

## State Advisory Panel Standing Orders

### Version 4.0

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#### Version History

Version	Approved By	Approved Date / Minute	Effective Date	Sections Modified
1.0	CAMS Board	27.07.2016 / C06571	01 January 2017	New version arising from State Panel review.
2.0	CAMS Board	04.11.2016 / C06625	01 January 2017	Update to 3.1, 5.3(a), 6.3(a)(ii), and formatting.
2.1	CAMS Board	18.02.2017 / C06683	18 February 2017	Update to 5.1(b)(iii) and 7.2.
2.2	CAMS Board	19.08.2018	29 August 2018	Update to 3, 4, 6 and 8.
3	Motorsport Australia Board	24.04.2020	24 April 2020	General Update
4	Motorsport Australia Board	02.08.2022	02 August 2022	General Update

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# Standing Orders

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## 1. Scope

- (a) In accordance with clause 12(a) of the Constitution, a State Council can be established in each State of Australia.
- (b) Each State Council may appoint one or more Panels to advise and support Motorsport Australia and the State Council in the efficient administration of motorsport across Australia.
- (c) These Panel Standing Orders apply to all Panels as appointed by State Councils of Motorsport Australia.

## 2. Objective

The object of these Panel Standing Orders is to define the functions and responsibilities of each Panel.

## 3. Definitions and Interpretation

### 3.1 Definitions

- (a) **Administration** means the Motorsport Australia administration.
- (b) **Affiliated Club** means an Affiliated Voting Club as defined by Article 7 of the NCR.
- (c) **Affiliated Non-Voting Club** means an affiliated Non-voting club as defined by Article 7 of the NCR.
- (d) **Board** means the board of Motorsport Australia.
- (e) **CEO** means the Chief Executive Officer of Motorsport Australia.
- (f) **Chairperson** means the Chairperson of a Panel.
- (g) **Constitution** means the Constitution of Motorsport Australia.
- (h) **Contract or other agreement** means any transaction, arrangement or understanding, whether verbal or written, binding Motorsport Australia or the Panel to any obligations or responsibility.
- (i) **Deputy Chairperson** means the Deputy Chairperson of a Panel.
- (j) **Motorsport Australia** means the Confederation of Australian Motor Sport Ltd. trading as Motorsport Australia.
- (k) **NCR** means the Motorsport Australia national Competition Rules.
- (l) **Non-Sporting Panel** means a Panel as further described in clause 8.1.
- (m) **Panel** means a group of honorary officials appointed by the State Council to provide advice and support to Motorsport Australia and that State Council on an area of particular knowledge.
- (n) **Panel Meeting** means a formal meeting of a Panel.

- (o) **Panel Member** means a member of a Panel and includes the Chairperson and the Deputy Chairperson.
- (p) **Panel Standing Orders** means these State Council Panel Standing Orders.
- (q) **Sporting Panel** means a Panel as further described in clause 8.1.
- (r) **State Council** means a body established by Motorsport Australia and to which certain powers and functions of Motorsport Australia may be delegated under clause 12 of the Constitution.
- (s) **State Council Executive** means a group composed of the State Council Executive members as appointed by the State Council.
- (t) **State Council Standing Orders** means the Standing Orders of the State Council.

### 3.2 Interpretation

The rules for interpretation stated in the NCR apply to these Panel Standing Orders. The State Council Standing Orders prevail over these Panel Standing Orders to the extent of any inconsistency.

## 4. Authority

- (a) Each Panel is appointed and reports to the State Council that has appointed that Panel.
- (b) These Panel Standing Orders apply to each Panel and Panel Member within the defined Area of Responsibility of the State Council that it reports to. A Panel may make any policy or procedure in relation to the operation of that Panel in addition to these Panel Standing Orders, however any such rule, policy or procedure will only have effect to the extent that it does not conflict with these Panel Standing Orders, the State Council Standing Orders, State Council and/or State Council Executive directives, Constitution and NCR, rules, policies and procedures.
- (c) Any policy or procedure of a Panel in existence prior to these Panel Standing Orders remains in full force and effect, however any such policy or procedure will only have effect to the extent that it does not conflict with these Panel Standing Orders and the State Council Standing Orders, State Council and/or State Council Executive directives, Constitution and NCR, rules, policies and procedures.
- (d) Each Panel, Panel Member and Panel Meeting will comply with the State Council Standing Orders, these Panel Standing Orders, Constitution and Motorsport Australia's rules, policies and procedures.

## 5. Composition

### 5.1 Panel Members

- (a) The process for the appointment of each Panel Member will be by a mechanism outlined in these Panel Standing Orders
- (b) Each Panel will be appointed by the State Council and be composed of the following Panel Members:

- (i) a Chairperson,
  - (ii) a Deputy Chairperson; and
  - (iii) between three (3) and fourteen (14) additional Panel Members, in addition to a Chairperson and Deputy Chairperson, or as permitted under 8.1 (viii) of the State Council Standing orders.
- (c) To be eligible for appointment to a Panel, a person must be a current member of an Affiliated Club or the holder of a valid Motorsport Australia licence (or both).

## **5.2 Chairperson and Deputy Chairperson**

- (a) The State Council will appoint a Chairperson to each Panel. Once appointed, the Chairperson will be a Panel Member with rights and obligations as stated in this Policy.
- (b) The Chairperson will appoint a Deputy Chairperson to that Panel in compliance with clause 5.3 of these standing orders.
- (c) A retiring Chairperson or Panel Member will be eligible for appointment to a further term of office.

## **5.3 Appointments**

The process for appointments of the Panel Members will be:

- (a) Not later than 30 November in each year (or at any other time in the case of termination or vacancy of a Panel Member), the Chairperson will invite nominations for appointment as a Panel Member from those eligible individuals stated in clause 5.1. The invitation will be publicised and remain open for at least fourteen (14) days.
- (b) Each nomination will be:
  - (i) in writing; and
  - (ii) on the form prescribed by the State Council for that purpose.
- (c) The Chairperson will select the proposed Deputy Chairperson and Panel Members from those nominated (or from elsewhere) and present these proposed appointments to State Council for ratification along with a list of all nominees who have not been selected.
- (d) All appointments remain subject to State Council ratification.
- (e) The Chairperson will advise the Deputy Chairperson and each Panel Member of their appointment and advise any nominees who have been selected or were unsuccessful .

## **5.4 Terms of Office**

- (a) Unless determined otherwise by the State Council, the term of a Panel Member, Panel Deputy Chairperson and Panel Chairperson will be three (3) calendar years, commencing on 1 January and ending on 31 December in the relevant year. A Panel Member, Panel Deputy Chairperson and Panel Chairperson are permitted to be appointed for a maximum of three (3) consecutive terms in each role respectively.
- (b) A Panel Member may:

- (i) resign at any time; and
  - (ii) have their position terminated in accordance with the State Council Standing Orders.
- (c) Where a Panel Member's position is vacant, a replacement Panel Member may be appointed by the process determined by the State Council (or in the absence of any determination, the process stated in clause 5.3), in which case the replacement Panel Member will hold that position for the remainder of the original Panel Member's term.

## 6. Operation

### 6.1 Procedures

- (a) Each Panel will meet not less than four (4) times in each year. Each Panel Meeting will be held in person unless agreed otherwise by the Panel.
- (b) The date, time and place of each Panel Meeting will be notified by the Chairperson to each Panel Member and to the State Council at least seven (7) days prior to a Panel Meeting.
- (c) The onus of advising the Chairperson of a Panel Member's address from time to time rests with each Panel Member.
- (d) The Chairperson will take the Chair at each Panel Meeting. In the absence of the Chairperson, the Deputy Chairperson will assume the duties of Chairperson for the duration of that Panel Meeting. In the absence of both the Chairperson and Deputy Chairperson, present Panel Members will elect a person from among those present Panel Members to act as the Chairperson for that Panel Meeting.
- (e) The Chairperson (or nominated delegate) will circulate an agenda for each Panel Meeting not less than three (3) days prior to the time set for the Panel Meeting.
- (f) Business not listed (or which does not otherwise arise from a matter listed) on the agenda for the Panel Meeting will be discussed only with the consent of the Chairperson.
- (g) Commonly accepted rules of debate will apply to each Panel Meeting. The Chairperson will control the agenda, all business and conduct of any debate at a Panel Meeting. Each Panel Member will only address the Chairperson.
- (h) The Chairperson may exclude from the Panel Meeting any person who acts in a manner which is disruptive, disturbing or discourteous.
- (i) Although it is standard practice for meetings to be held face to face and for members to attend in person, the Panel or the Chairperson may decide to conduct a meeting via the use of videoconferencing (or other visual technologies) or teleconferencing (or other audio technologies) to ensure maximum participation opportunity by members.

### 6.2 Minuting

- (a) The minute secretary (or nominee) will keep a record of each meeting and submit these to the Chairperson for confirmation within seven (7) days, except where reasonable circumstances prevent this from occurring.

- (b) Following receipt of the Chairperson's confirmation, the minutes will be distributed to Panel Members and presented to the next ordinary meeting of the Panel to be considered for adoption as a true and accurate record of the meeting held.
- (c) Amendments to a minute constitute a decision of the subsequent meeting and are recorded in the minutes of the subsequent meeting.
- (d) All drafted minutes will be considered confidential and as such will be reviewed by the Administration prior to any publication. Where sections of minutes are considered not suitable for publication the Administration, The State Council Chairperson if required and Panel Chairperson will address these sections prior to publication.

### **6.3 Quorum**

- (a) The quorum for a Panel Meeting will be no fewer than 50% of the number of Panel Members entitled to vote.
- (b) Panel Members will notify the Chairperson if they are unable to attend a Panel Meeting.
- (c) If, within 15 minutes after the time appointed for a Panel Meeting, a quorum is not present:
  - (i) the Panel Meeting will stand adjourned for up to one (1) hour or until a quorum is achieved (whichever is earlier); and
  - (ii) if at the end of the hour a quorum is still not present the Panel Meeting will stand adjourned and a notice will be sent within seven (7) days to each Panel Member calling a Panel Meeting on a new date which will be within twenty-eight (28) days of the adjourned Panel Meeting.
- (d) Where a Panel Meeting fails to achieve a quorum, business set down for consideration will be referred to the next Panel Meeting.

### **6.4 Voting**

- (a) The rules which apply to voting at each Panel Meeting will include:
  - (i) Each Panel Member will have the right to move and to second motions, to discuss such motions and to vote on any matter before that Panel.
  - (ii) Each Panel Member will be entitled to exercise one (1), and only one (1), deliberative vote on any matter before the Panel.
  - (iii) For any motion to be carried at a Panel meeting it must be supported by a simple majority of eligible votes cast.
  - (iv) For any motion to be carried outside a Panel meeting, via the use of technology, it must be supported by a simple majority of that Panels Members. Where such a decision is made, that decision must be noted in the Panels next meeting minutes as a decision made out of session.
  - (v) In the event of equality of votes, there is no casting vote and the motion will be declared lost.
  - (vi) Proxy voting is not permitted at a Panel Meeting.

- (b) Voting on matters other than elections at a Panel Meeting will be by show of hands or via the use of technology, unless otherwise decided by a majority of those present and eligible to vote.

## **6.5 Attendance at Meetings**

Each of the following will have the right to attend and discuss, but not move, second or vote at each Panel Meeting:

- (a) a member of the State Council Executive;
- (b) a member of Motorsport Australia's staff appointed to the relevant Area of Responsibility of the State Council that has appointed the Panel;
- (c) any person who is invited by the Chairperson;
- (d) a Board member; and
- (e) the CEO.

## **7. Conduct**

### **7.1 Consultation**

- (a) Each Panel Member will ensure that the interests of all stakeholders are considered fairly and equitably in its deliberations, recommendations and decisions. All deliberations, recommendations and decisions will be in the best interests of Motorsport Australia, the discipline and motorsport generally.
- (b) In pursuing an issue, each Panel Member will consider each of the following:
  - (i) the potential implications of its deliberations, recommendations and decisions on all competition activity;
  - (ii) competition in each State and Territory and nationally; and
  - (iii) any potential impact on other disciplines.
- (c) Where deliberation is required to avoid technical or discipline-related inconsistencies, the Panel will liaise through the State Council with each other relevant Motorsport Australia State Panels and Commissions.

### **7.2 Confidentiality**

The content of all agenda papers, reports, emails and other correspondence intended for a Panel Member, or any other information communicated to a Panel Member during the performance of their duties, is confidential. Such information will not be shared or disseminated without prior consent from the Chairperson. Any information received by a Panel Member from other sources which is pertinent to the Panel in the performance of its duties will be forwarded to the Chairperson where it is permissible to do so.

### **7.3 Conflicts of Interest and Pecuniary Interests**

There is potential for a Panel Member to be faced with a situation where they may encounter a real or potential conflict of interest or a matter in which they have a pecuniary interest. If this occurs, and in accordance with the principles of good governance, each Panel Member:

- (a) is required to declare such interest prior to the commencement of discussion of the issue;
- (b) may take part in the discussion to contribute technical knowledge and relevant information;
- (c) if the conflict and/or pecuniary interest is of a direct commercial nature (e.g. a supplier, manufacturer, repairer or producer involved in the relevant subject matter), will limit their comments to the provision of technical or factual issues; and
- (d) will not be involved in any decision making process (including casting a vote).

## 8. Powers and Responsibilities

### 8.1 Designation of Panels

Each Panel will be designated by the State Council as a Sporting Panel or a Non-Sporting Panel in accordance with the following:

- (a) **Sporting Panel:** A Panel appointed by State Council to provide advice regarding the specific sporting disciplines and to manage a State Championship and/or Series within that State Councils Area of Responsibility. Sporting Panels may include but are not limited to Autocross, Auto-test, Drift, Hill Climb, Motor Race Off Road, Rally and Super Sprint.
- (b) **Non-Sporting Panel:** A Panel appointed by a State Council to provide advice on non-sporting matters and manage officials within that State Councils Area of Responsibility . Non-Sporting Panels may include but are not limited to Officials, Scrutiny and Steward Panels.

### 8.2 Functions

In accordance with, and in addition to, the functions and responsibilities delegated to the State Council under the Constitution, each Panel will:

- (a) support and nurture each Affiliated Club in its area so that they will achieve increased participation;
- (b) co-ordinate activities of its defined area of responsibility directed by the State Council;
- (c) actively contribute to the achievement of the State Council's objectives and Motorsport Australia's strategic plan and objects;
- (d) administer any specific powers and responsibilities delegated to it by the State Council;
- (e) comply with any direction issued by the State Council, Board or CEO;
- (f) advise and consult with the State Council and each Motorsport Australia Commission and Committee on matters relating to its area of responsibility;
- (g) provide advice and assistance to each Affiliated Club within their area of responsibility;
- (h) where appropriate, offer and receive advice from each Motorsport Australia Commission;



- (i) support, develop and grow motorsport, and to propose and oversee the pursuit of the objectives and define and implement strategies for the viable development and management of motorsport in accordance with policy or plans as expressed by the State Council, Board or CEO from time to time; and
- (j) maintain any other documentation required by the Panel,  
and in addition, and in the case of each Sporting Panel:
  - (k) administer and maintain sporting regulations in relation to the relevant discipline;
  - (l) formulate the relevant discipline's annual calendar;
  - (m) through the State Council, maintain communication and liaison with each Commission and related Panel in matters of common interest;
  - (n) co-ordinate the conduct of each Motorsport Australia Championship and Series in the relevant discipline; and
  - (o) compile and audit all Championship and Series points relating to the relevant discipline.

### **8.3 Reporting to State Council**

- (a) Each Chairperson will submit a report including the most recently adopted minutes to the State Council.
- (b) The State Council may suspend the delegation to a Panel as it sees fit.

### **8.4 Contracts**

Each Panel will NOT enter into any contract or other agreement relevant to its activities without the prior agreement of Motorsport Australia. Any contract or agreement is subject to:

- (a) Each Panel contract or agreement must be considered by the Administration and if considered favourable, referred to the CEO or appropriate delegate from the Administration for approval.
- (b) All Panel expenses will be within any limits set by the State Council or the CEO;
- (c) Any agreement will only be entered into to further the purposes of the Panel as approved by the Administration and the State Council if required;
- (d) No contract or agreement will exceed three (3) years' duration without the prior approval of the State Council and CEO;
- (e) The form of contract or agreement will comply with any requirements as determined by Motorsport Australia from time to time.

### **8.5 Procurement**

- (a) Where the Panel requires the supply of goods or services to a value of \$10,000 or more, the Panel must obtain a minimum of two (2) quotes for the proposed supply.

Once quotes have been considered by the Panel, a decision paper must be submitted to the State Council for recommendation and then the CEO for final approval.

## **8.6 Financial**

- (a) No accounts will be held outside of the control of Motorsport Australia.
- (b) Each Panel which raises fees or levies will have a levy account which is dedicated to the purposes of those moneys and which is managed by Motorsport Australia.
- (c) To establish a dedicated levy account, a Panel will make a written application to Motorsport Australia.
- (d) The Administration will provide each a monthly levy statement to each panel. Each Panel will ensure that complete records are kept in relation to transactions in that account, for reconciliation purposes with the supplied levy account statements.
- (e) All funds collected and held in a Panel levy account are only to be used for the purposes of that Panel. Unless expressly permitted by the Administration, Panel levy accounts should not be used to cover event operation expenses (e.g. event medical expenses, track hire, utility bills etc.)
- (f) Only a Sporting Panel may collect fees and levies on behalf of Motorsport Australia to assist with the conduct of Motorsport Australia state championships, series or competitions which are conducted within that Panel's area of responsibility.
- (g) No Panel Member will, by virtue of or in respect of the work done for their Panel, be entitled to receive any fee, salary, wage or honorarium. A Panel Member may receive reasonable reimbursement (as determined by the State Council or the CEO (or their delegate)) for out of pocket expenses properly incurred by the Panel Member on behalf of the State Council while undertaking duties on behalf of the Panel. Each reimbursement arrangement will be:
  - (i) Made on the correct form and drawn from the Panel's levy account.
  - (ii) Reviewed by the Panel and submitted to the State Council Executive or the CEO (or their delegate) for approval.

## **8.7 Environmental**

Each Panel and its activities will be conducted with acute consideration of environmental matters. The Panel and each Panel Member will conduct themselves in a manner that minimises the overall detriment of the natural and manmade environment.

## **8.8 Gender Equality**

Motorsport Australia acknowledges the significant issue of underrepresentation of women in motorsport. Motorsport Australia is committed to ensuring that all eligible members, irrespective of gender, have the opportunity to nominate for Panel positions.

## **9. Modification**

These Panel Standing Orders may only be amended by the Board, who may do so as it deems necessary from time to time.