



BY-LAWS OF THE ROYAL AUTOMOBILE CLUB OF W.A. (INCORPORATED)

These By-Laws are issued by the Council under Rule 16.3 of the Rules

(Approved by Council 28 April 2025)

(Effective Date: 26 June 2025)

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THE ROYAL AUTOMOBILE CLUB OF W.A. (INCORPORATED)

1. Definitions and Interpretation

1.1 Definitions

In these By-Laws, a word has the meaning given to it in the Rules and otherwise:

Ballot Paper means a voting document, whether in paper form or electronic form.

Chair means (as applicable) the person presiding over a General Meeting under Rule 11.5 or a person presiding over a Council Meeting under Rule 15.4.

Fair Use Policy means the Club Policy used to manage excessive use of the Club's services by Members.

Issuing Officer means the person appointed by the Council or Chief Executive as 'Issuing Officer' for the purpose of these By-Laws.

Nominee means a Voting Member (including a retiring Councillor) who submits a nomination form under By-Law 5.1.

Prospective Candidate means a Nominee whose nomination is declared valid by the Returning Officer under By-Law 5.1(g).

Remuneration and Nominations Committee means a committee established by Council under Rule 16.2 which is known as the 'Remuneration and Nominations Committee'.

1.2 Interpretation

In these By-Laws:

- (a) headings are for convenience only and do not affect interpretation;
- (b) "under" includes by, by virtue of, pursuant to and in accordance with;
- (c) "including" and similar expressions are not words of limitation;
- (d) if a word or phrase is defined, other grammatical forms of that word or phrase have a corresponding meaning; and
- (e) unless the context otherwise requires, a reference to:
 - (i) a person includes a corporation, a firm, a body corporate, an unincorporated association or any authority;
 - (ii) the singular includes the plural;
 - (iii) a Schedule is to a schedule to these By-Laws;
 - (iv) time is a reference to Perth, Western Australia time; and
 - (v) \$ is to Australian currency unless denominated otherwise.

2. Excessive Use of Club Services by Members

- (a) Subject to the Fair Use Policy, the Council, the Chief Executive (or delegate) may notify a Member in writing that the Member:
 - (i) appears to be making excessive use of the Club's services or facilities; and
 - (ii) the continued excessive use may result in terms or conditions being imposed on the Member's use of the Club's services or facilities.
- (b) Subject to the Fair Use Policy, if the Member continues with the excessive use, the Council, the Chief Executive (or delegate) may in its discretion:
 - (i) withhold the Member's right to use the Club's services or facilities on terms or conditions, if any, as seen fit; and
 - (ii) charge the Member a fee for the excessive use of the Club's services or facilities.

3. Disciplinary Committee

3.1 Composition of Disciplinary Committee

The Disciplinary Committee (also known as the Conduct Review Committee) will consist of 5 members, being the Chief Member Officer (or delegate) and 4 General Managers from the Club (or any of its related entities) as determined by the Chief Executive (or delegate).

3.2 Quorum for Disciplinary Committee

- (a) The quorum for the Disciplinary Committee will be 3 members of the Disciplinary Committee.
- (b) In the absence of a member of the Disciplinary Committee, the Disciplinary Committee may second another General Manager to the Disciplinary Committee.

3.3 Powers, Duties and Proceedings of Disciplinary Committee

- (a) The Disciplinary Committee will operate under Club Policy.
- (b) The procedural requirements of the Disciplinary Committee are set out in the Club Policy.
- (c) As soon as practicable following the Disciplinary Committee meeting, the Member will be notified of the decision of the Disciplinary Committee.
- (d) The Disciplinary Committee is not required to provide reasons for its decision.
- (e) The decision of the Disciplinary Committee:
 - (i) to withhold or impose any conditions for the use of any of the Club's services or facilities;
 - (ii) of a finding of inappropriate conduct against the Member in accordance with Club Policy; or
 - (iii) of a penalty of suspension of Membership or expulsion,

is final, conclusive and binding on the Member.

4. General Meetings

4.1 Notice of General Meeting

- (a) Notice of a General Meeting will specify the nature of the business to be transacted at the meeting.
- (b) Only business of which notice has been given, will be transacted at the General Meeting.
- (c) Notice of a General Meeting may be given by publishing the notice on the Club's website and notice is deemed to have been received by a Member on the date that the notice is published.

4.2 Participation at a General Meeting

- (a) Unless the Chair invites a person to speak, only a Member shall be entitled to speak at a General Meeting.
- (b) The Chair may request any person that is not a Member to leave the General Meeting at any time.
- (c) The Chair may request any Member to leave the General Meeting if the Member is engaging in disorderly conduct in the reasonable opinion of the Chair.
- (d) The Chair shall determine the conduct of the General Meeting and the rules of debate on any motion.

4.3 Attendance Record

The Chair will ensure an attendance record of a General Meeting in the form prescribed by the Council from time to time is kept.

4.4 Adjournment of Meeting

- (a) A Member who has moved or seconded or spoken to a motion or to any amendment of a motion will not have the right to move or second a motion to adjourn the General Meeting until after the motion has been put or withdrawn.
- (b) The only permissible amendments to a motion to adjourn will be those relating to the time, date and place of the adjourned General Meeting.
- (c) The mover of a motion to adjourn the General Meeting has no right of reply.
- (d) If the motion to adjourn is lost the Chair will conduct the meeting in the following order:
 - (i) the subject then under consideration;
 - (ii) the next subject on the notice paper;
 - (iii) any other subject that may be allowed precedence by the Chair; and
 - (iv) any subsequent motion for adjournment.

- (e) The Chair may adjourn a General Meeting where in the Chair's opinion it is impossible to maintain order.

5. Council

5.1 Nomination for an Elected Councillor position

- (a) If an Elected Councillor's position is due to become vacant at an Annual General Meeting, then prior to the Annual General Meeting, Council shall publish on the Club's website:
 - (i) the opening and closing dates of the nomination period, as determined by Council, during which Voting Members may nominate for an Elected Councillor position;
 - (ii) information regarding the nomination and selection process; and
 - (iii) a description of the skills and experience, and any minimum requirements, that Council has determined is required to complement the skills and experience of existing Councillors and having regard to the Council's skills matrix.
- (b) A nomination form will be provided by the Returning Officer to a Member on request during the nomination period.
- (c) All nominations of Voting Members will be in the form set out in Schedule 1 or in such other form as the Council may prescribe from time to time.
- (d) Each Voting Member who wishes to nominate:
 - (i) must sign or declare the nomination form as being a true and correct record of the information provided; and
 - (ii) complete the nomination form in accordance with any instructions included in the nomination form.
- (e) Each Nominee must submit the following at their own expense:
 - (i) a National Police Certificate; and
 - (ii) a Bankruptcy Register Search certificate,which is no more than 2 months old calculated from the date in clause 5.1(f).
- (f) For a nomination form submitted by a Nominee to be valid, the duly completed nomination form (in accordance with these By-Law requirements) and the certificates required under By-Law 5.1(e), must be received by the Returning Officer no later than 5.00pm on the closing date of the nomination period.
- (g) The Returning Officer must determine whether a Nominee's nomination is valid and must inform each Nominee of this decision. At this time, a Nominee whose nomination is valid becomes a Prospective Candidate.
- (h) The Returning Officer may (without limitation) declare a Nominee's nomination invalid and the Nominee ineligible for election if:

- (i) the Nominee's nomination form is incomplete; or
 - (ii) the Nominee does not provide all information as required under these By-Laws;
 - (iii) the Nominee does not otherwise comply with the requirements under these By-Laws; or
 - (iv) the information provided by the Nominee is false or misleading; or
 - (v) the Nominee is not eligible or entitled to hold office under Rule 7.2.
- (i) Upon the Returning Officer declaring a nomination valid, the Returning Officer must provide a copy of the nomination form of the Prospective Candidate to the Remuneration and Nominations Committee to conduct the selection process.

5.2 Selection process

- (a) The Remuneration and Nominations Committee will oversee and conduct the selection process to assess a Prospective Candidate's suitability to be an Elected Councillor. This process may include interviewing the Prospective Candidate, undertaking further background checks and enquiries and assessing the Prospective Candidate's nomination, skills and experience against the Council's skills matrix, in accordance with the Remuneration and Nominations Committee charter.
- (b) The Remuneration and Nominations Committee will make a recommendation to Council as to the suitability of the Prospective Candidate to hold office as an Elected Councillor.
- (c) A Prospective Candidate becomes a Candidate, and is entitled to be elected or deemed elected as an Elected Councillor, when approved by Council as being suitable to hold office as an Elected Councillor, on recommendation of the Remuneration and Nominations Committee.
- (d) A Prospective Candidate may withdraw their nomination by written notice addressed to the Returning Officer prior to being confirmed as a Candidate.
- (e) Council shall notify each Prospective Candidate and Candidate of Council's decision under this By-Law.

5.3 Election

If an election must be held under Rule 12.4, then an election must be held by a ballot.

5.4 Ballot Paper

- (a) If an election by ballot is necessary then the Ballot Paper and notice of the election must be given to each Voting Member setting out:
 - (i) the number of vacancies;
 - (ii) the name of every Candidate and whether the Candidate is a retiring Councillor;

- (iii) the latest time and date on which Ballot Papers must be in the hands of the Returning Officer which must be not later than 5.00pm, 7 days before the date of the Annual General Meeting; and
 - (iv) such other information as the Council may decide.
- (b) A Candidate's personal statement, as included in the submitted nomination form, will be published verbatim in the Club's election material unless the Returning Officer decides otherwise under By-Law 5.4(c).
- (c) The Returning Officer may decline to publish any words from a Candidate's personal statement the Returning Officer considers defamatory, illegal or offensive.
- (d) Ballot Papers must be distributed in such manner as the Council decides.
- (e) The material provided with the Ballot Paper must show the primary occupation or profession of every Candidate.
- (f) A Member may apply for a Ballot Paper by an application to the Issuing Officer.
- (g) An application for a Ballot Paper must be received by the Issuing Officer by not later than 5.00pm at least 10 days before the date of the Annual General Meeting.
- (h) The Issuing Officer will provide, either by post or electronically, a Ballot Paper to a Member who has requested one under By-Law 5.4(f).
- (i) A Ballot Paper that has not been distributed under By-Laws 5.4(d) and 5.4(f) is informal and must not be counted.

5.5 Voting by Ballot

- (a) Each Voting Member may cast a vote by post or electronic ballot for:
 - (i) only the full number of Candidates required to be elected to fill the vacancies; or
 - (ii) less than the full number of Candidates required to be elected to fill the vacancies,

by putting a clearly identifiable mark opposite the name of each Candidate for whom the Voting Member wishes to cast a vote.
- (b) Each Voting Member may only vote once on the election of Candidates.
- (c) The first ballot of a Voting Member received and validated will be counted.

Postal vote:

- (d) The Ballot Papers must be returned in a Ballot Paper envelope by reply paid or pre-paid post to the Returning Officer at the address specified on the envelope provided with the Ballot Paper or such other address as the Council decides.
- (e) The Ballot Paper envelopes containing the Ballot Papers:
 - (i) must be sealed and marked "Ballot Paper Envelope"; and

- (ii) signed and dated personally by the Member.
- (f) A Ballot Paper is informal and will not be counted if the Ballot Paper:
 - (i) is returned in an envelope that does not comply with By-Law 5.5(e);
 - (ii) has a vote for more than the full number of Candidates required to be elected to fill the vacancies; or
 - (iii) is received by post later than 5.00pm seven days before the date of the General Meeting.

Electronic vote:

- (g) A Voting Member will:
 - (i) receive voting information and directions about how to vote electronically;
 - (ii) be required to enter their Membership number to authenticate their identity against the online system; and
 - (iii) access the electronic Ballot Paper to cast their vote.
- (h) The election remains valid even if:
 - (i) a Member does not receive a Ballot Paper; or
 - (ii) the Returning Officer does not receive a Ballot Paper on which the Voting Member has cast a vote.

5.6 Result of Ballot

- (a) The ballot is under the control of the Returning Officer who will determine:
 - (i) the method of counting votes;
 - (ii) whether or not Ballot Papers are informal; and
 - (iii) any other matters arising in connection with the ballot.
- (b) The result of an election for Councillors will be decided according to those Candidates who have received the greatest number of votes.
- (c) The first past the post system of voting will be used.
- (d) In the case of an equality of votes between two or more Candidates the Returning Officer will decide by a random draw the Candidate or Candidates who will receive an additional vote.
- (e) The decision of the Returning Officer as to the result of the election shall be final, conclusive and binding.
- (f) Subject to By-Laws 5.6(i) and 5.6(j)(ii), if a Candidate:
 - (i) dies or withdraws under By-Law 5.6(g); or

- (ii) becomes no longer eligible to be elected under the Rules,

before the announcement of the ballot results under By-Law 5.7(a), the ballot is not informal and it is not necessary to make any change to the Ballot Paper.
- (g) A Candidate may withdraw from the election at any time by written notice addressed to the Returning Officer.
- (h) Votes for the Candidate who dies, withdrew or became ineligible will be disregarded by the Returning Officer in determining the results of the election.
- (i) The Returning Officer will cancel the election where, as a result of any of the circumstances set out in By-Law 5.6(f), the number of remaining Candidates:
 - (i) is the same as the number of vacancies on the Council; or
 - (ii) is less than the number of vacancies on the Council.
- (j) When an election is cancelled under By-Law 5.6(i):
 - (i) the remaining Candidates are deemed to be elected under Rule 12(3)(b) of the Rules; and
 - (ii) the incoming Council may fill any vacancy under Rule 14.1 of the Rules; and
 - (iii) neither the Returning Officer nor the Club is required to notify Members that the election has been cancelled.

5.7 Declaration of Ballot

- (a) At the Annual General Meeting the Returning Officer:
 - (i) will announce the names of the persons who have been elected;
 - (ii) will announce the number of votes received by all of the Candidates.
- (b) Prior to the announcement under By-Law 5.7(a) and subject to the prior approval of the President, the Returning Officer may within 24 hours before the Annual General Meeting advise the Council and the Candidates of the election results.
- (c) If the Returning Officer advises the Council and the Candidates of the outcome of the election before the Annual General Meeting, the Returning Officer will use best endeavours to ensure that the Council and the Candidates are given the advice at approximately the same time.
- (d) The Councillors and Candidates must keep the election results confidential until the election results are announced at the Annual General Meeting.
- (e) Before the Returning Officer may give a Councillor or Candidate the election results, the Councillor or Candidate must give the Returning Officer a written undertaking, in a form and on terms acceptable to the Returning Officer, that the election results will be kept confidential until they are announced at the Annual General Meeting.
- (f) The election will not be invalidated by:

- (i) the Returning Officer deciding not to notify or failing to notify; or
 - (ii) the non-receipt of advice by,
- the President, the Council or the Candidates, of the election results.

5.8 Destruction of Ballot Papers

- (a) After the completion of a ballot, the Returning Officer will keep all paper form Ballot Papers sealed in secure packets, and all online Ballot Papers digitally secured, for one month.
- (b) After the one month period referred to in By-Law 5.8(a), the Returning Officer will have the Ballot Papers destroyed.

5.9 Appointed Councillors and appointments of Elected Councillors as a casual vacancy

- (a) The selection and assessment of the suitability of a Member to become an Appointed Councillor, or to fill a casual vacancy in the office of an Elected Councillor arising under the Rules, will be conducted and overseen by the Remuneration and Nominations Committee in accordance with the Remuneration and Nominations Committee charter and any Council Policy for selecting and appointing Appointed Councillors and filling a casual vacancy in the position of an Elected Councillor.
- (b) The Remuneration and Nominations Committee must make a recommendation to Council as to the suitability of a Member to hold office as an Appointed Councillor or as an Elected Councillor to fill a casual vacancy (as the case may be).
- (c) Council must consider the recommendation made by the Remuneration and Nominations Committee under this By-Law prior to making any appointment of an Appointed Councillor or of a Member to fill a vacancy in the position of an Elected Councillor.

5.10 Transition Period

- (a) To the extent of any inconsistency, this By-Law 5.10 takes precedence over any other By-Law.
- (b) Council will establish a Transitional Nominations Committee under a terms of reference, for the period up until 30 June 2026, which will consist of:
 - (i) the Councillor who is President up to the 2025 Annual General Meeting;
 - (ii) an independent nominee with governance expertise;
 - (iii) a 'President' from another automobile association in Australia; and
 - (i) a representative from a board recruitment agency,

as approved by Council.
- (c) The Transitional Nominations Committee shall act in accordance with its terms of reference, and otherwise, it may determine its own procedures.

- (d) Each Councillor in office as at the date the amended Rules take effect after the June 2025 Special General Meeting, who wishes to continue as an Elected Councillor on and from 1 July 2026, must:
 - (i) submit a written nomination to the President (in a form and at a time to be agreed by Council); and
 - (ii) participate in an assessment process of their knowledge, skills and experience against the approved 'Council skills matrix' to be conducted by the Transitional Nominations Committee.
- (e) A Member who may be appointed by Council before 1 July 2026, to fill a casual vacancy in the office of an Elected Councillor that arises before 1 July 2026, must also participate in an assessment process as described in By-Law 5.10(d)(ii).
- (f) The Transitional Nominations Committee must:
 - (i) oversee the assessment process of the knowledge, skills and experience of Elected Councillors who have nominated under By-Law 5.10(d), or of a Member referred to under By-Law 5.10(e), against the approved 'Council skills matrix';
 - (ii) assess, approve and decide the composition of Elected Councillors as at 1 July 2026, based upon the Transitional Nominations Committee's assessment process under By-Law 5.10(f)(i);
 - (iii) determine when the term of office ends, for each Elected Councillor approved under By-Law 5.10(f)(ii), in accordance with By-Law 5.10(g); and
 - (iv) notify Council of its decision under this By-Law,in accordance with the timetable approved by Council.
- (g) To set up the retirement by rotation system for Councillors from 1 July 2026, the Transitional Nominations Committee must determine which number of Elected Councillors approved under By-Law 5.10(f)(ii) should hold office until the conclusion of the 2026, 2027 or 2028 Annual General Meeting, on the basis of ensuring an equal (or close approximate) number of Elected Councillors are due to retire each year.

For example, if the Transitional Nominations Committee determines that Council should be comprised of seven (7) Elected Councillors following the process under By-Law 5.10(f), then it must determine which:

- (i) Two Elected Councillors shall hold office until the conclusion of the 2026 Annual General Meeting;
- (ii) Two Elected Councillors shall hold office until the conclusion of the 2027 Annual General Meeting; and
- (iii) Three Elected Councillors shall hold office until the conclusion of the 2028 Annual General Meeting,

having regard to any matters set out in its terms of reference.

- (h) After the Transitional Nominations Committee has notified Council of its decision under By-Law 5.10(f), Council may elect from the number of Elected Councillors approved by the Transitional Nominations Committee under By-Law 5.10(f) to remain an Elected Councillor as at 1 July 2026:
 - (i) one Elected Councillor to take office as the President; and
 - (ii) another Elected Councillor to take office as the Vice-President,on and from the day after the 2025 Annual General Meeting, to hold office, subject to the Rules, in the respective office-bearer position until the first Council meeting after the 2026 Annual General Meeting.

6. Council Meetings

6.1 Voting at Council Meetings

- (a) Subject to By-Law 6.1(b), only those Councillors:
 - (i) personally present at a Council meeting or a meeting of a committee of the Council; or
 - (ii) using any technology consented to by a majority of the Councillors,will be entitled to vote.
- (b) Councillors will be entitled to vote either personally (including by using any technology consented to by a majority of the Councillors) or by proxy at any Council meeting in respect of a proposal before Council regarding:
 - (i) the election of a Member to fill a casual vacancy under Rule 14.1;
 - (ii) the appointment of a director to the Board of any subsidiary company of the Club;
 - (iii) the appointment of a Councillor to a Committee;
 - (iv) the removal of a Councillor from the position of President under Rule 13; and
 - (v) the election of Councillors to the positions of President and Vice President of the Club.
- (c) All proxy forms will be with the Chief Executive 48 hours prior to the commencement of the meeting at which the election or appointment is to take place.
- (d) An instrument appointing a proxy will be in the form set out in Schedule 2 or in any form which the Council may prescribe from time to time.

6.2 Notice of Motion

- (a) The Chair will decide whether a motion is to be accepted at a Council Meeting without notice.

- (b) Where any notice of motion is required to be given under this By-Law the notice must be dated and given by the intending mover to the Chief Executive at least fourteen days before the date of the Council Meeting at which the motion is to be considered.
- (c) A motion will not be proceeded with in the absence of the Councillor who gave notice of the motion.

6.3 Leave of Absence – Electoral leave of absence

- (a) If a Councillor publicly announces that they intend to nominate as, or are publicly endorsed by a political party as a nominee to be, a candidate for election as a member of an Australian state, territory or federal parliament, or intends to nominate as a member of a governing body of a local government in an Australian state or territory, the Councillor must:
 - (i) inform the President and Chief Executive immediately; and
 - (ii) seek a leave of absence in writing to take effect immediately.
- (b) Upon receipt of the written notification under By-Law 6.3(a), a leave of absence will be granted immediately by Council and confirmed at the next Council meeting, and will continue until the earlier of (and inclusive of) the date:
 - (i) the declaration of the results of the election are made public; or
 - (ii) on which the 3rd meeting of Council is held after the date of the written notification under By-Law 6.3(a).
- (c) If a Councillor is elected as a member of:
 - (i) an Australian state, territory or federal parliament; or
 - (ii) a governing body of a local government in an Australian state or territory,the Councillor is not eligible to be a Councillor and the Councillor must resign from Council.
- (d) During a leave of absence:
 - (i) the Councillor will not have access to Council papers or communications related to Council matters; and
 - (ii) the Councillor will not be entitled to attend Council meetings or any sub-committee meetings.
- (e) A Councillor may seek only one period of absence under By-Law 6.3 during their term on Council.

7. Exercise of Power of Attorney

If an attorney appointed by the Club executes an instrument (including a deed), the attorney must as soon as reasonably practicable notify the Chief Executive in writing of the details of the instrument executed.

Schedule 1

NOMINATION FORM

PART A
NOMINATION FORM

The Royal Automobile Club of W.A. (Incorporated)
GPO Box C140
PERTH WA 6839

I, being a Voting Member of The Royal Automobile Club of W.A. (Incorporated) (**Club**)

_____	of	_____
NAME		ADDRESS

nominate for election as an Elected Councillor of The Royal Automobile Club of W.A. (Incorporated), under the Rules and the By-Laws of the Club.

PART B**PERSONAL PARTICULARS OF NOMINEE FOR ELECTION TO COUNCIL AS AN ELECTED COUNCILLOR OF THE ROYAL AUTOMOBILE CLUB OF W.A. (INCORPORATED)** *(Items marked * may be completed at the option of the Candidate)*

*TITLE:		SURNAME:		
GIVEN NAMES:				
ADDRESS:				
SUBURB:		POSTCODE:		
TELEPHONE NO:				
EMAIL:				
MEMBERSHIP NO:				
DATE OF JOINING RAC:				
PRIMARY OCCUPATION OR PROFESSION (for inclusion in the election materials):				
*ACADEMIC QUALIFICATIONS:				
*DIRECTORSHIPS:				
*EMPLOYMENT HISTORY:				
Employer	Position Held	From	To	

Are you aware of any actual or perceived conflicts of interest that you may have if you were elected to Council?
If so please provide details:

PART C

In no more than 150 words, please provide a brief personal statement of why you wish to become an Elected Councillor of the RAC Council and what you consider you are able to contribute to the Council. **(The statement must be legible, in the English language and written in the first person).**

Note: Subject to By-law 5.2, this statement will be published verbatim in the Club's election material if you are successful as a Candidate unless the Returning Officer decides otherwise.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

I acknowledge that all or part of the information contained in this Nomination Form will be distributed to Members of the RAC with the election Ballot Paper if I am approved as a Candidate.

Signature of Nominee: _____ : _____

Date: _____ Date: _____

PART D

STATUTORY DECLARATION

I,

.....
(name, address and occupation of person making declaration)

sincerely declare as follows:

1. The contents of my nomination form are true and correct, including the details provided in the personal statement.
2. The photograph I have submitted with this nomination form is a photograph of me and is not more than 6 months old.
3. I am eligible to be a member of a management committee under the *Associations Incorporation Act 2015** (the “Act”) and under the Rules.
4. I am a Voting Member of the Club and have been entitled to vote at Annual General Meetings of the Club for each of the 5 years preceding the date of this nomination form.
5. If I cease to be eligible to be a member of a management committee under the Act prior to the announcement of the election at the Annual General Meeting or while I am a member of Council, I shall inform the Council in writing immediately and I acknowledge the consequences under the Rules should any of these circumstances occur.

*** Extract from the Act:**

“39. Persons who are not to be members of management committee

- (1) Subject to section 40, this section applies to the following persons —
- (a) a person who is, according to the Interpretation Act 1984 section 13D, a bankrupt or person whose affairs are under insolvency laws;
 - (b) a person who has been convicted, within or outside the State, of —
 - (i) an indictable offence in relation to the promotion, formation or management of a body corporate; or
 - (ii) an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than 3 months; or
 - (iii) an offence under Division 3 or section 127.
- (2) A person to whom this section applies must not, without leave of the Commissioner, accept an appointment or act as a member of a management committee of an incorporated association.

40. Limitation of period for which section 39 applies to certain persons

Section 39 applies to a person referred to in subsection (1)(b) of that section, in relation to the person’s conviction of an offence, only for the period of 5 years —

- (a) from the time of the person’s conviction; or
- (b) if the conviction results in a term of imprisonment, from the time of the person’s release from custody.”

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005*

at.....
(place)

.....
(date)

in the presence of -

by.....
(Signature of person making the declaration)

.....
(Signature of authorised witness)

.....

.....
(Name of authorised witness and qualification as such a witness)

NOTES FOR NOMINATION FORM:

1. This nomination form is required to be lodged with the Returning Officer NO LATER THAN 5.00pm on the **closing date** of the nomination period as determined by Council under the Rules and By-Laws.
2. Each Nominee must complete parts A, B, C and D of the nomination form.
3. Subject to the Rules, only Voting Members are entitled to hold office as an Elected Councillor.
4. A Nominee must submit a brief statement with their nomination form of why they wish to become (or be re-elected as) an Elected Councillor and what they consider they are able to contribute to the Council. The statement must not exceed in total one hundred and fifty (150) words. Subject to By-Law 5.4(c), if the Nominee is approved as a Candidate for election this statement will be published verbatim in the election material of the Club.
5. A Nominee must submit a photograph (obtained at their own cost) which must be:
 - Digital and submitted electronically;
 - Not more than 6 months old;
 - Taken in front of a plain background;
 - A full front view of the Nominee's head, or head and shoulders; and
 - With eyes open and clearly visible,

for inclusion in the Council election materials distributed to Members if they are approved as a Candidate for election. The photograph should be submitted at the same time as the nomination form and sent to [CorpVote](#).
6. Full name means your given names in addition to the surname.
7. All particulars required of the Nominee must be provided in legible English language in block capitals wherever specified.
8. Failure to comply with any of the above conditions may at the discretion of the Returning Officer render the nomination invalid.

Schedule 2

PROXY FORM

The Royal Automobile Club of W.A. (Incorporated)

I _____
FULL NAME

Of _____
ADDRESS

being a Councillor of The Royal Automobile Club of W.A. (Incorporated) appoint

(name of Councillor to be proxy)

Of _____
ADDRESS

as my proxy to vote for me and on my behalf at the Council Meeting of The Royal Automobile Club of W.A. (Incorporated) to be held on _____
(date of meeting)

Signed this _____ day of _____

Signature of Councillor of The Royal Automobile Club of W.A. (Incorporated)