

**FORMULA VEE ASSOCIATION OF SOUTH AUSTRALIA (INC.)
CONSTITUTION AND BY-LAWS**

Amended January 2014

CONSTITUTION

ARTICLE 1 – THE ASSOCIATION

The name of the association shall be:
THE FORMULA VEE ASSOCIATION OF SOUTH AUSTRALIA
Herein known as the FVASA.

ARTICLE 2 – THE OBJECT

The object of the association shall be:

- a) To promote the Formula Vee Motor Racing category within South Australia, and support the category as required at a National Level.
- b) To promote maximum participation of Formula Vee cars at State and National Motor Racing Events via:
 - c) Encourage the construction / purchase of new Formula Vee vehicles.
 - d) Provide support to owners of Formula Vee cars currently participating.
 - e) Provide support as appropriate to get non-competing Formula Vee cars back into competition.

ARTICLE 3 – POLICY

The Formula Vee Association of South Australia shall:

- a) Recognise the authority of the C.A.M.S. and agree to abide by all rules and reasonable requests set by C.A.M.S.
- b) Recognise the authority of the Formula Vee Association of Australia (FVAA) to administer and manage Formula Vee in Australia and agree to abide by all decisions legally passed by the FVAA.
- c) Recognise and comply with any Supplementary Regulations issued by automobile racing associations for events being run under their control. (unless such regulations conflict with the rules of CAMS or FVAA. If so revisions to regulations are required to be sort.)
 - d) Endeavor to keep Formula Vee racing within the financial reach of owners / drivers of moderate means. Actions taken by FVASA are not to restrict any performance gains derived from the owner / drivers technical abilities, so long as he is operating within the existing rules. FVASA is to ensure that cost constraints are not achieved by owners allowing cars to be raced in an under-prepared condition.
- e) Always remain a non-profit Association. The assets and income of the Association shall be applied solely in furtherance of its objects and no portion shall be distributed directly or indirectly to its members except as bona fide compensation for services rendered or expenses incurred on behalf of the Association.
- f) In the event of the club being dissolved, the assets which remain after such dissolution and the satisfaction of all debts and liabilities, shall be distributed by the committee at their discretion to any fund, institution or authority, which is a non-profit organization. (see Article 12)

ARTICLE – 4 – POWERS

The Association shall have all the powers conferred by section 25 of the Act. (incorporated associations)

ARTICLE 5 – MEMBERSHIP

There shall be three classes of membership, regardless of sex, race or creed, as follows:

1. FULL MEMBERSHIP – A full member shall be a person who is deemed to be financial and in good standing. He shall be entitled to vote at any general, special or annual general meeting.
2. SOCIAL MEMBERSHIP – A Social Member is a person who is deemed to be financial and in good standing. He is entitled to vote at any general, special or annual general meeting but is invited to attend such meetings and any event organized by FVASA. He is not entitled to be issued a Competition Membership card and is therefore not entitled to compete as a member of FVASA. Should he wish to become a full member, the balance of the subscription must be paid.
3. HONORARY MEMBERSHIP - Any personal member who has rendered such services to the Association as in the opinion of the Committee entitles him to distinction, may be admitted as an honorary member for life or such period as the Committee prescribes. An honorary member is entitled to vote, enjoy any club privileges, and shall not be required to pay any subscription to FVASA.

ARTICLE 6 – SUBSCRIPTION

Association subscriptions shall be determined each year at the Annual General Meeting for that forthcoming calendar year and must be paid before a member can be in good standing. Yearly membership expires on the 31st of December of each calendar year.

ARTICLE 7 – ASSOCIATION OFFICERS

The Association shall at each Annual General meeting, elect the following office bearers namely:

PRESIDENT)	
VICE-PRESIDENT)	<i>ASSOCIATION</i>
SECRETARY)	<i>EXECUTIVE</i>
TREASURER)	
COMPETITION SECRETARY		
TECHNICAL DIRECTOR		
SOCIAL SECRETARY		
PROMOTIONS OFFICER		
ORDINARY COMMITTEE MEMBERS,		

The number of ordinary Committee members shall be determined at each Annual General Meeting, and shall number no less than three.

The executive positions of committee must be filled at the Annual General Meeting.

Any of the positions not filled at the Annual General Meeting shall be held over and filled as soon as possible by the Committee.

The position of FVAA Board of Management Delegate, Deputy Delegate and CAMS Delegate shall be elected by the Committee at the first committee meeting after the Annual General Meeting. This position is valid for two calendar years. In the event of the Delegate not completing his term, the deputy will assume the position for the remaining period.

A member must have a minimum of 12 months experience as a committee member to stand for election for the office of Delegate to FVAA and CAMS.

If an office bearer does not attend three consecutive meetings, except through illness or granted leave of absence, he shall automatically cease to hold office and a replacement be sought at the next Committee Meeting.

PRESIDENT – The President shall be the Chairman at all meetings of the association and committee and in his absence the Vice-President shall act as Chairman. A member must have a minimum of 12 months experience as a committee member to stand for election for the office of President. If neither the President nor Vice-President is present within 10 minutes of the time set for the meeting to commence, the members there present shall elect a Chairman.

SECRETARY – The Secretary shall keep or cause to be kept, all minutes of each association and committee meetings held during the year. He shall also attend to the correspondence of the association and maintain the Club archives.

TREASURER – The Treasurer shall keep true and correct accounts of the sums of money received and expended by the association and shall issue receipts for all money received on behalf of the association, and bank same within six days to the credit of the association. He shall also keep a register of members.

COMPETITION SECRETARY – The Competition Secretary shall keep a true and correct record of points scored towards all competition awards recognized by the FVASA.

TECHNICAL DIRECTOR – The Technical Director shall be the chairman of a panel of engine sealers, approved by the committee of the FVASA and the FVAA. Their duties shall include the inspection and sealing of all Formula Vee engines and transmissions on assembly and ensure that all Formula Vee's comply with the rules as set down by the CAMS and the FVAA. The Technical Director shall be responsible for the issue and maintenance of all scrutineering equipment.

ACCOUNTS:

- a) A banking account shall be kept with a bank or financial institution, to be decided by the committee as necessary. Any withdrawal of money on behalf of the association shall be attested by any two of the following office bearers – namely President, Treasurer and Secretary. (A transition period applies for new office bearers between the AGM and 31st Dec each year)
- b) The Treasurer shall be permitted to keep an amount of cash in hand, not exceeding \$50, for the payment of expenses less than this amount.
- c) The financial year of the Association shall end on the 30th November. The Treasurer shall present to a Committee meeting of the Association, a printed statement of the accounts as at the end of the preceding month. At the Annual General Meeting, the Treasurer shall present a printed summary and report of the accounts for the year, showing clearly the net surplus or deficit of the accounts for the year and the financial position of the Association.
- d) The books and accounts of the association shall be audited at least once per calendar year, by a responsible person, nominated and elected at a General Meeting.

ARTICLE 8 – MANAGEMENT

- 1) Subject to this constitution, the management of the Association shall be in the hands of the Committee which has been elected by the members at the Annual General Meeting of the Association as hereinafter set forth.
- 2) A motion legally passed by the Committee cannot be overruled by a General Meeting, but with a second, any member may ask the Committee to reconsider such motion. Upon request, this motion must be reviewed by the Committee at the next Committee meeting, taking into account any new information brought forward by the membership.
- 3) The Committee shall consist of at least seven members, including the President, Vice-President, Treasurer, Secretary and three other office bearers.
- 4) The Committee shall meet when called upon by the President. This should usually be monthly. The Committee shall be held responsible for the well being and smooth running of the Association. The Secretary shall call a meeting of the Committee at any time if required in writing by four Committee members to do so.
- 5) The Committee shall have power to make such payments from the funds of the Association as are from time to time found necessary.
- 6)
 - a) The members of the Association may, at any time, call for the formation of a sub committees as from time to time is found to be desirable.
 - b) Any sub committee so formed shall be under the direction and control of the Committee, but shall report to the members of the Association at a General meeting.
- 7) **QUORUM**
 - a) A quorum for a General, Annual General or Special meeting shall consist of 25% of members personally present.
 - b) A quorum for the Committee shall consist of seven members personally present.
 - c) A quorum for any sub committee shall consist of 75% of the sub committee personally present.
- 8) **CASUAL VACANCY**

Any casual vacancy in the Committee or sub committee shall be filled by the Committee, and he shall hold office until the next succeeding Annual General Meeting.

ARTICLE 9 – MEETINGS

- 1) The Annual General Meeting shall be held during the month of December each year, at a date and time and place decided by the Committee. The Annual General Meeting may replace a General Meeting.
- 2) Unless otherwise determined by the Committee, the Association shall hold a general meeting once a month at a time and place determined by the Committee.
- 3) Special General Meetings may be convened by the Committee for the consideration of special business. Such a meeting shall forthwith be convened by the Committee upon the requisition in writing of not less than ten members. Such requisition shall state clearly the purpose for which the meeting is required to be held.
- 4) VOTING
 - a) Each full member and honorary member personally present shall be entitled to one vote on a show of hands or poll.
 - b) The voting power of the President shall be a casting vote.
 - c) For the purpose of election of office bearers at the Annual General Meeting, any contested positions, voting shall be by secret ballot.
 - d) Proxy votes will not be accepted.

ARTICLE 10 – SUSPENSION AND IMPEACHMENT

1) SUSPENSION

A member shall be suspended for the same period of time that suspensive action is taken against him by any racing organization of which he is a member.

A member may be suspended by the Committee for a willful and unjustifiable act which is detrimental to the F.V.A.S.A. or its members. This suspension is only effective when passed unanimously by the Committee.

2) IMPEACHMENT

Any Committee member may be impeached by the membership for a willful and unjustifiable act of commission or omission detrimental to the F.V.A.S.A. or its members. To become effective, an impeachment must be ratified by a three quarter (3/4) affirmative vote of the total membership. Once a Committee member has been impeached, he is ineligible to stand for Committee again for the balance of the elected term plus the next full term (max. 2 years)

ARTICLE 11 – AMENDMENTS

- 1) The constitution, by laws and rules, which govern this Association can never be suspended but may be amended by the following procedure:
Any amendment can be proposed by the Committee or by the membership at large. If an amendment is proposed by the membership at large it must be in the form of a petition to the Committee. This petition must contain the names of a minimum of 20 full members or three quarters (3/4) of the full members whichever is least. The amendment shall then be submitted to the full members for vote. Enactment requires two thirds (2/3) vote of the ballots filed. An enacted amendment shall take effect January 1st of the ensuing year, unless otherwise specified in the proposed amendment.
- 2) No amendment can be passed which would render ineligible a car or a full member whose eligibility has been established under existing rules of this Association and whose status could not be changed to conform to the proposed amendment.

ARTICLE 12 – DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

- 1) This section applies if the association-
 - a) is wound-up under part 10 of the Act**; and
 - b) it has surplus assets.** Part 10 (Winding –up) Associations Incorporation Act.
 - 2) The surplus assets must not be distributed among the association members.
 - 3) The surplus assets must be given to another entity -
 - a) having objects similar to the association's objects; and
 - b) the rules of which prohibit the distribution of the entity's income and assets to its members.
 - 4) In this section -
"surplus assets" has the meaning given by section 92(3)** of the Act.
- ** Section 92 (Distribution of Surplus Assets) Associations Incorporations Act.

BY – LAWS

ARTICLE 1 – GENERAL ASSOCIATION RESPONSIBILITIES

- 1) The official language of the Association shall be English.
- 2) It is the obligation of the Committee to prepare and distribute the forms by means of which the business of the Association is conducted.
- 3) The Association shall not be liable for any debts contracted by its officers or members unless previously authorized in writing by a majority of members of the Committee.
- 4) Any person joining the Association agrees that under no circumstances will he bring legal action against the Association, or any of its officers or members, for the performance of any act authorized by the Constitution or By-Laws of the Association.
- 5) In this document, words importing the singular shall include the plural and vice versa. Words importing one gender shall include the other gender.