

## **GUIDANCE NOTES FOR MEMBERS**

Phoenix Car Club is a Spanish Association and is registered in the Registro de Asociaciones de la Generalitat Valenciana.

The full Estatutes of the Club are in Spanish and are available to members upon request.

The Club conducts its General Assemblies and business in English, so the following Guidance Notes below are in English. They have been produced so that members can have some information about the processes and rules in place for the effective running of the Club.

1. The Phoenix Car Club is constituted for an indefinite period of time as a non profit making Association which comes under the provisions of the Organic Lay 1/2002 which regulates the right of association under Article 22 of the Spanish Constitution.
2. The Phoenix Car Club has its own legal personality and full capacity to act, to manage and to dispose of Club property and meet the goals set by the members.
3. The Phoenix Car Club conducts its activities principally within the territorial scope of Alicante province.
4. The postal address for any correspondence is Casillero Domicaliaro 71, Pinar de Campoverde 03191, Pilar de la Horadada, Alicante.

### **5. Objectives**

- 5.1 The Phoenix Car Club's main objective is to bring together like minded people who have an interest in Classic and Specialist cars including the provision and promotion of social events, many of which will involve the use of members' cars.
- 5.2 The Club also supports and encourages the preservation of such cars by providing displays for the public on appropriate occasions and by supporting other related/like minded organisations with their promotions if requested and considered relevant.
- 5.3 Another objective of the Club is to assist members, wherever possible, with technical help, sources for spares, classic and specialist car services, and any other services considered appropriate. Support is also available for members in respect of categorising their vehicles as a Classic car.

### **6. Membership**

- 6.1 Membership of the Club is open to anyone interested in the preservation, promotion and ownership of classic and specialist cars. There are no restrictions on the grounds of sex, age, race, religion or political beliefs.
- 6.2 The Club operates a subscription system for members, but will ensure that these subscriptions are kept at such levels that will not pose a significant obstacle to those people wishing to join. Subscription rates will be agreed by members at a Club General Assembly.
- 6.3 The Club operates within the following membership categories:

## **Full Membership:**

(a) Individual – defined as any individual with a Club accepted car (classic/specialist) which is based in Spain.

(b) Joint (two adults with the same contact address) with a Club accepted car (classic/specialist) which is based in Spain.

## **Associate Membership**

Any person who is sympathetic to the objectives of the Club but who, at present, either does not own a classic/specialist car or the car is outside of Spain.

**All** members are entitled to vote at Club General Assemblies.

6.4 The members of the Club are listed in the Membership Registry, which is maintained by the Club Secretary. Any person wishing to join the Club must complete the appropriate application form, be accepted by the Council of Members, and pay their subscription before their name is included in the Registry.

6.5 All members must respect and comply with agreements and rules validly set by the Council of Members.

6.6 Sanctions can be taken by the Council of Members if any member commits acts that are likely to bring the Club into disrepute. This can include expulsion from the Club, but a full disciplinary hearing in respect of that member will be necessary before expulsion. If expulsion is agreed by the Council of Members this will need to be ratified by members at the next General Assembly by a simple majority.

## **7. Rights of Members**

7.1 Members have the right to participate in the activities of the Club, apply for election to the Council of Members and exercise their right to vote and attend General Assemblies. To become a member of the Council of Members the member must be an adult, have full use of their civil rights and not be incompatible by reasons established in the primary legislation for Associations.

7.2 They have the right to be informed of the composition of the Council of Members, have access to the Club's statement of accounts and future developments planned for the Club. Access to this information is through the Council of Members.

7.3 A member has the right to be heard prior to any disciplinary action against him/her and to be fully informed of the facts giving rise to such action and sanctions imposed.

7.4 Members can challenge decisions made by the Council of Members if it is contrary to the Estatutes or Regulations.

## **8. Duties of Members**

- 8.1 Members should share the aims of the Club and work together to achieve them.
- 8.2 Members should pay their membership fees and other agreed costs in a timely fashion.
- 8.3 Members must respect and comply with agreements validly adopted by the Council of Members.

## **9. General Assemblies**

- 9.1 The General Assembly is the supreme governing body of the Phoenix Car Club, composed of all members in their own right. It works on the process of internal democracy where all members can vote on recommendations put forward, and the decision is made on the simple majority of votes cast.
- 9.2 All members are subject to the agreements of the General Assembly, including absentees, dissidents and those who although present at the Assembly abstain from voting.
- 9.3 The General Assembly will meet in ordinary session at least once a year in October.
- 9.4 The General Assembly will meet in extraordinary session at the behest of the Council of Members or when requested to do so by a number of members representing 10% of the total membership.
- 9.5 The Notice for the General Assemblies, both ordinary and extraordinary, will be made in writing and wherever possible communicated to individual members. A minimum of 15 days notice must be given and the Notice should express the date, time and place of the meeting as well as the Agenda.
- 9.6 The General Assembly meeting will be directed by the President and the Secretary. The Secretary will take minutes of each Assembly and these must reflect an excerpt from the deliberations, the wording of the agreements that have been adopted and the numerical result of the vote. At the beginning of each session of the General Assembly, Minutes from the previous meeting will be read for approval by the members.
- 9.7 There will be a first call at the General Assembly which can then commence if one third of the Club's members, present or represented are there. If not, there will be a second call half an hour later when the meeting can then proceed regardless of the number of members present.
- 9.8 At meetings of the General Assembly, each member is entitled to one vote.

9.9 Some of the main functions of The General Assembly are:

To approve the management of the Club by the Council of Members during that year.  
To review and approve or reject, the annual budget of revenues and expenditures including the Annual Report of the Club's activities.

Establish action necessary to ensure the Club meets its goals.

Satisfy itself that all measures to ensure the democratic functioning of the Club have been adhered to.

Set membership and other fees, as appropriate.

Select or dismiss members of the Council of Members.

Ratify the expulsion of members by the Council of Members.

9.10 Any decisions will be made by a simple majority of those present or represented when the concurring votes outweigh the negative votes.

However, if decisions are necessary regarding the dissolution of the Club, amendment of the Estatutes, the acquisition or disposal of Club property, or remuneration for the Council of Members, a General Assembly will need to be specially convened and the concurring votes will need to exceed half of the ALL members present or represented. For example, of members presented or represented, the concurring votes must exceed the negative and abstentions combined by more than 50%.

## 10. Council of Members

### Current Council Members:

President:	Elaine Evans
Secretary	Gill Collins
Treasurer	Sandra Baker
Vocal (Membership)	Terry Braithwaite
Vocal (Press and Pomotions	Neil Evans
Vocal (External Events)	Eric Clarke

10.1 Authority and responsibility for the business of the Club is vested in the Council of Members. Members of the Council of Members are elected by members by way of a free and secret ballot of members of at a General Assembly.

10.2 The Council of Members meets at least every two months and must meet in extraordinary session if requested by one third of its components.

10.3 Members of the Council of Members serve for a period of one year and may be re-elected indefinitely by the General Assembly.

10.4 The offices of President, Secretary and Treasurer must always lie with different people.

10.5 Members of the Council of Members can be removed at any time if they are physically or mentally unfit to carry out their duties, act in such a manner that may bring the Association into disrepute, or as punishment for failure in their official duties.

10.6 Any vacancies on the Council of Members will be filled at the first General Assembly to be held. However, the vacancy may be filled provisionally in the meantime.

- 10.7 The Council of Members is validly constituted with prior notice and where a quorum of half plus one of its current members are present.
- 10.8 The Council of Members will take decisions by a simple majority vote of those attending the meeting. In the case of a tie vote, the President has an extra vote.
- 10.9 The Secretary will record the decisions taken in the Minute Book and read the minutes of the previous meeting at the beginning of the next meeting for approval or rectification.

## **11. Council of Members Membership and Duties**

- 11.1 The Council of Members of Club consists of a President, Secretary, Treasurer plus a number of Vocales deemed necessary to manage and run the Club.
- 11.2 **The President** is responsible for the management and legal representation of the Club on behalf of the General Assembly and the Council of Members. He/she is also Chairperson at the Council of Members meetings. The President signs calls for meetings of the General Assembly and the Council of Members, and authorises the acts of the Secretary in relation to official Certificates.

If the President is unavailable, the Vice President (if any) or the oldest Vocal will substitute for him/her.

- 11.3 **The Treasurer** is responsible for the custody and safeguarding of the financial records and resources of the Club. This includes the preparation of the budget, the recording and settling of accounts and preparing financial accounts for presentation and approval of the General Assembly and Council of Members. Any payment of accounts or expenses must to be authorised in advance by the President.
- 11.4 **The Secretary** is responsible for safeguarding the documentation of the Club, writing the Minutes, updating the Membership Registry and drafting Certificates to be issued to members.

## **12 Finance Generally**

- 12.1 The Club's financial year is from 1 November to 31 October each year.
- 12.2 Any profit accumulated during the financial year will be used for the benefit of the Club in a manner agreed at a General Assembly.
- 12.3 If in the future, a General Assembly takes the decision to dissolve the Club, a vote will be taken on the distribution of any surplus funds after all debts/obligations have been settled.
- 12.4 All Association bank accounts must bear the signatures of the President, Vice President (if any), Treasurer and Secretary.
- 12.5 Two signatures are sufficient to draw funds, one of which must be that of the President and/or the Treasurer.

### 13 Club Events – Booking and Payment Procedures

- 13.1 Club events should generally be booked through the website or by email on [info@phoenixcarclub.com](mailto:info@phoenixcarclub.com) by the closing date specified. Late bookings will not be generally accepted so if a member has not pre-booked, they risk not being able to participate in the event.
- 13.2 Payments for Club events must be made by the closing date specified, where possible using the proforma invoice sent to the member when the initial booking is received. The proforma system avoids cash handling and reduces administration, but in exceptional circumstances payment at the Clubnight preceding the closing date will be accepted.
- 13.3 Payment for Club events will not be accepted on the day of the event.
- 13.4 If a member needs to cancel their booking **before** the closing date, their money will automatically be refunded but the Club will need to be notified in writing at the earliest opportunity.
- 13.5 Once the closing date has passed (usually about 10 days before the event), if a member needs to cancel the booking, any refunds made will be at the discretion of the Council of Members. No refunds will be made to members' guests.
- 13.6 **All** members participating in Club Drives must travel in a Club accepted vehicle.

If any member needs any further explanation about these Guidance Notes or has any questions, please contact us and we will be pleased to assist.