

# Australian Karting Association Inc

## SPECIAL GENERAL MEETING INCLUDING ALL PROPOSED SPECIAL RESOLUTIONS.

2005



Venue: Novotel Brighton Beach  
Cnr The Grand Parade & Princess Street  
BRIGHTON-LE-SANDS NSW

Date: 29 October 2005

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Welcome by the AKA President:

Special General meeting starting time: 7.00pm

PROPOSED SPECIAL RESOLUTIONS IN WHICH 21 DAYS NOTICE HAS BEEN GIVEN TO THE NKC AND STATE KARTING COUNCILS

Special resolution motion 1.

The Proposed motion for special resolution is to adopt the following constitution of the Australian Karting Association Inc – This constitution will not come into effect until it has been approved by Corporate Affairs Victoria.

The Special Resolution Motion:

The Proposed motion for special resolution is to adopt the following constitution of the Australian Karting Association Inc.

## CONSTITUTION OF THE AUSTRALIAN KARTING ASSOCIATION INC

### STATEMENT OF PURPOSES

The purposes of the Association are:-

- (a) To promote and protect the sport of Kart Racing.
- (b) To promote excellence and just and honourable practices in the sport and to suppress malpractice.
- (c) To promote and organise Kart meetings and other functions for members.
- (d) To do all such acts which, in the opinion of the Association are for the general benefit of members or of Karting.

### **RULES**

**R1 Name**

The name of the Association is the Australian Karting Association Inc.

**R2 Membership**

The member associations of the Association are the State Karting Associations of the six States of Australia and of the Northern Territory:-

Australian Karting Association (New South Wales) Inc.  
Australian Karting Association (Northern Territory) Inc.  
Australian Karting Association (Queensland) Inc.  
Australian Karting Association (South Australia) Inc.

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Australian Karting Association (Tasmania) Inc.  
Australian Karting Association (Western Australia) Inc.  
Victorian Karting Association Inc.

and such other incorporated karting associations which all existing members agree to admit to membership.

**R2A Life Membership**

The Annual General Meeting on the recommendation of the National Karting Council may elect a person who has given long and exceptional service to the association as an honorary life member of the association. Life members are non-voting members.

**R3 Cessation of Membership**

A member association ceases to be a member:-

- (a) (i) one year after notification in writing to the National Secretary of intention to withdraw from the Association, unless within that year the notification is withdrawn.
  - (ii) six months after notification by the National Secretary of the member that there are membership fees owing and that failure to pay within six months will result in cessation of membership, unless within that time the membership fees are paid.
- (b) a member association shall cease to be a member if it affiliates with any other motor sport body unless prior to its affiliation explicit authority is granted by the Australian Karting Association to that affiliation.

**R4 Register of Members**

The Chief Executive Officer must keep a Register of members, the name, contact address and date of joining each member association.

**R5 Subscription**

The annual subscription for the following calendar year is determined at the Annual General Meeting of the Association. There is no joining fee.

**R6 Discipline of Members**

- (a) A member may be disciplined by the Council if one or more of his human agents, which shall include, but shall not be limited to, its Officers, servants and agents by:-
- (i) expelling the member; or
  - (ii) warning the member that it may be expelled if it continues to act in the specified manner of which it disapproves; or
  - (iii) fining the member.

In circumstances where the member:-

- (a1) acts in a manner contrary to the rules;
- (a2) acts in a manner prejudicial to karting;
- (a3) acts in a manner that brings karting into disrepute;
- (a4) fails to obey a proper direction of the Council or the Association's elected Officers;

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- (a5) fails to pay to the Association debts due by the member to the Association within 7 days of the debt becoming due;
  - (a6) acts in a manner that is unlawful under any State, Federal or Municipal law, regulation or rule;
  - (a7) fails to properly discharge its duties to its own members according to the Member's Constitution.

- (b) If a motion is proposed at a meeting of the Council for the disciplining of a member association the President shall first put a motion that the member be called upon to explain its conduct to the Council.
- (c) If that motion is carried by a simple majority of those present and voting, the motion for the disciplining of the member must be adjourned to a meeting not less than fourteen days later.
- (d) The member association named in the motion must be given notice by delivering to its contact address in the Register of Members:
  - (i) of the conduct complained of, and
  - (ii) that it is entitled to present oral or written evidence or arguments to the Council at a meeting on a given date.
- (e) At the later meeting, the Council must:
  - (i) give the member association, if requested by one or more of its members, the opportunity to be heard, and
  - (ii) consider any written document presented by it or on its behalf
- (f) The Council may then, by an absolute majority of its members, determine:
  - (i) whether to discipline the member association and
  - (ii) whether the penalty should be expulsion, a warning or a fine.
- (g) A decision of the Council in accordance with the procedure set out above to discipline a member and to impose a penalty is final and no appeal to a General Meeting is permitted.
- (h) The disciplinary powers contained in this rule are separate from any disciplinary powers exercised by the Council under the competition rules of the National Karting Council.

## **R7 The Council**

The Association is governed by the National Karting Council. This Council consists of one delegate from each member association, the President, the Executive Member – National Events, the Executive Member – Technology, the Executive Member – Member Services. An NKC delegate at the time of nomination must be a delegate to, a member of, or a member of the executive of, State Council.

- R8 Subject to any decision of a General Meeting of the Association, the Council has the entire management and control of the Association and has power to do anything necessary or convenient to achieve the purposes of the Association including:
- (a) the delegation to the State Karting Councils with power to withdraw such delegation of such powers and responsibilities as may from time to time be deemed desirable;
  - (b) the arrangement of the National Kart Calendar and the allocation of the Australian Kart Championships;
  - (c) the drawing up and amendment from time to time of Kart Formulae;

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- (d) the compilation and amendment from time to time of General Kart Regulations;
  - (e) the issue of licences to competitors and drivers in Kart competitions, and of permits to organisers of such competitions in accordance with the General Kart Regulations;
  - (f) the imposition of such levies, penalties, fees, fines, contributions and subsidies as may seem to the Council necessary, and the enforcement of collection of such amounts from any State Karting Council, Club, group or individual as permitted by the General Karting Regulations;
  - (g) the negotiation of insurance for member associations, their clubs, drivers, officials and spectators;
  - (h) the maintenance of a central registry of Kart licences;
  - (i) the enforcement of any legal instruction relating to Karting issued on behalf of the Federation Internationale de l'Automobile;
  - (j) the consideration and adoption of any suggestion made by State Karting Councils;
  - (k) the maintenance of due liaison and information regarding Karting matters with the Confederation of Australian Motor Sport;
  - (l) the arbitration of disputes between State Karting Councils or between clubs in different States;
  - (m) the establishment, coordination and support of specialist committees;
  - (n) the appointment from time to time of advisory or executive sub-committees to discharge such functions and to hold office for such time as the Council shall deem fit;
  - (o) the reimbursement of any member, servant or agent for any out of pocket expenses properly incurred on the Council's behalf and the payment to any such member, servant or agent of such wage, honorarium or return for services rendered as the Council shall think fit.

R9 The Council may make regulations not inconsistent with these Rules or the International Sporting Code of the Federation Internationale de l' Automobile for the better management of the sport of karting in Australia.

R10 **Election of Officers**

**Secretariat and Officers**

- (a) The elected officers of the association are:

***Secretariat***

National President  
Executive Member – National Events  
Executive Member - Technology  
Executive - Member Services

***Other Elected Officers***

National Medical Officer  
National Technical Coordinator  
National Steward Coordinator  
National Track Safety Coordinator  
National Publicity Officer

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- (b) The Council may make regulations prescribing the duties and the Responsibilities of the individual elected officers.
- (c) Term of office for the Secretariat shall be two years with the President and Executive Member – Member Services elected in even years and the Executive Member – Technology and Executive Member National events in odd years. Two years to become effective from the 2003 Annual General Meeting.
- R10A
- (a) The elected officers of the Association are elected by the delegates at the Annual General meeting from persons who have:
- (i) been nominated in writing to the chief executive officer at least 60 days before the meeting by the member association; and
- (ii) must (unless the meeting otherwise agrees) be present at the meeting.
- (b) If a person was a delegate at the time of his election as an officer, he ceases to be so on election.
- (c) If there is a tied vote on the election, the ballot shall continue until a simple majority decision is reached.
- R10B
- Chief Executive Officer**
- (a) A Chief Executive Officer may be appointed by the Council on such terms and conditions as are agreed upon
- (b) The Chief Executive Officer is a non voting member of the Secretariat.
- (c) The Chief Executive Officer may not hold any elected office in the Association or in any member association.
- (d) The Secretariat and the Council may by resolution delegate any of its powers to the Chief Executive Officer except the power of delegation and the power to make regulations, and may withdraw the delegation at any time.
- (e) The Chief Executive Officer in conjunction with the Secretariat has the power to defer and refer back any decisions made by the NKC that don't comply with the Incorporation Act of the State in which the AKA is incorporated OR the Acts in the member's States or Territory.
- (f) The Chief Executive Officer in conjunction with the Secretariat has the power to defer and refer back any decisions made by the NKC that don't comply with the Insurance Company's cover, legal advice, CIK, etc.
- R11
- (a) The elected officers of the Secretariat take office at the conclusion of the Annual General Meeting and hold office for the period expiring at the conclusion of the next Annual General Meeting.
- (i) in the case of the secretary and treasurer in the second year of their election.
- (ii) in the case of all other officers in the year after the year of their election.
- (b) All officers are eligible for re-election
- (c) An officer of the Secretariat may be removed by at least  $\frac{3}{4}$  of those NKC members eligible to vote.

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**R12 Powers of the Secretariat**

Subject to any specific provision elsewhere in these Rules the Secretariat has power:

- (a) to administer and control the sport in accordance with the regulations in the periods between Council meetings
- (b) to interpret and enforce the Regulations
- (c) to propose items for discussion and resolution at a General Meeting.

**R13 Vacancies on the Council**

A delegate remains a member of the Council until:

- (a) they resign
- (b) a new delegate is nominated by their State association to replace them
- (c) their State association ceases to be a member association of the Association (AKA)
- (d) they are removed in accordance with R11(c).

**R14** An officer member of the Council or member of any sub-committee of the Association who has any direct or indirect interest in any present or anticipated contract agreement or arrangement with the Association must declare that interest at the first meeting of the Council or the sub-committee (as the case may be) after he becomes aware of the interest or the contract agreement or arrangement, and must not vote in respect of the matter.

**R15 Vacancies on the Council**

A person ceases to be an officer of the Secretariat:

- (a) at the end of their term of office, unless he is re-elected
- (b) on receipt of their written resignation from that office
- (c) on removal in accordance with R11(c).

**R16 Filling Casual Vacancies**

A casual vacancy in any of the offices of the Secretariat may be filled from amongst eligible persons nominated by the member associations by a telephone conference of the delegates.

**R17** A casual vacancy in the number of delegates on the Council must be filled by the nominee of the member association of which the retiring delegate was a member.

**R18 Quorum at Council Meetings**

The quorum at a meeting of the Council is five delegates.

**R19 Number of Council Meetings**

The Council must meet at least once in each year. A meeting of the Council must be called if a majority of delegates so request. A meeting called as the result of a request must be held within two months of the receipt by the Chief Executive Officer of the request. If a majority of delegates agrees any meeting of the Council other than the meeting held in conjunction with the Annual General Meeting may be conducted by telephone conference.

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**R20 Notice of Council Meetings**

At least one month's notice must be given of a Council meeting unless a majority of delegates agree or at the President's request that it is necessary to hold the meeting, either in person or by telephone conference, with a shorter period of notice.

**R21 Council Meetings Not Public**

Meetings of the Council are conducted in private but the Council may determine that part of the meeting be opened to the press or other observers. The Council may permit a person other than a delegate or officer of the Secretariat to address it.

**R22 Decisions of Council Meetings**

All decisions at Council meetings are made by simple majority of those delegates present and voting. The person presiding does not have a casting vote. A tied vote shall be deemed to be resolved in the negative.

**R23 General Meetings**

**Time for Annual General Meeting**

An Annual General Meeting must be held each year in the months of July or August or such other month as the Council determines.

**R24 Business of the Annual General Meeting**

The business of the Annual General Meeting is to:

- (a) receive the President's Report
- (b) receive and consider the financial statement required by Section 30 (3) of the Associations Incorporation Act 1981 (Victoria)
- (c) elect officers of the Secretariat and the other national officers
- (d) appoint an auditor, and
- (e) consider such other business of which at least two month's notice has been given to the Chief Executive Officer.

**R25 Special General Meetings**

A special General Meeting must be called if a majority of delegates requests one. Unless so requested, it is not necessary to hold a Special General Meeting in any year.

The only business which can be considered at a Special General Meeting is that set out in the Notice of the Meeting.

**R26 Period of Notice of General Meetings**

At least one month's notice of every General Meeting, including the Annual General Meeting, must be given.

**R27 Form of Notice of General Meetings**

A notice stating:

- (a) the place, date and time of the General Meeting
- (b) the nature of the business to be considered
- (c) if any special resolution has been proposed, the text of any such motion and a statement that it is intended at the meeting to propose the motion as a



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special resolution must be delivered to the State Secretary of each member association at the address notified in the Register of Members and to each delegate at the address last notified to the Chief Executive Officer by that delegate.

R28 A document which is posted and correctly addressed, unless the contrary is proved, is deemed to have been given to the addressee at the time at which the letter would have been delivered in the ordinary course of post.

R29 **Quorum at General Meeting**

Five delegates present in person or by proxy constitutes a quorum at a General Meeting.

R30 **Proxies at Council Meetings and General Meetings**

Each member association must appoint, in addition to its delegate, an alternate delegate who must also be eligible under these rules to be a delegate member of the State Association. An alternate delegate can exercise all powers given by these Rules to a delegate, if the delegate is unable to do so.

R31 If neither the delegate nor the alternate delegate of a member association is able to attend a General Meeting or a Council meeting, the member association by an authority signed by its President or Secretary and produced to the Chief Executive Officer may grant a proxy to the delegate of another member association. No delegate may exercise more than one proxy.

R32 **Decisions at General Meetings**

All decisions at General Meetings other than

(a) a resolution to alter the name, the Statement of Purposes or the Rules of the Association,

OR

(b) any other resolution required by the Associations Incorporation Act 1981 to be a special resolution,

(c) a re-submission of any resolution

are decided by a simple majority of votes cast.

Any decisions referred to in sub-rules (a), (b) or (c) of this rule must be decided by special resolution.

R32A "In circumstances where NKC approval is required to implement regulations, delete regulations or amend regulations or the like, then a Council Meeting may be convened in such a manner that the Meeting and voting may be conducted without the requirement that the Council meet in person. In such circumstances the calling of the Meeting, the conduct of the Meeting and all other matters relating to the Meeting including the voting on matters put before the Council at such Meeting may proceed by way of electronic transmission including email, facsimile, telephone or by mail."

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**R33 Special Resolution**

As prescribed by the Associations Incorporation Act 1981, a special resolution is a resolution agreed to by at least three-quarters of the delegates of member associations who are present in person or by proxy and who vote on the resolution at a General Meeting of which notice specifying the intention to propose the resolution as a special resolution was given in the manner required by these Rules, at least 21 days prior to the meeting.

**R34 Management of Funds**

- (a) All moneys received by the Association must be deposited in a bank account or accounts in the name of the Association.
- (b) Payments may be made by cheque. All cheques must be signed by two (2) persons from a number appointed by the National Karting Council for that purpose.
- (c) The National Karting Council may approve the use by specified persons, of electronic funds transfers in conjunction with a number of the AKA Secretariat.
- (d) The National Karting Council may approve the use by specified persons, of a credit card to draw on an account of the Association, and must specify the terms under which the card may be used.

**R35 Financial Year**

The financial year of the Association ends on the 30<sup>th</sup> June.

**R36 Deprivation of Funds**

The funds of the Association are derived from subscriptions, licence fees, meeting permits, fines and such other sources as the Council agrees to.

**R37 Common Seal**

The Chief Executive Officer is responsible for the custody of the Common Seal, which must only be affixed in accordance with a resolution of the Council, and in the presence of two delegates or one delegate and one officer of the Secretariat.

**R38 Books and Records**

The Chief Executive Officer is responsible for the custody of the books, records and securities of the association.

**R39 Inspection of Documents**

Any book or record of the Association may be inspected upon reasonable notice to the Chief Executive Officer by any member of the National Karting Council or by any person authorised in writing by a member association to do so.

**R40 Alteration of Statement of Purposes or Rules**

The Statement of Purposes and Rules may only be amended by a Special Resolution passed at a General Meeting of the Association. Any alteration so passed does not take effect until it has been lodged with the Registrar of Incorporated Associations.

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#### **R41 Disposal of Assets on Winding Up**

The Association is prohibited from making any distribution to its members, whether in money, property or otherwise howsoever, of any assets belonging to the Association and provided however that this shall not prevent payment in good faith of remuneration to any officers or servants of the Association or of benevolent payments for which provision may be made from time to time in this Constitution.

If upon the winding up or dissolution of the Association there remains after satisfaction of its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among its members but shall be given or transferred to some other institution having objects similar (wholly or in part) to its object and which shall prohibit the distribution of its or their income and property amongst its members, such institutions to be determined by the members at or before the time of dissolution and if and so far as effect cannot be given to the aforesaid provision then to some charitable object or objects.

#### **R42 – Disputes – Grievance Procedure**

1. The grievance procedure set out in this rule applies to disputes under these rules between:
  - (a) A member and another member: or
  - (b) A member and the Association
2. The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
3. If the parties are unable to resolve the dispute at the meeting or if a party fails to attend that meeting, the parties must, within 10 days, hold a meeting in the presence of a mediator.
4. The mediator must be:
  - (a) A person chosen by agreement between both parties: or
  - (b) In the absence of agreement –
    - (i) In the case of a dispute between a member and another member, the Council of the Association: or
    - (ii) In the case of a dispute between a member and the Association, a person who is a member of the dispute Settlement centre of Victoria (Department of Justice).
5. A member of a member association can be a mediator
6. The mediator cannot be a member of a member club which is a party to the dispute. This rule provides for resolution of a dispute by a referee. Note that section **14a** of the Act provides another procedure whereby application may be made to the magistrates' court for an order declaring and enforcing rights or obligations of members between themselves, or of the Association and a member between themselves. The court may refuse to make an order, or may make an order for costs, if the court is of the opinion that the Application is unreasonable or the issue trivial.

#### **END OF REGISTERED RULES**

**Moved:**

**Second:**

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**Special resolution motion 2:**

The following is a proposed motion as a special resolution to validate postal votes from 1999 general meeting.

Special resolution Motion:

That the decision of the members at the AKA General Meeting held in September 1999 with respect to the Postal Vote Policy be declared valid.

That all postal votes conducted since the September 1999 General Meeting be declared valid.

**Moved: S.A**

**Second: W.A**

**Special resolution motion 3:**

The following is a proposed motion as a special resolution so that the association can begin migration:

Special Resolution Motion:

It is resolved that the Association takes all necessary steps to change its registration as an incorporated association under the Associations Incorporation Act (Vic) 1981 and migrate to become a company limited by guarantee incorporated under the Corporations Act (Commonwealth) 2001.

**MOVED: TAS**

**SECOND: VIC**

**Special resolution motion 4:**

The following is a proposed motion as a special resolution to adopt the following constitution to come into effect at the inaugural general meeting of the said company:

Special resolution Motion:

It is resolved that the Association endorses the form of the proposed constitution attached to the notice of this meeting as the form of Constitution to be adopted by the company limited by guarantee into which the Association intends to migrate at the inaugural general meeting of the said company.

**MOVED: TAS**

**SECOND: VIC**

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EXPOSURE DRAFT #5 – 14 June, 2005

CONSTITUTION  
OF THE  
AUSTRALIAN KARTING ASSOCIATION LTD  
(‘AKA’)

**VISION MISSION STATEMENT**

- AKA will promote the sport of karting by following corporate governance practises, resulting in a safe, well controlled racing environment.
- ~~All office bearers will be required to meet a prescribed level of qualification experience before being appointed to such roles.~~
- AKA will openly engage, manage and be representative of most facets/forms of karting, including the involvement of the karting industry in Australia, inter-action with CAMS, FIA and associated forms of karting.
- AKA will promote karting as a family oriented, fun, relatively inexpensive and safe form of motor sport.
- Encourage international karting competition with an emphasis on becoming the hub for the Asia/Pacific region.

Vision Statement: “To promote, protect, administer and develop the sport of karting for all participants”.

**STATEMENT OF PURPOSES**

The objects and purposes of the AKA are:-

- (a) to promote and protect the sport of Kart Racing;
- (b) to promote excellence and just and honourable practices in the sport and to suppress malpractice;
- (c) to do all such acts which, in the opinion of the AKA are for the general benefit of members or of Karting;
- (d) to ensure that all motor sport in Australia is carried out in a manner which secures and enhances the safety of participants, officials, spectators and the public and which allows the sport to be competitive and fair;
- (e) to develop, implement and vigilantly monitor a strategic plan, to ensure the best possible and safe outcome from karting of all stakeholders;
- (f) promote and be engaged in road safety and road education and the value of karting in developing road skills;
- (g) formulate or adopt and implement appropriate policies, including in relation to harassment, equal opportunity, privacy, equity, drugs in sport, health, safety,

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infectious diseases and such other matters as arise from time to time as issues to be addressed in motor sport.

## RULES

### R1 Name & Incorporation

- 1.1 The name of the incorporated entity is the Australian Karting Association ("the AKA").
- 1.2 The AKA will be incorporated as a company limited by guarantee pursuant to section 112 of the Corporations Act, 2001. As such, members joining the AKA will be required to provide a guarantee of \$20 and provide such sum as security to the AKA ~~when they next pay their AKA affiliated club's membership subscription fee~~ to be held in a separate guarantee account by the AKA while the member remains a member and subject to rule 5.2 below.

### R2 Membership

- 2.1 The membership of the AKA consists of the following classes of members:-
  - (a) ordinary members;
  - (b) provisional members;
  - (c) associate members;
  - (d) life members;
  - (e) honorary members;
  - (f) temporary members.
- 2.2 Ordinary members are all financial members of ~~clubs affiliated with the associate members affiliated clubs~~, be they individuals or corporations. The number of ordinary members is unlimited. Ordinary members have the rights to vote, be given notice of a General Meeting or be heard at a General Meeting. However, in the case of individuals, ordinary members must be at least 16 years of age and be the holders of a senior karting licence in order to vote at a General Meeting.
- 2.3 Provisional members are financial members of affiliated clubs but who do not hold a senior karting licence (including junior licence holders). The number of provisional members is unlimited. Provisional members have no right to vote, but may be given notice of a general meeting or be heard at a general meeting.
- 2.4 Associate members are the state and territory associations who have no voting rights, but must be given notice of a General Meeting and be heard at a General Meeting.
- 2.5 Life members who are appointed by ordinary resolution at an ~~elected under R2A. Life members have no rights to vote, be given notice of a General Meeting or debate or be heard at a General Meeting. The~~ Annual General Meeting on the recommendation of the Board ~~may elect a person who has given~~ in recognition of their long and exceptional service to the AKA ~~as a life member of the AKA. Life members retain the same voting and notice rights~~

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as they enjoyed prior to their appointment as Life members, as the case may be.

2.6 Honorary members are any officers of the AKA, ex officio members such as the medical officer and the like who are not otherwise ordinary members. Honorary members have no rights to: vote, be given notice of a General Meeting or debate or be heard at a General Meeting.

2.7 Temporary members are any volunteers who ~~to~~ help with AKA events, or practise licence holders and the like. Temporary members have no rights to vote, be given notice of a General Meeting ~~or debate~~ or be heard at a General Meeting.

~~2.8 The Annual General Meeting on the recommendation of the Board may elect a person who has given long and exceptional service to the AKA as a life member of the AKA.~~

### R3 Cessation of Membership

A member ceases to be a member:-

- (a) (i) one month after notification in writing to the Secretary of intention to withdraw from the AKA, unless within that year the notification is withdrawn.
  - (ii) one month after notification by the Secretary of the member that there are membership fees owing and that failure to pay within one month will result in cessation of membership, unless within that time the membership fees are paid.
- (b) If they are expelled for misbehaviour or being not of a fit and proper character to remain a member pursuant to the powers set out under rule 6 herein.

### R4 Register of Members

The AKA must keep a Register of Members, the name, contact address, date of joining and affiliated club of each member.

### R5 Subscription

- 5.1 annual subscription for the following calendar year is determined at the Annual General Meeting of the AKA. There is no joining fee.
- 5.2 Upon cessation of membership, a members' security for guarantee payment of \$20 paid under rule 1.2 above, will be held by the AKA for a further 12 months and thereafter converted into consolidated revenue by the AKA.

### R6 Discipline of Members

- (a) The Board may discipline a member of the AKA by:-
  - (i) expelling the member; or
  - (ii) warning the member that it may be expelled if it continues to act in the specified manner of which it disapproves; and/or
  - (iii) fining the member; and/or

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- (iv) suspending the member.
  - (b) If a motion is proposed at a meeting of the Board for the disciplining of a member the President shall first put a motion that the member be called upon to explain its conduct to the Board.
  - (c) If that motion is carried by a simple majority of those present and voting, the motion for the disciplining of the member must be adjourned to a meeting not less than fourteen days later.
  - (d) The member named in the motion must be given notice by delivering to its contact address in the Register of Members:
    - (i) of the conduct complained of; and
    - (ii) that the member is entitled to present oral or written evidence or arguments to the Board at a meeting on a given date.
  - (e) At the later meeting, the Board must:
    - (i) give the member, if requested by one or more of its members, the opportunity to be heard; and
    - (ii) consider any written document presented by it or on its behalf.
  - (f) The Board may then, by a ~~n-absolute~~ majority of its members, determine:
    - (i) whether to discipline the member; and
    - (ii) the penalty.
  - (g) A decision of the Board in accordance with the procedure set out above to discipline a member and to impose a penalty is final and no appeal to a General Meeting is permitted.
  - (h) The disciplinary powers contained in this Rule are separate from any disciplinary powers exercised under the competition rules of the AKA.
  - (i) **This Rule does not authorise the Board to fine, suspend or expel an associate member. An associate member may only be fined, suspended or expelled by a vote taken at a general meeting of the AKA.**

## R7 The Board

7.1. The AKA is managed by a Board of Directors of a maximum number of 5 elected by the members for the terms provided under Rule 7(b) herein; plus an additional director **nominated** by the Karting Industry Association for a period of 12 months; and up to 2 additional Directors appointed by the Board for a period of 36 months. The five elected Board members will be specifically elected to one each of the following positions of responsibility:

- (i) Finance Director
- (ii) Administration Director
- (ii) Competition Director
- (iv) Technical Director
- (v) Promotional and Marketing Director



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- 7.2 Each elected Board member will be elected for a three year term. In order to avoid the entire Board being re-elected at one General Meeting, the initial Directors who become responsible as Administration Director and Promotional and Marketing Director will be elected for an initial term of twelve months only and the Director initially elected to be responsible as Technical Director will be elected for an initial term of two years only. Thereafter, each of those three positions will be elected for three year terms.
- 7.3 Nominations for the position of Elected Director must be received by the AKA at least 30 days prior to any election.

Nominations must be:

- (i) in writing;
- (ii) signed by a nominator and a seconder, who must each be ordinary Members; and
- (iii) certified by the nominee expressing his willingness to accept the position for which he is nominated.

7.4 Any nominees for the position of an elected Director will be subject to an endorsement process to be conducted by a team of independent **management** professionals.

Nominees must resign any office **which they hold within motorsport** at the club, state or national level, if elected to the position for which they have nominated. Nominees for elected Director positions should **ideally** demonstrate knowledge, skills and commitments in the following areas:-

- (i) **Extensive** knowledge of karting in general.
- (ii) Previous experience in organisational work in either private, business or community activities. Ideally this experience will have been gained as a committee member or Board member.
- (iii) A demonstrated ability to understand a wide scope of community issues, including requirements and objectives of governing not for profits bodies.
- (iv) Management or administration skills, including financial management and common law obligations in the areas of corporate governance, Director's duties and responsibilities.
- (v) Professional or commercial background, particularly in the specialised area of expertise for which they are being nominated to be elected to oversee on the Board.
- (vi) Excellent presentation and communication skills.
- (vii) An ability to demonstrate major achievements or contributions in previous roles either within or outside karting.
- (viii) An ability to work and communicate effectively within a group and with external parties.

- 
- (ix) An understanding of the strategic planning processes and the ability to implement developed procedures.

Nominees for elected Director positions must submit a curriculum vitae outlining their experience and suitability as Directors.

- 7.5 The Board shall at its first meeting held after each election, elect one of its number to be Chairperson for a 12 month period.
- 7.6 A casual vacancy on the Board will be filled by the Board at its discretion and with reference to any outside consultant involved in the endorsement process for election of Board members. A Director appointed to fill a casual vacancy will be appointed only until the next AGM of the AKA, at which the position will be subject to re-election for the balance of the term then remaining.
- 7.7 A Board member may be removed
  - (a) pursuant to rule 8.2; or
  - (b) by resolution of the members in accordance with s203 of the Corporations Act; or
  - (c) upon the expiry of their term under rules 7(a) and 11(b).
- 7.8 Each board member by accepting appointment to the Board agrees to resign in the event that a majority of the Board passes a motion of no-confidence in that particular Board member, and the vacancy caused by such resignation will be treated as a casual vacancy until the next following General Meeting.
- 7.9 Where there is either no nomination for any position under clause 7.1 or no nominee satisfies the endorsement process for any position under clause 7.1, then such position will be considered to be a casual vacancy and may be filled pursuant to clause 7.6.**
- 7.10 No elected Board member may occupy a particular directorship for more than two consecutive terms. This rule does not prevent a particular Board member, having served two consecutive terms in one position, from standing for another position in the AKA or occupying a non-board position for more than two non-consecutive terms or standing for the original position after serving a term in another position..**

## **R8 Powers of the Board**

8.1 The Board has the entire management and control of the AKA and has power to do anything necessary or convenient to achieve the purposes of the AKA including:

- (a) allocate to the Committees of Management or Associate Members such powers and responsibilities as may from time to time be deemed desirable including those matters set out in rules 8.4 and 9.3 below;
- (b) the arrangement of the National Kart Calendar and the allocation of the Australian Kart Championships;
- (c) the drawing up and amendment from time to time of Kart Formulae;

- 
- (d) the sole and non delegable responsibility for the compilation and amendment from time to time of General Kart Regulations;
  - (e) the issue of licences to competitors and drivers in Kart competitions, and of permits to organisers of such competitions in accordance with the General Kart Regulations;
  - (f) the imposition of such levies, penalties, fees, fines, contributions and subsidies as may seem to the Board necessary, and the enforcement of collection of such amounts from any, Associate Member, Club, group or individual as permitted by the General Karting Regulations;
  - (g) the negotiation of insurance for members, their clubs, drivers, officials and spectators;
  - (h) the maintenance of a central registry of Kart licences;
  - (i) the enforcement of any legal instruction relating to Karting issued on behalf of the Federation Internationale de l'Automobile;
  - (j) the consideration and adoption of any suggestion made by Associate Members;
  - (k) the maintenance of due liaison and information regarding Karting matters with the Confederation of Australian Motor Sport;
  - (l) the arbitration of disputes between Associate Members or between clubs in different States;
  - (m) the establishment, coordination and support of specialist committees and the delegation to them;
  - (n) the appointment from time to time of advisory or executive sub-committees to discharge such functions and to hold office for such time as the Board shall deem fit;
  - (o) the reimbursement of any member, servant or agent for any out-of-pocket expenses properly incurred on the Board's behalf and the payment to any such member, servant or agent of such wage, honorarium or return for services rendered as the Board shall think fit.
- 8.2 Board members are required to attend as many Board meetings as possible. If any Board member misses three Board meetings in a row without good explanation, then their position will be treated as a casual vacancy under this Constitution.
- 8.3 The Board may make regulations not inconsistent with these Rules or the International Sporting Code of the Federation Internationale de l'Automobile for the better management of the sport of karting in Australia.
- 8.4 Pursuant to Rule 8.1(a), the AKA **will** allocate to the Associate Members, ~~certain powers and~~ responsibilities in the following areas:-
- (a) distribution of issued permits;
  - (b) distribution of issued licences and upgrades;
  - (c) issuing of race permits, track licences and conducting track inspections;

- 
- (d) forwarding correspondence as required to all members;
  - (e) remittance of monies collected on behalf of the AKA;
  - (f) training of officials;
  - (g) maintaining a list of members from each particular state or territory;
  - (h) acting as a conduit between members, clubs and committees of management;
  - (i) acting as tribunal registrars;
  - (j) archiving of records;
  - (k) production of a calendar for each state or territory;
  - (l) promotion and marketing of the sport generally within each state or territory;
  - (m) issuing of gauges and other technical equipment;
  - (n) being a central reference point for all clubs within a particular state or territory.
  - (o) obtaining grants and other funds through state governments and other like organisations;
  - (p) enforcing the AKA's rule within each state or territory;
  - (q) co-ordinating karting within each state or territory on behalf of the AKA;
  - (r) any other matter **in the discretion of the AKA board**.

8.5 The Board will require each Associate Member to enter into a contract regulating the relationship between the AKA and the Associate Members, including financial matters **and those matters provided for in clause 8.4 above**.

## R9 **Committees of Management**

9.1 Each elected Board member will be responsible for an area of the AKA designated by its title. Each elected Director will chair a committee devoted to that area of responsibility as follows:-

- (a) Finance and Audit Committee
- (b) Administration Committee
- (c) Competition/Rules and Safety Committee
- (d) Technical Committee
- (e) Promotional and Marketing Committee

9.2 Each committee of management will comprise **no more than** one delegate from each ~~state and territory karting association who are~~ associate member of the AKA. Each ~~state or territory~~ associate member **may will** nominate one or more members for a position on each committee **suitably qualified to the satisfaction of the Board based on criteria the Board will set from time to time**. From those nominations the board **will** appoint **no more than** one

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member from each ~~associate member state and territory AKA~~ to each committee. The appointee from each ~~associate member state or territory association~~ will be appointed for a term and on conditions laid down in each case by each ~~associate member state or territory association~~ in its own right. The appointee may not be an elected Board member of the AKA.

- 9.3 Each committee of management will be governed by its own set of rules of procedure and a description of responsibilities endorsed by the Board of the AKA from time to time.

## R10 **Appointment of Officers**

~~10.1 The elected officers of the AKA are:~~

~~The Board of Directors as referred to previously, and:~~

- 10.1 In addition to the ~~two additional~~ Directors appointed under rule 7.1, the Board will appoint individuals for the following posts:-

Medical Officer

Auditor

Secretary

Any further position deemed necessary by the Board.

- 10.2 Except for ~~those any additional~~ Directors appointed under rule 7.1, any ~~other~~ officer appointed by the Board of Directors is appointed for an indefinite term and may be removed by the Board at any time in its discretion.

## R11 **Interim Board**

The AKA is formed pursuant to the migratory provisions under the Associations Incorporation Act (Vic) 1981. Accordingly, if required until such time as the migration process is completed, the affairs of the AKA will be managed by an interim board made up of 5 persons elected by the Associate Members from a list of nominees to which each Associate Member may make one nomination. The interim management will only continue until such time as reasonably required until the inaugural board of the AKA elected under rule 7 herein has assumed authority. The interim board will maintain the business of the AKA but not have authority to bind the Board nor implement any new policy inconsistent with the Board's powers under this Constitution.

## ~~R11 Terms of Office~~

~~11.1 The officers appointed by the Board under Rule 10.1 take office at the conclusion of the Annual General Meeting and hold office for the period expiring at the conclusion of the next Annual General Meeting.~~

~~11.2 All officers who are not Board members are eligible for re-election or reappointment by Board save and except that. No elected Board member may occupy a particular directorship for more than two consecutive terms. This rule does not prevent a particular Board member, having served two consecutive terms in one position, from standing for another position in the AKA or occupying a particular non-board position for more than two non-consecutive terms.~~

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~~11.3 Any officer who is not a Board member may be removed by a vote of the Board of at least  $\frac{3}{4}$  of the total number of Directors.~~

## R12 Chief Executive Officer

- 12.1 (a) A Chief Executive Officer may be appointed by the Board on such terms and conditions as are agreed upon.
- (b) The Chief Executive Officer is an invitee to the Board.
- (c) The Chief Executive Officer may not be a Director of the AKA nor hold any elected office in the AKA or in any **associate** member.
- (d) The Board may by resolution delegate any of its powers to the Chief Executive Officer except the power of delegation and the power to make regulations, and may withdraw the delegation at any time.
- (e) The Chief Executive Officer must defer and refer back any decisions made by the Board that do not comply with the Insurance Company's cover, legal advice, FIA, etc.
- (f) Where there is no CEO, any reference to the CEO shall mean the person delegated by Board for the purpose.
- 12.2 Where there is no CEO, any reference to the CEO shall mean the person delegated by the Board for the purpose of overseeing executive functions of the AKA.

## R13 Conflicts of Interest

A Director or member of any committee or sub-committee of the AKA who has any direct or indirect interest in any present or anticipated contract agreement or arrangement with the AKA must declare that interest at any relevant meeting of the Board or the committee (as the case may be) after he becomes aware of the interest or the contract agreement or arrangement, and must not vote in respect of the matter.

## R14 Quorum at Board Meetings

The quorum at a meeting of the Board is 80%. The Board may permit the use of Alternate Directors and proxies at Board meetings, if required, in accordance with the Corporations Act, 2001.

## R15 Number of Board Meetings

The Board must meet at least twice in each year. A meeting of the Board must be called if a majority of Directors so request. A meeting called as the result of such a request must be held within two months of the receipt by the Secretary of the request. If a majority of Directors agrees, any meeting of the Board, other than the meeting held in conjunction with the Annual General Meeting, may be conducted by telephone conference or other "live" in person electronic means.

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## R16 Notice of Board Meetings

- 16.1 At least one month's notice must be given of a Board meeting unless a majority of Directors agree that it is necessary to hold the meeting with a shorter period of notice.
- 16.2 A Board meeting may be called or held by telephone conference or other "live" in person electronic means consented to by all the Directors. The consent may be standing one. A Director shall only withdraw the Director's consent within a reasonable period before the meeting.

## R17 Board Meetings Not Public

Meetings of the Board are conducted in private but the Board may determine that part of the meeting be opened to the press or other observers. The Board may permit any person to address it.

## R18 Decisions of Board Meetings

- 18.1 (a) All decisions at Board meetings are made by simple majority of those present and voting. The person presiding does not have a casting vote. A tied vote shall be deemed to be resolved in the negative.
- 18.2 (b) An Appointed Director shall not be entitled to vote on his re-appointment.
- 18.3 (c) The Board may pass a resolution without a Board meeting being held if the majority of all the Directors entitled to vote on the resolution sign a document containing a statement that they are in favour of the resolution set out in the document. All Directors must be served with any document to be considered under this clause. Separate documents may be used for signing by Directors if the wording of the resolution and statement is identical in each copy. The resolution is passed when the last Director signs.

## R19 General Meetings

### Time for Annual General Meeting

An Annual General Meeting must be held each year in the months of August or September or such other month as the Board determines **subject to the Corporations Act, 2001**.

## R20 Business of the Annual General Meeting

The business of the Annual General Meeting is to:

- (a) receive the Chairman of the Board's Report
- (b) receive and consider the financial statement
- (c) elect the Board of Directors
- (d) appoint an auditor, and
- (e) consider such other business **as required by the Act or of which at least two month's requisite notice has been given under this constitution or the Act. to the Board and is approved to be included on the agenda by the Board.**

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**R21 Special General Meetings**

A general meeting of the AKA may be called only in accordance with the provisions of division 2 of Part 2G.2 of the *Corporations Act, 2001*, save and except that

- (a) the number of members required to call a meeting for the purposes of section 249D of the Act is 20% of the total number of voting members of the AKA; and,
- (b) section 249C of the Act does not apply but in its place the Board may resolve to call a general meeting.

**R22 Period of Notice of General Meetings**

At least one month's notice of every General Meeting, including the Annual General Meeting, must be given by way of e-mail, ordinary mail or other suitable means determined by the Board.

**R23 Form of Notice of General Meetings**

A notice stating:

- (a) the place, date and time of the General Meeting
- (b) the nature of the business to be considered
- (c) if any special resolution has been proposed, the text of the motion must be delivered to each person or body entitled to receive notice along with a statement that it is intended to propose the motion as a special resolution at the General Meeting. The motion and the notice must be at the address notified in the Register of Members, including an e-mail address, where provided.

R24 A document which is posted and correctly addressed, unless the contrary is proved, is deemed to have been given to the addressee at the time at which the letter would have been delivered in the ordinary course of post.

**R25 Quorum at General Meeting**

Fifty eligible voters present in person or by proxy constitutes a quorum at a General Meeting. There will be a limit of one proxy per voting member save and except for the chairman at the General Meeting who may hold an unlimited number of proxies.

**R26 Proxies at Board Meetings and General Meetings**

A proxy must be in writing and submitted to the AKA at least seven days prior to the time set for a General Meeting. A proxy which does not specify who is appointed or how to vote on a particular resolution, will be deemed in favour of the chairman of the General Meeting and operate as a general proxy in favour of the chairman. If a member has been appointed by a proxy fails to attend a General Meeting, then that proxy will be deemed to be held by the chairman of the General Meeting as a special or general proxy as indicated thereon. If a member who has appointed another member to vote as proxy attends the General Meeting then they must withdraw their proxy before the commencement of the General Meeting or they shall not be entitled to vote on any resolution.



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**R27 Decisions at General Meetings**

All decisions at General Meetings other than

- (a) a resolution to alter the name, the Statement of Purposes or the Constitution; or
  - (b) any other resolution required by the Corporations Act 2001 to be a special resolution,
  - (c) a-re-submission of any resolution a
- are decided by a simple majority of votes cast.

Any decisions referred to in sub-rules (a), (b) or (c) of this rule must be decided by special resolution.

**R28 Special Resolution**

As prescribed by the Corporations Act 2001, a special resolution is a resolution agreed to by at least three-quarters of the entitled voters who are present in person or by proxy and who vote on the resolution at a General Meeting of which notice specifying the intention to propose the resolution as a special resolution was given in the manner required by these Rules, at least 21 days prior to the meeting.

**R29 Management of Funds**

- (a) All moneys received by the AKA must be deposited in a bank account or accounts in the name of the AKA.
- (b) All payments must be made by cheque or electronic funds transfer where permitted by the Board.
- (c) All cheques must be signed by two (2) persons from a number appointed by the Board for that purpose.
- (d) The Board may approve the use by specified persons, of a credit card to draw on an account of the AKA, and must specify the terms under which the card may be used.

**R30 Financial Year**

The financial year of the AKA ends on the 30<sup>th</sup> of June.

**R31 Derivation of Funds**

The funds of the AKA are derived from subscriptions, licence fees, meeting permits, fines and such other sources as the Board agrees to.

**R32 Common Seal**

32.1 The Board will appoint a person to be responsible for the custody of the common seal, which must only be affixed in accordance with a resolution of the Board, and in the presence of two Directors.

32.2 A Director shall NOT sign a document to which the seal is fixed where the Director is interested in the contract or arrangement to which the document relates.

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32.3 A document may be executed without using a common seal if the document is signed by two Directors not interested in the contract or arrangement to which the document relates.

### R33 Indemnity

The AKA will indemnify (either directly or through one or more interposed entities) any person who is or has been a Director, Company Secretary or Chief Executive Officer of the AKA and, if so resolved by the Board, the auditor of the AKA, out of the funds of the AKA **against any liability which arises from the performance of their duties for the AKA either -**

- (a) to another person (other than the AKA or a related body corporate) unless **such** liability arises out of conduct involving a lack of good faith or negligence;
- (b) for costs and expenses incurred by that person:-
  - (i) in defending proceedings, whether civil or criminal, in which judgment is given in favour of the person or in which the person is acquitted; or
  - (ii) in connection with an application, in relation to such proceedings, in which the court grants relief to the person under the Act save for any liability that arises from the negligence of that person.

### R34 Books and Records

The Board will appoint a person to be responsible for the custody of the books, records and securities of the AKA.

### R35 Inspection of Documents

Any books or records of the AKA may be inspected upon reasonable notice **to the Chief Executive Officer** by any member of the Board or by any person authorised in writing by the Board or permitted under the **Corporations Act** to do so.

### R36 Alteration of Statement of Purposes or Rules

This Constitution may only be amended by a special resolution passed at a General Meeting of the AKA.

### R37 Operation of Corporations Act, 2001

37.1 Where there is any conflict between this Constitution and the provisions of the Corporations Act, 2001, provisions of this Constitution will apply as permitted by the Corporations Act 2001. Where there is a matter not governed by the provisions of this Constitution, then the provisions of the Corporations Act, 2001 will apply.

37.2 The AKA at all times must and will –

- (a) pursue charitable purposes only consistent with its objects and purposes set out herein;
- (b) only apply its income towards promoting those purposes;

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(c) prohibit making distributions to its members or paying fees to its board members;

(d) require its directors to approve all other payments the AKA makes to directors.

**R38 In this Constitution:**

38.1 Any reference herein to “the Act” or to “the Corporations Act, 2001” is a reference to the *Corporations Act (C’wth) 2001* as amended from time to time, including any regulations made thereunder, and any superseding legislation.

~~“note” means that the text that follows and that is set in italics is not a part of this Constitution, but is added to assist interpretation or to provide a pointer to relevant provisions of the Corporations Law;~~

~~**Bold** headers do not form part of this Constitution, and are added solely for the purpose of identifying the general content of the following provisions.~~

38.2 The provisions in this Constitution are referred to as a “rule” or “rules”. Provisions sharing the same numerical prefix may be referred to as a “sub-rule”.

38.3 Except so far as the contrary intention appears in this Constitution, an expression has, in a provision of this Constitution that deals with a matter dealt with by a particular provision of the Corporations Act, the same meaning as in that provision of the Corporations Act.

**38.4 Schedules**

Any schedules hereto are part of this Constitution, and their provisions shall prevail if they conflict with any other provision of this Constitution.

End of constitution

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# Australian Karting Association Council

2005 ANNUAL GENERAL MEETING.



Venue: Novotel Brighton Beach  
Cnr The Grand Parade & Princess Street  
BRIGHTON-LE-SANDS NSW

Date: 29 October 2005

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## **Australian Karting Association Inc**

### **2005 ANNUAL GENERAL MEETING:**

Annual general meeting opened:

Starting time:

#### **AGM 1      Order of Business**

- 1 Opening remarks by Chairman.
- 2 Apologies
- 3 Minute procedure
- 4 Accept previous annual meeting minutes.
- 5 Business arising from minutes
- 6 Correspondence to AGM
- 7 Business arising from correspondence to AGM

#### **AGM 2**

##### **Reports**

8. 1 National President's Report
- 2 Auditor's Report at 30th June 2005
- 3 Financial Report as at 30th June 2005
- 4 Executive Member Services Report
- 5 Executive Member National Events Report
- 6 Executive Member Technology Report

##### **Other Reports**

9. 1 National Technical Coordinator's Report
  - 2 National Officials Coordinator's Report
  3. National Track Safety Coordinator Report
  4. CIK Delegate Report
  5. IKC Chairman Report
  6. 2005 National Championships Report
- 
10. Chairman's closing remarks
  11. Declare positions vacant.
  12. Appointment of 2 Scrutineers

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### AGM 3 Election of AKA Officers (refer rule 10A a (ii) if applicable)

Elected persons positions will take effect on written approval from Corporate Affairs Victoria.

➤ Table of Nominations:

Positions	Nominee	Nominated by	
<b>AKA SECRETARIAT- Rule R10</b>			
Executive Member Technology	Brian Farley	NSW, SA	
	Ralph van Doorn	QLD	WITHDRAWN
	John McCleverty	QLD	
Executive Member National Events	Garry Sharp	VIC	WITHDRAWN
	Pam Arnett	VIC, SA, WA	
	Ralph van Doorn	NSW	
<b>OTHER ELECTED OFFICERS – Rule R10</b>			
National Technical Coordinator	Brian Farley	NSW	
	Kevin McKinnon	VIC, TAS, WA	
National Officials Coordinator	Sylvia Stania	VIC, SA	
National Track Safety Coordinator	Mick Stott	SA	
	Tom Kenneally	QLD	
National Publicity Officer	Russell Grimson	NSW	
National Medical Officer			
<b>IKC</b>			
<b>2 IKC Members</b> (Rules A16.1 (a)(b) & R10A(a)(i))	Chris Robinson	SA, QLD	
	Craig Denton	SA	
<b>CIK Technical Officer</b> (Rules A16.1(a)(b) & R10A(a)(i))	John McCleverty	QLD	
	Chris Robinson	SA	
<b>CIK Series Coordinator</b> – Rules A16.1(a)(b) & R10A(a)(i)			
<b>CIK Delegate</b> (Rules A12, A16.1 (b) & R10A(a)(i))	John McCleverty	QLD,	
	Craig Denton	SA	
	Gary Light	WA	
	Ralph van Doorn	NSW	
<b>LIFE MEMBER/S</b>			

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**AGM 4      Appointment of Auditor**

The Secretariat recommends the appointment of Berger Piepers Chartered Accountants of Penrith.

Annual General Meeting closed:

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# Australian Karting Association Inc

## COUNCIL MEETING



Venue: Novotel Brighton Beach  
Cnr The Grand Parade & Princess Street  
BRIGHTON-LE-SANDS NSW

Date: Sunday 30<sup>TH</sup> October 2005



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**Australian Karting Association Inc**

**COUNCIL MEETING**

**Sunday 30<sup>TH</sup> October 2005**

Starting time 9.00am

Item 1:

South Australia requested to put forward an Additional agenda item be accepted:  
Chapter 35 – request to Junior Max class to be granted experimental class (to be called  
Formula JMA). Licence Minimum B grade and Class weight 140kg

MOVED:SA

SECOND:NSW

VOTING:

Some State did not wish to vote and would like to take back to their States .

Item 2:

Rule 23.11 (6) Reword:

23 .11 (6) Replace Existing with:

" Damaged or worn out tyres(By way of force majeure) must be reported to and be  
inspected by the chief scrutineer prior to the kart leaving the grid/impound area,  
replacement(s) will be at the competitors cost.

Drivers receiving a replacement(s) will be required to start at the rear of the grid in their  
next heat/final of that event.

From Kevin McKinnon:

On reflection of this addendum it is clear that whilst we have covered the competitor that is  
not "playing the game" we have disadvantaged the honest competitor that for instance has  
been run over and received a severely damaged tyre, and now for no fault of his own has  
to start at the rear.

My suggestion is to include in 23.11.(6) "And or an approved used tyre" (ie) if you elect to  
use an "approved used tyre" then you would start in your rightful position.

We would add to 1.07 "AN APPROVED USED TYRE IS ONE OF THE SAME CONTROL  
BATCH AND OF SIMILIAR WEAR TO THE DAMAGED TYRE (S) "

SO DELETE 2ND PARAGRAPH.

ADD "Drivers have the option of an approved used tyre or a new replacement, drivers  
electing the new tyre will be required to start at the rear of the grid in their next heat/final of  
that event"

(see 1.07 XXX for approved used tyre)

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Item 3:

**Historical Karting**

**Definition of a historic Kart or Go kart**

- 1. A kart or Go kart that was previously listed in AKA or Cams rule Books that was raced prior to side pods being made compulsory .  
( National & Clubman classes are not acceptable In historic Class )**

The *sprit and intent* of this category is to promote the category to be known as historic karting preserve and to promote the history of karting in general. Karts will be presented for racing, as they would have in their era of their original competition; this is in regard to eligibility and specifications of the day.

The karts will be categorised as per their era as follows however the whole category covering all era's will known generally as historic karting. Historic karting will be a non-championship category.

**Era 1.**

From the conception of karting in Australia from 1959 until *the first Australian championship*

**(Caringbah 12/6/1961)** These Go karts to be known as "***historic go karts***"

**N.B** In 1961 the name Go kart become a registered business name owned by Azuza engineering of the USA hence the international karting federation changed the name of the sport from "Go karting" and adopted the current name of "karting" hence karts made before 1961 are known as go karts and after 1961 are known as Karts.

**Era 2**

Karts built from July 1961 until 31<sup>st</sup> December 1969 these karts are to be known as "***vintage karts***"

**N .B** Generally ERA 1 Go karts & ERA 2 Vintage Karts have straight-sided chassis Rails.

ERA 3 classic & ERA 4 post classic karts Will be of waisted-sided design as modern karts is.

**Era 3**

Karts built from 1<sup>st</sup> January 1970 until 31<sup>st</sup> December 1979 these karts are to be known as "***classics karts***."

**Era 4**

Karts built from 1<sup>st</sup> January 1980 until when side pods were introduced are to be known as "***post Classic karts***"

**All karts must have a logbook covering their authenticity,** which will be issued by the registrar of

Historic karts. The logbook will include a photograph of the kart and the following details

- The make of kart
- The era it raced in.
- Colour
- Class
- Owners name address
- Engine type
- History (if known)
- Current club
- Current Scrutineering history
- Race meeting's attended
- Type of fuel Used ( petrol or alcohol )

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I. Wheel Sizes & tyre sizes

**Where possible AKA and CAMS rulebooks and creditable publications from the appropriate era's will be used for reference Purposes**

1. A form to be known as application for recognition will require the details as out lined in the logbook be provided to the registrar and 4 photographs will accompany the application 3 photo's will be of **post card** size 1 being of **plan** and 1 being **Front** view and 1 being **Rear** view to be retained by the registrar and the 4th photo being of **passport size in landscape** to be placed in the logbook. The logbook will remain in use until such time as the book is filled. If the kart changes hands the registrar is to be notified and the change of ownership is transferred to the new owner.

2. To be allowed to race a log book will have to issued, **karts without a log book will restricted to demonstrations only under rule 13.01**

3. Historic Sprint Kart Formula **will be as per chapter 25 of the AKA manual except** for historic ERA kart specifications and rules And to include chapter 14

4 Tyres If the original Tyres are no longer Available a selection will be made from the AKA approved Tyres Chapter 23.09 1 Providing the selected Tyre will fit the original Rims with out modification

5. Kart specifications will be controlled via the logbook and the registrar, prior to permission to be allowed to race in the historic category a log book containing kart details will issued by the registrar A historic tech adviser or appointed technical person in historic will administer the regulations or a person who is nominated by the tech adviser to carry out their duties relating to historic karting only.

5. Historic karts **will be restricted to AKA events of significant importance** ie. Championships, major events as part of the sports overall promotion of karting in general to a maximum number of 2 outings per annum per club.

6. Licence's for racing will be an AKA competition licence however **a Single Event licence can** be issued to cover historic karters . Historic Karters Can Compete on single event licences , karters who compete in **more** than 3 events per annum will require a normal AKA licence) rule 13.02/3-(b) applies.. The applicant will go through due process ie. Club membership, medical where applicable, OLT if in force, flag duties etc.

7. Rule 19.14 a & d will apply to historic Karting.

A new rule 19.14 e. Stating that historic Karts cannot race or practice with modern karts that is Karts from when compulsory introduction of side pods and karts covered by rulebooks from 198? On.

8. Clubs wishing to apply for events for historic karts they are to be included the supplementary regulations for a race meeting and will apply as part of their normal application for a race permit however their historic Co ordinator will be included as an official of the meeting.

9. Drivers competing in historic events will present there historic kart and current AKA licence, scrutineering form and kart log book to the scrutineer (historic karts will not self assessed) To be scrutineered and marked off as a **AKA** licensed driver in the normal licence log and also as a record in the kart log book of the karts current race history and overall condition.

**Recommendation to AGM ; Consideration to be taken into account the following:**

**Single event licence & Scrutineering**

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Item 4:

ADMIN ITEM 28 - Rule 28.06 and 35.1.4

As the class promoter of the Formula Rotax and Junior Max, DPE has the right to nominate the tyres used in these classes. We wish to inform the AKA that we are currently reviewing all the designated tyres for both Formula Rotax and Junior Max classes, with a view to either changing one or both for 2006.

**REASON:** It is a fact that the YGK Tyre is some years old now and improved technology means that perhaps a better tyre is available. Additionally BRP-Rotax have produced their own tyres. This and other relevant factors will be considered so as to make the best decision in the interest of the competitors and the relevant classes.

**RECOMMENDATION:** Exclude Junior MAX from the submission.

Brian Farley to report back to NKC on the testing of these tyres.

Item 5:

ADMIN ITEM 25 - Non-Conforming Equipment

Confiscation of non-conforming equipment detected at race meeting by technical inspectors.

**REASON:** To get the non-conforming equipment out of the system forever.

**MOVED:**

**SECOND:**

**VOTING**

Recommend for discussion item at AGM with input from AKA technology member

Item 6:

ADMIN ITEM 23 – MINIMISING COSTS OF KARTING

Look at opportunities for minimising the on going costs of karting, eg. harder compound tyres to extend their competitive life.

**REASON:** It is in the interests for the development of the sport to reduce costs, which are becoming an increasing unnecessary burden in some areas to the average karter.

**Member of Technology currently looking into this issue and report back at the AGM.**

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Item 7:

**ADMIN ITEM 16 – Refer DPE ITEM 52 Tech minutes / 37 Administration Minutes**

We ask the AKA to please consider this alternative idea. We would require a response at the AGM so that we could carry out the necessary evaluation in time for 2007.

This was part of the expression of interest that was sent out that was to restructure the junior ranks.

George Turton has informed the Delegates that the S80 barrels will be available again for Australia. Letter of correspondence submitted by George.

Hold over until we get a report from the Techs.

Item 8:

**Clothing**

Consider the use of fluoro shirts for officials in place of the blue shirts and vests used at present. The shirt only needs an AKA logo on the front and "OFFICIAL" in large letters on the back. For discussion at the AGM.

**REASON:** To make officials easier to see (Occ. health and safety), the vests get very hot and make access to pockets in shirts difficult. The shirt is presently used at one NSW track and is well received.

**RECOMMENDATION:** That a Fluoro vest is used with official written on the back, by having a shirt it will not be seen should the official put on a jumper or jacket. The vest can be put over the top of clothing.

**MOVED:**

**SECOND:**

**VOTING**

Item 9:

Table CAMS delegation agreement in draft or as signed. If in draft or oral, what are the proposed terms of agreement. If signed, table the NKC authorization.

Table the DPE Rotax 125 contract in draft or as signed. If in draft or oral, what are the proposed terms of agreement. If signed, table the NKC authorization.

Table the Dunlop tyres contract in draft or as signed. If in draft or oral, what are the proposed terms of agreement. If signed, table the NKC authorization.

Table the Andrew Jones contract in draft or as signed. If in draft or oral, what are the proposed terms of agreement. If signed, table the NKC authorization.

Table &/or report on any other contract under consideration by the Secretariat.

Table all affirmative Postal Votes that do not relate to matters relating to the rules of the sport, i.e., Loan from TDF.

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Report the position regarding setting up the trust for the TDF as per the NKC direction.

Report what assistance or involvement persons outside the Working Party have with the Governance movement.

Report the current status regarding CAMS demands for the move to new Governance.

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Item 10:

**2006 AKA Events Calendar - DRAFT2**

<b>Date</b>	<b>Event</b>	<b>Club / Town</b>	<b>State</b>
	AKA 44 <sup>th</sup> National Sprint Kart Championships	Bolivar	SA
10/11/12 March	Victorian Open State Championships	GKCV – Todd Road	VIC
23 – 25 June	Northern Territory State Championships	TBA	NT
9 – 12 July	Queensland State Championships	Townsville	QLD
1/2/3/ Sept	2006 Formula Rotax Nationals	TBA	NSW
30 Sept – 1 & 2 Oct	NSW State Championships	TBA	NSW
6/7/8 Oct	Western Australia State Championships	Bunbury	WA
17/18 Nov	South Australia State Championships	Mt Gambier	SA
25/26 Nov	Tasmania State Championships	STKC - Hobart	TAS
9/10 Dec	2006 National ReSa Championships	Port Macquarie	NSW