



THE CONSTITUTION OF THE RED STAR RACEWAY CLUB

1 NAME

The name of the Club will be The Red Star Raceway Club.

2 OBJECTIVE:

2.1 The objects of the Club shall be to operate and function as a body corporate for the purpose of promoting, fostering and encouraging motorcycle racing. This shall be done by means of sourcing and introducing new people to the sport and train such people in all aspects of motorcycle racing, on and off the circuit.

2.2 The Club is not formed for the purpose of carrying on any business that has for its object the acquisition of gain by the Club or by the individual Members thereof.

2.3 The Club is formed for the purpose of promoting amateur sport.

2.4 The Club will refrain from manifesting racial, political, gender and religious discrimination in the course of its activities.

3 INDEPENDENT LEGAL PERSONALITY

3.1 The Club is formed with the intention that this Constitution and by its objects and its activities it shall be a body corporate or "universitas" having separate legal "persons" with perpetual succession, and with the capacity to acquire and hold property for itself and apart from its Members and the individual Members shall have no right in or to any property or other assets of the Club.

3.2 The property and other assets of the Club shall vest in the Club, which shall hold such assets for itself as distinct from its individual Members and the individual Members shall have no right in or to any property or other assets of the Club.

- 3.3 Any obligation incurred by or for or on behalf of the Club shall be incurred for the Club itself and to the exclusion of the individual Members.
- 3.4 Under no circumstances shall the assets of the Club or any part thereof be distributed to Members in the form of a dividend or a share cut of profits or remaining funds and in the event of the Club being dissolved, the assets shall be handed over to such a body as the Committee may decide.
- 3.5 The Club may sue or be sued in its own name and the right of decision to sue or to defend any suit shall vest in the Committee of the Club.

4 **MEMBERSHIP**

- 4.1 Membership shall, at the discretion of the Committee, be open to any person who:-
- 4.2 Makes application on the prescribed form duly proposed by a Member of the Club and forwarded to the Secretary together with the Membership Fee.
- 4.3 Upon acceptance into Membership of the Club, the Applicant agrees to be bound by the Constitution or any other governing Bodies and any other amendments thereto. Also the Applicant agrees to take an active part in Club Activities.
- 4.4 The Committee shall have the power to suspend a Member from participating in any of the privileges of the Club or may request his or her resignation from the Club for any infringement or misdemeanour subject to the right of such Member to appeal to a General Meeting against such suspension or forced resignation. The decision will be final.
- 4.5 A Member shall keep the Honorary Secretary advised of any change of address, business or residential.
- 4.6 All Club Floating Trophies won will be held by the winner for one (1) year only and that such Trophies will be returned to the Honorary Secretary upon request or upon resignation from the Club.
- 4.7 A Member shall be held responsible for the safe custody and care of any Trophy in his or her possession, irrespective of insurance coverage with the exception of fire and theft and that compensation in full value will be made to the Club in the event of loss, damage or destruction of such Trophy.

4.8 Life Membership of the Club will be conferred on a Member at the sole discretion of the Committee.

5 **MANAGEMENT**

5.1 The Committee shall consist of a:-

- Chairman
- Treasurer
- Secretary
- Two (2) Committee Members

Three (3) Committee Members shall form a quorum.

5.2 The abovementioned officials shall be elected at the Annual General Meeting. Retiring officials shall be eligible for re-election.

5.3 The Committee shall have the power to appoint assistants and any other officials as the activities of the Club may demand.

5.4 The Committee shall meet at least once every six months to transact club business.

5.5 At the first meeting of the Club year the Committee shall allocate routine duties to the Secretary.

5.6 The Committee shall have such powers and authorities as are allowed in law and shall be entitled, on behalf of the Club, to do any act of which a natural person is capable except such acts as are expressly prohibited in terms of this Constitution.

5.7 Disputes regarding the interpretation of the Constitution or any other matter which may arise shall be referred to the Committee in writing for consideration and its decision shall be final and binding on all Members unless otherwise decided at a General Meeting.

5.8 Alterations or amendments to the Constitution can only be made at the Annual General Meeting or a Special General Meeting on a majority vote of those present. Notification of any intended alteration to be forwarded to the Secretary in the form of a motion, duly proposed and seconded at least two weeks before such meeting in order to have such motion appear on the Agenda.

5.9 All changes in the Constitution to be effective from the date of the Annual General Meeting or Special General Meeting at which adopted.

5.10 The Committee must examine any complaints or suggestions submitted to it in writing

through the Secretary at the first Committee Meeting after receipt.

- 5.11 The Secretary shall be responsible for notifying all Members of impending meetings.
- 5.12 Meetings shall be held at a time and place decided upon by the Committee.
- 5.13 The Secretary shall be responsible for the proper recording of all business transacted at Committee, General and Annual General Meetings and for all correspondence received or despatched.
- 5.14 Any Committee Member absent from more than three (3) consecutive meetings without leave shall have his or her seat declared vacant and the Committee shall elect a Member to fill the vacancy.
- 5.15 In the event of resignation of a Committee Member his or her place may be filled by another Member of the Club elected by the Committee.
- 5.16 The Chairman shall have a casting vote at all meetings.
- 5.17 The Secretary shall keep accurate record of the residential/business address of every Member.
- 5.18 The Treasurer shall insure all Club property including trophies against loss or damage.
- 5.19 The Club will be responsible for the payment of the Club Registration Fee to Motor Sport Control.
- 5.20 All monies shall be handled by the Treasurer who will be responsible for its safe custody until banked. All monies disbursed shall be accounted for to the Committee which had previously authorised its disbursement.
- 5.21 The Treasurer shall at each Annual General Meeting present to Members a Balance Sheet together with an Expenditure and Revenue Statement prepared at the close of each financial year. Financial year to mean each completed twelve (12) months from date of affiliation.
- 5.22 No Club Member who is not in good financial standing with the Club shall hold office or participate in organised Club events.
- 5.23 The headquarters of the Club will be at The Red Star Raceway,

5.24 Proper records, including a register of Members, shall be kept by the Club.

6 **SUBSCRIPTIONS**

6.1 A Subscription Fee shall be paid, as determined by the Committee.

6.2 An Entrance Fee may be set from time to time in the discretion of the Committee.

6.3 Any Member whose Annual Subscription is still unpaid after three (3) months entry into the Club Year shall automatically cease to be a Member of the Club.

6.4 It is compulsory for father and/or guardians and/or mothers of Junior Members under sixteen (16) years of age to be a Member of the Club.

7 The ENGLISH copy of the Constitution will be recognised as the official copy.

8 **VOTING**

8.4 Voting at the Annual General Meeting for the election of officers will be by ballot. All other voting at the Annual General Meeting will be by show of hands unless otherwise decided upon at the meeting.

9 **ANNUAL GENERAL MEETING**

9.1 The Annual General Meeting shall be convened by the Secretary on direction by the Committee on a date within thirty (30) days of the end of the Financial Year. Ten (10) Members form a quorum. A notice convening the meeting shall be sent to each Member at least seven (7) days before the date fixed for the meeting.

9.2 Ordinary General Meetings shall be held at the discretion of the Committee. A register of all Members present at the Club General Meeting shall be kept. Members are to sign the register personally.

10 **SPECIAL GENERAL MEETINGS**

Upon resolution of the Committee or on the written request of not less than 10% of the Club Members, the Secretary shall within 14 days convene a Special General Meeting. Only the business for which such a meeting has been called shall be discussed. Members calling for this special general meeting shall do so in writing to the Secretary,

stating the business to be dealt with. The applicant who signs the application must be in good financial standing with the Club. Such Special General Meeting must be held within 30 days of the application being made.

11 Notwithstanding anything contained in this constitution, if at any meeting called in accordance with the constitution, and no quorum be present, the presiding officer shall after an interval of thirty (30) minutes adjourned once, any number of Members will constitute a quorum for the purpose of conducting the business of the previously adjourned meeting, provided that the due notice of such adjourned meeting has been given to all Members.

12 **FINANCIAL/CALENDAR YEAR**

The official dates for the Club year will be from 1 April to 30 March.

13 **TROPHIES AND MINIATURES**

Trophies to be awarded on a point scoring system as agreed by the Committee.

14 **DISSOLUTION**

The Club shall be dissolved only by seventy five percent (75%) or more Members of the Club being in favour thereof. In the event of dissolution, all trophies, will be returned to those who donated them. The assets of the Club shall, on dissolution, be dealt with as on insolvency but any remaining assets shall be dealt with as provided in Clause 3.4.

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