

CAREFREE CARAVANEERS OF S.A. INC.

CONSTITUTION

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1 NAME

The name of the club shall be the "Carefree Caravaneers of S.A. Inc." hereinafter known as the Club.

2 ADDRESS

The registered address of the Club shall be the private address of the Secretary.

3 OBJECTS

The Objects of the Club are: -

- 3.1 To promote unity and good fellowship among its Members.
- 3.2 To protect the interests of Members and their use of recreational vehicles, increasing their enjoyment of this past-time.
- 3.3 To stimulate the invention and adoption of appliances for the proposed use in recreational vehicles.
- 3.4 To provide opportunities for Members to participate in the activities provided by the Club, and for Members to meet ~~socially~~.
- 3.5 To do all such lawful things as may be conducive to the attainment of any or all of the above.

4 POWERS OF THE CLUB

- 4.1 The Club shall have all the powers conferred by Section 25 of the Associations Incorporation Act 1985.
- 4.2 The Club shall have the power to introduce By-Laws which set out the manner and procedure governing the day to day running of the Club.

5 MEMBERSHIP

- 5.1 The Club shall consist of Members, and Associates Members.
 - 5.1.1 A **Member** shall be a person who has carried out their obligations to the Club as set out in these Rules.
 - 5.1.2 **Associate Member** is a person who may not own a recreational vehicle or is unable to carry out the requirements as a Member but is a person who wishes to enjoy the amenities and facilities provided by the Club. The Associate Member shall be entitled to attend meetings and social functions of the Club but shall not have any voting rights at any meeting of the Club.

5.2 Membership Limits

The number of Members and Associate Members shall be determined by the Members at the Annual General Meeting.

5.3 Application for Membership

Prospective members must make application to the Secretary on the form prescribed by the Committee and be proposed and seconded by two Members of the Club. Prospective members must be prepared to give such undertakings as may be required by the Club. The Committee reserves the right to decline an application.

5.4 Appointment of Members

The appointment of new Members shall be on the majority vote of the Committee.

5.5 Entrance Fee

Each proposed Member shall pay an entrance fee at the time of joining the Club. The amount of the entrance fee shall be fixed at the Annual General Meeting.

5.6 Annual Subscription

The amount of the annual subscription payable by Members and Associate Members shall be fixed at the Annual General Meeting. The Subscription shall be due and payable within one month from the first day of the month following the Annual General Meeting. New Members shall pay a pro-rata Annual Subscription at the time of being admitted to the Club.

5.7 Resignation of Membership

Members or Associates wishing to resign their membership shall notify the Secretary in writing of their intent. Prepaid membership fees shall not be refundable.

5.8 Membership in Arrears

5.8.1 Membership shall be suspended should subscriptions be in arrears for a period greater than 60 days.

5.8.2 Members whose subscriptions remain in arrears for a period greater than 60 days shall be notified in writing by the Secretary of pending actions and their membership shall lapse should they be in arrears for a period greater than 120 days.

5.8.3 Members who have either resigned or had their membership terminated shall be entitled to re-apply for membership but shall be required to submit a new application and an entrance fee as determined by the Committee will apply.

6 OFFICERS OF THE CLUB

The Officers of the Club as hereunder described shall hold office until the next Annual General Meeting after their appointment

6.1 President

The duties of the President shall be to preside at all meetings and preserve order thereat. The President shall settle the mode and form of any debate and his/her decision on all points of procedure shall be final subject always to the decision of the majority of the voting members present.

Upon the minutes of any meeting of the Club being confirmed, the President shall confirm via email to the Secretary that the minutes are true and correct

The President shall prepare and present at each Annual General Meeting an Annual Report of the activities of the Club.

6.2 Vice President

The duties of the Vice President shall be to preside over meetings and perform the duties of the President in his/her absence.

6.3 Secretary

The Secretary shall,

Keep full and correct minutes of all meetings via electronic records following confirmation at a subsequent meeting.

Conduct the correspondence of the Club and shall have the custody of all documents of the Club other than those required by these Rules to be held by the Treasurer.

Serve notice of all meetings via electronic media to all Members. Keep a register of Members, and Associates
Members.

6.4 Treasurer

The Treasurer shall have custody of all financial documents of the Club and shall keep electronic records of the Club's accounts, and shall make up the annual Statements of Account of the Club. After audit the Treasurer shall present such statements to the membership of the Club at the Annual General Meeting.

The Treasurer shall collect and have charge of all monies of the Club paying them to the credit of the Club with the bank nominated by the Committee.

The Treasurer shall record all accounts for payment and shall keep a record of receipts and payments.

The Treasurer shall furnish to the Committee at each meeting a statement showing the financial position of the Club.

6.5 Auditor

The Auditor shall audit and verify the Annual Statement of Accounts before presentation at the Annual General Meeting.

The Auditor shall upon request from the Committee prior to any person vacating or taking over the office of Treasurer examine the retiring Treasurer's financial statements and make a report to the Committee on its correctness.

The Auditor shall have access to all records and accounts of the Club at all times.

6.6 Public Officer

The Public Officer shall be the person for the time being holding the office of Secretary and shall carry out duties as required by the Associations Incorporation Act 1985.

7 CLUB EXECUTIVE

The Executive of the Club shall include the President, Vice President, Secretary, and Treasurer.

8 COMMITTEE OF MANAGEMENT

The management of the Club shall be vested in a Committee consisting of the President, Vice President, Secretary and Treasurer together with a minimum of four and a maximum of seven other Members elected each year at the Annual General Meeting.

9 ELECTION OF THE COMMITTEE

Nominations for election to the Committee shall be in writing on the prescribed form. Nominations shall state the name of the nominee, be signed and seconded by the proposer and seconder who will both be financial members of the Club. The nominee has willingness to act if elected shall countersign the nomination. Nominations shall be in the hands of the Secretary no later than the time scheduled for the commencement of the Annual General Meeting.

Only Members shall be eligible for appointment to the Committee provided that no person may hold more than one office of the Club at any onetime

Membership of the Committee shall be by election at the Annual General Meeting. The elections for the respective offices of President, Vice President, Secretary, Treasurer and Committee Members shall take place separately and in that order.

If only one nomination is received for any office the candidate so nominated shall be declared elected. If more than one nomination is received for any office an election by secret ballot shall be held and the person receiving the highest number of votes cast in his /her favour shall be elected.

Committee members shall hold office for a period of twelve (12) months and may

re-nominate for office each year for a maximum of five (5) years in the one office.

10 FUNCTIONS OF THE COMMITTEE

- 10.1** The Committee may do on behalf of the Club all such things as can be done by the club at General Meetings except such things as are by these rules expressly required to be done at the Annual General Meeting. The Committee shall have the duty and power of promoting, advancing and carrying out all of the Objects of the Club. Subject to these Rules and to resolutions passed in accordance therewith by any General Meeting of the Club, the Committee shall have the control, management and conduct of all property and affairs of the Club and may exercise any of the powers of the Club.
- 10.2** The Committee shall have the power in conformity with Rule 4.2 to implement, alter, or repeal By-Laws.
- 10.3** The Committee may from time to time appoint various Sub-Committees to administer the specialized work and activities of the Club and invite non Committee members to serve on Sub-Committees provided that each Sub-Committee shall contain at least one Committee Member.
- 10.4** All Sub-Committees appointed by the Committee shall be deemed constituted until the Committee Meeting immediately following the next Annual General Meeting but the Committee shall have the power to disband any Sub-Committee at an earlier date.
- 10.5** A report shall be made to the Committee on behalf of each Sub-Committee at every Committee Meeting.
- 10.6** The President, Vice President, Secretary and Treasurer shall be ex-officio members of all Sub-Committees appointed by the Committee.
- 10.7** A Member on cessation of membership of the Club shall automatically relinquish any office or membership of any Committee or Sub-Committee.
- 10.8** The Committee may fill any vacancy, which may occur on the Committee between annual elections, from Club Members in such manner as the Committee shall think appropriate provided that such vacancy is advertised on the notice board at one Club Rally and in one edition of the Club Newsletter.
- 10.9** The Committee shall have the power to remove any member of the Committee who in its opinion continues to neglect his or her duties and shall have the power to declare this office vacant.
- 10.10** Meetings of the Committee shall be convened by the Club Secretary and the Committee shall meet as and when required and a time and location decided by the Committee. Five members present of the Committee shall form a quorum
- 10.11** Special meetings of the Committee shall be convened by the Club Secretary on the written request of three or more Committee Members and at least seven days' notice of all such meetings shall be given.
- 10.12** The Committee shall maintain an inventory of all Club property and shall

appoint a Property Officer to administer and control the Club's property.

11 COMMON SEAL AND SEAL HOLDERS

The Club shall have and use a Common Seal on any deed, instrument, or document required by law to be under seal and on such Seal shall be inscribed the name of the Club, namely, "CAREFREE CARAVANEERS OF SA INC".

The Seal holders of the Club shall be the persons for the time being holding the offices of President, Secretary/Public Officer and Treasurer.

The Seal of the Club shall not be affixed to any instrument except by authority of a resolution of the Committee and in the presence of the Public Officer and at least one other seal holder.

The Club Seal shall be held by the Secretary.

12 DISCLOSURE OF INTEREST

The nature of the interest of a member must be declared at the meeting when the first discussion on a contract or agreement which affects that Member takes place. A member of the Committee shall be disqualified on voting on any matter in which he/she has an interest.

13 DISCIPLINE AND BEHAVIOUR

- 13.1** Recreational vehicles shall not bear, carry or display the Club Pennant or Emblem unless in the actual use by a Member or a member of his/her family.
- 13.2** Any Member who sells his/her recreational vehicle or car shall first remove the Club Pennant and Emblem.
- 13.4** The Committee reserves the right to suspend any Member, or Associate Member from the privileges of membership on any of the following grounds:
- Misappropriation of Club funds.
 - Causing willful damage or unauthorized use of Club property.
 - Being unfinancial for a period exceeding four months.
 - Any other undesirable conduct as determined by a majority of the Committee after the member has been given the opportunity to explain.
- 13.5** Should any complaint be received by the Club with regard to the conduct of any Member on a camping ground or on the road with his/her recreational vehicle such complaint shall be investigated by the Committee at which the Member is entitled to attend or be represented. If the Committee decides that the complaint is well founded it shall have the power to expel or suspend the Member. Such expelled Member shall have the right to appeal at a General Meeting.

14 RISK MANAGEMENT

- 14.1** The Committee shall, at its discretion, ensure that all Club property is comprehensively insured for an amount not less than the assessed value at the date on which the insurance cover is arranged.

- 14.2 The Committee shall take out an appropriate Public Risk Insurance Policy to insure against any claim from a third party for personal injury received or property damage caused by a Club Member, or Associate Member who is performing an authorized activity while at a Club function.
- 14.3 The Committee shall arrange for an appropriate insurance policy to indemnify any Officer of the Club, Committee or Sub Committee member or other Member, or Associate Member who is appointed for any specific function and who is acting reasonably and within the scope of his/her duties against any claim or demand for loss or damage arising out of any legal liability which he/she may have personally incurred while performing an authorized activity for and on behalf of the Club, subject to clause 14.6.
- 14.4 The Committee may arrange also for any other insurance coverage considered appropriate in the interest of the Club.
- 14.5 The Club shall not be liable for any loss, injury or damage to a Member or person or the property of any Member or person directly or indirectly caused by or arising out of, or in any way connected with, the activities or property of the Club or under the control of the Club.
- 14.6 A Member, or Associate Member who lodges or causes a claim to be lodged for compensation against the Club's insurer shall be responsible for the payment of any excess as stipulated in the terms and conditions contained in the contract of insurance.
- 14.7 The Secretary shall be responsible for the arrangement of all insurance policies as determined by the Committee.

15 FINANCE

- 15.1 The Committee shall not spend a sum greater than \$500 on the purchase of any one item of club equipment without giving at least fourteen days prior notice in writing to all Members. Approval shall be considered at the next General Meeting, Special General Meeting or at the next Rally. Approval to proceed shall require the consent of a majority of Members present.
- 15.2 No member of a Sub-committee shall incur any financial obligation on behalf of the Club without the prior approval of the Committee.
- 15.3 Monies received by the Club from any source whatsoever shall be applied exclusively to the objects of the Club.
- 15.4 Club funds shall be kept in an account or accounts in the name of the Club at such bank or banks as determined by the Committee.
- 15.5 Electronic transfer from such account or accounts must be authorized on line by any two of either: - the President, Secretary, Treasurer or any other member of the Committee that is an approved signatory

16 FINANCIAL AND MEMBERSHIP YEARS

The Financial Year shall commence on 1st July and end on 30th June of the following year.

The Membership Year shall commence from 1st July

17 ANNUAL GENERAL MEETING

- 17 .1** The Annual General Meeting of the Club shall be held each year in the month of September at a time and place to be fixed by the Committee.
- 17.2** Notice of the meeting shall be sent to Club Members in writing, via the Club Newsletter, or electronic media. Such notice shall be sent out at least fourteen days prior to the meeting to the last known address or email address of the Member. The non-receipt of such notice shall not invalidate the proceedings of the meeting.
- 17.3** Notice to a Member who is partnered to another member shall be deemed to have been fully and properly given to his/her corresponding Member.
- 17.4** Every Member of the Club shall have an equal vote and all motions, resolutions, amendments and questions shall be determined by a show of hands unless a ballot be demanded by at least five Members present subject however to the provisions of Rule 9.
- 17.5** Every Member of the Club shall be entitled to attend, speak and vote.
- 17.6** Ten per cent of the total Members present shall form a quorum.
- 17.7** If, within thirty minutes of the appointed time of the meeting, a quorum not be present, the meeting shall be adjourned to a date to be fixed within one calendar month and at such recalled meeting the Members present shall dispose of all business on the notice paper.
- 17.8** The Chair shall be taken by the retiring President or in his/her absence by the Vice President or in his/her absence the meeting shall elect its own Chairperson.
- 17.9** The Chairperson shall at each meeting have a casting vote only.
- 17.10** At each meeting the President shall give a report on the proceedings and activities of the past year and the Treasurer shall present an audited Financial Statement for the same period.
- 17 .11** Prior to the calling of a ballot to elect Officers for the ensuing year the President shall declare all existing positions vacant and the meeting shall appoint a Returning Officer. The President shall vacate the chair in favor of the Returning Officer who shall conduct the ballot.
- 17.12** The meeting shall elect the President, Vice-President, Secretary, Treasurer and members of the Committee and any other person(s) deemed necessary to assist any Officer of the Club.

17.13 The meeting shall appoint an Auditor who must not be a member of the Committee or a spouse/partner of a Committee member.

18 SPECIAL GENERAL MEETINGS

A Special General Meeting of the club shall be called by the Secretary at any time on the receipt of:-

- 18.1** Instructions from the Committee.
- 18.2** A request in writing signed by no fewer than ten Members Such request shall set out clearly the purpose for which a Special General Meeting is desired.
- 18.3** In either case the Secretary shall call the Special General Meeting within thirty days from the receipt of instructions from the Committee or the request from Members.
- 18.4** Notice in writing convening the Special General Meeting shall be sent via electronic media to Members not less than twenty-one days prior to the date set for the meeting. The notice shall indicate the date, time and location of the meeting and shall set forth clearly the purpose for which the meeting is being held.
- 18.5** At a special General Meeting fifty per cent of the Members present shall form a quorum and if within thirty minutes of the time appointed for such meeting a quorum is not present the meeting shall be adjourned sine die.

19 INTERPRETATION

Subject to. the jurisdiction of the Courts the interpretation of any of these Rules or By-Laws made present to these Rules and the determination of any matter on which the Rules or any of the By-Laws are silent shall be referred to the Committee for consideration and their decision shall be final and binding on the Members except at a Special General Meeting or Annual General Meeting where the meeting shall decide the interpretation.

20 AMENDMENT TO RULES

- 20.1** Except as provided in Rule 20.2, these Rules can only be validly added to, amended or replaced at a Special General Meeting of Members called for that purpose in accordance with Rule 18.
- 20.2** Notwithstanding Rule 20.1 any amendment or addition to the Associations Incorporation Act 1985 or any other law affecting the position of Public Officer shall be deemed automatically to affect a similar alteration to these Rules.
- 20.3** The Public Officer shall cause such notice of change(s) to these Rules under this Constitution or any trusts relating thereto to be forwarded to the Office of Consumer and Business Affairs within the time limit prescribed under the Act.

21 DISSOLUTION OF THE CLUB

- 21.1** The Club shall be dissolved in the event of its membership being less than seven Members on the vote of three fourths of the Members present at an Extraordinary General Meeting called for that purpose. Notice of such meeting shall be called in accordance with Rule 18.4.
- 21.2** Upon dissolution the assets of the Club shall be realised and the proceeds therefrom together with any funds of the Club shall be, after the deduction of all existing liabilities, paid over to the Association of Caravan Clubs of South Australia in such manner as the majority of Members at the Extraordinary General Meeting shall decide.

Revision & Update
Approved by Members on 20th May 2006.
Filed at Office of Business & Consumer Affairs 1st June 2006.

CAREFREE CARANANEERS OF S.A. INC.

BY-LAWS

14/05/20

Authorised

1. RALLY BOOKINGS

Advance booking sheets are held by the Booking Officer and circulated at each rally. It is the responsibility of the Member to contact the Booking Officer to make a booking. Bookings are on a first in first served basis. Where a Member has made a booking and cannot attend a rally it is their responsibility to contact and advise the Booking Officer. Where the Booking Officer is not advised the Member will be responsible for the site fees. Members wishing to arrive before the scheduled date or stay after the scheduled departure date for a rally must contact the Park Management direct to make the variation to the booking.

2. RALLY ATTENDANCE

Members are required to attend a minimum of four rallies per membership year as a condition of Membership. Where a member cannot attend the minimum number of rallies, notice stating reasons for the non-attendance must be given to the Committee who at its discretion has the right to approve/disapprove of the absence.

2.1 LEAVE OF ABSENCE:- If a member(s) is likely to be away for a period of 3 months in succession or greater, and are unable to attend Club Rallies as a result, a letter is to be sent to the Club Secretary advising that person of the situation. If it results in the member(s) not being able to achieve the Club requirement of 4 Rallies in their Membership year, permission must be sought from the Club Committee to waive the Club Rally requirement.

3. RALLY FEES

Members are responsible for all Caravan Park Fees and deposits as required by the Caravan Park

4. NAME BARS

Name Bars should be worn at all times

5. **PROSPECTIVE MEMBERS**

Prospective members, when invited by the Committee, must attend three rallies with their recreational vehicle before submitting an application for membership.

5.1 If any member(s) of the Carefree Caravaneers Club of SA Inc. under extenuating circumstances, be it Medical or Death or a Partner feel they must relinquish their membership at the time of the crisis, that under Section 5.8.3 of the constitution an act of dispensation be applied to said person(s) as to **not** be required to submit a new application for membership. The said member(s), should they wish to return to the Carefree Caravaneers Club, they will be reinstated as a member upon membership fees being paid in full or pro-rata regardless of the time lapsed from their re-joining date, irrespective of the club membership quota being at full capacity or not.

6. **VISITORS**

The Committee may invite up to a maximum of four visitors from the waiting list of new members to attend any rally subject to sites being available.

7. **PARKING**

On arrival at a rally Members are to check-in at the Management Office where the Park Management will allocate a site. Caravans should be parked so that the towing hitch is towards the roadway for ease of movement in case of fire or emergency.

A member requiring a special site must make personal arrangements with the Park Management.

8. **SPEED**

Park regulations must be observed at all times by Members and guests.

9. **WASTE**

Sullage deposits must be as per Caravan Park Policy. The area around each van is to be kept and left clean and tidy. Recycling is encouraged.

10. **DOGS**

Park Regulations must be observed at all times. Dogs must be kept on a leash and exercised away from normal walking areas. They are not permitted in amenities blocks or in areas of food consumption.

11. **NOISE**

Members and their guests are required to keep their noise to minimum before 8.00am and after 10.00pm. All electronic equipment (TV's, radios, etc.,) should be kept at a volume which **will** not annoy other park patrons.

12. DRINK

The consumption of alcoholic drink is permitted at the discretion of the Committee in premises or locations designated by the Committee.

13. LIGHTS

Outside lights on caravans are to be turned off before retiring at night.

14. SMOKING

The Club has a smoke free policy. This policy applies at all, functions or activities governed by the Club.

15. FIRE EXTINGUISHERS

Members must carry an acceptable fire extinguisher in their van at all times.

16. CHILDREN

Children accompanying Members must be told to respect the property and privacy of others and must not use amenities blocks as a play-room. Children are to keep a safe distance from vans when playing ball games and must be under the control of a parent or adult at all times.

17. ADVERTISING AND TRADING

No trade advertising or advertising by Members is permitted in the Club magazine without the prior approval of the Committee. No trading unless authorised by the Committee is to be carried out at Club rallies. Notices regarding local service club activities may not be displayed on the Club Notice Board without the prior approval of the Committee.

18. VACCINATIONS

Club members are required to be vaccinated in accordance to the advice of the State Health Services.

19. COMPLAINTS

Complaints by Members are to be submitted in writing to the Committee.

APPROPRIATE ACTION WILL BE TAKEN BY THE
COMMITTEE AGAINST ANY MEMBER OR PERSON
DISREGARDING THESE BY-LAWS