

IPRAA CONSTITUTION

AUSTRALIA

Revised Nov 2012

CONSTITUTION OF THE IMPROVED PRODUCTION RACING ASSOCIATION OF AUSTRALIA

1. **NAME**

- 1.1 The name of the association shall be the "Improved Production Racing Association of Australia" hereinafter referred to as the IPRAA.

2. **STATEMENT OF PURPOSE AND OBJECTIVES**

- 2.1 The purpose of the IPRAA is to provide at a National level an association which will provide a central administration of rules and regulations pertaining to Improved Production Car racing and to provide the necessary link with the ruling body of motor sport in Australia, namely CAMS,
- 2.2 The objectives of the IPRAA are as follows:
- 2.2.1 To ensure uniform application of the rules of Improved Production Racing.
- 2.2.2 To encourage, and oppose deviation from, the concept of Improved Production racing as being a sedan based class regulated to ensure that it is within the means of club level enthusiasts.
- 2.2.3 To keep Improved Production Cars an economical form of automobile racing without handicapping driver ability or jeopardising safety.
- 2.2.4 To promote the racing of Improved Production Cars.

2. **AFFILIATION**

- 3.1 A State or Territory Association shall be affiliated if:
- 3.1.1 It represents more than half of the current registered Improved Production car log book holders in a State or Territory of Australia.
- 3.1.2 It has at least ten current registered Improved Production car log book holder members.
- 3.1.3 It provides a properly appointed state or territory delegate.
- 3.1.4 It is accepted in the first instance by a majority of existing State or Territory Delegates.
- 3.1.5 It provides a current state or territory constitution to the IPRAA.
- 3.2 There shall never be more than one affiliated State or Territory Association representing Improved Production car racing members in any one state of Australia.
- 3.3 In the event that residents of a state or territory are unable to qualify for affiliation under 3.1 above, the IPRAA shall be empowered to allow a delegate from that state or territory to attend Executive Committee meetings as an observer. The IPRAA shall give every assistance to such a state or territory to enable it to achieve qualification as an affiliate.

4. **MEMBERSHIP**

- 4.1 There shall be two classes of member regardless of sex, race or creed.
- 4.2 Registered Member: Shall be a person who is a financial or honorary member of an affiliated State or Territory Association and who holds a CAMS log book of an Improved Production car and such car is currently race registered with CAMS and for whom a capitation fee has been paid to the IPRAA in accordance with the By-laws.
- 4.3 Financial Member: Shall be a person who is a member of an affiliated State or Territory Association and for whom a capitation fee has been paid to the IPRAA in accordance With the By-laws.

5. **FEES AND SUBSCRIPTIONS**

- 5.1 Fees and subscriptions shall be charged in accordance with the By-laws.

6. **RESPONSIBILITIES OF STATE AND TERRITORY ASSOCIATIONS AND DELEGATES**

- 6.1 State or Territory Associations shall maintain up to date lists of Registered Members and Financial Members and provide copies of such to the IPRAA on a regular basis.
- 6.2 Delegates shall ensure that minutes of Executive Committee meetings and correspondence from other Delegates or the National Administrator is brought to the attention of the State or Territory Association next general meeting or committee meeting as appropriate.
- 6.3 Delegates shall ensure that copies of State or Territory Associations general meetings and committee meetings are sent to the National Administrator and to ensure generally that he/she is kept properly informed.
- 6.4 Delegates are expected to act for and on behalf of and represent the views of the members of their State or Territory Association.

7. EXECUTIVE COMMITTEE

- 7.1 The Executive Committee shall comprise all State or Territory Delegates and the National Administrator. The prime role of the committee is to provide a forum for discussion and advice to the National Administrator and to their members.
- 7.2 The Executive Committee shall meet at least once per year. This obligation can be satisfied by the use of phone conferencing if so agreed by at least two thirds of the State or Territory Delegates
- 7.3 The National Administrator shall notify each delegate at least thirty days prior to an Executive Committee meeting of the time, venue, agenda items and substance of any technical issues.
- 7.4 The Executive Committee May appoint an auditor to audit the accounts of the IPRAA.
- 7.5 The Executive Committee shall establish all fees, charges and remunerations applicable under the by-laws of the IPRAA.
- 7.6 The Executive Committee shall nominate a Returning Officer for ballot and election results. The National Administrator can be the returning officer for a ballot but not for an election of the position of National Administrator.
- 7.7 The quorum for an Executive Committee meeting shall be five, or a majority of committee members.
- 7.8 An Executive Committee meeting can be called by the National Administrator alone or by a majority of State or Territory Delegates.
- 7.9 Proxy votes of absent Executive Committee members are acceptable provided they are in writing and nominate their chosen delegate.

8. NATIONAL ADMINISTRATOR

- 8.1 The National Administrator shall conduct the business of the IPRAA in an efficient manner.
- 8.2 The National Administrator shall be the sole representative to CAMS on matters of Rules and Regulations unless he/she shall have properly delegated that responsibility.
- 8.3 The National Administrator shall ensure the following specific matters are attended to on a timely and efficient basis.
 - 8.3.1 Propose for the Executive Committee approval fees and charges for the following year based on a budget for that year.
 - 8.3.2 Collect all fees and other receipts maintain a bank account and ensure timely banking of funds and to disperse such funds as required.
 - 8.3.3 Maintain proper books of account based on a Financial Year ending 31st December.
 - 8.3.4 At least twice a year within 60 days of June 30 and December 31 provide to each State or Territory Delegate a Balance Sheet and Statement of Income and Expenses for the IPRAA.
 - 8.3.5 Attend to any statutory requirements.
 - 8.3.6 Organise Executive Committee meetings.
 - 8.3.7 Maintain a national register of all state members (including Registered and Financial members) and supply a copy to any State or Territory Delegate upon request.
 - 8.3.8 Distribute minutes of meetings to State or Territory Delegates and maintain a file of State or Territory Association minutes.
 - 8.3.9 Distribute ballot and election forms to members.

- 8.4 The National Administrator shall be responsible for maintaining such regulations as are deemed necessary for the governing of Improved Production to the extent that such matters are not adequately covered by the rules. Without limiting the foregoing such regulations shall include an IPRAA Technical Manual which shall set out the Procedures to be followed by all scrutineers in the measuring and testing for compliance of any part of an Improved Production car. Further, the National Administrator shall ensure that the State or Territory Delegates are kept up to date with any change to the regulations including the IPRAA Technical Manual.
- 8.5 The National Administrator may delegate any of his / her responsibilities or powers to any person provided that such delegation is agreed by a majority of the State or Territory Delegates.
- 8.6 The National Administrator may undertake the task of promoting Improved Production to the extent agreed by the Executive Committee from time to time.

9. ELECTION OF THE NATIONAL ADMINISTRATOR

- 9.1 National Administrator shall be elected by the Executive Committee on a majority vote.
- 9.2 The election of National Administrator should be completed by the 31st of December in each year. Only persons who have served at least 12 months on the committee of a State or Territory Association shall be eligible for nomination.
- 9.3 Nominations for the position of National Administrator must be lodged with all members of the Executive Committee no earlier than the 1st October and no later than the 31st of October in the year of the election. This nomination must contain a personal resume as well as an overview of the nominee's plans for the IPRAA if elected.
- 9.4 The term of occupancy for the National Administrators position is a minimum of two years. This term may be extended for a further year but only by a unanimous vote of the Executive Committee.
- 9.5 The National Administrators role should alternate between states and territories on a rotating basis if possible.
- 9.6 In the event of the National Administrators position become vacant due to exceptional circumstances (resignation, imprisonment, sickness or death), the Executive Committee can elect an interim National Administrator via a special meeting until the next nomination period in the year of the exceptional circumstance.

10. REMOVAL OF THE NATIONAL ADMINISTRATOR

- 10.1 If any two State or Territory Delegates together and / or a signed petition of 20 members notify in writing to all members of the Executive Committee that the National Administrator has been In default of his duties and if after the expiration of 30 days such default has not been rectified, then by a, further notice of any two State or Territory Delegates the position of National Administrator will become vacant within the expiration of 30 days.
- 10.2 In the event of a second notice being served under Clause 10.1 above, the Executive Committee shall arrange to meet within 30 days and a new National Administrator may be selected by the Executive Committee until such time as an election may be held,

11. CHANGES TO REGULATIONS AND BY-LAWS

- 11.1 Changes to Regulations shall be at the sole discretion of the National Administrator.
- 11.2 Changes to the By-Laws shall be made by the Executive Committee.

12. CHANGES TO RULES AND CONSTITUTION

- 12.1 Changes to Rules and the Constitution may be achieved by a 2/3 majority vote of the Executive Committee.
- 12.2 The Executive Committee must provide the members with at least 30 days notice of any proposed Rule or Constitutional change and provide all members with a minimum of 90 days for compliance.
- 12.3 Each member has the right to challenge a Rule or Constitutional change made by the Executive Committee if they believe it is not in the best interests of IPRAA. A signed petition of 20 members can be forwarded to the National Administrator and the National Administrator must take the proposed change to a member's ballot.
- 12.4 In the case of a ballot, the National Administrator shall close the register of members to determine an electoral roll of eligible members 10 days before the distribution of ballot forms. A copy of the electoral roll showing names and addresses shall be provided to the Returning Officer and each State or Territory Delegate prior to the distribution of ballot forms.
- 12.5 Ballot forms shall be distributed direct to the eligible members by the National Administrator via State or Territory Delegates. The National Administrator shall fix a closing date not less than 30 days from the dispatch of ballot forms.
- 12.6 Ballot forms shall be returned to the Returning Officer.

- 12.7 Ballot forms should be sealed by the voting member in an envelope which should not be opened by any person other than the Returning Officer otherwise it may be deemed invalid.
- 12.8 The determination of the Returning Officer shall be final. His/her determination shall be notified to State or Territory Delegates within 7 days of the closing date.
- 12.9 Changes to Rules may be made without ballot in the event of a conflict with the law or the Rules of CAMS provided that such change is limited to resolving such conflict.

13. RIGHTS AND RESPONSIBILITIES OF MEMBERS

- 13.1 Each member has the right of freedom to express opinions, to lobby and to vote according to his/her class of membership. Each member retains any rights as a member of CAMS. Members should be aware, however, that they have an inherent responsibility to support the officers of the IPRAA, to avoid any act which would be detrimental to Improved Production Racing and to promote the image of Improved Production wherever possible.

14. PENALTIES AND SUSPENSION

- 14.1 A member can be suspended or incur a penalty at the discretion of the Executive Committee for a breach of the rules or regulations of CAMS or of his/her State or Territory Association Or of the IPRAA or for a willful act detrimental to Improved Production racing.

15. COMMON SEAL

- 15.1 The Common Seal of the IPRAA shall be kept in the custody of the National Administrator.
- 15.2 The Common Seal shall not be affixed to any instrument except by the authority of the Executive Committee. The affixing of the Common Seal shall be attested by two members of the Executive Committee.

16. FINANCIAL POWERS

- 16.1 The IPRAA shall not incur any debt or raise money or borrow any money or provide any guarantee for a monetary sum except with the written agreement of a majority of the Executive Committee and the approval of the National Administrator.
- 16.2 The IPRAA shall not enter into any contractual obligation for pecuniary interests or gain except with the written agreement of a majority of the Executive Committee and the approval of the National Administrator.

17. WINDING UP OR CANCELLATION

- 17.1 In the event of the winding up or cancellation of the incorporation of the IPRAA, the assets of the IPRAA shall be disposed of in accordance with the provision of the Associations Incorporation Act 1981.

18. DISPUTE

- 18.1 In the event that the State or Territory Delegates and / or the National Administrator are in dispute over the Constitution, Rules and Regulations and such dispute appears unlikely to be resolved in a timely manner and without detriment to the Improved Production Racing Association, such dispute may, upon the joint recommendation of two State or Territory Delegates be referred to the Chief Executive of CAMS for the appointment of an arbitrator whose decision(s) shall be final and binding.
- 18.2 In the event that a State or Territory Delegate and the National Administrator being in dispute on any subject other than that covered by item 18.1 above, the State or Territory Delegate may notify in writing, the National Administrator, and the other State or Territory Delegates, outlining
- a) The nature of the complaint
 - b) The time frame of which a response is required, being of no less than 30 days.

Other State or Territory Delegates must respond in writing to the National Administrator and the State or Territory Delegate in disagreement with the National Administrator, outlining their position on the disagreement. The position adopted by the National Administrator on the subject of the disagreement will be the majority decision by the State or Territory Delegates, including the original State or Territory Delegate in disagreement.

If the National Administrator fails to acknowledge and act appropriately on the direction given under these circumstances, he/she will be deemed to in default of duties under section 10 of this constitution.

19. REMUNERATION AND REIMBURSEMENT

- 19.1 The positions of State or Territory Delegates shall not be remunerated under this Constitution.
- 19.2 The position of National Administrator shall be remunerated at an amount to be determined by the Executive Committee, such amount only to be reduced within a calendar year with the agreement of the National Administrator or in the event of an action under Clause 10 of this Constitution.

- 19.3 Any person delegated responsibilities by the National Administrator under clause 8.5 may be remunerated at an amount to be determined by the Executive Committee.
- 19.4 Any amount claimed by any person for reimbursement May be paid by the National Administrator (Or his / her delegate) but such claim must be subsequently authorised by the next meeting of the Executive Committee.

20. ENFORCEMENT OF RULES AND REGULATIONS

- 20.1 Breaches of the Rules and Regulations by any member of the IPRAA may be reported to the National Administrator by any State or Territory Delegate.
- 20.2 In the event of a report under Clause 20.1, the National Administrator shall seek evidence from the reported member and from the State or Territory Delegate reporting the member, The National Administrator shall determine at his / her sole discretion any other evidence that he/she may wish to acquire from whatever source he/she may see fit.
- 20.3 The National Administrator may determine at his sole discretion whether there has been a breach of the Rules or Regulations and may further determine whether such breach should be referred to CAMS and / or the Executive Committee and / or a State or Territory Delegate for action by the State or Territory Association.
- 20.4 In the event that the National Administrator determines there has been a breach, it shall be the responsibility of the Executive Committee to determine Within 30 days of the National Administrators determination, any penalty against the member.
- 20.5 If a penalty given by the IPRAA exceeds a penalty given by a State or Territory Association in terms of suspension then the IPRAA penalty shall override the State or Territory Association penalty. If a penalty given by the IPRAA is less than a penalty given by a State or Territory Association In terms of suspension then the State or Territory Association Penalty shall continue to apply within its own territory.
- 20.6 If a penalty given by the IPRAA restricts a member's right to compete under CAMS rules (as distinct from the subordinate rules of the IPRAA) then the member has the right to appeal to CAMS under the rules and regulations of CAMS.

21. DEFINITIONS AND INTERPRETATION

- 21.1 Rules shall mean the rules published in the current CAMS Manual of Motor Sport or varied by other CAMS publication.
- 21.2 CAMS refers to the Confederation of Australian Motor Sport.
- 21.3 Regulations shall mean regulations approved by the National Administrator and published to each State or Territory Association with the purpose of providing the means of interpreting and enforcing the Rules.
- 21.4 State or Territory Association means any Improved Production State or Territory Association which is legitimately constituted and has been accepted as an affiliate of the IPRAA.
- 21.5 By-Laws mean an addendum to the Constitution setting out conditions which may be varied by agreement of the National Administrator.
- 21.6 Executive Committee shall be a committee comprised of all State or Territory Delegates plus the National Administrator.
- 21.7 State or Territory Delegates shall be the recognised representative of each State or Territory Association where that delegate has been duly elected in accordance with the constitution of that State or Territory Association.
- 21.8 Returning Officer shall be the person to whom members shall return ballot and / or election results.
- 21.9 Person includes natural persons and bodies corporate.
- 21.10 Words importing the singular shall include the plural and vice versa. Words importing one gender shall include the other genders.
- 21.11 A 2/3 majority shall be achieved in the positive with a vote that is based on a two thirds majority of the total number casting a vote. This calculation will be at 66.6% and then rounded up to the next whole number.

22. GOVERNING LAW

- 22.1 This Constitution shall be governed by and construed in accordance with the laws for the time being in force in the State of Victoria.
- 22.2 This Constitution shall not be varied or suspended excepting in accordance with Clause 12.