



CONSTITUTION  
OF  
VETERAN CAR CLUB  
OF  
SOUTH AFRICA

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1. **NAME**

The name of the Club is THE VETERAN CAR CLUB OF SOUTH AFRICA referred to as the "Club"

2. **DEFINITIONS**

"The Committee" shall mean the Executive Committee.

"Members" unless otherwise specifically defined, shall include all classes of members.

"The Secretary" shall mean the Secretary of the Executive Committee.

"The Treasurer" shall mean the Treasurer of the Club.

"SAVVA" shall mean the Southern African Vintage and Veteran Association, or its legal successors.

"Vehicle" shall mean car, truck, motorcycle or any other motorised object which is capable of being driven and which is eligible by age in terms of this constitution.

Unless the context clearly indicates a contrary intention, an expression which denotes any gender includes the other genders.

A natural person includes an artificial person and *vice versa*; the singular includes the plural and *vice versa*.

"Clubhouse" means the Club's premises at 21A Village Road, Kloof, or such other premises subsequently used by the Club as its clubhouse.

"Convenor of The Ladies Circle" shall mean the person elected annually by lady members of the Club to co-ordinate the catering needs and social functions of the Club and to represent the Ladies Circle on the Executive Committee.

"The Trustees of the Veteran Car Club of South Africa" for the purposes of Rule 24 or for any other purpose shall mean the Chairman and Vice-Chairman of the Club for the time being.

"The Patron's Council" for the purposes of Rule 14 or for any other purpose shall mean the current Patron of the Club and all past Patrons who ceased to be Patron not more than five years previously, provided that the Committee can, in its discretion, extend the period that a past Patron can serve for such further period or periods as the Committee considers fit.

"Portfolio Holders" shall mean members elected annually by the Executive committee to fulfil specific tasks.

3. **AIMS & OBJECTIVES**

The Objectives of the Club are:

- A. To encourage the preservation, conservation, exhibition and display of motor vehicles at least 20 years old, and other motor vehicles deemed by the Committee to be worthy of preservation and to encourage membership of younger members of society. This objective may be amended from time to time as deemed desirable by a majority of members of the Club present at a General Meeting.
- B. To apply to the Southern African Veteran and Vintage Association (SAVVA) on behalf of members for the issue of certificates of dating and identity relative to such vehicles after scrutiny, examination and determination by a duly appointed dating officer in consultation with specialists when considered necessary.
- C. To promote, assist and provide competitive trials and other events in which vehicles can participate in their respective classes.
- D. To organise non-competitive outings to provide members with the opportunity of using and/or displaying their older vehicles and socializing with other members.
- E. To procure the necessary SAVVA Permits and/or Clearances for Club activities and to obtain the required permissions and insurance cover for the events as listed in C and D above. These applications must be applied for by the SAVVA Delegate or the organizer of a particular event.

- F. To ensure that the Club and its members are protected from claims by ensuring that all members sign the required indemnities. These indemnity applications must be completed together with the Club Application Form and the member, on acceptance, will be issued with a card by the Club.
- G. To provide and maintain Club premises for the general benefit of members, and to facilitate the exchange of information among members, with a view to the promotion of the objectives of the Club, common interests and social intercourse. This may extend to other countries and persons who prize the memory of the early struggles and achievements of the motor industry.
- H. To collect, canvass for, and accept subscriptions, donations, bequests, endowments and benefits of any nature for the Club from any person or body and from any source whatsoever.
- I. To co-operate and/or affiliate with other clubs, associations and bodies having similar objectives to those of the Club, and, in particular, to be affiliated with, and further the objectives of SAVVA.
- J. To invest the funds and assets of the Club in securities nominated by the Executive Committee.
- K. To provide a library for the preservation of records and to provide a source of technical information for members.
- L. To provide a spare parts resource for the benefit of members.
- M. To acquire by purchase, lease, donation, bequest or any other mode of acquisition both immovable and movable property, but the acquisition of immovable property shall be subject to the approval of a majority of members present at a General Meeting.
- N. To sell, donate, exchange, partition or dispose of by any mode of alienation, immovable and movable property, but the alienation of immovable property shall be subject to the approval of a majority of members present at a General Meeting.
- O. To mortgage the immovable property of the Club and to mortgage or pledge the movable property of the Club, but such mortgage or pledge shall be subject to the approval of a majority of members present at a General Meeting.
- P. To enter into agreements of lease or other occupation of garages situated on the immovable property of the Club to members and in respect of a part of the land to members or non-members.
- Q. Generally to do all such things and to perform all such acts as may be necessary or expedient to further the interests of the Club and these Objectives.

#### 4. MEMBERSHIP

##### CLASSES OF MEMBERSHIP

- A. Membership of the Club shall be open to persons who are interested in promoting the Objectives of the Club.
- B. The Membership of the Club shall be divided into the following classes of members:
  - i) Full Members are persons over 18 years of age who have been duly admitted as members of the Club.
  - ii) Junior Members are persons under 18 years of age who have been duly admitted as members of the Club who shall enjoy those privileges of membership set out in Rule 8B.
  - iii) Country Members are persons duly admitted as members of the Club who ordinarily reside outside a radius of 80 km measured from the Clubhouse.
  - iv) Special Members shall comprise persons whose spouses are deceased Full Members but wish to remain members, including those living abroad. This membership will be at the sole discretion of the Committee.
  - v) Honorary Members shall comprise those persons upon whom Honorary Membership is conferred as provided for in Rule 10.
  - vi) Life Members are members who were permitted to purchase Life Membership. This facility is no longer available.

#### 5. CONDITIONS OF MEMBERSHIP

##### GENERAL

- A. No member will be allowed to take part in any event without:
  - i) The prescribed Entry Form together with the Entry Fee for that particular event and
  - ii) Any other monies which the entrant owes, according to the Club's books, having first been paid by him.

- iii) The driver and/or entrant must also be in possession of a valid driver's licence, a Club Membership Card which incorporates the Restricted Competition Licence (RCL) and a valid current SAVVA indemnity card.
- B. No one except a member of the Club, as defined in Rule 4B or a visitor as defined in Rule 6D shall be permitted to pay for any food, drink or refreshments of any kind supplied by the Club.
- C. Members who are more than 30 days in arrear with any payment due to the Club shall not be entitled to vote on any matter and shall be ineligible as proposer or seconder of a candidate.
- D. All members are required to wear their name badge in an easily visible position whilst on the premises or in the Clubhouse. Failure to do so may exclude them from the use of the Club's facilities. A temporary member's sticker may be obtained from the Secretary or, if not in attendance, a nominated Committee member. A fee may be levied.

6. VISITORS

- A. All members who enjoy the full privileges of the Club shall be entitled to introduce non-members as visitors and in so doing shall record their names and addresses in the Visitor's Book on the occasion of each introduction and shall sign such book.
- B. The Chairman, or in his absence, the Vice-Chairman may forbid the introduction to the Club of any person for reasons appearing sufficient and shall not be obliged to divulge any such reasons.
- C. No member shall at any time introduce as a visitor any person who has been expelled in terms of Rule 18 or who has been nominated for membership and has been rejected.
- D. A visitor, duly and properly signed on by a member in good standing, and upon payment of a fee as determined by the Committee from time to time, for that day or function, can enjoy the facilities of the Club (with the exception of the library and the spares facility) provided always that such visitor is in the company of a member. Such visitor will be issued with a temporary visitor's sticker, for which a fee may be levied. The same visitor may not be signed on for more than 4 (four) times in any one calendar year. The member's partner who is not a member is considered a visitor.
- E. There is reciprocity between all SAVVA affiliated clubs so members from other clubs are welcome and shall be afforded the same privileges provided they wear their club name badge or a temporary sticker as provided for in Clause 5D during the visit

7 FULL MEMBERS

Full Members shall enjoy all the privileges of membership and all members shall be entitled to similar privileges, except to the extent stipulated in Rule 8

8 JUNIOR MEMBERS

- A. Junior Members shall not be entitled to take part in the management of the affairs of the Club nor shall they be entitled to introduce visitors other than their partners.
- B. No Junior Member may drive any vehicle in any competition or event organised or promoted by the Club or any of its sections but may enter any vehicle owned by him and may navigate any vehicle entered by himself or by a Full Member and both such vehicle and such Junior Member shall be eligible for points and awards.

9. COUNTRY AND SPECIAL MEMBERS

Country and Special Members shall enjoy the same privileges as Full Members.

10. HONORARY MEMBERS

Any person in good standing who has rendered outstanding service to the Club or in furthering its objectives in some substantial way, may be proposed as an Honorary Member either for life or such lesser period as the Committee may decide. Such person must be elected by the Committee without any dissenting vote. Honorary Members shall enjoy all privileges as Full Members.

11. ADMISSION OF MEMBERS

- A. Nominations of candidates shall be in writing and each Nomination Form shall contain the candidate's name, occupation, residential address and such further information as the Committee may require, and shall be signed by the candidate, the proposer and the seconder.
- B. Each candidate for membership must be proposed by one member and seconded by another, both of whom shall be members of at least two years standing, to whom the candidate must be personally known and be considered by them to be a fit and proper member of the Club.

- C. An application fee and a pro-rata portion of the annual subscription fee shall be paid before the application will be considered.
- D. Nominations for all classes of membership, other than Honorary Membership, shall be posted on the Club notice board for scrutiny by members at the next monthly member's meeting after which the Committee will consider the application at its next monthly meeting.
- E. The Nomination Form shall comply with the Rules and the Committee's requirements and shall be rejected by the Committee if such nomination does not so comply.
- F. Any member of at least 2 (two) years standing shall be entitled to lodge with the Committee, a written objection to the nomination of a candidate, provided the objection is in the hands of the Secretary within 7 (seven) days of the monthly member's meeting at which the nomination form is displayed on the Club notice board. The Committee shall be entitled (but not obliged) upon receipt of such objection to postpone the admission of the candidate.
- G. Should there be doubt about the suitability of an applicant to become a member, or should an objection have been lodged, the proposer and/or seconder of a candidate shall be interviewed by the Committee or by a Committee convened for that purpose. The objector and, if required, the candidate shall also attend an interview. After the interview the Committee or standing committee, as the case may be, may direct that the nomination be withdrawn.
- H. The Committee shall determine the number of candidates who may be admitted for membership in terms of this rule at any given time, having due regard for the total membership of the Club current at that time and the adequacy of the facilities of the Club to cater for such membership.
- I. Should the nomination comply with the requirements and be approved by the Committee the applicant shall be duly admitted as a member.
- J. The Secretary shall notify each new member in writing of his admission and shall furnish him with a copy of the Club's Constitution which shall, by virtue of his election, become binding upon him in all respects.
- K. Should an application be rejected any application fee together with the subscription fee shall be returned forthwith to the unsuccessful applicant free of interest.
- L. The Secretary shall keep a Register of Members containing the names, addresses and other information as required of members and it shall be the duty of each member to notify the Secretary of any change of his postal or e-mail addresses, and telephone numbers.
- M. Upon his attaining the age of eighteen years, a Junior Member shall cease to be a Junior Member and will become a Full or Country Member, as the case may be.
- N. A candidate whose nomination is withdrawn in terms of Rule 11 G or who is not elected as a member in terms of the preceding paragraphs of this Rule shall be ineligible for nomination as a member of the Club for a period of 12 (twelve) months from the date of withdrawal of his nomination.

12. ENTRANCE FEE AND SUBSCRIPTIONS

- A. On application for membership the required entrance fee shall be paid.
- B. All members (except Honorary Members) shall pay such subscriptions and other fees as may be determined by the Committee from time to time in respect of the class of membership to which they belong.
- C. The due date for payment of subscriptions shall be the first day of January in each year. If any member's subscription is not paid by 1st February, the Committee may suspend such member. If such subscription is still unpaid by 1st March, the member shall be automatically suspended. If such subscription is still unpaid by 1st April, such member shall, if the Committee so resolves, cease to be a member of the Club with effect from the date of the Committee's decision. The Secretary shall notify the member concerned by written notice sent registered post to the member's last postal address as it appears in the Club records or by e-mail or sms at the time of suspension and/or cessation of his membership.
- D. No subscription received shall be returned to a member.

13. PATRON

The appointment as Patron of the Club shall be the highest honour the Club can confer. A nominated Patron shall be approved by the Committee and appointed for a period of one year but shall be eligible for re-appointment annually for a maximum period of 5 years. Should there be more than one nomination the nominees will be referred to the Executive Committee for an appointment.

- a. Nomination for Patron of the Club must be in writing and handed to the Club Secretary by the last Sunday of February, together with supporting motivation.
- b. To be nominated as a Patron the nominee must have been a member for more than ten years, served on the

Executive Committee, made significant contributions to the Club and must be a person of good standing and able to preside over the affairs of the Club.

14. PATRON'S COUNCIL

The Patron's Council shall generally oversee the management of the Club. At the request of the Chairman or of a majority of members present at a General Meeting, the Patron's Council can provide advice and assistance regarding any specific aspect of the running of the Club, but shall not be entitled to override the properly passed decisions of the Committee or of the members at a General Meeting. The Patron's Council will be entitled to call a Special General Meeting in terms of Rule 15B should it be of the opinion that the Committee is not acting or has not acted in accordance with the Objectives of the Club or in terms of their mandate. All decisions or recommendations of the Patron's Council must be unanimous. A member of the Patron's Council other than the current Patron shall be entitled in his sole discretion to resign from the Council should he wish to do so.

15. MEETINGS

**A. ANNUAL GENERAL MEETING**

- (i). The Annual General Meeting of the Club shall be held on a date fixed by the Committee which shall be within three weeks of the 31st March of each year. The Secretary shall advise members of such date by means of a notification in the Club's newsletter, by a separate notice posted to each member at his last address as it appears in the Club's records or by e-mail or sms, not less than forty two days before such date. Only members in good standing holding a current membership card are entitled to attend.
- (ii). The Annual General Meeting shall be held at such place and time as the Committee may determine and not less than fourteen days prior notice thereof shall be included in the Club's newsletter or by email, or failing that, shall be communicated to every member at his last known address as it appears in the Club's records. The agenda of the meeting and the text of any draft resolutions to be passed or of any special business to be conducted shall accompany the notice.
- (iii). Members wishing to raise any matters at the Annual General Meeting shall submit draft resolutions to the Secretary in writing which must reach the Secretary at least twenty eight days before the date of the Annual General Meeting so as to enable the text thereof to be included in the agenda sent out with the notice convening the Annual General Meeting.

**B. SPECIAL GENERAL MEETINGS**

A Special General Meeting of the Club shall be called by the Secretary if directed by the Committee to do so, or if demanded by a written requisition signed by at least 15 members entitled to vote, or if so directed by the Patron's Council in terms of Rule 14. Any such requisition shall set out clearly and concisely the reasons why the signatories require a meeting to be held and the text of all resolutions to be proposed thereat. At least 14 days written notice of such Special General Meeting shall be given in the same manner as for an Annual General Meeting. Only members in good standing holding a current membership card are entitled to attend.

16. PROCEDURE AT GENERAL MEETINGS

- A.** The Chairman of the Committee shall preside at all General Meetings, except that in the absence of the Chairman, the Vice-Chairman shall preside, failing whom those members of the Committee present shall elect a member of the Committee to act as Chairman.
- B.** Members of the Club entitled to participate in the management of the affairs of the Club shall be permitted to take part in any discussions and to vote on any resolution at any General Meeting of the Club. Members may bring guests to functions which might precede or follow a General Meeting but such guests may not attend the meeting.
- C.** At any General Meeting of the Club 30 Members present shall constitute a quorum. Only members present shall be entitled to vote and no proxy votes shall be permitted. Should a member have a valid reason for non-attendance, that member may submit a brief motivation to the Chairman, either for or against a particular motion on the agenda at least 7 (seven) days before the date of the meeting. The Chairman will read the motivation to the meeting before any voting takes place.

17. MANAGEMENT

**A. EXECUTIVE COMMITTEE**

The affairs of the Club shall be managed by an Executive Committee (referred to throughout these Rules as "the Committee") which shall consist of the Secretary, Treasurer, Convenor of the Ladies Circle and eight (8) Committee Members (one of whom shall be elected Chairman by the Committee).

**B. PRESIDENT AND VICE-PRESIDENT**

The function of the President, or in his absence the Vice-President, shall be to represent the Club when called upon by the Committee to do so. They shall be Full Members who at some time have served as a Committee Member of the Club. The President and Vice-President shall be nominated annually by the Executive Committee at the meeting preceding the Annual General Meeting. They will not be part of the Executive Committee but will be entitled to attend Committee Meetings as ex-officio members but will not be entitled to vote. The Vice-President shall serve for a period of 12 months and is eligible for nomination as President for a further 12 months. The President must then step down from the Committee for a period of 12 months before becoming eligible for nomination for any vacancy on the Committee.

#### C. (i) SECRETARY

The Secretary shall be elected annually at the Annual General Meeting and shall hold office until the next Annual General Meeting and shall be eligible for re-election. The following list of duties of the Secretary are not exhaustive and may be changed from time-to-time as circumstances dictate.

##### Duties:

- Keep proper minutes of all Committee Meetings in a minute book which must be signed by the Chairman upon acceptance at the next meeting.
- Deal with all correspondence to and from the Club, which must be reported at the next Committee Meeting.
- Maintain an up-to-date data base of members
- Liaise with the Treasurer to ensure that all fees and subscriptions are up to date.
- Send out agendas and minutes of all meetings and the documentation required for the Annual General Meeting prior to the due date as required by the Constitution.
- Issue an Indemnity Form on application for membership, and, on acceptance as a member of the Club, issue the Indemnity Card
- Submit the original indemnity form to SAVVA and retain a copy for Club records.
- Issue a Club Membership Card annually

#### (ii) TREASURER

The Treasurer shall be elected annually at the Annual General Meeting and shall hold office until the next Annual General Meeting and shall be eligible for re-election. The following list of duties of the Treasurer are not exhaustive and may be changed from time-to-time as circumstances dictate.

##### Duties:

- Apply accounting practices as required by legislation relating to clubs.
- Keep proper books for the purpose of audit by the suitably qualified accountant appointed by the Club at its Annual General Meeting.
- Provide monthly income and expenditure accounts related to the Club activities.
- Maintain records of membership fees and subscriptions, annual Membership Cards, including Restricted Competition Licences. (RCL).
- Liaise with the Secretary regarding membership payments.
- Deposit all funds received by the Club and make all payments authorized by the Committee. Payments may be made by EFT.
- Apart from the regular monthly accounts due for payment, the Treasurer may disburse funds up to such an amount that may be determined by the committee from time to time. When unexpected amounts over the approved amount need to be paid urgently, the Chairman may seek authorization from the Committee via e-mail provided that at least 5 members agree, the payment may be made and their responses must be filed by the Treasurer.

#### D. ROTATION

Each year four Committee Members who have held office for two years shall retire at the Annual General Meeting and Club members shall be elected thereat to replace them. Save for the Committee Member who is elected as Chairman, retiring Committee Members shall be eligible for re-election for a maximum period of two further years after which they will only be eligible for re-election after a period of one year has elapsed. The Committee Member who is elected as Chairman will have a term of office of two years from the time that he was elected as Chairman and he will be eligible for immediate re-election as a Committee Member for one further term of two years, after which he will only be eligible for re-election after a period of one year has elapsed.

#### E CHAIRMAN AND VICE-CHAIRMAN

At its first meeting after the Annual General Meeting, the Committee shall elect, from amongst its 8 (eight) ordinary Committee Members, a Chairman and Vice-Chairman both of whom may hold such office until the next Annual General Meeting. The Chairman may hold the office of Chairman for a period not exceeding 4 (four) consecutive years, provided that the immediate past Chairman of the Club, or, failing him, the President, shall serve as Chairman for the period between the Annual General Meeting and the election of the Chairman at the next Committee Meeting.

#### F NOMINATIONS

- (1). The nomination of a member to serve on the Committee in any capacity referred to in Rules 17C (i) and (ii) (the Secretary and Treasurer) and 17D (Committee Members), and F3 (Convenor of the Ladies Circle),



shall be by way of a properly completed nomination form signed by a proposer, seconder and the nominee. The nomination must be lodged with the Secretary by not later than noon on the last Sunday of February. A vote will be required if there are more nominations than the number required to fill a position. A member who is more than thirty days in arrears with any payment due by him to the Club shall not be eligible for nomination.

- (2). The election of the Convenor of the Ladies Circle shall be made by way of a ballot, if there is more than 1 (one) nomination, by lady members of the Club which is to be conducted at the Annual General Meeting.

#### **G. COMMITTEE MEETINGS**

The Chairman shall preside at all meetings of the Committee. In the absence of the Chairman, the Vice-Chairman shall preside, failing whom the remaining members of the Committee shall elect a Chairman for the meeting in question from the members of the Committee who are present. The Committee shall meet at least once every month.

#### **H. QUORUM**

Six members of the Committee shall constitute a quorum for meetings of the Committee and, in the event of an equality of votes, the Chairman shall have a second or casting vote.

#### **I. POWERS**

All the business and affairs of the Club shall be managed and controlled by the Executive Committee. Such Committee shall have full power and authority to carry out all the Objectives of the Club, except where such powers are expressly reserved to a General Meeting.

#### **J. MINUTES**

The Committee shall keep proper minutes of the proceedings at all its meetings.

#### **K. BOOKS OF ACCOUNT, ANNUAL FINANCIAL STATEMENTS AND AUDIT.**

- (i). The Committee shall cause proper Books of Account to be kept recording all the financial transactions of the Club, including:
  - (a). a record of all sums of money received and expended by the Club and the matters in respect of which such receipt and expenditure occur.
  - (b). a register of members, and ledger accounts in respect of all members.
- (ii). The committee shall cause to be prepared and shall lay before every Annual General Meeting a financial statement in conformity with generally accepted accounting practice which fairly represents the affairs of the Club and its finances and transactions as at the end of the financial year concerned.
- (iii). The financial statement shall include all information pertaining to the proper financial management of the Club and must be audited by a suitably qualified person.
- (iv). An accountant shall be appointed at every Annual General Meeting to hold office from the conclusion of that meeting to the conclusion of the next Annual General Meeting, who will be responsible for the preparation of the financial statement and submission of tax returns.
- (v). A copy of the financial statement must accompany the agenda of the Annual General Meeting.
- (vi). The agenda of the Annual General Meeting shall include as items of business the consideration and approval of the financial statements and the appointment of an accountant approved by the Committee.

#### **L. NON-ATTENDANCE**

Any member of the Committee who fails to attend three consecutive meetings without a valid excuse which in the opinion of the Committee shall be deemed reasonable, shall be liable to forfeit his office, on the happening of which he shall be notified and not receive any subsequent notices of meetings and a casual vacancy shall be deemed to have occurred.

#### **M. CASUAL VACANCIES**

The Committee shall be empowered to fill any vacancy or casual vacancy occurring in their number during the year but any member so appointed shall retire in rotation at the same time as the member whose place he takes would have retired as provided in Rule 17 D.

#### **N. HONORARY OFFICIALS AND SUBCOMMITTEES**

The Committee shall be entitled to appoint such Honorary Officials as it may deem to be desirable for the satisfactory running of the Club and may also co-opt any or all of these officials or any other qualified members, to serve on the

Committee or on any Subcommittee as and when it so desires, without it being deemed that an infraction of Rule 17 is caused thereby. Officials or members, so co-opted shall not, however, be entitled to vote at meetings of the Committee though they shall have the power to vote on any Subcommittee to which they may be appointed.

**O. STANDING COMMITTEES**

In addition to the Executive Committee there shall be such further Standing Committees as the Committee shall or may consider necessary for the good order and running of the Club. Decisions, resolutions and recommendations of such Standing Committees shall be passed to the Committee for approval.

**P. CO-OPTED MEMBERS AND PORTFOLIO HOLDERS**

In addition to the provisions of Rule 17 M, any Member of the Club may be co-opted by the Committee from time-to-time to any Standing Committee, Subcommittee or portfolio either for a particular meeting or for any length of time. Such member may attend all meetings for which he has received notice, but shall not vote at any such meeting without the consent of the Chairman of the meeting and shall be appointed annually by the Committee.

**Q. MISCELLANEOUS**

(i) Patron's Privilege

It shall be the privilege, but not the obligation, of the Patron of the Club to attend any meeting of the Committee and he shall be entitled to participate in all deliberations of the Committee but he shall not be entitled to vote upon any matter before the Committee. All references in these Rules to the Committee and/or its composition shall be deemed to include the Patron whenever he acts in exercise of his privileges.

(ii) Arbitration

Any disputes which are not resolved by the Committee may be referred to the Patron for arbitration. The arbitration is to be conducted informally and as soon as possible after the matter has been referred. Should the decision of the Patron not be unanimously accepted by the persons concerned for any reason, the matter may be referred to the Patron's Council.

(iii) Eligibility for office

In order to be eligible, a candidate for office must have been a member of the Club, or a similar club, for at least 24 months, and must qualify for office in terms of the requirements of Rule 17D.

(iv) Invitees

No person who is not a member of the Committee shall be entitled to attend any meeting of the Committee, except by a special invitation of the Chairman.

18. **EXPULSION**

Any member infringing the Rules, or failing to uphold the Objectives of the Club, or who shall be judged by a two-thirds majority of the Committee present to have been guilty of any misconduct or of any conduct likely to bring the Club into ridicule or contempt, may be expelled from the Club by the Committee, the Secretary having previously (if possible) given the member notice of the proceedings about to be taken and an opportunity to place his contentions before the Committee. Such member shall have a right of appeal to a Special General Meeting of the Club, whose decision shall be final.

19. **RECEIPTS**

No Officer of the Club shall receive any monies on its behalf without giving an official receipt in exchange.

20. **MEMBER NAME BADGE**

Upon election to the Club the Secretary shall arrange for the manufacture of a name badge for the new member at the cost of the Club. The badge is to be worn by the member at all Club events. A levy will be charged to replace a member's lost badge.

21. **DISCOVERY**

No member or meeting of members shall be entitled to require discovery of any document relating to the Club's business, which, in the opinion of the Committee will not be expedient in the interests of members to communicate to the public.

22. **MATTERS NOT PROVIDED FOR**

The Committee shall have the power to decide all questions not provided for in these Rules.

23. AMENDMENTS

No alteration or addition to these Rules shall be made except at an Annual or Special General Meeting of which the requisite notice detailed in Rule 15 has been given by posting the same to every member at his last postal or email address as it appears in the Club's records giving details of all the proposed alterations or additions and no such alterations or additions shall become effective unless passed by a two-thirds majority of those members present at such meeting.

24. VESTING OF PROPERTY

All property of the Club, both movable and immovable, shall vest in and where necessary be registered in the names of "The Trustees of the Veteran Car Club of South Africa". They shall not be obliged to file security under any law whatsoever and a certificate under the hand of the Secretary shall constitute sufficient proof for all purposes of the identity of the persons holding office for the time being as the Chairman and Vice Chairman of the Club, and as such being The Trustees of The Veteran Car Club of South Africa.

25. NON-PROFIT NATURE

The Club is not founded for the purpose of carrying on any business or enterprise that has for its object the acquisition of gain by members of the Club and no profit from the sale of any refreshments or other commodities by the Club shall accrue to any individual.

26. LEGAL PROCEEDINGS

The Club may sue and be sued in the name of its Chairman in any court of law in the Republic of South Africa and all processes of law, notices and the like will be regarded as sufficiently served on the Club if served on the Chairman personally, provided that the Chairman shall not be personally liable for any loss suffered.

27. COPIES OF CONSTITUTION

A copy of this Constitution certified as correct by the Secretary, shall be accepted as evidence for all purposes.

28. LEGAL DOCUMENTS

Legal documents including, but not exclusively confined to Title Deeds, Contracts and Annual Financial Statements shall be kept indefinitely or as required by law. These documents should be held for safe keeping in the Club's safe. All payments and benefits received in terms of Rule 3 H must be documented in an archival book for record purposes. Once acquired, the Executive Committee shall decide how they are used for the sole benefit of the Club and its Members

29. WINDING-UP

- (i) The Club must be wound up if so decided by a two-thirds majority of members at a properly constituted General Meeting of the Club.
- (ii) If upon dissolution of the Club there remain any assets after satisfaction of all its debts and liabilities, such assets shall not be paid to or distributed among its members but shall be donated either:
  - (a) to any other recreational club which has been approved by the Commissioner of the South African Revenue Service in terms of section 30A of the Income Tax Act no. 58 of 1962 (the Act); or
  - (b) any public benefit organisation contemplated in paragraph (a) (1) of the definition of a "Public Benefit Organisation" in Section 30(1) of the Act which has been approved in terms of Section 30 (3) of the Act; or
  - (c) to any institution, board or body which is exempt from tax under the provisions of Section 10(1) (cA) (i), which has at its sole or principal object the carrying on of any public benefit activity; or
  - (d) the government of the Republic of South Africa in the national, provincial or local sphere, contemplated in Section 10(1) (a) of the Act.

As may be decided on by the members of the Club, or in default of such a decision the Chairman and Committee, or failing them the Patron's Council, and failing them the Executive Committee of SAVVA.

30. TAX EXEMPTION REQUIREMENTS

In compliance with Section 30A of the Act:

- (i) The activities of the Club are to be carried out in a non-profit manner. They should be carried out so as to recover the reasonable direct and indirect costs of the Club and to make reasonable provision for anticipated future costs.

- (ii) The Club is prohibited from directly or indirectly distributing its assets to any person, other than in terms of Rule 29 (winding up).
- (iii) The Club may not pay any remuneration to any person which is excessive, regard being had to what is generally considered to be reasonable in the sector in which the Club operates and in relation to the service rendered. No remuneration may be determined as a percentage of any amounts received or accrued to the Club.
- (iv) All members are entitled to annual membership of the Club, as is more fully set out in the preceding provisions of this constitution.
- (v) No single person may have the ability or authority to directly or indirectly control the decision-making powers of the Club. At least three unconnected persons who are unrelated to each other, comprising of any of the executive members of the Club, must at all times accept fiduciary responsibility for the Club.
- (vi) Members are prohibited from selling their membership rights or any entitlement in terms of these rights.
- (vii) Copies of all amendments to the Constitution, or any written instrument under which the Club is established, must be submitted to the Commissioner of the South African Revenue Service. A receipt for such submission must be obtained.
- (viii) The Club must not knowingly be party to, or permit itself to be used as part of any transaction, operation or scheme of which the sole or main purpose is the reduction, postponement or avoidance of any liability for any tax, duty or levy which, but for such transaction, operation or scheme, would have become payable by any person under the Income Tax Act no. 58 of 1962, as amended, or under any other act administered by the South African Revenue Service.