

BYLAWS

FOR

THE HARRY FERGUSON TRACTOR CLUB OF AUSTRALIA INCORPORATED

Established 30/06/1993

COMMENCEMENT DATE

6 December 2013

ISSUE 1

22/10/2013

These BY-LAWS are to be read in conjunction with the MODEL RULES for an INCORPORATED ASSOCIATION, *Associations Incorporation Reform Act 2012*.

BYLAWS FOR
THE HARRY FERGUSON TRACTOR CLUB
OF AUSTRALIA INCORPORATED

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BYLAWS FOR
THE HARRY FERGUSON TRACTOR CLUB
OF AUSTRALIA INCORPORATED

PART 1 - PRELIMINARY

1. Name

The name of the incorporated association is “The Harry Ferguson Tractor Club of Australia Incorporated”.

2. Purposes

The purposes of the Association are –

- (a) To restore Ferguson tractors from model Type A, Ford Ferguson, Ferguson through to and including all Massey Ferguson manufactured and badged Tractors and Machinery as of 1st January 35 years back from the current year;
- (b) To restore Ferguson/Massey Ferguson agricultural machinery.
- (c) Collect, preserve and display Ferguson/Massey Ferguson memorabilia;
- (d) To encourage the restoration of Ferguson/Massey Ferguson Tractors and Machinery;
- (e) To appreciate the place in history of the ‘Ferguson System’.

3. Financial year

The financial year of the Association is each period of 12 months ending on 31st May.

4. Definitions

In these bylaws –

Act means the Associations Incorporation Reform Act 2012

Association means The Harry Ferguson Tractor Club of Australia Incorporated.

Bylaw means a rule adopted by an organisation in order to regulate its own affairs.
(Common Law)

Committee means the Committee of Management of the Association.

Member means member of the Association.

Membership year commences 1st July to 30th June.

Rule refers to Model Rules for an Incorporated Association.

PART 2 - MEMBERSHIP

1. Written application and fees

Subject to Model Rules Part 3, Division 1, Membership. An applicant for membership to the Association is deemed to be a member provided;-

- (a) The membership secretary has received a written application on the prescribed form, Appendix 2
- (b) The membership secretary has received payment of the joining fee and annual subscription payable under the Rules.

2. Membership secretary to approve/reject

The membership secretary is empowered to approve membership applications subject to Rule 10. However if he or she feels it necessary for any reason to reject an application, then as soon as practical after receipt of the application refer the matter to the committee for further consideration and notify the applicant of the referral. Any further correspondence from the applicant prior to the final decision being made must then be put in writing and directed solely to the committee, who then must either approve or reject the application. Rule 10(4).

3. Family memberships

A family membership is such that may include two partners, children and grandchildren up to the age of eighteen years. This membership is entitled to two votes, one Fergytalk, all correspondence and privileges. Any rights given by this Bylaw to said membership, is limited to the two nominated persons noted on the application.

4. Single memberships

A single membership has all the rights as given to a family membership except only one vote.

5. Annual subscriptions

The annual subscription for a family membership and also a single membership shall be such an amount as the committee may determine to be appropriate and is payable in advance on or before the 1st July each year. Rule 12.

6. Joining fee

The joining fee shall be such an amount as the committee may determine to be appropriate. Rule 12.

PART 3 - COMMITTEE

Subject to Model Rule Part 5, Division 2, Composition of committee and duties of members.

1. Office holders (Executive)

Office holders of the Association, the executive shall be:-

- (a) A President; and
- (b) A Senior Vice-President; and
- (c) A Junior Vice-President; and
- (d) A Secretary; and
- (e) A Treasurer
- (f) An assistant to the Secretary may be appointed if required by the Secretary, to be answerable to the Secretary. The assistant has no committee voting rights.
- (g) An assistant to the Treasurer may be appointed if required by the Treasurer, to be answerable to the Treasurer. The assistant has no committee voting rights.

2. Election of Executive

The provisions of Bylaws Part 4 and Model Rules 51 to 54 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices referred to in Bylaws Part 3 (1).

3. Tenure of Office

The President and Secretary, who when elected will hold a two year term of office in alternate years, other executives shall hold office until the Annual General Meeting next after the date of his or her election, but is eligible for re-election. (To be read in conjunction with Bylaws Part (4).)

4. Committee comprises

Subject to Model Rules Part 5, Committee, Rules 49 and 54,
The Committee shall comprise of up to thirteen members-

- (a) The five executive officers of the Association.
- (b) The four committee officers, namely: -
 - Membership Secretary,
 - Fergytalk Editor,
 - Merchandise Officer,
 - Property Officer, and
- (c) Four ordinary members.

PART 4 - ELECTION OF OFFICERS

1. Nominations

Subject to Model Rules Division 3, Rule 49 to 55.

The Secretary must call for nominations for election of a Committee member not less than two months prior to the date of the Annual General Meeting. All members will be notified of the call for nominations by notice published in Fergytalk.

2. Nominations to Secretary

Nominations of candidates for elections as officers of the Association or as ordinary members of the committee must be :--

(a) Made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination) and

(b) Delivered to the Secretary of the Association not less than 14 days before the date fixed for the holding of the Annual General Meeting.

3. Committee positions

A candidate may be nominated for any of the office holder positions of the Association and also as an ordinary member of the committee, but may only be elected to either office holder position or ordinary committee position.

4. Nomination from floor

If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected, and further nominations may be received from the floor. Once all vacancies are filled, no further nominations will be accepted.

PART 5 - LIFE MEMBERSHIP

1. Life Membership recognises

Life Membership is a way of recognising outstanding service to the Association, and replaces the need to purchase an ordinary membership by persons to whom it is awarded.

2. Life Membership procedures

Life Memberships will be awarded at an Annual General Meeting.

Nominations for Life Membership;-

(a) Nominations for Life Membership will be in writing signed by two members and forwarded to the committee for consideration.

(b) The committee may propose a member for Life Membership.

(c) Life Membership replaces ordinary membership, a member awarded Life Membership retains rights of the membership without payment of the annual fee. Any other Association fees are still payable.

(d) The members via an Annual General Meeting can only rescind that Life Membership.

(e) Life Membership is not transferrable.

(f) Nominee for Life Membership may decline the nomination.

PART 6 - JUDGING

1. Judging

No member or committee member of the Association may allow, encourage or organise judging of tractors and/or implements as part of any event of The Harry Ferguson Tractor Club of Australia Inc.

PART 7 - LAKE GOLDSMITH

1. Heritage Shed disposal

The Association owned Heritage Shed No 4, Carngham Road, Lake Goldsmith Steam Preservation complex can only be disposed of by a special resolution, passed by a 75% vote in person or proxy of total membership, at an Annual General Meeting.
(Rule 76)

2. Register of Assets

The property officer to maintain a register of Association assets.

3. Maintenance of Assets

The property officer to manage the maintenance of Association property and assets.

4. Trustees of Heritage Shed

The Association owned Heritage Shed, Lake Goldsmith will be managed by three trustees namely:-

(a) The President,

(b) The Property Officer,

(c) The Harry Ferguson Tractor Club, Lake Goldsmith event co-ordinator.

5. Delegate to Lake Goldsmith Steam Preservation Association Inc.

The Lake Goldsmith co-ordinator or one of the other Trustees should also be the Harry Ferguson Tractor Club delegate to the Lake Goldsmith Steam Preservation Association Inc.

6. Delegate responsibilities

The delegate to liaise with the Lake Goldsmith Steam Preservation Association committee and attend the Annual General Meeting of that Association if possible.

7. Membership to Lake Goldsmith Steam Preservation Association Inc.

A membership fee for the delegate to Lake Goldsmith Steam Preservation Association Inc. will be paid by the Association if desired.

PART 8 - NAME CHANGE

1. Change Name of Association

The name of the Association may only be changed by a special resolution passed by 75% of total membership voting in person or proxy at an Annual General Meeting.

PART 9 - NOTICE OF MEETINGS

1. Notice of Meetings

Subject to Model Rules, Part 4, General Meetings of the Association. Rule 30 to 33.

Notice of Annual General, General and Special meetings will be published in Fergytalk when possible.

PART 10 - DISCIPLINARY ACTION

1. Disciplinary grounds for action

(a) If the committee is of the opinion that a member has refused or neglected to comply with these rules, has attempted to introduce tractors or agricultural machinery into the Association that are not of 'Ferguson System' design or manufacture, or has been guilty of conduct unbecoming of a member or prejudicial to the interests of the Association.

(b) The committee may take action as per Part 3, Division 2, Model Rules – Disciplinary action.

PART 11 – FINANCIAL

1. Financial Statements

Subject to Rule 71, the Association will have the financial statement reviewed annually.

The committee will approve an independent person to review the financial statement prior to submission to the annual general meeting.

PART 12 – BYLAWS

1. Bylaw authority

Subject to Model Rules, Part 5, Rule 42, Committee Role and Powers, these Bylaws have been prepared for the management of the Association.

2. Bylaw alterations

These Bylaws may be altered by written notice to the committee lodged with the Secretary, signed by two individual members.

3. Bylaw amendments

The committee may by resolution amend or otherwise change these Bylaws for the better management of the Association.

APPENDIXES

Appendix 1, Proxy Form

Appendix 2, Application for Membership Form

Appendix 3, Membership Renewal Form

Appendix 4, Request for Information Form

Appendix 5, Gift Agreement Form



FORM FOR APPOINTMENT OF PROXY

MEMBERSHIP NO

I, (Name)

Of (Address)

Being a member of **The Harry Ferguson Tractor Club of Australia Incorporated**

Appoint **The Chairman** being a member of *The Harry Ferguson Tractor Club of Australia Incorporated*, as my proxy to vote for me on my behalf at the annual / special / general meeting of the Association to be held on _____ (date of meeting) at _____ and at any adjournment of that meeting.

OR

Appoint.....Address.....

.....
 being a member of *The Harry Ferguson Tractor Club of Australia incorporated*, as my proxy to vote for me on my behalf at the general meeting of the Association to be held on _____ (date of meeting) at _____ and at any adjournment of that meeting.

My proxy is authorised to vote in favour for/against/abstain/open (Tick box as appropriate)*¹ the following resolution (insert details of resolution)

Motion Number	For	Against	Abstain	Open
1				
2				
3				

Signed _____ Date _____

*¹ Open gives the Proxy Holder full power to decide the vote on behalf of the member at the meeting.



APPLICATION FOR MEMBERSHIP

The Harry Ferguson Tractor Club of Australia Inc.

Statement of Purposes,

- (a) To restore Ferguson tractors from model Type A, Ford Ferguson, Ferguson through to and including all Massey Ferguson manufactured and badged Tractors and Machinery as of 1st January 35 years back from the current year.
 - (b) To restore Ferguson/Massey Ferguson agricultural machinery.
 - (c) Collect, preserve, and display Ferguson/Massey Ferguson memorabilia.
 - (d) To encourage the restoration of Ferguson/Massey Ferguson Tractors & Machinery.
 - (e) To appreciate the place in history of the `Ferguson System`
- I/We support the purposes of the Association and agree to comply with the Rules:-

Surname:Given Name.....

Surname (partner).....Given Name.....

Children/Grandchildren.....

(Please circle children or g/children and add the surnames of G/children plus the year of birth of all children/grandchildren to the age of 18 only you wish to add to your membership. If not enough room please write on back)

Address:Town.....

State..... Postcode..... Phone: ().....

Email.....

Signed..... Date.....

Family Membership	\$45.00	Single Membership	\$40.00
Joining Fee	\$5.00	Joining Fee	\$5.00

Total: \$50.00

Family membership includes
Two partners and children to 18 yrs
or grandchildren to 18 yrs

Total: \$45.00

Single membership includes
One adult and children to 18 yrs
or grandchildren to 18 yrs

MEMBERSHIP IS FROM JULY 1ST TO JUNE 30TH

Payment by Cheque or Money Order made out to The Harry Ferguson Tractor Club Inc

This Form must be returned to: HFTC Membership Secretary

For Office Purposes Only

Receipt No _____ Date

FAMILY SINGLE

Amount \$ _____ Type

CASH CHEQUE MONEY ORDER MEMBERSHIP CARD SENT YES



APPLICATION FOR MEMBERSHIP RENEWAL 2016/17

The Harry Ferguson Tractor Club of Australia Inc.

Surname: Given Name Membership No.....

Surname (partner)..... Given Name

Children/Grandchildren.....

(Please circle children or G/children and add the surnames of G/children plus the year of birth of all children/grandchildren you wish to add to your membership to the age of 18 only. No surname and year of birth a membership card will not be issued. if not enough room write on the back of this form.)

Address: Town.....
 State Postcode..... Phone: ().....
 Email.....

Signed..... Date.....

Family Membership	\$45.00	Single Membership	\$40.00
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Total: \$45.00		Total: \$40.00	
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Family membership includes
 Two partners and children to 18 yrs
 or grandchildren to 18 yrs

Single membership includes
 One adult and children to 18 yrs
 or grandchildren to 18 yrs

Payment by Cheque or Money Order made out to The Harry Ferguson Tractor Club of Aust Inc

DIRECT CREDIT Bendigo Bank	ACCOUNT NAME Harry Ferguson Tractor Club of Aust Inc.
B.S.B. NUMBER 633-000	ACCOUNT NUMBER 155102676
REFERENCE.....(surname & membership number)	
I have paid \$directly into the above Bank Account on the/...../..... PLEASE LEAVE A REFERENCE (surname & membership no.) WHEN PAYING AT THE BANK (Post this form and copy of bank receipt to membership secretary)	

This Form must be returned to The Membership Secretary by JUNE 30th

For Office Purposes Only

Receipt No _____ Date _____

Amount _____ Type FAMILY

SINGLE

DIRECT CREDIT	CASH	CHEQUE	MONEY ORDER
---------------	------	--------	-------------

Membership Card Given/Sent	YES	NO
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The Secretary,
The Harry Ferguson Tractor Club of Australia Inc.

(Insert address above)

REQUEST FOR INFORMATION
Association Incorporation Reform Act 2012 Rule 75

I hereby request the following information from The Harry Ferguson Tractor Club of Australia Inc. records:-

Reason(s) for the request

Name, _____ Address _____

Email Address _____

Membership number _____ Signature _____ Date _____

For Office Purpose only (Action taken)

Date _____ Secretary Signature _____

Subject to Model Rule 75, Custody and inspection of books and records.

- (1) Members may on request inspect free of charge (a) the register of members (subject to model rule 18), (b) the minutes of general meetings, (c) subject to subrule (2) the financial records, books, securities and other relevant document of the Association, including minutes of committee meetings.
- (2) The committee may refuse to permit a member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.
- (3) The committee must on request make copies of these rules available to members and applicants for membership free of charge.
- (4) Subject to subrule (2), a member may make a copy of any of the other records of the Association referred to in this rule and the Association may charge a reasonable fee for provision of a copy of such a record.
- (5) For purposes of this rule --- *relevant documents* means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Association and includes the following – (a) its membership records, (b) its financial statements, (c) its financial records, (d) records and documents relating to transactions, dealings, business or property of the Association.



GIFT AGREEMENT TO **HARRY FERGUSON TRACTOR CLUB**

I.....

Address.....Postcode.....

Phone.....Email.....

Hereby donate to The Harry Ferguson Tractor Club of Australia Inc. the item/s listed below.

I (We) hereby give and release unconditionally the following items to the Harry Ferguson Tractor Club.

The Club accepts this gift without condition that it is kept intact, exhibited temporarily or permanently, or that the Club keep it indefinitely.

The Club also reserves the right to restore, refurbish or repair any part of the gift.

I(We) hereby give the Club all rights of reproduction and publication of photographic material and where the donor is the copyright owner, the copyright is hereby transferred to The Harry Ferguson Tractor Club of Australia Inc.

DESCRIPTION OF ITEMS: (Attach a brief history if known)

Having read and understood the conditions listed on this agreement and certifying that I am (we are) lawful owner(s), or have the absolute authority to make this gift, I (we) donate the property herein listed to The Harry Ferguson Club of Australia Inc.

Donor Signature(s).....

The Harry Ferguson Tractor Club gratefully acknowledges receipt of the item(s) listed.

Accepted by (signature)..... Date.....

For HFTC (Please print name).....