

By-Laws of the Mazda MX-5 Club of Western Australia Incorporated



This document is ~~complementary~~ ~~complimentary~~ to the Constitution of the Club. If a conflict arises between these By-Laws and the Constitution of the Club then the Constitution shall prevail.

By-Laws are a way of documenting Club decisions (policy) and guidelines for Club procedures without the formality of amending to the Constitution.

These By-Laws were initially approved by the Committee at its meeting of 29 April 2008.

These By-Laws may be amended by the Committee. When a change occurs it is recorded in the meeting minutes and the revised Bylaws are posted on the Club's website.

Each amended By-law has the date of the Committee meeting when the By-Laws were amended recorded in the By-law or a foot note.

For clarity, the expressions "Mazda MX-5" or "MX-5" include very similar or identical Mazda cars; for example the "Eunos" or "Miata" models.

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1 Safety and Due Care

The Mazda MX-5 Club of WA has as one of the “objects” in its constitution “to encourage courtesy, good driving and safety on the roads of Australia.” To this end the Club:

- Runs driver training courses for its Members each year, aimed at demonstrating good car control and defensive driving. These are also offered to family members;
- When running events, organisers reaffirm the Club’s support of safe driving and encouraging Members to be courteous to other road users; and
- Club drives incorporate regroup points to facilitate safe group driving i.e. not trying to keep the group together as a convoy of MX-5’s to the detriment of other road users.

2 Relationship with Mazda WA and Mazda Dealers

Mazda WA was instrumental in the establishment of the Club and continues to support the Club financially. The Club shall ensure that its actions do not damage the good name, reputation or public perception of Mazda Australia Pty Ltd, Mazda WA or the brand "Mazda".

The Club shall endeavour to not favour one Mazda dealer over another. WA Mazda Dealers support the Club by providing discounts to Members, refer section 9.

3 Officers of the Association and Committee

The Committee is the “face of the Club”, it has an important role in welcoming new Members and representing the Club to potential Members and external parties.

Although the Club’s purpose and general business operations are defined in the Constitution, there is very little detail given regarding the role of (General) Committee Members. The following sections provides additional guidance regarding the role of Committee Members

Sub-clause 15.3 of the constitution states that the officers of the Association shall be:

- (a) a President;
- (b) a Vice-President;
- (c) a Treasurer;
- (d) a Secretary;
- (e) ~~an Events Coordinator-Social Secretary; and~~
- (f) ~~a Motor Sport ManagerClub Captain.~~
- (g) A Membership Secretary

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Sub-clause 15.4 of the constitution states that the Committee shall consist of:

- (a) the officers of the Association; and
- (a) up to ~~five~~six Ordinary Members who will typically also cover the responsibilities of Newsletter Editor and Production Manager, Webmaster and Merchandising Officer. Note that, if elected to do so, an officer or any other committee member may hold more than one responsibility.

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~~The Committee Members under paragraph 15.4 typically are assigned to the following roles:~~

- ~~-Membership Secretary~~
- ~~-Webmaster~~
- ~~-Newsletter Editor~~
- ~~-Newsletter Production~~

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~~-Merchandise Officer~~

~~-Social Coordinator~~

3.1 Code of Conduct

Committee Members shall behave in accordance with the following "Code of Conduct":

- Committee Members shall not be part of and/or act in a manner that could discredit the Club, any other Committee Person, and/or the Committee as a management body.
- Committee Members first obligation are to all Members of the Club. Where a Member has an issue that needs to be dealt with, such issue shall be referred to the Committee for further guidance and action. Where such issue is very urgent and/or of a very sensitive nature, such referral shall be to the President in the first instance.
- Committee Members shall take care when entering into debate, fostering debate, or soliciting opinions from the Membership not to express opinions which they know to be in conflict with the Committee's position.
- Committee Members shall ensure that they adhere to the Club's Privacy Policy, including avoiding the disclosure of Members email addresses by using the blind copy feature when sending bulk emails as well as the use of email addresses for non Club business.
- Committee Members shall not commit the Club to any expenditure and/or financial liability without first obtaining a minute in writing authorising them to do so unless it is clearly included in an annual Club budget previously approved by the Committee.
- Committee Members shall do everything in their power to ensure that the association complies with all legal statutes and its obligations at law.
- Committee Members shall not financially and/or materially gain from their Membership of the Committee.
- Committee Members shall attend the monthly Committee meetings on a regular basis; it is expected that Committee Members will generally attend for at least 9 of the 12 meetings (including the AGM).

3.2 President

~~Sub clause 19.1 of the constitution states that the~~ The pPresident shall:

- ~~(a)~~ chair all meetings and be responsible for the proper proceedings at all meetings;
- ~~(b)~~ ensure that all Members are given an opportunity appropriate to their status to participate in the operation of the Association;
- ~~(c)~~ act as principal spokesperson for the Association;
- ~~(d)~~ maintain a liaison with Mazda Australia Pty Ltd (through Mazda WA) to ensure that the operation of the Association benefits from the knowledge Mazda Australia Pty Ltd has of the Mazda MX-5 motor vehicle; and
- ~~(e)~~ carry out such duties as the Committee may by a two-thirds majority or more direct from time to time.
- ~~The President shall~~ facilitate other Committee Members in performing their roles and provide guidance as required.

~~The President is be~~ the primary conduit of communication with Members and he or she shall ensure they are visible to Members and maintain open lines of communication.

~~The President is be~~ the liaison with the other state presidents of MX-5 Clubs and shall maintain regular contact.

- ~~The President is be~~ the liaison with the WA Mazda dealers and shall aim to meet each face to face at least annually.

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3.3 Vice-President

~~Sub clause 19.2 of the constitution states that the~~ The ~~Vice-p~~Vice-President shall assist the president generally and assume the duties of the president if the latter is unable to perform any or all of the duties set out in 3.2 above, sub clause 19.1 (refer 4.1 above)

In practice this position is a floating resource with the incumbent assisting with special projects and assisting the President on plans or special work needed.

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3.4 Treasurer

~~Sub clause 19.3 of the constitution states that the~~ The ~~T~~Treasurer shall:

- ~~(a)~~ (a) collect and receive all moneys due to the Association and make all payments authorised by the Association;
- ~~(b)~~ (b) keep proper accounts and books showing the financial affairs of the Association and shall maintain such records as are necessary to facilitate the audit (if any) of those records with full details of all assets and liabilities, receipts and expenditures connected with the activities of the Association;
- ~~(c)~~ (c) in conjunction with the Secretary, maintain the records of the financial membership of the Association;
- ~~(d)~~ (d) present to the Members at the Annual General Meeting a statement containing the matters specified in the Act; and
- ~~(e)~~ (e) carry out such duties as the Committee may by a two-thirds majority or more direct from time to time.
- ~~(f)~~ (f) The Committee may, at any time, require that the accounts and or books showing the financial affairs of the Association, be audited.

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~~In addition to the above obligations, the Treasure also is responsible for:~~

- Maintaining petty cash at a reasonable and workable level (typically \$200 max)
- Ensuring excess funds are transferred to a high interest bearing account
- Ensuring sufficient monies are available in the cheque account to meet all cheques issued
- Liaising with banks to maintain signatories for accounts, etc.
- ~~Leasing~~ Liaising with Merchandising Officer to ensure that excess cash from merchandise sold is banked
- Liaising with Merchandising Officer to ensure that the value of merchandise is accurately recorded as a Club asset.
- Producing an annual operational budget

3.5 Secretary

~~Sub clause 19.4 of the constitution states that the~~ The ~~S~~Secretary shall:

- ~~(a)~~ (a) keep a true record of all minutes of the resolutions and proceedings of each general meeting and each Committee meeting in books provided for that purpose together with a record of the names of persons present at Committee meetings;
- ~~(b)~~ (b) issue notices of all meetings in accordance with the guidelines set out in these Rules;
- ~~(c)~~ (c) maintain the Association's records in conjunction with the ~~T~~Treasurer;
- ~~(d)~~ (d) attend to all correspondence of the Association; and
- ~~(e)~~ (e) carry out such duties as the Committee may by a two-thirds majority or more direct from time to time.

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- Monthly (approximately); place a printed copy of the past months Committee meeting into the Filing Cabinet.
- Ensure that minutes are circulated to all Members, including those Members that do not have email.
- At least 6 monthly; sort out the Club filing cabinet as required. Use your discretion to remove any correspondence that is no longer required or of historical significance
- At the end of each club year co-ordinate archiving of essential club records - minutes, membership list, website data, merchandise information and by law/constitution documents if there have been changes in these during the past year - refer section 4.1.1

3.6 Events Coordinator

~~Sub clause 19.5 of the constitution states that the social Secretary shall assist generally in the arrangement and operation of activities of the Association as directed by the Committee.~~

~~In practice this means that this position, commonly referred to as The~~ Events Coordinator, has as prime objective the coordination of Club driving and non-driving social events such as the Club's Sunday Cruises, Weekend trips, After-work Get Togethers, etc. rather than organising each and every event.

The Events Coordinator shall:

- Encourage Members to organise Club social events by actively seeking volunteers without coercing Members to do so.
- Manage the Club's coming events calendar in conjunction with the Motor Sport Manager, for motor sport events.
- Ensure the Club's "first Sunday of the month" cruises are planned in advance and advertised in the MX-press magazine and on the Club website.
- Ensure the Club's other events, such as weekend cruises, treasure hunts, observation rallies, After-work Get Togethers, Movie nights and the like are planned in advance and advertised in the MX-press magazine and on the Club website.
- Facilitate Members organising Club events and provide guidance in how to run events, provide guidance notes on the website.
- Keep abreast of Members progress in organising events
- Ensure there is a back-up cruise for the "first Sunday of the Month" cruise in the event a Member is unable to run an event.
- Ensure Members running events reaffirm the Club's support of safe driving; adherence to all road traffic rules, driving within Members and their vehicles limits, driving to the conditions e.g. taking account of wet patches, dirt on the road, oncoming traffic, etc. and keeping a safe distance from other cars.
- Ensure Members running events either appoint a "volunteer" to write a brief story for the MX-Press magazine or write their own report, and that such reports are submitted to the editor in a timely fashion
- Encourage and coordinate interclub events with other kindred car Clubs

3.7 Motor Sport Manager

~~Sub clause 19.6 of the constitution states that the Club captain, The Motor Sport Manager~~ shall:

- ~~(a)~~ take responsibility for the arrangement and operation of the activities of the Association as directed by the Committee;
- ~~(b)~~ appoint Members as necessary to assist in the arrangement and operation of the Association's activities;

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~~(c)~~ ___ maintain a liaison with the Confederation of Australian Motor Sport or its successor in title (howsoever called) from time to time on behalf of the Association;

~~(d)~~ ___ ensure that the Association has been granted any relevant licences and permissions prior to the commencement of any activity which may require such licences or permissions; and

~~(e)~~ ___ carry out such duties as the Committee may by a two-thirds majority or more direct from time to time.

~~The position of Club Captain is normally referred to as Motor Sport Manager, to reflect that the prime objective of the position is to manage the Clubs Motor sport and driver training events.~~

~~The Motor sport Manager shall:~~

- Identify motor sport events suitable for Members to participate in and include these in the Club's coming events calendar in conjunction with the Events Coordinator.
- Encourage Members to participate in motor sport events.
- Advise Members on car and driver improvements.
- Investigate and report competing Members competition results to the Committee and in MX-Press
- Organise advanced driver training days, specifically Accident Avoidance and Introduction to 'Grass-Roots' Motor sport schools. (Design courses, choose dates, book venues, instructors, helpers and if applicable catering. Design and arrange for distribution of flyers via MX-press magazine and on the Club website. Collect participation fees, distribute pre-course notes and programs. Manage the event and submit monies & accounts to the Treasurer).

3.8 Membership Secretary

- This role focuses on increasing Club membership through various means, including following up with prospective and lapsed Members, as well as maintaining a database of financial Members and their details.
- Keep accurate records of Members, complete with personal contact and vehicle details
- Weekly (If a change has been made within that week); email a copy of the Membership list to the Club Committee. If an existing Club Member has changed any of their details include a description of the change in the e-mail and highlight the affected field in the spreadsheet.
- Provide a list of financial Members, without personal details, on request to people organising Club functions with Club discounts / sponsorship.
- Arrange the annual "New Members Night"

3.9 Webmaster

The Webmaster is responsible for updating and maintaining the Club website at www.mx5club.com.au. This includes:

- Add coming events to the Club website and moving them to past events once the date has passed
- Upload brief descriptions of past events and include event photos resizing images to suit the site and adding the Club URL as a watermark.
- Upload Club / MX-5 related news and photos as required.
- Keep the Club merchandise listing updated.
- Update the website when the Committee changes.

- Update the example MX-Press issues on the website with 9 month – 18 month old editions.
- Update Club documents linked to the site when documents are added or changed.
- Update various sections of the website based on input from the Committee or individual Committee Members.
- Monitor Club website statistics use results to update or fix any site issues and make sure site is compatible with the majority of our world wide online audience, make changes to suit new browser types and versions.
- Renew the Club domain when required, the Club has an account with Melbourne IT to renew the domain
- Maintain the Club web host renew or change as required; the site is currently located at www.PowWeb.com.
- Maintain and keep up to date the Club e-mail addresses:
 - e-mail forwards for each Committee Member
 - The committee@MX5Club.com.au e-mail group
 - The allclubs@mx5club.com.au e-mail group which includes each MX-5 club state President
 - Other e-mail groups as required from time to time

3.10 Newsletter Editor

This role focus is to provide a bi-monthly newsletter that promotes the organisation and activities of the Club and provides:

- A record of Club events both past and planned.
- A forum for Members to express their views.
- Content that is varied, informative, interesting and relevant to Club Members.

The incumbent is solely responsible for all content of each newsletter and make decisions accordingly and liaises with Newsletter Production regarding timing, content and progress of each edition and assist when necessary. The incumbent aim to produce a publication that Members will want to read and encourage others to read and;

- Reviews a draft copy of each issue before publication and edits content to keep within the bounds of decency and legality and provide a high standard of literacy and grammar.
- Continually explores ways of improving the look and content of the newsletter.
- Aims to post MX-press by the end of the second week following the two month period covered by the edition.
- Encourages Members to make submissions and ensure that any submissions are in prior to the end of the two month period covered by the edition.

3.11 Newsletter Production

This role assists the Editor in production of the news letter, in practice this means:

- Retain material submitted by the Editor for the coming edition of MX-press.
- Encourage Members to make submissions (text and accompanying photos) for MX-press.
- Liaise with the Editor and Committee Members to obtain submissions.
- Commence building the coming edition approximately 2-3 weeks prior to the closing date.
- Aim to complete draft for review by the Editor in the first week following the two-month period covered by the edition.

- Aim to have the final print to the printers by the end of the first week following the two-month period covered by the edition.
- Liaise with Membership Secretary on financial Members to maintain the mailing list for MX-press.
- Arrange access to Mazda WA's franking machine for stamping all envelopes.
- Organise to print fliers and inserts for MX-press.
- Collate all inserts with copies of MX-press in preparation for mailing.
- Aim to post MX-press by no later than the second week following the two-month period covered by the edition.
- Maintaining archive copies (PDF and native files) of MX-press on a regular basis. Keep a copy of archives at home and in the Club filing cabinet.

3.12 Merchandise Officer

The Committee shall appoint a Merchandise Officer on a yearly basis. The Merchandise Officer shall be responsible for the following:

- The provision of merchandise to Members
- Promote merchandising items in the Newsletter and on the Club website, ensuring samples are available at meetings and functions.
- The design, development and purchasing of such merchandise.
- The control of merchandise that may be authorised to be on "consignment" to authorised re-sellers that have prior approval from the Committee.
- Provide a monthly report of sales to the Treasurer.
- A regular stock valuation submitted to the Treasurer on a quarterly basis.
- The reconciliation of purchases, sales, and stock holding on a quarterly basis.
- The development of a budget and marketing plan that provides for seasonal items, disposal sales, and internet sales that are outside the Club Membership, special offers, and promotional events.
- The safe keeping of all working stocks

3.13 Change of Committee

To assist with continuity in the management of both Member activities and Club business matters development plans need to extend beyond the life of a current Committee for review of priorities / adoption / progression by the next Committee, and there needs to be a handover to new Committee Members.

On retirement from a Committee position there is an expectation that the outgoing Committee Member:

- Has a handover to the incoming Committee Member with brief recommendations.
- Provides the incoming Committee Member with all relevant forms, records and files. Please note that all files generated by the Committee Members remain the property of the Club, not the individual Member, including if this person is removed from office for what ever reason.
- Attend the first 2 Committee meetings after retirement and any subsequent meetings by invitation.

4 Club Records

Key documents such as the Constitution and these Bylaws are available to Members on the Club website. Club records are generally kept electronically. In addition hard copies are stored at Mazda WA, where they are held in a filing cabinet and accessible to all Members.

4.1 Archiving

4.1.1 *Club Secretary*

- At the end of each Club year; burn TWO CD/DVD copies of that year's records including:
 - The Club year's minutes in PDF form and/or Microsoft Word;
 - The current version of the Club constitution if there have been changes during the past 12 months
 - The current version of the Club By-Laws if there have been changes during the past 12 months
 - The Club year's financial records provided by the Treasurer
 - The Club year's membership records provided by the Membership Secretary
 - The Club year's website records provided by the Webmaster
 - The Club year's merchandising files provided by the Merchandising Officer

Place one copy in the Club filing cabinet and retain one copy to store "offsite" e.g. at home.

- At the beginning of the Club year; collect the Club's offsite backup from the previous year's Club Secretary. Store in a secure, cool, dry and dark place within your house.
- Whenever there is a change to the Club Constitution; print a copy and place in the Club filing cabinet, ensure a digital copy (text PDF) sent to the Club webmaster for the Club website.
- Whenever there is a change to the Club By-Laws; print a copy and place in the Club filing cabinet, ensure a digital copy (text PDF) sent to the Club webmaster for the Club website.

4.1.2 *Club Treasurer*

- At the end of each Club year place the bank statements into the Club filing cabinet; remove any bank statements and financial records over 5 years old that are not of historical significance.
- At the end of each Club year provide electronic copy of all the Club financial records including any files/databases required to maintain the Club accounting software to the Club Secretary for archiving.

4.1.3 *Membership Secretary*

- At the end of each Club year provide electronic copies of the Clubs membership list and Committee list to the Club Secretary for archiving.

4.1.4 *Webmaster*

- At the end of the Club year provide electronic copies of the Club website and any additional information like website FTP details and password lists to the Club Secretary for archiving.

4.1.5 *Merchandise*

- At the end of the Club year provide electronic copies of the Club merchandise logos and embroidery files to the Club Secretary for archiving if there have been changes during the past year.

4.1.6 *Newsletter Team*

- Keep a printed copy of each issue of "MX-Press" for binding and E-mail a PDF version of the MX-Press to the Club webmaster.
- At the end of the Club year burn TWO CD/DVD copies of all the Club year's magazines in PDF form and in the raw Desktop Publishing files (and any attached/included files). Place one copy in the Club filing cabinet and hand one copy to the Club Secretary to store "offsite".

- Organize for the Club magazines to be bound as required, bound copies are stored at Mazda WA in the Club filing cabinet.

4.1.7 Club Members

- At the end of the Club year if any Club Members are keen to include their photographs in the Clubs archives they must be willing to offer them copyright free and burn TWO CD/DVD copies their Club photographs.
- The CD/DVD copies shall be handed to the Club Secretary who shall place one copy in the Club filing cabinet and provide one copy to the newsletter team.

5 Club Awards and Recognitions

The Club makes the following awards and recognitions of service to the Club.

5.1 Club Person of the Year

- Awarded for excellent service to the Club over the previous 12 months which is deserving of recognition.
- Recipient or Recipients are determined by the President and endorsed by Mazda WA, based on recommendations received from individual Committee Members.
- Recipient(s) are announced at the annual anniversary dinner.
- A framed certificate is the physical recognition of the award. In addition Mazda WA may provide a gift.

5.2 Honorary Life Membership

Life Membership is the highest Award available to recognise the exceptional contribution of individuals to the Club. It is therefore only to be awarded in exceptional circumstances.

In considering the award of Life Membership the following points shall be taken into account:

- The individual should have demonstrated significant, sustained and highly meritorious contributions to the Club.
- The general attitude and overall demeanour of the nominee to ensure that the attitude is one that reflects a dedication to the values of the Club
- The Member should be a Member of the Club for at least 8 years

Any 3 Members can nominate another Member for Life Membership. Nominations should demonstrate how the nominee meets the above criteria and should be presented to the Club President by 1 July for consideration prior to the annual anniversary dinner.

- When a nomination has been received the President will establish a Life Membership Committee to assess the nomination for Life Membership. The Life Membership Committee will be made up of all Committee Members, except that the nominee and the nominating Members shall be excused if they are Committee Members.
- The Life Membership is awarded if the Life Membership Committee endorses the nomination by a 7/8 majority.
- Recipient(s) are announced at the annual anniversary dinner.
- A framed certificate is the physical recognition of the award. In addition Mazda WA may provide a gift.

6 Privacy Policy

6.1 Preamble

The Club values the importance of maintaining the confidentiality and privacy of its Members and suppliers. The Committee shall adhere to the Privacy Act 1988 and subsequent amendments. Our Privacy Policy sets out to outline in plain English:

- The collection of your personal information;
- How we use and disclosure your personal information;
- The quality of your personal information;
- How you can access your personal information;
- Security of your personal information; and
- How to contact us

6.2 What we collect and how we collect it.

We generally collect personal information directly from you, for example, when you deal with us in person, mail, over the telephone or via our web site.

The nature of personal information collected and maintained by us generally comprises information such as your name and address, your contact details (phone and mobile numbers, e-mail address) and vehicle details.

Financial information is held and recorded only to the extent that we require to process your financial transactions with us.

6.3 What do we use it for

The only purpose that we have in collecting or holding this information is the efficient management of the Club in accordance with the Club's Constitution.

The Club will use your e-mail address for the purpose of alerting Members to coming events or notices regarding Club business. Your e-mail address will not be provided or added to an external mailing list or used or disclosed for any other purpose without your consent.

We will use reasonable endeavours to prevent the disclosure of your personal information except to the extent:

- Indicated at the time you supply the information to us or expressly permitted under any agreement with you;
- Required for performance by us of our activities for you;
- Required under compulsion of law or provided in cooperation with any government authority;
- Where it is already publicly available or it is disclosed by us in a manner that does not readily permit identification of information relating to you.

We undertake not to sell, rent or trade your personal information.

Selected personal information may be shared among the Members of the Club unless you tell us otherwise.

6.4 Accuracy and quality of information

We will use reasonable endeavours to ensure that the information held is accurate and will update our records at the earliest opportunity following notification of any errors or changes.

6.5 What information does the Club have on me

On request, you may access personal information collected and held by us. Further, if you believe that your personal information is not accurate, or incomplete, you may request that we make necessary corrections, additions or deletions. In order to do so, we ask that you put your request in writing.

6.6 Who uses it and is it secure

Your personal information will be held in a responsible manner, with access limited to those with a legitimate "need to know", bona fide officers of the Club or those in the Club with the delegated authority of the Committee.

6.7 Any questions

Should you wish to discuss any aspect of this privacy statement, or would like more information on our approach to privacy, please do not hesitate to contact the Club Secretary.

7 Membership fees

Sub-clause ~~6.16.2~~ of the Constitution states that annual subscription fees are as deemed by the Committee and recorded in the Club By-Laws.

Sub-clause ~~6.26.3~~ of the ~~con~~Constitution states that annual subscriptions may be increased or decreased by the Committee PROVIDED THAT a simple majority of Members, whether in writing or at a duly convened meeting of Members, shall be required to ratify such increase or decrease if it exceeds 25% of the entrance fees and/or annual subscriptions as previously determined by the Committee.

~~At the 29 August 2006 For Financial Year 2008/2009 the following annual membership fees applied: the Committee meeting the following full year membership (July 1 — June 30) fees were determined:~~

- (a) Full Membership - \$60.00, First full year of Full Membership - \$85;
- (b) Enthusiast Membership - \$60.00, First full year of Enthusiast Membership - \$85;
- (c) Foundation Membership - \$60.00;
- (d) Country Membership - \$25.00;
- (e) Overseas Membership- \$40.00 and
- (f) Honorary Life Membership - nil.
- (g) ~~For~~For New Full or and eEnthusiast Members who join after ~~March-December, but before April,~~ a reduced first year \$35.00 membership fee of \$60.00 applies for the remaining club year.
- (h) New Full or Enthusiast Members who join after March will pay \$85.00 membership up to the end of June in the following year.
- ~~(h) People who become Members in June get a 13 month membership for the price of 12 months~~

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8 Advertising

It is Club policy to not enter in to commercial advertising in either MX-Press or on its website. One exception is the listing on the website of parties giving discounts to Club Members which may include links and logos of such parties. The website also provides links to Mazda WA and Mazda dealers in WA.

At the discretion of the Editor private for sale notices relevant to MX-5 vehicles may be placed in MX-Press, and such notices may also be included on the Club website.

9 Club Discounts

9.1 WA Mazda Dealers

On production of a current membership card Members enjoy a discount at most metropolitan dealers on MX-5 parts, accessories and service where no other promotional offers apply. Only available to registered owner of the MX-5 providing that person is a Member of the MX-5 Club, please note that the Membership Card not transferable. The discount does not extend to other (Mazda) vehicles. Discounts vary between dealers and at 29 April 2008 the following applied:

- 15% at Melville Mazda, 385 Canning Highway, MELVILLE, WA 6156
Service Phone: 08 9319 3610, Fax: 08 9319 1700, Web: www.melvillemazda.com.au
- 15% at Wood Bros Mazda, 374 Guildford Road, BAYSWATER, WA 6053,
Phone: 08 9272 4044, Fax: 08 9271 6000, Web: www.woodmazda.com.au

- 10% at Jason Mazda, 430 Scarborough Beach Road, OSBORNE PARK, WA 6017
Phone: 08 9444 7388, Fax: 08 94447846, Web: www.jasonmazda.com.au
- 10% at Wanneroo Mazda, Lot 109 Wanneroo Rd, WANGARA, WA 6065,
Phone: 08 9403 9777, Fax: 08 9403 9766, Web: www.wanneroomazda.com.au

9.2 Other Suppliers

The Club also lists other suppliers on its website that provide discounts for MX-5 related services. A minimum of 10% discount applies for suppliers to be listed. The listing on the website may be inclusive of company logo and a link to the company website. At the editors discretion newly added suppliers may also be promoted with an article in MX-Press.

Currently Member discounts are offered as follows:

- AQUILA AUTOMOTIVES
Discount: 10% for servicing members' MX-5s and other cars.
Contact: Max Vicoli, Unit 1/21 Zeta Crescent, O'Connor, Phone 9314 3882 or 0403 212 303
Email: aquila75@bigpond.net.au
- CHIEF CAR COVERS
Discount: \$45 off covers, for MX-5 or other cars
Contact: Juanetta Hearne, 25 Baloo Crescent, Falcon WA 6210, phone 9534 6011 or 0410 503 661
Website: www.carcovers.com.au
- MAZDA PARTS WA
Discount: 15% for current Club Members on MX-5 parts only, not other Mazda's
Contact: 42 Charles Street, Bentley WA 6982, phone 9251 5000
- ELITE Professional Car Polishing¹
Discount: 15% for current Club Members
Contact: Jarrad Miles, 0414 344 804 or email at jlmpath@hotmail.com

9.3 Club Events

The Club typically sponsors specific annual events, such as the anniversary dinner and driver training events, by providing discounts to Members that are financial at the time of the event. These discounts will be as determined by the Committee on a case-by-case basis depending upon surplus funds available, etc. The Committee should endeavour to provide at least two subsidised events annually.

10 Merchandising

Merchandise is not sold with the intention of making a profit. Club merchandise shall be priced as agreed by the Committee. When setting the sale price the Committee should attempt to sell the merchandise at cost (with a suitable mark-up to cover projected unsold product).

Membership of the Club is not a prerequisite to purchase of merchandise. Mazda Mx-5 Club of Western Australia Incorporated merchandise should be made available to any person requesting it.

¹ Added at 25 February 2009 meeting

11 Use of Club Name and Logo

The Club name, The Mazda Mx-5 Club of Western Australia Incorporated, and Club logo shown on the first page of this document are and remain the property of the Club and its Members.

Ordinary Members are not entitled to use the Club and or logo name without prior written authorisation from the Committee.

The Committee shall, from time to time and in the course of carrying out its responsibilities, use the name and or logo provided always that no individual Ordinary Member shall personally gain materially and/or financially by the use of such Club name.

The Committee shall not unreasonably withhold the authorisation to use the Club name to an Ordinary Member where such use is determined to be in the best interests of the Club.

The Committee in all instances acts as Trustee of the Club name and shall use all reasonable endeavours to apply the name legally and responsibly in carrying out of the Club's general activities.

These provisions exclude car stickers, name badges, merchandise, cruise notes and publications such as MX-Press, that are by virtue of prior consent already in the public domain.

12 Insurance

The Club has Vehicle Club Insurance Policy in place that provides both "Public and Products Liability" and "Association Liability" coverage.

"Public and Products Liability" insurance covers legal liability to third parties for injury and or damage to property caused by an occurrence in connection with the Club's activities.

Club activities include "General Meetings, Static Displays, Swap Meets (up to 200 sites), Touring Runs, Picnics, Barbeques and Club" but exclude "all Racing, Practicing, Qualifying, Timed or Speed Trails, Rallying, hill climbs, Motorkhana or any event for which Sanctioning or Permits are required"

The "Association Liability" insurance covers the personal liability of the Club President, Committee Members, officials and volunteers including any accompanying Member of their families from any claims by reason of any wrongful act in the capacity of "office bearer".

The Policy does not cover:

- (a) Personal Injury arising out of the ownership, maintenance, operation or use by the insured of any vehicle in respect of which compulsory insurance is or should be available for such personal injury; and
- (b) Property Damage arising out of the ownership, maintenance, operation or use by the insured of any vehicle in respect of which there is required to be in force a policy of compulsory liability insurance.

In other words Members are responsible for their own (vehicle) insurance(s); the Club's insurances are only aimed at protecting the Club and its officers.

The insurance policy documents are held in the Club's filing cabinet at Mazda WA in Belmont. Any club member wishing to consult the full text of the policy can do so by attending any of the Club's monthly meetings and requesting access via any committee member.

Mazda WA generously contributes 50% of the cost of the Club's insurance premium per year.