



**CONSTITUTION**  
**OF**  
**THE LAND ROVER OWNERS' CLUB**  
**OF SOUTHERN AFRICA : KWAZULU-NATAL**

**1. GENERAL**

**1.1. NAME:**

The name of the Club shall be "The Land Rover Owners' Club of Southern Africa : KwaZulu-Natal" hereinafter referred to as "the Club"

**1.2. HEADQUARTERS:**

The headquarters of the Club shall be at such physical address within the Province of KwaZulu-Natal as the Committee of the Club may from time to time decide, and the Club's postal address shall be PO Box 70650 Overport 4067 Durban. The headquarters of the Club or the Club's postal address may, from time to time, be changed at the instance of the Committee who shall advise members in writing of any such change.

**1.3. LIABILITIES OF THE CLUB:**

The Club is a corporate body with perpetual succession capable of suing and being sued in its own name and of holding property. No member shall by reason of his membership have any claim to the property and rights of the Club.

**1.4. OBJECTS:**

The Club is formed for the purpose of:-

- 1.4.1. bringing together the owners of vehicles belonging to the Land Rover marque;
- 1.4.2. organising functions for members;
- 1.4.3. encouraging members in advancing their knowledge and skill in the use and maintenance of Land Rovers;
- 1.4.4. promoting members' access to spare parts and technical know-how;
- 1.4.5. encouraging the restoration, preservation and maintenance of Land Rovers;
- 1.4.6. encouraging and promoting the adoption of safe and environmentally friendly on-road and off-road driving practises;
- 1.4.7. arranging venues and holding off-road driving events;
- 1.4.8. providing instruction to members in the proper use of various types of vehicle recovery equipment and the adoption of safe and environmentally friendly recovery techniques;
- 1.4.9. providing a forum for the exchange and advancement of technical information and knowledge of the Land Rover marque and its history;
- 1.4.10. promoting conservation of the natural environment and a love of the outdoors;
- 1.4.11. fostering relationships with clubs having similar objectives.

## **1.5. RIGHTS AND LIABILITY OF MEMBERS:**

- 1.5.1.** Every member of the Club in good standing shall, subject to the provisions of this Constitution, be entitled to take part in any of the activities of the Club and to use all facilities provided for the use of the Club.
- 1.5.2.** All members, save Associate Members, shall be entitled to display a Land Rover Owners Club Badge on their vehicles.
- 1.5.3.** Every member shall furnish the Secretary with a postal address to which all notices shall be sent and shall promptly notify the Secretary of any change to this address.
- 1.5.4.** All official notices shall be deemed to have been duly sent when mailed or otherwise forwarded to the address as furnished.
- 1.5.5.** Should a member, during the course of the year, dispose of his/her Land Rover, he/she is required to notify the Secretary promptly. His/her membership status will remain unchanged until the end of that year whereafter membership will lapse unless the individual concerned applies for and is granted membership in the Associate category.
- 1.5.6.** The liability of each Member is limited to the amount of his/her unpaid debts, if any.
- 1.5.7.** A member shall, by joining the Club be deemed to have agreed to indemnify and hold harmless the Chairman, Committee or any members of the Club for any act or omission which may cause damage to such member whether such act or omission arises directly or indirectly from negligence on the part of the member concerned, the Chairman, the Committee or any member or members of the Club or otherwise.

## **1.6. AMENDMENT TO THE CONSTITUTION:**

- 1.6.1.** This Constitution, once approved, shall not be amended, rescinded or altered, except at an Annual General Meeting or at a Special General Meeting called for that purpose.
- 1.6.2.** Any motion to amend, alter or rescind the Constitution shall require the support of two thirds of the members present and entitled to vote at such meetings.
- 1.6.3.** Any amendments to the Constitution will be submitted to the Commissioner for Inland Revenue.

## **1.7. DISSOLUTION:**

- 1.7.1.** The Club shall be dissolved should membership of the Club drop to below 10 members.
- 1.7.2.** The Club may otherwise be dissolved on the passing of a resolution to that effect at a Special General Meeting called to dissolve the Club or an Annual General Meeting provided that such resolution is passed by not less than two thirds of the members present and entitled to vote at such meeting.
- 1.7.3.** On dissolution of the Club, the remaining assets shall be made over and given to the Natal Parks Board (or its successors in title) and the World Wildlife Fund in equal shares.

## 2. MEMBERSHIP AND SUBSCRIPTIONS

### 2.1. MEMBERSHIP:

There shall be four classes of membership - viz. Full, Student, Life and Associate. All persons who subscribe to the objects of the Club shall be entitled to apply for membership. The allocation of membership category shall be at the discretion of the Committee but subject to the following limitations:

- 2.1.1. **Full Membership** may be awarded to an applicant of not less than 18 years of age providing the applicant is an owner of a Land Rover. Membership granted in this category will automatically include the spouse to whom the applicant is legally married or in a de facto relationship, and all their children under age 18. Only the applicant shall be entitled to vote at meetings of the Club provided that if he/she does not do so, the spouse may exercise the vote without any formal proxy being required.
- 2.1.2. **Student Membership** shall be applicable in the case of a bona fide full time student between the age of 18 and 24 who is the owner of a Land Rover. He/she is entitled to vote at Club meetings and participate in Club events. A Student Member will not be required to pay the Club's joining fee.
- 2.1.3. **Life Membership** may be conferred on a Club member who has rendered exceptionally good service to the Club. If the Committee feels that a particular member is deserving of such honour, a motion to this effect shall be put to members at an Annual General Meeting or Special General Meeting. The award will be confirmed if the majority of members present at the meeting vote in favour of the motion. A Life Member shall be exempt from annual subscriptions and shall enjoy all the privileges extended to other members.
- 2.1.4. **Associate Membership** category shall be awarded where the applicant is interested in the activities of the Club and intends to become the owner of a Land Rover. Associate Membership applies to the applicant only and he/she shall not be entitled to vote at meetings, nor participate in driving events without the prior consent of the Events Organiser.

### 2.2. APPLICATION FOR MEMBERSHIP:

An application for membership on the Club's Application Form, shall be submitted to the Committee together with the Entrance Fee and the Annual Subscription as specified, for approval. The Committee, without assigning any reason therefor, shall either accept or reject an application and shall refund any moneys which have been paid in the event of the application being rejected.

- 2.3. **SUBSCRIPTION YEAR:** The Club's financial year shall run from January to December and the subscription for each year is due and payable by the 1st January.

### 2.4. ENTRANCE FEE AND ANNUAL SUBSCRIPTION:

- 2.4.1. The Entrance Fee and Annual Subscription shall be determined by the Committee at its discretion.
- 2.4.2. The Entrance Fee shall be waived if an applicant can produce proof that he/she is a current member of another Southern African Land Rover Club.
- 2.4.3. The Annual Subscription amount shall be decreased by 50% for members joining after 1st July of any year.

## 2.5. SUSPENSION OF MEMBERSHIP:

The Committee shall have the power to suspend any member whose annual subscription is not paid by 1st March. Suspended members may be readmitted to the Club at the discretion of the Committee on payment of arrears.

## 2.6. TERMINATION OF MEMBERSHIP:

Subject to the provisions of Clause 2.5, the Committee shall have the right to terminate membership. In such event no membership fees will be refundable.

## 3. CLUB ORGANISATION

### 3.1. COMMITTEE:

- 3.1.1. The Management and control of the Club shall be vested in the Committee , which shall be responsible for the management of the Club and all matters involving income and expenditure.
- 3.1.2. The Committee shall comprise not less than six (6) members who shall be elected at the Annual General Meeting.
- 3.1.3. **Duties of Committee Members:** The duties of the members serving on the Committee shall be carried out under the following portfolios of office or such of them or additional offices as the Committee may from time to time deem necessary or appropriate:
  - a) **The Chairman** - to preside at the meetings of the Club, to promote generally its objects, to promote the harmonious working and co-operation of members and to render an Annual Report on the Club to members each year. In addition to his normal vote, the Chairman shall have a casting vote both in Committee and at an Annual General or Special General Meeting.
  - b) **The Vice Chairman** - to assist and/or stand in for the Chairman as required
  - c) **The Treasurer** - to report to members at the Annual General Meeting on the financial affairs of the Club; to monitor expenses and income, to produce statements or present reports on the Club's financial position when so requested by the Committee; to sign cheques in conjunction with the Chairman or other duly appointed officer; and generally control the Club's financial affairs.
  - d) **The Membership Secretary** - to respond promptly to membership enquiries, maintain accurate membership records, submit applications for membership to the Committee for approval and report membership numbers monthly.
  - e) **The Quartermaster** - to control Club property ensuring its availability and readiness for Club functions; and source, acquire and sell Club regalia keeping account thereof.
  - f) **The Events Organiser** - to plan, organise or co-ordinate Club functions and activities; to ensure that indemnities are available and completed by participants; and assume the duties of Vice Chairman in the latter's absence.
  - g) **The Editor** - to publish the Club's Newsletter and distribute it to all members, associated bodies and interested parties; and be responsible for ensuring that a continuous written and pictorial record of the Club's activities is maintained.
  - h) **Public Relations Officer** - to seek publicity for the Club by liaising with the local press and/or national or international Land Rover related magazines or media; to act as official liaison officer in dealings with government and business organisations.
  - i) **The Secretary** - to record and keep Minutes of all meetings of the Club; to receive and reply to all correspondence in consultation with the Chairman; to keep all correspondence and copies of that sent; keep all official

documents and archives in safe custody and assist other Committee members in any way possible if required.

- j) **Member or Members without Portfolio** - whose specific duty it will be to assist the Events Organiser, and/or handle assignments delegated by the Chairman.

3.1.4 **Meetings:** The Committee shall meet at least once a month.

3.1.5 **Quorum:** Four (4) Members of the Committee shall constitute a quorum at meetings of the Committee.

## **FINANCE:**

3.2.1. The financial year of the Club shall be from 1st January to 31st December of each year.

3.2.2. The Club shall at all times keep proper books of account and financial records which shall be checked by competent persons approved by the Committee at such times as the Committee may in its discretion decide.

3.2.3. No profit or gains will be distributed to any person and the funds of the Club will be utilised solely for investment or the objects for which it was established.

3.2.4. A copy of the certified Balance Sheet and Income and Expenditure Statement for the preceding financial year shall be submitted at each Annual General Meeting.

## **3.3. BANKING:**

3.3.1 All moneys of the Club shall be duly receipted and shall be deposited into an account held in the name of the Club at any commercial bank in the Republic of South Africa.

3.3.2 all payments made by the Club shall be by way of monies drawn from the Club's bank account and all cheques and withdrawal slips shall be signed by the Treasurer and Chairman or the Treasurer and another member of the Committee duly nominated.

## **4. CLUB MEETINGS**

### **4.1 ANNUAL GENERAL MEETING:**

4.1.1 The Annual General Meeting shall be held within the first two months of each calendar year in order to transact the following business: -

- a) To approve the Minutes of the preceding Annual General Meeting
- b) To receive the Chairman's Report on the Club's activities
- c) To receive the Treasurer's Report and approve the Club's accounts
- d) To elect a Committee
- e) To attend to any other matter of which due and proper notice has been given.

4.1.2 **Notice of annual general meeting:** Notice of Meeting, Agenda and Minutes of the preceding Annual General Meeting shall be posted to Members at least fifteen (15) days prior to the scheduled date of the Meeting

4.1.3 **Quorum:** A quorum shall be no less than 5% of the total membership or not less than 10 members in good standing. In the event that there is no quorum, the meeting shall be adjourned to a date not more than thirty (30) days later and notice of such adjourned meeting shall be posted not less than ten (10) days before the second date. Those members present at an adjourned Annual General Meeting shall constitute a quorum.

4.1.4 **Voting:** The following provisions shall be observed:

- a) Associate members may not vote.
- b) Only members whose subscription has been paid for the current year may vote.

- c.) Any decision taken at an Annual General Meeting must be approved by the majority vote of the members present.
- d) Voting shall be by show of hands, unless it is proposed and agreed by majority vote that the motion should be decided by secret ballot.
- e) *Proxy Votes:* Any member not attending an Annual General Meeting shall be entitled to authorise another member in good standing to vote on his/her behalf by so authorising that member in writing. Such written authorisation must be presented to the Committee prior to the commencement of the meeting. The member shall announce the number of such proxy votes with which he/she is favoured prior to a vote being taken on any issue.

#### **4.2 SPECIAL GENERAL MEETING:**

The Committee or any ten (10) members in good standing may call a Special General Meeting in order to discuss any matter or pass any resolution/s pertaining to Club affairs.

- 4.2.1 Notice of Special General Meeting:** The notice shall state the date, time, and place of the meeting, the matters to be discussed and if called by members, the names of those calling for the meeting. Such notice shall be posted to all members at least fifteen (15) days prior to the meeting.
- 4.2.2 Quorum and Voting Provisions:** The quorum, provision for postponement and voting provisions, including voting by proxy, shall be as for an Annual General Meeting.
- 4.2.3 Obligation to Comply with Outcome:** The Committee shall be obliged to comply with any resolution passed at a properly convened Special General Meeting provided that such resolution is lawful and is not in conflict with the objects of the Club or this Constitution.

#### **5. ELECTION OF OFFICE BEARERS:**

- 5.1 Eligibility:** A member shall only be eligible for election to the Committee if he/she has been a member of the Club for not less than two (2) years immediately preceding nomination provided that, if good cause be shown, a shorter period of qualifying membership (but not less than one (1) year) may be condoned by vote of the members.
- 5.2 Nominations:** Nominations shall be in writing, shall bear the signature of the Nominee and the Proposer and shall be handed in to the Chairman before the commencement of the Annual General Meeting.
- 5.3 Term:** Members elected to serve on the Committee shall hold office for a period of two (2) years. A retiring member shall be eligible for re-election.
- 5.4 Rotation:** For the purposes of continuity, as near as possible to half of the members of the Committee shall come up for election at every Annual General Meeting.
- 5.5 Resignation:** In the event of a member resigning or retiring during the year he/she shall be regarded as a member due to retire and his/her vacancy may be filled by the Committee co-opting a replacement to hold office until the next Annual General Meeting.
- 5.6 Limitation:** One member shall be entitled to hold a maximum of two portfolios.

#### **6. POWER TO CO-OPT:**

The Committee shall have the right to create additional offices and co-opt members to fill such positions if the exigencies of the Club make this advisable. Any appointment by co-option shall be confirmed at the next Annual General Meeting and any additional offices so created shall be subject to election by members.

**7. SUB-COMMITTEE(S):**

- 7.1 The Committee shall have the power to create one or more sub-committees for specified purposes.
- 7.2 Such sub-committees shall be disbanded after the completion of their specific task.
- 7.3 Sub-committees shall have no say in the management and control of the Club.

**8. COMPLAINTS AND DISCIPLINE:**

- 8.1 Any complaint which any member may wish to formally bring to the attention of the Committee shall be made in writing, be signed by the complainant and be submitted to the Committee at least three (3) days prior to a Committee Meeting.
- 8.2 The Committee shall be entitled to reprimand or expel a member of the Club for failing to comply with any directive of the Committee or for misconduct, breach of discipline, or any other activity considered by the Committee to be contrary to the spirit of the Club, provided that before either action is taken, the individual against whom the complaint has been made shall be invited to reply to the complaint or action or explain his/her behaviour to the Committee.

Approved 6th September 1996

Last amendment: 21<sup>ST</sup> February 2009