

**CONSTITUTION AND BY-LAWS OF
THE FORMULA VEE ASSOCIATION OF NEW SOUTH
WALES**

**CONSTITUTION - APRIL, 1980.
AMENDED "NOVEMBER 1980, NOVEMBER 1995,
NOVEMBER 2002, NOVEMBER 2015, November 2019 & November
2022"
Incorporated in New South Wales 1993**

ARTICLE I - NAME:

The name of the Association shall be:-

The Formula Vee Association of New South Wales.

ARTICLE II - OBJECT:

The objects of the Association shall be:-

1. To promote racing for Formula Vee cars.
2. To promote Formula Vee cars for racing.

ARTICLE III - POLICY:

It shall be the policy of the Association:-

1. To acknowledge the authority of Motorsport Australia.
2. To co-operate with all automobile racing associations, in return for which observance and enforcement of the rules of the Formula Vee Association are expected.
3. To keep the Formula Vee within the financial reach of the man of moderate means without handicapping ability or encouraging neglect in conditioning cars.
4. To encourage the concept of Formula Vee as a strictly regulated class based on stock Volkswagen components and approved after-market replacement parts and oppose deviation there from.

ARTICLE IV - MEMBERSHIP:

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

1. Full Member: A full member shall be a person who is deemed to be financial at the Full Membership rate. A Full member shall be entitled to voting rights and competition points. A prospective member shall make application in the manner approved by the Management Committee and such application shall be accepted or rejected when considered by the Management Committee. Renewal of membership shall be by payment of the prescribed annual subscription, as determined from time to time, payable within one month of the due date.
2. Honorary Member: Any person or member who has rendered such service to the Association as in the opinion of the Committee entitles him to distinction may be admitted as an Honorary Member for Life, or such period as the committee prescribes. An Honorary Member is entitled to vote and shall not be required to pay subscription to the Association.
3. Associate Member: A person interested in promoting the aims of the Association and enjoying an involvement in the Association without having voting rights nor scoring competition points.

ARTICLE V - SUBSCRIPTIONS:

Association subscriptions shall be determined by the outgoing Committee at the last Committee Meeting of each year, keeping in mind Article III, paragraph 2 of this Constitution.

ARTICLE VI - ASSOCIATION OFFICERS :

1. (a) The Association shall, at each Annual General Meeting elect the following office Bearers, "who shall hold office for the Ensuing Calendar year January 1st to December 31st," namely: -
 - President
 - Vice President
 - Secretary
 - Treasurer
 - Competition Secretary
 - Technical Director
 - Committee Members (3)who shall constitute the Management Committee.

(b) There shall be a scrutineering Sub-Committee to be chosen by the Management Committee. This Sub-Committee shall meet at least once a year or as often as required by the Technical Director for the purpose of advising the Management Committee on scrutineering matters.

The provisions of Article VI, Section 2, shall apply to all meetings that the scrutineers are required to attend.

2. If an Officer does not attend three (3) consecutive Committee Meetings, except through illness or granted leave of absence, he shall automatically cease to hold office.
3. President: The President shall be the Chairman at all meetings of the Association and Committee meetings and as such should remain impartial according to the accepted procedure. In the absence of the President, the Vice President shall act as the Chairman. If neither the President nor the Vice President are present within ten minutes of the time set for the meeting to commence, the members then present shall elect a Chairman.
4. Secretary: The Secretary shall keep or cause to be kept a 'Register of Members' and the 'Formula Vee Register', and in addition the minutes of each Association Meeting held during the year. He shall also attend to the correspondence of the Association.
5. Treasurer: The Treasurer shall keep true and correct accounts of the sums of money received and expended by the Association and shall Issue receipts for all money received on behalf of the Association and bank same within six days to the credit of the Association.
6. Competition Secretary: The Competition Secretary shall keep a true and correct record of points scored towards all competition awards recognized by the Formula Vee Association.
7. Technical Director: The Technical Director shall be Chairman of the Scrutineering sub-committee.

8. Accounts:
- (a) **A bank account shall be kept with a reputable bank selected by the Committee and the Treasurer and Secretary shall have sole authority individually to enact transactions on behalf of the Formula Vee Association of NSW Inc as approved by the Committee.**
 - (b) The Treasurer shall be permitted to keep an amount of cash in hand not exceeding \$10.00 for payment of expenses less than this amount.
 - (c) The Financial Year of the Association shall end on the **"30th June"**. The Treasurer shall present to each General Meeting of the Association a statement of the accounts as at the end of the preceding month. At the Annual General Meeting the Treasurer shall present a summary report of the accounts for the year, showing the net surplus or deficit and the financial position of the Association. .
 - (d) The books and accounts of the Association shall be audited by a responsible person, nominated and elected at a General Meeting.

ARTICLE VII - MANAGEMENT:

1. Subject to this Constitution and to any directions from time to time given by a General Meeting of Members the control and management of the Association shall be in the hands of the Committee which shall be elected at the Annual General Meeting of the Association as hereinafter set forth.
2. The Committee shall consist of nine members. (refer Article VI, paragraph 1 (a)).
3. The Committee shall meet when called upon by the President. The Secretary shall call a meeting of the Committee at any time if requested in writing by four (4) Committee members to do so.
4. The Committee shall have power to make such payments from the funds of the Association as are from time to time made necessary.
- 5.(a) The Members of the Association may, at any meeting form such sub-committees as are from time to time found desirable.
(b) Any subcommittee formed, shall be under the direction and control of the Committee.
6. Quorum
 - (a) A quorum for a General or Annual General Meeting shall consist of 20% of total membership.
 - (b) A quorum for a Special Meeting shall consist of 40% of total membership.
 - (c) A quorum for a Committee meeting shall consist of five (5) members.
 - (d) A quorum for any subcommittee shall consist of 75% of the sub-committee.
7. Casual Vacancy: Any casual vacancy in the Committee or sub-committee shall be filled by the co-option of a member who shall hold office until the next succeeding Annual General Meeting.

ARTICLE VIII - MEETINGS:

1. The Annual General Meeting shall be held during the month of November each year at a date, time and place decided by the Committee. The Annual General Meeting may replace a General meeting.
2. Unless otherwise determined by the Committee, the Association shall hold a General Meeting once a month.
3. Special General meetings may be convened by the Committee for the consideration of Special

Business and such a meeting shall also forthwith be convened by the committee upon the requisition in writing of not less than ten (10) members. Such requisition shall state clearly the purpose for which the meeting is required to be held.

4. Voting:

- (a) Each full member and honorary member, ~~personally present~~, shall be entitled to one vote on a show of hands or poll.
- (b) The voting power of the President shall be the casting vote.
- (c) For the purpose of election of Office Bearers at the Annual General Meeting, voting shall be by secret ballot.
- (d) Proxy voting shall be allowed on a written form submitted to the Secretary prior to the commencement of the meeting, with no member holding more than three proxies and that member being personally present.**

ARTICLE IX - SUSPENSION AND MISDEMEANOUR.

1. Suspension: A member may be suspended for the same period of time that the suspension is taken against him by Motorsport Australia.
2. Misdemeanour: The Management committee may charge a member of the Association or, alternatively, may hear a charge on the signed petition of at least ten (10) members of the Association for wilful and unjustifiable acts of commission or omission detrimental to the Association or to its members. The Management Committee shall require the parties concerned to be summoned before it and shall enquire into the matter/s in question to establish that a prima face case exists. To become effective, a charge must be ratified by 3/4 (three quarters) vote of the membership present and voting at a Special General Meeting called for that purpose. If the meeting considers that a sentence in excess caution is required and/or if the Management Committee decides that a penalty in accordance with those contained in the Motorsport Australia Manual N.C.R.'s is desirable, then the matter shall be referred to Motorsport Australia for tribunal hearing. In the case that the person Charged is a member of the Management Committee then that person shall, during the process of such hearing, cease to be a member of the Management Committee.

ARTICLE X - AMENDMENTS .

1. The Constitution, By-Laws and Rules which govern Association Specifications can never be suspended, but may be amended, except as specified in Section 2 of this article, by the following procedure :-

An amendment can be proposed by -

- (a) The Management Committee, or by
- (b) The membership at large, in which case it must be in the form of a petition to the Management Committee.

This petition must contain the names of a minimum of twenty (20) full members or three quarters (3/4) of membership, whichever is the least.

The amendments shall then be submitted to the full membership for vote. Enactment requires two-thirds (2/3) vote of the ballots filed. An enacted amendment shall take effect January 1st of the ensuing year, unless otherwise specified in the proposed amendment.

2. The basic principles of Article II, III, and IV of the Constitution cannot be changed. No amendment can be passed which would render ineligible a full member whose eligibility has been established under existing rules of this Association and whose status cannot be changed to conform with the proposed amendments.

ARTICLE XI - DISSOLUTION :

The Association shall be dissolved in the event of the membership being less than seven (7) members or upon the vote of a 90% majority of the members present at a Special Meeting convened to consider such a question. Upon dissolution, assets and funds on hand may after payment of all expenses and liabilities be handed over to such other club or similar association having objects as are stated in Article II of this Constitution or such a registered charity as a majority of members present at a General Meeting may decide.

ARTICLE X11 - NON PROFIT :

The assets and income of the association shall be applied solely in the furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the association except as bona fide compensation for services rendered or expenses incurred on behalf of the association.

BY-LAWS

Preamble: The enforcement of Association Rules is essential to the protection of all Formula Vee owners. The filing of formal protests, however, as a means of such enforcement, is detrimental to the Association and to the entire Formula Vee programme, and should be avoided except as a last resort. It is therefore the intent of these By-Laws to prevent as many as possible of such protests by providing procedure for considering questions of legality within the Association

1. SEALING :

- (a) Purpose: The purpose of sealing a Formula Vee vehicle shall be to signify that immediately prior to assembly the component parts sealed have been inspected by an authorised Association scrutineer and have been found to comply with the Association's eligibility rules.

- (b) Method: To be determined by committee and to be conformed with by all Sealers and Scrutineers.

- (c) Association Eligibility Scrutineering:

Association Eligibility Scrutineers shall be appointed by the Management Committee. The duties of the Association Eligibility Scrutineers shall be to check Formula Vee vehicles for eligibility:

- (i) On initial application for a vehicle log book.
- (ii) Immediately prior to seals being affixed.
- (iii) At the direction of the Management Committee except where dismantling of sealed components or drive train would be involved.

(d) Professional Sealers:

Additionally, upon recommendation of a General Meeting, the Committee may appoint persons, who may undertake sealing of Formula Vee vehicles on a professional basis. The Committee reserves the right to satisfy itself that the qualifications and integrity of such persons meet the Association's standards at all times. The appointment of such persons may be revoked by the Committee at any time without prejudice to either the appointee/s or the Association.

(e) It shall be a requirement that, to comply with the regulations of the Formula Vee Association of New South Wales, any car shall be sealed in accordance with the foregoing By-Laws.

2. Only vehicles conforming to the regulations of the Formula Vee Association shall be eligible to compete as Formula Vee racing cars.
3. Any person joining the Association agrees; that under no circumstances will he bring legal action against the Association, or any of its Officers for the performance of any act authorised by the Constitution or By-Laws of the Association.
4. The Association shall not be liable for any debts contracted by its officers or members unless authorised by the Official signatories of the Management Committee.