



BMF STATUTES

September 2018

ARTICLE 1 - The Barbados Motoring Federation (B.M.F.) is a non-profit limited liability company and a national association of Automobile Clubs, Automobile Associations, Touring Clubs, Karting Clubs and Motorcycle Clubs for motoring and for motor sport in the territory of Barbados.

The B.M.F. shall be the governing body of motoring and motor sport for the country of Barbados as recognised by the Government of Barbados, and through its affiliation with the Federation Internationale de l'Automobile (F.I.A.).

The B.M.F. shall refrain from manifesting racial, political or religious discrimination in the course of its activities and from taking any action in this respect.

The B.M.F. recognizes the F.I.A. as the International governing body of motorsport.

ARTICLE 2 – Object of the B.M.F.

The object of the B.M.F. shall be to establish a union between its Members, chiefly with a view to:

- 1) Ensuring the unity of the motoring movement and safeguarding the interests, material and moral, of motoring within the territory of Barbados.
- 2) Promoting the development of motor traffic, motor safety and touring, and contributing to improvement of the environment.
- 3) Developing an environment and working relationship between the BMF and all relevant Government bodies for the benefit of all members.
- 4) Promoting the development of motor sport, interpreting and enforcing common rules applicable to the organisation and running of motor sport events with specific emphasis on all aspects of safety.
- 5) Encouraging the reinforcing and improvement of the facilities and services of the Members of the B.M.F.
- 6) Exercising jurisdiction in respect of disputes of a sporting order and any disputes which might arise between its Members, or in relation to any of its Members having contravened the obligations laid down by the Statutes and Regulations.
- 7) Preserving and conserving all documents concerning motoring in order to trace its History within the territory.

ARTICLE 3 – Composition of the B.M.F.

- 1) Any organisation dedicated to promotion of motor sport or automobilism in Barbados which meets the minimum criteria as set out by the B.M.F. from time to time, but at least meeting the following criteria:
 - Is duly constituted and such constitution is lodged with the B.M.F.
 - Recognises the B.M.F. as the governing body of motoring for the territory of Barbados
 - Has a minimum of 50 individual members
 - Is a non-profit organisation recognized as such by the Government of Barbados
 - Is governed by a management team of at least 3 persons elected democratically from its members at a general meeting of the organisation every 3 years at most
- 2) Clubs or Associations wishing to join the BMF must send to its Secretariat an application in due form signed by the President or Chairman and 1 of the Members of the Committee or the Board of Directors of the applicant. They must also send a copy of their constitution and a membership list of their Committee or their Board of Directors, and a member list of their individual members, as well as any information that might be asked of them. Once the Vice-President is satisfied that the criteria for admission to membership has been met, the application for membership shall be presented to the General Assembly. The General Assembly shall vote on the admission of such new member. Admissions are granted provisionally by the General Assembly for 3 years. At the expiry of that period, a further vote is required for the admission to become final. If the vote relating to the final admission is not carried, the applicant shall be removed from provisional membership. Members affiliated provisionally have the status of Associate Members.
- 3) All new Members accepted into the B.M.F. shall serve a probationary period of 3 years within which they shall be entitled to attend all General Meetings but they shall not have voting privileges nor shall they be entitled to nominate Members to the Court of Appeal. All other rights and responsibilities shall be the same.

ARTICLE 4 – Obligations of B.M.F. Members

The Members of the B.M.F., by the very fact of their admission into the B.M.F., shall agree to abide without reservation by the present Statutes and Regulations set out by the B.M.F. They shall undertake to do this when they become Members. They shall undertake to enforce in their respective clubs and associations or in whatever manner they are constituted, the general rules established by the B.M.F. They shall also undertake to supply current information as defined in Article 3 item 2 of these statutes when requested. They shall also undertake to accept, observe, and enforce all decisions taken or sanctions imposed by the National Court of Appeal of the B.M.F.

ARTICLE 5 – Structure of the B.M.F.

The structure of the B.M.F. shall be the following:

- President;
- Vice President
- General Assembly;
- Treasurer
- Secretariat
- National Court of Appeal

ARTICLE 6 – General Assembly

The General Assembly of the B.M.F. shall be composed of the Members of the B.M.F. as defined in article 3 of these statutes.

A Member is entitled to have two persons attend General Assembly meetings. Such persons shall necessarily be elected officers of the Member organisation. The names of the representatives and any alternates must be provided to the BMF immediately following their election.

A Member which is unable to attend the meetings may be represented by another member for the deliberations of the General Assembly, by delegating its authority to another member, at the rate of only one proxy per member.

In addition, the President and/or the General Assembly may decide to invite to the meeting any person who, either by the body he represents or by his own personality, may bring useful assistance to the General Assembly.

The Annual General Assembly meeting shall be held annually ordinarily at a place fixed annually by the General Assembly. This Assembly shall fix each year the date and venue of the following Annual General Assembly meeting.

The General Assembly or the President with the agreement of two members may decide to call, in the course of the year, meetings of other Extraordinary General Assemblies, for which it shall also fix the dates and venues.

Notices convening an Annual or Extraordinary General Assembly meeting shall be sent to the Members two weeks before the date fixed for the meeting, which must be accompanied by a complete agenda.

ARTICLE 6

a. General Meetings

General meetings shall conduct the business of the Federation related to the governance of local motorport and motoring, including matters related to the calendar of events, the competitor licence scheme, the duty free scheme, the marshals and officials training program, and finance.

General Meetings shall be called by the Vice President on a regular schedule with an aim of a monthly frequency and 10 meetings per calendar year. The agenda shall not include the annual progress and financial reports nor the election of any officers which shall only be considered at an Annual or an Extraordinary General Assembly. The purpose of General Meetings is to conduct the regular business of the Federation related solely to local motor sport.

Notices convening General Meetings shall be sent to the members at least three days in advance and must be accompanied by a complete agenda.

ARTICLE 7 – Terms of Reference of the Annual General Assembly

The General Assembly shall have sovereign rights. Its main terms of reference shall be the following:

- 1) To approve the annual progress report.
- 2) To approve the accounts of the previous financial year and the budget for the following year.
- 3) To elect the President.
- 4) To elect every three years, by simple majority of votes cast, a minimum of three Members of the National Court of Appeal.
- 5) To approve the amendments to the B.M.F. Statutes.
- 6) To approve, as and when necessary, changes to the Internal Regulations of the B.M.F.
- 7) To grant Sporting Licences to its Member organisations based on minimum criteria set out in the Sporting Regulations.
- 8) To sanction Members through financial or other means for non-compliance with the Sporting Regulations.
- 9) To determine the format of and the administration of all National competitions.
- 10) To elect a Vice President to serve for the following year

ARTICLE 8 – Agenda of the Annual or Extraordinary General Assembly

The Agenda shall be sent to the Members 14 days before the date fixed for the meeting. It must be accompanied by a report stating the proposals which will be submitted to the General Assembly for approval. The Agenda must mention clearly, opposite each item, which of the Members are entitled to express their vote on the question.

In order to be placed on the Agenda of an Annual or Extraordinary General Assembly, subject to the agreement of the majority of Members, an item must reach the Secretariat of the B.M.F. 21 days at least before the date fixed for the meeting, except for proposals which the President might consider to be particularly interesting and urgent.

The proposals to be placed on the Agenda must be sufficiently detailed to permit a prior study of the matter.

Any proposal concerning amendments to the Statutes must necessarily be placed on the original Agenda and be sent to all Members 14 days before the meeting. No proposal of that nature can be added to the Agenda during the meeting of the General Assembly.

ARTICLE 9 – Voting at General Assemblies & General Meetings

At General Assemblies & General Meetings, voting shall take place by member organisations at the rate of one vote per member. Only financially current members shall be allowed to vote. Financially current is defined as those members who have paid the levied subscriptions within 90 days of them coming due.

The decisions of the General Assemblies, both ordinary and extraordinary, and General Meetings shall be taken by an absolute majority. In the event of equality, the President in the case of Assemblies and the Vice President in the case of General Meetings shall have the casting vote.

An absolute majority is a number of votes greater than half the number of member organizations present or validly represented.

For the General Assembly, the quorum shall be set at 80% of the voting members of the B.M.F. Member organisations entitled to vote, as defined in article 3.

For the General Meetings, the quorum shall be set at 50% of the members entitled to vote plus one member.

In the event that the President is not present at a General Assembly then the Vice President shall fill the role for the duration of the meeting. In the event that neither the President nor the Vice President is present at either a General Assembly or a General Meeting then the members present shall elect a chairperson for that meeting. That Chairperson shall be one of the delegates from the member organisations and shall have all the rights and responsibilities of the President or Vice President for the duration of that meeting, in addition to their normal rights and responsibilities as a Member delegate.

ARTICLE 10 – President

The President shall be elected for 3 years, at the proposal of the General Assembly of the body called the Barbados Motoring Federation Inc. (BMF)

The President shall be the chief administrator of the BMF and shall at all times represent the interest of the association as dictated by the General Assembly.

The President's role shall be as the spokesperson for the organisation and as the figurehead for motoring in the territory.

The President shall have no powers to bind the Federation to any agreements or contracts for which a specific action has not been agreed on by the General Assembly.

The President has no voting rights other than those described under Article 9 relating to the casting vote.

The President shall primarily focus his/her efforts on relations with the FiA, the Government, National competitions and championships, and Regional and International relations and competitions.

The President may be removed from office at any time by a motion properly brought at an Annual or an Extraordinary General Assembly and carried by a majority of at least 75% of the voting Members of the Federation.

ARTICLE 10

a. Vice President

The Vice President shall be elected annually by a simple majority and shall serve for a period of 1 year. The role of the Vice President is to serve as the deputy for the President and whenever the President is unavailable, to automatically assume the role of President upon receipt of written notice of unavailability from the President. The Vice President shall also convene and chair all General Meetings called during the year.

In addition, the responsibilities shall include:

- 1) Representing the BMF, when requested by the President/General Assembly, at meetings of Government or its agencies, meetings of the BMF members, meeting with the press, etc.
- 2) Issue permits for approved events and forward them to the applicant member.
- 3) Manage the Competition License Scheme according to the regulations set by the members
- 4) Manage the Duty Free Scheme
- 5) Guide members as to the content of the Statutes and other related BMF matters.
- 6) Co-ordinate any national competitions
- 7) Oversight of the Competition Insurance Scheme
- 8) Monitoring the adherence to the Internal Regulations

ARTICLE 11 - Treasurer

The Treasurer shall be responsible for collecting and disbursing funds as decided upon by the General Assembly.

The Treasurer shall prepare annually a budget for the following year and present such to the General Assembly for approval. At least twice per year the Treasurer shall present progress reports comparing budget to actual performance.

The Treasurer shall keep a record of all accounts and make presentations to the General Assembly as required. Including in these records shall be a list of all property owned by the B.M.F.

The Treasurer shall provide information to the Auditor approved by the General Assembly so that the Auditor may render an opinion on the fairness of the statements annually.

The Treasurer shall ensure that all statutory obligations of the company are met.

ARTICLE 12 – Secretariat

The secretariat shall be responsible to ensure that accurate records and documents are maintained, in the case of meetings, and that they accurately reflect the proceedings.

Shall keep the roll of all members.

Shall be responsible for all correspondence and issuance of notices.

Shall produce an agenda and minutes for each meeting in conjunction with the President and/or Vice President.

The role of the Secretariat may be filled by the Vice President or by a contract service. In the absence of either of these options then the President shall ensure that the responsibilities are carried out by some other means.

ARTICLE 13 – National Court of Appeal

Composition:

The National Court of Appeal shall comprise a minimum of 3 individuals nominated by the Members and approved by the GA. They must constitute a body of national competence, both sporting and legal. They shall be elected for 3 years on proposal by the General Assembly. No person can take part on any such appeals where a decision has to be made if he/she was involved as a competitor or official in the matter to be judged.

Convening Notice:

The B.M.F. Secretariat shall convene The Court on receipt of a valid written request from a Club, Association or Federation being a member or associate member of the B.M.F., or by the B.M.F. itself. The Court need not necessarily be convened in its entirety. However, its decisions shall be valid only if at least three of its Members are present. The fee for submitting an appeal to the Court shall be set annually by the General Assembly. In the absence of any specific change the fee set in the prior year shall be used.

Chairperson:

The Court of Appeal shall elect its Chairperson at every session.

Missions:

The Court of Appeal shall be entrusted with judging definitively any dispute or conflict resulting from the application of the Statutes of the body called the B.M.F., with settling any dispute of a sporting nature arising between Members of the B.M.F., and with hearing any litigation of a sporting nature which may be submitted to it by the President of the B.M.F., and shall determine liability for any cost incurred of any arbitration or appeal as it sees fit.

It will also hear:

- 1) Appeals from decisions of the Members. Appeals by organisers, competitors, drivers or other licence-holders may be brought only by the Members to which they belong.
- 2) Appeals from decisions of the stewards of the meeting where the parties concerned have jointly decided to submit the appeal not to the Member's Court of Appeal of the event but directly to the National Court of Appeal with the assistance and agreement of their respective Member's.
- 3) Appeals brought by Members on behalf of organisers, competitors, drivers, other licence-holders or any other person or organisation which has been the subject of a sanction pronounced by the General Assembly.
- 4) The court of appeal shall determine liability for any cost incurred of any arbitration or appeal as it sees fit.

ARTICLE 14 – Finances

- 1) **Resources** : The resources of the B.M.F. shall be derived from :
 - a) The annual subscriptions paid by its Members.
 - b) Income and interests from any personal estate or real estate which the B.M.F. might own.
 - c) Facility fees for permanent and temporary venues with the exception of venues used solely for events of the following types; autocross, dexterity, speed events, stage and navigational rallies, off road challenge. Such fees shall be set annually by the General Assembly.
 - d) Any fees which the General Assembly should decide to collect.
 - e) Subventions, grants or sponsorships from any legal sources.
 - f) Prior year surpluses.
- 2) **Financial year**: The financial year starts on 1st January and ends on 31st December.
- 3) **Subscriptions**: The Member's annual subscriptions shall be determined by dividing the budgeted required revenues less any income projected to be collected, by the total number of seats on the General Assembly and each seat shall pay an equal amount. The amount shall be communicated to the members prior to the start of each year or as soon thereafter as is practical. After subtraction of projected expenses from revenue should there be a surplus then the minimum annual fee only shall be charged. No surplus shall be distributed to Members but rather held for future use.
- 4) **Termination for non-payment of subscription**: Any member whose annual subscription remains unpaid after the expiry of three months of the current year shall cease to enjoy the benefits of membership and the right to vote at meetings of the General Assembly. Any member whose annual subscription remains unpaid after the expiry of 6 months shall cease to be a member and will have to present a new application for membership and meet the conditions for new membership in force at that time.

ARTICLE 15 – Resignations, Striking off the rolls, Expelling

- 1) **Resignations**: Resignations must be given by 31st December of each year in a registered letter signed by the President or Chairman and one of the Members of the Committee or the Board of Directors. Past that date, the subscription for the current year shall be due. Resignations shall be submitted to the General Assembly for recording. They may be recorded at the date on which they are given.
- 2) **Striking off the rolls**: Member Clubs or Associations whose Constitutions or activity, in the opinion of the General Assembly as informed by these Statutes, no longer meet what the BMF expects of them, or which have not met their financial commitments with respect to the BMF or to the other Members of the BMF may be struck off the rolls - in particular when they have defaulted in the payment of their financial obligations on several occasions without being able to give a valid reason. Striking off the rolls shall be pronounced by the General Assembly, on recommendation of the President.
- 3) **Expulsion**: The Clubs or Associations which, in the opinion of the General Assembly, have seriously infringed the regulations of the BMF may be liable to expulsion. Expulsion shall be pronounced by the General Assembly, on recommendation of the President.

- 4) **Procedures in case of striking off, expulsion:** Every member Club or Association concerned shall be entitled to state its case. To this end:
- The Club or Association concerned shall be informed by registered letter with official acknowledgement of receipt of the measure proposed against it and of the reasons put forward to justify the said measure.
 - The Club or Association concerned shall be invited - with 30 days' notice - to appear in the person of one of its legal representatives (President / Chairman / Director) before the General Assembly to state its case.
 - The deliberations of the General Assembly shall take place without the representative of the Club or Association concerned being present. Save if the General Assembly should decide otherwise, striking off the rolls or expulsion shall take effect as from the date of the decision. In either case, subscriptions relating to the current year shall accrue to the BMF.

ARTICLE 16 – Dissolution

The present Federation shall be established without limit in time. Dissolution may only be pronounced by an Extraordinary General Assembly especially convened for this purpose. The vote must be carried by no less than two thirds of the votes cast, according to the conditions laid down in Article 9 above.

If it has not been possible to decide dissolution under these conditions, a further Extraordinary General Assembly may be convened after a period of no less than three months, and this Assembly shall be able to pronounce on simple majority of the votes cast. Furthermore, in both cases, the Members present or represented must number two thirds of the Members composing the B.M.F. at the time of voting.

Upon dissolution the net assets of the Federation shall be distributed to charity or if one exists, a successor organisation.

ARTICLE 17 – Amendments to the Statutes

Amendments to the present Statutes shall be decided only in General Assembly by an absolute majority of the votes cast and provided they were on the original agenda and had been communicated within the time limit set out in article 8 to all the B.M.F. Members.

ARTICLE 18 – Interpretation of the Statutes

The present Statutes shall be printed in English.

The General Assembly shall interpret the statutes and modify and add to as necessary.