has communicated its determination to the member.

6.6 Register of members

A register of members must be kept and contain:

- i) The name and address of each member;
- ii) The date on which each member was admitted to the association; and
- iii) If applicable, the date of, and reason(s) for, termination of membership.

7 THE COMMITTEE

7.1 Powers and duties

- i) The affairs of the association shall be managed and controlled by a committee which in addition to any powers and authorities conferred by these rules may exercise all such powers and do all such things as are within the objects of the association, and are not by the Act or these rules required to be done by the association in general meeting.
- ii) The committee has the management and control of the funds and other property of the association.
- iii) The committee shall have authority to interpret the meaning of these rules and any other matter relating to the affairs of the association on which these rules are silent.
- iv) The committee shall appoint a public officer as required by the Act.

7.2 Appointment

- 7.2.1 The committee shall be comprised of a President, Vice President, Secretary, Treasurer, Public Officer and two representatives from each Veteran or affiliated Club.
- 7.2.2 A committee member shall be a natural person.
- 7.2.3 At each annual general meeting one half of the members of the committee, being the longest serving members, shall retire. At this time, one half of the members of the committee shall be chosen by ballot.
- 7.2.4 A retiring committee member shall be eligible to stand for re-election without nomination. No other person shall be eligible to stand for election unless a member of the association has nominated that person at least 28 days before the meeting by delivering the nomination of that person to the secretary of the association. The nomination shall be signed by the proposer and by the nominee.
- 7.2.5 Notice of all persons seeking election to the committee shall be given to all members of the association with the notice calling the meeting at which the election is to take place
- 7.2.6 The committee may appoint a member to fill a casual vacancy, and such a committee member shall hold office until the next annual general meeting of the association and shall be eligible for election to the committee without nomination.

7.3 Proceedings of committee

- 7.3.1 The committee shall meet together for the dispatch of business as determined by the committee.
- 7.3.2 Questions arising at any meeting of the committee shall be decided by a majority of vote, and in the event of equality of vote the chairperson shall have a casting vote in addition to a deliberative vote.
- 7.3.3 A quorum for a meeting of the committee shall be five members of the committee.
- 7.3.4 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. The member of the committee must disclose the nature and extent of his or her interest in the contract at the next annual general meeting of the association.

7.3.5 The President will act as National Delegate and in the event of his/her inability to attend, a proxy will be appointed by the committee.

7.4 Disqualification of committee members

The office of a committee member shall become vacant if a committee member is:

- disqualified from being a committee member by the Act;
- expelled as a member under these rules;
- permanently incapacitated by ill health;
- absent without apology from more than four meeting in a financial year;
- no longer the duly appointed representative of an affiliated club or association.

8 GENERAL MEETINGS

8.1 Annual General Meetings

8.1.1 The committee shall call an annual general meeting in accordance with the Act and these rules

8.1.2 The annual general meeting shall be held within five months after the end of the financial year.

8.1.3 The order of the business at the meeting shall be:

- i) The confirmation of the minutes of the previous annual general meeting and of any special general meeting held since that meeting
- ii) The consideration of the accounts and reports of the committee and the auditor's report (if auditor's report is required)
- iii) The election of committee members
- iv) The election of racing officials, namely the State Referee and State Handicapper
- v) The appointment of auditors (if required, refer to Part 3, Division 3 – Rules, of the Act)
- vi) Any other business requiring consideration by the association in general meeting.

8.2 Special General Meetings

8.2.1 The committee may call a special general meeting of the association at any time.

8.2.2 Upon a requisition in writing of not less than 6 members or 10%, whichever is the greater, of the total number of members of the association, the committee shall within one month of the receipt of the requisition, convene a special general meeting for the purpose specified in the requisition.

8.2.3 Every requisition for a special general meeting shall be signed by the relevant members and shall state the purpose of the meeting.

8.2.4 The secretary will call the special general meeting not less than twenty-one days and not more than thirty days after receipt of a requisition for a special general meeting.

8.3 Notice of General Meetings

8.3.1 Subject to 8.3.2, at least 14 days notice of any general meeting shall be given to members. The notice shall set out where and when the meeting will be held, and particulars of the nature and order of the business to be transacted at the meeting.

8.3.2 Notice of a general meeting at which a motion to rescind, amend or revise these rules is to be proposed shall be given at least 21 days prior to the date of the meeting.

8.3.3 A notice may be given by the association to any member by serving the member with the notice personally, or by sending it by post to the address appearing in the register of members.

8.3.4 Where a notice is sent by post:

- i) the service is effected by properly addressing, prepaying and posting a letter or packet containing the notice; and
- ii) unless the contrary is proved, service will be taken to have been effected at the time at which the letter or packet would be delivered in the ordinary course of post.

8.4 Proceedings at General Meetings

- 8.4.1 Eleven members present personally shall constitute a quorum for the transaction of business at any general meeting
- 8.4.2 If within 30 minutes after the time appointed for the meeting a quorum of members is not present, a meeting convened upon the requisition of members shall lapse. In any other case, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if at such adjourned meeting a quorum is not present within 30 minutes of the time appointed for the meeting the members present shall form a quorum.
- 8.4.3 Subject to 8.4.4, the president shall preside as chairperson at a general meeting of the association.
- 8.4.4 If the president is not present within five minutes after the time appointed for holding the meeting, or he or she is present but declines to take or retires from the chair, the members may choose a committee member or one of their own number to be the chairperson of that meeting.

8.5 Voting at General Meetings

- 8.5.1 Every member of the association has only one vote at a meeting of the association.
- 8.5.2 A question for decision at a general meeting must be determined by a majority of members who vote in person at that meeting, and in the event of equality of vote the chairperson shall have a casting vote in addition to a deliberative vote.
- 8.5.3 Unless a secret ballot is demanded by a majority, a question for decision at a general meeting must be determined by a show of hands.
- 8.5.4 A secret ballot for the election of a person presiding or on a question of adjournment must be taken immediately, but any other secret ballot may be conducted at any time before the close of the meeting.
- 8.5.5 A decision to rescind, amend or revise these rules is passed by a majority of not less than three-quarters of members at a general meeting.

9 MINUTES

- 9.1 Proper minutes of all proceedings of general meetings of the association and of meetings of the committee, shall be entered within one month after the relevant meeting in minute books kept for the purpose
- 9.2 The minutes kept pursuant to this rule must be confirmed by the members of the association or the members of the committee (as relevant) at a subsequent meeting.
- 9.3 The minutes kept pursuant to this rule shall be signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the next succeeding meeting at which the minutes are confirmed
- 9.4 Where minutes are entered and signed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held, that all proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

10 FINANCIAL REPORTING

- 10.1 Financial year
The financial year of the association shall be the period of 12 months commencing on 1 July and ending on 30 June of each year.
- 10.2 Accounts to be kept
The association shall keep and retain such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the association in accordance with the Act.

- 10.3 The accounts, together with the auditor's report (if required) on the accounts, the committee's statement and the committee's report, shall be laid before members at the annual general meeting.

11 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.

12 WINDING UP

The association may be wound up in the manner provided for in the Act.

13 APPLICATION OF SURPLUS ASSETS

- 13.1 If after the winding up of the association there remains "surplus assets" as defined in the Act, such surplus assets shall be distributed to any organisation which has similar object and has rules which prohibit the distribution of its assets and income to its members
- 13.2 Such organisation or organisations shall be identified and determined by a resolution of members in general meeting.

14 RACING RULES

- 14.1 Racing will be conducted under the rules and regulations of the AVCC. These rules may be altered whenever deemed necessary by the committee.
- 14.2 Racing discipline
- 14.2.1 The discipline of a licensed veteran who breaches racing rules will be left to the club holding the particular event
- 14.2.2 Where the association holds an event, a veteran who breaches racing rules may be penalised by a referee(s). The member will be notified as soon as practicable after the breach and in writing within two working days.
- 14.2.3 A penalty of suspension issued by the association will apply to all association and AVCC sanctioned events for the period of the suspension. The South Australian Cycling Federation is to be notified of any penalty of suspension.
- 14.2.4 A financial penalty will be payable and due immediately and the veteran will be ineligible to compete in any Association or AVCC sanctioned event until the penalty is paid. Monies received will be paid into the general account of the body holding the particular event at which the breach occurred.

15 SOUTH AUSTRALIAN VETERAN CYCLING ASSOCIATION CHAMPIONSHIPS

- 15.1 Championships may be held annually by the association or delegated to an affiliated club or clubs in any particular year.
- 15.2 Championships are open to all AVCC racing licence holders resident in South Australia.

Dated 28th April 2010