

CONSTITUTION – MANITOBA KARTING ASSOCIATION

Name

The name of the Association shall be the “Manitoba Karting Association”, which may be referred to informally as the MKA.

Purpose

The purposes of the Association are:

- to be a non-political, democratic, not for profit organization;
- to be the organizing body for the sport of karting and the affiliated karting club of ASN Canada FIA in the Province of Manitoba;
- to promote the sport of karting in the Province of Manitoba;
- to organize kart races for its members in a manner that is consistent with the rules and procedures pertaining to kart races set by ASN Canada FIA; and
- to liaise with other associations having similar purposes.

1.0 Membership

- 1.1 A member in good standing will not be expelled from the membership of the Association unless the Executive has determined that the member is to be expelled and his or her membership revoked pursuant to section 1.10.
- 1.2 A single and limited member must be a minimum 18 years of age and has full voting rights in the business of the Association.
- 1.3 A family membership must consist of two or more family members, one of whom must be a minimum 18 years of age.
- 1.4 A limited membership will be available to a driver who wishes to participate only in a race event and does not wish to be an active member of the MKA.
- 1.5 Only active and family memberships will have full voting rights in the business of the Association and in the case of a family membership, the vote will be limited to one vote per family membership.
- 1.6 Membership fees will be set by the Executive of the MKA on an annual basis.
- 1.7 A membership fee includes MKA Kart Driver Competition Licence fee, except for limited membership.
- 1.8 An active or family membership will cease in the Association upon:
 - a) the resignation of the member has been communicated to the Secretary of the Association by a means deemed acceptable by the Executive of the Association;
 - b) failure to pay the required membership fees; or
 - c) a vote of the majority of Executive members of the Association as set out in section 1.10.

- 1.9 Provisions of sections 1.10, 1.11 and 1.12 do not apply to a limited membership and at any time a limited membership can be ended by the Executive of the Association.
- 1.10 All members are in good standing except a member who has failed to pay the required membership fee and that member is not in good standing so long as the required fee is not paid.
- 1.11 A member in good standing will not be expelled from the membership of the Association unless the Executive has determined that the member is to be expelled and his or her membership revoked pursuant to section 1.10.
- 1.12 A member in good standing may be expelled from and his or her membership revoked in the Association upon
- a) The member having been provided notice in writing by the Secretary of the Association that a motion to have his or her membership in the Association revoked has been put before the Executive of the Association;
 - b) The opportunity within fourteen (14) days of receipt of the notice referred to in (a) above, of the member to respond to the motion either in writing or in person, at a date set by the Secretary of the Association; and
 - c) After having considered the response or non-response of the member in accordance with (b) above, the Executive, by a majority vote, expels the member and revokes his or her membership in the Association.
 - d) Any member that has had their membership revoked or suspended for any reason must apply in writing to the MKA executive to have their membership reinstated at the conclusion of the suspension. Upon receipt of the application the executive shall decide by majority vote at the next regularly scheduled meeting of the executive to accept or reject the membership of the applicant that had been so revoked or suspended. The decision of the executive will be made known to the applicant by registered letter.

2.0 Racing Privileges

- 2.1 Only active and family memberships have full racing privileges.

3.0 Executive of the Association

- 3.1 The Executive of the Association consists of seven (7) officers of the Association. The officers of the Association will be:
- (i) The President;
 - (ii) The Vice-President;
 - (iii) The Secretary;
 - (iv) The Treasurer;

- (v) The Club Steward;
- (vi) Two (2) Directors.

- 3.2 Only members who have voting privileges and are members in good standing may be officers of the Association.
- 3.3 The Executive will carry on the business of the Association between general meetings of the Association and investigate and report on matters of interest to the Association.
- 3.4 The Executive has the power to carry on the business of the Association in all respects.
- 3.5 The officers of the Association will have the duties that are assigned to them by the Executive from time to time, in addition to the duties set out in section 6.0.
- 3.6 No member of the Executive will be paid for being or acting as a member of the Executive
- 3.7 A Director must be a full member or a delegate of a full member. No more than one delegate of any member family/household or race team or individual employed or otherwise associated with the same member may serve as a Director at the same time.
- 3.8 Each director will have one vote, and decisions will be carried by a simple majority on a show of hands at a meeting. The chairperson has the right to exercise a casting vote if votes for and against a motion are equal.
- 3.9 Each Member of the Executive will serve for a 2-year term, on a rotating basis. (*The first year, half of the directors will be elected to a 2 year term and half will be elected to a 1 year term. The following year, the newly elected officials will serve a 2 year term.)

4.0 Election of Officers

- 4.1 Officers of the Association will be elected at the Annual General Meeting of the Association.
- 4.2 With the consent of the nominee, one member in good standing of the Association may nominate a candidate for office in the Association. Consent of the nominee is to be provided either in writing to the Secretary in advance of or orally at the Annual General Meeting.
- 4.3 Ballots will be distributed by the Secretary to all voting members at the Annual General Meeting.
- 4.4 A voting member may cast his or her ballot at club meetings. A voting member may designate in writing, to the attention of the Secretary of the Association prior to any Meeting, his or her proxy for the carrying out of his or her voting privilege at any meeting.

- 4.5 Two members in good standing of the Association and who are not seeking election to the Executive of the Association will be selected prior to the commencement of the vote by the voting members present at the Annual General Meeting to count the ballots and advise of the outcome of the vote.
- 4.6 A recorded vote will be taken and the outcome only, and not the number of votes cast per candidate, will be stated in the minutes of the Annual General Meeting.

5.0 Vacancies in the Executive

- 5.1 If, at any time, the office of President becomes vacant, the Vice-President will become President.
- 5.2 If the position of Vice-President or any other position on the Executive becomes vacant, the position may be filled by the appointment of a member of the Association in good standing by the Executive to fulfill the duties of that position for the remainder of the term.
- 5.3 The members of the Association may, by special resolution, approved by at least two thirds or 66% of the votes cast in respect of the resolution at a special meeting of the Association convened in that regard, remove a member of the Executive before his or her term of office expires, and where a member of the Executive has been removed from office in this manner, the members may elect a successor to complete the term of office or agree by majority vote that the Executive may appoint a member in good standing of the Association to fill the position until the next Annual General Meeting of the Association.
- 5.4 Notice of the special meeting referred to in sections 5.3 and 5.4 is to be given by the Secretary to the members of the Association at least fourteen (14) days prior to the date set for the special meeting and such notification will contain the wording of the special resolution respecting the removal of a member of the Executive.
- 5.5 The member of the Executive who is the subject of the special resolution referred to in sections 5.3 or 5.4, may, at the special meeting of the Association to determine the special resolution, address the meeting of the Association prior to the vote being taken on the special resolution.

6.0 Duties of the Officers

- 6.1 The **President** will preside at all meetings of the Association and of the Executive. The President is the Chief Executive Officer of the Association and will supervise the other officers in the execution of their duties and

will issue notices of meetings of the Association and Executive through the office of the Secretary.

- 6.2 The **Vice-President** will carry out the duties of the President during his or her absence. During the absence of the Treasurer, the Vice-President will assume the duties of Treasurer.
- 6.3 The **Secretary** will conduct the correspondence of the Association; keep minutes of all meetings of the Association and Executive; have custody of all records and documents of the Association except those required to be kept by the Treasurer; facilitate the inspection of any accounts, books or records of the Association upon the request of any member of the Association in accordance with section 12.0; and maintain the register of members. In the absence of the Secretary from a meeting, the Executive will appoint another person to act as secretary for the meeting.
- 6.4 The **Treasurer** will keep the financial records, including books of account, and establish an account for the Association at a chartered bank or credit union
- 6.5 The **Club Steward** will enforce all rules, regulations, policies and protocols of the Association and of ASN Canada FIA pertaining to the races of the Association. The Club Steward will have complete knowledge and understanding of the responsibilities of Club Steward as established by ASN Canada FIA and which may be amended from time to time. In particular, the Club Steward will provide to the Association and may provide to ASN Canada FIA, a closing report as soon as practicable after the close of a race or competition the results of same together with particulars of all protests lodged and exclusions made by the Club Steward and his or her recommendations as to any decisions which may have to be taken for a suspension or disqualification.
- 6.6 **Directors** of the Association will provide general direction to the Executive in the carrying out of the business of the Association and will undertake any and all duties and responsibilities determined and assigned to them by the Executive.

7.0 Committees

- 7.1 The Executive may establish committees of the Association to address specific aspects of the business of the Association. The President will be an ex-officio member of all Association committees. The Chairperson, selected by the members of the committee, will determine the meetings of the committee and report as directed to the Executive.

8.0 Race Director

- 8.1 The Race Director:
- (a) will be remunerated by the Association as set out in the terms of a contract in that regard
 - (b) be responsible for the overall management of Association races including the organization and supervision of all races in accordance with the regulations established by ASN Canada FIA and which may be amended from time to time; and
 - (c) provide race reports to the Club Steward and as requested, also report on races to the membership at the general meetings of the Association

9.0 Meetings

- 9.1 The Annual General Meeting of the Association is to be held no later than January of the following calendar year.
- 9.2 The Executive will meet as determined by the Executive.
- 9.3 Special meetings of the Association may be called by the Executive or upon the written request of a voting member of the Association, provided to the Secretary, accompanied by the written support of five other voting members of the Association.
- 9.4 All meetings of the Association, except meetings of the Executive and committees will be conducted in accordance with Roberts' Rules of Order. The Executive and committees may establish their own rules of order.

10.0 Quorum

- 10.1 The quorum for meetings of the Executive will be 50% of Executive members.
- 10.2 The quorum for General Meetings, Annual General Meetings and Special Meetings of the Association will be 33% of the total eligible voting members of the association.

11.0 Finances

- 11.1 The President, Vice-President, Treasurer and Secretary will be the authorized signing officers of the Association. Cheques will be signed by any two of the authorized signing officers.
- 11.2 All expenses of the Association will be paid by cheque.
- 11.3 The Treasurer will submit a financial report at each general meeting.
- 11.4 The Treasurer will present the annual financial statements of the Association at the Annual General Meeting of the Association.
- 11.5 The financial records of the Association will be audited annually and prior to the holding of the Annual General Meeting of the Association,

by an audit committee comprised of no fewer than two members of the Association, in good standing and who are not officers of the Association.

- 11.6 At the Annual General Meeting of the Association, a report will be made by the audit committee as to its audit of the financial records of the Association.

12.0 Records

- 12.1 Members of the Association may inspect any accounts, books or records of the Association at any reasonable time at a place determined by the Secretary of the Association.

13.0 Amendments to the Constitution

- 13.1 The Constitution of the Association may be amended or revised by a special resolution of the Association provided that any amendment or revision is approved by two thirds or 66% of those members present and voting. All proposed amendments will be sent to all voting members of the Association at least (30) thirty days prior to the date of the meeting.

14.0 Revocation of former Constitution

- 14.1 Upon the adoption of this Constitution by two thirds or 66% of those members present and voting of the Association, the former Constitution of the Association, last revised in November 2011 is revoked.

Adopted at the meeting of the Manitoba Karting Association on the 30th day of November, 2023