



CONSTITUTION and BY LAWS Of PRE65 Racing Saloons Inc. AK445756

ARTICLES

11th June 2019

1.0 NAME

The name of the organisation shall be "PRE65 Racing Saloons Incorporated". Referred to in this constitution as PRE65RS

1.1 The definition of Pre65 Racing Saloons for the purposes of this constitution shall be:

1.2 "Saloon" means a two(2) or four(4) door vehicle including the hatchback, fast back and station wagon variants of the same; not falling into the Sports Car, Sports Racing Car, or GT categories, And in production prior to 31/12/1965 of which 1000 units were produced.

1.3 "GT" means a performance derived two (2) door closed vehicle with 2+2 seating; And in production prior to 31/12/1965 of which 1000 units were produced.

2.0 REGISTERED OFFICE.

The Registered Office of PRE65 Racing Saloons (Pre65RS) shall be at such a place as determined from time to time by the Committee.

3.0 OBJECTS

The objects of Pre65RS Shall are to:

3.1 Encourage, Promote and organise the racing of Pre65RS as defined in "Technical Regulations (Schedule P65)"

3.2 To promote an active social environment to encourage good fellowship among members.

3.3 To raise funds for the promotion of the objects of Pre65RS.

3.4 To determine rules for Pre65 racing in the North Island of New Zealand.

3.5 To be directly or indirectly affiliated to the International Motorsport governing body (F.I.A.)

3.6 To provide and market information, advice and resources to its members

3.7 To service the needs and requirements of members, supporters and sponsors of Pre65RS.

3.8 To act within the statutes of New Zealand and the rules of Motorsport NZ as applicable.

4.0 POWERS

4.1 Further to its objectives, Pre65RS shall have the power to:

4.2 Invest, borrow or advance monies, with or without securities or to issue debentures as securities for the repayment of any such monies

4.3 Receive subscriptions, grants and funds.

4.4 Employ staff and /or engage the services of appropriate people or organization's to assist and advise Pre65RS.

4.5 Join, contract, engage or make arrangements with any other person or organization's to assist and advise Pre65RS.

4.6 Discipline its members, office bearers and / or other appointed or elected personnel.

4.7 Establish committees and delegate its powers to those committees.

1. BY LAWS MEMBERSHIP RIGHTS AND OBLIGATIONS

- 1 Membership of Pre65RS shall be open to all persons interested in the objectives of Pre65RS provided they are willing to comply and do comply with each and every rule of Pre65RS.
- 2 Members acknowledge and agree that:
- 3 An application for membership must be in writing and in such format (Including electronic process) as may be required by the committee from time to time. All applications for membership must be supported by at least one member of Pre65RS. All membership applications and renewal of membership will be determined by a majority vote of the Committee. Or by a committee appointed persons.
- 4 Members are bound by this Constitution and by the regulations, by-laws, policies and procedures of Pre65RS.
- 5 In order to receive or continue to receive membership entitlements, Members must meet all requirements of membership set out in this Constitution or as otherwise set by the Committee, including payment of any membership or other fees within a required time period.
- 6 The failure by a Member to comply with Rules 5.1 and 5.2 may result in withdrawal of membership entitlements and/or loss of championship and/or class points but shall not excuse such Member from being bound by this Constitution.
- 7 They are entitled to all rights, entitlements, and privileges of membership conferred by this Constitution
- 8 Membership of Pre65RS is annual, and expires on 30th of June in each year. The membership requirements as set out in this Constitution and any regulations must be complete by each Member by 30th of June in each year in order to have their membership of Pre65 renewed.
- 9 In order to receive a vote at the June Annual General Meeting. All new membership applications must be received, and confirmed, and paid prior to the 1st of April in each year
- 10 Membership of Pre65 Racing Saloons shall be divided into the following categories.
- 11 **MEMBERS:** - Competing and General
- 12 **FAMILY MEMBERSHIP:** - Active and Associate or Partner, including children over the age of 15 years. A maximum of two votes provide they are present.
- 13 **LIFE MEMEMBERS.** Pre65RS may at general meetings of which proper notice is given, elect any member to be a life member of Pre65RS in honor of such members valued services to or length of membership of Pre65RS, Life members shall be exempt from all fees or subscriptions only active drivers and/or office holders shall have the right to vote at any meeting of Pre65RS.
- 14 **HONORARY MEMBERS.** Being those who by virtue of their distinction in Motorsport, Politics, Science, Commerce or other walks of life, are deemed to be worthy, and are duly elected as honorary members by the committee. Honorary members shall be exempt from all fees or subscriptions and shall have no voting right at any meeting of Pre65 Racing Saloons
- 15 **PATRON.** An individual who by virtue of his or hers distinction in Motorsport, Politics, Science, Commerce or other walks of life, is deemed to be worthy and able further the objects of Pre65RS, and is duly elected as Patron by the committee. The Patron shall be exempt from all fees or subscriptions and shall have no voting right at any meeting of Pre65RS.
- 16 **VICE PATRONS** Being those who by virtue of their distinction in Motorsport, Politics, Science, Commerce or other walks of life, are deemed to be worthy and able further the objects of Pre65RS, and are duly elected as Vice Patrons by the committee. Vice Patrons

shall be exempt from all fees or subscriptions and shall have no voting right at any meeting of Pre65RS.

2. SUBSCRIPTIONS:

- 2.1 The annual subscription shall be as determined by the members at the A.G.M. and shall be payable prior to the 30th of June each year. And will expire on the 30th of June each year
- 2.2 Any member whose subscription shall remain unpaid for one month after it has become due shall be debarred from voting or taking part in any activity of Pre65 Racing Saloons.
- 2.3 Any member whose subscription remains unpaid for two months after due payment date shall cease to be a member of Pre65 Racing saloons. Providing that prior notice of this regulation is brought to the attention of the member in writing and posted to the last known address of the delinquent member.

3 RESIGNATIONS:

Any member of Pre65RS wishing to resign shall forward his resignation in writing to the Secretary

- 3.1 Any member who has not paid their subscriptions as per 2.3 of this constitution is deemed to have resigned

4 RULES:

- 4.1 All members of Pre65RS shall be held to consent to and be bound by the rules and constitution and in these documents words importing the masculine gender shall include the feminine.
- 4.2 Upon admission each member shall have a copy of the constitution, series technical regulations and series articles of Pre65RS made available to them free of charge.
- 4.3 Neither the constitution, by-laws nor the series technical regulations (Schedule P65) of Pre65RS may be altered or rescinded in any way except on a vote of at least two thirds majority at a general meeting or a special general meeting called for such occasion. Notice of an intention to alter the constitution, by-laws or series technical regulations (Schedule P65) must be given to the secretary no later than **90 days prior** to an A.G.M. or special general meeting. Seven days' notice of such meetings in writing shall be given.
- 4.4 The series articles of Pre65RS may not be altered or rescinded in any way except on a vote of a minimum of 51 percent majority at a general meeting or a special general meeting called for such occasion. Notice of an intention to alter the series articles must be given to the secretary no later than **30 days prior** to an A.G.M. or special general meeting. Seven days' notice of such meetings in writing shall be given.

5 DISCIPLINE:

- 5.1 Any member of Pre65RS shall be liable for expulsion or loss of racing points, as per 5.2 in the event of the member violating the rules or the by-laws made herein, or failing to comply with any lawful direction of the committee,
- 5.2 Upon receipt of a complaint, any member being in the opinion of the committee, guilty of reckless, dangerous or negligent driving or failing the lawful direction of the committee or undertaking any action that may bring Pre65RS into disrepute, including the denigration of other members or the club via of all forms of electronic media, the secretary will call a special meeting of the committee, to decide, by majority vote, appropriate disciplinary action, including suspending the membership of or expulsion of the member
- 5.3 Membership may also be withdrawn, suspended and/or terminated and/or a loss of championship and/or class points by the Committee, if a Member fails to comply with this Constitution including any codes of conduct or requirements set out in regulations, by-laws, policies or procedures of Pre65RS or if a member acts in a manner which is considered by

the Committee to be harmful to Pre65RS or inconsistent with the standards of behaviors expected of a Member.

- 5.4 A Member whose membership is withdrawn and/or suspended and/or terminated, and/or a loss of racing points by the Committee may apply for the matter to be reviewed by such process as may be specified in any regulations, by-laws, policies or procedures of Pre65RS or in the absence of any relevant provisions then by a General Meeting of Pre65RS. If the issue goes to a General Meeting then the decision of the Committee shall stand except to the extent it is varied by or overturned by a Special Resolution passed by a 2/3rds majority of the members at such a General Meeting.
- 5.5 The member to be informed within seven days in writing of any decision of the committee pertaining to any disciplinary action.
- 5.6 Any member found in the possession of or using any illegal substances shall have their membership forfeit without appeal.
- 5.6 The member having seven days after notification in which to appeal any such decision in writing, any request by the member to appeal in person at a special meeting of the committee, is at the consent of a 2/3rds majority of the committee

6 MEETINGS:

6.1 **A.G.M.** The Annual general Meeting of the Pre65RS shall be held during the month of June in each year.

6.2 GENERAL MEETINGS:

- a) Seven days' notice, in writing shall be given for all general meetings.
- b) Twelve members present shall form a quorum for a general meeting

6.3 SPECIAL GENERAL MEETINGS:

1. The secretary may with the approval of the President, convene a special meeting of the committee, or special general meeting to consider business important to Pre65RS and its objectives. Only such business will be discussed at special meetings for which they have been called. Members shall have had notice of at least seven days before.
2. The secretary shall call a special general meeting upon the receipt of a written requisition signed by not less than twelve members of Pre65 Racing Saloons. Only such business will be discussed at special general meetings for which they have been called. Members shall have had notice of at least seven days before
3. Twelve members shall form a quorum of a special general meeting. (Refer Section 13)

6.4 COMMITTEE MEETINGS:

1. The committee shall meet as called by the secretary at any time or on such dates as the committee shall decide. A committee meeting shall be called at any time upon receipt by the secretary of a requisition signed by three members.
2. In the event of any member failing to attend three consecutive meetings of the committee, and not furnishing an explanation in writing, which, by resolution of the committee, shall be accepted, his seat shall be declared vacant, and the secretary shall notify the committee member of having ceased to hold office
3. Four members shall form a quorum of any committee meeting. (Refer Section 13)

7.0 VOTING:

1. Voting for the selection of officers shall be by secret ballot.
2. Except where otherwise provided the mode of voting at all meeting of the Pre65 Racing Saloons or the committee, shall be by show of hands. Upon the request of a financial member voting may be by secret ballot
3. The Chairman (Ref 8.2 b) shall in all cases of equal voting, have a casting vote as well as a deliberate vote.

4. Only members financial prior to 1st of April in the current year of any A.G.M are eligible to vote at that A.G.M.
5. Proxies shall not be allowed

8.0 APPOINTMENT OF OFFICERS:

The officers of Pre65RS shall consist of the following.

PRESIDENT	VICE PRESIDENT
SECRETARY	TREASURER
SERIES COORDINATOR	SERIES SCRUTINEER
FOUR COMMITTEE MEMBERS	
TWO TECHNICAL OFFICERS	

1. Either Technical Officer may be called upon from time to time to deputise for the Series Scrutineer)
2. The committee from time to time as it seems fit may appoint the positions of:
3. CLUB CAPTIAN (Social) AUDITOR (Honorary member) PUBLIC RELATIONS OFFICER
4. The positions of secretary and treasurer may be held by the same person.
5. The appointment of officers shall be made at the Annual general meeting. All nominees must be financial members of the Pre65RS.
6. The position of secretary and treasurer will be committee appointments should no financial members be nominated from the floor.
7. The position of series scrutineer and series coordinator will be committee appointments should no financial members be nominated from the floor.
8. Committee appointments do not have voting rights; except for members co-opted to fill a vacancy on the committee (refer 8.0 b). c).
9. Nominations for President must be received by the secretary in writing seven days prior to the A.G.M.
10. Nominations for officers other than the President shall be made at the A.G.M. and each nomination must be moved and seconded by a financial member.
11. Financial members unable to attend the A.G.M. must submit their nominations in writing to the secretary on or before the published time of the A.G.M. to be considered
12. Each officer will serve a one year term. Upon standing down the member may offer themselves for re-election

8.1 DUTIES OF OFFICERS:

1. The duties of the President and Vice President are to foster the objects laid out in article # 3 of this constitution.
2. The duties of the committee shall be to administer the financial and general affairs of Pre65RS as per article # 3 and # 4 of this constitution.
3. It shall be the duty of the treasurer to receive all monies due the club, to pay all debts contracted by it, to keep proper books of account and furnish to the AGM an income and expenditure balance sheet, for approval by the members at the AGM.
4. It shall be the duty of the secretary to keep correct minutes of all meetings and complete roll of all members, to conduct all correspondence and forward same to the committee.
5. It shall be the duty of the series coordinator to have the duties and authority of a Series Coordinator as set out in the National Sporting Code, Article 80 (2) and who shall be responsible for and authorized on the Club's behalf.
6. It shall be the duty of the series scrutineer to have the duties and authority of a Series Scrutineer as set out in the National Sporting Code, Article 80 (3) and who shall be responsible for and authorized on the Club's behalf.

8.2 THE COMMITTEE

1. The committee shall consist of; **President, Vice President, Secretary, Treasurer, Series Coordinator, Series Scrutineer and Four Committee Members.**
2. The Chairman shall be the President or if the position is declined by the President a committee member elected by the majority of the committee
3. The members of the committee shall be removable as a body. Or individually by a vote of at least two thirds of the members present at a special; meeting called for that purpose. In the case of such a removal the meeting shall be in order to fill the vacancy or vacancies forthwith, another member or members will be elected to carry on the business of Pre65RS until the next A.G.M.
4. Extraordinary vacancies by any cause may be filled by the committee for the unexpired term of office.
5. Un-financial members are ineligible for any office other than "honorary" as may be expedient and determined by a general meeting.
6. Un-financial members cannot vote or express any opinion, nor have any say or conduct any business or management of Pre65RS at any time, except as provided for in 8.2 (e).

8.3 SUB COMMITTEES:

1. The committee shall when necessary appoint and may at any time appoint a subcommittee.
2. A subcommittee shall carry out the duties assigned to it by its order of reference as expeditiously as circumstance permit and report its findings and recommendations to the committee.
3. No decision of the subcommittee is binding until ratified by the full committee.
4. Sub committees may be appointed by a general meeting of members in the same manner as provided by the committee of Pre65RS.

9.0 FINANCIAL:

1. The Treasurer shall close accounts of Pre65RS on the 31st of May each year. The annual accounts shall be presented by the Treasurer to the A.G.M. for consideration and approval.
2. No accounts will be passed for payment until approved by the committee; the treasurer may seek prior approval from the committee, to pay debts due prior to the next committee meeting.
3. The property and effects of Pre65RS, all real and personal property owned by Pre65 RS shall be vested in Pre65 Racing Saloons Incorporated. To be held and/or disposed of in the name of Pre65 Racing Saloons at the discretion of the committee.
4. Funds will be banked at a trading bank to be nominated by the committee from time to time as required.
5. Trading will be by cheque and or electronic transfer as and when approved by the committee in 9.0 (b) There will be three signatories and any two required on any cheque
6. The treasurer shall have the authority to hold a debit card for incidental expenditure at race meetings; the treasurer may hold a float of One Hundred Dollars (\$100.00) for petty cash. All and any expenditure for and on behalf of Pre65RS shall be supported by receipts.
7. The retiring treasurer shall make available all debt card pin numbers held by the said treasurer to the new treasurer.
8. All honorariums will be decided by the committee.

10.0 TROPHIES:

1. Cups and trophies in possession of Pre65RS shall be held and completed for on the conditions imposed by the original donor. If such conditions are found to be impracticable the committee may award the trophy for a competition of a kindred nature as the donors originally intended.

2. Donors of trophies and / or cups may stipulate that their donations be returned in the event of disillusion of Pre65RS.

11.0 COMPETITION REGULATIONS:

1. Only members financial (after 30th of June) in the current racing year are eligible to race in that racing year.
2. Members with competing vehicles must have completed a Vehicle Eligibility Declaration Sheet in full and handed to the series Scrutineer prior to racing
3. **The technical regulations (Sch d: P65)** laid down by Pre65RS, to which all vehicles racing in any Pre65RS series must comply. Are to be confirmed at the A.G.M. prior to any competition year and may only be altered as per rule 4.3 of these by-laws.
4. **The committee may from time to time be required to clarify one or any the regulations; any clarifications must have the approval of the Series Scrutineer and two thirds of the committee.**
5. The committee may hold meetings to administer such regulations or impose penalties by such regulations. Any member may appeal any decision of the committee as per; By-law 5.4.
6. From time to time exceptions may be granted by the committee to non-member invitational drivers, and or other compatible classes, invited by the committee to compete with Pre65RS to bolster fields or for promotion of Pre65RS. Any invitee must be a financial member of an MNZ affiliated invited club or a member of an MNZ affiliated racing club.
7. Invited class/s shall keep their own points and race under their own respective articles and regulations. Starting format as agreed by all parties
8. **Sanctioned series articles Pre65RS.** The sanctioned series articles laid down by Pre65 RS, to which all competitors racing in any Pre65RS series must comply. Are to be confirmed at the A.G.M. prior to any competition year and may only be altered as per rule 4.4 of these by-laws.
9. **The committee may from time to time be required to clarify one or any the series articles; any clarifications must have the approval of the Series coordinator and two thirds of the committee.**
10. The committee may hold meetings to administer such regulations or impose penalties by such regulations. Any member may appeal any decision of the committee as per; rule 5.4.
11. From time to time exceptions may be granted by the committee to non-member invitational drivers, and or other compatible classes, invited by the committee to compete with Pre65RS to bolster fields or for promotion of Pre65RS. Any invitee must be a financial member of an MNZ affiliated invited club or a member of an MNZ affiliated racing club.
12. Invited class/s shall keep their own points and race under their own respective articles and regulations.
13. Starting format as agreed by both parties.

12 PROPERTY AND GOODS

1. Property and goods owned by Pre65RS and used by committee members and or general members (as per by-law 1.) to assist in the performance of their club duties shall remain the property of Pre65RS and be kept in a proper and fit state at all times. At the expiry of their term or resignation from the club, any and all Pre65 Racing Saloons property held by these members must be returned to the president and or secretary in full working condition and in a fit state.
2. All property and goods either purchased by or gifted to Pre65RS shall be registered on the clubs asset register to be kept by the secretary. Any gifts of property or goods must be accompanied by a gift certificate.

13 QUORUM

1. No business shall be transacted at any General Meeting unless a quorum is present at the time when the meeting is due to commence. The quorum for a General Meeting shall be twelve of the Members who are entitled to vote. The quorum must be present at all times during the meeting.
2. If a quorum is not obtained within half an hour of the intended commencement time of the General Meeting, then the General Meeting shall be adjourned to such other day, time and place as determined by the committee and if no quorum is obtained at the stage of such further General Meeting, then the Members present at that further General Meeting are deemed to constitute a valid quorum.

14 PERUNIARY GAIN

No member of pre65 shall receive any pecuniary gain (except by way of honorarium for services rendered or as a salaried office) from any property or operations of Pre6RS.

15 COMMON SEAL:

The common seal of Pre65RS shall be held by the secretary and shall only be used by the President and the secretary in the presence of two committee members.

16 WINDING UP:

1. Pre65 RS must be liquidated up if Pre65 RS at a General Meeting of its Members, passes a Special Resolution appointing a liquidator and requiring Pre65 RS to be liquidated and resolution is confirmed by further Special Resolution at a subsequent General Meeting called for that purpose and held not earlier than thirty (30) days after the date on which the resolution so to be confirmed is passed.
2. If upon the winding-up or dissolution of Pre65 RS there remains after the satisfaction of all its debts and liabilities any property whatsoever, the property may be paid to or distributed among the Members of Pre65RS or shall be given or transferred to some other organization or body having objects similar to the objects of Pre65 RS, or to some other charitable organization or purpose within New Zealand.
3. In the event of the disillusion of Pre65RS or Pre65RS through any other cause ceasing to exist, the fund and property thereof after discharge of all liabilities shall be disposed of by "Special resolution" as laid out in the provisions of section 28 of "The incorporated Societies Act", 1908.