

Time to wrap it up.

Answers to Dave's other questions. (Dave's questions in *italics*)

Record Keeping.

There is no mention of any method of recording the minutes of meetings etc nor mention of how information is to be disseminated to the clubs.

I would have thought that under any new system, communication should be one of the most important facets. If anything has been learnt these past few years, is that the average karter does not operate well when kept in the dark. Why is this? Why would records, that are open for public viewing not be included in our constitution??

You are right. This has been missed and while I can see how it occurred, (using the National existing constitution which became the National BMP model which we adapted for the State model) it should be corrected.

Proxies

The second issue that this raised is the way in which proxies are limited in being held and the fact that any meeting held in SE Qld will negate the attendance of approximately 1/2 the karters due to the travel distances.

Haven't you answered your question ? If you cant attend, you vote by proxy.

Proposed Model

The proposed model is for a NATIONAL model seemingly re-badged to fit a state model.

Exactly. It is the national model adapted to suit the state requirements just like existing state constitutions are largely adaptations of the national constitution and before introduction of the Corporations Law, uniform articles (rules) for companies of any nature if you wanted them.

Notwithstanding these issues there is also some interesting "typos" that seem to have been missed when the proposal was "amended" to suit the state level

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(c) drawing up and amendment from time to time of kart formulae

(d) the sole and non delegable responsibility for the compilation and amendment from time to time of the General Karting Regulations

(g) the negotiation of insurance for members, their clubs, drivers, officials and spectators

are these not the NATIONAL bodies responsibilities....??

Yes, and if you want to be hamstrung by national rules that don't work locally, you wouldn't include them but one hugely important requisite of any 'modelling' is to keep the structure flexible.

Why not have the possibility and opportunity to do these things yourself if the national body isn't doing it well or appropriately to suit our state's conditions ?

The Positions

So, the next issue that we have is who exactly is going to fill these positions. Under the new system, we will need approximately 30 odd people to "govern" the various

committees - where are they going to be drawn from?? we struggle to get numbers now !!

5 Board Directors that don't necessarily have to be members. 5 committees consisting of the director and 3 others nominated by the clubs. That's 15 people plus 5 directors. Surely not too big an ask when karters want to have more say and in my view, far more likely to want to get involved if they are the voters.

The key to best management practice succeeding is to get the skilled people.

If we don't, we keep going the way we are at the moment. Nothing is lost, except mine, and others time. Almost no cost is incurred because you don't go to the expense of setting up the company itself until you know that you have the people in place to man the stations. I thought we accommodated that well in the transitional and operational parts of the motion put to the 2006 AGM.

Association versus Company Limited by Guarantee

Finally, because it was raised by Townsville, an explanation of moving to a Company Limited by Guarantee.

A CLG is regulated under the Corporations Act. 1,400 odd provisions of tightly drawn corporate requirements and rules. A professional forum for the professional outfit we were seeking the AKAQ to become.

The Associations Incorporation Act was largely designed for clubs to protect their members behind a corporate veil. In Qld, it consists of 145 provisions and is seriously lacking in regulation of directors in particular. If we are installing directors who will have the entire control of AKAQ affairs, don't you need the ability to keep them in check ? And for members to have statutory rights ?

If I wasn't a lawyer, I would never hand control to a Board of Directors without the safeguards built in to the Corporations Law that don't appear at all in the Associations Incorporation Act. You are at the mercy of the courts to pursue your rights. Because there is no statutory machine, the courts can be reluctant to intervene and many times have said so.

Summary

Racer would like a summary in dot points and I did say I would draw it all together, so here goes.

Best management practice in sport is achieved by installing a Board of Directors charged with the entire control of the sport and the business of the sport.

The Boards key function is strategic planning.

The engine of the system is the committees. The committees will work the 2 way street of karter – club – state – national and formulate rules and procedures.

Karters as voters is only right because it's the karters who pay for the whole show. Clubs are simply collection points of karters and are paid for by karters too.

Karters must be attracted to use and increase their say by involving themselves in the committees.

Being for karting, karters should hold the ultimate power which is to remove the directors. The karters should also be the one's with the power to vote at a general meeting to revoke Board decisions if necessary.

That's where Queensland Karting was in October 2005 with just one dissenter out of 12 clubs.