

BERMUDA
ASSOCIATION
OF MOTORSPORTING
CONSTITUTION

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Amended Edition

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AUTHORIZATION

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The Bermuda Association of Motorsports (formerly know as the Bermuda Auto Cycle Union) is recognized by the Bermuda Government as the sole official National Sports Governing Body for the sanctioning, governing and regulating of all Motor-sporting activities in the Islands of Bermuda. In recognition of the needs for controls over motorsport activities, the Bermuda Association of Motorsports has published this Constitution and Regulations for the sanctioning of Affiliate clubs, both social and competitive. The objectives of this Constitution and regulations are to provide clubs with guidelines to provide fair and impartial competitions, and to encourage the promotion of Safety as their main priority to both spectators and participants.

PURPOSE STATEMENT

To pursue, promote and protect the sport of motor-sporting in Bermuda; to develop a better and more enthusiastic relation between the general public, the media and the operators and riders of motorsports; to encourage rider participation in events; to encourage discussion among members of matters pertaining to motorsports; to sponsor and promote organized events; to provide its members and the public with safe and organized venues; to subscribe to and become a member of and to co-operate with international agencies having the same or similar objectives; and in general to perform any acts therewith not forbidden by the laws of the Island of Bermuda.

NAME; Bermuda Association of Motor-sporting, herein after referred to as "B A M"

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AIMS, OBJECTIVES AND POWERS

The objectives of "BAM" shall be:

- 1.1. To promote, govern and sanction motor-sporting events within the island of Bermuda.
- 1.2. To ensure the governing body's constitution and regulations are kept up to date with other International bodies.
- 1.3. To assist with initiating and instructing its club's and the general public especially the youth, in the fundamentals of safety, in both competition and daily road use of motorsports
- 1.4. To assist in creating, upholding, maintaining, revising and approving the constitution, rules, regulations, laws and by-laws which govern their affiliate and or sanctioned clubs, Consequently "BAM" has the right and duty to ensure that these regulations are respected and to penalize or exclude those who are shown to be incapable of applying them in a proper manner worthy of the prestige of motor-sporting.
- 1.5. To employ the funds of "BAM" as shall be deemed in the best interest of motor-sporting.
- 1.6. To affiliate "BAM" with other national and international organizations throughout the world, which are involved with the governing of motor sports, such as; The American Motorsport Association (AMA), Federation of International Motorcyclist (FIM), North American Motorcycle Union (NAMU).

EXECUTIVE COMMITTEE/OFFICERS

The officers of "BAM" shall be the President, Vice President, Secretary, and Treasurer; they will be elected from the Executive Committees from all sanctioned clubs. There will also be the Past- President who will assume his position immediately after the election is held, any other committee members whom the above executive committee deem necessary shall be appointed from time to time by the executive committee of "BAM". All of the above officers shall be called the executive committee and shall be the directors of "BAM".

- 1.7. The duties of the President shall be:
 - 1.7.1. To preside at all meetings of "BAM"
 - 1.7.2. To have general supervision of the affairs of "BAM" IE. Set meeting dates and agenda.
 - 1.7.3. To personally represent "BAM" on proper occasions and business contracts.
 - 1.7.4. To assist all other officers in "BAM" in their records, correspondence and other duties if necessary.
 - 1.7.5. To assist affiliate clubs.
 - 1.7.6. To vote only when necessary to break a tie.
 - 1.7.7. The duties of the Vice President shall be to perform all the duties of the President in his/her absence and any other duties directed by the President.
- 1.8. The duties of the Secretary shall be:
 - 1.8.1. To keep a record of all meetings of "BAM"
 - 1.8.2. To send out notices of all meetings of the "BAM"
 - 1.8.3. To handle all the correspondence of "BAM"
 - 1.8.4. To arrange meeting facilities and make any necessary reservations as directed by the President.
 - 1.8.5. To perform such other duties as generally fall to that office.
 - 1.8.6. The duties of the Assistant Secretary shall be to perform the duties of the Secretary in his/her absence and assist the Secretary when necessary.

- 1.9. The duties of the Treasurer shall be
 - 1.9.1. To collect all monies due to the governing body, i.e., race sanctioning fees, or social sanctioning fees.
 - 1.9.2. To bank all proceeds and settle outstanding accounts as directed by the President and approved by the committee of the "BAM"
 - 1.9.3. To maintain the governing body's financial records and deliver a report of finances at every meeting.
 - 1.9.4. The duties of the Assistant Treasurer shall be to perform the duties of the Treasurer in his/her absence and assist the Treasurer when necessary.
- 2.0. The Duties of the Past-President shall be
 - 2.0.1 To preside at the AGM or when Executive Committees/Officers are to be voted into office to act as an impartial observer.
 - 2.0.2 To manage any duties the committee deems necessary and appoints
 - 2.0.3 To assume his position immediately after his replacement has been elected.
- 2.1. Sub-committees are as follows
 - 2.1.1 Technical Advisor, to advise on all mechanical matters.
 - 2.1.2 Safety Advisor, to advise on all safety matters.
 - 2.1.3 Public Relation Advisor, to advise on all public relation matters.
 - 2.1.4 Promotion Advisor, to seek and be responsible for sponsorship.
 - 2.1.5 Disciplinary Advisor, to advise to the committee what disciplinary penalties should be enforced.

MEMBERSHIP

- 3.0. Affiliate Memberships are as follows;
 - 3.0.1 Competition Clubs are clubs who organize motorsport-racing venues.
 - 3.0.2 Social Club's are clubs that ride motorsports on a social level i.e. fund raising events or charitable events.
 - 3.0.3 Membership shall be granted subject to approval from the Committee of the "BAM". Any applicant denied membership shall be informed of its right to set forth in a letter to the Committee the reason why its membership should be beneficial to "BAM", as well as to the applicant. Upon receipt of such letter, the Committee may recommend reconsideration of the applicant to the membership of the governing body. After reconsideration or recommendation if required, The Committee will make its final decision.
 - 3.0.4 All competition clubs are required to submit their constitution, rule book, by-laws and any other pertinent documents to "BAM" for their approval or amendments, before any affiliate memberships are to be granted.
 - 3.0.5 All social clubs are required to submit their Mission Statement and or Directive. They must abide by all laws of Bermuda.

REMOVAL OF MEMBERSHIP

The Committee, by the affirmative vote of 66% of the total voting strength, shall have power to remove from membership of "BAM", any individuals or club whose conduct is deemed detrimental to the welfare of the governing body and motor-sporting in general.

- 3.1 All nominations must be proposed and seconded by persons entitled to vote. I.e.: current financial officers only.
- 3.2 All officers shall be elected for a two-year period beginning immediately after the election. All officers shall be eligible for re-election.
- 3.3 The quorum shall be a majority of elected officer for all General Meetings, Special Meetings and Annual General Meetings (for voting purposes only), with the exclusion of the President whom is only to vote to break a tie.
- 3.4 At all meetings the vote of the majority shall rule, except where specific majorities are stated in this constitution.
- 3.5 The Past-President shall count all votes taken by secret ballot.

MEETING OF THE COMMITTEE

- 3.6 Meeting of the Committee shall be once every quarter.
- 3.7 The Secretary of "BAM" is responsible for notifying all committee members of all meetings;
- 3.8 The voting quorum shall be four (4) committee members.
- 3.9 The committee shall establish an agenda for each meeting and the general rule of good conduct shall be upheld at all meetings of "BAM".

ANNUAL GENERAL MEETINGS (AGM) OF `BAM`

- 3.10 The Annual General Meeting (AGM) of "BAM" shall be held in the first week of May of each year.
- 3.11 A notice of the Annual General Meeting shall be posted in the newspaper one month before it is to take place as well as the day prior to the AGM. A notice shall also be broadcast on the radio prior to the AGM. Such notices shall specify the date, time, place and nature of the business of the meeting.
- 3.12 The business of the AGM shall be:
 - 3.12.1 Roll Call
 - 3.12.2 Confirmation and approval of minutes of the last AGM
 - 3.12.3 Presentation of Financial Statements
 - 3.12.4 Any other reports, if any
 - 3.12.5 Consider motions, notice to have been given prior to the AGM
 - 3.12.6 Election of Committee Members (by secret ballot) - every two years
 - 3.12.7 Any other business
- 3.13 Motions concerning any business, which any member or affiliate wishes to be considered at the AGM, shall be sent to the Secretary of "BAM" at least fourteen (14) days prior to this AGM.
- 3.14 Only members will be allowed to attend and only financial members are to voice opinions and or vote at the Annual General Meeting.
- 3.15 The Committee as voted in shall hold offices for a period of two years.

- 3.16 The committee upon its own motion, setting forth the object of such meeting may call a Special General Meeting of "BAM" and or an Affiliate Club.
- 3.17 A minimum of seven calendar (7) day's notice shall be given for Special General Meetings of "BAM" or an affiliate club, and must be published in the major print media seven calendar days before and on the actual day of the meeting.
- 3.18 Special business shall be:
 - 3.18.1 To add to or alter any of the Riding Rules and Regulations; and any other matters concerning constitutional and bylaws changes.
 - 3.18.2 To expel any member or official
 - 3.18.3 To express no confidence in any committee member
- 3.19 To move without notice of motion on matters of extreme urgency which shall not include the alteration of annulment of this constitution of the Riding Rules and Regulations.
- 3.20 At any General Meeting of "BAM" a quorum shall form when at least 40% of those eligible to vote are present.
- 3.21 If within one hour from the time appointed for a meeting the quorum of members is not present; the meeting shall commence as long as a majority of members in attendances are in agreement, otherwise it shall be postponed (1) one calendar week and members attending at this meeting will be a quorum.

VOTING AT GENERAL MEETINGS OF "BAM"

- 3.22 Each committee member shall have one vote and one vote only. The President shall have power of veto.
- 3.23 In the case of equality in voting the Chairman of the meeting shall have a casting vote to break the tie.
- 3.24 All ordinary business at a General Meeting shall be decided by a majority on show of hands of those present and entitled to vote, or by ballot if requested.
- 3.25 Scrutinizers shall be named to count the votes.

MOTIONS

- 3.26 Any individual entitled to vote may move a motion and shall be entitled to speak on it before it is seconded; if after such a speech the motion is not seconded, it shall be rejected by the meeting. Any motion standing in the name of the committee need not be seconded and committee members shall speak first on such motion.
- 3.27 No motion other than those on the Agenda shall be considered unless urgency is voted by two-thirds of those present and entitled to vote.
- 3.28 A motion or amendment may be withdrawn by the mover and seconded with the unanimous consent of the members.

- 3.29 The Financial Year of "BAM" shall close on April 30th each year.
- 3.30 All monies received shall be paid into the credit of "BAM", the bank or banks to be appointed by the committee.
- 3.31 All accounts shall be approved by the committee and paid by check signed by the Treasurer and one other officer of "BAM", namely the President or Vice-President.
- 3.32 "BAM" shall have power to borrow money in such manner and on such terms as it shall deem fair but such power shall not be exercised except by resolution of 66% of the total committee.

SANCTIONING FEES

- 3.33 The committee shall decide at its first meeting following the Annual General Meeting the race entry fees and membership fees applicable to the forthcoming season and the fees agreed upon shall appear in the minutes of the said meeting.
- 3.34 All members and affiliate members shall pay the required membership fee in order to take an active part; all riders shall pay the required membership fee, competition license fee and race entry fee in order to participate on any given race day.
- 3.35 All fees shall be paid to the Treasurer of "BAM or the Affiliate Club.
- 3.36 Social Clubs fees are yet to be determined
- 3.37 All affiliate Clubs are required to pay a sanctioning fee per event.

ANTI-DOPING REGULATIONS

The Bermuda Association of Motorsports supports without reservation, drug-free sport, and efforts both locally and internationally to eradicate drug cheating in sport. Accordingly, all athletes, athlete support personnel and persons under the jurisdiction of the association, shall be bound by the provisions of the WADA Code, and the rules and procedural guidelines of WADA and of its local affiliate, the Bermuda Council for Drug Free Sport (BCDS). Further, the acceptance for membership of this association at any and all levels – athletes, support personnel and other persons – shall imply acceptance by those persons, of their being bound and subject to the Anti-Doping Rules of the International Federation to which we are affiliated, the BCDS and the Bermuda Olympic Association.

The association is also a signatory to the BCDS Domestic Program which seeks to eradicate the use of illicit drugs in sport, and therefore agrees and accepts its responsibility to all procedural requirements in support of this program as outlined in the BCDS Standard Operating Procedures.

SELECTION OF COMPETITORS TO TRAVEL ABROAD UNDER "BAM"

The Committee shall be notified of competitors to travel abroad, to represent Bermuda at an International level. Any competitor chosen should be chosen on Merit and not just his/her overall placing.

AMENDMENTS TO THE CONSTITUTION

No amendments to this Constitution shall be made except at the AGM or at a Special General Meeting called for this purpose. Such resolution shall be carried by a majority at least two-thirds of the voting power properly recorded at the meeting. At least four (4) days notice of such proposed amendments must be given to all members in either case. Any amendments shall take effect immediately unless the meeting shall, by majority, decide otherwise.

Any rule or regulation of an affiliated member, which is in conflict with this Constitution and Byelaws, shall be inoperative.

RIDING RULES AND REGULATIONS AND DECISIONS BINDING

The Riding Rules and Regulations, and their interpretation by the Committee on all doubtful points arising in connection herewith, shall be binding on all members of the "BAM".

DISSOLUTION

"BAM" shall not be dissolved unless all liabilities have been discharged and, a motion shall be passed by a majority of the vote recorded at a General Meeting convened for that purpose.

Upon dissolution, any surplus monies remaining after payment of all liabilities shall be paid over to such organization, as the Special General Meeting, by a majority vote, shall decide.

SAFETY

The safety precautions at a venue for a competition (for drivers, the public and officials) must be the first care of the organizers. Consequently, no effort must be spared to avoid the possibility of accidents. The cooperation from the public is of great importance to ensure this high level of safety is met.

PUBLIC LIABILITY INSURANCE

The organizer must arrange insurance cover against liabilities to third parties arising from the races and practices, for themselves, organizers, all drivers and passengers, and officials at the meeting. The minimum sum required for third party liabilities cover is indicated by the Bermuda Government.

The Insurance Policy must clearly state that the "BAM" and its Affiliate Club is absolved from all responsibilities or subsequent action.

RESPONSIBILITY FOR DAMAGE

The organizers cannot be held responsible for any damage sustained by any racing motorsport or reserve motorsport taking part in official meeting or to its accessories or equipment during a meeting or practicing either by fire, accident or otherwise, theft or deterioration.

DANGEROUS CONSTRUCTION

The Governing Body has the authority, right and responsibility to review any of their affiliate clubs activates, Constitutions, Rule Books and or venues to ensure the rights of all motor-sporting and spectators are being protected. Also to ensure that safety is their utmost concern.