



## **1. NAME**

The name of the organization shall be The Bermuda Motorcycle Racing Club herein after referred to as the “BMRC”.

## **2. AIMS, OBJECTIVES AND POWERS**

The objectives of the BMRC shall be:

- i. To organize and promote motorsports with the Islands of Bermuda for its members.
- ii. To initiate and instruct its members especially the youth members, in the fundamentals of safety, in both competition and daily road use.
- iii. To create, uphold, maintain and publish the rules, regulations, law and by-laws which govern the BMRC. Consequently, the BMRC 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 motorcycling.
- iv. To employ the funds of the BMRC as shall be deemed in the best interest of the motorsport.
- v. To affiliate the organization with other national organizations throughout the world which are involved with the organization of motorcycle sport, such as: The American Motorcycle Association (AMA).

## **3. OFFICERS**

The elected officers of the BMRC shall be President, Vice President, Secretary and Treasurer. These officers will select the remaining officers by secret ballot. (Clerk of the Course, Head Gate Person, Public Relations Officer, Disciplinary Chairperson, Entertainment and Social Chairperson, Assistant Secretary, Assistant Treasurer). All of the above officers shall be called the “Committee” and shall be paid up members of the BMRC. The management of the affairs of the BMRC shall be vested in the Committee.

- i. The duties of the President shall be:
  - a. To preside at all meetings of the BMRC.
  - b. To have general supervision of the affairs of the BMRC, i.e. set meeting dates and agenda.
  - c. To personally represent the BMRC on proper occasions and business contracts.
  - d. To assist all other officers in the BMRC in their records, correspondence and other duties.
  - e. To vote only when necessary to break a tie.

- ii. The duties of the Vice President shall be:
  - a. To perform all the duties of the President in his/her absence and any other duties directed by the President.
- iii. The duties of the Secretary shall be:
  - a. To keep a record of all meetings of the BMRC.
  - b. To send out notices of all meeting of the BMRC.
  - c. To handle all the BMRC correspondence.
  - d. To arrange meeting facilities and make any necessary reservations as directed by the President.
  - e. To perform such other duties as generally fall to that office.
- iv. The duties of the Assistant Secretary shall be:
  - a. To perform the duties of the Secretary in his/her absence and assist the Secretary when necessary.
- v. The duties of the Treasurer shall be:
  - a. To collect dues for all members
  - b. To collect all other money due to the BMRC, i.e. race entry fees, gate entry proceeds.
  - c. To bank all proceeds and settle outstanding accounts as directed by the President and approved by the committee of the BMRC.
  - d. To maintain financial records and deliver reports once a month.
- vi. The duties of the Assistant Treasurer shall be:
  - a. To perform the duties of the Treasurer in his/her absence and assist the Treasurer when necessary.

#### **4. MEMBERSHIP**

Membership shall be open to the general public.

Membership applications may be obtained from the Secretary of the BMRC and signed by the applicant.

All membership applicants should be accompanied by the required membership fee.

Membership shall be granted subject to approval from the Committee of the BMRC. Any applicant denied membership shall be informed of its right to set forth in a letter to the Committee the reason why its membership would not be beneficial to the BMRC as well to the applicant. Upon receipt of such letter, the Committee may recommend reconsideration of the applicant to the membership of the BMRC. After the reconsideration recommendation is required from the Membership, the Committee will make its final decision.

#### **5. REMOVAL OF MEMBERSHIP**

The Committee, by the affirmative vote of 60% of the voting strength, shall have power to remove from membership of the BMRC, any individual whose conduct is deemed detrimental to the welfare of the BMRC.

## 6. ELECTION OF OFFICERS

- i. All nominations must be proposed and seconded by persons entitled to vote, i.e. current members only.
- ii. All officers shall be elected for a four [4] year period beginning February after the election. All officers shall be eligible for re-election. If an officer that has been elected for four [4] years is not doing their job, he/she can be expelled from their position by the Committee and/or members.
- iii. The quorum shall be fifteen [15] members (excluding the Committee) for all General Meetings. Riders meetings, Special Meetings and Annual General Meetings (for voting purposes only) of the BMRC.
- iv. The quorum shall be five [5] members for all Committee Meetings of the BMRC, each Committee member is entitled to one [1] vote.
- v. At all meetings the vote of the majority shall rule, except where specific majorities are stated in this Constitution.
- vi. All votes taken by secret ballot or by show of hands shall be counted by a neutral person.

If within thirty minutes from the time appointed for a meeting the quorum of members is not present, the meeting shall be dissolved at that time, if voting is to take place. The meeting shall be adjourned to the same day in the following week at the same time.

## 7. THE COMMITTEE

The Committee shall have the following powers:

- i. To carry out the aims and objectives of the BMRC with regards to all administrative details, but all matters of policy shall be referred to the General Meeting of the BMRC for final decision.
- ii. To manage and control the finances of the BMRC.
- iii. To grant membership.
- iv. To control and oversee race days, competitions and international races.
- v. To charge such fees as it chooses from time to time.
- vi. To inflict penalties on members, officers and other persons for any infringement of the Constitution and of the Rules and Regulations of the BMRC.
- vii. To appoint subcommittees as it may deem advisable from time to time to assist in carrying out its duties. e.g. Entertainment and Disciplinary Committees. These sub committees must submit in writing, the results of any discussion or recommendations made at subcommittee meetings.
- viii. To receive subscriptions and donations for approved, specific or general purposes connected with motorsports and to manage the same.
- ix. To prepare and submit all notices of meetings, reports and statements as required by the BMRC.
- x. To fill any vacancy, in its body, except that of President.
- xi. To make a ruling on any matter which in the opinion of the BMRC is not provided for in the Rule Book
- xii. To arrange for printing, sale and distribution of the Rule Books and any other publication authorized by the Committee.

## **8. ENTERTAINMENT AND SOCIAL COMMITTEE**

This title shall fall under the responsibility of the Entertainment Chairperson of the BMRC,

The Entertainment Chairperson is responsible for:

- i. Arranging with the Public Relations Officer for scheduling entertainment activities and events.
- ii. Presenting ideas for maximizing income pertaining to this subcommittee of the BMRC, e.g. fund raising events.
- iii. Carrying out/following through on ideas and arrangements for fund raising.
- iv. Presenting ideas/plans for presentations – selecting venue, providing entertainment, arranging for the printing of tickets.

## **9. HEAD GATE PERSON**

The Head Gate Person shall be responsible for:

- i. Issuing tickets upon receipt of funds to obtain entrance to all races for each would be spectator.
- ii. Receiving all funds with respect to spectators entering races.
- iii. Giving proceeds of gate take to the Treasurer before the end of the day's races, along with the entry tickets so that a count can be made.
- iv. Keep the entrance gate and parking facilities for all vehicles in an orderly fashion.

## **10. CLERK OF THE COURSE**

The Clerk of the Course is responsible for:

- i. To ensure that the course or track is in good condition, that all officials are present and ready to carry out their functions and that the safety, medical and control are in attendance.
- ii. To satisfy him/her as to the identity of the drivers, or the numbering of the machines and that there is nothing to prevent a driver from participating, e.g. being under sentence of suspension, disqualification, etc.
- iii. To prohibit a driver or passenger from starting or ordering his/her withdrawal from the course if he/she considers such action necessary for measures of safety.
- iv. To take such disciplinary measures as he/she judges necessary as a penalty for a definite infraction.
- v. To order the removal from the course and its vicinity of any person refusing to obey the orders of a responsible official.
- vi. To notify the Committee of all decisions taken and all protests addressed to that person(s).

The Clerk of the Course may act as starter and judge of finishing positions or he/she may delegate these functions to a time keeper or another Official approved for this purpose. The starter-judge is permitted to use mechanical aids to facilitate the start or record the finishing order provided that these aids are approved by the BMRC.

## **11. TECHNICAL STEWARD**

The Technical Steward, appointed by the BMRC, must inspect the machines in accordance with BMRC Regulations. He/She must inform the Clerk of the Course about all his/her observations. The Technical Steward is under the authority of the Clerk of the Course, however, he/she is able to appeal to the BMRC if he/she establishes that his/her remarks concerning the inspection of the machine have been ignored.

## **12. DISCIPLINARY COMMITTEE**

The subcommittee of the BMRC shall be headed by the Disciplinary Chairperson, Assistant Chairperson along with three other members. Their duties are:

- i. Dealing with complaints and appeals.
- ii. Making recommendations for suitable penalties.

## **13. MEETINGS OF THE COMMITTEE**

- i. Meeting of the Committee of the BMRC shall be held at least once per month and/or should be held in the week following the race day. These meetings shall be called by the President or at the request of at least five members of the committee.
- ii. The Secretary of the BMRC is responsible for notifying all committee members of the meetings.
- iii. The quorum shall be five [5] members.
- iv. The committee shall establish an agenda for each meeting and the general rule of good conduct shall be upheld at all meetings of the BMRC.

## **14. ANNUAL GENERAL MEETING (AGM) OF THE BMRC**

- i. The Annual General Meeting of the BMRC shall be held in February, every four [4] years.
- ii. 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 be broadcast on the radio prior to the AGM. Such notices shall specify date, time, place and nature of the business of the meeting.
- iii. The business of the AGM shall be:
  - a. Confirmations and approval of minutes
  - b. Presentation of Financial Statement, any other reports
  - c. Consideration of Motions, prior notice required
  - d. Election of Committee members
  - e. Any other business
- iv. Motions concerning any business which any member wishes to be considered at the Annual General Meeting shall be sent to the Secretary of the BMRC at least fourteen [14] days prior to the AGM; such business shall not include amendments to this Constitution.
- v. Only members of the BMRC will be allowed to attend and voice opinions at the Annual General Meeting.
- vii. The Committee as voted shall hold offices for a period of four [4] years. If an officer that has been elected for four [4] years is not doing their job, he/she can be expelled from their position by the Committee and/or members.

**15. SPECIAL GENERAL MEETING OF THE BMRC**

- i. Special General Meeting of the BMRC may be called by the Committee upon its own motion, setting forth the subject of such meeting.
- ii. A minimum of seven [7] days notice shall be given for Special General Meetings of the BMRC.
- iii. The business of a Special General Meeting shall be:
  - a. To add to, alter or annul any of the Riding Rules and Regulations
  - b. To add to, alter or annul our Constitution
  - c. To expel any member or official
  - d. To express no confidence in any Committee member.
  - e. To move, without notice of motion, on matters of extreme urgency; this shall not include the alteration or annulment of this Constitution or the Riding Rules and Regulations.
- iv. At any General Meeting of the BMRC a quorum shall form when at least 40%, of those eligible to vote are present.
- v. If within one hour from the time appointed for a meeting the quorum of members is not present, the meeting if convened on the requisition of the members shall be dissolved. In any other case, it shall stand adjourned to the same day the following week at the same time and place; and if at this adjourned meeting the quorum is not present within one [1] hour of the appointed time, the member present who are entitled to vote shall form the quorum.

**16. VOTING AT A GENERAL MEETING OF THE BMRC**

- i. Each member of the BMRC shall have one vote and one vote only.
- ii. In the case of equality in voting the Chairman of the meeting shall have a casting vote to break the tie.
- iii. 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.
- iv. Scrutineers shall be named to count the votes.

**17. MOTIONS**

- i. 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 a motion.
- ii. No motion other than those on the Agenda shall be considered, unless urgency be voted by two-thirds of those present and entitled to vote.
- iii. A motion or amendment may be withdrawn by the mover and seconded with the unanimous consent of the meeting.

**18. FINANCE**

- i. The Financial Year of the BMRC shall close after our race season of each year.
- ii. All monies received shall be paid into the credit of the BMRC, the bank or banks to be appointed by the Committee.
- iii. All accounts shall be approved by the Committee and paid by cheque signed by the Treasurer and one other officer of the BMRC, namely the President or Vice President.
- iv. The BMRC shall have the power to borrow money in such manner and on such terms as it shall deem fit but such power shall not be exercised except by resolution of 60% of the total Committee.

**19. ANNUAL FEES**

- i. The Committee shall decide at its first meeting; 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.
- ii. All members shall pay the required membership fee in order to take active part in the BMRC. All riders shall pay the required membership fee, competition license fee and race entry fee in order to participate on any given race day.
- iii. All fees shall be paid to the Treasurer of the BMRC.

**20. MISCONDUCT**

The Committee, acting on the recommendation of the Disciplinary Committee, shall have power to reprimand, suspend, accept the resignation of, expel or cancel the affiliation of any member which may neglect or refuse a strict and honourable compliance with this Constitution and the BMRC, or may bring disgrace or reproach upon the BMRC. In all cases of alleged misconduct by individuals, riders or officers while under the control of the BMRC, the Disciplinary Committee within the Executive Committee shall hold an enquiry, and if necessary, impose such penalty as it may deem fit, provided, that the penalty of expulsion or disqualification be confirmed by a vote of 60% of the total voting strength of the Executive Committee.

Offences

- i. Any action, voluntary or not, carried out during a meeting by a person(s) which is contrary to the regulations in force, or instructions given by an official.
- ii. A corrupt or fraudulent act or any action prejudicial to the interest of the meeting or to the sport.
- iii. The use of illegal drugs or alcohol during competition or practice sessions.

Penalties

During a meeting the following penalties can be pronounced according to circumstances, either direct or on the recommendation of the Clerk of the Course or other official appointed by the BMRC:

- i. Reprimand
- ii. Fine
- iii. Exclusion

The body, to which an appeal can be lodged, can pronounce the above mentioned penalties; and furthermore, in serious cases:

- i. Suspension
- ii. Disqualification

Each sentence produces as consequences, the suspension of the license until achievement of the penalty.

During a period of suspension and subsequent appeal a rider may continue to participate in scheduled races and if it is proved that the suspension will stand, that rider will be deducted the points gained from those race days.

#### Suspension

Loss of all rights inherent in BMRC membership, or prohibition of participation in any activity under BMRC control during a fixed period.

#### Disqualification

The definitive loss of all rights to be associated with the BMRC or to participate in the activities under its control.

#### Right to Protest

Every entrant or other person who considers himself/herself aggrieved by a decision, act or omission on the part of an entrant, rider, organizer or official has the right to protest.

#### Lodging of Protest and Time Limits for Protest

All protest must be submitted in writing, signed only by the person directly involved. A protest can only be made on a single subject. During meetings, protest must be submitted according to the (Clerk of the Course, Secretary of the Meeting, etc).

#### Judgement on Protest

All parties concerned shall be bound by the decision of the competent authority subject only to a right to appeal. The decision remains effective until it is eventually varied by an official appeal committee ruling.

#### Absenteeism

A rider entered for an event who does not take part is obliged to inform the Clerk of the Course in good time giving reason for his/her failure to participate.

A rider who is present at an event but without good reason does not come to the start line, or who leaves the event without receiving permission of the Clerk of the Course is subject to punishment by the Disciplinary Committee.

#### Reimbursement of Fees and Cancellation

The fee paid by a rider for his/her entry in a competition shall be forfeited if the driver in question is excluded for any breach of the regulations.

## **21. RIGHT TO APPEAL**

Any individual within the jurisdiction of the BMRC, being aggrieved by a decision or ruling, may appeal to the Committee within twenty one [21] days, and the appeal shall be heard by the Committee at such place and time and in such manner as the Committee shall direct.

Any notice of appeal to the Committee shall be made in writing to the Secretary of the BMRC.

Pending the decision on any appeal, all penalties imposed shall be operative unless otherwise directed by the Committee.

## **22. RIDING RULES AND REGULATIONS**

The Committee is empowered to make Riding Rules and Regulations as are deemed necessary from time to time. All riding Rules and Regulations shall come into operation as soon as made and shall, until revoked, be binding on all members as if they were contained in this Constitution, and ignorance of them may not be pleaded as an excuse of infraction.

## **23. AMENDMENT TO THE CONSTITUTION**

No amendment 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 three [3] days notice of such proposed amendments must be given to all member in either case. Any amendments shall take effect immediately unless the meeting shall, by a majority, decide otherwise.

## **24. RIDING RULES AND REGULATIONS AND DECISION BINDING**

The Riding Rules and Regulations, and their interpretation by the Committee on all doubtful points in connection herewith, shall be binding on all member of the BMRC.

## **25. DISSOLUTION**

The BMRC 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.

## **26. HEALTH & SAFETY**

The Safety precautions at a venue for a competition (for riders, 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 public services is of great importance to ensure future development of meetings.

### First Aid

First Aid facilities may vary according to circumstances. But in any case, during official practice and racing, there must be available one or more medical assistants with equipment at a post capable of rendering first aid and ambulances.

### Fire Precautions

Adequate precaution must be taken against fire in the pits, control areas refuelling depots and all other areas around the course where an accident risk exists.

### Public Liability Insurance

The BMRC must arrange insurance cover against liabilities to third parties arising from the races and practices, for themselves, organizers, all riders and passengers and officials at the event. The Insurance Policy must clearly state that the BMRC is absolved from all responsibilities or subsequent action.

### Responsibility for Damage

The organizer, the BMRC, cannot be held responsible for damage howsoever sustained by any racing motorcycle or reserve motorcycle taking part in official meeting or to its accessories or equipment during an event or practicing either by fire, accident or otherwise, theft or deterioration. Nor is the landowner responsible for any damages howsoever they may occur.

### Dangerous Construction

The Clerk of the Course has the power to exclude at any time any motorcycle the construction or condition of which is considered to be or become a source of danger.

### Repairs, Adjustments and Refuelling

All repairs, adjustments and refuelling during racing must be carried out in the pit area, specifically designated for this purpose. Emergency repairs on the course must be carried out by the rider only, using only those tools which are carried by them. Infringement to this article will lead to penalty.

## **27. RACING SERIES**

All riders taking part in an event are bound to accept the official results and have no right to object to these being published. In addition they undertake that any publicity they give, authorized to be given on their behalf or is made on their behalf is true, exact, and without distortion.

### Numbers of Races Counting for the Awarding of Titles

For its championships and awards the BMRC determines the number of races to be considered in order to award various titles.

### Classification

The awarding of titles is based on the total of points obtained by each driver. For each race, the points are assigned to the drivers according to their place; the one who obtains the highest number of points over the total results taken into consideration is the champion.