



**MOTORCYCLING NSW LIMITED
POLICY AND PROCEDURES MANUAL**

~ SECTION 15 ~

BY-LAWS

* Adjusted 10/5/06

* Adjusted 23/8/07 – Section 3 (4)

SECTION 1

ADMINISTRATION BY-LAWS OF MOTORCYCLING NSW LIMITED

1. SCOPE

By-Laws of the Company shall prescribe matters not dealt with specifically in the Constitution.

2. CORPORATE GOVERNANCE

All representatives, employees and committee members of the Company must sign and comply with the Governance Policy of Motorcycling NSW Limited before taking their appointment.

3. BY-LAWS

Administration By-Laws shall become effective on the first day of the following month.

4. MEMBERSHIP

All Class "A" Members must issue to their members who require a MA Competition License an approved form of membership identification. Motorcycling NSW Affiliation Certificate is provided to clubs for this purpose.

5. SUB COMMITTEES

Sub Committees shall include, but in no way be restricted to, the following:

- i) Appellate Body
- ii) Inspectors

6. SPORTS COMMITTEES

At each Annual General Meeting of the Company, the following Sports Committee members must retire from office.

Any Committee member who has been in office for two (2) years or more since that Member was elected or re-elected as a Committee Member. Those members are eligible to nominate for re-election.

7. APPELLATE BODY

The Appellate Body will consist of two members experienced in the sport in addition to the legal practitioner acting as chair. The experienced two members will be chosen from a panel of four (4) members elected at the AGM who will serve for a two year period on a rotation basis.

SECTION 2

SPORTING BY-LAWS OF MOTORCYCLING NSW LIMITED

1. BY-LAWS

Sporting By-Laws shall become effective on the first day of the following year with the exception of Speedway where these By-Laws will be effective on the 1st October of each year.

2. COMMITTEES

The Committees shall include, but in no way be restricted to the following:

Sports Committees cover both Junior and Senior Competitors,

Dirt Track
Classic Dirt
Enduro
Historic Road Race
Minikhana
Motocross
Road Race
Speedway
Moto Trials
State Officials Review Panel

3. SPORTS COMMITTEE

- (a) Nominations for each Sports Committee may be submitted by any member by the closing date for nominations for the Annual General Meeting.
- (b) A casual vacancy on a Sports Committee shall exist when the number of originally appointed Sports Committee members falls by at least one (1).
Notice of a casual vacancy shall be included as a General Meeting agenda item for election at the next meeting.
- (c) The Sports Committees shall appoint a Chairperson from those elected.
- (d) Each Committee will meet whenever summoned by the Committee Chairperson or by the requisition of three or more members of that Sports Committee.
- (e) The quorum of each Sports Committee shall be half the number of elected members plus one (1).
- (f) With the exception of the Chairperson each member of Sports Committees shall have one vote on every question and in the case of equality of voting, the Chairperson of the meeting shall have a casting vote only.

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- (g) Each Sports Committee shall submit to the Office Manager a timetable of meetings for each calendar year by 31st January to be incorporated in the Company calendar.
 - (h) Each Sports Committee shall cause Minutes to be taken of all resolutions and proceedings of the Committee.
 - (i) Any member of a Sports Committee, other than an ex-officio member, who is absent from three (3) consecutive meetings of the relevant Sports Committee shall be deemed to have retired there from unless leave of absence shall be granted by that Sports Committee.
 - (j) Sports Committees shall have as their objective, the development and well being of nominated branches of motorcycle sport in New South Wales.

For this purpose:

- * Motocross - includes Supercross.
 - * Enduro - includes Cross Country, Pony Express and Enduro/Cross events.
 - * Sporting By-Laws approved by the Members shall be incorporated into the Company Sporting By-Laws.
- (k) Sports Committees shall generally perform the following functions:
- * Make recommendations to the Office Manager regarding the formulation of the calendar, the approval of Supplementary Regulations, the issue of permits, and the appointment of Stewards for meetings.
 - * Make recommendations to the Office Manager on any aspect of the conduct of motorcycle sport.
 - * Make recommendations to The Board for the introduction of By-Laws.
 - * Make recommendation of rules for the conduct of motorcycle sport, including track construction and machine eligibility.
 - * Select state representatives, teams and team managers
 - * Monitor the conduct of, and maintain point scores for State Championships.
 - * Maintain records of expenditure of funds as approved by the Board.
 - * Form sub-committees as they think fit to advise them, but not to assume any of the Committees powers.
 - * Exercise the functions of the SCB with regard to the eligibility of machines to compete in various classes of competition.
 - * Review proposed national rule changes and give recommendations to the MA Councillor via the MNSW Board.

SECTION 3

ELECTION BY-LAWS

The election of Board of Directors, Sporting Committees and Appellate Body shall be by postal secret ballot and declared at the Annual General Meeting which will be determined in accordance with the method known as “first past the post”

1. In the event of a tied vote, the Delegates at the Annual General Meeting will vote by a show of hands until a clear majority vote for one applicant is recorded.
2. Should there be insufficient nominations to form a quorum of a committee, The Board of Directors shall appoint an Administrator or a number of people sufficient to form a quorum to that committee until the next Annual General Meeting.
3. Casual vacancies on The Board of Directors shall be filled by a postal vote. Sports Committee casual vacancies will be advised at the next Delegates General Meeting. The following Delegates Meeting will call for nominations and vote for a replacement. Nominations may be in the written form or verbally at the meeting.
4. **A Director may not hold a position on any Sports Committee or Appellate Body of the Company as an elected Committee Member. This does not restrict a Director from being appointed to a specialist Sub-Committee convened by The Board or Delegates.**
5. All Committees elected by the members require a ballot to be held. Eligible Members will vote for or against each nomination. To be elected onto a committee the applicant must receive more than 50% of the total vote counted.
6. Nomination forms giving details of vacancies to be filled at the Annual General Meeting are to be sent to Class ‘A’ and Class ‘B’ Members at least ten (10) weeks prior to the Annual General Meeting.
7. It is the Class ‘A’ Member’s responsibility for circulation of Nomination Forms to its members.

The Nomination Form to contain details of, but not limited to:

- (a) Positions being nominated.
 - (b) Name, address and contact telephone number
 - (c) Brief statement (max 100 words) of qualifications, experience and reason for nomination as support and assistance to voting members.
 - (d) Verification that person nominated is prepared to stand.
 - (f) Return address.
 - (g) Date and time for closing of nominations.
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8. The Company is to prepare Ballot Papers with all required details, concerning nominations for the various positions and nominees for circulation to all Voting Members.
 9. Candidates to be listed on Ballot Papers in the order as determined by a lot.

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10. Ballot Papers shall register one (1) member vote and shall be sent to those eligible to vote at least thirty (30) days prior to the date of AGM with following information.
 - (a) Details concerning each nominee.
 - (b) Date and time for return of votes
 - (c) Return Address
 - (d) Special conditions relating to security and verification of Ballot Papers
 - (e) Number of votes each is entitled.
 - (f) Each Ballot Paper to contain a mark or some similar endorsement prior to circulation for verification of originality.
 11. The Returning Officer, who will be the Company Auditor, is to ensure the returned Ballot Papers Envelopes, when received, are clearly endorsed on the outside of the envelope as being returned Ballot Papers.
 12. Two (2) Scrutineers to be appointed at the April Delegates Meeting are to be responsible for overseeing the opening and counting of votes and preparation of results for declaration at the Annual General Meeting.
 13. Ballot Papers to be held by the Returning Officer until approval for their destruction is given by the Delegates at a General Meeting.