



Outlaw Karts Australia Incorporated

Constitution

THIS CONSTITUTION WILL COME INTO FORCE AS OF THE 9th OF JULY 2025

DATED: 09/07/2025

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Outlaw Karts Australia Incorporated Constitution

Note

The persons who from time to time are members of Outlaw Karts Australia Incorporated are an Incorporated Association by the name given in rule 1 of these Rules.

Under section 28(1)(a) of **Western Australian Associations Incorporation Act 2015**, these Rules are taken to constitute the terms of a contract between Outlaw Karts Australia Incorporated and its members.

PART 1—PRELIMINARY

1. Name

Outlaw Karts Australia Incorporated

Note

The name of the Association and its registration number must appear on all its business documents.

2. Purpose

Outlaw Karts Australia Incorporated has been formed with the purpose of growing and advancing Outlaw Kart racing within Australia. Outlaw Karts Australia Incorporated objective is to develop, implement and promote uniform national policies that ensure those involved in the class have the opportunity to participate in a cost- effective and skills-based form of grass roots motorsport.

3. Financial Year

The financial year for Outlaw Karts Australia Incorporated is each period of 12 months ending on the 30th June.

4. Definitions

100% Less One: means all Delegates (who comply with rule 11/2.3) must participate in the vote. For a resolution to pass, that vote must at a minimum, have the support of all the delegates, less one delegate.

100% of Delegates: means all Delegates (who comply with rule 11/2.3) must participate in the vote.

Absolute majority of the Committee: means a majority of the committee members currently holding office and entitled to vote at the time (as distinct from a majority of committee members present at a committee meeting).

Chairperson: means the person chairing a meeting of Outlaw Karts Australia Incorporated as required under rule 44;

Chassis: means the Kart space frame tubular structure as described in the Rules of Competition.

Commissioner: means the Commissioner for Consumer Protection'.

Committee: means the group of persons appointed by Tier 1 members to manage the business of Outlaw Karts Australia Incorporated;

Committee Meeting: means a meeting of the Committee held in accordance with these Rules.

Committee Member: means a member of the Committee elected or appointed under Division 3 of Part 5. Delegates and those appointed as members of the Executive Committee will form the Committee.

Disciplinary Appeal Meeting: means a meeting of the members of Outlaw Karts Australia Incorporated convened under rule 20/3 and 20/4.

Disciplinary Meeting: means a meeting of the Committee convened for the purposes of rule 19;

Delegate: means a person nominated by a SMC to represent that SMC on the Committee of Outlaw Karts Australia Incorporated. The SMC may nominate two delegates to represent that SMC at meetings of Outlaw Karts Australia Incorporated. Delegates must only have membership with the SMC they represent and cannot have membership of any other SMC; Delegate may choose to be the SMC Tech if indorsed by the SMC

Disciplinary Subcommittee: means the subcommittee appointed under rule 17;

Financial Year: means the 12 month period specified in rule 3;

General Meeting: means a general meeting of the members of Outlaw Karts Australia Incorporated convened in accordance with Part 4 and includes a special general meeting. An Annual General Meeting or a disciplinary appeal meeting are not General Meetings.

General Meeting at the Request of Members: means a meeting (under Rule 29) convened by members not holding positions on the committee. The purpose of a General Meeting at the request of members is to allow members to question the committee and for the committee to respond on matters of business and decisions made.

General Rules: are the rules governing how members and others associated with members conduct themselves at organised events. These rules also include discipline, protest and how meetings are conducted. The General Rules are attached to the Rules of Competition.

Government of Western Australia: Department of Energy, Mines, Industry Regulation and Safety.

Kart Owner: A Kart Owner will be recognised by Outlaw Karts Australia Incorporated, as a person who has one or more Outlaw Karts currently registered with Outlaw Karts Australia Incorporated and is a current financial member of a SMC of Outlaw Karts Australia Incorporated . A Kart Owner can only be a member of one SMC Kart Owners are deemed 'Tier 1' Members of Outlaw Karts Australia Incorporated.

Matters of Business: The arrangements and tasks needed to maintain the operation of Outlaw Karts Australia Incorporated.

Member of 'Outlaw Karts Australia Incorporated' means a Tier 1 member or a Tier 2 member.

National Body: means Outlaw Karts Australia Incorporated.

Notice of Motions(NOM): Items submitted by the SMC for the OKA AGM or any special resolution (as required sect 36)

Observer: Member of SMC and or Tier 1 member, for the purpose of **Observing** at an AGM, General Meeting or Special Resolution all verbal or written correspondence to go through SMC delegates unless approved by the OKA Executive Committee.

Office Bearer means a member of the Executive Committee which includes the President, Secretary, Treasurer, National Technical Officer and National Steward.

OKA: Means Outlaw Karts Australia Incorporated.

Registered Kart: means an Outlaw Kart that has a current season Logbook and is registered with Outlaw Karts Australia Incorporated and has a registered Kart Owner who is a current financial member of a SMC. A Kart can only be registered to one SMC.

Rules of Competition: The rules and/or regulations that govern the orderly conduct and minimum acceptable requirements for Outlaw Karts and persons competing in any Speedway Australia or Outlaw Karts Australia Incorporated sanctioned Outlaw Karts event. The rules of competition also contain the general rules for competition.

Special Resolution: means a resolution that meets the requirements of Rule 36/1.

Speedway Australia: means the national insurance, licensing and divisional rule book facilitator.

State Member Club (SMC): means an Association within an Australian State or Territory who supports the purposes of Outlaw Karts Australia Incorporated and is recognised by Outlaw Karts Australia Incorporated. The SMC is designated by Outlaw Karts Australia Incorporated, to govern Outlaw Kart racing on behalf of Outlaw Karts Australia Incorporated, in the geographic area they represent. A SMC must be an Incorporated Association. A SMC represents the Kart Owners who are registered with that SMC. Subject to rule 11/2-2.3, delegates are representatives of the SMC at meetings of Outlaw Karts Australia Incorporated, SMC tech to represent the SMC at a National Technical Level

The Act: means Associations Incorporation Act 2015' and includes any regulations made under that Act;

The Association: means Outlaw Karts Australia Incorporated Association or Outlaw Karts Australia or OKA.

Tier 1 member: means a Kart Owner, Driver or SMC General member with voting rights.

Tier 2 member: means a SMC.

PART 2—POWERS OF ASSOCIATION

5. Powers of Association

1. Subject to the Act, Outlaw Karts Australia Incorporated has power to do all things incidental or conducive to achieve its purposes.
2. Without limiting sub-rule (1), Outlaw Karts Australia Incorporated may—
 - a. acquire, hold and dispose of real or personal property;
 - b. open and operate accounts with financial institutions;
 - c. invest its money in any security in which trust monies may lawfully be invested;
 - d. raise and borrow money on any terms and in any manner as it thinks fit;
 - e. secure the repayment of money raised or borrowed, or the payment of a debt or liability;
 - f. appoint agents to transact business on its behalf;
 - g. Enter into any other contract it considers necessary or desirable.
3. Outlaw Karts Australia Incorporated may only exercise its powers and use its income and assets (including any surplus) for its purposes.

6. Not for Profit Organisation

1. Outlaw Karts Australia Incorporated must not distribute any surplus, income or assets directly or indirectly to its members. The property and income of the association shall be applied solely towards the promotion of the objects or purposes of the association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members of the association, except in good faith in the promotion of those objects or purposes.
2. A payment may be made to a member out of the funds of the Association only if it is authorised under subrule (3).
3. Sub-rule (1) does not prevent Outlaw Karts Australia Incorporated from paying a member
 - a) the payment in good faith to the member as reasonable remuneration for any services provided to the Association, or for goods supplied to the Association, in the ordinary course of business; or
 - b) the payment of interest, on money borrowed by the Association from the member, at a rate not greater than the cash rate published from time to time by the Reserve Bank of Australia; or
 - c) the payment of reasonable rent to the member for premises leased by the member to the Association; or
 - d) the reimbursement of reasonable expenses properly incurred by the member on behalf of the Association.
 - e) and require a member's resolution at a general meeting to authorise the payment to a committee member.

If this is done in good faith on terms no more favourable than if the member was not a member.

Note: Section 17(c) of the Act provides that an incorporated association must not secure pecuniary profit for its members. Section 4 of the Act sets out in more detail the circumstances under which an incorporated association is not taken to secure pecuniary profit for its members.

PART 3—MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES

Division 1— Membership of Outlaw Karts Australia Incorporated

7. Membership:

1. The membership year shall be deemed to commence at the end of one Annual General Meeting to the end of the next Annual General Meeting
2. Membership.
 - a. Tier 1 Member. Only a Kart Owners, Drivers and General Members will be granted Tier 1 Membership. There is no minimum number of Tier 1 members.
 - b. Tier 2 Member. Only a SMC can be granted a Tier 2 Membership. Outlaw Karts Australia Incorporated must have at least two SMC as Tier 2 members.
3. All Members must abide by the rules set out in this Constitution and conform to the Rules of Competition and the General Rules.
4. Outlaw Karts Australia Incorporated may revoke a membership if it is deemed to be in the best interest of Outlaw Karts Australia Incorporated.

8. Tier 1 Member:

1. A Tier 1 Member of Outlaw Karts Australia Incorporated may only be a Kart Owner.
2. Tier 1 membership is automatically granted when a person is recognised as a Kart Owner.
3. Subject to Rule 37/3 a Tier 1 Membership of Outlaw Karts Australia Incorporated is the only membership entitled to vote on matters that are deemed a Special Resolution.
4. A Tier 1 membership is NOT transferable. When a Kart Owner relinquishes ownership of a Kart, the new owner must resubmit to Outlaw Karts Australia Incorporated for Kart registration and must meet the conditions set out in Definitions/Kart Owner.
5. Membership will commence upon approval of the annual membership to the SMC they're registered to.

9. Tier 2 Member

1. A Tier 2 member is a club registered with Outlaw Karts Australia Incorporated known as a SMC. Tier 2 members are expected to promote Outlaw Kart racing and grow their membership base. Outlaw Karts Australia Incorporated has the right to revoke the membership of a SMC if, at a Special General Meeting of Outlaw Karts Australia Incorporated, an absolute majority of delegates vote in favour to cancel the membership of that SMC.
2. Application for, to become a Tier 2 member
 - 2.1 To apply to become a Tier 2 member of Outlaw Karts Australia Incorporated, the entity must be registered as an incorporated association and submit a written application to a Committee member of Outlaw Karts Australia Incorporated stating that the entity—
 - a. wishes to become a SMC to Outlaw Karts Australia Incorporated and
 - b. supports the purposes of Outlaw Karts Australia Incorporated and
 - c. agrees to comply with these Rules and the Rules of Competition
 - 2.2 The application—
 - a. must be signed by the applicant; and
 - b. In the case where a SMC already exists within the same State or Territory as the applicant, the applicant must be able to demonstrate that every SMC within that State or Territory support the creation of another SMC within that State or Territory. This would require a majority (50% or greater) of Delegates who meet the requirements of Rule 2/2.3, within that State or Territory agreeing to support the proposal.
 - c. Must clearly describe the geographic area that the new SMC will control.
 - d. May be accompanied by the joining fee.
 - e. (Subject to the requirements of Rule 11/2-2.2 & 2.3) Must include the names of the Delegates who will represent the SMC.

Note: The joining fee is the fee (if any) determined by Outlaw Karts Australia Incorporated under rule 10/1.

3. Consideration of application

- 3.1 as soon as practicable, after an application to become a member is received, the Committee must decide by resolution whether to accept or reject the application.
- 3.2 the Committee must notify the applicant in writing of its decision as soon as practicable after the decision is made.
- 3.3 If the Committee rejects the application, it must return any money accompanying the application to the applicant.
- 3.4 no reason need be given for the rejection of an application.

4. New membership

- 4.1 If an application to become a member is approved by the Committee—
 - a. the resolution to accept the application must be recorded in the minutes of the committee meeting; and
 - b. the Secretary must, as soon as practicable, enter the name and address of the new SMC, and the date of acceptance, in the register of members.
- 4.2 Upon acceptance as a member, the entity becomes a SMC of Outlaw Karts Australia Incorporated and, subject to rule 11/2, is entitled to exercise its rights of membership from the date, whichever is the later, on which—
 - a. the Committee approves the SMC membership; or
 - b. the joining fee is paid in full.

10. Annual Subscription and Fee on Joining

1. At a Special General Meeting conducted before the Annual General Meeting or at the Annual General Meeting, Outlaw Karts Australia Incorporated must determine—
 - a. the amount of the annual subscription (if any) for the following financial year; and
 - b. the date for payment of the annual subscription
2. Outlaw Karts Australia Incorporated may determine that any new member who joins after the start of a financial year must, for that financial year, pay a fee equal to—
 - a. the full annual subscription; or
 - b. A fixed amount determined from time to time by Outlaw Karts Australia Incorporated.
3. The rights of a member (including the right to vote) who has not paid the annual subscription by the due date are suspended until the subscription is paid.
4. Tier 2 membership for SMC will commence from July 1st and conclude on June 30th the following year to provide annual affiliation to Outlaw Karts Australia Incorporated.

11. General Rights of Members

1. Tier 1 Members:
 - 1.1 Tier 1 Members have the right—
 - a. To receive notice of proposed special resolutions in the manner and time prescribed by these Rules; and
 - b. To submit to their SMC items of business to be considered at a general meeting of Outlaw Karts Australia Incorporated.

- c. Tier 1 Members may request a copy of General Meeting Minutes. Outlaw Karts Australia Incorporated has the right to redact any sensitive financial information before providing a copy of the Minutes.
2. Tier 2 members:
- 2.1 A Tier 2 member of Outlaw Karts Australia Incorporated is entitled —
- a. to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and
 - b. to submit items of business for consideration at meetings of Outlaw Karts Australia Incorporated; and
 - c. to allocate two Delegates to attend and be heard at meetings of Outlaw Karts Australia Incorporated; and
 - d. to allocate two Delegates who can vote on behalf of the SMC at a meeting of Outlaw Karts Australia Incorporated (subject to the requirements of sub-rule 2.2); and
 - e. to have access to the minutes of general meetings and other documents of Outlaw Karts Australia Incorporated as provided under rule 77; and
 - f. to inspect the register of members.
 - g. SMC Tech needs to be a member of the SMC they represent and general member of OKA, SMC Tech can be a delegate or a member of the SMC executive/ committee and doesn't have to be an expert on matters arising.
 - h. have a Tech from the SMC on the National Technical Committee, to contribute on items presented to OKA and report back to their SMC on matters arising from National Technical Committee Meetings.
- 2.2 Each Tier 2 member shall be represented by delegates who will form the Outlaw Karts Australia Incorporated committee and subject to 11/2.3, vote on behalf of the SMC they represent. The nominated Delegates' tenure is from the completion of one AGM until the date of the next AGM. A maximum of two delegates per SMC is allowed. If less than two Delegates are nominated, the voting power of the SMC is diminished.
- 2.3 Delegates are entitled to vote on behalf of the SMC they represent, at any meeting of Outlaw Karts Australia Incorporated if—
- a. The SMC they represent has 5 (five) or more "Registered Karts" with membership to that SMC and
 - b. The Delegates' principal place of residence is within the geographical bounds governed by the SMC they represent and
 - c. More than 30 days have passed since the SMC became a member of Outlaw Karts Australia Incorporated; and
 - d. The SMC membership rights are not suspended for any reason and
 - e. The vote is not deemed a Special Resolution (subject to rule 37/3).

2.4 Only Delegates (subject to sub-rule 2.3) can vote at meetings of Outlaw Karts Australia Incorporated. (subject to rule 35 (5))

2.5 Each SMC Delegate (subject to sub-rule 2.3 and Rule 35/3) is assigned one vote when voting at either General Meetings or the AGM.

12. Rights not Transferable

The rights of any member are not transferable and end when membership ceases.

13. Ceasing Membership

1. Tier 1 Members:

1.1 Tier 1 members cease to be members when they are no longer deemed a Kart Owner or SMC membership and or OKA annual subscriptions are non-financial.

1.2 SMC becomes unfinancial.

1.3 When membership ceases

1.4 A person ceases to be a member when any of the following takes place —

1.5 for a member who is an individual, the individual dies;

1.6 for a member who is a body corporate, the body corporate is wound up;

1.7 the person resigns from the Association under rule 14;

1.8 the person is expelled from the Association under rule 19;

2. The secretary must keep a record, for at least one year after a person ceases to be a member, of —

2.1 the date on which the person ceased to be a member; and

2.2 the reason why the person ceased to be a member.

3. Tier 2 members:

3.1 A SMC ceases to be a Tier 2 member of Outlaw Karts Australia Incorporated if

a. The SMC resigns or cancels its membership.

b. SMC becomes unfinancial.

c. Outlaw Karts Australia Incorporated cancels the membership of the SMC for performance based reasons.

d. Outlaw Karts Australia Incorporated cancels the membership of the SMC for disciplinary reasons.

3.2 If a SMC ceases to be a member of Outlaw Karts Australia Incorporated, the Secretary must, as soon as practicable, enter the date the SMC ceased to be a member in the register of members.

14. Resigning as a Member

1. A member may resign by notice in writing given to SMC.
 - a. SMC to inform OKA of the resignation;

Note

Rule 76(3) sets out how notice may be given to Outlaw Karts Australia Incorporated. It includes by post or by handing the notice to a member of the SMC committee.

2. A member is taken to have no membership if—
 - b. the member's annual subscription has not been paid by the 1st of July of that year; or b. where no annual subscription is payable—
 - i. the OKA Secretary has made a written request to the member to confirm that the SMC wishes to remain a member; and
 - ii. The SMC has not, within 3 months after receiving that request, confirmed in writing that they wish to remain a member.

15. Register of Members

1. Under Section 53 of the Act, the Secretary must keep and maintain a register of members that includes for each current member—
 - a. the member's name;
 - b. the residential / postal / email address of the member;
 - c. The Corporation registration number of the SMC.
 - d. the date of becoming a member;
 - e. which tier of membership is held
 - f. any other information determined by the Committee;
2. The Secretary must keep and maintain for a minimum of 2 years, a register of former members and the date they ceased to be a member.
3. Any change to the register must be recorded within 28 days after the change occurs, Section 53 of the Act
4. Any member may, at a reasonable time and free of charge, inspect the register of members.

Note

Under section 56 of the Act, access to the personal information of a person recorded in the register of members may be restricted in certain circumstances, Outlaw Karts Australia Incorporated may require a member who requests a copy of the register of members to provide a statutory declaration setting out the purpose for which the request is made and declaring that the purpose is connected with the affairs of the association. Section 57 of the Act provides that it is an offence to make improper use of information about a person obtained from the Register of Members.

Division 2—Disciplinary action

16. Grounds for Taking Disciplinary Action

1. Outlaw Karts Australia Incorporated may take disciplinary action against a member in accordance with this Division if it is determined that the member—
 - a. has failed to comply with these Rules; or
 - b. refuses to support the purposes of Outlaw Karts Australia Incorporated; or
 - c. Has engaged in conduct prejudicial to Outlaw Karts Australia Incorporated.

Separate disciplinary action may be taken for breaches of the Rules of Competition and is set out in the General Rules.

17. Disciplinary Subcommittee

- 1 If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.
- 2 The members of the disciplinary subcommittee—
 - a. may be Committee members, members of Outlaw Karts Australia Incorporated or anyone else; but
 - b. Must not be biased against, or in favour of, the member concerned.

18. Notice to Member

1. Before disciplinary action is taken against a member, the Secretary must give written notice to the member—
 - a. stating that Outlaw Karts Australia Incorporated proposes to take disciplinary action against the member; and
 - b. stating the grounds for the proposed disciplinary action; and
 - c. specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the ***disciplinary meeting***); and
 - d. advising the member that he or she may do one or both of the following—
 - i. attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
 - ii. give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
 - e. Setting out the member's appeal rights under rule 20.
2. The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

19. Decision of Subcommittee

1. At the disciplinary meeting, the disciplinary subcommittee must—
 - a. give the member an opportunity to be heard; and
 - b. Consider any written statement submitted by the member.
2. After complying with sub-rule (1), the disciplinary subcommittee may—
 - a. take no further action against the member; or
 - b. Make a decision to—
 - i. reprimand the member; or
 - ii. suspend the membership rights of the member for a specified period; or
 - iii. Expel the member from Outlaw Karts Australia Incorporated.
3. The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

20. Appeal Rights

1. A member whose membership rights have been suspended or who has been expelled from Outlaw Karts Australia Incorporated under rule 19 may give notice to the effect that they wish to appeal against the suspension or expulsion.
2. The notice must be in writing and given—
 - a. to the disciplinary subcommittee immediately after the vote to suspend or expel the member is taken; or
 - b. To the Secretary not later than 48 hours after the member has been notified.
3. If a person has given notice under sub-rule (2), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.
4. Notice of the disciplinary appeal meeting must be given to each member of Outlaw Karts Australia Incorporated who is entitled to vote as soon as practicable and must—
 - a. specify the date, time and place of the meeting; and
 - b. state—
 - i. the name of the member against whom the disciplinary action has been taken; and
 - ii. the grounds for taking that action; and
 - iii. That at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the member should be upheld or revoked.

21. Conduct of Disciplinary Appeal Meeting

1. At a disciplinary appeal meeting—
 - a. no business other than the question of the appeal may be conducted; and
 - b. the Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
 - c. The member whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
2. After complying with sub-rule (1), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the member should be upheld or revoked.
3. A member may not vote by proxy at the meeting.
4. The decision is upheld if not less than 75% of the members voting at the meeting vote in favour of the decision.

Division 3—Grievance procedure

22. Application

1. The grievance procedure set out in this Division applies to disputes under these Rules between—
 - a. a member and another member;
 - b. a member and the Committee;
 - c. A member and Outlaw Karts Australia Incorporated.
2. A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

23. Parties Must Attempt to Resolve the Dispute

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

24. Appointment of Mediator

1. If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 23, the parties must within 10 days—
 - a. notify the Committee of the dispute; and
 - b. agree to or request the appointment of a mediator; and
 - c. Attempt in good faith to settle the dispute by mediation.
2. The mediator must be—
 - a. a person chosen by agreement between the parties; or

- b. in the absence of agreement—
 - i. if the dispute is between a member and another member—a person appointed by the Committee; or
 - ii. If the dispute is between a member and the Committee or Outlaw Karts Australia Incorporated—a person appointed or employed by the State Administrative Tribunal, Sect 182 Act.
- 3. A mediator appointed by the Committee may be a member or former member of Outlaw Karts Australia Incorporated but in any case, must not be a person who—
 - a. has a personal interest in the dispute; or
 - b. Is biased in favour of or against any party.

25. Mediation Process

1. The mediator to the dispute, in conducting the mediation, must—
 - a. give each party every opportunity to be heard; and
 - b. allow due consideration by all parties of any written statement submitted by any party; and
 - c. Ensure that natural justice is accorded to the parties throughout the mediation process.
2. The mediator must not determine the dispute.

26. Failure to Resolve Dispute by Mediation

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

PART 4—GENERAL MEETINGS OF OUTLAW KARTS AUSTRALIA INCORPORATED.

27. Annual General Meetings

1. The Committee must convene an Annual General Meeting of Outlaw Karts Australia Incorporated within six months after the end of each financial year.
2. Despite sub-rule (1), Outlaw Karts Australia Incorporated may hold its first Annual General Meeting at any time within 18 months after its incorporation.
3. The Committee may determine the date, time and place of the Annual General Meeting.
4. The ordinary business of the Annual General Meeting is as follows—
 - a. to confirm the minutes of the previous Annual General Meeting and of any special general meeting held since then;
 - b. to receive and consider—
 - (i) The annual report of the Committee on the activities of Outlaw Karts Australia Incorporated during the preceding financial year; and

- (ii) The financial statements of Outlaw Karts Australia Incorporated for the preceding financial year submitted by the Committee in accordance with Part 63 of the Act;
- c. To elect the members of the Executive Committee, excluding the election of President (as per Rule 54/1);
- d. If necessary, to confirm or vary the amounts (if any) of the annual subscription and joining fee.
- 5. The annual general meeting may also conduct any other business of which notice has been given in accordance with these Rules.
- 6. No consumption of alcohol during OKA AGM meetings

28. Special General Meetings

- 1. Any general meeting of Outlaw Karts Australia Incorporated, other than an Annual General Meeting or a disciplinary appeal meeting is a Special General Meeting.
- 2. The Committee may convene a special general meeting whenever it thinks fit.
- 3. No business other than that set out in the notice under rule 33 may be conducted at a General Meeting at the request of members.
- 4. The Chairperson may, at his or her discretion, invite a guest (in compliance with Rule 61/3) to attend a Special General Meeting on behalf of a committee member. Guests may only speak at a Special General Meeting if requested to by a committee member.
- 5. Notice of General Meetings, see rule 61.

29. Special General Meeting Held at Request of Members

- 1. The Committee must convene a special general meeting if a request to do so is made in accordance with sub-rule (2) by 20% or greater of current Tier 1 members which includes two SMC.
 - 2. A request for a special general meeting must—
 - a. be in writing; and
 - b. state the business to be considered at the meeting and any resolutions to be proposed; and
 - c. include the names of each SMC or Tier 1 member requesting the meeting; and
 - d. Be given to the Secretary of Outlaw Karts Australia Incorporated.
 - 3. If the Committee for Outlaw Karts Australia Incorporated does not convene a special general meeting within sixty days after the date on which the request is made, the members making the request may convene the special general meeting.
 - 4. A special general meeting convened by members under sub-rule (3)—
 - a. must be held within 90 days after the date on which the original request was made; and
-

- b. May only consider the business stated in that request.
- 5. Proxies are not allowed at a Special General Meeting held at the request of members.

Note: *General business may also be considered at the meeting if it is included as an item for consideration and the majority of members at the meeting agree.*

30. Notice of General Meetings.

1. The Secretary of Outlaw Karts Australia Incorporated must give to each member of Outlaw Karts Australia Incorporated, who requested the meeting—
 - a. At least 14 days' notice of the general meeting.
 - b. At least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or
2. The notice must—
 - a. specify the date, time and place of the meeting; and
 - b. indicate the general nature of each item of business to be considered at the meeting; and
 - c. if the meeting is the annual general meeting, include the names of the members who have nominated for election to the committee.
 - d. if a special resolution is proposed —
 - (i) set out the wording of the proposed resolution as required by section 36; and
 - (ii) state that the resolution is intended to be proposed as a special resolution;
 - (iii) and comply with section 31.
 - e. List any invited guests

31. Proxies

1. A Delegate may only appoint another Delegate as his or her proxy to vote and speak on his or her behalf at a general meeting. This does not include a disciplinary appeal meeting or a general meeting at the request of members.
2. The appointment of a proxy must be in writing and signed by the member making the appointment.
3. The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.
4. If the Committee has approved a form for the appointment of a proxy, the Delegate may only use that form to identify the person appointed as the member's proxy.
5. A form appointing a proxy must be received by the Chairperson of the meeting 48 hours before the commencement of the meeting.

6. A form appointing a proxy sent by post or electronically is of no effect unless it is received by Outlaw Karts Australia Incorporated no later than 48 hours before the commencement of the meeting.

32. Use of Technology

1. A member not physically present at a general meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.
2. For the purposes of this Part, a Delegate participating in a general meeting as permitted under sub-rule (1) is taken to be present at the meeting and, if the Delegate votes at the meeting, is taken to have voted in person.

33. Quorum at General Meetings

1. No business may be conducted at a general meeting unless a quorum of Delegates is present.
2. The quorum for a general meeting at the request of members is 100% of the members who requested the general meeting plus the President of Outlaw Karts Australia Incorporated.
3. The quorum for a general meeting (other than a general meeting at the request of members) is the presence (physically) of one Delegate representative from each of at least three (3) of the SMC entitled to vote, plus either Outlaw Karts Australia Incorporated President or Secretary or Treasurer.
4. If a quorum is not present within 30 minutes after the notified commencement time of a general meeting—
 - a. in all cases—
 - i. the meeting must be adjourned to a date not more than 21 days after the adjournment; and
 - ii. Notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.
5. If a quorum is not present within 30 minutes after the time to which a general meeting has been adjourned under sub-rule 4, the General Meeting is cancelled.

34. Adjournment of General Meeting

1. The Chairperson of a general meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time at the same place or at another place.
2. Without limiting sub-rule (1), a meeting may be adjourned—
 - a. if there is insufficient time to deal with the business at hand; or
 - b. To give the members more time to consider an item of business.

Example

The members may wish to have more time to examine the financial statements submitted by the Committee at an annual general meeting.

3. No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
4. Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 61.

35. Voting at General Meeting

1. Subject to sub-rule (3) and rule 11/2-2.3 & 2.4, only Delegates have the right to vote at a General Meeting or AGM.
2. On any question on Matters of Business arising at a general meeting—
 - a. each Delegate who is entitled to vote has one vote (Subject to Rule 11/2-2.2) ; and
 - b. Delegates may vote personally or by proxy; and
 - c. Except in the case of a Special Resolution, the question must be decided on a majority of votes.
3. If the question is whether or not to confirm the minutes of the previous meeting, only members who were present at that meeting may vote.
4. This rule does not apply to a vote at a disciplinary appeal meeting conducted under rule 21.
5. Subject to Rule 35 (1) All of the OKA Executive will receive one vote jointly and not individual voting rights.

36. Special Resolution

1. A Special resolution is required:
 - 1.1 To alter this Constitution, including changing the name or any of the purposes of Outlaw Karts Australia Incorporated.
 - 1.2 To make any alterations (not included in sub-rule 2 and subject to sub-rule 3/3.3c) to the Outlaw Karts Australia Incorporated Rules of Competition that:
 - 1.2.1 affect the engine specifications of an Outlaw Kart
 - 1.2.2 affect the performance of an Outlaw Kart
 - 1.2.3 affect the design of an Outlaw Kart
 - 1.2.4 Increases the cost of operating or maintaining an Outlaw Kart
2. A Special Resolution is not required:

- 2.1 For safety issues that require urgent attention.
- 2.2 Where rule changes are required to comply with standards set out by the governing body for Speedway in Australia.
3. Special resolution voting process relating to sub-rule 1/1.1 & 1.2
 - 3.1 Outlaw Karts Australia Incorporated will provide Special Resolution rule change forms to all SMC secretaries on or before January 31st each year. Each SMC is to distribute these forms to Kart Owners. Kart owners can then propose any changes to this Constitution or to either the Rules of Competition or General Rules they feel need addressing. Kart Owners are to return the completed forms to the SMC whom they are a member of. It is then the responsibility of each SMC to sign and forward the proposals they deem appropriate to the Secretary of Outlaw Karts Australia Incorporated on or before the date as set out in the Racing Rules, Regulations & Specifications document, the SMC can only submit five(5) Constitution or Rules of Competition Notice of Motions and must be ratified by the SMC before submitting to OKA.
 - 3.2 Racing Rules, Regulations & Specifications of OKA, will be given a two year settling in period before a consideration to a rule change on the same matter, unless that rule is a risk to health and safety.
 - a. Health and Safety Risks will be referred to the SMC Delegate and then to the National Technical Officer to be tabled at an OKA Committee meeting for considerations.
 - b. To remove the rule referred to in sub-rule 3.2 it would require a unanimous vote by all SMC the following year.
 - 3.3 Any changes requested must comply with the rules of racing set out by the current governing body for Speedway in Australia. At the time of writing this document, Speedway Australia is the national insurance, licensing body and divisions rule book facilitator.
 - 3.4 A requested rule change may be rejected by the committee for Outlaw Karts Australia Incorporated if
 - a. "100% less one" of all Delegates (subject to rule 11/2.3) vote that the change be rejected or--
 - b. The committee deems the change not to meet the standards of the governing body for Speedway in Australia.
 - c. If the proposed rule change affects the chassis design which in turn affects the legality of imported chassis'.
 - 3.5 Outlaw Karts Australia Incorporated has 30 days to consider the proposed changes and enter these changes into the Special resolution Voting Form. All proposed changes that have been submitted by an SMC and forwarded to Outlaw Karts Australia Incorporated must be included on

the Special Resolution voting form (subject to sub-rule 3.3).

3.6 The Special Resolution Voting Forms are to be sent to each SMC for distribution to Kart Owners by no later than date as set out in the Racing Rules, Regulations & Specifications document.

37. Determining Whether Special Resolution (Rule 36/1/1.1&1.2) is Carried

1. For a Special Resolution vote-count to proceed, a minimum of 50% of current registered Tier One members must have submitted their completed voting form as per Rule 36/3.5.
2. The Secretary of Outlaw Karts Australia Incorporated will count the votes and report the results to the President of Outlaw Karts Australia Incorporated; A General Meeting is to be called within 30 days of the return of votes where the Chairperson of the general meeting will inform the committee on the results of each resolution and declare that a resolution has been—
 - a. Carried (subject to 37/3) if 75% or greater of Kart Owners who participate vote in favour.
 - b. Lost
3. If 50% participation by Kart Owners is not achieved, the committee must convene a Special General Meeting and ask Delegates (subject to rule 11/2.3) to vote on each proposed rule change. All Delegates must be present and each proposed rule change must be voted on with a 75% majority in favour for the rule to be carried.
4. The results are to be entered into the minutes of the meeting.
5. Resolutions carried
 - a. Carried Resolutions pertaining to 1/1.1 of Rule 36 must be sent to the Western Australia Incorporated Associations for approval before amendments can be made to this constitution.
 - b. Carried resolutions pertaining to 1/1.2 of Rule 36 will be amended in the Rules of Competition for the following race season. Any change by special resolution to the Rules of Competition must remain in place for two seasons of racing before any further change to that rule is allowed --
---- UNLESS ---- a special general meeting is called and "100% less one" of all Delegates (who meet the requirements of Rule 11/2.3) vote in favour of removing the rule change.
 - c. Outlaw Karts Australia Incorporated must inform every SMC of any resolutions that are carried, within 14 days of the general meeting set out in sub-rule (3).
6. The Secretary must keep an electronic copy of all votes received for a time period of 12 months after receiving the ballots.

38. Minutes of General Meeting

1. The Committee must ensure that minutes are taken and recorded for each general meeting.
2. The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
3. All members of Outlaw Karts Australia Incorporated are allowed access to meeting minutes upon request.
4. In addition, the minutes of each Annual General Meeting must include—
 - a. the names of the members attending the meeting; and
 - b. proxy forms given to the Chairperson of the meeting under rule 31(6); and
 - c. the financial statements submitted to the members in accordance with rule 27(4)(b)(ii); and
 - d. the certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of Outlaw Karts Australia Incorporated; and
 - e. Any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

PART 5—COMMITTEE

Division 1—Powers of Committee

39. Role and Powers

1. The Matters of Business of Outlaw Karts Australia Incorporated must be managed by or under the direction of a Committee.
2. The Committee may exercise all the powers of Outlaw Karts Australia Incorporated except those powers that these Rules or the Act require to be exercised by general meetings of the members of Outlaw Karts Australia Incorporated or by Special Resolution.
3. The Committee may—
 - a. appoint and remove staff;
 - b. Establish subcommittees consisting of members with terms of reference it considers appropriate.

40. Delegation of Responsibility

1. The Committee may delegate to a member of the Committee, a subcommittee or staff, any of its powers and functions other than—
 - a. this power of delegation; or
 - b. A duty imposed on the Committee by the Act or any other law.
2. The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.
3. The Committee may, in writing, revoke a delegation wholly or in part.

Division 2—Composition of Committee and duties of members

41. Composition of The Committee

1. The Committee consists of a—
 - a. President; and
 - b. Secretary; and
 - c. Treasurer; and
 - d. National Technical Officer and
 - e. National Steward
 - f. Maximum of two Delegates per SMC, representing their SMC. Subject to Rule 53/2, Delegates may also nominate for, and hold positions as (a), (b), (c), (d) or (e) of Rule 41/1.
2. The office-bearers of Outlaw Karts Australia Incorporated shall form the Executive Committee and include;
 - a. The President
 - b. The Secretary
 - c. The Treasurer
 - d. The National Technical Officer
 - e. The National Steward
3. From time to time some or all of the committee members may reside outside the state of the registered address for Outlaw Karts Australia Incorporated rule 75 but must reside inside Australia, each state will be represented by delegates rule Tier 2 members.

42. General Duties

1. As soon as practicable, after being elected or appointed to the Committee, each committee member must become familiar with these Rules and the Act.

2. The Committee is collectively responsible for ensuring that Outlaw Karts Australia Incorporated complies with the Act and that individual members of the Committee comply with these Rules.
3. Committee members must exercise their powers and discharge their duties with reasonable care and diligence.
4. Committee members must exercise their powers and discharge their duties—
 - a. in good faith in the best interests of Outlaw Karts Australia Incorporated; and
 - b. For a proper purpose.
5. Committee members and former committee members must not make improper use of—
 - a. their position; or
 - b. information acquired by virtue of holding their position—so as to gain an advantage for themselves or any other person or to cause detriment to Outlaw Karts Australia Incorporated.

Note

See also Part 4 Division 3 of The Act, which sets out the general duties of the office holders of an incorporated association.

6. In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.
7. Committee members must obtain written permission from a member of an SMC before communicating verbally with that person on matters of business. Permission in writing can be either electronically or by mail. Examples would be text, email, Messenger or written letter.

43. Appointed Positions

1. The Committee may appoint people to specific extraordinary positions. These appointed positions shall be for one membership year. However, such positions may be created or disbanded as required.
2. The appointed person does not need to be a financial member of Outlaw Karts Australia Incorporated. The appointed person may have a voice at meetings, but no voting rights. Such positions may be, but not limited to;
 - a. Media and promotions officer
 - b. Track /promoter liaison officer
 - c. Merchandise officer
 - d. Driver's Representative
 - e. Legal Council

44. President

1. The President and Treasurer must not be members of the same SMC.

2. The President or, in the President's absence, any member of executive can be the Chairperson for any general meetings and for any committee meetings.
3. If the President is absent, or are unable to preside, the Chairperson of the meeting must be—
 - a. The Secretary or
 - b. The Treasurer or
 - c. In the case of a committee meeting – a committee member elected by the other committee members present.

45. Secretary

1. The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.

Example

Under the Act, the secretary of an incorporated association is responsible for lodging documents of Outlaw Karts Australia Incorporated with the 'Commissioner'.

2. The Secretary must—
 - a. maintain a register of members in accordance with rule 15; and
 - b. keep custody of the common seal (if any) of Outlaw Karts Australia Incorporated and, except for the financial records referred to in rule 72/(3), all books, documents and securities of Outlaw Karts Australia Incorporated in accordance with rules 74 and 77; and
 - c. subject to the Act and these Rules, provide members with access to the register of members, the minutes of general meetings and other books and documents; and
 - d. Perform any other duty or function imposed on the Secretary by these Rules.
3. The Secretary must give to the 'Commissioner' notice of his or her appointment within 14 days after the appointment.

46. Treasurer

1. The Treasurer must—
 - a. receive all moneys paid to or received by Outlaw Karts Australia Incorporated and issue receipts for those moneys in the name of Outlaw Karts Australia Incorporated; and
 - b. ensure that all moneys received are paid into the account of Outlaw Karts Australia Incorporated within 5 working days after receipt; and
 - c. make any payments authorised by the Committee or by a general meeting of Outlaw Karts Australia Incorporated from Outlaw Karts Australia Incorporated funds; and

- d. Ensure cheques are signed by at least 2 committee members.
- e. ensure that the financial records of Outlaw Karts Australia Incorporated are kept in accordance with the Act; and
- f. Co-ordinate the preparation of the financial statements of Outlaw Karts Australia Incorporated and their certification by the Committee prior to their submission to the annual general meeting of Outlaw Karts Australia Incorporated.
- g. Ensure that at least one other committee member has access to the accounts and financial records of Outlaw Karts Australia Incorporated.

47. National Technical Officer:

- 1. The election of National Technical Officer is determined by a vote of the Committee Delegates at the AGM.
- 2. The role of National Technical Officer is:
 - a. To liaise with Chief Scrutineers and Tech's from each state ensuring the Rules of Competition are adhered to and facilitate technical meetings.
 - b. To provide guidance to the Committee when Rules of Competition are disputed.
 - c. To provide informed and unbiased advise to The Committee on technical matters.
 - d. To ensure that each SMC adheres to The Rules of Competition where required and that state and national titles are scrutineered and run strictly in accordance with the Rules of Competition.
 - e. Be involved or facilitate disciplinary appeal meetings unless a conflict of interest.
 - f. Assess and approve upgrades to scrutineers' licences.
 - g. Any reasonable request to assist the executive committee.

48. National Steward:

- 1. The election of National Steward is determined by a vote of the Committee Delegates at the AGM.
- 2. The role of National Steward is:
 - a. To liaise with all level Stewards from each state ensuring the Rules of Competition are adhered to and facilitate stewards meetings.
 - b. To provide guidance to the Committee when Rules of Competition are disputed.
 - c. To provide informed and unbiased advise to The Committee on rule matters.
 - d. To ensure that each SMC adheres to The Rules of Competition where required and that state and national titles are stewarded and run strictly in accordance with the Rules of Competition.

- e. Assess and approve upgrades to steward's licences
- f. Liaise with Speedway Australia on rule changes.
- g. Be involved or facilitate disciplinary appeal meetings, unless a conflict of interest.
- h. Any reasonable request to assist the executive committee.

49. Delegates:

- 1. Each SMC must nominate a maximum of two of their members for the role of Delegate. Nominated Delegates will represent their SMC at a committee level during meetings of Outlaw Karts Australia Incorporated.
- 2. A Delegates term on the Committee is from the completion of one Outlaw Karts Australia Incorporated AGM until the date of the next AGM.
- 3. Delegates vote on behalf of a SMC at meetings convened by Outlaw Karts Australia Incorporated
- 4. Delegates must only have membership with the SMC they represent.
- 5. Delegates are the only members of the committee who can vote on matters at special general meetings and the AGM. Delegates can only vote if the SMC they represent meets the requirements of Rule 11/2-2.2, 2.3, 2.4 & 2.5.
- 6. Delegates may be called upon to vote on Special Resolutions if less than 50% of Tier One members participate in a vote for a Special Resolution.

Division 3—Formation of the Committee and tenure of office:

50. Who is Eligible to be a Member of the Committee:

- 1. Delegates and those appointed as members of the Executive Committee will form the Committee.
- 2. A person is eligible to be elected or appointed to the Executive Committee if he or she—
 - a) is 18 years or over; and
 - b) Is a financial member of a SMC.

51. Executive Positions to be Declared Vacant

- 1. This rule applies to—
 - a. the first annual general meeting of Outlaw Karts Australia Incorporated after its incorporation; or
 - b. After two years of serving in the position (subject to Rule 56/3), at the next Annual General Meeting of Outlaw Karts Australia Incorporated. This occurs after the annual report and financial statements of Outlaw Karts Australia Incorporated have been received.

2. The Chairperson of the meeting must declare all positions (except President) on the Committee vacant and hold elections for those positions in accordance with rules 52 to 55.

52. Nominations

1. Every year at the AGM of Outlaw Karts Australia Incorporated, each SMC should provide two Delegates to represent that SMC on Outlaw Karts Australia Incorporated committee for the following twelve months or until the next AGM.
2. Subject to Rule 51 and 56/3&4, persons who nominate for positions on the Executive Committee (excluding President) must be a member of a SMC. Nominations must be received in writing by the current Secretary of Outlaw Karts Australia Incorporated, 30 days before the date of the AGM where positions will be declared vacant.
3. Persons nominating for positions on the Executive Committee (except President) can—
 - a. nominate himself or herself; or
 - b. With the member's consent, be nominated by another member.
4. A member who is nominated for a position (other than President) and fails to be elected to that position may be nominated for any other position (other than President) for which an election is yet to be held.

53. Election of President

1. Subject to rule 51 and 56/3&4, candidates who nominate for election as President of Outlaw Karts Australia Incorporated
 - a. Must be a member of only one SMC
 - b. Must nominate in writing and be ratified and endorsed by the relevant SMC, and
 - c. Ensure the nomination is delivered to the secretary of Outlaw Karts Australia Incorporated on or before midnight AEST June 30th of the year a presidential vote is to be held.
2. Nominations for President are to be vetted by the current Committee and voted on by Delegates (who meet the requirements of 11/2.3) at the next General Meeting of the Association after nominations close and before the Annual General Meeting. The candidate with the majority of Delegate votes will be declared the next President of Outlaw Karts Australia Incorporated.
3. Within 30 days of the election of a new President, the outgoing President shall organise the Annual General Meeting of the Association where the new President shall take over as Chairperson of that meeting.

54. Election of Secretary, Treasurer, Technical Officer and National Steward

1. In accordance with rule 51, at the relevant Annual General Meeting, the nominations received for positions as—
 - a. Secretary;
 - b. Treasurer
 - c. National Technical Officer
 - d. National Steward

A ballot of Delegates (who meet the requirements of 11/2.3) is used to determine who holds the position.

2. If only one member is nominated for the position, the Chairperson of the meeting must declare the member elected to the position.
3. If more than one member is nominated, a ballot must be held in accordance with rule 55

55. Ballot

1. If a ballot is required for the election of a position, the Chairperson of the meeting must appoint a member to act as returning officer to conduct the ballot.
2. The returning officer must not be a member nominated for the position.
3. Before the ballot is taken, each candidate may make a short speech in support of his or her election.
4. The election must be by secret ballot with one vote allocated to each Delegate who meets the requirements of rule 11/2.3. A Delegate may vote for his or herself.
5. The returning officer may accept ballots by electronic media such as Text, Email or Messenger.
6. The returning officer must declare elected the candidate or, in the case of an election for more than one position, the candidates who received the most votes.
7. The Chairperson has the deciding vote if votes are tied (as per Rule 38/3).

56. Term of Office

1. Subject to rule 56/2&3 and rule 57, a member of the Executive Committee holds office until the positions of the Committee are declared vacant after two years of holding the position at the subsequent Annual General Meeting of Outlaw Karts Australia Incorporated.
2. Every year, each SMC must provide Delegates as their representatives on the committee of Outlaw Karts Australia Incorporated. Delegates serve on the committee from the end of one AGM to the end of the next AGM.
3. Any member of the committee or Executive committee of Outlaw Karts Australia Incorporated (including Delegates) may not serve a term of greater than 4 (four) consecutive years in any position on the committee (subject to Rule 57). This includes acting in different roles on the committee.
4. If there are no nominations for a position on the committee then the current holder of that position may have their tenure extended beyond four years.
5. the president and secretary can hold office for two (2) years but must complete their tenure in alternate years with the option to extend for an additional one (1) year term if supported by the committee.

57. Removal from Office

1. A committee member may be removed from office if--
 - a. at a general meeting of Outlaw Karts Australia Incorporated, 75% or more of all Delegates to the Committee who comply with rule 11/2.3, vote in favour to remove a committee member from office; or
 - b. A petition by Tier 1 members is received by the Secretary, demanding the removal of that committee member or members. The petition must contain the signatures of 75% or greater of current registered Tier 1 Members of Outlaw Karts Australia Incorporated.

58. Vacation of Office

1. A committee member may resign from the Committee by written notice addressed to the Committee.
2. A person ceases to be a committee member if he or she—
 - a. ceases to be a member of Outlaw Karts Australia Incorporated; or
 - b. fails to attend 3 consecutive special general meetings (other than special or urgent committee meetings) without leave of absence under rule 69; of which the person has been given notice, without having notified the Committee that the person will be unable to attend or
 - c. dies
 - d. resigns from the committee or is removed from office under rule 36; or
 - e. becomes ineligible to accept an appointment or act as a committee member under section 39 of the Act;
 - f. becomes permanently unable to act as a committee member because of a mental or physical disability; or

Note: A Committee member may not hold the office of secretary if they do not reside in Australia.

59. Filling Casual Vacancies

- a. subject to the rules of this Division, the Committee may appoint an eligible member of Outlaw Karts Australia Incorporated to fill a position on the Committee that—
 - i. has become vacant under rule 57 or 58; or
 - ii. Was not filled by election at the last annual general meeting.
- b. if the position of Secretary becomes vacant, the Committee must appoint a member to the position within 30 days after the vacancy arises.
- c. rule 56 applies to any committee member appointed by the Committee under sub-rule (1) or (2) of Rule 59.
- d. the Committee may continue to act despite any vacancy in its membership.

Division 4—Meetings of Committee

60. Meetings of Committee

- a. the Committee must hold a General Meeting at least 4 times in each 12 month period after the AGM, at the dates, times and places determined by the Committee.
- b. the date, time and place of the first committee meeting must be determined by the members of the Committee as soon as practicable after the Annual General Meeting of Outlaw Karts Australia Incorporated at which the members of the Committee were elected.
- c. special committee meetings may be convened by the President or by request from four current members of the Committee or by Members of Outlaw Karts Australia Incorporated under Rule 29.
- d. no consumption of alcohol during OKA committee meetings

61. Notice of Meetings

- a. notice of any General Meeting other than disciplinary meetings, Special general Meetings called by members or Annual General Meetings, must be given to each committee member no later than 7 days before the date of the meeting.
- b. notice may be given of more than one committee meeting at the same time.
- c. the notice must state the names of any invited guests.
- d. the notice must state the date, time and place of the meeting.
- e. if a special committee meeting is convened, the notice must include the general nature of the business to be conducted.
- f. the only business that may be conducted at the meeting is the business for which the meeting is convened.

62. Urgent Meetings

- a. in cases of urgency, a meeting can be held without notice being given in accordance with rule 61 provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- b. any resolution made at the meeting must be passed by an absolute majority of the Committee members in attendance (subject to Rule 33 Quorum).
- c. the only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

63. Procedure and Order of Business

- a. The order of business of an Outlaw Karts Australia Incorporated meeting shall be as follows unless otherwise determined by the meeting by the members present at the meeting.
- b. Welcoming of delegates and observers etc.
- c. Reminder no consumption of alcohol during all official OKA meetings
- d. Acceptance of apologies and proxy votes.
- e. Reading of minutes of previous meeting and their confirmation or correction.
- f. Business arising from the previous minutes
- g. President and Executive Secretary and Treasurer's reports and their adoption or otherwise.
- h. Receive and consider the statement submitted in accordance with section 63 of the Act (at annual general meeting) Subdivision 2 — Tier 2 associations.
- i. Reading, reception and consideration of correspondence.
- j. Other reports.
- k. Election of Officers (at annual general meeting).
- l. Notices of motion.
- m. Adjourned business.
- n. General business.
- o. Venue of next Outlaw Karts Australia Incorporated meeting.

64. Use of Technology

- 1. a committee member who is not physically present at a committee meeting may participate in the meeting by the use of technology that allows that committee member and the committee members present at the meeting to clearly and simultaneously communicate with each other.
- 2. for the purposes of this Part, a committee member participating in a committee meeting as permitted under sub-rule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

65. Quorum

- a. no business may be conducted at a Committee meeting unless a quorum is present (Rule 33).
- b. the quorum for a committee meeting is the presence (in person or as allowed under rule 64) of a majority of the committee members holding office.
- c. If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting—
 - i. in the case of a special meeting—the meeting lapses;
 - ii. in any other case—the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with rule 61.

66. Voting (Subject to Rule 11/2.3, 2.4 & 2.5)

- a. on any question arising at a committee meeting, each Delegate present at the meeting has one vote.
- b. a motion is carried if a majority of eligible Delegates present at the meeting vote in favour of the motion.
- c. sub-rule (2) does not apply to any motion or question which is required by these Rules to be passed by a percentage of delegates or an absolute majority of the Committee or is governed by rule 36 (Special Resolution).
- d. All of the OKA Executive will receive one vote jointly on any OKA matters, Executive members will not have individual voting rights.

67. Conflict of Interest

- a. a committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.
 - *An example of material personal interest would be if a committee member or the company they are employed by could benefit financially from a decision made by that committee member.*
- b. The member—
 - i. must not be present while the matter is being considered at the meeting; and
 - ii. must not vote on the matter.
 - iii. must not use a proxy

Note

Under section 43(3) of the Act, if there are insufficient committee members to form a quorum because a member who has a material personal interest is disqualified from voting on a matter, a general meeting may be called to deal with the matter.

- c. this rule does not apply to a material personal interest—
 - i. that exists only because the member belongs to a class of persons for

- whose benefit Outlaw Karts Australia Incorporated is established; or
- ii. That the member has in common with all, or a substantial proportion of, the members of Outlaw Karts Australia Incorporated.

68. Minutes of Meeting

- a. the Committee must ensure that minutes are taken and kept of each committee meeting.
- b. the minutes must record the following—
 - a. the names of the members and guests in attendance at the meeting;
 - b. the business considered at the meeting;
 - c. any resolution on which a vote is taken and the result of the vote;
 - d. Any material personal interest disclosed under rule 67.

69. Leave of Absence

- a. the Committee may grant a committee member leave of absence from committee meetings for a period not exceeding 3 months.
- b. the Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the committee member to seek the leave in advance.

PART 6—FINANCIAL MATTERS

70. Source of Funds

The funds of Outlaw Karts Australia Incorporated may be derived from joining fees, annual subscriptions, donations, fund-raising activities, grants, interest and any other sources approved by the Committee.

71. Management of Funds

1. Outlaw Karts Australia Incorporated must open an account with a financial institution from which all expenditure of Outlaw Karts Australia Incorporated is made and into which all of Outlaw Karts Australia Incorporated revenue is deposited.
 - a. subject to any restrictions imposed by a general meeting of Outlaw Karts Australia Incorporated the Committee may approve expenditure on behalf of Outlaw Karts Australia Incorporated.
 - b. the Committee may authorise the Treasurer to expend funds on behalf of Outlaw Karts Australia Incorporated (including by electronic funds transfer) up to a specified limit without requiring approval from the Committee for each item on which the funds are expended.
 - c. all cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 committee members.

- d. All funds of Outlaw Karts Australia Incorporated must be deposited into the financial account of Outlaw Karts Australia Incorporated no later than 5 working days after receipt.
 - e. With the approval of the Committee, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.
2. In this rule — circumstances when there may be a requirement to conduct a member's resolution at a general meeting to authorise the payment.
- a. committee member includes a member of a subcommittee;
 - b. A committee member is entitled to be paid out of the funds of the Association for any out-of-pocket expenses for travel and accommodation properly incurred
 - c. in attending a committee meeting or
 - d. in attending a general meeting; or
 - e. otherwise in connection with the Association's business.

72. Financial Records

- 1. Outlaw Karts Australia Incorporated must keep financial records that—
 - a. correctly record and explain its transactions, financial position and performance; and
 - b. Enable financial statements to be prepared as required by the Act.
- 2. Outlaw Karts Australia Incorporated must retain the financial records for 7 years after the transactions covered by the records are completed.
- 3. The Treasurer must keep in his or her custody, or under his or her control—
 - a. the financial records for the current financial year; and
 - b. Any other financial records as authorised by the Committee.

73. Financial Statements

- 1. For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of Outlaw Karts Australia Incorporated are met.
- 2. Without limiting sub-rule (1), those requirements include—
 - a. the preparation of the financial statements;
 - b. if required, the review or auditing of the financial statements;
 - c. the certification of the financial statements by the Committee;
 - d. the submission of the financial statements to the annual general meeting of Outlaw Karts Australia Incorporated;
 - e. The lodgement with the 'Commissioner' of the financial statements and accompanying reports, certificates, statements and fee.

PART 7—GENERAL MATTERS

74. Common Seal

- a. Outlaw Karts Australia Incorporated may have a common seal.
- b. If Outlaw Karts Australia Incorporated has a common seal—
 - i. the name of Outlaw Karts Australia Incorporated must appear in legible characters on the common seal;
 - ii. a document may only be sealed with the common seal by the authority of the Committee and the sealing must be witnessed by the signatures of two committee members;
 - iii. The common seal must be kept in the custody of the Secretary.

75. Registered Address

The registered address of Outlaw Karts Australia Incorporated is—

- a. the address determined from time to time by resolution of the Committee; or
- b. If the Committee has not determined an address to be the registered address—the postal address of the Secretary.

76. Notice Requirements

- c. Any notice required to be given to a member or a committee member under these Rules may be given—
 - i. by handing the notice to the member personally; or
 - ii. by sending it by post to the member at the address recorded for the member on the register of members; or
 - iii. By email or facsimile transmission.
- d. Sub-rule (i) does not apply to notice given under rule 61.
- e. Any notice required to be given to Outlaw Karts Australia Incorporated or the Committee may be given—
 - i. by handing the notice to a member of the Committee; or
 - ii. by sending the notice by post to the registered address; or
 - iii. by leaving the notice at the registered address; or
 - iv. if the Committee determines that it is appropriate in the circumstances—
 - 1. by email to the email address of Outlaw Karts Australia Incorporated or the Secretary; or

77. Custody and Inspection of Books and Records

- (1) Subrule (2) applies to a member who wants to inspect —
 - (a) the register of members under section 15; or

- (b) the record of the names and addresses of committee members, and other persons authorised to act on behalf of the Association, under section 15; or
- (c) any other record or document of the association.

(2) The member must contact the secretary to make the necessary arrangements for the inspection.

(3) The inspection must be free of charge.

(4) If the member wants to inspect a document that records the minutes of a committee meeting, the right to inspect that document is subject to any decision the committee has made about minutes of committee meetings generally, or the minutes of a specific committee meeting, being available for inspection by members.

(5) The member may make a copy of or take an extract from a record or document referred to in subrule (1)(c) but does not have a right to remove the record or document for that purpose.

Note for this subrule:

Sections 54(2) and 58(4) of the Act provide for the making of copies of, or the taking of extracts from, the register referred to in subrule (1)(a) and the record referred to in subrule (1)(b).

(6) The member must not use or disclose information in a record or document referred to in subrule (1)(c) except for a purpose —

(a) that is directly connected with the affairs of the Association; or

(b) that is related to complying with a requirement of the Act.

(c) the Committee may refuse to permit a member to inspect records of Outlaw Karts Australia Incorporated that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of Outlaw Karts Australia Incorporated.

Note for this subrule:

Sections 57(1) and 58(5) of the Act impose restrictions on the use or disclosure of information in the register referred to in subrule (1)(a) and the record referred to in subrule (1)(b).

a. Members may on request inspect books and records free of charge.

v. the register of members;

vi. (Subject to Rule 11/2.1) the minutes of general meetings;

vii. (Subject to sub-rule (2)) the financial records, books, securities and any other relevant document of Outlaw Karts Australia Incorporated including minutes of Committee meetings.

Note

See note following rule 15 for details of access to the register of members.

- b. The Committee may refuse to permit a member to inspect records of Outlaw Karts Australia Incorporated that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of Outlaw Karts Australia Incorporated.

78. Winding Up and Cancellation

- a. Outlaw Karts Australia Incorporated may be wound up voluntarily by special resolution.
- b. In the event of the winding up or the cancellation of the incorporation of Outlaw Karts Australia Incorporated, the surplus assets of Outlaw Karts Australia Incorporated must not be distributed to any members or former members of Outlaw Karts Australia Incorporated.
- c. Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body eligible under s24(1) of the Act that has similar purposes to the association and which is not carried on for the profit or gain of its individual members.'
- d. The body to which the surplus assets are to be given must be decided by special resolution.

79. Alteration of Rules

The Racing Rules, Regulations & Specifications of Outlaw Kart Australia may only be altered by submitting a Special Resolution of Outlaw Karts Australia Incorporated.

80. Alteration of Constitution

The Constitution may only be altered by a Special Resolution of Outlaw Karts Australia Incorporated

Note

Any alteration of these Rules does not take effect unless or until it is approved by the 'Commissioner'.

81. OKA Racing Rules, Regulations & Specifications, By-Laws, Speedway Aust Rules

Racing Rules, Regulations & Specifications document contains information on, before racing rules, racing rules, after racing rules and Outlaw Kart Specifications Rules as set out by Outlaw Karts Australia Incorporated.

Speedway Australia rule book is current and available via the Speedway Australia website, and members should have a copy with them at the track or have access to

<https://www.speedwayaustralia.org/media.ashx/speedway-australia-rulebook.pdf>

From time to time By-Laws maybe developed to assist Outlaw Karts Australia Incorporated in the management of the National Body.

DATES: TO BE SET OUT AND ADVISED IN THE RACING RULES, REGULATIONS AND SPECIFICATIONS

RULE CHANGE FORMS SENT TO CLUBSDates TBA

RETURN OF RULE CHANGE FORMS TO OKADates TBA

RULE CHANGE VOTING FORMS SENT TO (SMC) State Member ClubsDates TBA

RETURN OF RULE CHANGE VOTING FORMS TO OKA Dates TBA

NOMINATION FOR POSITION OF PRESIDENT TO BE RECEIVED BY THE SECRETARY OF OKA Dates TBA

82. Code of Conduct

Outlaw Karts Australia encourages good sportsmanship at all levels of competition, here are the Codes of Conduct for drivers, officials and parents.

- Treat all participants in your sport as you would like to be treated yourself.
- Control your temper: verbal abuse, threats and physical violence are not acceptable behaviours.
- Respect the rights, dignity and worth of all participants, regardless of their ability, gender or cultural background.
- Be a good role model: be safe, responsible and set a good example outside of organised racing events, especially when on the road.
- Act within the rules of the sport at all times.
- Respect the decisions of officials at all times.
- Remember to treat with respect and thank fans, fellow competitors, coaches, volunteers, team members and officials. Without these people, the sport could not exist.
- Adhere to Speedway Australia Pit Rules & Regulations and the Speedway Australia Drug & Alcohol Policy.
- Respect track operators by adhering to the rules and guidelines of each track.
- Be environment conscious: keep your area clean and treat spills appropriately. Leave your area as you would like to find it and take your used tyres home don't leave them at the venue.

For Owners / Drivers

- Always comply with the rules.
- Always compete to the best of your ability, with honour and integrity.
- Avoid arguing with stewards and officials – most stewards have volunteered their time and services to ensure your race runs smoothly and efficiently.
- Treat all competitors as you would like to be treated – do not interfere with, bully or take advantage of any other participant. This includes using email or social media to bully or slander competitors.
- Avoid the use of coarse or derogatory language.
- Adhere to anti-doping policies and never engage in match fixing or betting.
- Never engage in inappropriate conduct including drinking or smoking whilst in the presence of junior participants.
- Care for the equipment and facilities made available during training and competition.

For Officials:

- Be impartial, consistent and objective at all times.
- Ensure the spirit of competition is maintained.
- Be understanding and co-operative in the interpretation and application of rules and penalties.
- Condemn unsporting behaviour and promote respect for all competitors.
- At all times act as a role model for others, displaying high standards of good sporting behaviour.
- Never engage in inappropriate conduct including the use of offensive language whilst in an official capacity.
- Always ensure the safety and wellbeing of competitors and other officials above all else.
- Maintain respectful and appropriate relationships with every person.

For Parents, Guardians & Spectators :

- Encourage children to participate to the best of their ability.
- Never engage in inappropriate conduct including the use of derogatory or abusive language, drinking or smoking whilst in the presence of junior participants.
- Focus upon the child's performance rather than the overall outcome of the event.
- Teach children that an honest effort is as important as victory.
- Encourage your children to follow the rules and respect the work and decisions of officials and stewards.
- Remember that children are involved in Speedway for their enjoyment – not yours.
- Set a good example by avoiding the use of derogatory or abusive language, respect officials and stewards and never ridicule or scold a child for making a mistake during competition.
- Call out and refer to club authorities all acts of unethical behaviour, whether from competitors, officials, parents or spectators.
- Participate in positive cheering that reinforces and encourages participant efforts.
- Don't be an ugly parent. If you see 'ugly parent syndrome' behaviour, visit www.playbytherules.net.au and help to solve the problem.
- At all times act as a role model for others, displaying high standards of good sporting behaviour.
- Respect the rights and dignity of every person including competitors, officials, parents and spectators; and never engage in behaviour that abuses, demeans, provokes or harasses others.

Executive Committee Member and Delegates

- Respect the rights and dignity of every person regardless of gender, race, ethnicity or sexual orientation and ensure that the club promotes a safe and inclusive environment.
- Protect the integrity of motorsport at all times by ensuring that the behaviour and conduct of every person is consistent with the laws of the sport., the principles of fair play and the standards of safe and inclusive sport.

- Protect the safety and wellbeing of members at all times by ensuring that appropriate safeguarding measures and policies are in place, easily accessible and understood by every person, and reviewed regularly.
- Be impartial, consistent and transparent in your conduct and decision-making.
- Accept responsibility for your actions.
- Make decisions in the best interests of your members and the sport.
- Promote a safe and inclusive environment, in which every person feels welcomed and is protected and free from discrimination, harassment and abuse.
- Ensure that all competitors, officials, parents and spectators place wellbeing and enjoyment ahead of performance and outcomes.
- Create pathways that support competitors and officials to improve their skill development.
- Provide equal opportunities for all competitors and officials to participate, regardless of their gender, ability or cultural background.
- At all times act as a role model for others, displaying high standards of good sporting behavior.
- Never engage in inappropriate conduct including the use of offensive language, drinking or smoking, whilst in an official capacity.
- No consumption of alcohol or illicit drugs during official OKA business, unless approved by the OKA executive, e.g. official business has been completed and a social element to the event has commenced.

83. Mission Statement

Speedway is arguably the purest form of motorsport, and the Sprintcar styling of an Outlaw Kart allows young participants to experience the thrill of what is widely regarded as the pinnacle of speedway - winged racing. It also offers adults the opportunity to live out their dream of racing around a clay oval speedway track in a winged race car.

The Outlaw Kart category offers an affordable yet highly competitive racing option across all ages. One of the great benefits of the class is that it provides an opportunity for those whom the alternative speedway options are either financially out of reach, or logistically just not possible.

Outlaw Kart racing allows participants to compete on dirt in purpose built racing machines with viable upgrade options as drivers develop and progress through the divisions. Off-the-shelf parts are readily available for those that don't possess the knowledge to build their own – this allows families of all skill levels to come together and work on the karts with their child with limited knowledge and only the basic tools which can be found in the typical home garage.

There is no need for expensive race haulers or large workshops. Nor is there a need for extensive and expensive spare parts to be kept on hand. The karts are generally kind on the tyres and run on regular unleaded fuel readily available from any local service station. The karts also fit perfectly in a small box trailer or the back of a dual cab utility vehicle.