



NORTHERN REGION KART CLUB

CONSTITUTION

Compiled by: Northern Region Club Committee, December 2004

Date: December 2004

Northern Region Kart Club

CONSTITUTION

1. NAME:

The name of the Club shall be NORTHERN REGION KART CLUB - hereafter referred to as THE CLUB.

2. ADDRESS:

For the purposes of reference and correspondence, the address of the Club shall be that of the current Secretary of the Club at any given time.

3. COLOURS & BADGES:

Any colours or badges for the use of the Club and/or its Members shall be determined by the Executive Committee of the Club.

4. OBJECTS:

- a) To foster and encourage Kart racing at Club and grassroots level and to assist our Club Members to develop into competitive Regional and National Karters.
- b) To provide our Club Members with a formal forum to communicate with Motorsport South Africa or any other body appointed to promote the interests of Karting at Club, Regional and National level.
- c) To assist the "Circuit Owners" in the Northern Region to receive a return on their investment and thereby ensure the continued existence of these circuits for the benefit of our Club Members.
- d) To promote transformation in Kart racing and to encourage the development of the previously disadvantaged in Kart racing.

5. MEMBERS:

- a) Membership of the Club shall be open to any male or female person over the age of 4 years at the discretion of the Executive Committee of the Club who undertakes that no discrimination will be exercised, as far as Membership of the club is concerned, on the basis of race, colour, religion or creed.
- b) There shall be the following classes of Membership;
 - i) Junior Members shall be eligible for Membership as from January in the year in which they reach the age of four years,

until December of the year in which they reach the age of sixteen years. Junior Members do not have voting rights, but a parent/legal guardian, who need not be a Member of the Club, has one vote for every Junior Member who is his/her child/ward in addition to a vote which he/she holds by virtue of his/her own Membership of the Club,

- ii) Ordinary Members shall be eligible for Membership as from January of the year in which they reach the age of 17 years. Ordinary Members have voting rights,
 - iii) Social Members may be any age and be domiciled in any part of South Africa, but may not themselves, as a competitor, enter any racing event organised by the Club. Social Members do not have voting rights.
 - iv) Country Members shall be further classed as Junior or Ordinary Members, and must be domiciled outside of the area of the Northern Region. Country Members shall have the right to enter racing events organised by the “Northern Region Circuit Owners” and to be considered for their Club Championship. Ordinary Country Members shall not have voting rights.
 - v) Honorary Members may be proposed as such at a Special General or Annual General Meeting. They shall be proposed on the basis of their meritorious service to Motorsport in general, or Karting in particular, over an extended period. The acceptance of proposals for Honorary Members shall be dealt with at the first Committee Meeting following the Special General or Annual General Meeting. Honorary Members shall have voting rights. Honorary Members shall be exempt from the payment of Membership fees for life.
- c) Application for Membership of the Club shall be made to the Secretary of the Club on the prescribed form. The Committee reserves the right to accept or reject any application for Membership, which shall be decided by a majority vote.
 - d) Applications for Membership shall be accompanied by payment in full of the Entrance Fee determined at that time and an annual subscription also determined at the Committee’s discretion.
 - e) On Membership being approved and a Membership Card having been issued, the holder thereof is under obligation to accept and adhere to the Rules and Conditions of the Club, including rules governing practice and racing at the track, conditions and instructions which may subsequently and in addition be instituted by the executive Committee of the Club from time to time.

- f) A Member, who fails to renew his/her Annual Subscription within one month after the date of having been notified thereof, shall be automatically excluded from the Club Membership.
- g) Such an excluded Member may rejoin the Club at a later date, subject to Committee approval, on payment of the normal entrance fee and Annual Subscription, as may be determined by the Committee.
- h) Membership will run from the beginning of December to the end of November of the following year,
- i) Only fully paid-up and Honorary Members shall be entitled to voting powers.
- j) Only fully paid-up Members shall be allowed to make or to second any proposal at any Club or Committee meeting.

6. COMMITTEE:

- a) The Executive Committee of the Club (hereinafter referred to as the Committee) shall consist of a Chairman, Vice-Chairman, Secretary, Treasurer (the "Office Bearers") and Ordinary Committee Members, all of whom shall be elected at the Annual General Meeting of the Club. All Committee Members shall be fully paid-up or Honorary Club Members.
- b) The nominee for Chairman of the Club shall have served on the Committee of the Club twice in the preceding five years in any capacity, or have served on the Committee in any capacity in the year immediately preceding his nomination, or must have served the Club as Chairman at least once within the past five years in order to be eligible for election. The elected Chairman of the Club shall not serve in this capacity for more than two consecutive terms.
- c) In addition to the Office Bearers, a minimum of six Ordinary Committee Members shall be elected to the Committee. These members may represent the various Classes of racing, but shall also undertake other duties as may be determined by the Committee.
- d) The Committee shall serve for one year and on retirement, may be eligible for re-election.
- e) In the event of any Office Bearer not being re-elected, he/she shall attend the first Committee Meeting of the New Year in which his/her replacement Member takes office. At this meeting, the retired Committee member/s shall have voting rights.
- f) Additional Members, may from time to time, be co-opted for special rights or authority by the Committee, provided such rights and authority do not exceed those of elected Committee Members, but

such co-opted Members may not be granted management functions and they shall have no voting rights at Committee Meetings, except in such matters for which they were specifically appointed

- g) At any time, the Committee may call upon Honorary Members of the Club to assist them in any particular project where the experience and advice of such Members may be of value, and they will be granted voting rights while serving in this capacity.
- h) The Committee shall have the power to elect a Sub-Committee to investigate or to carry out any special project or work; such Sub-Committee being entirely responsible to the Committee.
- i) Resolutions of the Committee shall be binding on all Club Members.
- j) The Committee shall have the power to:
 - (i). Assist the “Circuit Owners” to institute, conduct and control all race meetings held by the “Circuit Owners” in accordance with the Rules and Regulations of Motorsport S.A./Karting Commission, or any other body as may be empowered to lay down Rules and Regulations for Kart Race Meetings.
 - (ii). Adjudicate on any Club matter, or upon any dispute arising between Club Members, which may be referred to it, providing such matters or dispute should not properly be referred for adjudication to a higher body.
 - (iii). Dispel, suspend or terminate Club Membership of any Member who is found guilty after investigation of misconduct, either within or outside the jurisdiction of the Club.
 - (iv). To formulate all aspects of the Northern Regions Karting Championships, including: Regional class status, eligibility, the calendar, race day points scoring, overall Regional points scoring, prizes and prize giving.

7. MEETINGS

ANNUAL GENERAL MEETING:

- a) The Annual General Meeting of the Club shall be held each year before the end of November.
- b) Notice of the A.G.M. together with a list of the Agenda to be dealt with at the meeting, shall be sent to all paid-up Members not later than 14 days prior to the date of the A.G.M.

- c) A list of nominations for potential Committee Members who have signed their acceptance of standing for election shall be included. A list of any existing Committee Members, who wish to stand for a further period, shall also be included. Nominations may be accepted at the AGM, at the discretion of the Committee.
- d) The Agenda shall include:
 - (i). Chairman's Report on the Club's activities and achievements during the past year and plans for the following year.
 - (ii). Treasurer's Report and Financial Balance Sheet.
 - (iii). Appointment of an Independent Auditor for the purpose of auditing the Financial Statements, should the AGM carry such a motion.
 - (iv). Election of Committee for the following year.
- e) The method of voting in the new Committee shall be at the discretion of the Committee.
- f) Only fully paid-up Members will be entitled to vote, and arrangements must be made to ensure that no unauthorized votes are registered.
- g) A quorum for the A.G.M. shall be not less than 20 paid-up Members or Honorary Members of good standing. Should a quorum not be present within half an hour after the time appointed for the meeting to commence, the Chairman may designate a time and place for an adjourned A.G.M, which shall take place not less than 48 hours after the adjourned A.G.M. If a quorum is not present within half an hour of the convened time of this adjourned meeting, the Members present shall constitute a quorum.
- h) At the A.G.M., proposals may be submitted for the election of Honorary Club Members in the case of persons who have contributed special services to the Club which could entitle them to this distinction. Such proposals will be brought up for adjudication at the first meeting of the Committee following the A.G.M.
- i) The proceedings of the A.G.M. shall be properly minuted by the Club Secretary, and shall be presented at the next A.G.M. for acceptance and confirmation by the signature of the Chairman.

8. SPECIAL GENERAL MEETING

- a) A Special General Meeting of the Club may be called at any time to attend to matters of particular urgency, and shall be notified to Club Members in writing not less than 14 days before the date of such meeting. The Agenda for the meeting shall accompany this notice, and no other matter shall be discussed at the meeting.
- b) A Special General Meeting of the Club may be held on request in writing by a Member of the Club, which must be supported by the signature of not less than 20 other Club Members. Such a request must be received by the Secretary of the Club not less than 21 days prior to the required date of such a meeting, and it must state clearly the matter to be placed on the Agenda for discussion.
- c) A quorum for such a meeting shall be not less than 20 paid-up Members of good standing.
- d) Should a quorum not be present within one half hour from the time appointed for convening any Special General Meeting, the meeting shall be dissolved, and the Committee of the Club shall be empowered to take any action it deems fit and proper regarding the matter on the Agenda for which the meeting was called.

9. COMMITTEE MEETINGS

- a) A meeting of the Committee of the Club may take place at any time upon due notice being served on Committee Members not less than 2 days prior to the date of such a meeting. However, in the ordinary way, Committee Member Meetings shall be convened monthly.
- b) Upon the written request of a Club Member, endorsed by not less than 10 other Member signatures, and forwarded to the Secretary of the Club not less than 14 days prior to the desired date, a Special Committee meeting may be convened to discuss a matter of urgent importance to the Club, the substance of such matter being clearly stated in the request. No other matter will be discussed at such a meeting.
- c) For Committee purposes, six Members of the Committee shall form a quorum. If, within half an hour after the informed time of the meeting, six Members are not present, the Chairman shall have the power either to consider the Members present to constitute a quorum for the purpose of conducting the meeting, or to declare the meeting dissolved.
- d) Club Members may be invited to “sit in” on a Committee Meeting, providing the Office Bearers are given prior notice of any such invitation and it is approved by the Chairman. Such Members will

have no voting powers; neither may they assume any management responsibilities.

- e) Any Committee Members failing to attend two consecutive meetings of the Committee without reasonable explanation, shall, at the discretion of the Committee, be removed from the Committee, and the Committee shall, on notification to all Club Members, appoint a new Committee Member in his place.
- f) Adequate and accurate minutes of all Committee Meetings shall be taken by the Club Secretary, and shall be circulated to all Committee Members prior to each subsequent Committee Meeting, together with the date and venue of that meeting and the Agenda for discussion. At any Committee Meeting, the minutes of the previous meeting shall be approved and confirmed.
- g) At each Committee Meeting, the Agenda shall include correspondence received and sent out since the last meeting, and a financial report of the Club's affairs for the period up to the current meeting.
- h) At the first Committee Meeting after the A.G.M., the Committee shall elect delegates to serve on the Committee of the M.S.A. Karting Commission.
- i) The number of representatives of the NRKC and their composition will be governed by the ruling MSA Karting Commission at that time.
- j) The Committee shall consider at its monthly meetings any proposals, suggestions and/or ideas which may have been brought forward by Members at any social event or unofficial meeting of Club Members which might benefit the Club, its organisation and/or its objects, and the Committee is empowered to accept or reject any such proposals, suggestions and/or ideas, acquainting all Club Members of the action taken by the Committee.
- k) No decisions binding the Club shall be taken at any Social event or at any unofficial meeting of Club Members. Any proposals, suggestions and/or ideas not concerning Club affairs shall be referred to the relevant higher body for consideration and action.

10. MANAGEMENT

- a) At all Meetings, the Chairman will be in absolute charge, but in his absence, the Vice Chairman shall take the chair. Should, for any reason, both the Chairman and the Vice Chairman be absent, the Committee shall elect a Chairman for the purposes of the meeting. The Chairman shall have a deliberative vote and in case of a tie, a casting vote. He shall have unlimited authority upon all questions of order.

- b) On the resignation of the Chairman during the course of a year, the Vice-Chairman will automatically assume the Chairmanship, and a new Vice-Chairman shall be elected immediately from the Committee.
- c) The Secretary shall attend all meetings, and shall make and preserve correct minutes of the proceedings thereof, producing them when required to do so by the Committee. He/She shall also make and preserve a record of all Club Members, together with statistics relating to all competitive Members during each year as directed by the Committee. He/She shall perform such other duties and obligations as may be assigned to him/her by the Committee.
- d) The Treasurer/Secretary shall be responsible for the receipt of all monies due to the Club, and for obtaining those monies in arrear. He/She shall make all payments for purchases, services rendered, and all other debts promptly. He/She shall bank all monies received without delay. With the exception of petty disbursements, all payments shall be authorized by the Committee. He/She shall keep all necessary books which shall reflect the true financial position of the Club, and which shall be available to the Committee at each Committee Meeting.
- e) All cheques issued by the Club must be signed by at least two Members of the Committee, one of which must be the Chairman, or the Vice-chairman.
- f) The Financial Year of the Club is 1 October to 30 September of the following year.
- g) The Chairman or Vice-Chairman and the Secretary shall execute all documents on behalf of the Club.
- h) The Committee may employ the services of any person, body or organisation to perform any administration of the Club, but shall not, in so doing, be relieved of any responsibility attached to the Committee.

11. ADMINISTRATION:

- a) The control and administration of the Club shall be vested in the Committee, which may exercise all powers in accordance with the objects of the Club, and which are permitted under any relevant law and including any powers contained in this Constitution.
- b) Such control and administration shall be carried out at Club level by the Committee. Notwithstanding the fact that Club Members may serve on the Committee of M.S.A. Karting Commission, neither they

nor the Club Committee shall be empowered other than at Club level, to make decisions, dictate policies, alter Rules and Regulations or act in any way which has not been specifically authorized or approved by M.S.A. Karting Commission in writing.

- c) The Committee of the Club shall be empowered:
- (i). To enter into any contracts which may be advisable or advantageous to further the objects of the Club, and to negotiate all such matters on behalf of the Club,
 - (ii). To pay for any property, rights or privileges acquired by the Club, in such a manner and upon such terms and conditions as the Committee may determine.
 - (iii). To sell, exchange, mortgage, surrender or otherwise dispose of all of or any part of the property, fixed assets or rights of the Club. Provided always that any such action shall only be taken with the approval of not less than 80% of the Club Members present, obtained at an Annual General or Special General Meeting called for that purpose, which may be supplemented if so considered desirable by the Committee by a properly organised postal ballot.
 - (iv). The Committee, however, shall have the full rights to let, lease or grant rights over the facilities of the Club except a weekend prior to any kart meeting.
 - (v). To solicit and accept donations or sponsorships, whether or not subject to any trust or conditions, for any purpose to the advantage of the Club.
 - (vi). To borrow money on such terms and conditions as the Committee may deem it, provided that it shall not mortgage, pledge or dispose of any of the Club's assets or securities without the authority of Club Members.
 - (vii). To appoint Sub-Committees as necessary to investigate complaints, improvements, new projects, proposals and any other matters for which the formation of a Sub- Committee may be desirable or useful.
 - (viii). To recommend to higher authorities any Members who are deserving of awards or recognition not covered by the awards or recognition normally made available by the Club.
 - (ix). To institute legal proceedings or to defend legal action on behalf of the Club. The Chairman or the Vice-Chairman shall be empowered to represent the Committee in the name of the Club in any such proceedings or action, but Members of the

Committee shall be personally indemnified against any legal costs or action incurred thereby. The Committee shall be indemnified against any act or omission of any Club Member.

- (x). To expel or suspend any Member found guilty after due investigation of any misdemeanour or wilful violation of Club Rules, or of unsporting behaviour with full and proper substantiation to the Club, or by any other Club or Association which reports such behaviour with full and proper substantiation to the Club. The decision of the Committee and penalty decided upon shall be final except that in the case of any misconduct associated solely with any race or competition, the Member may exercise the right to appeal through the Club to an Appeal Committee appointed by M.S.A. Karting Commission for the specific purpose of passing judgment on the case.
- (xi). To disburse monies on behalf of the Club, and to pay promptly all debts incurred by the Club.
- (xii). To open and maintain Banking or Building Society accounts in the name of the Club.
- (xiii). To exercise all powers and to execute all functions which are conferred upon or given to the Club or the Committee thereof, in terms of this Constitution.
- (xiv). To carry out any duties or to act upon any instructions which may be laid down by M.S.A., the Karting Commission, or any other body which may be appointed to control any functions or meeting related to Kart racing within the Republic of South Africa.
- (xv). To ensure that all relevant Rules and Regulations pertaining to Kart Racing are adhered to by Club Members at all times.
- (xvi). To ensure that all Club Members shall, at all times, be encouraged to uphold the spirit of competition in a clean sporting manner.
- (xvii). To encourage new Membership into the Club, to assist new Members to learn and appreciate the requirements and obligations they are expected to fulfil at Club events and to foster family participation in Club activities by whatever means may be found to be productive and worthwhile.
- (xviii). To review and/or rescind any resolution taken pertaining to any aforementioned Clauses in this Constitution providing due notice of such motion is given in writing to the Committee Members not less than 14 days prior to the

Committee Meeting at which such action is to be considered. No resolution shall be rescinded or altered except by a two-thirds majority approval of these present and entitled to vote at the meeting.

12. TRUSTEES:

The Trusteeship of the Club shall be vested in the Chairman, Vice-Chairman, Secretary and Treasurer who shall have under their control all property, fixed and movable assets of the Club, which property and fixed assets may not be altered, sold or disposed of in any manner whatsoever except with the approval of an Annual or Special General Meeting of the Club.

13. INCOME:

The income and property of the Club whencesoever derived shall be applied solely towards the promotion of the objects of the Club as set out in this Constitution provided that nothing herein contained shall prevent the payment in good faith of any remuneration to any officer or servant of the Club or to any Club Member in return for any special services rendered specifically to the Club.

14. DISSOLUTION:

Dissolution of the Club may only take place with the approval of a two-third majority of the Members of the Club. Any funds, Property and other assets then in possession of the Club shall be disposed of and distributed in such a manner as may be determined by a majority vote taken at a Special General Meeting of the Club called for this purpose.

15. GENERAL:

To the forgoing Clause the masculine shall be taken to include the feminine. No alterations to or amendments to these Clauses shall be made except with the approval of a Majority vote of Members taken at an Annual or Special General Meeting called for this purpose. Any proposed amendments, alterations or additions shall be notified to the Secretary of the Club at least 21 days before the meeting and due notice of such proposals shall be circulated to all Club Members at least 14 days before the said meeting.

This Constitution shall become affected as from 07 December 2004.