



RULES OF THE HYUNDAI EXCEL RACING ASSOCIATION OF (VICTORIA) INCORPORATED

SIGNED BY THE PRESIDENT FOR THE PURPOSES OF IDENTIFICATION

A handwritten signature in dark ink, consisting of several loops and a long horizontal stroke, positioned below the text 'SIGNED BY THE PRESIDENT FOR THE PURPOSES OF IDENTIFICATION'.

The FIRST day of SEPTEMBER 2014



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AIMS AND OBJECTIVES

- 1) To provide a class of motor racing called “HYUNDAI – Excel” to foster the sport of motor racing and allow as many as possible to participate at the least possible cost.
- 2) To ensure that the HYUNDAI – Excel class conforms in all respects with the rules of the Confederation of Australian Motorsport and the spirit of competition to be fostered by the rules of the HYUNDAI – Excel class.
- 3) To promote a class of motorsport that will consist of HYUNDAI – Excel sedans in standard condition and trim, with exceptions only noted as specifically allowed in the rules governing the class.
- 4) The promotion of motor sport events, meetings, social, fund raising and discourse of all kinds for the benefit of members of the Association in Australia.
- 5) To allocate Annual racing numbers for financial members of the Association and provide details to Promoters.
- 6) To enhance the facilities of the Association so that approved opportunities for men and women to meet and enjoy social and motor sport contacts are available and for the purpose of furthering the purposes set out above, the Association shall have in addition to all other powers, the powers:
 - a) To permit suitable rooms, buildings and places from time to time owned by the Association or any part thereof to be used on such terms as the Association shall think fit for any purpose, public or private, including public meetings, exhibitions, concerts, lectures, dances, dinners, theatrical performances and other forms of entertainment.
 - b) To furnish the Association’s property with such furniture implements, machinery, conveniences and facilities as may be thought desirable with a view to the sale, letting or use thereof.
 - c) To apply for, obtain and hold license or licenses under the Liquor Control Act or any other relevant Act which regulates the purchase, sale and the consumption of liquor on private premises and for such purpose or purpose to appoint, if necessary or desirable, a manager or managers or other public officer or officers to act as licensee or licensees and hold the license or licenses on behalf of the Association and to apply for all permits under the said Act.
 - d) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association.
 - e) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of or capable of being conveniently used in connection with any objects of the Association.
 - f) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association’s interest to contribute to, subsidise or otherwise assist and take part in construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
 - g) To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit.
 - h) To take such steps by personal or written appeals, public meetings or otherwise which may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Associations in the shape of donations, annual subscriptions or otherwise.

Hyundai Excel Racing Association of Victoria inc.
61 Buchanan Road Berwick Victoria 3806
ABN 73 643 290 499



- i) To make donations for patriotic, charitable or community purposes, and
- j) To do all such things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.



RULES

SCHEDULE 4

REGULATION 18

1. Name

The name of the Incorporated Association is **HYUNDAI EXCEL RACING ASSOCIATION OF VICTORIA INCORPORATED** (in these rules called "Association")

2. Definitions

2.1. In these rules, unless the contrary intention appears:

- **Committee** means the committee of management of the Association,
- **Financial year** means the year ending on 31 December,
- **General meeting** means a general meeting of members convened in accordance with rule 12,
- **Member** means a member of the Association,
- **Ordinary member of the committee** means a member of the committee who is not an officer of the Association under rule 21,
- **Regulations** means regulations under the Act,
- **Relevant documents** has the same meaning as in the Act,
- **The Act** means the **Associations Incorporation Reform Act 2012**

2.2. In these rules, a reference to the Secretary of an Association is a reference:

- (a) If a person holds office under these rules as Secretary of the Association to that person.

3. Alterations of the rules

These Rules and the statement of purpose of the Association must not be altered except in accordance with the Act.

4. Membership, entry fees and subscription

4.1. A person who applies and is approved for membership as provided in these Rules, is eligible to be a member of the Association on payment of the entrance fee and annual subscription payable under these Rules.

4.2. A person who is not a member of the Association at the time of the incorporation of the Association (or who was a member at that time but has ceased to be a member) must not be admitted to membership unless:

- (a) he or she applies for membership in accordance with sub rule (3) and
- (b) the admission as a member is approved by the committee.

4.3. An application of a person for membership of the Association must:

- (a) Be made in writing in the form set out in Appendix 1 and
- (b) Be lodged with the Secretary of the Association.

4.4. As soon as practicable after the receipt of an application, the Secretary must refer the application to the committee.

4.5. The committee must determine whether to approve or reject the application.

4.6. If the committee approves an application for membership, the Secretary must, as soon as practicable:

- (a) Notify the applicant in writing of the approval for membership, and
- (b) Request payment within 28 days after receipt of the notification of the sum payable under these rules as the entrance fee and the first year's annual subscription.



- 4.7. The Secretary must, within 28 days after receipt of the amounts referred to in subrule (6), enter the applicant's name in the register of members.
- 4.8. An applicant for membership becomes a member and is entitled to exercise the rights of membership when his or her name is entered in the register of members.
- 4.9. If the committee rejects an application, the committee must, as soon as practicable, notify the applicant in writing that the application has been rejected.
- 4.10. A right, privilege or obligation of a person by reason of membership of the Association:
 - (a) Is not capable of being transferred or transmitted to another person, and
 - (b) Terminates upon the cessation of membership whether by death or resignation or otherwise.
- 4.11. The entrance fee is the relevant amount set out in the Application for Membership form.
- 4.12. There will be four (4) categories of membership, two (2) of which have voting rights, as follows:
 - (a) **Honorary Membership** – for persons nominated by a member and approved by the Committee, who shall have **NO** voting rights.
 - (b) **Life Membership** – any person granted such Life Membership upon the approval of the Committee and shall have voting rights.

n.b. Life Membership may be bestowed on a member of the Association who has given continual service to the Association for greater than 5 years and provided meritorious service to the Association during that period A nomination put forward by a member and seconded also by a member should be forwarded to the Secretary of the Association for unanimous approval by the Officers and ordinary Committee Members at the next Committee Meeting.
 - (c) **General Membership** – any person may apply for General Membership and shall be granted upon payment of the subscription fee and the approval of the Committee and who shall remain a member upon payment of annual fees thereafter or until removed from membership as provided herein and shall have voting rights.
 - (d) **Social Membership** – any person may apply for Social Membership and shall be granted upon payment of the subscription fee and the approval of the Committee and shall have **NO** voting rights.
- 4.13. The annual subscription is the relevant amount set out in annual fees as determined by the Committee from time to time as being payable and shall be paid in advance on or before the 1st. January in each year.
 - (a) Honorary Membership – no subscription fee.
 - (b) Life Membership – no subscription fee, unless a racing competitor, then a nominal annual fee determined by the Committee from time to time as being payable and shall be paid in advance on or before the 1st. January in each year.

5. Register of Members

- 5.1. The Secretary must keep and maintain a register of members containing:
 - (a) The name and address of each member, and
 - (b) The date on which each member's name was entered in the register.
- 5.2. The register is available for inspection free of charge by any member upon request.
- 5.3. A member may make a copy of entries in the register.
- 5.4. All General Members shall be issued with an annual membership card. This card is not transferable and shall remain the property of the Association and is available only to memberships set out in 4 (12). If a member is removed from membership of the Association, that member shall forthwith from that date of such removal, return the membership card to the Secretary.

6. Ceasing Membership

- 6.1. A member of the Association who has paid all moneys due and payable by a member to the Association may resign from the Association by giving one month's notice in writing to the Secretary of his or her intention to resign.
- 6.2. After the expiry of the period referred to in sub rule (1):



- (a) The member ceases to be a member, and
- (b) The Secretary must record in the register of members the date on which the member ceased to be a member.

7. Discipline, Suspension and Expulsion of Members

- 7.1. Subject to these Rules, if the Committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association, the Committee may by resolution impose one (1) or more disciplinary actions:
 - (a) Impose a four (4) race meeting probation / observation of driver and their personnel conduct, in association with CAMS officials and event organisers and officials,
 - (b) deduct all or part of their championship points,
 - (c) Suspend that member from membership of the Association for a specified period,
 - (d) Fine that member an amount up to but not exceeding \$500: payable to the Association,
 - (e) Expel that member from the Association.
- 7.2. A resolution of the Committee under sub rule (1) does not take effect unless:
 - (a) At a meeting held in accordance with sub rule (3), the Committee confirms the resolution, and
 - (b) If the member exercises a right of appeal to the Association under this rule, the Association confirms the resolution in accordance with this rule.
- 7.3. A meeting of the Committee to confirm or revoke a resolution passed under sub rule (1) must be held not earlier than 14 days and not later than 28 days after notice has been given to the member, in accordance with sub rule (4).
- 7.4. For the purposes of giving notice in accordance with sub rule (3), the Secretary must, as soon as practicable, cause to be given to the member a written notice:
 - (a) Setting out the resolution of the Committee and the grounds on which it is based, and
 - (b) Stating that the member, or his or her representative, may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that member, and
 - (c) Stating the date, place and time of that meeting, and
 - (d) Informing the member that he or she may do one or both of the following:
 - (i) Attend that meeting,
 - (ii) Give to the Committee before the date of that meeting, a written statement seeking the revocation of the resolution, and
 - (e) Informing the member that, if at that meeting, the Committee confirms the resolution, he or she may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in General Meeting against the resolution.
- 7.5. At a meeting of the Committee to confirm or revoke a resolution passed under sub rule (1), the Committee must:
 - (a) Give the member, or his or her representative, an opportunity to be heard,
 - (b) Give due consideration to any written statement submitted by the member, and
 - (c) Determine by resolution whether to confirm or to revoke the resolution.
- 7.6. If at the meeting of the Committee, the Committee confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in General Meeting against the resolution.
- 7.7. If the Secretary receives a notice under sub rule (6), he or she must notify the Committee and the Committee must convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.
- 7.8. At a general meeting of the Association convened under sub rule (7) –
 - (a) No business other than the question of the appeal may be conducted: and
 - (b) The Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution: and



- (c) The member, or his or her representative, must be given an opportunity to be heard: and
- (d) The members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.

7.9. A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked.

8. Disputes and mediation

- 8.1. The grievance procedure set out in this rule applies to disputes under these rules between:
 - (a) A member and another member: or
 - (b) A member and the Association.
- 8.2. The parties to the dispute must meet and discuss the matter in dispute and if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- 8.3. If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- 8.4. The mediator must be:
 - (a) A person chosen by agreement between the parties: or
 - (b) In the absence of agreement:
 - (i) In the case of a dispute between a member and another member, a person appointed by the Committee of the Association: or
 - (ii) In the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- 8.5. A member of the Association can be a mediator
- 8.6. The mediator cannot be a member who is a party to the dispute.
- 8.7. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 8.8. The mediator, in conducting the mediation, must:
 - (a) Give the parties to the mediation process every opportunity to be heard: and
 - (b) Allow due consideration by all parties of any written statement submitted by any party: and
 - (c) Ensure that natural justice is accorded to the parties of the dispute throughout the mediation process.
- 8.9. The mediator must not determine the dispute.
- 8.10. If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

9. Annual General Meeting

- 9.1. The Committee may determine the date, time and place of the annual general meeting of the Association.
- 9.2. The notice convening the annual general meeting must specify that the meeting is an annual general meeting.
- 9.3. The ordinary business of the annual general meeting shall be:
 - (a) to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting: and
 - (b) to receive from the Committee reports upon the transactions of the Association during the last preceding financial year: and
 - (c) to elect officers of the Association and the ordinary members of the Committee : and
 - (d) to receive and consider the statement submitted by the Association in accordance with section 30 (3) of the Act.
- 9.4. The annual general meeting may conduct any special business of which notice has been given in accordance with these rules.

10. Special General Meetings

- 10.1. In accordance to the annual general meeting, any other general meetings may be held in the same year.
- 10.2. All general meetings other than the annual general meeting are special general meetings.
- 10.3. The Committee may, whenever it thinks fit, convene a special general meeting of the Association.



- 10.4. If, but for this sub rule, more than 15 months would elapse between annual general meetings, the Committee must convene a special general meeting before the expiration of that period.
- 10.5. The Committee must, on request in writing of members representing not less than 10 percent of the total number of members, convene a special general meeting of the Association.
- 10.6. The request for a special general meeting must:
- 10.7. state the objects of the meeting: and
- 10.8. be signed by the members requesting the meeting: and
- 10.9. be sent to the address of the Secretary.
- 10.10. If the Committee does not cause a special general meeting to be held within one month after the date on which the request is sent to the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than 3 months after that date.
- 10.11. If a special general meeting is convened by members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the Committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring the expenses.

11. Special business

- 11.1. All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under the rules as ordinary business of the annual general meeting, is deemed to be special business.

12. Notice of general meetings

- 12.1. The Secretary of the Association, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the Association, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- 12.2. Notice may be sent:
- 12.3. by prepaid post to the address appearing in the register of members: or
- 12.4. if the member requests, by facsimile transmission or electronic transmission.
- 12.5. No other business other than that set out in the notice convening the meeting may be conducted at the meeting.
- 12.6. A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, to the Secretary of that business, who must include that business in the notice calling the next general meeting.

13. Quorum at general meetings

- 13.1. No item of business may be conducted at a general meeting unless a quorum of members entitled under these rules to vote is present at the time when the meeting is considering that item.
- 13.2. Ten members personally present (being members entitled under these rules to vote at a general meeting) constitute a quorum for the conduct of the business of a general meeting.
- 13.3. If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present:
- 13.4. in the case of a meeting convened upon the request of members, the meeting must be dissolved: and
- 13.5. in any other case, the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place.
- 13.6. If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than 3) shall be a quorum.

14. Presiding at general meetings

- 14.1. The President, or in the President's absence, the Vice-President, shall preside as Chairperson at each general meeting of the Association.
- 14.2. If the President and the Vice-President are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.



15. Adjournment of meetings

- 15.1. The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- 15.2. No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- 15.3. If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 12.

16. Voting at general meetings

- 16.1. Upon any question arising at a general meeting of the Association, a member has one vote only.
- 16.2. All votes must be given personally or by proxy.
- 16.3. In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- 16.4. A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the Association have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

17. Poll at general meetings

- 17.1. If at a meeting a poll on any question is demanded by not less than 3 members, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be the resolution of the meeting on that question.
- 17.2. A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

18. Manner of determining whether a resolution is carried

If a question arising at a general meeting of the Association is determined on a show of hands:

- 18.1. A declaration by the Chairperson that a resolution has been:

- (i) Carried: or
- (ii) Carried unanimously: or
- (iii) Carried by a particular majority: or
- (iv) Lost: and

- 18.2. An entry to that effect in the minute book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

19. Proxies

- 19.1. Each member is entitled to appoint another member as a 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.
- 19.2. The notice appointing the proxy must be:
 - 19.2.1. for a meeting of the Association convened under rule 7 (7), in the form set out in Appendix 2:
or
 - 19.2.2. in any other case, in the form set out in Appendix 3.

20. Committee of management

- 20.1. The affairs of the Association shall be managed by the committee of management
- 20.2. The Committee:
 - 20.2.1. shall control and manage the business and affairs of the Association: and
 - 20.2.2. may, subject to these rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these rules to be exercised by general meetings of the members of the Association: and
- 20.3. subject to these rules, the Act and the Regulations, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.
- 20.4. Subject to section 23 of the Act, the Committee shall consist of:
 - 20.4.1. the officers of the Association: and
 - 20.4.2. two ordinary members:
 - 20.4.3. Each of whom shall be elected at the annual general meeting of the Association in each year.



21. Office holders

21.1. The officers of the Association shall be:

- President
- Vice-President
- a Treasurer: and
- a Secretary

21.2. The provisions of rule 23, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices referred to in sub rule (1).

21.3. Each officer of the Association shall not hold office until the annual general meeting next after the date of his or her election but is eligible for re-election.

21.4. In the event of a casual vacancy in any office referred to in sub rule (1), the Committee may appoint one of its members to the vacant office and the member appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment.

22. Ordinary members of the Committee

22.1. Subject to these rules, each ordinary member of the Committee (maximum of 5) shall hold office until the annual general meeting next after the date of election but is eligible for re-election.

22.2. In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a member of the Association to fill the vacancy and the member appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

23. Election of officers and ordinary Committee members

23.1. Nominations of candidates for election as officers of the Association or as ordinary members of the Committee must be:

- 23.1.1. made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination Appendix 4); and
- 23.1.2. delivered to the Secretary of the Association not less than 7 days before the date fixed for the holding of the annual general meeting.

23.2. A candidate may only be nominated for one office, or as an ordinary member of the Committee, prior to the annual general meeting.

23.3. If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the annual general meeting.

23.4. 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.

23.5. If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.

23.6. The ballot for the election of officers and ordinary members of the Committee must be conducted at the annual general meeting in such manner as the Committee may direct.

24. Vacancies

The office of an officer of the Association, or of an ordinary member of the Committee, becomes vacant if the officer or member:

- (a) Ceases to be a member of the Association: or
- (b) Becomes an insolvent under administration within the meaning of the Corporations Act: or
- (c) Resigns from office by notice in writing given to the Secretary.

25. Meetings of the Committee

25.1. The Committee must meet at least 3 times in each year at such place and such times as the Committee may determine.

25.2. Special meetings of the Committee may be convened by the President or by any 4 members of the Committee.

26. Notice of Committee meetings

26.1. Written notice of each Committee meeting must be given to each member of the Committee at least 2 business days before the date of the meeting



26.2. Written notice must be given to members of the Committee of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

27. Quorum for Committee meetings

- 1.1. Any 4 members of the Committee constitute a quorum for the conduct of the business of a meeting of the Committee.
- 1.2. No business may be conducted unless a quorum is present.
- 1.3. If within half an hour of the time appointed for the meeting a quorum is not present:
 - 1.3.1. in the case of a special meeting – the meeting lapses:
 - 1.3.2. in any other case, the meeting shall stand adjourned to the same place and time and day in the following week:
- 1.4. The Committee may act notwithstanding any vacancy on the Committee.

28. Presiding at Committee meetings

At meetings of the Committee:

- (a) the President or in the President's absence, the Vice-President presides: or
- (b) if the President and the Vice-President are absent, or are unable to preside, the members present must choose one of their number to preside.

29. Voting at Committee meetings

- 29.1. Questions arising at a meeting of the Committee, or at a meeting of any subcommittee appointed by the Committee, shall be determined on a show of hands, or if a member requests, by a poll taken in such manner as the person presiding at that meeting may determine.
- 29.2. Each member present at a meeting of the Committee, or at a meeting of any subcommittee appointed by the Committee (including the person presiding at the meeting), is entitled to one vote and in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

30. Removal of Committee member

- 30.1. The Association in general meeting may, by resolution, remove any member of the Committee before the expiration of the member's term of office and appoint another member in his or her place to hold office until the expiration of the term of the first-mentioned member.
- 30.2. A member who is the subject of a proposed resolution referred to in sub rule (1) may make representation in writing to the Secretary or President of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.
- 30.3. The Secretary or the President may give a copy of the representations to each member of the Association or, if they are not so given, the member may require that they be read out at the meeting.

31. Minutes of meetings

The Secretary of the Association must keep minutes of the resolutions and proceedings of each general meeting and each Committee meeting, together with a record of the names of persons present at Committee meetings.



32. Funds

32.1. The Treasurer of the Association must:

- 32.1.1. collect and receive all moneys due to the Association and make all payments authorised by the Association: and
- 32.1.2. keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

32.2. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the Committee.

32.3. The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determines.

33. Seal

33.1. The common seal of the Association must be kept in the custody of the Secretary.

33.2. The common seal must not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal must be attested by the signatures either of two members of the Committee, or of one member of the Committee and of the public officer of the Association.

34. Notice to members

Except for the requirement in rule 12, any notice that is required to be given to a member, by or on behalf of the Association, under these Rules may be given by:

- (a) delivering the notice to the member personally: or
- (b) sending it by prepaid post addressed to the member's address shown in the register of members: or
- (c) facsimile transmission, if the member has requested that the notice be given to him or her in this manner: or
- (d) electronic transmission, if the member has requested that the notice be given to him or her in this manner.

35. Winding up

In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association must be disposed of in accordance with the provisions of the Act.

36. Custody and inspection of books and records

36.1. Except as otherwise provided in these rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Association.

36.2. All accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any member upon request.

36.3. A member may make a copy of any accounts, books, securities and any other relevant documents of the Association.

37. By-Laws

37.1. The Committee is empowered to draw By-Laws under these Rules to clarify and determine the day to day operation of the Association from time to time. No By-Law shall be repugnant to these Rules or the Act and if any By-Law appears to conflict with the Rules or Act then these Rules and the Act shall prevail.

37.2. The By-Laws shall be presented to a general meeting for approval and adoption. Before the By-Law can be adopted a motion to that effect must be put and passed by not less than three quarters majority of those members present and voting at the general meeting. The By-Law shall if adopted by the general meeting come into force not sooner than twenty eight (28) days following the date of the general meeting approving such adoption.

37.3. Any By-Law approved and adopted in accordance with this Rule shall have the same force and effect as these Rules and all members by accepting membership of the Association agree to be bound by such By-Laws.



38.APPENDIX 1 APPLICATION FOR MEMBERSHIP

APPLICATION FOR MEMBERSHIP

Section 1: All applicants to complete		
Surname	Given Names	
Address		Post Code
Phone number		
Date of Birth	Email Address	
Section 2: Returning Members please complete, New members go to Section 3		
Membership number		
Race car number		
Log Book Number		
Section 3: All applicants to complete		
I hereby apply for general membership of the Hyundai Excel Racing Association of Victoria Inc. and agree to abide by the regulations, Rules and By-Laws of the Association, the Hyundai Excel Racing Technical Regulations and the CAMS Manual of Motorsport, and support the spirit and objectives of Hyundai Excel Racing. I certify that the above particulars are true and correct		
Signature of Driver		Date
Name and signature of parent or guardian if applicant under the age of 18		Date
Section 4: Fees payable, all applicants to complete		
Fees Payable Annually for period	1 st January to 31 December (please select membership classification)	
General Membership	\$100.00	
Social Membership	\$40.00	
Payment details : All payments should be made by electronic funds transfer to:		
Account name : Hyundai Excel Racing Association Vic. Inc. BSB: 063 549 Account number: 10663717 Payment reference: Your surname Please email payment advice to: membership@hera.gmail		



39.APPENDIX 2 Form of appointment of proxy for meeting of Association convened under Rule 7 (7)

I,
of,
being a member of Hyundai Excel Racing Association Vic.Inc.
appoint
of
being a member of Hyundai Excel Racing Association Vic.Inc., as my proxy to vote on my behalf at the appeal to the general meeting of the Association convened under Rule 7 (7) to be held on,
and at any adjournment of that meeting.
I authorise my proxy to vote on my behalf at their discretion in respect of the following resolution
Signed
Date



40.APPENDIX 3 FORM OF APPOINTMENT OF PROXY

I,	
of,	
being a member of Hyundai Excel Racing Association Vic.Inc.	
appoint	
of	
Being a member of Hyundai Excel Racing Association Vic.Inc., as my proxy vote on my behalf at the annual / special general meeting of the Association to be held on,	
And at any adjournment of that meeting.	
My proxy is authorised to vote at their discretion on any matters at the annual general meeting.	
Signed	
Date	



41.APPENDIX 4 FORM OF NOMINATION UNDER RULE 23(1)

NOMINATION FORM

I,	
----	--

being a member of the Hyundai Excel Racing Association of Victoria Incorporated, I hereby nominate:

(name)

To the position of (tick the box for one position only):

☐	President (Office Holder)	☐	Vice President (Office Holder)
☐	Secretary (Office Holder)	☐	Treasurer (Office Holder)
☐	Ordinary Member of the Committee (5 positions only)		
Nominated by:		Seconded by:	
Name:		Name:	
Signature:		Signature:	
I	(name)	(signature)	
hereby consent to the nomination of:			
Dated:			

Please note:

Nominations must be returned by email to the Secretary at secheravic@gmail.com by DD MM YYYY (7 days before AGM). Nominations received after 7pm DD MM YYYY will not be accepted.



42. BY-LAW No. 1 CODE OF CONDUCT

This Code of Conduct applies to:

- COMPETITORS
- DRIVERS
- MEMBERS
- PIT CREWS
- RACE PERSONNAL

Note: That any reference to the singular shall also mean reference inclusive to the plural for the purpose of this ruling/s. Any decision made by the HYUNDAI EXCEL RACING ASSOCIATION Vic. Inc. Committee, Sub-Committee or panel appointed by the Committee shall be final and no correspondence shall be entered into without the proper notification to the Association with the current Association Constitution and standing current By-Laws and guidelines.

The word Association shall include reference to it's Executive Committee, Management Committee, Committee members, Life members and General members.

The HYUNDAI EXCEL RACING ASSOCIATION Vic. Inc. shall also be known as the HERA Vic. INC.

42.1. Social Networking:

Derogatory and offensive comments made on social networks such as Facebook, Twitter, Text message and any future technologies as they become available, can bring members into disrepute. The HERA Vic. Inc. will look on this unfavourably and may impose disciplinary action as stated in By-Law 1 (4) of the HERA Vic. Inc. Code of Conduct.

42.2. Driving and Behaviour Standards:

- 42.2.1. If a member, driver or competitor of this Association believes that the driving and/or behaviour of another competitor and/or driver and/or member of their pit crew and/or race personnel is, in their opinion offensive, physical, threatening, unsporting and/or unprofessional, then that member, driver or competitor has an obligation to submit the details of the incident, in writing (by way of letter, fax/electronic transmission) no later than the end of the seventh (7) day following the event, to the Association Secretary for consideration and the committee may impose disciplinary action as stated in By-Law 1 (4) of the HERA Vic. Inc. Code of Conduct.

Any incident forwarded to the Secretary should include:

- Any official documentation or reports from the Event Officials.
- Eye Witness accounts in writing and signed.
- Race video footage of incident/s from vehicles involved or any surrounding vehicles.

- 42.2.2. If a member, driver, competitor and/or member of their pit crew and/or race personnel, of this Association, is brought before the Stewards, Race Secretary or any Official at a Race Meeting, with regards to their driving standards, or behaviour that includes offensive, physical, threatening, unsporting and/or unprofessional, the HERA Vic. Inc. Committee may



also decide to investigate the incident/s and impose disciplinary action as stated in By-Law 1 (4) of the HERA Vic. Inc. Code of Conduct, regardless of any penalties which may or may not be imposed by CAMS and/or the Race Meeting Officials.

42.3. Car Ineligibility

If any entrant, competitor and/or driver at any HERA Vic. Inc. racing event governed by the HERA Vic. Inc. rules and regulations has, in the opinion of a CAMS or Club Scrutineer or Official, run an illegal or modified component or configuration of the car outside of the rules as determined by the CAMS Manual of Motorsport and the Category Technical Regulations, then the Event Officials or any Association recognised authority has an obligation to report the offense to a nominated representative of the HERA Vic. Inc. Committee. It shall be determined by the authorised Association Scrutineer or Committee in general whether the breach requires immediate rectification prior to the competitor resuming competition in the event, or the possibility of an immediate time penalty, or if the breach will be dealt with at a later date. Either way, the breach must be noted in the vehicle log book.

The Association may impose disciplinary action as stated in By-Law 1 (4) of the HERA Vic. Inc. Code of Conduct, regardless of any penalties which may or may not be imposed by CAMS and/or the Race Meeting Officials.

Upon receipt of a written and signed complaint to the Association Secretary, (by way of letter, fax, electronic transmission) from a member, driver, competitor or club/event officials or at the Committees own discretion, the Secretary shall bring the matter up for discussion at the next Committee meeting and if the Committee decides (on a majority vote) that a member has refused or neglected to comply with the Association Rules and/or By-Laws, the Committee may by resolution impose one (1) or more disciplinary actions as set out in Rule 8 (1) of the HERA Vic. Inc. Rules.

If a member, driver or competitor receives any disciplinary action, the member, driver or competitor shall receive, in writing, as soon as practicable, a notice from the Association stating the date of the proposed meeting under Rule 8 (3) along with details of the disciplinary actions as set out under Rule 8 (4) of the HERA Vic. Inc.



43. BY-LAW No. 2 POINT SCORE FOR CHAMPIONSHIP

The procedure for the HERA Vic. Inc. point score for circuit racing will be as follows:

The Championship will be conducted over a number of rounds, as determined by the Committee, with the member dropping one (1) round (being the lowest point accumulation round). A member does not have to enter or start one of the selected rounds to choose that round as the members dropped round.

Point allocation will not be awarded on reverse grid races.

Should a member or associated race personnel be penalised for any infringement ie: eligibility or conduct (refer HERA Code of Conduct), that member cannot choose that point score round as their dropped round.

Place-getters will be awarded points in each race as per the table below. Once points for each competitor, in each race, have been determined, the competitor will then be placed into their nominated Division point score table.

The number of Divisions will depend on the number of competitors competing.

To be eligible for the HERA Vic. Inc. Championship, competitors must be current financial members of the HERA Vic. Inc. at the time of each race.

1st. Place	175 Points	4th. Place	160 Points
2nd. Place	170 Points	5th. Place	155 Points
3rd. Place	165 Points	6th. Place	150 Points

7th. Place to last place, each position will be less four (4) points.

Due to the varying number of races at different race meetings, all race points over all races shall be averaged to produce a three (3) race result. (ie: The maximum number of points a competitor can achieve at a race meeting is 525).

Should there be a tie at the conclusion of a round, the result will be determined by the finishing order of the final point score race of that meeting. Should a competitor fail to finish a race, no points will be awarded to that competitor for that race.

Should there be a tie of any positions after the championship year has concluded, a clear winner of that position shall be determined by a count-back of the number of round wins over the season and if required, the number of race wins over the season and if further required, the number of second places over the season.