

# **RIVERLAND 4WD CLUB INC. CONSTITUTION**

## **I. NAME**

The name of the club shall be Riverland 4WD Club Incorporated and shall hereinafter be referred to as **The Club**.

## **2. INTERPRETATION**

Unless otherwise indicated: -

- a) This constitution is deemed to include the by-laws and code of ethics.
- b) Full membership (Membership) is per vehicle and can consist of individuals, couples and dependant children less than 18 years of age. Each full membership is entitled to one vote. Refer to clause 5a), 7a) and 9a) for more details.
- c) Life membership may be awarded for outstanding service to or within The Club. The Life Membership retains the right to vote and all other rights associated with full membership. Refer to clause 5b) and 9e) for more details"
- d) Honorary membership may be awarded for a period of up to two years to a person or persons that the committee considers has provided a substantial benefit to The Club" Refer to clause 5c) and 9e) for more details. The Honorary Member does not have the right to vote.
- e) Potential members (4WD Vehicle owner) may attend one club trip with consent of Events Officer and up to two General Meetings while considering whether to join The Club or while waiting for approval of an application for membership.
- f) Guests of a member may attend club events, however permission must be sought from the Trip Leader prior to the trip. This includes children of members (over the age of 18) or other family members and friends. Guests are the responsibility of the club member.
- g) Friends of The Club are people who wish to keep in touch with club activities via the Newsletter. Friends do not have the right to vote" Refer clause 9f) and 5d)."

## **3. AIMS**

The Club was formed for the purpose of

- a) Holding, carrying on, arranging for, organising and conducting field events and trips for members in order to stimulate interest in and the responsible use of 4WD vehicles
- b) To promote better understanding of the technical aspects of 4WD vehicles and the driving thereof

c) To actively support conservation of the Natural Environment and liaise with controlling authorities

d) To engage in social and sporting activities which promote fellowship within The Club.

#### **4. POWERS**

The Club shall have all the powers conferred by Section 25 of the Associations Incorporation Act 1985 (as amended), save and except such modifications and exclusions as are specified in these rules.

#### **5. MEMBERSHIP**

a) Person/s who holds a current driver's licence and are the owner, lessee or regular driver of a nominated four wheel drive vehicle will be eligible to apply for membership of The Club. If the Committee approves the application, the person/s will be duly advised. The member/s conduct and the condition of their vehicle will be subject to compliance with all provisions of this constitution and its by-laws.

b) The committee may from time to time appoint suitable person/s to become Life Member/s of The Club. A two-thirds majority of the full committee shall be required to effect such an appointment. Refer By-law No. 6

c) The committee may from time to time appoint suitable persons as Honorary Members.

A suitable person would be, in the opinion of the Committee, a person who has carried out or intends to carry out a special role, project, financial contribution or similar beneficial function that provides significant support and benefit to The Club.

d) Friends of The Club receive the newsletter only and are not eligible to participate in Club events unless as a guest of a Club member.

#### **6. APPLICATION FOR NEW MEMBERSHIP**

a) Application for New Membership shall be made on a form approved by The Club and once completed, forwarded to the Secretary. Such application shall be presented to the next Committee meeting for consideration.

b) When an application for Membership has been approved, the member shall: pay subscription fees in accordance with Clause 9c), be assigned a membership number, receive a car sticker, receive a copy of this constitution, be entitled to all rights of membership and shall be deemed to have agreed to be bound by this Constitution.

c) Should the Committee consider that an Application for Membership is not in the best interest of the Club, then the Committee reserves the right to refuse the application. A letter of refusal will be sent to the applicant explaining why the application was refused and there shall be no right of appeal. However, a subsequent application may be considered if circumstances that resulted in the initial refusal have been addressed to the satisfaction of the committee.

## **7. RIGHTS AND LIABILITIES**

a) Every eligible member of The Club shall, subject to the rules, be entitled to take part in any activities of The Club. The Committee, Events Officer and/or delegated Trip Leader reserves the right to limit the number of members or vehicles that participate in any trip or excursion.

Some members may be restricted by reason of their vehicle's inability to traverse difficult terrain (eg insufficient ground clearance)

b) If a member is considered to be using The Club for unintended purposes, (eg for personal gain) or acting outside of The Club spirit, then the committee, at its discretion, may exclude that member from participation in Club activities; eg Driver training, particular trips, bulk purchases, club discounts.

## **8. RESIGNATIONS/DISMISSALS**

a) A member may resign their membership at any time by letter to The Club, but may not be entitled to any refund of subscription because of such resignation. The Committee, at its discretion, may choose to refund the balance of subscription if extenuating circumstances prevail. Any property belonging to The Club (and held by the member) shall be returned to The Club at the termination of membership.

b) If a member's subscription becomes overdue by more than two months after the Annual General Meeting, then this member shall be deemed un-financial and membership will lapse. Property belonging to The Club (and held by the member) shall be returned to The Club forthwith.

c) Should the circumstances of a member change such that they do not satisfy the criteria for membership in accordance with clause 5, the committee may terminate the membership.

d) Any member who is considered by the committee to be disinterested in The Club or is considered to be an inactive member, then that membership may be terminated.

e) The committee may, by notice in writing, terminate the membership of any club member whose conduct it considers to be prejudicial to the well-being of The Club. Any property

belonging to The Club (and in the member's possession) shall be returned to The Club forthwith at the termination of membership.

f) Before any member has their membership terminated for any reason, or is otherwise penalised, the committee shall investigate the member's conduct. The member will be given written particulars of the reasons for concern and the opportunity to defend themselves and to explain or justify their conduct and./or actions. This may be by either appearing before the committee, or by submitting a written statement describing their past actions or intentions concerning future active club participation.

g) Should any member fail to appear at an enquiry conducted under Clause 8J) hereof or any adjournment thereof, or fail to submit a written explanation, then the committee may proceed in the member's absence to conduct the said inquiry and to make its findings on the basis of the information available to it.

## **9. SUBSCRIPTIONS**

a) Full members shall pay the annual subscription, as fixed by the committee, and agreed to by two-thirds majority of the members present and entitled to vote at the Annual General Meeting.

b) The subscription period shall run from 1<sup>st</sup> July in one year to 30th June the following year.

c) New applications for membership for a period of six months or more will pay the full subscription fee. After six months has elapsed, new applications for membership may make a pro- rata payment which will be at the rate of one twelfth of the annual fee per remaining month or part thereof.

d) Where a member is also a full member of another affiliated club, they shall pay the normal subscription fee less the cost of Association affiliation fee.

e) No annual subscription shall be payable by Honorary or Life Members.

f) Friends of The Club will pay an annual subscription as fixed by the committee.

## **10. COMMITTEE**

a) A person elected to the committee must hold a full or life membership.

b) The Committee will consider all matters relating to the organisation, running and well-being of The Club and will act in accordance with this Constitution and the wishes of the membership.

c) The Committee is empowered to take such actions as are in accordance with this Constitution.

d) The Committee may authorize expenditure and pay accounts necessary for the regular functioning of The Club.

e) All monetary withdrawal transactions are to be signed by at least two signatories.

f) The Treasurer shall report to the members all financial transactions at the next General Meeting.

g) The Committee may take suggestions to The Club regarding other matters.

h) Individual members of the Committee shall undertake on behalf of The Club such functions as are approved by The Club. No member of the Committee shall undertake any obligation on behalf of The Club unless expressly authorized to do so, and shall clearly indicate in all those dealings that they are acting on behalf of The Club.

i) The total Committee numbers shall not fall below seven and shall not exceed twelve members.

The Committee shall contain: -

i) President

ii) Vice President

iii) Secretary

iv) Treasurer

v) Event Officer

vi) Public Officer (May be a jointly held position).

vii) Newsletter Editor

j) At least two members of the Committee will retire at an Annual General Meeting, and will not be eligible for re-election to the Committee until the next Annual General Meeting.

k) The elected members shall hold office from the date of election until the next Annual General Meeting.

l) If a vacancy on the Committee occurs, a by-election may be held or the Committee may co-opt a member of its own choosing to fill the vacancy.

m) Sub-committees may be appointed by the Committee to deal with special Club affairs from time to time.

## **11. COMMITTEE MEETINGS**

- a) Committee meetings will be held monthly.
- b) The President of The Club (or, if absent, The Vice President) shall preside at all Committee meetings. If neither the President nor the Vice President is in attendance, a Committee member elected by those Committee members present shall chair the meeting.
- c) A quorum for a Committee meeting shall consist of the President (or elected delegate as determined in clause 11b), the Secretary (or nominated delegate) plus four Committee members.
- d) Voting shall be by a show of hands. A poll may be allowed at the President's discretion. Proxies shall be permitted provided that they are lodged with the Secretary at least 24 hours prior to the meeting.
- e) Where two people from one membership have been elected to the committee, each shall have an individual vote.
- f) In the case of equality of votes, the Chairman shall have a casting vote.

## **12. GENERAL MEETINGS**

- a) General meetings will be held monthly.
- b) The President of The Club (or, if absent, The Vice President) shall preside at all General meetings. If neither the President nor the Vice President is in attendance, a Committee member elected by those members present shall chair the meeting.
- c) A quorum for a General Meeting shall consist of the President (or delegate) and the Secretary (or delegate) plus one third of the ordinary membership or 10 members whichever is the lesser.
- d) An agenda, following standard meeting procedure, and set by the committee will be used as the basis for General Meetings.

## **13. EXTRAORDINARY MEETINGS**

- a) Extraordinary meetings may be held from time to time. For extraordinary committee meetings 7 days notice shall be given and for extraordinary General Meetings 21 days notice shall be given.
- b) The notice to members shall state clearly the purpose of the meeting.

c) The President of The Club (or, if absent, The Vice President) shall preside at all extraordinary meetings. If neither the President nor the Vice President is in attendance, a Committee member elected by those members present shall chair the meeting.

d) A quorum for an Extraordinary General Meeting shall consist of the President (or delegate) and the Secretary (or delegate) plus one third of the ordinary membership or 10 members whichever is the lesser.

e) A quorum for an Extraordinary Committee Meeting shall consist of the President (or delegate) and the Secretary (or delegate) plus one third of the committee or 10 members whichever is the lesser.

#### **14. ANNUAL GENERAL MEETING**

a) The Annual General Meeting will be held in June each year to elect office bearers, to present the Income and Expenditure Statement and to appoint an Auditor for the ensuing year.

b) One month's notice will be given to all members prior to the Annual General Meeting. The non-receipt of a notice by any member will not invalidate the proceedings at such a meeting.

c) The committee will appoint a returning officer who will declare all positions vacant and conduct the elections.

d) The election of office bearers will be by secret ballot.

e) A quorum for the Annual General Meeting will be as laid down in Sub-Clause 12c).

f) The President will present an Annual Report to the membership.

g) The financial year of The Club shall close on the thirtieth (30th) day of April each year"

h) Club financial statements are to be audited prior to the Annual General Meeting.

i) The membership as determined by a majority vote shall ratify fees as recommended by the committee, and if not, the membership shall determine the fees for the ensuing year.

#### **15. CLUB TRIPS**

a) A Club trip will be deemed to be one that is open to all members equally, without any opportunity for preference to be granted either expressly or impliedly to any particular member/s.

b) This does not preclude the limiting of numbers where, for practical or safety reasons, a specified maximum number of vehicles shall be desirable, and/or where the nature of the driving terrain requires all drivers to hold a Nationally Accredited Certificate -"Drive and Recover a 4WD Vehicle" -basic or advanced.

## **16. AMENDMENTS**

a) This Constitution, Club rules and by-laws may from time to time be revoked, altered or added to by The Club. The Secretary will notify any proposed change in writing to all members, not less than twenty-one days before an Extraordinary General Meeting or one month in the case of the Annual General Meeting.

b) The name, 'Riverland 4WD Club Incorporated', shall not be changed except by one of the following methods.

i) By disbanding The Club through the means determined in this Constitution.

ii) By a clear two-thirds majority of all financial members in attendance at any extraordinary General Meeting correctly called for that purpose.

## **17. WINDING UP AND DISPOSAL OF ASSETS**

a) In the event that an Extraordinary General Meeting is called for the purpose of dissolving The Club and a two thirds majority of those members present at the meeting vote to do so, the effects and the property of The Club shall, after being realized and after the discharge of all liabilities, be given to an Incorporated body with similar interests, or to a Charity to be nominated at the time.

## **18. CLUB PROPERTY**

a) The Club's Logo shall remain the property of The Club and shall not be used for any purpose without the authority of the committee.

b) The Club's effects and assets shall remain the property of The Club and shall not be used for any purpose that is not in the interest of the members.

## **19. GENERAL**

a) This Constitution supersedes all previous Constitutions of the Riverland 4WD Club Incorporated from the undermentioned date.





## **RIVERLAND 4WD CLUB INC. BY-LAWS**

### **1). CONDUCT OF MEMBERS**

a) All members will be expected at all times to conduct themselves in a manner that is safe, polite, civil, courteous, lawful and shows respect for other people and property when involved in Club activities.

b) A member contravening the constitution may, depending on the circumstances, be subjected to disciplinary action. The committee or its delegate is responsible for any disciplinary action.

This could include:

- i) Being asked to leave the trip or activity.
  - ii) Being asked to leave a General Meeting.
  - iii) Receiving a verbal caution
  - iv) Receiving a written caution
  - v) Termination of membership
  - vi) Any other disciplinary action as deemed appropriate by the committee.
- c) Members who have indicated that they intend to take part in any trip or event MUST advise the Trip Leader immediately they become aware of their inability to attend such trip or event.

### **2). VEHICLE REQUIREMENTS**

Vehicles used by members of The Club must comply with the Road Traffic Act and should carry either comprehensive or third party property damage insurance cover.

### **3). STRUCTURE OF GENERAL MEETINGS**

a) The agenda, as set by committee, generally includes:

- i) Business Arising from the previous minutes
- ii) Correspondence
- iii) Reports
  - (1) Treasurer
  - (2) Events Officer

(3) Environment Officer

(4) Driver Training Unit

iv) General Business

v) 'Truthful Jones'

vi) A guest speaker

vii) A supper break allowing members to socialise.

#### **4). CLUB PROPERTY**

- a) The treasurer will maintain a list of club assets and property and where they are stored.
- b) When selling their vehicles club members must remove Club stickers.

#### **5). TRIP LEADER**

- a) The Trip Leader has delegated responsibility from the Events Officer and, as such, has absolute authority over the trip.
- b) The Trip Leader is responsible for providing information to the Events Officer about the forthcoming trip
- c) The Trip Leader is responsible for completing the tasks as specified in the Trip Leader Checklist

#### **6). DEFINITION OF OUTSTANDING SERVICE**

When determining a nomination for Life Membership, the committee shall consider:

- a) Commitment
- b) Years of service to The Club
- c) Years of service in an executive position
- d) Commitment to Driver Training as a Trainer over a period of time
- e) Reliability
- f) Willingness to volunteer on many occasions
- g) Willingness to lead a number of trips over many years
- h) Extraordinary support (eg donation of time or equipment)

## **7). SMOKING/ALCOHOL**

a) The safety and comfort of all members is paramount. Members shall avoid excessive consumption of alcohol whilst on Club trips or activities. During General Meetings of The Club and during presentations by guest speaker smoking is not permitted.

## **8). CALCULATION OF ANNUAL SUBSCRIPTIONS**

a) Reviewed annually at the Annual General Meeting

b) After a review of the balance sheet of the previous year and with CPI increases considered annual subscriptions will be calculated to incorporate the following costs:

c) Full Membership

i) Affiliation fees which are paid to the SAA4WDC

ii) Insurance costs

iii) Administration costs (including any special events i.e" club celebrations)

iv) Newsletter Costs

d) Friends of The Club

i) Administration and Newsletter Costs as determined by committee

e) The committee may recommend a joining fee as it sees fit.

## **9). FIREARMS**

a) Firearms are not permitted.

## **10). CAMPING**

a) Campsites should not be within five hundred metres of any man-made or natural watering point, unless the owner or manager has granted permission.

b) Campsites near large natural watering points must be positioned so that stock and wildlife are not prevented from gaining access to water.

c) Campsites must be at least one kilometre away from any station, homestead, shearing shed, outstation or any other improvement unless the owner or manager has granted permission.

- d) Wherever possible, camps should be made on previously used sites unless otherwise directed by the Trip Leader.
- e) Care must be taken to minimize damage to trees, grasses and undergrowth at campsites.
- f) Making unnecessary vehicle tracks around campsites is to be avoided.

#### **11). WATERING POINTS**

- a) Minimal water only is to be taken from any watering point.
- b) Members are not to swim or bathe in tanks or dams without permission.
- c) If water is required for washing and sufficient water is available then this water is to be bucketed out.
- d) Pollutants must not be introduced to any water sources.

#### **12). FIRES**

- a) Fire restrictions must be observed at all times.
- b) Normally only one campfire will be permitted" Other small fires may be permitted for cooking purposes only.
- c) At all sites on fire ban days members shall use gas or other means for cooking. Refer to section 13 c).
- d) Where wood supplies are insufficient (and especially in National Parks) members should carry their own firewood.
- e) Combustible rubbish may be burnt at a campsite, (providing that proper precautions are taken and that fire restrictions are observed), but not until cooking has finished.
- f) Any remains of non-combustible material placed on fires, for sanitary purposes, must be removed from the ashes.
- g) All fires must be totally extinguished before a campsite is vacated. Where practicable, no signs of making a fire should be left at any campsite.

#### **13). LITTER**

- a) No litter or rubbish is to be thrown from a vehicle.
- b) No rubbish is to be left at any stop or at any campsite.
- c) All non-combustible rubbish is to be removed or placed in an approved receptacle.

**14). GATES**

- a) All gates are to be left as they are found.

**15). FLORA AND FAUNA**

- a) Live branches are not to be cut or broken from trees or shrubs.
- b) Birds, animals and their habitats must not be disturbed.
- c) Members will not use trees as winch anchors unless adequate protection is used to prevent damage to these trees.

**16). HISTORIC SITES**

- a) All sites of historic significance must be left undisturbed.

**17). NATIONAL PARKS AND FOREST AREAS**

- a) All visitors to these areas are responsible for knowing and observing regulations pertaining to them whilst travelling in these areas or any other Government Authority controlled areas.

**18). PETS**

- a) No dogs or cats are permitted on any Club trips. The exception to this rule being Guide dogs.

**19). MOTORCYCLES**

- a) Motorcycles are not permitted to be ridden on any Club trips.

**20). TRACKS**

- a) Vehicles are to stay on existing roads / tracks except in areas where it is permissible to take vehicles off the track / road.

**21). TOILETS**

- a) When using a bush toilet, a deep hole must be dug, and then covered again before leaving.

Toilet paper and tissues must not be left to blow around the countryside.

b) Should be 100 metres from water source ( as per National Parks recommendation)

## **22). TRIP REQUIREMENTS/ SAFETY**

- a) Drivers should carry enough spares to be reasonably self-sufficient in the event of a breakdown.
- b) Emergency fuel, water and food must be carried on all excursions to remote locations.
- c) Each vehicle should carry a strong towrope or equivalent, a snatch strap, a shovel, a well-equipped first aid kit and an approved fire extinguisher in working order.
- d) The Trip Leader may prohibit the attendance of any person from an event or trip under the control of the said Trip Leader, if in the opinion of the Trip Leader, the vehicle is not adequately prepared.

## **23). COMMUNICATIONS**

- a) The communications medium on Club events, trips and activities will be UIIF CB Radio

## **24). SAFETY SAND FLAGS**

- a) Appropriate safety sand flags are to be flown, as instructed by the Trip Leader. Such flags shall be no less than 3 metres above ground level and the Road Traffic Act limits the maximum height of these flags to 4.3 metres.

## **25). CONVOY PROCEDURE**

- a) All vehicles are to remain in starting order during the trip unless otherwise directed by the Trip Leader. Where it is safe to do so, drivers are to maintain visual contact with the vehicle in front and where practicable, keep the vehicle travelling behind in sight at all times. Trip leaders will place the more experienced members strategically within a convoy to assist those with less experience.
- b) No convoy vehicle is to overtake the lead vehicle. In the event of a breakdown, the occupants will remain with the stricken vehicle and call for assistance via the UHF CB radio.
- c) The lead vehicle will stop at any turn-off or intersection at which doubt may exist as to the correct direction to follow. Each succeeding vehicle will likewise wait for the next vehicle before proceeding. A similar approach is to be taken when an obstacle is encountered.
- d) If unsure of the direction taken by the vehicle in front, stop and wait for someone in front to return.
- e) If unsure of tackling a hazardous section, stop and allow an experienced driver to assist
- f) Travel at a safe distance to allow other road users to overtake if necessary.

g) Fuel tanks must be filled prior to starting any trip to a remote location, thus avoiding any unnecessary stops.

h) Before leaving a convoy for any reason, the Trip Leader must be notified.

## **26). SPECTATOR SAFETY**

a) At any creek crossing, steep hill, sand hill etc. spectators are to keep well clear of the track.

Vehicles that have already negotiated this situation must move well along the track to allow room for following vehicles.

b) During recovery operations, give assistance wherever possible but do not get in the way. Stand well clear of winch cables and towing devices because of the danger of breakages.

## **27). SEPARATION**

a) If a vehicle becomes separated from the group, the vehicle must stop; the occupants must remain with the vehicle and call for assistance via the UHF CB radio.

## **28). NOISE**

a) The use of generators is to be kept to a minimum. Any complaints about generators are to be made to the Trip Leader.

b) Undue noise at campsites, especially around the campsite at night and in the early mornings, must be kept to a minimum.

## **29). CARAVANS AND TRAILERS**

a) The use of trailers, camping trailers or caravans shall be at the discretion of the Trip Leader.

Some trips will be through terrain in which it is not possible to tow any or certain types of trailers.

President

4<sup>th</sup> June, 2005



