

THE TRIUMPH OWNERS MOTOR CYCLE CLUB AUSTRALIA INCORPORATED

RULES OF MEMBERSHIP

13th April 2008

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**RULES OF THE TRIUMPH OWNERS
MOTOR CYCLE CLUB AUSTRALIA INCORPORATED**

1. The Name of The Incorporated Association is:

“THE TRIUMPH OWNERS MOTOR CYCLE CLUB AUSTRALIA INCORPORATED:
Hereafter called the “CLUB”

2. In these Rules unless the contrary appears:

Active Member	A Full Member who is deemed by the Committee to be Active
Branch	The Melbourne Branch of the Club is the controlling Branch, who may approve the formation of new Branches
Committee	Means the Committee of Management of a Club Branch
General Committee	Assists the Committee of Management
Club	Herewith means The Triumph Owners Motor Cycle Club Australia Incorporated.
Financial Year	Means the Year ending June 30 th
Monthly General Meetings	Means the Meetings held every 2 nd Tuesday of the month inclusive, unless otherwise gazetted
Annual General Meetings	Also defined as: A.G.M. held within 3 months of the End of Financial Year as Gazetted
Special Meeting	Also called Informal, may at any time be called by the Committee provided there is a Committee of not less than three (3) and a Quorum of not less than five (5) Full Financial Members present in accordance with Rule 9.3 Refer Special General Meeting
Triumph	Means a Triumph Motorcycle built by the Triumph Engineering Co. Ltd or their successors
The Act	Means the Association Incorporation Act 1981

3. Qualification for FULL Membership:

- (a) If applicant(s) are successful they should supply such details as: Name, Address, Phone Number (AH/BH), Motorcycle year of manufacture, model number and engine capacity
- (b) Prospective member(s) shall fill out and sign Membership form(s) acknowledging he/she will abide by Club Rules and Statement of Purposes which shall be supplied with Membership Form(s) in front of residing Committee and pay prescribed fee(s). Said Motor cycle should be present for viewing by Committee or at the Committee's discretion.
- (c) If all is above board the Secretary shall enter Personal and Machine details into Register upon where applicant becomes a FULL Member of The Triumph Owners Motor Cycle Club Australia Incorporated
- (d) Committee's: Name, title(s), phone number are on the front page of the Rules and statement of Purposes and/or the current Newsletter

- (e) Prospective FULL Member(s) shall have attained the age of eighteen (18) years

3.1 Requirements for FULL Membership:

To be or to become a FULL Member of THE TRIUMPH OWNERS MOTOR CYCLE AUSTRALIA INCORPORATED, he/she must own a Motor Cycle built by the Triumph Engineering Co. Ltd. Or their successors, or a Triumph engined Motor Cycle, termed 'SPECIAL'. Said Motor Cycle can be of any age or capacity, with the preference being road registered in some form, but not a total requirement.

- (a) Only FULL Members can Vote.
- (b) Should a FULL Member sell his only Triumph Motor Cycle he/she must notify the Secretary within fourteen (14) days
- (c) FULL Members who hold Office and become Associate Members must resign that Office
- (d) In the event a FULL Member has his/her only Triumph Motor Cycle stolen, their Membership will be held in lieu for twelve (12) months provided fee(s) are kept paid up
- (e) A Full Financial Member ONLY, is eligible to stand for any position on the Committee
- (f) FULL Membership of twelve (12) months standing is required before said Member can Vote and/or Nominate or Second
- (g) FULL Membership of twelve (12) months standing is required before said Member can purchase and wear the Club Buckle and Belt

3.2 Associate Membership:

- (a) An Associate Member shall be defined as a Member of the Club who does not OWN a Triumph, who may attend any or all function of the Club.
- (b) Associate Members shall hold NO Voting Rights, nor shall they hold any position of Office within the Club although they can freely speak their piece and express their views, or make suggestions.
- (c) Is eighteen (18) years of age. (or under eighteen (18) at the committee discretion).

4. Club Regalia:

- (a) All Club Regalia remains the Property of the Triumph Owners Motor Cycle Club Australia Incorporated. Definitions: any article that carries the Club Insignia or the words – Triumph Owners Motor Cycle Club of Australia, or Triumph Owners M.C.C. Australia, or The Triumph Owners Club Australia (Incorporated or INC), or T.O.M.C.C.
- (b) All Club regalia is to be approved by the Melbourne Branch of the Club.
- (c) No person who is not a FULL Member shall be permitted to use, wear or own any Club Regalia with the with the Club Shield (Insignia)
- (d) Only Associate Members shall be permitted to wear Regalia with the Associate Logo
- (e) The General Public may wear the: Meriden, Trident, Walhalla, I Support regalia and any other garments the Committee may wish to canvas

- (f) NOTE: Members/Associates who resign, retire, or are expelled from the Club shall return ALL Club Regalia in their possession to the Club, exceptions may be granted by the Committee
- (g) No Member shall wear Club Insignia as a Back Patch (outlaw), THIS WILL NOT BE NEGOTIABLE
- (h) No Family Member shall be permitted to wear the Club Cloth or Associate Patch, nor any other items with these markings
- (i) Associate Members may wear the Club Patch with the words: Associate Member – Triumph Owners Motor Cycle Club Australia

5. Annual Subscription:

- (a) The Annual Subscription for FULL/Associate Members, shall be set by the residing Committee
- (b) Membership Fee(s) are due on the 1st July each year
- (c) If a person remains unfinancial for three (3) months, or at the A.G.M. they will be struck off the Membership Register
- (d) The Committee from time to time may wish to alter subscription fee(s) and may call for a show of hands to do so. Fifty-one (51) per cent of the vote carries the motion, this may be done at any valid meeting where a Quorum is present
- (e) Committee has the right to Refuse renewals or New Memberships as they see fit.
- (f) Membership fees paid by members of branches other than Melbourne shall be retained by that branch less an administration fee set by the Melbourne committee.
- (g) Members who pay their membership fee at the AGM will not be entitled to vote at that AGM.

6. Life Membership:

- (a) As a mark of the highest honor, a recommendation of the Committee may appoint any Member of not less than ten (10) years standing. A Life Member of the Club, in recognition of outstanding or meritorious service rendered by him/her to the Club. The provision of the rules relating to Members shall in all respects apply to Life Members, except that Life Members shall not be called upon to pay Annual Subscriptions, but is not eligible to hold any position of Office
- (b) But not withstanding, the Life Member at his/her will may at any time pay prescribed fee(s) and attain the right to vote and/or hold Office
- (c) A Cloth Patch shall be presented to Life Members only, Stating "T.O.M.C.C. Life Member" (in a curved patch, and to be mounted below official Club Cloth)

7. Register of Members:

The Secretary of each branch shall keep and maintain Register(s) of the Club Members in which shall be entered the Full Name, Address, Phone Number (AH/BH) and Machine details, along with date of entry of each Member.

A copy of each branch register will be sent to the Melbourne branch whenever any branch register is updated.

8. Resignations:

- (a) A Member of the Club who has paid all monies due and payable by him/her to the Club, may resign from the Club by giving notice in writing to the branch Secretary of his/her intention to resign. Upon receipt of said notice, the Member shall cease to be a member. The Secretary shall make an entry recording the date upon which was given by the Member in the Register of Members.
- (b) There will be a one (1) month cooling off period from the date of receiving said notice
- (b) All monies paid are non-refundable

9.0 Meetings:**9.1 General Meetings:**

- (a) Any question, discussion or debate arising at any Official Meeting, a Full Member has one (1) vote only
- (b) Meetings may commence when a quorum of five (5) Full Financial Members are present and shall not finish until the President or Chairperson presiding closes the Meeting
- (c) In the case of an equality of votes, the President or Chairperson of the Meeting is entitled to exercise a casting vote and the decision is final
- (d) General Meetings shall be held on the second (2nd) Tuesday of the month, or as gazetted in the Club Magazine (Full Throttle)
- (e) Meetings shall be conducted in an orderly manner at all times
- (f) The Secretary shall keep Minutes of the resolutions and proceedings at each and every Official Meeting

9.2 Annual General Meetings;

- (a) The Club shall in each Calendar Year convene an Annual General Meeting of its Members. Such a Meeting is to be gazetted three (3) months in advance, with time, date and place
- (b) The Meeting may commence when a Quorum of thirty (30%) per cent Full Financial Members with voting rights are present and shall not finish until the President or Chairperson presiding closes the Meeting
- (c) The ordinary business of the A.G.M. shall be:
 - to confirm the Minutes of the proceeding A.G.M.
 - to receive reports from the Committee upon the transactions and events of the Club during the last Financial Year
 - any other business usually transacted at a Monthly General Meeting
 - Treasurer's report to be submitted to the Club

- The A.G.M. may transact special business of which notice is given in accordance with their rules. (It shall be sufficient notice of Special business with at least 2 weeks)
- The Secretary shall keep Minutes of the Resolutions and proceedings of the A.G.M.
- To elect members of the committee.

9.3 Special General (Informal) Meeting:

The Committee may at any time, and shall on the requisition of not less than five (5) FULL Financial Members of the Club, stating the business for which it is required convene a Special General Meeting, also called Informal Meeting for any Special purpose, this would be to receive reports on the activities of the Committee and give an opportunity for discussion of such matters as the President may allow to ascertain the feelings of Members as a whole

10. Discipline and Expulsion of Members:

If the Committee be of the opinion that:

- (a) The alleged conduct of any Member, whether at the Club or elsewhere, is, or is likely to be injurious to, or is not desirable in the interests, or for the welfare of the Club
- (b) The Member has committed a breach of the Constitution or Rules of the Club or rules set by vic roads as to the misuse of the Members Motorcycle under the Club Permit Scheme.
- (c) The Member has committed a breach of the Constitution or Rules of the Club or any of its Regulations or Bylaws or any Statutory provisions whereby the Club will/or could be prejudiced in any way whatsoever
- (d) The Member has been expelled, disqualified or suspended by any recognized Associated Club, Association or Company. Such Member shall be informed of the matter alleged against him/her and afforded an opportunity of his/her own defence and if in the opinion of not less than seventy-five (75%) per cent of the FULL Committee at a meeting or meetings of the Committee duly convened. If the explanation of such Member is unsatisfactory or if such Member does not avail himself/herself of such opportunity of making an explanation, then such Member may be resolution of the Committee
 - (j) be reprimanded and/or
 - (ii) be expelled

Provided however that the Committee in their absolute and uncontrolled discretion may, if they do so desire, first request the Member in writing to resign, and if such Member shall not resign within fourteen (14) days after the Registered posting to him/her, at his/her last known address, expel him/her from the Club by the same or other resolution, upon a motion for expulsion being duly carried, the Member(s) Name and all other details shall be removed from the Register of Members and such Member shall thenceforth cease to be a Member of the Club for a minimum of three (3) years, and shall forfeit all rights in and claim upon the Club and its property, but he/she shall remain liable for the repayment of any debts or dues owing by him/her to the Club and/or in the case of damage or injury, or stolen property from any individual, Company, Charity, Incorporation or Statutory Authority, he/she shall make restitution in full or by arrangement of said parties

11. Committee of Management:

11.1 Powers:

The affairs of the Club shall be managed by a Committee of Management (also called Committee) Constituted as provided in Rule 11.2

The Committee shall control and manage the business and affairs of the Club subject to these Rules, the Regulations and the Act, have 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 Club

11.2 Members of the Committee:

The Members of the Committee of Management shall be:

President
 Vice President
 Secretary
 Treasurer
 Public Officer (this position is for the Melbourne branch only).

Members of the General Committee shall be :(these positions are optional for branches other than Melbourne)

Club Captain
 Editor
 Librarian
 Regalia Officer
 Rally Coordinator
 Photographer
 Club Permit Scheme Officer
 Any General Committee Member(s) number as the residing Committee see fit.
 Minimum of one (1), but not exceeding six (6)

11.3 Eligibility;

To be eligible to stand for the above mentioned positions on the Committee, a person must be a FULL Financial Member with twelve (12) months standing (or less at the committees discretion) of that Branch.

11.4 The duties of the Members of the Committee of Management include:

PRESIDENT acts as Chairperson at all meetings, is the chief spokesperson for the Club. He/she shall convene Monthly General Meetings, and such Committee Meetings as considered necessary and shall preside over such Meetings in an unbiased and fair manner

VICE PRESIDENT acts as Chairperson in the absence of the President at all Meetings and/or as directed by the President. Also in the absence of the President, he/she shall convene Monthly General Meetings, and such Committee Meetings as considered necessary and shall preside over such meetings in an unbiased and fair manner as directed by the president

SECRETARY attends to all correspondence, attends to inquiries from prospective Members arranges details for renewals and all things pertaining hereto. Take Minutes at ALL Meetings. Maintain a register of all members and assist the President.

TREASURER to be in charge of all Financial matters of the Club, to account and record all financial transactions of the Club, in its accounts. To issue receipts for all monies, to pay all legitimate expenses of the Club, to present a report including details of all transactions, current bank account balances, cash on hand and records of spares, clothing, magazines and other assets at the A.G.M.

PUBLIC OFFICER is to promote the Club to the Public and enthuse Members to participate in both external and internal Motor Cycle activities, namely Triumph, and to answer correspondence received in relation to the Club participating in social events of a nature set out in the proposed Statement of Purposes. Deal with the Legal matter pertaining to the Club according to the act

The Duties of the General Committee included

CLUB CAPTAIN is to organise Club social activities and to appoint another person(s) if help is needed or is unable to attend. He/she shall record all matters concerning Club competitions, Points scored, etc... and is required to see that all Members conduct themselves in a correct and proper manner

EDITOR shall produce the Monthly Newsletter/Magazine (Full Throttle) and all things thereto, including Minutes, Reports, articles, Tech Tips, adverts and any other thing that relates to our cause

LIBRARIAN attends to the Library and Photo Albums and all things pertaining hereto

REGALIA OFFICER attends to orders and sales of Regalia

RALLY CO-ORDINATOR attends to all organising of the Nulli-Secundus Rally and the Link Run and can designate jobs for said events

PHOTOGRAPHER attends to the taking of photos at Club events

CLUB PERMIT SCHEME OFFICER shall keep a register of all Members Motorcycles operating under the Club Permit Scheme, Inspect such Motorcycles as to their suitability and issue non-compliance notices for any abuse of the scheme and on the third non-compliance notify vic roads of all non-compliances.

GENERAL COMMITTEE MEMBER(s) shall attend Committee Meetings etc... shall help any or all Committee in any way that is deemed fit and necessary as to the running of the Club. May also fill in (replace) a Committee Member in the case of absence

11.5 Terms of Office:

Committee Members may hold the position up to and including seventy (70) years of age

11.6 Functions of the Committee:

- (a) The Committee shall meet at least ten (10) times in each year, at such place and Time as the Committee may determine
- (b) Special meetings of the Committee may be convened by the President or by any three (3) Members of the Committee
- (c) Notice shall be given to Members of the Committee of any Special Meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting
- (d) A member of the Committee who without the consent of the Committee absents him/herself from three (3) consecutive meetings of the Committee, shall be deemed to have vacated his/her Office and a vacancy may be filled in accordance with 11.8. The Committee has the power at any meeting to grant leave of absence to a Member of the Committee
- (e) In order to make every Member of the Committee responsible for the faithful discharge of his/her duties, to prevent any abuse of power and to remedy any defect when the continuance in Office of any Member of the Committee is considered injurious to the well being of the Club generally, the said Member of the Committee may be removed

from Office by fifty-one (51) per cent majority of the Members at any Special Meeting called for that purpose

- (f) Any three (3) Members of the Committee, all of whom must be Office Bearers, constitute a Quorum for the transaction of the business of the meeting of the Committee
- (g) Subject to the requirements that a Quorum be present, the Committee may act notwithstanding any vacancy on the Committee
- (h) The Secretary or a FULL Member nominated by the Committee shall keep Minutes of the resolutions and proceedings of each Committee Meeting, with a record of the names present at Committee Meetings

11.7 Election of Committee:

- (a) Nomination of Candidates for election of Members of the Committee shall be called for two (2) General Meetings immediately preceding A.G.M. Members must be present to accept Nominations
- (b) The Nominations must be seconded and the person Nominated must agree to hold the Nominated position, if Elected, or if deemed to be Elected under Rule 11.7 (f)
- (c) If insufficient Nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be Elected and further Nominations for vacant positions shall be received at the A.G.M.
- (d) The Ballot of the Election of Members of the Committee shall be conducted at the A.G.M. in such usual and proper manner as the Committee may direct. Only Full Financial Members of any Branch will be permitted to attend and/or Vote for the election of the Committee
- (e) 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
- (f) If the number of Nominations exceeds the number of Vacancies to be filled, a Ballot shall be held

11.8 Vacancy and filling of a casual vacancy on the Committee of Management:

For the purposes of these Rules, the position of a Member of the Committee of Management becomes vacant if that person

- (a) Ceases to be a Member of the Club or resigns his/her Office by notice in writing to the Secretary, or
- (b) Becomes an insolvent under Administration within the meaning of the Companies (Victoria) Code

12. Misuse of Club Name:

- (a) Under NO circumstances will any person(s), other than the Club, make any Profit whether Financially or otherwise from:
 - The use of the Name of the Club,
 - Sale of items under the Name of the Club,

- Service under the Name of the Club,
 - Collecting money for Club Business unless endorsed by the Club, or
 - Personal and/or Personal Business matters
- (b) Under no circumstances will any person(s), use Club Letterhead and/or Club Name for personal and/or Business matters or in any other form, without the Signatures of two (2) Committee Members, (Office Bearers)
- (c) All Correspondence produced on Club Letterhead, and all Correspondence received in the Name of the Club, shall be produced at the next forthcoming General Meeting or A.G.M. whichever is applicable

13. Cheques:

All Cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two (2) Members of the Committee, the President, Secretary or Treasurer

14. Common Seal:

The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures of three (3) Members of the Committee and of the Public Officer of the Club. The Common Seal of the Club shall be kept in the custody of the Secretary

15. Alteration of Rules and/or Statement of Purposes:

- (a) The Rules and Statement of Purposes shall not be altered except in accordance with the Act
- (b) Any alteration of Rules and/or Statement of Purposes shall require eighty (80%) per cent of the majority Voting either at an A.G.M. or a Special Meeting called for that purpose
- (c) All Members will be given a minimum of two (2) weeks notice in writing prior to Meeting convened for this purpose

16. Disposition of Assets upon winding up:

In the event of winding up or of the cancellation of the Incorporation of the Club, the assets of the Club shall be disposed of in accordance with the provisions of the Act

17. Custody of Funds:

Except as otherwise provided, the Secretary or other FULL Member of the Club Nominated by the Committee shall keep in his/her control all books, documents and securities of the Club. Such books, documents and securities are to be available for inspection by Members of the Club by arrangement with the Secretary or another Member of the Committee

18. Funds:

The Treasurer of the Club shall:

- (a) Collect and receive all monies due to the Club and make all payments authorised by the Club, and

- (b) Shall keep correct accounts and books showing the Financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club
- (c) Such accounts and books shall be available for the inspection by Members by arrangement with the Treasurer

19. Spare Parts and Equipment:

Any spare parts, equipment or other items purchased by the Club, may be held by a FULL Member of the Club Nominated by the Committee or a Committee Member

20. Proxy Vote:

FULL Members unable to attend General/Special/Annual Meeting.

- (a) May Vote by Proxy, such Proxy Vote must be received by the Committee on or before the relevant meeting(s)
- (b) Blatant refusal to attend, or Vote at an A.G.M. or Special Meeting will be questioned by the Committee

21. Notice of General Meetings:

General Meetings shall be held on the second (2nd) Tuesday of every month as advertised in our Magazine (Full Throttle), or as the committee sets.

22. Minutes:

Minutes from all previous Official Meetings shall be gazetted at the forthcoming Meeting, and printed in the Club Magazine (Full Throttle)

23. Sources which Funds may be derived:

Subscriptions, Advertisers, Subscribers, Raffles, Rally, Entry, Shows, Spare Parts, Equipment, Garments, Badges, Buckles, Signs, Stubbie Holders, Alcohol Sales, Vehicles, Land, Buildings, and all or any other way the residing Committee may see fit

24. Honorary Membership:

May at the residing Committee's discretion be offered to any person, that at some time whether past or present, has bolstered the Club in its objection to the betterment of its Members

25. Social Fees:

The residing Committee from time to time may review as necessary Social Fee(s) to cover the costs of events, such as supper at Meetings, rent of premises, hire fee(s) and any or all things that are relevant to the Clubs cause

26. Points System:

Every Member, FULL or Associate, shall receive points each and every time they attend a Club function, whether it be a Meetings, Socials, Day Runs, or any other event advertised as a points event. (see Monthly events sheet in Magazine, Full Throttle)

- (a) The Quantity of Points for each event shall be set at the A.G.M. by the newly elected Committee

27. Club person of the Year:

The Club Member who has accumulated the most points for the Year, (from: the A.G.M. to the last day before the next A.G.M.) shall be called the "Club Member of the Year", until the next A.G.M. During this period the said Member shall pay no Subscriptions Fees to the Club, but shall pay all other Fees imposed by the residing Committee.

All FULL and Associate Members are eligible for the Club Member of the Year Award

28. Subscribers:

If NO Membership is required, any person or group may subscribe to the Club Magazine, (Full Throttle). Fees will be set by residing Committee.

29. Club Permit Scheme:

- a) Full Financial Members (or Associates at the committees discretion) of the Club may apply to the Club Permit Scheme Officer to have their vehicle inspected and be provided with the necessary documentation to enable them to apply for a Club Permit at vic roads.
- b) An additional fee may be levied by the club to non Active Members to promote attendance of club events.
- c) Members shall abide by any current or future rules set by the Club or vic roads.
- d) Non compliances will result in a written warning, if three (3) warning occur, a copy of all warnings will be sent to Vic Roads and the member will lose the rights to use the Club Permit Scheme and possible expulsion from the club.
- e) Any Motorcycle presented, must be presented to the Club Permit Scheme Officer and must meet all vic road requirements regarding in particular age, suitability and safety requirements. If any dispute arises as to the roadworthiness of the Motorcycle, the Club Permit Scheme Officer may request that the Member obtains a Road Worthy Certificate (RWC) from a licenced tester and that RWC will be final.