

# CONSTITUTION AND BY-LAWS OF THE VOLKS ENTHUSIASTS CLUB OF SOUTH AUSTRALIA INC.

PO Box 306 Kent Town SA 5071

	Constitution	Bylaws
<b>Adopted</b>	August 1996	June 2005
<b>Amended</b>	October 1997	May 2007
<b>Amended</b>	July 2010	July 2010
<b>Amended</b>		May 2012
<b>Amended</b>		May 2014
<b>Amended</b>		May 2018

**1 NAME:** The name of the club shall be the "Volks Enthusiasts Club of S.A. Incorporated" and is here under referred to as "The Club".

## **2 OBJECTS:**

- (a) to encourage Volkswagen owners to promote and restore the marque.
- (b) to provide a source of information on all aspects of the Volkswagen.
- (c) to provide an active avenue for social events relating to the Volkswagen.

**3 POWERS OF THE ASSOCIATION.** The Association will have all the powers conferred by Section 25 of the South Australian Associations Incorporation Act 1985.

**4 COLOURS:** Dark Navy, White, Red and Gold

**5 DEFINITION OF A VOLKSWAGEN:** The Club acknowledges any vehicle that is powered by any engine that is manufactured by the Volkswagen Companies, VW Group, past present or future, or contains engine components based on original Volkswagen designs.

## **6 MEMBERSHIP:**

(a) Any person who owns a vehicle powered by a Volkswagen engine, or has, at the sole discretion of the Committee, a recognised history with the VW marque, may become a **Full Member** of the Club, with the entitlement to vote on any matter, to stand for a Committee position, to receive the club magazine and to use the Conditional Registration Scheme.

(b) A person directly related to a Full Member and residing at the same address, may become a **Family Member** on payment of one half of the annual membership subscription. A Family Member is entitled to vote on any matter but will not receive regular copies of the club magazine.

(c) A person who does not meet the criteria in (a) or (b) may become a **Social Member** on payment of the full annual membership subscription. Such members shall not be eligible to vote or stand for Committee positions, but will receive regular copies of the club magazine.

(d) At any time, the Committee may confer **Life Membership**, under the following criteria;

- 1) Nominations must be made on the official Life Member Nomination Form by a current Committee Member.
- 2) The nomination must articulate the reasons why Life Membership is considered appropriate and provide specific examples of work or involvement which has significantly progressed the Club.
- 3) To qualify for Life Membership the nominated individual must meet the following criteria:
  - be a current Financial Member;
  - have completed a minimum of 10 years continuous VEC membership and continuous active service, unless exceptional circumstances can be cited;
  - must have served on the VEC Committee;
  - must have made significant or outstanding contributions to progress the goals and objectives of the VEC club which are clearly recognised, respected, acknowledged or endorsed.

Life Membership shall be granted on a majority vote by secret ballot, by the current Committee members. A Life Member shall be entitled to the same rights as a Full Member of the Club, shall not be required to pay annual subscriptions and will have their name added to the VEC Honour Board.

(e) All Members shall receive a copy of the constitution on joining the club.

(f) The Number One membership of the Volks Enthusiasts Club of S.A. will be held by the late Roy Williams for his outstanding dedication to the Volkswagen, and as a token of respect.

## **7 SUBSCRIPTIONS:**

- (a) The Annual Subscription Fee will be set from time to time by The Club Management Committee.
- (b) All subscription renewals are due and payable on July 1<sup>st</sup>, at the beginning of the club Financial Year.

## **8 TERMINATION OF MEMBERSHIP:**

Membership of the VEC will be terminated by;

- (a) failure to pay subscription when due;
- (b) written resignation;
- (c) conduct that in the opinion of the Committee is considered harmful to the interests of the club. This process may be appealed but the Committee's decision is final and binding in cohesion with the general members.
- (d) Life Membership may be forfeited upon any failure to observe any by-laws or constitutional requirements on the passing of a special resolution for the removal of Life Membership for reasons including but not limited to bringing the club into disrepute.

## **9 MANAGEMENT:**

This is controlled by the Committee which is elected at the Annual General Meeting.

- (a) The Committee consists of President, Vice President, Treasurer, Secretary and three (3) General Members.
- (b) The Committee has the power to make club payments and decisions and may be called by the President at any time to convene meetings.

## **10 QUORUM:**

- (a) General meetings including the Annual General Meeting shall consist of not less than 20% of all Full Members.
- (b) Committee meetings shall consist of not less than 50% (four persons) of Committee members.

## **11 CASUAL VACANCY:**

On a Committee member vacating a position this can be filled by any willing member and appointed by the Committee until the next AGM or such time as may be set.

## **12 OFFICE BEARERS:**

At every Annual General Meeting the following positions will be elected; President, Vice President, Secretary, Treasurer, three (3) Committee members and a Public Officer. All Office Bearers must attend every Committee meeting (except in extenuating circumstances). Continual or regular absence may force resignation and a new appointment by a general meeting.

Nominees must;

- (a) be a current Full Member.
- (b) be in attendance for voting, or have lodged a signed Nomination Form with the Returns Officer or any Committee Member prior to the Annual General Meeting for the position to be elected, which must be seconded by a current Full Member.

Voting must be carried out by secret ballot, if more than one nomination for the position;

**13 PRESIDENT:** The President will be the Chair at all general meetings and in their absence the Vice President will preside over the meetings. Absence of both will allow the remaining members to elect a temporary replacement.

**14 SECRETARY:** The Secretary will keep a register of all members, manage correspondence and be responsible for recording meeting minutes.

**15 TREASURER:** The Treasurer will keep an accurate account of the club finances; issue receipts etc for all payments and maintain an asset register. All financial transactions shall be carried out and be made accountable to the Treasurer during their term.

## **16 ACCOUNTS:**

- (a) These shall be kept with a recognised savings bank or building society. Any withdrawals must be counter signed by any two office bearers (i.e. President, Treasurer or Secretary).
- (b) Annual financial statements must be prepared by the Treasurer, audited, then presented with the Treasurer's Annual Report at the Annual General Meeting of the Club, or at a later General Meeting nominated by a majority of members at the Annual General Meeting.
- (c) At each general meeting the Treasurer must inform the club members of the financial position of the Club and will provide to the Secretary a written statement showing the total of amounts received, details of amounts paid, details of amount owed but unpaid and details of all assets and liabilities.
- (d) Club accounts etc must be audited each year by a responsible person elected/nominated each year by the Annual General Meeting. If the office of auditor becomes vacant for any reason, the President will call for nominations at the next General Meeting and if the position is not then filled will have absolute discretion to appoint an auditor.
- (e) Financial year beginning July 1st and finishing June 30th each year thereafter.

## **17 MEETINGS:**

- (a) General meetings will be held at 8:00pm on the first Wednesday of each month at a venue to be decided upon by a General Meeting and agreed on by the majority.
- (b) The Annual General Meeting will be held on the first Wednesday of August each year unless the members present at the July meeting agree by majority to postpone the annual General Meeting for one month.

## **18 VOTING:**

Full Members and Family Members are entitled to one vote on any issue.

## **19 BY LAWS:**

The Committee has the power to alter all such by-laws and regulations not consistent with this constitution and have the power to correct/ change areas within the club with the one ambition of improving management and running of the club.

## **20 CLUB INFORMATION:**

A newsletter / magazine will be available at least quarterly to all current Full Members and Social Members. This periodical will be known as "Volks Enthusiasm" and will contain as much informative Volkswagen information as possible to cover all areas of Volkswagen Enthusiasm.

## **21 CONSTITUTION AMENDMENTS:**

The Constitution may be altered or amended for any constructive reason consistent with the aim of improving Management and/or Function of the Club. This may only take place at a Special Meeting convened for this purpose, which may be held in conjunction with any General or Annual General Meeting.

- (a) A minimum of two months' notice must be given to all members in writing, detailing proposed amendments to convene any such meeting.
- (b) The quorum for any such meeting will be at least 50% plus one (1) of current Financial Full Members.

**22 CLUB STATUS:** The Volks Enthusiasts Club is formed to encourage and promote Volkswagen enthusiasm and is a not for profit organisation. Members may be re-imbursed financially for services/expenses incurred by that person subject to approval by the Committee.

## **23 DISSOLUTION**

(a) The Volks Enthusiasts Club of SA shall be dissolved if:

- 1) a special resolution to this effect is carried by a three quarters majority vote of members at a General Meeting, 28 days of notice of the proposed resolution having been given.
- 2) financial membership drops to five (5) or less members.

(b) If upon the dissolution of the Volks Enthusiasts Club of SA there remains, after satisfaction of all debts and liabilities, any property or funds whatsoever, the same shall not be distributed or paid amongst the members of the VEC but shall be transferred or given to some other club or institution having objects similar to those of the VEC, to be determined by members at or before the time of dissolution, and in default thereof as may be directed upon application to the Supreme Court of South Australia in that behalf.

## **BY-LAWS OF THE VOLKS ENTHUSIASTS CLUB OF SOUTH AUSTRALIA INCORPORATED (02/05/2018)**

### **By-Law #1: Definitions, Requirements And Processing Of Membership Applications.**

- 1.1 A **Full Member** is defined as any person who is fully paid up and complies with Section 6 (a) of the Constitution.
- 1.2 A **Family Member** is defined as any person who is directly related to a Full Member and who resides at the same address.
- 1.3 A **Social Member** is defined as any person granted membership of the VEC who does not meet the provisions Section 6 (a) or (b).
- 1.4 Membership renewals are due and payable by the 1<sup>st</sup> July each year, as per Sec 7 (b) of the Constitution. Lapsed members will forfeit all rights and privileges.
- 1.5 A lapsed member will regain membership status upon fee renewal but their membership number may be re-allocated.
- 1.6 A person who resigns from the club, is not entitled to a refund of the prescribed subscription fee and their membership number may be re-allocated.
- 1.7 If any membership lapses for a period greater than twelve months, that person must re-apply for membership under the terms of By Law 1.8
- 1.8 New Members;
  - 1 .8 .1 An applicant for membership shall complete the appropriate form which will then be presented to the Committee for approval.
  - 1 .8 .2 If approved and the prescribed fee has been paid, the applicant will be accepted as a member, and allocated a membership number.
  - 1 .8 .3 A letter of welcome, a copy of the Constitution and By - Laws, plus a Membership Card will be sent to the new Member.

...cont/

## **By Law # 2: Club Registration Scheme for Historic Vehicles**

- 2.1. The Volks Enthusiasts Club will maintain its membership with the Federation of Historic Motoring Clubs of SA Inc to ensure benefit of the Club Registration Scheme is available to financial members of The Club who are owners of eligible historical vehicles.
- 2.2 The Club will appoint designated Persons who are authorized by the Registrar of Motor Vehicles to approve Club Registration pursuant to the Motor Vehicle Act 1959, the Road Traffic Act 1961 and associated regulations.
- 2.3 The Club may approve Club Registration to club members in accordance with following requirements:
  - 2.3.1 The member must be a financial Full Member.
  - 2.3.2 The member must meet and agree to comply with all the conditions as stated in the Code of Practice for the 90 day Club Registration Scheme for Historic, Left Hand Drive and Street Rod Vehicles (01/07/2017).
  - 2.3.3 The member's vehicle(s) must meet the requirements of the Code of Practice as laid down by the Registration and Licensing Section, Transport SA. (01/07/2017)
  - 2.3.4 The member must present the vehicle(s) for inspection, and have the Club's authorized person validate their log book(s) and current registration papers when required.
  - 2.3.5 Where a member has at least one Volkswagen vehicle using Club Registration, he or she may submit other suitable vehicles to the scheme subject to the agreement of the Committee.
  - 2.3.6 As required by the Code of Conduct (01/07/17), the Club will notify the Registrar of members using Club Registration, who have failed to maintain their Full Membership, no later than two months after the end of the Financial Year.

## **By-Law # 3: The Klub Kombi.**

3. 1 The 1955 Volkswagen Type 2 van, which is owned by the Club, shall be referred to in this By-Law as the "**Klub Kombi**".
3. 2 The Klub Kombi is a valuable asset which was donated to the Club. It has been re-built, to date, using club member labour, numerous parts and monetary donations from members and sponsors, plus club fund-raising activities.
3. 3 It is intended that the Klub Kombi be completed as the promotional flagship of the Club and, as such, shall be retained for the foreseeable future.
3. 4 If, for whatever reason, the Club has to relinquish ownership of the Klub Kombi, this shall only be undertaken after a vote in favour of the motion is passed by at least 50% plus one (1) of Full Members at a specially convened meeting, which may or may not be held in conjunction with any General or Annual General Meeting of which a minimum of one month's notice in writing has been forwarded to all current members detailing reasons for disposal.
- 3.5 Should the Association find it necessary to relinquish ownership of the Klub Kombi, the vehicle may only be gifted or donated to an Australian or international organization, recognised for the preservation of historic vehicles.

## **By-Law # 4: VEC Hall of Fame.**

- 4.1 The VEC Hall of Fame will be the highest honour conferred by the club apart from Life Membership. It will;
  - recognise excellence in administration / contribution over an extended period, or;
  - recognise a particularly outstanding achievement that warrants special recognition, or;
  - recognise an outstanding contribution to the preservation or promotion of air-cooled Volkswagen vehicles or the Volkswagen marque generally.
  - consider the integrity, spirit and character of the nominee or couple.
- 4.2.1 except for the introductory year no more than one person or couple will be recognised annually in September and presented at the Volksfest Dinner.
- 4.2.2 nominations may be received from any VEC Member in writing.
- 4.2.3 nominations will be considered by the committee in a closed meeting using secret ballot.
- 4.2.4 nominees must be or have been a member of the VEC.
- 4.2.5 unsuccessful nominations may be re-submitted.
- 4.2.6 persons or couples elevated to the HOF will receive no additional membership benefits.
- 4.2.7 except for the introductory year no more than one person or couple will be recognised annually in September and presented during the Volksfest event.
- 4.2.8 nominations may be received from any VEC Member in writing.
- 4.2.9 nominations will be considered by the committee in a closed meeting using secret ballot.
- 4.2.10 nominees must be or have been a member of the VEC.
- 4.2.11 unsuccessful nominations may be re-submitted.
- 4.2.12 persons or couples elevated to the HOF will receive no additional membership benefits.

**END**