

TAMAR BICYCLE USERS GROUP INCORPORATED

CONSTITUTION

Updated 24 October 2021

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Table of Contents – Will be updated on approval of new constitution

General Update – The name of the TBUG Members Committee, Management Committee, Committee has been changed to TBUG Committee throughout the document to be consistent. These changes are not marked in the following document.

General Update – Roles such as Secretary, Treasurer, have been replaced by TBUG Committee as the roles will be undertaken by members of the committee rather than being elected roles. Exceptions to this is President and Public Officer. These are not marked up in the following document.

1.0 NAME – Original, retain

1.1 The name of the association is Tamar Bicycle Users Group (hereinafter called TBUG)

2.0 OBJECTS AND PURPOSES – Original, replace

2.1 Our Aim is to increase the use of bicycles in and around Launceston through activities, advocacy and increased awareness of and consideration for cyclists.

Objectives:

- a) Increase the number of people cycling and contribute to building cycling as a way of life in the community
- b) Improve cycling infrastructure to increase cycle use, safety and security
- c) Improve cyclist safety and raise awareness of cycling amongst other road users
- d) Attract members to TBUG and share the enjoyment of riding bikes

2.0 OBJECTS AND PURPOSES – New, insert

2.1 TBUG's Aim is to increase the use of bicycles in and around Launceston through activities, advocacy and increased awareness of and consideration for cyclists.

Objectives:

- a) Increase the number of people riding bicycles and contribute to building bicycle riding in the community for recreation, commuting, sport, fitness and as a way of life
- b) Improve infrastructure, safety and security for people who ride bicycles (e.g. bike ways, off road routes, lockers, rails, reduced hazards, bike racks on buses, cycle touring routes, etc)
- c) Collaborate to promote a positive, safe and supportive environment for all road users
- d) Share the enjoyment of riding bicycles and attract members to TBUG
- e) Ensure the ongoing viability of the organisation.

Changes made to reflect the TBUG Objectives in the updated strategy and action plan

3.0 MEMBERSHIP – Original, retain, except change of Secretary to TBUG Committee

3.1 A person completing a signed application and on receipt of the first year's subscription fees shall be admitted to membership on condition the prospective member agrees to abide by the constitution of TBUG.

3.2 Membership will consist of:

- a. Individual Members.
- b. Family Members - covering 2 or more at the same address.

3.3 Any member whose membership falls more than 3 months in arrears, subject to a contrary decision of the management committee, shall cease to be a member.

3.4 A member of TBUG may resign from TBUG by delivering or sending by email or post to the TBUG Committee, a written notice of resignation.

3.5 On the receipt of a notice from a member under sub rule 3.3, the TBUG Committee is to remove the name of the member from the register of members.

4.0 MANAGEMENT – Original, replace

4.1 The management committee shall consist of 11 members:

4.2 The members of the committee shall be:

- (1) President
- (2) Vice President
- (3) Secretary
- (4) Treasurer
- (5) Public Officer
- (6) Rides Co-ordinator
- (7) Newsletter Editor
- (8) up to 4 General Committee members who will take on roles as required to support the objectives and purposes of TBUG.

4.3 Any financial member of TBUG shall be eligible for election to office.

4.0 MANAGEMENT – New, insert 4.1

4.1 Structure of the TBUG Committee

- a. The TBUG Committee consists of between 5 and 11 members elected at the annual general meeting or appointed in accordance with this rule.

- b. A TBUG Committee member is to hold office until the end of the next annual general meeting after that at which he or she is elected and is eligible for re-election.
- c. If a casual vacancy occurs, the TBUG Committee may appoint a TBUG member to fill the vacancy until the end of the next annual general meeting after the appointment.
- d. TBUG has an eldership or shared model of governance, which provides for the joint responsibility of TBUG Committee members for leadership and management of TBUG
- e. The AGM will elect the President who has delegated responsibility to speak on behalf of TBUG to the Members and the public. The TBUG Committee can appoint a spokesperson to undertake this responsibility when necessary.
- f. The TBUG Committee will appoint a TBUG Committee Member as the Public Officer at the convening of the first meeting after the AGM.
- g. The TBUG Committee Members are jointly responsible for the regulatory, secretariat /financial duties and rides activities of TBUG.

4.2 The Role of the TBUG Committee Members – Original, change numbering from 5 to 4.2

5.1 President – Original, delete

- a) the President shall provide leadership within TBUG and together with the Secretary shall be responsible for the running of the club on a daily basis, including co-ordination of club activities and dealing with correspondence.
- b) the President or acting President, shall be entitled to a deliberate vote and in the event of a tied vote, shall exercise a casting vote.

4.2.1 President – New, replace

- a. The President shall provide leadership within TBUG and together with other TBUG Committee members, as appropriate, shall be responsible for the running of the club on a daily basis, including co-ordination of club activities and dealing with correspondence.
- b. the President or acting President, shall be entitled to a deliberate vote and in the event of a tied vote, shall exercise a casting vote.

5.5 Public Officer – Original, replace

The Public Officer will act as the official contact for the association, including taking delivery of documents served on the association and bringing the to the attention of the committee as soon as possible.

4.2.2 Public Officer – New, insert

The Public Officer will act as the official contact for TBUG, including taking delivery of documents served on the association and bringing the to the attention of the TBUG Committee as soon as possible.

4.2.3 General Committee – Original, retain, updated number from 5.8 to 4.2.3

General TBUG Committee members will take on roles as required including representing the objectives and purposes of TBUG at meetings and on community committees, and report back to the TBUG Committee.

5.2 Vice President – Move to appendix 1

5.3 Secretary - Move to appendix 1

5.4 Treasurer - Move to appendix 1

5.6 Rides Coordinator - Move to appendix 1

5.7 Newsletter Editor - Move to appendix 1

5.0 SUB COMMITTEES – Original, retain, updated numbers from 6.0 to 5.0

5.1 The TBUG Committee may:

- a. appoint a subcommittee from the TBUG Committee; and
- b. prescribe the powers and functions of that sub committee.

5.2 The TBUG Committee may co-opt any person as a member of a subcommittee without voting rights, whether or not that person is a member of TBUG.

7.0 EXECUTIVE COMMITTEE – Delete, no longer needed

7.1 The president, the vice president, the treasurer and the secretary constitute the executive committee.

7.2 The executive committee may issue instructions to the public officer and the servants of TBUG in matters of urgency connected with the management of the affairs of TBUG during the period between meetings of the committee.

7.3 The executive committee is to report on any instructions issued under sub rule 7.2 to the next meeting of the committee.

6.0 ELECTION OF COMMITTEE MEMBERS – Original, retain, and change numbers from 8 to 6

6.1 Committee members shall be elected each year at the annual general meeting of TBUG and shall hold office for 12 months until the end of the next annual general meeting and are eligible for re-election.

6.2 Nominations Process

6.2.1 Nominations of candidates shall either be in writing signed by a TBUG member, accompanied by the written consent of the candidate OR received from the floor at the AGM.

6.2.2 If only one nomination is received for a position, the person nominated is deemed to be elected.

6.2.3 Any member of TBUG present at the annual general meeting shall be entitled to one vote and the decision shall be by majority of votes cast.

6.2.4 In the event of a tied vote there shall be re-balloting until the tie is broken.

6.2.5 In the event of a casual vacancy occurring on the committee of TBUG, the committee may appoint a member of TBUG to the vacant position and the member so appointed may continue in office until the end of the next annual general meeting.

7.0 MEETINGS – Original, retain, update numbers from 9 to 7

7.1 Annual General Meeting – Original, retain, update numbers

7.1.1 TBUG shall, each year, hold an annual general meeting, which shall be held on such a day, being not later than 3 months after the close of the financial year, as the TBUG Committee may determine.

7.1.2 The TBUG Committee shall notify members the date of the annual general meeting, by posting a web notice and by email to members, no later than 10 days before the meeting.

7.1.3 The quorum at annual general meetings shall be 15 financial members.

7.1.4 If within 30 minutes of the appointed time for the commencement of the meeting a quorum is not present, the meeting shall be adjourned to a time, within 21 days of the adjournment, to a place and time as specified by the President. Members shall be notified in accordance with rule (7.1.2).

7.1.5 The ordinary business of the annual general meeting shall be:

- a. To confirm the minutes of the last preceding annual general meeting and any special general meeting held since that meeting.
- b. To receive from the TBUG Committee, auditor (if applicable), committees and officers of TBUG reports relating to the transactions of TBUG during the last financial year.
- c. To elect the President of TBUG and other committee members.
- d. To appoint the Auditor if applicable and determine remuneration, if any.
- e. To determine the remuneration, if any, of any other servant of TBUG.

7.1.6 The annual general meeting may transact special business of which notice is given.

7.2 Special General Meetings – Original, retain, update numbers

7.2.1 Special general meetings shall be called by the President within 10 days of the receipt by him/her of written requisition to do so signed by at least 10 members of TBUG.

7.2.2 Voting and notification of meeting shall be in accordance with rules 7.1.2 - 7.1.4

9.3 Management Committee Meetings – Original, replace

9.3.1 Management committee meetings shall be held at least every 3 months and at other times as business may necessitate.

9.3.2 Meetings shall be called by the secretary and the committee notified by email as a minimum communication, giving at least 2 days notice, stating time, place and agenda of such meeting.

9.3.3 A quorum shall be five management committee members.

7.3 Management Committee Meetings – New, insert

- a. TBUG Committee meetings shall be held at least every 3 months and at other times as business may necessitate.
- b. Meetings shall be called and convened by the President or any of the members of the TBUG Committee.
- c. TBUG Committee members to be notified by email, as a minimum communication, giving at least 2 days notice, stating time, place and agenda of such meeting.
- d. A quorum shall be four TBUG Committee members.
- e. If a quorum is not present within half an hour after the time appointed for the commencement, the meeting is to be adjourned to a suitable time as determined by the TBUG Committee.
- f. At each meeting of the TBUG Committee, the chairperson is to be –
 - i. the President, or
 - ii. in the absence of a President, a member of the TBUG Committee elected to preside as chairperson by the members of the TBUG Committee present at the meeting.
- g. Any question arising at a meeting of the TBUG Committee is to be determined –
 - i. on a show of hands; or
 - ii. if demanded by a member, by a poll taken at that meeting in the manner the chairperson determines.
- h. On any question arising at a meeting of the TBUG Committee, a member of the TBUG Committee (including the chairperson) has one vote only.
- i. In the case of an equality of votes, the chairperson has a second or casting vote.

7.4 Use of Technology at Committee Meetings – NEW, insert

- a. The TBUG Committee may hold a TBUG Committee meeting at 2 or more venues using any technology that gives the committee members a reasonable opportunity to participate.

7.5 Circular Resolutions – NEW, insert

- a. Subject to these rules, the TBUG Committee may pass a circular resolution via electronic means without a TBUG Committee meeting being held.

- b. TBUG may send a circular resolution by electronic means to the TBUG Committee members and the TBUG Committee members may agree to the resolution by sending an electronic reply to that effect, including the text of the resolution in their reply.

10.0 FINANCE – Original, replace.

10.1 The financial year of TBUG shall commence on the first day of July each year.

10.2 The accounts, books and all financial records of TBUG shall be audited each year if applicable.

10.3 The annual membership fee of TBUG shall be determined by the current TBUG Committee and is due and payable on or before the first day of the calendar year.

10.4 All funds of TBUG shall be deposited into the TBUG accounts at such bank or recognised financial institution as the TBUG Committee may determine.

10.5 The Committee is to receive all money paid to TBUG and immediately after receipt issue official receipts.

10.6 All accounts due by TBUG shall be paid after having being passed for payment at a TBUG Committee meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next TBUG Committee meeting.

10.7 Committee members shall not spend more than a set amount of petty cash without the consent of the TBUG Committee and shall keep a record of such expenditure in a petty cash book.

10.8 A statement showing the financial position of TBUG shall be tabled at each TBUG Committee meeting.

10.9 A statement of income and expenditure, assets and liabilities shall be submitted to the annual general meeting. The auditor's report, if applicable, shall be attached to such financial statement.

10.10 The signatories to the TBUG account/s shall be the President and any other two members of the committee.

10.11 All property and income of TBUG will apply solely to the promotion of the objects and purposes of TBUG and no part of that property or income shall be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of these objects and purposes.

8.0 FINANCE – New, insert, update numbers from 10. To 8 (deletion of reference to petty cash and assets and infrastructure that we don't have anymore).

8.1 The financial year of TBUG shall commence on the first day of July each year.

8.2 The accounts, books and all financial records of TBUG shall be audited each year if applicable.

8.3 The annual membership fee of TBUG shall be determined by the current TBUG Committee and is due and payable on or before the first day of the calendar year.

8.4 All funds of TBUG shall be deposited into the TBUG accounts at such bank or recognised financial institution as the TBUG Committee may determine.

8.5 The Committee is to receive all money paid to TBUG and immediately after receipt issue official receipts as required.

8.6 All accounts due by TBUG shall be paid after having being passed for payment at a TBUG Committee meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next TBUG Committee meeting.

8.7 Committee members shall not spend more than a set amount of funds without the consent of the TBUG Committee and shall keep a record of such expenditure.

8.8 A statement showing the financial position of TBUG shall be tabled at each TBUG Committee meeting.

8.9 A statement of income and expenditure shall be submitted to the annual general meeting. The auditor's report, if applicable, shall be attached to such financial statement.

8.10 The signatories to the TBUG account/s shall be the President and any other two members of the committee.

8.11 All property and income of TBUG will apply solely to the promotion of the objects and purposes of TBUG and no part of that property or income shall be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of these objects and purposes.

11.0 AMENDMENT OF THE CONSTITUTION – Original, replace

9.1 These rules may be added to, repealed or amended by resolution at the annual general meeting or special general meeting, provided that no such resolution shall be deemed to have been passed unless it is

carried by a majority of at least two thirds of the eligible voting members at such a meeting. One week's notice of any proposed amendment shall be posted by the secretary on the TBUG notice board.

9.2 Proposals for constitutional amendment shall be written, signed by two TBUG members and submitted to the secretary prior to the meeting.

9.0 AMENDMENT OF THE CONSTITUTION – New, insert

9.1 These rules may be added to, repealed or amended by resolution at the annual general meeting or special general meeting, provided that no such resolution shall be deemed to have been passed unless it is carried by a majority of at least two thirds of the eligible voting members at such a meeting. One week's notice of any proposed amendments shall be posted by the TBUG committee on the TBUG website and members notified via email.

9.2 Proposals for constitutional amendment shall be written, signed by two TBUG members and submitted to the secretary prior to the meeting.

10.0 DISSOLUTION – Original, retain, update numbers from 12. To 10.

10.1 If, on the winding up of TBUG, any property of TBUG remains after satisfaction of the debts and liabilities of TBUG and the costs, charges and expenses of that winding up, that property, as determined by the resolution of members, shall be distributed:

- a. (a) to another incorporated association having objects and purposes similar to those of the TBUG, or
- b. (b) to another incorporated association for charitable purposes.

Appendix 1: Possible TBUG Committee roles

Vice President

In the absence of the President, the Vice President shall chair meetings and shall take responsibility for tasks and initiatives as agreed by the committee.

Secretary

- a. the Secretary shall keep a true and complete records of the business transacted at all meetings of TBUG.
- b. the Secretary, together with the President, shall be responsible for the smooth running of TBUG on a daily basis, including co-ordination, dealing with correspondence in accordance with the directions of the committee, prepare meeting agendas, keep records and convene meetings of TBUG.

Treasurer

- a. the Treasurer shall be responsible for keeping true accounts of all sums of money received and expended by TBUG and of the manner in respect of which the receipt or expenditure takes place and of the assets and liabilities of TBUG.
- b. the Treasurer shall provide advice to the committee about the formulation of annual budgets and assist the committee in its financial planning.
- c. the Treasurer shall faithfully keep all general records, accounting books and records of receipts and expenditure connected with the operation of TBUG.
- d. if applicable, the Treasurer as soon as practicable after the end of the financial year, present the accounts, books and records of TBUG to the auditor for examination.
- e. the Treasurer shall receive all monies paid to TBUG and where requested and appropriate issue official receipts for such monies.
- f. the Treasurer shall manage expenditure by TBUG including the payment of accounts, in accordance with the requirements of the Management Committee.

Rides Coordinator

The Rides Coordinator shall be responsible for organising and promoting TBUG ride events.

Newsletter Editor

The Newsletter Editor shall be responsible for producing and distributing communications with members and the wider community.