

LEAGUE OF WEST AUSTRALIAN
WHEELMEN



Constitution
And Rules

1950

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Constitution and Rules

NAME

1. The name of this body shall be THE LEAGUE OF WEST AUSTRALIAN WHEELMEN.

COLOURS

2. The colours of the League shall be black and gold.

BADGE



3.

OBJECTS

4. To control professional cycle racing in Western Australia.
5. To secure a fair and equitable administration of justice as regards the rights of cyclists on the public roads, parks, ovals or other places.
6. To institute and arrange for the holding of cycle race meetings, contests, championships, or other cycling events.

7. To watch the course of any legislative proposals by Parliament or Corporations affecting the interests of the cycling public and to make such representations on the subject as the occasion may demand.

8. To acquire suitable offices, club rooms, etc., for the use of members and to lease, acquire or join in acquiring a suitable ground and racing track.

9. To assume control over handicapping and all other matters in connection with the control of the sport, and any open cycle races held by any Club or sports promoting bodies affiliated with the League, and all such other races that may be held under its auspices.

10. To legislate on all disputes or difficulties with regard to cycling matters in the State of Western Australia.

11. To keep a record of all notable performances, to investigate and, if found correct, to register all cycling records made from time to time in Western Australia.

12. To investigate all charges affecting the status of any rider and to frame or alter from time to time and add such rules, by-laws and regulations as may be deemed necessary to promote the best interests of cycling.

13. To be affiliated with the Australian Federal Cycling Council, and be a party to the reciprocity agreement as between that body and other controlling Leagues throughout the Commonwealth.

14. To act in concert with other affiliated cycling bodies outside of Western Australian in all matters relating to the holding of Interstate or International contests, or other matters affecting the welfare of cycling.

15. The rules of this League to be subject to any agreement to which the League is a party by virtue of its affiliation with the Australian Federal Cycling Council.

16. To cater for the members of the League out of the funds of the Association which will not allow of any member deriving any benefit, profit, or advantage not shared equally by every member of the League but that for extraordinary disbursements, prior approval of a meeting of the League Council composed of not less than a quorum of 7 members, inclusive of the Treasurer, sanction such disbursement.

17. To grant patronage for the holding of race meetings and cycling contests or exhibitions.

18. To do all such acts and things as are incidental or subsidiary to all or any of the above objects.

MEMBERSHIP

19. The League membership shall consist of an unlimited number of racing cyclists and affiliated clubs and associated members, and may be admitted on payment of such annual subscription or registration fee as may be fixed from time to time by the League Council subject to the conditions of membership hereafter provided for.

20. All persons wishing to be registered with the League as racing members must be members of an affiliated club.

21. Any cycling club having its place of meeting and headquarters situated within a radius of 25 miles from the G.P.O., Perth, shall be deemed a metropolitan club, and such club shall have not less than

15 members who shall become members of the League for affiliation purposes.

22. Any cycling club having its place of meeting and headquarters situated outside a radius of 25 miles from the G.P.O., Perth, shall be deemed a Country Club and such club shall have not less than

10 members who shall become members of the League for affiliation purposes.

23. Any person wishing to be registered as a racing member of the League, shall obtain from the League Secretary an official application form of membership to be filled, signed and returned to the Secretary, together with the necessary registration fee.

24. Any person registering as a new member of the League, shall, when applying for membership, pay an amount covering a copy of the League Constitution and Rules and the A.F.C.C. Racing Rules and Regulations.

25. A new member is defined as a person who has not previously been a member of the League or whose previous membership has lapsed for a period of two years.

26. From the effective date of operation of this revised L.W.A.W. Constitution every member shall compulsorily pay an amount covering a copy of the League Constitution and Rules and the A.F.C.C. Racing Rules and Regulations.

27. The Council shall deal with all applications for membership and shall have power to accept or reject any application, and no person shall be entitled to the privileges of membership until such time as his application has been passed for acceptance.

28. Pending application for membership as provided for above being dealt with by the Council, the League president or secretary shall have power to grant permits for applicants, to compete in events held under League patronage.

29. All racing cyclists admitted to membership will be provided with a racing licence which will entitle them to compete at all sports meetings held in West Australia under the patronage of the League for the current year of issue. Other persons admitted will receive a membership receipt for the current year.

30. The payment of the annual subscription or registration fee shall imply a member's acquiescence in the rules of the League and shall bind such member to abide by same as well as by all consequences resulting from a breach or non-observance of any one or more thereof, and shall further absolve every person concerned in carrying out and enforcing any of such rules or any of the by-laws or regulations against such member from all personal responsibility or legal liability on such account.

31. Any registered member or affiliated club failing to renew his or its membership by payment of the annual subscription or registration fee by the due date, or thirty days thereafter, shall forfeit all rights of membership until this condition has been complied with.

32. The payment of annual subscription or registration fee entitles a member to full membership rights during the League's financial year beginning 1st day of November and ending on the following 31st October.

33. Any racing cyclist registered with the League shall register his trainer, who, when accepted by the League Council, will be issued with a current year's trainer's card and will be subject to League and A.F.C.C. Rules at such a fee as decided by the League Council.

34. The Council shall have the power to expel any member by resolution of a two-third majority of those present at a Council Meeting if, in the opinion of such a majority, the said member shall have been guilty of conduct which is, in their opinion, detrimental to the interests of the League.

35. All persons ceasing to be members of the League, whether by retirement, expulsion, neglect to pay the annual subscription fee or any other cause, shall forfeit all rights and privileges of membership. Nor shall any such person have any claim upon the League or League Councillors by reason of his retirement.

36. Any member wishing to terminate his membership shall forward his resignation in writing to the League Secretary, and same shall be dealt with at the next succeeding meeting of the League Council. The Council shall have power to accept or otherwise deal with such resignation as it may deem fit. No member shall be allowed to resign whilst under disqualification or suspension.

37. Until a member tenders his resignation and same has been accepted, he shall be held liable for the current year's subscription or registration fee.

38. Any registered rider or person who has been, or may be, disqualified under the Rules of the Australian Federal Cycling Council or the rules and by-laws of this League shall be debarred from acting as a trainer, coach or attendant to any registered rider, nor shall he or they be allowed entry to the arena or dressing room at any sports meeting registered under the said rules or by-laws.

39. Any racing cyclist registered under these rules or by-laws who accepts the services of a disqualified person as a trainer, coach or attendant, may be fined, disqualified, or otherwise dealt with at the discretion of the League Council.

40. No racing member whilst in racing costume shall be permitted to appear in the grandstands or public reserves at any race meeting unless wearing a dressing gown or other covering garments. Non-observance of this rule will render offenders liable to be fined or otherwise dealt with at the discretion of the Referee and Stewards.

41. No person engaged in bookmaking activities shall be eligible to hold office as Handicapper, Judge, Referee, Steward, or a member of the Appeal Board, either with the League or its affiliated clubs.

HONORARY MEMBERS

42. The Council may elect any person as an Honorary Member of the League, such membership to extend to the end of the current financial year if no shorter period be stated.

HONORARY LIFE MEMBERS

43. Any person who has rendered the League meritorious services may be elected as an Honorary Life Member of the League at the Annual General Meeting on the recommendation of the Council and may attend all Annual, General or Special meetings but without vote at Council Meetings.

44. The Council may recognise the services rendered to the League by an Honorary Life Member in whatever manner they think fit.

45. Not more than one Honorary Life Member may be elected in any one year.

SUBSCRIPTIONS

46. The subscriptions of ordinary members shall be as much as are fixed by the Council from time to time.

47. The subscription of riding members shall be such as are fixed by the Council from time to time.

48. Club affiliation fees shall be such as are fixed from time to time by the Council.

49. All subscriptions and affiliation fees shall become due on the first day of November each year.

50. No members shall be allowed to be relieved of the payment of his subscription except those elected as Honorary Members or in special cases to be decided by the Council.

OFFICE BEARERS

51. (a) The Office Bearers of the League shall be Patron, President, Secretary, Treasurer, Handicapper, Referee, Auditor, Stewards or any other office deemed necessary, all of whom shall retire annually but be eligible for re-election with the exception of two independent members of the cycle and allied trades covered by para. 57.

(b) Honorary Vice Presidents not exceeding 3 in number.

LEAGUE COUNCIL

52. The League Council shall consist of: President, Secretary, Treasurer, one member from each Metropolitan Club, one member from each Country Centre, one independent member and two independent members from the cycle or its allied trades.

53. Country centres shall be: Northern Districts, Eastern Goldfields, Central Districts, Southern Districts.

54. Country Clubs shall be responsible to a centre nominated by the League Council and upon affiliation will be advised by the League Secretary of their centre.

55. Country centres shall be represented by one member each on the League Council and shall be responsible to the League nominated clubs in their area as to the selection of this representative.

56. Country centres in conjunction with the League nominated clubs within their area may appoint their League Council Representative from a Metropolitan Club, but no one Metropolitan Club, may represent more than one country centre.

57. The two independent members of the cycle and its allied trades shall compulsorily retire each year and shall not be eligible for re-election over two consecutive years.

CLUB REPRESENTATIVES OF THE LEAGUE COUNCIL

58. Each Metropolitan Club and Country Centre affiliated with the League shall notify the League Secretary of the name and address of the person selected to represent their club as a Councillor of the League, and any alterations of Club or Country Centre Representatives of the League Council, the Secretary of the League shall be notified in writing by the respective body and such alterations shall be approved by the League Council at its next meeting.

GOVERNMENT

59. All financial and policy matters shall be controlled by the League Council who also have the power to impose fines to engage, control and dismiss the League servants and paid officials and all such administrative power as may be necessary to effect the purpose of the League.

60. Notwithstanding anything contained in these rules, the League Council shall not have the power to pledge the credit of any member of the League, nor do any act by reason whereof any member of the League may become personally liable for any sum of money.

SECRETARY

61. The League Council shall appoint a Secretary who will be under direct control of and hold office during the pleasure of the Council.

62. The Secretary shall be elected by ballot at the first meeting of the League Council following the Annual General Meeting.

63. The League Council shall fix the remuneration to be paid for the Secretary's services upon appointment.

64. In the event of the Secretary's office becoming vacant either by resignation or any other cause, applications to fill the vacancy shall be called for by advertisement in the daily press or otherwise dealt with by the Council.

TREASURER

65. The League Treasurer shall be elected at an Annual General Meeting with the exception of a vacancy occurring between Annual General Meetings as covered by para 87, who will be under the direct control of and hold office during the pleasure of the Council.

66. The position of League Treasurer may be incorporated with the position of League Secretary at the discretion of the League Council.

HANDICAPPER

67. The League shall appoint an official handicapper to be elected annually at the Annual General Meeting.

68. The Handicapper shall hold office during the pleasure of the Council who may terminate his appointment at any time they may deem necessary.

69. The Handicapper may charge such fees for his services as may be approved by the Council.

70. In the event of the office of Handicapper becoming vacant, applications to fill the vacancy shall be called for by an advertisement in the daily press, or at the discretion of the Council.

71. A Handicapper shall be in no way connected with the cycle or its allied trade or industry.

72. No person engaged in bookmaking activities shall be eligible for the position of Handicapper and shall be removed from this office by the League Council under its powers as set out in para. 68.

AUDITOR

73. A qualified auditor shall be elected at the Annual General Meeting.

74. The auditor shall receive such remuneration for his services as may be decided by the League Council.

PROPERTY

75. All property belonging to the League of whatsoever kind shall be vested in and become the property of the League and, for the time being, in trust for the League and for the objects of the League as set out in those articles and rules. Upon the resignation of any member of the League ex officio or otherwise, or on his ceasing to hold office, his interest hereby created in the property of the League shall thereupon cease and determine. The League Council shall provide for the safe custody of the common seal of the League, and same shall not be used except pursuant to a resolution of the League Council and in the presence of at least two seal holders. The persons authorised to use the seal shall be the President, Secretary and the Treasurer of the League.

MEETINGS

76. The President shall be ex officio chairman at all Council, Special, General or Committee Meetings. In the absence of the President, the Council shall elect a Chairman from their number.

77. The President or the Chairman for the time being shall conduct the meeting in accordance with the usual rules of debate and shall have unlimited authority on every question of order.

78. In the event of the President's or Chairman's ruling being disagreed with by a two-thirds' majority of the members present, he shall vacate the chair and another Chairman shall be appointed to act until the matter under discussion shall have been decided, when he shall again take charge of the meeting.

79. All votes on motions, amendments, and for election of Officers, shall be taken by ballot unless otherwise decided by the President or Chairman of the meeting.

80. The Annual General Meeting of the League shall be held on the third Monday in November of each year unless otherwise decided by the League Council providing at least 14 days notice is given by circular or by advertisement in the Press to all ordinary members and affiliated clubs, such notice to clearly state the date and the place of the meeting.

81. The following shall be the order of business at all Annual General Meetings. Minutes of the previous Special Meeting and minutes of previous Annual General Meeting to be read and confirmed. Correspondence, Treasurer's Statement, Secretary's Report, amendments of Constitution and Rules, election of Office Bearers and General Business.

82. In addition to the Council and retiring officials, only the following shall be eligible to vote at Annual General and Special Meetings:—

- (a) Life Members who have attended at least one meeting held during the current year.
- (b) All members, whether senior or junior, who were financial members at the end of the preceding financial year.
- (c) Any person who has not previously been a financial member may vote upon making a payment covering a full year's subscription which entitles him to the privileges of full membership for the then current financial year.

83. Twenty-one members representing a majority of affiliated Metropolitan Clubs shall form a quorum at any Special or Annual General Meeting.

NOMINATION OF OFFICE BEARERS TO BE ELECTED AT ANNUAL GENERAL MEETING

84. All nominations for Officers of the League shall be called for at the above meeting, the nominations to be seconded by at least one member covered by paras. 82a, 82b, and 82c.

85. The meeting will elect on a majority vote a returning officer and two scrutineers who shall conduct any ballot necessary for the election of officers.

86. In the event of two or more candidates having equal number of votes, the returning officer shall have a casting vote.

87. Any vacancy of officers between the date of election and the date of the Annual General Meeting next ensuing shall be filled by the League Council at the next League Council Meeting following acknowledgement of such vacancy, with the exception of the position of President who shall be elected only at an Annual General or Special General Meeting.

SPECIAL MEETINGS

88. A Special General Meeting of the League shall be convened at any time by the direction of a quorum of the League Council within fourteen (14) days after the receipt of a requisition in writing signed by not less than twenty-one (21) financial members who, in their requisition, shall clearly state the object of, and business to be dealt with at such meet-

ing. At least twenty-one (21) persons signing such requisition to be present to be a quorum. At least seven (7) days notice shall be given to members for any Special General Meeting, together with an Agenda for the business to be brought forward.

89. By motion of the League Council, a Special General Meeting may be called providing seven (7) days notice shall be given to members together with an Agenda for the business to be brought forward.

LEAGUE COUNCIL MEETINGS

90. The League Council shall meet fortnightly, and at such time and intervals as may be deemed necessary for the efficient management of the League's business. Seven members present to form a quorum.

91. Any vacancy on the League Council through death or resignation of a Councillor or through the absence from three consecutive meetings without having been granted leave of absence, may be filled by the Council at the next meeting following such vacancy. Any member elected under this clause shall only hold office till the end of the financial year, but be eligible for re-election.

92. The Secretary shall give members of the Council four clear days' notice of any meeting to be called.

93. The President or any two other members of the League Council shall deal with and direct the Secretary on all matters of urgency arising during intervals between meetings of the Council, and shall report on any such matters at the next meeting.

BY-LAWS

94. The League Council are empowered to make, repeal and amend such by-laws as they may from time to time consider necessary for the well-being of the League provided that such by-laws are not repugnant to, or inconsistent with, the Constitution of the League. All by-laws lawfully made, repealed or amended under this article shall have the same force and effects as the Constitution Rules provided that all affiliated clubs are notified in writing by the Secretary, without any unnecessary delay of such by-laws, amendments and repeals.

APPEAL BOARD

95. The Appeal Board shall consist of three members and shall be appointed by the League Council at its first meeting after the Annual General Meeting.

96. The Appeal Board shall deal with all appeals as provided for in the Australian Federal Cycling Rules (three present to form a quorum). The decision of the Appeal Board shall be final and binding on all parties. Any persons, rider or riders, approaching any member of the Appeal Board prior to investigation pending, shall be disqualified or penalised as they may deem fit. Members of the Appeal Board shall be independent of the Council and shall not hold the position of Referee or Steward.

97. The findings of the Appeal Board are to be directed to the League Council through the Secretary, the League Council to notify members concerned of the findings on any penalty inflicted.

REPRESENTATIVES

98. The Council shall cause to be appointed a Representative or Representatives to be in attendance at all races or sports meetings under the League patronage.

99. The Council shall have the power to appoint a person or persons to act as League Representatives in districts where deemed necessary. Representatives so appointed shall be provided with an official badge, and same is to be returned to the Council when their appointed time is terminated.

100. Representatives shall personally see that the rules relating to the appointment of Referee, Stewards and other track officials, as provided for in the Australian Federal Cycling Council racing rules, are complied with.

101. The League Council shall have power to stipulate the fees to be paid to Representatives appointed to attend sports fixtures in or outside the Metropolitan Area to cover "out of pocket" expenses.

SECRETARY'S DUTIES

102. The Secretary shall be custodian to all League property and shall keep an inventory of same and shall conduct the business of the League in accordance with the Rules and under instructions of the League Council or President.

103. He shall convene and attend all meetings of the Council or Committee, record the business transacted in the Minute Book, keep proper books or accounts and records and deliver up same when called upon to do so by the League Council.

104. He shall receive all moneys payable to the League and give printed receipts (forms numbered consecutively) for same.

105. All moneys received by the Secretary shall be paid to the Treasurer within seven days of receipt of same. Not more than five pounds shall be retained by the Secretary for Petty Cash purposes.

106. He shall receive entries for races held under League patronage, also for all events promoted by the League subject to directions of the League Council.

107. He shall at the Annual General Meeting present a Report, Balance Sheet and Financial Statement of receipts and expenditure for the previous financial year, and shall prepare a report and financial statement of receipts and expenditure covering any function, fixture or raffle promoted by the League, to be presented to the League Council within 30 days or such function, fixture or raffle being held.

TREASURER'S DUTIES

108. The Treasurer shall have charge of the League's Funds and bank book and shall bank all moneys to the League's credit within three days of receipt of same.

109. He shall be responsible for presenting, in conjunction with the Secretary, a Financial Statement of receipts and expenditure at the Annual General Meeting.

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ADDITIONAL RULES

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