

Constitution of
THE PRETORIA OLD MOTOR CLUB

1. NAME AND HEADQUARTERS

The name of the club is: "PRETORIA OLD MOTOR CLUB" and in Afrikaans "PRETORIA OUMOTOR KLUB" and the headquarters of the club shall be in Pretoria.

2. AIMS, OBJECTIVES AND POLICIES

- 2.1. The restoration, preservation and operation of suitable vehicles and the promotion of any competitions or other activities in the furtherance of these aims. Suitable vehicles shall be those deemed worthy of preservation.
- 2.2. The encouragement of road courtesy and good driving.
- 2.3. Presenting ventures of interest to members such as talks, lectures and debates. The creation and maintenance of a recreational facility for all members and their families.
- 2.4. Co-operation by affiliation or otherwise with all or any other bodies, Institutions or clubs concerned directly or indirectly with motoring in any of its many facets.
- 2.5. Generally to do all or any of the foregoing things that may to the Committee hereinafter referred to, seem fit.
- 2.6. Not to be or become involved in anything that has a party or political or religious connotation.

3. LEGAL MATTERS AND DEFINITIONS

- 3.1. Legal Entity. The Club shall be a separate legal entity, entirely distinct from its members and shall be capable of suing or being sued, acquiring, holding, disposing of or alienating property, fixed or otherwise, or in any other manner of contracting in its own name.
- 3.2. The Chairman of the Club, hereinafter referred to, being duly authorised by the Committee, shall have full power to sue and defend all legal proceedings instituted by or against the Club, and for that purpose shall have power to sign all powers of attorney, legal authorities and documents required.
- 3.3. In the event that the club chairman is not available to fulfil any of his functions, the vice chairman will take his place, failing which, the Committee shall appoint a member to take his place.
- 3.4. Amendments to the Constitution. Members may alter, repeal, vary or amend the Constitution of the Club in whatever manner they think fit, by majority of two thirds at a General Meeting of the members; provided that at least two weeks notice of the intended amendment (s) is given in writing to the members.
- 3.5. Interpretation. The Committee shall be the sole authority for the interpretation of this Constitution and the decision of the Committee upon any question of interpretation or upon any matter affecting the Club shall be final and binding upon members.
- 3.6. Indemnification of Committee and Officials. Committee members and other officials shall be indemnified by the members of the Club in respect of all responsible contracts and undertakings for the benefit of the Club made by such persons with the sanction of the Committee.

- 3.7. The Club shall in no way be liable for the recovery of damages or any other compensation in respect of injuries sustained by, or damage caused to property of, members, their relatives or guests/friends or any visitors on Club premises or at any Club activities.
- 3.8. Payment of membership fees shall be a distinct acknowledgement by any member that he is bound by the current Constitution of the Club.
- 3.9. Definitions. In this Constitution, save where inconsistent with the context, the masculine shall include the feminine, the singular shall include the plural, the plural shall include the singular, and the member or members shall be interpreted as member (s) in good standing i.e. as having paid his membership fees to date.

4. ELEGIBILITY, TYPES OF MEMBERSHIP AND TERMINATION OF MEMBERSHIP

- 4.1. Membership shall be open to any person or body corporate, owning a suitable vehicle acceptable to the Committee, or to any person or body corporate, not owning a suitable vehicle but deemed by the Committee to be in sympathy with the Aims, Objectives and Policies of the Club. Applications for membership must be on the prescribed form, which shall be signed by the two members as proposer and seconder and forwarded to the Secretary with the appropriate fees.
- 4.2. On the election of a new member, the Secretary shall notify him of his election, and shall send him a copy of the Constitution of the Club.
- 4.3. There will be seven classes of members of the Club, namely:
 - a. Foundation members being those who were present at the first meeting on 4th April 1966.
 - b. Ordinary members.
 - c. Country members being those residing 100 kilometres or more from Pretoria
 - d. Junior members who shall be between the ages of 18 and 25 years, and who have to be full time students. They shall not be entitled to take part in the management of the affairs of the Club, nor shall they be entitled to vote, but shall be eligible for points and awards. Junior members will annually provide documentary proof of still being a full time student or by default become ordinary members.
 - e. Honorary members who shall be any person who has, in the unanimous opinion of the Committee, rendered outstanding service to the Club. They may be elected for life or for such period as the Committee may decide.
 - f. Automatic members. Wives and husbands and dependent children of members who shall enjoy all privileges of members other than the right to vote at meetings and the right to receive separate communications. Members will reapply annually to enable dependent children to enjoy applicable privileges.
 - g. Family members. Family members who are wives or husbands of members as referred to under 4.3 f save that they have the right to vote at meetings and will not receive monthly newsletters.
 - h. Life members who have purchased Life Membership before 30 June 1993, will retain their Life Membership, but no further Life Memberships will be sold after this date.
 - i. Body Corporate Members where only one member shall be entitled to vote but other members shall enjoy all other privileges. Communications, including the newsletter shall be sent to the body corporate.
 - j. Social Members: Persons applying for social membership shall do so by completing a prescribed form. A dedicated member will be authorised to approve those applications on merit. A social member will have no voting powers or any other privilege, other than using the bar facilities.

4.4. Membership termination and return of Club property

Membership can be terminated by:

- a. Verbal or written communication by the member to that effect.
- b. Cancellation. Any member, being two months in arrears with membership fees shall be liable of having his membership cancelled by the Committee without prejudice to the right of the Committee to take such action as they may deem advisable to recover the amount due.
- c. Expulsion. Any member, who by a majority vote of the Committee, shall have been found guilty of conduct rendering it desirable that he should cease to be a member, may be expelled from the Club by the Committee after an enquiry at which the member shall have been invited, in writing, to be present, provided, however, that such member shall have a right of appeal to a special General Meeting.

Return of Club Property:

Any member whose membership terminates for whatever reason, will forfeit all right and claim upon the Club and its property and funds, and shall return to the Club, any badge(s) issued to him as well as any Club property which may be in his possession.

5. SUBSCRIPTIONS

- 5.1. An entry fee and annual membership fee will be levied and the annual membership fee shall become due on the 1st September each year. Such entry fee and membership fee may be determined at the discretion of the Committee, provided always, that any such determination or alteration shall be confirmed by an Annual General Meeting on a yearly basis.
- 5.2. Country members shall pay full entry fee, junior members, wives and husbands and dependent children and Family members will not pay an entry fee.
- 5.3. Country, Junior and Family members will pay fifty percent of the annual membership fees. Wives and husbands and dependent children (Automatic Members) will not pay membership fees. Membership fees for Country, Junior, and Family members will be rounded up to the nearest multiple of five rands if required.
- 5.4. The Committee may waive or reduce entry or membership fees in deserving cases.

6. MANAGEMENT AND ADMINISTRATION

- 6.1. The body of members is in control of the management and administration of the affairs of the Club. To affect this in practice, decisions are taken at General Meetings and delegated to the Committee for implementation.
- 6.2. General meeting:
 - a. Notice in writing shall be given at least 14 days before the General Meeting to every member by sending it to the member preferred address, which could be his postal, e-mail or fax address.
 - b. Fifteen percent of the members, personally present, shall form a quorum for each General Meeting. If no quorum of members is present at any meeting, then such a meeting stand adjourned to the same time and day in the following week at such place as the Committee may determine, and notwithstanding anything herein below contained, the number of members present at such adjourned meeting shall constitute a quorum for such meeting, but only the business of the original meeting shall be discussed. Any resolution passed by a majority of members present plus postal votes and proxies, shall be binding upon all members of the Club.

- c. Every member of the Club shall have one vote at a General Meeting except in the case of equality of votes, when the Chairman shall be allowed an extra or casting vote. A member may appoint a proxy in writing. Voting will be by a show of hands unless any member present requests voting in secret in which case the meeting will be adjourned for a maximum of thirty minutes to make the required arrangements.
- 6.3. Annual General Meeting. A General meeting of the members shall be held within three months of the end of the financial year, which meeting shall be called the Annual General meeting.
- a. The business of the Annual General meeting shall be to receive and consider the statement of Income and Expenditure, the Balance Sheet and the Report of the Committee, and any business arising there from. If the club was directly or indirectly involved in any other business, or any business arising therefrom, the financial statements, as well as an activity report by the responsible person(s) of that entity shall also be received and considered.
- b. The standard agenda for an Annual General Meeting will be:
- Welcome and Apologies
 - Reading the notice convening the meeting, quoting the number of members present and if such number equals or exceeds the required quorum, declaring the meeting properly constituted.
 - Adoption of minutes of previous Annual Meeting.
 - Matters arising from the previous minutes not dealt with elsewhere in the agenda.
 - Chairman's report
 - Report on activities of any venture
 - Table final accounts of club and adoption thereof
 - Table final accounts of any other venture if applicable and adoption thereof
 - Determination or confirmation of all fees for ensuing year
 - Determination of spending limit of Committee
 - Motions.
 - Awarding of trophies
 - Election of new Committee members
 - General
- The Committee, Secretary and Treasurer (if elected members of the Committee) are to remain in the office until the office bearers for the ensuing year have been elected by the Committee.
- 6.4. Special General Meeting. All other formal meetings of members shall be Special General Meetings. A Special General meeting of the Club shall be called by the Secretary if directed to do so by the Committee or if demanded by a written requisition signed by at least 15 members. Any such requisition shall set out clearly and concisely the reason why the signatories require a meeting to be held, and the text of all resolutions to be proposed there at. Such meeting shall be called within twenty one days after the deposit of such requisition.
- 6.5. In order to fulfill the aims and objectives as stipulated in clause 2.3 above, the club shall apply for a liquor licence.
- 6.6. The Financial year of the Club shall be from the 1st September to the 31st August of the following year.

7. OPERATION OF THE COMMITTEE

The management and control of the Club shall be delegated to a Committee consisting of not more than ten members (except as provided for under 7.5 below), elected once a year by secret ballot by members of the Club at the Annual General meeting. Nominations must be submitted half an hour before the annual General Meeting signed by the nominee and the nominator.

Composition of the Committee:

- 7.1. The Committee shall elect from its members a Chairman, a Vice Chairman, and a SAVVA delegate and may elect a Treasurer and a Secretary.
- 7.2. Should a Secretary and/or Treasurer not be appointed from Committee members, such office bearers will be additionally appointed, at the discretion of the Committee, from outside the Committee, in which case they will have no voting rights.
- 7.3. Should a member of the Committee resign or no longer continue to act in such capacity, the remaining members of the Committee shall be entitled to co-opt a member of the Club to act in the place of the resigned or retired member for the remainder of such resigned or retired member's term of office.
- 7.4. The outgoing committee shall appoint four committee members who will remain on the Committee. The remaining members shall retire, but shall be eligible for re-election.
- 7.5. The retiring Chairman, if not re-elected as a member of the Committee, shall become an ex officio eleventh member of the Committee with voting rights for one year.
- 7.6. A Chairman can be elected for three consecutive terms after which he has to step down as Chairman. After one year he will once again be eligible for election as Chairman.
- 7.7. A Quorum for a Committee Meeting shall be five of the serving members or all Committee members should serving Committee members be less than five.
- 7.8. Any member of the Committee found to have used the name of the Club in private transactions shall be liable to have his membership suspended or terminated.

Duties of the Committee:

- 7.9. Implementation and upholding the Constitution of the Club.
- 7.10. Arrange General meetings and implement the resolutions.
- 7.11. Consider applications for membership.
- 7.12. Arrange events of interest to members.
- 7.13. Maintain liaison with SAVVA and other bodies and implement requests and applicable instructions.
- 7.14. Determine fees.
- 7.15. Enhance facilities and image in the interests of the Club, including braai and bar facilities. In the interest of good governance, one or more committee members must be responsible for the bar facility.
- 7.16. Minutes. The resolutions and business of any formal General Meeting or Committee Meeting shall be recorded by the Secretary in a minute book, which shall be signed by the Chairman as correct after adoption by the next meeting.
- 7.17. Books of Account to be kept. The Treasurer shall keep true and correct books of account of the affairs of the Club, which he shall submit to all Committee Meetings. He shall also ensure stock to be taken annually of all assets of the club and prepare Final Accounts; or he, through the Committee may solicit suitable assistance to prepare Final Accounts, or perform an audit. Any formal meeting of members at which at least a quorum is present, may by majority vote, request an audit.

Powers of the Committee:

The Committee shall have the following powers provided at least 80% of the elected Committee is in favour:

- 7.18. To acquire or dispose of any movable or immovable property for or of the Club, calculated to benefit or its members, or to advance its objectives, providing that the approval of a General meeting be obtained regarding the acquisition or disposal of such property above a specified limit of R5000 per transaction. Such amount will be reviewed annually at the Annual General Meeting.
- 7.19. To appoint and, at their discretion, remove or suspend such attorneys, agents, secretaries, auditors, handicappers, referee, officers, stewards, starters, clerks and servants for payment, temporary or special services as they think fit, and to invest them with such powers and to determine their duties and fix and vary their remuneration (if any) as they think fit.
- 7.20. To institute, conduct, defend, compound or abandon, any legal proceedings by or against the Club or its officers, or otherwise concerning the affairs of the Club, and also to compound and allow time for payment or satisfaction of any debts due, and of any claims by or against the Club.
- 7.21. To invest any funds of the Club at their discretion but without being personally responsible for losses incurred through investments made, except when grossly negligent.
- 7.22. To open banking or other accounts in the name of the Club, and to operate thereon by drawing cheques, depositing cheques and monies therein or otherwise. Such cheques shall be signed by the Treasurer or Secretary and one other of the Committee and endorsed for payment into the bank by any one member of the Committee.
- 7.23. To do all acts and things which are not expressly by these rules directed to be done or performed only by a meeting of members.
- 7.24. To refuse membership without having to supply reasons.
- 7.25. To refuse access to Club premises or attendance at Club events without having to supply reasons.

8. HONOURS AWARD

- 8.1. The highest honour the POMC can bestow upon a member for dedicated and loyal service to the POMC, will be the POMC Club Honours.
- 8.2. POMC Club Honours may be awarded only to a Member in any class of Membership, who has been a member of the club for a minimum uninterrupted period of 10 years.
- 8.3. The following rules shall apply to the nomination and awarding of POMC Club Honours:
 - a. A nomination seconded by two members shall be presented to the Chairman on or before the end of March annually for consideration by the committee before their term expires.
 - b. Nominations shall only be made or seconded by a member who has been a member in good standing for an uninterrupted period of two years preceding the nomination.
 - c. Nominations shall be submitted to the Chairman who will notify committee members of the nominations received at the April committee meeting, table it for discussion during the May committee meeting and for approval at the June committee meeting annually.
 - d. POMC Club Honours shall only be awarded by unanimous vote.
 - e. Voting shall be by secret ballot.

- 8.4. The Honours award consists of an Honours Name Badge and an Honours Certificate.

9. DISSOLUTION OF THE CLUB

If, upon dissolution of the club there remains, after the satisfaction of all debts and liabilities any property whatsoever, the same shall be handed to a selected similar club or to S.A.V.V.A. in the sole discretion of the last Committee, a majority vote of remaining Committee members (without the need to have a quorum at such a meeting), the last Chairman or the member of longest standing, in that order.

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