



The Statutes of The Marina Alta Classic Car Club

(Original version – 26th March 2017)

CHAPTER I – AIMS AND OBJECTIVES

Art: 1° Denomination

The Association known as The Marina Alta Classic Car Club is constituted for an indefinite period as an association that follows the provisions of the statutory law the “Ley Orgánica” 1/2002, of 22 of March, which regulates the Right of Association, and the Law 14/2008 of 18th November of the Associations of the Valencian Community, and is under the protection provided in Article 22 of The Spanish Constitution and is a non-profit making association.

Art 2° Legal Entity

The Association has its own legal identity with full authority to act to administrate and have assets and to fulfil the aims proposed.

Art, 3° Location and Area of Action

The Association’s social address is :

Calle Pou Del Posmo, 27
P.I.Les Galgues,
03750 Pedreguer

The Association will carry out its main activities within the territorial area of the Comunidad de Valencia

Art. 4° Aims

The aims of the Association are:

1. To promote interest in any make and model of classic car.
2. To provide information and help, if possible, to any member when required.
3. To display club members cars at organised static events.
4. To organise social events for members and their families.

Art. 5° Activities

To realize the aims outlined in the previous article, the following activities will be developed:

- a) Promote the Association for the purpose of creating a greater understanding and enjoyment of classic cars.
- b) Have regular meetings enabling members to use, display and discuss their classic cars.
- c) Organize visits to places of interest.
- d) Hold special events for example, but not restricted to, extended visits to areas of special interest, classic car displays and concourse events.
- e) Have a website for the purpose of promoting the Association with its interests and giving the members a means of communicating with each other.

CHAPTER II. THE MEMBERSHIP

Art 6° Eligibility For Membership

All physical and legal persons of their own free will and who have an interest in furthering the aims of The Association are eligible for membership in accordance with the following requirements:

- a) Physical persons with legal capacity and who are not subject to any legal condition which prevents them from exercising their rights.
- b) Person must be the owner of a classic car or a car which has a pedigree of sporting heritage.

The Association is deemed to be inclusive and is open to all persons fulfilling the above requirements.

Membership is not transferable.

Art. 7° Rights of Members

The rights of Members are as follows:

- a) To participate in the activities of the Association and the management thereof, to exercise the right to vote, as well as to attend the General Assembly in accordance with the statutes. In order to be a member of the Management Committee it is essential to be of legal age, in full use of your civil rights and in no way be incompatible, as established in the current legislation.
- b) To be informed of the composition of the Management Committee of the Association, of its financial state and of the development of its activities. All information can be accessed through the Management Committee.
- c) To be heard prior to the adoption of disciplinary measures and to be informed in advance about the cause for such measures which provide the justification for imposing a penalty.

d) To challenge any decisions of the Management Committee that may be considered against the law, the Statutes or the Internal Rules.

To know the Statutes and Internal Rules passed by the Management

Committee. Likewise, to have the right to be provided with a copy of the current Statutes and the Internal Rules of the Association

f) To consult the Association's books.

Art. 8° Obligations of The Members

The obligations of the members are:

a) To share the aims and objectives of the Association and to work together in achieving them.

b) To pay the membership fees, and other contributions, in accordance with the decisions of the Management Committee.

c) To comply with the rest of the obligations as laid out by the Statutes and Internal Rules.

d) To abide by and to fulfil the agreements validly adopted by the Association.

Art. 9° Resignation

Members shall be considered to have resigned from the Association:

a) If the resignation is submitted in writing, by their own free will, to the Management Committee. The effective date of this resignation will be as directed by the member, unless contradicted by the Statutes.

b) If the membership fees have not been paid by the date set by the Membership

Art. 10° Dismissal from The Association

A member may be dismissed from the Association by the Management Committee if they commit any act that damages the reputation and integrity of the Association or one of its members. Such acts will be considered to exist:

a) When a member deliberately impedes or hinders the completion of the social aims.

b) When a member intentionally obstructs the functioning of the Management Committee of the Association.

In the event of imposition of sanctions for dismissal from the Association by the Management Committee, a disciplinary file must be opened, and dealt with and resolved by a different committee, consisting of a minimum of four members, who will guarantee the rights of members to be informed of the accusation and to formulate any allegations against it and also to notify the General Assembly. The decision will be justified. The expiry time for any breach or sanction will be 2 years.

CHAPTER III. THE GOVERNING BODY

Art. 11° The General Assembly (General Meeting)

The General Assembly is the supreme governing body of the Association, where it's Members belong by irrevocable right and in absolute equality. This body adopts its agreements democratically, on the principle of a majority vote of the members attending the meeting. All the members will be subject to the agreements of the General Assembly, including those not present, those opposing and those present but who have abstained.

Art. 12° Meetings of The Assembly

The General Assembly will meet in ordinary session as a minimum, once a year. The General Assembly will meet in extraordinary session if requested by a minimum of ten per cent of the total Membership, or as directed by the Management Committee.

Art. 13° General/Extraordinary Meetings

The convening of ordinary and extraordinary General Assemblies will be done in writing a minimum of thirty days prior to the meeting. The convening notices will be distributed by email, by publishing on the club website and on the club Face-book page. The notification shall stipulate the day, hour, and place of the meeting as well as the agenda.

The meetings of the General Assembly will be presided over by the President and the Secretary.

The Secretary will prepare the agenda for the AGM and take the minutes of each meeting. These will reflect a summary of the deliberations, the text of the agreements that have been adopted and the numerical result of the voting. At the start of each meeting of the General Assembly, the minutes of the previous meeting will be read for approval or not.

Art. 14° Competencies and Validity of The Agreements

The General/Extraordinary Assembly will be validly constituted at the first calling if a minimum of one third of the members are present or represented; and at the second calling which must be held half an hour after the first in the same place, any number of members will be valid.

At the meetings of the General Assembly, each Member has one vote.

The responsibilities of The General Assembly are:

- a) To approve the nominations for the Management Committee of the Association or elect representatives if more than one nomination is received.
- b) To approve any changes to the Management Committee.
- c) To examine and to approve or to reject the annual budgets of income and expenses, as well as The Annual Report of activities.
- d) To approve the membership fees.

- e) Approve or reject modification of the statutes.
- f) To elect and dismiss members of the Management Committee.
- g) To dissolve the Association.
- h) To dispose of or transfer assets.

Decisions or agreements will be taken by simple majority of votes of those present or represented when the votes in favour outnumber the votes against. However, a qualified majority of those present or represented will be required when the votes in favour are more than half, for agreements relating to the dissolution of the Association, the modification of the statutes, the disposal or transference of assets and the remuneration of members of the Management Committee as long as the General Assembly has been convened specifically for this purpose.

CHAPTER IV. – THE MANAGEMENT COMMITTEE

Art.15° Composition of the Management Committee

- a) The Association will be governed, administered and represented by a Management Committee comprising the President, Vice-president, Secretary, Treasurer, and a minimum of four Committee Members.
- b) The election of the members of the Management Committee will be by free and secret vote by the Association members at the General Assembly. The candidacies for President, Vice President, Secretary and Treasurer and at least four other committee members will be open to any fully paid up member of the Association who is of legal age, in full use of their civil rights and in no way incompatible, as established in the current legislation. The candidate receiving the largest number of votes will be elected.
- c) The position of President, Vice-president, Secretary and Treasurer must be held by different people and may not be husband and wife or member and partner.
- d) Members of the Management Committee will not be remunerated.

Art. 16° Term of Office of the Management Committee

The members of the Management Committee will discharge their duties for a period of two years and thereafter may be re-elected annually, at the AGM. There is no maximum time limit for their total service on the committee.

A committee member may leave the Management Committee prior to the end of his/her term for the following reasons:

- a) Voluntary retirement by means of a written application in which the reasons for retirement are given.
- b) Illness or lack of ability to complete the tasks involved for the tenure

- c) Resigning as a member of the Association.
- d) Penalty imposed by committing a breach of the rules and statutes.

The vacancies that occur in the Management Committee will be filled at the first General Assembly following the vacancy. However, the Management Committee may provisionally appoint a member of the Association to fill the vacant positions until the next General Assembly.

The appointed member will have full voting rights on the Committee.

Art. 17° Responsibilities of The Management Committee

The Management Committee has the following responsibilities:

- a) To represent the Association and to carry out the direction and administration to the full extent permitted by the law and to carry out the decisions taken by the General Assembly.
- b) To decide or agree upon presentations or appearances before government and other public agencies in the pursuit of all types of legitimate activities and to provide adequate resources for this purpose.
- c) To approve the admission of new members and to update the membership
- d) To propose to the General Assembly the amount of fees/dues that the members of the Association should pay.
- e) To convene the General/Extraordinary Assemblies and to ensure that the agreements adopted there are fulfilled. To communicate any modifications to the statutes, as agreed by the General Assembly, to the Registry of Associations within one month.
- f) To present a financial statement (incomes and expenditures) for the current year for approval at the Annual General Meeting.
- g) To be responsible for the accurate accounting of all the assets of the Association both physical and monetary.
- h) To keep an inventory of the goods and assets of the Association.
- i) To appoint honorary members.
- j) Any other matters arising not specifically attributed in the Statutes to the General Assembly.

Art. 18° Meetings of the Management Committee

- a) The Management Committee, convened by the President or Vice President, or the person who replaces him/her, will meet in ordinary session as often as its members decide which in any event cannot exceed two months. It will meet in extraordinary session if a third of the members request it.
- b) The meeting will be validly constituted with a quorum of half plus one of the members present.

c)The members of the Management Committee are obliged to attend all the meetings that are called, except when excused by just cause. The President and the Secretary or their deputies are required to be present at all meetings of the Management Committee.

d)The Management Committee agreements will be adopted by simple majority of the votes of those present. Each member present shall have one vote. The President will not have a vote unless the vote of members is tied. In this case the President will cast the deciding vote.

e)The decisions of the Management Committee will be recorded in the minutes that will be circulated to all committee members within fourteen days of the date of the meeting.

Art. 19° The President

The President of the Association will also be Chairman of the Management Committee.
The functions of the President are as follows:

a) Directing and legally representing the Association, as a delegate of the General Assembly and the Management Committee.

b) Presiding over and directing the discussion of the General/Extraordinary Meetings and the Management Committee.

c) Signing the convening notices for the meetings of the General/Extraordinary Assembly and the Management Committee.

d) Signing and certifying the records produced by the Secretary of the

1. discharging any remaining responsibilities typical of this position and those
2. assigned to him/her by the General Assembly or the Management

f) The President will be deputised in the case of illness by the Vice President or by any member of the Management Committee.

Art. 20° The Treasurer

The Treasurer will safeguard and control the resources of the Association and maintain and balance the accounts, in order to present them to the Management Committee as stipulated in article 17f) of the Statutes. He/she will sign receipts and other financial documents and will pay the invoices approved by the Management Committee which will have been previously endorsed by the President.

Art. 21° The Secretary

The Secretary shall maintain the records of the Association, draft all agendas and minutes for Management Committee meetings and the Annual General Meetings. He /She shall also draft any other correspondence deemed appropriate by the Management Committee or the Annual General Meeting.

CHAPTER V. – THE FINANCIAL REGIME

Art. 22° Initiation and Financial Resources

The initial assets of this Association are valued at 200€ (euro).

The financial resources of the Association will be raised from:

- a) Membership fees fixed at the Annual General Meeting.
- b) Official or private grants.
- c) Donations, inheritances and or bequests.
- d) Income from assets or other resources.

Art. ° 23 Profit from Association Activities

Any benefits obtained from economic activities, including services rendered by the Association, will be used exclusively to support the goals of the Association. The funds of the Association shall not, under any circumstances, be distributed to Management Committee members, members of the Association, or their relatives.

Art. 24° Membership Fees

All Members of the Association are obliged to support it financially by means of membership fees or special contributions in a manner and in a proportion proposed by the Management Committee and approved at the Annual General Meeting.

The financial year will close on December 31st every year.

Art. 25° Access and Disposal of Funds

Any application to open current or savings accounts in the name of the Association is to be made by the President, Vice-president and Treasurer or Secretary.

To access funds in the Association's bank accounts, two of the three signatures opening the account will be required, of which one of must be that of the President or Treasurer.

CHAPTER VI – DISSOLUTION OF THE ASSOCIATION

Art. 26° Causes of Dissolution and Disposal of Assets

The Association may be dissolved:

- a) If agreed by a General Assembly specifically convened for this purpose, and there is a favourable vote of more than half of members present or represented. There will be a provision for Internet voting, postal votes and proxy votes before the General Assembly.

b) Should there be no suitable candidates proposed and approved for the positions defined in Article 15 a) of these statutes.

c) By reasons determined in Article 39 of the Civil Code.

d) By judicial sentence.

e) By resignation of the members so that less than three members remain.

Art. 27° Liquidation

Once the dissolution of the Association has been decided and approved, the period of liquidation begins, during which time the organization continues to retain its legal status.

The members of the Management Committee present at the General Assembly when the decision to dissolve the Association is taken shall become the liquidators unless the General Assembly or a court order designates others to affect the dissolution.

The liquidators will:

a) Guard the integrity of the assets of the Association.

b) Settle any outstanding financial commitments and any new ones required to dissolve the Association.

c) Collect any credits the Association may have.

d) Liquidate the assets of the Association and pay any creditors.

e) Distribute any remaining tangible assets of the Association in accordance with the aims as outlined in the statutes.

f) Apply for the cancellation of the Association in the corresponding Registry of Associations.

In case of insolvency of the Association, the Management Committee or the liquidators appointed to carry out the dissolution of the Association shall apply for liquidation before the relevant court. Any surplus funds will be donated to an organization whose aims coincide with the non-profit making character of the Association.

Members of the Association are not personally responsible for any debts incurred by the Association, except as a result of any damages or debts incurred by deliberate negligent or criminal acts.

CHAPTER VII. – RESOLUTION OF CONFLICTS

Article 28° Resolution of Conflicts

Any legal query that may arise stemming from the actions of, or decisions made by the Association will be resolved by means of arbitration and procedures as laid out in Law 60/2003, of

23rd December of Arbitration, and in any event will be subject to the essential principles of audience, contradiction and equality of the parties.

ADDITIONAL DISPOSITION

In matters or issues not covered by the statutes or in agreements or decisions officially adopted at General/Extraordinary Assemblies or by Management Committee, such matters will fall under The Statutory Law “Ley Orgánica 1/2002”, of 22 of March regulating the Rights of Association and complementary dispositions.

DILIGENCE

These statutes are the original version of those approved by an Extraordinary General Assembly held on 26th March 2017, aiming to adapt them to the provisions laid out in the Ley Organica 1/2002 of 22nd March regulating the Rights of Associations and the Royal Decree 1497/2003 of 28th November which passed the Regulations of the National Registry of Associations and of its relation to the remaining registers of associations.

