



WEST OF SCOTLAND KART CLUB CONSTITUTION AND RULES

(revised 20th November 2018)



1. **TITLE**

The name of the Club shall be "West of Scotland Kart Club", herein after referred to as "The Club".

2. **INTERPRETATION**

In these rules ("the Rules"): -

- (a) "The committee" means the Committee as defined in Rule 7.
- (b) "Members" means those who pay a subscription (as determined at the Annual General Meeting) and who shall have the use of all the facilities provided by the Club. There may be different categories of membership. Full details are published on the club web site or are available on request from the club secretary.
- (c) "General Meeting" includes the Annual General Meeting and any Extraordinary General Meeting.

3. **OBJECTS**

The objects of the club are to promote karting and kart racing and in particular: -

- (a) To provide the Club members and members of the public with information, advice and assistance on matters connected with karting.
- (b) To promote kart competitions in accordance with the requirements of the relevant governing karting body.
- (c) To arrange tours, lectures, discussions, social and other meetings.
- (d) To afford members such benefits and privileges as it may be possible to arrange.
- (e) Membership is open to all and no application for membership will be refused on other than reasonable grounds. There will be no discrimination on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex; sexual orientation, political or other opinion.

4. **CONSTITUTION**

Persons of not less than five years and nine months of age shall be eligible for membership.

5. **MANAGEMENT**

The authority and responsibility for the transaction of the business of the Club and for its management shall be vested in a Committee, who, in addition to the powers and authority expressly conferred on them by these Rules may exercise all powers and do all acts in furtherance of the objects for which the Club is established. All committee positions are honorary. Where the committee feel it necessary for a payment to be made to any individual for club work/services, it will require the agreement of all committee members.

6. **ELECTION OF OFFICERS**

- (a) The Chairman, Secretary, Treasurer and Committee, one of which will be the Competition Secretary, shall be elected at Annual General Meeting, and, subject to termination of office by resignation or otherwise, shall remain in such office until their successors are appointed at the next Annual General Meeting following their appointment.
- (b) The Committee shall have the power to co-opt other members as they deem necessary. The retiring officers and other members of the Committee shall be eligible for re-election.
- (c) The office of Treasurer shall run in accordance with the Club's financial year (as defined in Rule 20 {b}).
- (d) The Committee and Officials (excepting the Treasurer) shall take office from 1st January following their election, and shall remain in office until 31st December of that year.
- (e) The official positions within the club i.e. Chairman, Secretary, and Treasurer should be selected from serving or past committee members so ensuring knowledge and understanding of the working of the club, and that where others are nominated preference will be given to existing committee members wishing to be considered for the various posts.

7. **COMMITTEE**

Excluding the Chairman, Secretary and Treasurer, the Committee shall consist of at least five members one of which will be the Competition Secretary and the remainder may be allocated specific duties by the Chairman.

Any person who wishes to be considered for membership of the committee (including retiring members) must be a member of the club and must be duly proposed and seconded by existing club members. In the event that there are more than ten persons proposed as a committee member there will be a vote by those attending the general meeting with those receiving most votes being elected to serve.

A quorum for Committee meetings shall consist of two office bearers and at least 50% of the elected Committee.

8. **ABSENCE FROM COMMITTEE**

Any member of the Committee who shall, without sufficient reason, absent himself from three consecutive meetings, will be understood to have resigned his position upon the Committee. The sufficiency of such reason shall be determined by the Committee.

9. **DUTIES OF SECRETARY**

It shall be the duty of the Secretary (or a deputy nominated by the Committee) to attend all meetings of the Committee in person and to take minutes of the proceedings. Such minutes shall be presented for acceptance at the following Committee meeting. The Secretary shall be responsible for all correspondence as directed by the Committee and for convening Committee meetings at the direction of the Chairman or three Committee members.

10. **COMPETITION SECRETARY**

It shall be the duty of the Competition Secretary to arrange for permits, programme and all other administration relating to race meetings and to order trophies as directed by the Committee.

11. **BANKING AND FINANCE**

- (a) All club monies shall be banked by the Treasurer or nominee in the name of the Club, and any disbursements there from shall require two authorised Club signatories (being the Chairman, Treasurer, Secretary and Competition Secretary) and the authority of the Committee. Any disbursements shall be duly minuted.
- (b) Any Committee members shall, at the discretion of the Committee, be reimbursed for expenses properly incurred in the performance of their duties as a Committee member.
- (c) The Committee shall have the power to incur any debit (including a bank overdraft) on behalf of the Club. The maximum amount of any such debt shall be determined by the Committee.
- (d) Any member misusing Club funds shall be expelled from the club without notice and shall cease to enjoy the privileges of membership.

12. **VOTING AT COMMITTEE MEETINGS**

Each Committee member present at a meeting of the Committee shall be entitled to exercise one vote. In equality of votes, the Chairman of the meeting shall have a second or casting vote.

13. **SUBSCRIPTION AND RACE ENTRY FEES**

The Annual Subscription and Race Entry Fees of the Club shall be determined yearly at the Annual General Meeting.

14. **PAYMENT OF SUBSCRIPTION**

The Annual Subscription covers the year from 1st January to the following 31st December. Subscription shall be due on 1st of January each year. Any current member who has not paid his Annual Subscription by 1st March shall cease to be regarded as a member.

15. **RESIGNATION**

Any member resigning their membership shall give notice in writing of such desire to the Secretary on or before the date on which his subscription would have become due for renewal in any year. Any member ceasing voluntarily or otherwise, to be a member of the Club shall thereafter cease to have any claim upon the property of the Club or enjoy any of the privileges of membership, but he, or she, shall remain liable for the payment of any debts due to the Club from him or her.

16. **USE OF THE CLUB NAME AND ADDRESS**

The name and address of the Club shall not be given by a member as his address for any trade, advertising or business purposes or in connection with any legal proceedings.

17. **SOCIAL MEMBERS**

Social Members shall not be permitted to take part in any karting competitions organized by the Club under the regulations of the relevant governing karting body. Any social member intending to race and make use of the club racetrack must inform the Secretary immediately and shall, from the date of payment of full subscription become a full karting member.

18. **HONORARY MEMBERS**

It shall be the Committee's privilege to appoint Honorary Members by unanimous vote at their discretion.

19. **EXPULSION OF MEMBERS**

(a) It shall be the duty of the Committee if at any time they shall be of the opinion that the interest of the Club so requires, by letter, invite any member to withdraw from the Club within a time specified in such letter, and in default of such withdrawal to submit the question of his/her expulsion to a meeting of the Committee to be held within six weeks after the date of such letter. Members of the Committee shall be given at least seven days' notice of such a meeting and shall be allowed to offer an explanation of his/her conduct verbally, or in writing, and if two-thirds of the members present shall then vote for his/her expulsion he/she shall thereupon cease to be a member of the club.

- (b) It shall be the duty of the Committee if at any time the competency or integrity of a committee member is felt not to be in the interest of the club, by letter, invite the member to withdraw from the committee within a time specified in such letter, and in default of such withdrawal to submit the question of their expulsion to a meeting of the Committee to be held within six weeks after the date of such letter. Members of the committee shall be given at least seven days' notice of such meeting and they shall be allowed to offer an explanation of their conduct, verbally or in writing, and if two thirds of the committee members present shall then vote for their expulsion they shall thereupon cease to be a member of the committee

20. **THE ANNUAL GENERAL MEETING**

The Annual General Meeting ("AGM") of the Club shall be held before the 30th of November each year upon a date and a time fixed by the Committee.

The AGM shall: -

- (a) Approve the Minutes of the previous AGM.
- (b) Receive from the Treasurer a full statement of accounts fully audited showing receipts and expenditure for the year ending 30th September.
- (c) Receive from the Chairman a report of the activities of the club during the said year.
- (d) Elect the Chairman, Secretary, Treasurer and Competition Secretary of the Club, and if appropriate, the Solicitor and Auditor.
- (e) Elect the Committee.
- (f) Fix the Annual Subscription and Race Entry Fees.
- (g) Decide on any resolution which has been duly submitted to the meeting as hereinafter provided.

21. **EXTRAORDINARY MEETING**

- (a) An Extraordinary Meeting may be convened by direction of the Committee or on a requisition to the Secretary stating the business for which the Extraordinary Meeting is required and signed by not less than twelve members, or ten per cent (10%) of the total Club membership, whichever is greater. If the meeting so requisitioned is not convened within twenty-one days, the said twelve members, or ten per cent (10%) may convene such a meeting. Twenty-five per cent total membership shall form a quorum. At least twenty-one days' notice of all General Meetings shall be given, but the non-receipt of such notice by any one member shall not invalidate the proceedings.
- (b) The notice referred to in Rule 21 (a) above, shall be given by a method determined by the Committee.

22. **AGENDA AT GENERAL MEETING**

When members wish a matter to be discussed at a General Meeting, the text of such matter signed by at least two members shall be sent to the Secretary at least fourteen days before the date of such meeting, so that it may be included in the agenda. A copy of the agenda shall be publicly displayed at least five days prior to the meeting, but the fact that any member has not had sight of a copy of the agenda shall not invalidate the proceedings. No matter will be discussed at the meeting unless a majority of those present is in favour thereof. Should the proposer of any motion fail to move a resolution in respect of the relevant item on the agenda, then any other member shall be entitled to do so.

23. **VOTING AT GENERAL MEETING**

Every Club member may exercise one vote, providing the member, has held membership for a minimum of twelve weeks and is present at the meeting. Where the member is a junior member, and is unable to attend a General Meeting, he/she may ask their parent or legal guardian to cast a proxy vote on their behalf. There will be no other proxy votes. In any case of equality of votes, the Chairman shall have a second or casting vote. At all General Meetings, a majority of votes decides a resolution.

At any General Meeting, any twelve members, or ten per cent (10%) of the total Club membership (whichever is greater) may demand a poll in relation to any motion and thereupon no further discussion shall take place on the relevant motion until a time and place to be agreed by a majority of those present at the meeting, and a postal vote shall be taken of all members of the Club. The decision of the members, as shown by such postal vote, shall be reported to the adjourned meeting and shall be deemed to be the decision of such meeting.

24. **RIGHT TO BE PRESENT**

No one can take part in General Meetings unless he/she is a member of the Club, and has paid his/her yearly subscription.

25. **OBSERVANCE AND INTERPRETATION OF RULES**

Every member binds himself to abide by the Rules of the Club, and also by modifications thereof made on conformity with such Rules, and also to accept as final and binding the decision of the Committee in all cases of dispute or disagreement as to the interpretation of these Rules.

26. **ALTERATION OF THE RULES**

Any alterations may be made to these Rules by a General Meeting provided: -

- (a) That details of the proposed alteration or alternatives are included in the notice of the General Meeting.
- (b) That the resolution proposing such alteration is carried by majority of those present and voting should a Poll be demanded as provided for in Rule 23.

27. **EVENTS**

- (a) Any kart competitions promoted by the Club shall be held under the regulations of the governing karting body in office at time of the competition.
- (b) Any member convicted of an offence arising out of being in charge of a kart in any Club event or on Club business shall thereupon be liable to expulsion from the Club under Rule 19.

28. **SAFETY**

Kart Racing and practice can be dangerous and the Committee will jointly review accidents and incidents and implement all reasonable measures (in conjunction with the governing body, the MSA, as necessary). It is a condition of membership that all members take responsibility for their safety and the safety of others when using the facility. Race equipment must meet current standards of the MSA and always be prepared and maintained to ensure safety is not compromised.

29. **COPIES OF RULES**

Copies of the constitution, Rules and Club Regulations are posted on the club website. Any member wishing a copy in any other media can request this from the membership secretary.

30. **DISSOLUTION**

- (a) The Club may only be dissolved at the request of seventy-five percent (75%) of the total Club membership.
- (b) On dissolution, the property, effects and funds of the Club, whence so ever derived shall be applied solely towards the promotion of the object of the Club and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise, howsoever by way of profit to the members of the Club.
- (c) If, upon the winding up or dissolution of the Club, there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall be given or transferred to some other organisation or organisations having objects similar to the object of the Club, such as organisation or organisations to be determined by the members of the Club by resolution passed at a General Meeting at or before the time of the dissolution, and if and so far as effect cannot be given to such provision, then property shall be distributed to a charitable organization to be determined by a majority of those present at such General Meeting.