

OBERON HERITAGE

AND

COLLECTORS CLUB

INCORPORATED

Constitution

June 2008

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Constitution

General

1) Name

The name of the Club shall be "Oberon Heritage and Collectors Club Inc" referred to in this constitution as "The Club"

2) Objectives

- a) To sponsor and encourage the Preservation, Restoration and Use of Historic Motor Vehicles, Motor Cycles, Commercial Vehicles, Truck, Tractors or Machinery be that powered by Water, Steam, Beast, Wind, Man Internal Combustion or other items from the Arts and Entertainment, Musical Instruments Household Equipment and Collections which represent our Social History.
- b) To form a group of Owners of such equipment and items as described in Paragraph (1) who shall subscribe to the Objectives of the Club.
- c) To establish and foster the Correct Driving and Maintenance Techniques for such Equipment and Items and by example demonstrate Safe Management, Preservation and Operation of such Equipment.
- d) To provide and encourage Spirit of Fellowship, Tolerance and Goodwill among Members of the Club.
- e) To engage in Tours, Exhibitions and Other Events suitable for the Demonstration and Use of such Equipment and Items.
- f) To offer the Services of the Club, its Members and Equipment to such Charitable Organizations as may be decided from Time to Time by the Club.
- g) To preserve all aspects of our Motoring, Rural, Home Industry, Social and Industrial History and Heritage.
- h) To encourage Public Interest in the Preservation of Motoring, Rural, Home Industry, Social and Industrial Equipment and Paraphernalia.
- i) To maintain the use of and enforce the Rules governing the privilege known as the "Conditional Registration" (CRS) and the "RTA Historical Vehicle Policy" as prescribed by the NSW State Government
- j) Work co-operatively with other Social and Specialised Clubs in the Oberon and Other Areas to foster and promote interest in Local Heritage and History.
- k) Promote the Establishment of a Community based Heritage/Historical Facility where Members can erect Period Buildings and Display their Collections to Members of the Public.

- l) To publish at such time and under such circumstances as the Club may determine, a Periodical Newsletter to be distributed to the Members of the Club.
- m) To seek to gain and maintain Membership of State and Federal Bodies and Councils whose Aims are similar to the Aims of the Club.
- n) To raise funds from any source the Committee may determine, to be used in pursuance of the Objectives of the Club.

3) Interpretations

In these Rules, except where the context or subject matter otherwise indicates or requires:

- a) "Ordinary Member" means a Member of the Committee who is not an Office Bearer of the Club as referred to in the Rules relating to the Committee.
- b) "Member" or "Social Member" means a Financial Member of the Club.
- c) "Secretary" means:
 - i) the Person holding the Office under these Rules as Secretary of the Club; or
 - ii) where no such person holds that Office, the Public Officer of the Club.
- d) "Special General Meeting" means a General Meeting of the Club other than an Annual General Meeting.
- e) "The Act" means the Associations Incorporation Act 1984.
- f) "The Regulation" means the Associations Incorporation Regulation 1985.
- g) In these Rules;
 - i) a reference to a function includes a reference to a power, authority and duty; and
 - ii) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.
- h) The provisions of the Interpretations Act 1897, apply to and in respect of these Rules in the same manner as those provisions would apply if these Rules were an instrument made under the Act.
- i) "Financial Year" means the Year ending June 30th.

Membership

4) Membership

- a) Membership is open to all Individuals who are Collectors of Historic Motor Vehicles, Motor Cycles, Commercial Vehicles, Trucks, Tractors or Machinery powered by any possible means or any other Items from the Arts and Entertainment, Musical Instruments, Household Equipment, Collections representing our Social History or any other Collectible Item.

- b) Membership is open to all Persons who accept the Objectives and Rules of the Club.
- c) A Person wishing to become a Member of the Club shall apply in writing on the Form of Membership available from the Committee.
- d) A Person wishing to join the Club does so on the basis that they will participate in Activities and Outings as deemed suitable by the Committee.
- e) Prior to joining the Club that Person is required to be known to two Members for a period of not less than six months.
- f) The Person wishing to join the Club shall seek out a Club Member to nominate him for Membership.
- g) The Application Form, nominated by a Club Member, shall be lodged with the Secretary of the Club.
- h) The Secretary will refer the Application Form to the Committee at the next available Committee Meeting for a determination on acceptance or rejection.
- i) Membership is granted on the condition that the Person's motivation is to abide by the Club's Objectives and Rules. Where the Committee determines to approve a Nomination for Membership, the Secretary will notify the Nominee of that approval as soon as practicable after the determination. The Committee is not required to provide reasons for Acceptance or Rejection of an Application for Membership.
- j) The Secretary will require payment of Joining and Membership Fees as set out in the Fees and Subscriptions Rules from the Nominee within 28 days of notification of Approval.
- k) When the required Fees have been received in full, the Secretary will enter the Nominee's name in the Register of Members from which time the Nominee will become a Member of the Club.

5) Social Members

- a) A Social Member shall be defined as a Spouse, Partner or Friend of a Member who wants to be involved in the Club because of the Friendship, Camaraderie and the fact that they want to support their Partner or Friend in their respective interest.
- b) Social Members must abide by the same Objectives and Rules as Members.
- c) Social Members are not entitled to hold a Committee Position or Sub Committee Position.
- d) Social Members shall not have any voting or any other rights that affect the Management of the Club.
- e) Persons applying for Social Membership must apply on the Social Membership Application Form available from the Committee and are subject to the same Criteria as Persons applying for Membership.

6) Cessation of Membership

A Person ceases to be a Member or Social Member of the Club if that Person:

- a) Dies
- b) Resigns that Membership in writing
- c) Is expelled from the Club
- d) Fails to pay Outstanding Membership Fees within a period of time as determined by the Committee.

7) Membership Entitlements not Transferable

A right, privilege or obligation which a Person has by reason of being a Member or Social Member of the Club:

- a) is not capable of being transferred or transmitted to another Person; and
- b) terminates upon cessation of the Person's Membership.

8) Resignation of Membership

- a) A Member or Social Member of the Club is not entitled to resign that Membership except in accordance with this Rule.
- b) A Member or Social Member of the Club who has paid all amounts payable to the Club in respect of the Member's Membership or Social Member's Membership may resign from Membership of the Club by first giving notice (being not less than one month or not less than any other period as the Committee may determine) in writing to the Secretary of the Member's or Social Member's intention to resign and, upon the expiration of the Period of Notice, the Member or Social Member ceases to be a Member.
- c) Where a Member or Social Member of the Club ceases to be a Member in terms of clause 8 (a), and in every other case where a Member or Social Member ceases to hold Membership, the Secretary shall make an appropriate entry in the Register of Members recording the date on which the Member or Social Member ceased to be a Member.

9) Register of Members

- a) The Secretary of the Club shall establish and maintain a Register of Members of the Club specifying the Name and Address of each Person who is a Member or Social Member of the Club together with the date on which the Person became a Member.
- b) The Register of Members shall be kept at the Principal Place of Administration of the Club and shall be open for inspection, free of charge, by any Member of the Club at any reasonable hour.

10) Fees, Subscriptions, etc

- a) A Member or Social Member of the Club shall, upon admission to Membership, pay to the Club, a Joining Fee of an amount determined by the Committee, from Time to Time.

- b) In addition to any amount payable by the Member or Social Member under Clause 10a, a Member or Social Member of the Club shall pay to the Club an Annual Membership Fee of an amount determined by the Committee from Time to Time,
 - i) except as provided by paragraph 10 (b) ii, on the 1st July each Year or
 - ii) where a Person becomes a Member or Social Member on or after 1st July in each succeeding Year
- c) Where a Person becomes a Member or Social Member on or after the First Sunday in May in any Year, that Member or Social Member is deemed to be a Financial Member of the Club until June 30th in the succeeding Year.
- d) A Person who is a Member or Social Member of the Club shall pay a Levee to the Club as determined by the Committee in the event of a funding shortfall in the day to day running of the Club.

11) Members' Liability

The Liability of the Member or Social Member of the Club to contribute towards the payment of the Debts and Liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the Member or Social Member in respect of Membership of the Club as required by the Rule relating to Fees, Subscriptions, etc.

12) Disciplining of Members

- a) Where the Committee is of the opinion that a Member or Social Member of the Club-
 - i) has persistently refused or neglected to comply with a Provision or Provisions of these Rules or
 - ii) has persistently and wilfully acted in a manner prejudicial to the interest of the Club, the Committee may, by Resolution-
 - (1) expel the Member or Social Member from the Club or
 - (2) suspend the Member or Social Member from Membership of the Club for a specified period.
- b) A Resolution of the Committee under Clause (a) is of no effect unless the Committee, at a Meeting held no earlier than 14 days and no later than 28 days after service on the Member or Social Member of a notice under Clause (c), confirms the Resolution in accordance with this Rule
- c) Where the Committee passes a Resolution under Clause (a), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the Member or Social Member
 - i) setting out the Resolution of the Committee and the grounds on which it is based.
 - ii) Stating that the Member or Social Member may address the Committee at a Meeting to be held not earlier than 14 days and not later than 28 days after service of the notice.
 - iii) Stating the date and time of the Meeting and

- iv) Informing the Member or Social Member that the Member or Social Member may do either or both of the following-
 - (1) attend and speak at that Meeting,
 - (2) submit to the Committee at or prior to the date of that Meeting written representations relating to the resolution'
- d) At a Meeting of the Committee held as referred to in Clause (c) the Committee shall-
 - i) give the Member or Social Member an opportunity to make oral representations,
 - ii) give due consideration to any written representation submitted to the Committee by the Member or Social Member at or prior to the Meeting and
 - iii) by Resolution determine whether to confirm or to revoke the Resolution.
- e) Where the Committee confirms a Resolution under Clause (d), the Secretary shall within 7 days after the confirmation, by notice in writing inform the Member or Social Member of the fact and of the Member's or Social Member's right of appeal under the role relating to the Right of Appeal of a Disciplined Member or Social Member
- f) A Resolution confirmed by the Committee under Clause (d) does not take effect-
 - i) until the expiration of the period within which the Member or Social Member:
 - (1) is entitled to appeal against the Resolution where the Member or Social Member does not exercise the right of appeal within that period, or
 - (2) where, within that period the Member or Social Member exercises the right of appeal, unless and until the Club confirms the Resolution referred to in 12 (d) iii.

13) Right of Appeal of a Disciplined Member or Social Member

- a) A Member or Social Member may appeal to the Club in a General Meeting against a Resolution of the Committee which is confirmed under Rule (4) within 7 days after notice of the Resolution is served on the Member or Social Member, by lodging with the Secretary a notice to that effect.
- b) Upon a receipt of a Notice from a Member or Social Member under Clause (1), the Secretary shall notify the Committee which shall convene a General Meeting of the Club to be held within 21 days after the date on which the Secretary received the Notice.
- c) At a General Meeting of the Club convened under Clause (2)-
 - i) no business other than the question of the appeal shall be transacted,
 - ii) the Committee and the Member or Social Member shall be given the opportunity to state their respective cases orally or in writing or both, and
 - iii) the Members and Social Members present shall vote by secret ballot on the question of whether the Resolution should be confirmed or revoked.
- d) If at the General Meeting the Club passes a Special Resolution in favour of the Confirmation of the Resolution, the Resolution is confirmed.

14) Honorary Life and Gold Membership

- a) Honorary Life and Gold Membership of the Club may, on the recommendation of the Committee, be conferred on any Person at an Annual General Meeting of Members and Social Members of the Club.
- b) Only one Life Membership and one Gold Membership each can be given in a Financial Year.
- c) The Member must be nominated to the Committee in writing at least 30 days prior to the Annual General Meeting.
- d) The Members of the Club will cast a vote to accept the Nominee to Life or Gold Membership Status at that Annual General Meeting.
- e) A Life Member Nominee must have at least 10 years ACTIVE service with the Club.
- f) A Gold Member Nominee must have at least 5 years ACTIVE service with the Club.
- g) The Committee, in consultation with the longer serving Members of the Club, consider the worthiness of the Nominee to attain such an Award.
- h) The Committee is to gain the acceptance of the Nominee prior to the Members vote at the Annual General Meeting.
- i) Life Membership and Gold Membership is not an honorary position and Life and Gold Members are required to pay Annual Membership Fees on the 1st July annually as well as any other Fees that may be levied from time to time as for all Members.
- j) If a Life or Gold Member does not pay his/her Fees, he/she receives no Membership Benefits as in the case of all Members, but retains Status upon payment of those Fees.

Committee

15) Powers of the Committee

- (a) The Committee shall be called the Committee of Management of the Club and, subject to the Act, the Regulations and these Rules and to any Resolution passed by the Club in a General Meeting.-
 - i. shall control and manage the affairs of the Club;
 - ii. may exercise all such functions as may be exercised by the Club other than those functions that are required by these Rules to be exercised by a General Meeting of Members of the Club, and
 - iii. has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper Management of the affairs of the Club.

16) Constitution and Membership

- a) Subject in the case of the First Members of the Committee to Section 21 of the Act, the Committee shall consist of-
 - i) the Office Bearers of the Club, and
 - ii) 3 ordinary Members
 - iii) each of whom shall be elected at the Annual General Meeting of the Club pursuant to the Rule on Election of Committee Members.
- b) the Office Bearers of the Club shall be-
 - i) the President;
 - ii) the Vice President;
 - iii) the Treasurer; and
 - iv) the Secretary
- c) Each Member of the Committee shall, subject to these Rules, hold office until the conclusion of the Annual General Meeting following the date of the Member's election, but is eligible for re-election.
- d) In the event of a Casual Vacancy occurring in the Membership of the Committee, the Committee may appoint a Member of the Club to fill the Vacancy and the Member so appointed shall hold office, subject to these Rules, until the conclusion of the Annual General Meeting next following the date of the appointment.

17) Election of Committee Members

- a) Nomination of Candidates for election as Officer Bearers of the Club or as Ordinary Members of the Committee-
 - i) shall be made in writing, signed by 2 Members of the Club and accompanied by the written consent of the Candidate (which may be endorsed on the form of the Nomination); and
 - ii) shall be delivered to the Secretary of the Club not less than 7 days before the date fixed for holding the Annual General Meeting at which the election is to take place.
- b) If insufficient Nominations are received to fill all Vacancies on the Committee, the Candidates nominated shall be deemed to be elected and further Nominations shall be received at the Annual General Meeting.
- c) If insufficient further nominations are received, any vacant positions remaining on the Committee shall be deemed to be Casual Vacancies.
- d) If the number of Nominations received is equal to the number of Vacancies to be filled, the Persons nominated shall be deemed to be elected.
- e) If the number of Nominations received exceeds the number of Vacancies to be filled, a Ballot shall be held.
- f) The Ballot for the election of Officer Bearers and Ordinary Members of the Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.

- g) A Nomination of a Candidate for election under this clause is not valid if that Candidate has been nominated for election to another office at the same election.

18) Secretary

- a) The Secretary of the Club shall, as soon as practicable, after being appointed as Secretary, lodge notice with the Club of his or her address.
- b) It is the duty of the Secretary to keep Minutes of-
 - i) All appointments of Office Bearers and Members of the Committee.
 - ii) The names of Members of the Committee present at a Committee Meeting or a General Meeting; and
 - iii) All proceedings at Committee Meetings and General Meetings.
- c) Minutes of proceedings at a Meeting shall be signed by the Chairperson of the Meeting or by the Chairperson of the next succeeding meeting

19) Treasurer

It is the duty of the Treasurer of the Club to ensure that-

- (a) all money due to the Club is collected and received and that all payments authorised by the Club are made.
- (b) Correct books and accounts are kept showing the financial affairs of the Club including full details of all receipts and expenditure connected with the activities of the Club.

20) Casual Vacancies

For the purpose of the Rules, a Casual Vacancy in the office of a Member of the Committee occurs if the Member-

- a) Dies;
- b) Ceases to be a Member of the Club;
- c) Becomes an Insolvent Under Administration within the meaning of the Companies (New South Wales) Code;
- d) Resigns Office by notice in writing given to the Secretary;
- e) Is removed under the Rule relating to removal of a Member;
- f) Becomes of unsound mind or a Person whose Person or Estate is liable to be dealt with in any way under the law relating to Mental Health; or
- g) Is absent without the consent of the Committee from all Meetings of the Committee held during a period of 6 months.

21) Removal of a Member

- a) The Club in a General Meeting may by Resolution remove any Member of the Committee from the Office of Member before the expiration of the Member's Term of Office and may by Resolution appoint another Person to hold Office until the expiration of the Term of Office of the Member so removed.
- b) Where a Member of the Committee to whom a proposed Resolution referred to in Clause 21 (a) relates, makes Representations in writing to the Secretary or President (Not exceeding a reasonable length) and requires the Representation to be notified to the Members of the Club, the Secretary or President may send a copy of the Representation to each Member of the Club or, if they are not so sent, the Member is entitled to require that the

Representation be read out at the Meeting at which the resolution is considered.

22) Meetings and Quorum

- a) The Committee shall meet at least 3 times in each period of 12 months at such place and time as the Committee may determine.
- b) Additional Meetings of the Committee may be convened by the President or by any Member of the Committee.
- c) Oral or written notice of a Meeting of the Committee shall be given by the Secretary to each Member of the Committee at least 48 hours (or such other period as may be unanimously agreed upon by the Members of the Committee) before the time appointed for the holding of the Meeting.
- d) Notice of a Meeting given under Clause 22 (c) shall specify the general nature of the Business to be transacted at the Meeting and no Business other than that Business shall be transacted at the Meeting except Business which the Committee Members present at the Meeting unanimously agree to treat as Urgent Business.
- e) Any 3 Members of the Committee constitute a Quorum for the transaction of the Business of a Meeting of the Committee
- f) No Business shall be transacted by the Committee unless a Quorum is present and if within Half an Hour of the time appointed, a Quorum is not present, the Meeting stands adjourned to the same place at the same hour of the same day in the following week
- g) If, at the adjourned Meeting a Quorum is not present within half an hour of the time appointed for the Meeting, the Meeting shall be dissolved.
- h) At a Meeting of the Committee-
 - i) the President or, in the President's absence, the Vice President shall preside; or
 - ii) if the President and the Vice President are absent or unwilling to act as such, one of the remaining Members of the Committee as may be chosen by the Members present at the Meeting shall preside.

23) Delegation by Committee to Sub Committee

- a) The Committee may, by instruction in writing, delegate to one or more Sub Committees (Consisting of such Member or Members of the Club as the Committee thinks fit) the exercise of such of the functions of the Committees are specified in the instrument, other than-
 - b) the Power of Delegation; and
 - c) a function which is a Duty imposed on the Committee by the Act or by any other law.
- d) A function, the exercise of which has been delegated to a Sub Committee under this Rule may, while the Delegation remains unrevoked, be exercised from time to time by the Sub Committee in accordance with the terms of that Delegation

- e) A Delegation under this Section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.
- f) Notwithstanding any Delegation under this Rule, the Committee may continue to exercise any function delegated.
- g) Any act of a thing done or suffered by a Sub Committee acting in the exercise of a Delegation under this Rule has the same force and effect as it would have if it had been done or suffered by the Committee.
- h) The Committee may, by instrument in writing, revoke wholly or in part, any Delegation under this Rule.
- i) A Sub Committee may meet and adjourn as it thinks proper.

24) Voting and Decisions.

- a) Questions arising at a Meeting of a Committee or a Sub Committee appointed by the Committee shall be determined by a majority of the votes of Members of the Committee or Sub Committee present at the Meeting.
- b) Each Member present at a Meeting of the Committee or of a Sub Committee appointed by the Committee (including the person presiding at the Meeting) is entitled to one vote, but in the event of equality on any Question, the person presiding may exercise a second or casting vote.
- c) Subject to the Rule under Meetings and Quorums, (clause 22) the Committee may act notwithstanding any vacancy on the Committee.
- d) Any act or thing done or suffered, or purporting to have been done or suffered by the Committee or by a Sub Committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any Member of the Committee or Sub Committee.

Meetings

25) Holding of Annual General Meetings

- a) With the exception of the first Annual General Meeting of the Club, The Club shall, at least once each Calendar Year and within the period of 6 months after the expiration of each Financial Year of the Club, convene an Annual General Meeting of its Members.
- b) The Club shall hold its first Annual General Meeting-
 - i) within the period of 18 Months after its incorporation under the Act; and
 - ii) within the period of 2 months after the expiration of the first Financial Year of the Club.

- c) Clauses 25 (a) and (b) have effect subject to any extension or permission granted by the Committee under Section 26(3) of the Act.

26) Calling of and Business at an Annual General Meeting

- a) The Annual General Meeting of the Club shall, subject to the Act and to the Rule relating to holding an Annual General Meeting be convened on such date and at such place and time as the Committee thinks fit.
- b) In addition to any other Business which may be transacted at the Annual General Meeting, the Business of an Annual General Meeting shall be-
 - i) to confirm the Minutes of the last preceding Annual General Meeting and of any Special General Meetings held since that Meeting.
 - ii) To receive from the Committee, reports upon the activities of the Club during the last preceding Financial Year.
 - iii) To elect Officer Bearers of the Club and Ordinary Members of the Committee; and
 - iv) To receive and consider the Statement which is required to be submitted to Members pursuant to Section 26 (6) of the Act.
- c) An Annual General Meeting shall be specified as such in the notice convening it.

27) Calling of Special General Meetings

- a) The Committee may, whenever it thinks fit, convene a Special General Meeting of the Club.
- b) The Committee shall, on the requisition in writing of not less than 3 of the total number of Members, convene a Special General Meeting of the Club.
- c) A Requisition of Members for a Special General Meeting –
 - (1) shall state the purpose or purposes of the Meeting,
 - (2) shall be signed by the Members making the Requisition;
 - (3) shall be lodged with the Secretary; and
 - (4) may consist of several documents in a similar form, each signed by one or more of the Members making the Requisition.
- d) If the Committee fails to convene a Special General Meeting to be held within 1 month after that date on which a Requisition of Members for the Meeting is lodged with the Secretary, any one or more of the Members who made the Requisition may convene a Special General Meeting to be held not later than 3 months after that date.
- e) A Special General Meeting convened by a Member or Members referred to in Clause 27 (d) shall be convened as nearly as is practicable in the same manner as General Meetings are convened by the Committee and any Member who thereby incurs expense is entitled to be reimbursed by the Club for any expense incurred.

28) Notice

- a) Except where the nature of the Business proposed to be dealt with at a General Meeting requires a Special Resolution of the Club, The Secretary

shall, at least 14 days before the date fixed for the holding of a General Meeting cause to be sent by pre-paid post to each Member at the Member's address appearing in the Register of Members, or by oral communication, a notice specifying the place, date and time of the Meeting and the nature of the Business proposed to be transacted at the Meeting.

- b) Where the nature of the Business proposed to be dealt with at a General Meeting requires a Special Resolution of the Club, the Secretary shall, at least 21 days before the date fixed for the holding of the General Meeting, cause notice to be sent to each Member in the manner provided in Clause 28 (a) specifying, in addition to the matter required under Clause 28 (a), the intention to propose the resolution as a Special Resolution.
- c) No business other than that specified in the notice convening a General Meeting shall be transacted at the Meeting except, in the case of an Annual General Meeting, Business which may be transacted pursuant to the Rule relating to the Calling and Business at an Annual General Meeting.
- d) A Member desiring to bring any business before a General Meeting may give notice in writing of that Business to the Secretary who shall include that Business in the next notice calling a General Meeting given after receipt of the notice from the Member.

29) Procedure

- a) No item of Business shall be transacted at a General Meeting unless a Quorum of Members entitled under these Rules to vote is present during the time the Meeting is considering that item.
- b) Five Members present in person (being Members entitled under these Rules to vote at a General Meeting) constitute a Quorum for the transaction of the Business of a General Meeting
- c) If within half an hour after the appointed time for the commencement of a General Meeting, a Quorum is not present, the Meeting if convened upon the Requisition of Members shall be dissolved, in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the Meeting or communicated by written notice to Members given before the day to which the Meeting is adjourned) at the same place.
- d) If, at the adjourned Meeting, a Quorum is not present within half an hour after the time appointed for the commencement of the Meeting, the Members present (being not less than 5) shall constitute a Quorum.

30) Presiding Member

- a) The President or, in the President's absence, the Vice President, shall preside as Chairperson at each General Meeting of the Club.
- b) If the President and Vice President are absent from a General Meeting or unwilling to act, the Members present shall elect one of their number to preside as Chairperson at the Meeting.

31) Adjournment

- a) The Chairperson of a General Meeting at which a Quorum is present may, with the consent of the majority of Members present at the Meeting, adjourn the Meeting from time to time and place to place, but no Business shall be transacted at an adjourned Meeting other than the Business left unfinished at the Meeting at which the adjournment took place.
- b) Where a General Meeting is adjourned for 14 days or more, the Secretary shall give written or oral notice of the adjourned Meeting to each Member of the Club stating the place, date and time of the Meeting and the nature of the Business to be transacted at the Meeting.
- c) Except as provided in Clauses 31 (a) and (b), notice of an adjournment of a General Meeting or of the Business to be transacted at an adjourned Meeting is not required to be given.

32) Making of Decisions

- a) A question arising at a General Meeting of the Club shall be determined in a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration of the Chairperson that a Resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the Minute Book of the Club is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that Resolution.
- b) At a General Meeting of the Club, a Poll may be demanded by the Chairperson or by not less than 3 Members present in person or by Proxy at the Meeting.
- c) Where the Poll is demanded at a General Meeting, the Poll shall be taken –
 - i) immediately in the case of a Poll which relates to the election of the Chairperson of the Meeting or to the question of an adjournment; or
 - ii) in any other case, in such manner and at such time before the close of the Meeting as the Chairperson directs,and the resolution of the Poll on the matter shall be deemed to be the Resolution of the Meeting on the matter.

33) Special Resolutions

A Resolution of the Club is a Special Resolution if –

- a) It is passed by a majority which comprises not less than three quarters of such Members of the Club as, being entitled under these Rules to do so, vote in Person or by Proxy at a General Meeting of which not less than 21 days written notice specifying the intention to propose the Resolution as a Special Resolution was given in accordance with these Rules, or
- b) Where it made to appear to the Commission that it is not possible or practicable for the Resolution to be passed in the manner specified in paragraph (a)
the Resolution is passed in a manner specified by the Commission.

34) Voting

- a) Upon any question arising at a General Meeting of the Club, a Member has one vote only.
- b) All votes shall be given Personally or by Proxy but no Member may hold more than 5 Proxies.
- c) In the case of an equality of votes on a question at a General Meeting, the Chairperson of the Meeting is entitled to exercise a second or casting vote.
- d) A Member or Proxy is not entitled to vote at any General Meeting of the Club unless all money due and payable by the Member or Proxy to the Club has been paid.

35) Appointment of Proxies

- a) Each Member shall be entitled to appoint another Member as Proxy by notice given to the Secretary no later than 24 hours before the time of the Meeting in respect of which the Proxy is appointed.
- b) The Notice appointing the Proxy shall be in the form set out in Appendix 3 to these Rules.

Club Conditional Registration Scheme

36) Regulations and Rules for the use of Vehicles on the Conditional Registration Scheme.

- a) These are the Regulations and Rules of the Oberon Heritage and Collectors Club Incorporated for Vehicles on the NSW Conditional Registration Scheme.
- b) The Oberon Heritage and Collectors Club Incorporated is an RTA recognised Historic Vehicle Club.
- c) Where the word "Club" is used in the Regulations and Rules it shall be taken to mean "Oberon Heritage and Collectors Club Incorporated"

37) Eligibility

- a) All Vehicles must be unmodified and at least 30 Years old. The Vehicle must be as close to original as possible with no alterations apart from those for safety if desired, including the following:
 - i) Seat Belts,
 - ii) Indicators or blinkers,
 - iii) Radial Tyres of the equivalent size to those fitted originally at manufacture,
- b) Paint and Trim Colours may vary from those shown on the Manufacturer's "Paint and Trim" Plate, but must be reasonably equal to those available in that Vehicles year of manufacture.

- c) The Vehicle's originality shall be determined by the Manufacturer's specification set out in the Manufacturer's Shop Manual as published by the Manufacturer, relevant to that particular Vehicle and shall be determined by the information shown on the Manufacturer's "Paint and Trim" plate fixed to the Vehicle
- d) The final Arbitrator as to eligibility of a Vehicle shall be the Club Committee.
- e) Applicants will be considered from Financial Members of 6 months Full Membership and hold a NSW Drivers License.
- f) All Applicants for the Conditional Registration Scheme Eligibility Letter shall be handed a copy of these Regulations and Rules to read and agree to before the Letter is issued.
- g) Each Vehicle must be inspected annually for Vehicle Eligibility, and the Club Eligibility Letter, which will be held on a date specified each year by the Club Committee.
- h) Each Vehicle must be of a good appearance with the body work, paint and internal trim in good condition.
- i) Each Vehicle and Member must comply with all current Rules and Regulations of the Roads and Traffic Authority.
- j) Conditional Registration Scheme Plates are considered a privilege for Club Members, who have the prime intention of using their Vehicles for Club Outings, and as such the issue of the Eligibility Letter and control is essential and to this end, there is one Category for Application;
 - i) Members applying for Club Eligibility Letter must garage their Vehicle and Reside within the Borders of the State of New South Wales.
- k) A person, who has Vehicles with another NSW Club and wishing to join the Oberon Heritage and Collectors Club Incorporated and nominate that Club as their Primary Club, must meet our Eligibility Regulations and Rules first.

Club Events

- a) A Vehicle covered by the Conditional Registration Scheme shall only be used for Club Events.
- b) Club Events shall be entered by the Conditional Registration Scheme Registrar or the Secretary in the Log Book.
- c) Club Events shall be listed in the Periodical Newsletter of the Oberon Heritage and Collectors Club Incorporated.
- d) Club Events shall be:
 - i) Events as set out in the Oberon Heritage and Collectors Club Incorporated Events Calendar, including Displays for Club promotional purposes as agreed by the Committee
 - ii) Attendance at the Oberon Heritage and Collectors Club Incorporated General Meetings, Committee Meetings and Eligibility Inspection Day.

- iii) Events conducted by other Clubs from which an Official Written Invitation has been received by the Oberon Heritage and Collectors Club Incorporated.
- e) Holders of Conditional Registration Plates are reminded that the use of the Vehicle other than stated in the RTA Policy renders the Vehicle Unregistered and Uninsured.

38) Servicing of Vehicles

- a) All Vehicles on the Conditional Registration Scheme must be maintained in a roadworthy condition for the entire time they are covered by the Conditional Registration Scheme.
- b) Journeys necessary for the servicing or road testing may be up to 5 Miles (8 km) from the notified garaging place of the said Vehicle by the shortest route and are permitted at any time.
- c) Any longer runs necessary for the servicing of the Vehicle may only be made after receiving permission from the Club Conditional Registration Scheme Registrar or, in his absence, the President or Secretary/Treasurer. This permission must be properly recorded in the Club Records by the Person approving the movement, with full details and reason.
- d) Service Runs for Road Testing a Vehicle after extensive work must not exceed a 10 Mile (16Kms) radius of the point of garaging. Permission to be obtained as above in clause 38 (c).
- e) All other movements must have prior approval from the Club's Conditional Registration Scheme or in his absence, the President or Secretary; the only exception being Club Events as listed in the Club's Periodical Newsletter. This permission must be properly recorded in the Club's Records, by the Person approving the movement with full details of time, place and reason.
- f) All Applications for approval of movements is preferred 24 hours prior to the movement taking place.

39) Responsibility of Conditional Registration Scheme Plate Holders

- a) All enquiries must be directed to the Club Conditional Registration Scheme Registrar. Individual approaches to the Roads and Traffic Authority are not permitted.
- b) Each Vehicle on the Conditional Registration Scheme must attend (1) One Club Events in the year of Registration. The Member must attend (1) One Club Events in the year of Registration. The Member who is the Owner of the Vehicle may permit other Members, Relatives or Friends to drive the Vehicle at Club Events; however the Member who is the Owner of the Vehicle is responsible to ensure that the Driver fully understands and is bound by these Regulations and Rules. Should a breach of these Regulations and Rules occur, the Owner of the Vehicle agrees that any disciplinary action taken by the Committee will be taken against the Owner of the Vehicle.

- c) The Member issued with the Conditional Registration Scheme Plates shall pay the Annual Renewal Fees to the Oberon Heritage and Collectors Club Incorporated by the 1st July each year.
- d) Conditional Registration Scheme Plates are issued in the belief the Member's prime intended use is for Club Events. The Committee retains the right to reconsider Eligibility annually for the issue of the Club's Eligibility Letter, if the Vehicle does not attend the stipulated number of Club Events during the year, without good cause.

40) Annual Vehicle Inspection for Club's Eligibility Letter

- a) All Vehicles must be inspected annually at a designated Annual Club Eligibility Day, and Unregistered Vehicles must be trailered to and from the Inspection. Provided the Vehicle is eligible, the Club will provide the Member with a Historic Vehicle Declaration.
- b) It is the Member's responsibility to obtain the appropriate Pink Slip, which will be produced together with all other necessary documentation.
- c) The Conditional Registration Scheme Registrar, or Secretary, will be the Person designated to issue Oberon Heritage and Collectors Club Incorporated Eligibility Letter annually.
- d) No Member will be issued with an Eligibility Letter if their Vehicle is found in breach of these Regulations and Rules.

41) Insurance Requirements

- i) A minimum insurance cover of Third Party Insurance is required.
- ii) Proof of Insurance must be provided Annually to the Conditional Registration Scheme Registrar or the Secretary at the designated Annual Eligibility Day, before the Club Eligibility Letter will be issued.

42) Declaration and Particulars of the Vehicle

- a) A Member who is a Conditional Registration Scheme Plate Holder shall enter his/her Vehicle Particulars on a Form located in the Club's Conditional Registration Scheme Rules Booklet.
- b) Their Declaration acknowledging that the use of the Conditional Registration Scheme Plates is a privilege granted by the Roads and Traffic Authority and that they have read the Regulations and Rules issued by the Oberon Heritage and Collectors Club Incorporated and agree to abide by all these Conditions to receive the Annual Club Eligibility Letter must be signed and witnessed by the Conditional Registration Scheme Registrar or the Secretary.
- c) That Declaration is located in the Club Conditional Registration Scheme Rules Booklet and must be produced if so requested by the Committee.
- d) A copy of the "Vehicle Particulars Form" and Declaration are set out in the Appendices to these Rules.

Miscellaneous

43) Insurance

- a) The Club shall effect and maintain Insurance pursuant to Section 44 of the Act.
- b) In addition to the Insurance required under clause 43 (a), the Club may effect and maintain other Insurance.

44) Funds

- a) The Funds of the Club shall be derived from Joining Fees, Annual Subscription Fees, Levies, Entrance Fees, Donations, Sale of Club regalia, books, badges and similar items, Magazine Subscriptions, Advertising and any other source that the Committee determines.
- b) All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Club's Bank account.
- c) The Club shall as soon as practicable after receiving any money, issue a receipt to any party requesting the issue of an appropriate receipt.

45) Funds Management

- a) Subject to any Resolutions passed by the Club at a General Meeting, the funds of the Club shall be used in pursuant of the Objectives of the Club in such manner as the Committee determines.
- b) All Cheques, Drafts, Bills of Exchange, Promissory Notes and other Negotiable Instruments shall be signed by any 2 Members of the Committee or Employees of the Club, being Members or Employees authorised to do so by the Committee

46) Alterations to Objectives and Rules

The Statement of Objectives and these Rules may be altered, rescinded or added to only by a Special Resolution of the Club.

47) Common Seal

- a) The Common Seal of the Club shall be kept in the custody of the Public Officer.
- b) The Common Seal shall not be affixed to any Instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures either of 2 Members of the Committee or of 1 Member of the Committee and of the Public Officer or Secretary.

48) Custody of Book, Records, Etc

Except as otherwise provided by the Act, the Club's Treasurer and Secretary shall keep in their custody or under their control all records, books and other documents relating to the Club.

49) Inspection of Books Etc

The Records, Books and other Documents of the Club shall be open to inspection, free of charge, by a Member of the Club at any reasonable hour.

50) Service of Notices

- a) For the purposes of these Rules, a Notice may be served by or on behalf of the Club upon any Member either personally or by post to the Member at the Member's address shown in the Register of Members.
- b) Where a Document is sent to a Person by properly addressing, prepaying and posting to the Person a Letter containing the Document, the Document shall, unless the contrary is proved, be deemed for the purposes of these Rules to have been served on the Person at the time at which the Letter would have been delivered in the ordinary cause of post.

51) Surplus Property

- a) The Assets and Income of the Club shall be applied solely in the furtherance of its Objectives and no portion shall be distributed directly or indirectly to the Members of the Club except as bona fide compensation for services rendered or expenses incurred on behalf of the Club.
- b) In the event of the Club being dissolved there amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be paid and applied by the Committee in accordance with their powers to any Fund, Institution or Authority which is a Non Profit Organization or to an Organization which is exempt from Income Tax under Section 23 of the Income Tax Assessment Act.

52) Audit

The Club's Accounts shall be audited each Financial Year by a Person competent to carry out such an Audit.