



**The West Australian  
Speed Boat Club Incorporated  
CONSTITUTION**

**(Updated 18th August 2019)**

## WEST AUSTRALIAN SPEED BOAT CLUB

### CONSTITUTION

1. THE NAME of the Club shall be THE WEST AUSTRALIAN SPEED BOAT CLUB INCORPORATED (hereinafter referred to as "the Club")
2. THE OBJECTS of the Club shall be:
  - a. To foster and encourage speed boat racing in Western Australia.
  - b. To organise and conduct sponsored events in both metropolitan and country areas.
  - c. To provide and maintain facilities for the benefit of members and such other sports and pastimes as are complementary to speed boat racing.
  - d. The objects of the Club shall not be changed except with the unanimous vote of all members.
3. THE MEMBERS of the Club shall not derive any pecuniary benefit from the transactions of the Club.
4. THE OFFICERS AND COMMITTEE of the Club shall consist of;
  - a. Commodore, Vice-Commodore, Rear Commodore, Immediate Past Commodore, Honorary Secretary, Honorary Treasurer, Race Controller, Handicapper, Social Organiser, Public Relations Officer, Publicity Officer, Scrutineer, Boat Captains (who shall represent classes within the club), WA APBA Delegates & WARWSA Delegates.
  - b. The Club may also appoint a patron or patrons.
5. CLUB OFFICERS AND CLUB COMMITTEE
  - a. The Management of the business and affairs of the Club shall be vested in the Committee until the next Annual General Meeting (which shall be held in July in each year as hereinafter provided) and the Committee shall have the power to add to its number.
  - b. After reporting to the Annual General Meeting the present Committee shall retire but all retiring members of the Committee shall be eligible for re-election.
  - c. The Commodore, Officers of the Club and the Committee shall be elected at the Annual General Meeting in each year.
  - d. Where two or more nominations are received for any position in the Club voting shall be by secret ballot.
  - e. If the Commodore shall retire (or die) during his/her period of office, then the Vice-Commodore shall take the position of Commodore until the next Annual General Meeting but all other officers shall remain as is.
  - f. At meetings of the Committee FIVE (5) MEMBERS shall be a quorum.

## 6. GENERAL MEETINGS

The General Meeting of the Club to be held four times per year on the Tuesday prior to the second Sunday of the month in the months of October, January, April and July. The General Meeting is to be held in conjunction with the AGM and Committee meeting. Should further General Meetings be necessary they are to be held at the discretion of the Committee and all members are to be notified at least one week prior to the meeting. The General Meeting to be held for the following purposes:

- a. To deal with correspondence and to transact such other business of the Club as shall be brought forward.
- b. To promote Club activities.
- c. Should further General Meetings be required, all Members are to be notified at least ONE week prior to the meeting.
- d. The general interchange of ideas and suggestions by members.

## 7. ANNUAL GENERAL MEETING

The Annual General Meeting of the Club shall be held on the Tuesday prior to the second Sunday of July each year. At the Annual General Meeting the following business shall be transacted:

- a. Receipt of accounts of the Club the Committee and Sub-Committees.
- b. Receipt of the reports of the Officers the Committee and any Sub-Committees.
- c. Election of Officers and Committee for the ensuing year.
- d. The transaction of such other business as may be brought forward and may be properly transacted at an Annual General Meeting.

## 8. SPECIAL MEETINGS

One (1) calendar months' notice shall be given of the time and date and place of any Special Meeting or for any meeting to be held for the consideration of a proposal to alter the Constitution or any part thereof. Such notice shall be given by the Secretary to all members by means of a personal notice in writing or by means of a special notice published in the Newsletter of the Club.

## 9. QUORUMS AT MEETINGS

EIGHT (8) MEMBERS shall form a quorum at all General Meetings and TWELVE (12) MEMBERS or 25% of TOTAL MEMBERS (whichever is least) shall form a quorum at the Annual General Meeting and at any Special Meeting.

## 10. VOTING

Voting at General Meetings shall be in person only and not by proxy PROVIDED HOWEVER that at an election of officers an absentee vote in the form of a nomination duly seconded and lodged with the secretary prior to the meeting shall be considered to be a vote by the member lodging such nomination. The Commodore shall be entitled to a casting vote.

## 11. ALTERATIONS AND ADDITIONS TO THE CONSTITUTION AND RULES OF THE CLUB

The Constitution and Rules of the Club shall not be altered added to or rescinded except at an Annual General Meeting or at a Special Meeting called for the purpose and upon being agreed upon at such meeting by THREE QUARTERS of the members present and voting. Race Rules can be changed by a three quarter majority at a General Meeting but must be adhered to for at least three consecutive race days before becoming a permanent change.

## 12. COMMITTEE MEETINGS

Meetings of the Committee to be held monthly on the Tuesday prior to the second Sunday of the month. Only Committee Members are entitled to vote. Club Members may attend Committee meetings but have no voting rights.

## 13. RECORDS OF MEETINGS

Minutes shall be kept by the Secretary in a book or books provided for the purpose of all meetings of the Club its Committee and Sub-Committees and of all resolutions passed at all such meetings.

## 14. POWERS OF THE COMMITTEE

The Committee shall have the power from time to time (SUBJECT ALWAYS to the rules of the Club):

- a. To make sure by-laws as may be necessary for the management and conduct of the Club.
- b. To arrange all races and competitions and to fix the dates thereof and if necessary to alter such dates and settle all disputes in connection with such races and/or competitions.
- c. To remove from office any officer or member of the Club or to remove from the Committee or accept the resignation from the Committee of any member thereof and to fill any vacancy on the Committee thereby caused.
- d. To delegate all or any of the powers of the Committee to a Sub-Committee or Sub-Committees. Any person nominated in charge of special project on behalf of the club is the only person to communicate with outside bodies in relation to the special project. All correspondence entered into by any person or sub-committee must be submitted to the Club secretary to be tabled at Club meetings for Club records.
- e. All members shall on race days show due respect and courtesy to Officers of the day and treat fellow competitors in a sportsmanlike manner. Any member found by the

Club Committee to infringe these rules shall be banned from participation in a minimum of two race days. A fine of One Hundred Dollars may be imposed for each banned race day.

- f. The Race Committee shall consist of: Rear Commodore, Race Controller, Boat Captains, Rescue Boat Drivers, and or a State Referee/National Referee if necessary.

## 15. CLASSES OF MEMBERS

Members of the Club shall consist of:

- a. FOUNDATION MEMBERS who shall comprise such members as shall have applied and been accepted as members prior to the 13th September 1949.
- b. ORDINARY MEMBERS who shall comprise such members as shall have or shall apply for membership and shall have been or shall be accepted as members after the said 13th September 1949.
- c. SOCIAL MEMBERS who shall comprise such members as shall be granted membership upon payment of a reduced fee. SOCIAL MEMBERS shall not be eligible to hold any position in the Club or to vote at any meeting.
- d. ASSOCIATE MEMBERS. A person who is a member of another affiliated speed boat club may, because of such membership, be granted membership of the Club on a daily basis. A long term Associate Member shall at the discretion of the Committee pay a reduced fee on an annual basis but an Associate Member shall not be eligible to hold any position in the Club or to vote at any meeting.
- e. HONORARY MEMBERS. Honorary Membership may be extended by the Committee to any volunteer willing to work for the benefit of the Club but an Honorary Member shall not hold any position in the Club or to vote at any meeting.
- f. LIFE MEMBERS. Life Membership may be conferred upon any person for services rendered to the Club. Life Membership must be determined by a secret ballot at an Annual General Meeting and after notice of motion is tendered at a previous meeting.
- g. PIT CREW MEMBERS. All persons assisting boat owners or drivers on race days shall be Pit Crew Members of the Club. They shall pay a nominal fee set by the Club at the AGM. A Pit Crew Member shall not be eligible to hold any position in the Club or to vote at any meeting.

## 16. APPLICATION FOR MEMBERSHIP

- a. An applicant for ordinary membership shall apply in writing. . . and such application shall be supported by a proposer and a seconder who have been full members for not less than one full year.
- b. An applicant who is not willing to be bound by and uphold the rules of the Club shall be denied membership.
- c. An applicant upon being accepted as a member of the Club shall be supplied with a copy of the Constitution and Rules of the Club and must become fully conversant therewith.

- d. The Club reserves the right to refuse membership to any applicant without divulging any reason for such decision.
- e. The Club reserves the right prior to payment of annual subscription to review the participation and attitude of a member before accepting renewal of annual fees.

#### 17. RESIGNATION OF MEMBERSHIP

Any member wishing to resign from the Club shall give written notice to the Secretary of their Intention to do so.

#### 18. ANNUAL SUBSCRIPTIONS AND NOMINATION FEES

- a. Annual subscription for the ensuing year and the nomination fee (if any) for membership shall be determined at each Annual General Meeting.
- b. The Annual Subscription shall be due and payable at the conclusion of the Annual General Meeting. After the Tuesday prior to the second Sunday of September no member shall be entitled to the privileges of the Club or to take part in any Club race or event until such members subscription (and penalty [if any] imposed for such late payment) shall have been paid in full.
- c. Any new member admitted to the Club after the First day of February in any year shall pay a subscription (entitling such new member to membership until the next Annual General Meeting) which shall be equal to one-half of the amount of the annual subscription payable by members during such year. For the purpose of this subparagraph a new member shall be any person who is admitted to membership of the Club but was not a financial member of the Club during the previous year.

#### 19. SPECIAL LEVIES

In the event of any matter arising which shall be in the interests of the Club to pursue or take up which shall involve expenditure of funds or a commitment for such expenditure in excess of those which shall have been budgeted for in the ordinary course of administration of the Club's affairs then the Club shall have the power at a Special Meeting called for the purpose to pass a resolution requiring payment of a special levy by club members to meet such expenditure or commitment for expenditure PROVIDED that the resolution shall be agreed upon by not less than a two-thirds majority of the members present and voting as such special meeting.

#### 20. INDEBTEDNESS OF MEMBERS

If any member shall be indebted to the Club for any nomination fee or subscription on or after the Tuesday prior to the second Sunday of September in any year or in the case of a special levy for a period exceeding THIRTY (30) DAYS after the calling of such levy then the Committee may upon giving to such member at their last known address FOURTEEN (14) DAYS' NOTICE in writing on intention so to do to strike such members name from the Roll of Membership of the Club and such member shall thereupon cease to be a member of the

Club. The penalty for late payment shall be an amount equal to the amount of the annual subscription or the nomination fee whichever shall be the lesser.

#### 21. SUBMISSION TO RULES OF THE CLUB

Upon payment of the Annual Subscription a member is thereby considered to have submitted themselves to the Rules of the Club.

#### 22. RE-ADMISSION TO MEMBERSHIP

The Committee shall have discretionary powers to re-admit to membership any member upon payment of all arrears owing by that member.

#### 23. EXPULSION OF A MEMBER

- a. Any member who by intention of words attempts to discredit or change the objects of the Club shall, if found guilty thereof by the Club be removed from the Register of Members. For this purpose the Club shall have power at a Special Meeting called for the purpose to pass a resolution to remove the name of any member from the Register of Members, if in the opinion of three quarters of those members present and voting (which shall be by secret ballot) such member has by their conduct forfeited their right to remain a member. Before calling such meeting the Committee shall communicate with the offending member, supplying the member with the charges laid against them and giving the member the opportunity of either resigning or defending themselves at a special meeting of the Committee.
- b. All complaints shall be made in writing to the Commodore who shall submit the complaints to the Committee if the member is unable to satisfy the complaint.

#### 24. RACING RULES

- a. All races shall be conducted in accordance with the Australian Power Boat Association Racing and Safety Rules for the current season. Club members shall have the right to add to such rules when agreed at a General Meeting with a two third majority vote.
- b. The West Australian Speed Boat Club Race Rules are to be found at the conclusion of the Constitution and may be added to as required.

#### 25. COMMON SEAL

The Common Seal of the Club shall be kept in the custody of the Secretary and shall never be used except by the authority of the Committee previously given and in the presence of two (2) sealholders who shall sign every instrument of which the Common Seal is affixed and every such instrument shall be countersigned by the Secretary or such other person appointed by the Committee.

## 26. DISSOLUTION

The Club may be dissolved or wound up by a resolution at any General or Special Meeting with the consent of no less than 75% of Members for this purpose. If upon the winding up or dissolution of the Association there remains after the satisfaction of all of its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members, or former members. The surplus property must be given or transferred to another Association Incorporated under the Act which has similar objects and which is not carried out for the purpose of profit or gain to its individual members, and which association shall be determined by resolution of the members.

This revised Constitution was passed at the Special Annual General Meeting of the Western Australian Speed Boat Club held in Perth, Western Australia on Sunday 18th August 2019.

COMMODORE : *MD Motzouris*  
Mark Motzouris

SECRETARY: *H Motzouris*  
Hilary Motzouris