



TRAX 4WD Fellowship

Over the Land – Under the Cross

Constitution

Revision 1.1

Revision	Date	Amendment
0.0	2013	First Draft
0.a	2013 Feb	Remove references to St Marks
0.b	2013 March	Separate into the Constitution and the By-Laws and implementing changes approved at the Committee meeting on 4th March.
0.c	2013 March	Adjustments after the above separation.
0.d	2013 March	Include official recommendations.
0.f	2013 April	Begin inclusion of sample document.
0.g	2013 April	Moved some paragraphs to By-Laws.
0.h	2013 April	Tidied up changes after meeting 23rd April.
0.i	2013 April	Changes made at meeting 29th April.
0.j	2013 May	Final edits made at meeting 7 th May.
0.k	2013 May	Changes following Grammatical proof reading.
1.0	2013 May	Released for or approval of the voting members.
1.1	2013 May	Changed name – Accepted By voting members

President

Secretary

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Part 1 - Preliminary

1.1 Name

- 1.1.1 The name of the fellowship shall be TRAX 4WD Fellowship, hereinafter referred to as “the Fellowship”.
- 1.1.2 The Fellowship is an independent Christian-based 4WD and recreation club.
- 1.1.3 The name ‘TRAX’ is an acrostic derived from:
Travelling
Recreation and
Adventure
eXcursions.
- 1.1.4 The Fellowship takes as its motto ‘Over the Land – Under the Cross’.
- 1.1.5 The Fellowship shall have a newsletter to be published under the name ‘TRAXION’.

1.2 Objectives

- 1.2.1 To promote Christian fellowship and outreach amongst the four wheel drive fraternity by conducting meetings and arranging outings and other events.
- 1.2.2 To promote friendship and courtesy with other fellowships of similar interest.
- 1.2.3 To assist members to correctly operate and maintain their vehicles by providing technical information, lectures and access to concessions where possible.
- 1.2.4 To promote safety in all activities.
- 1.2.5 To conserve the landscape, flora and fauna of our land, since the environment shows God’s creative power.

1.3 TRAX Statement of Faith

- 1.3.1 We believe in the divine inspiration and infallibility of Holy Scripture, as originally given, and its supreme authority in all matters of faith and conduct.
- 1.3.2 We believe in the unity of the Father, the Son and the Holy Spirit as the one true God.

- 1.3.3 We believe in the universality of sin and humanity's total inability to save itself from condemnation and the power of evil.
- 1.3.4 We believe in the conception of Jesus Christ by the Holy Spirit and His birth by the virgin Mary.
- 1.3.5 We believe that redemption from the guilt, penalty and power of sin is only through the sinless life and sacrificial death, of Jesus Christ, the incarnate Son of God as our representative and substitute.
- 1.3.6 We believe in the bodily resurrection of Jesus Christ from the dead.
- 1.3.7 We believe in the necessity of the Holy Spirit to make the death of Christ effective in the individual sinner, granting him or her (*Acts 11:18*) repentance towards God, and faith in Jesus Christ (*Acts 20:21*).
- 1.3.8 We endeavour to live as a people set aside for God, and to behave according to His decrees, so as to be a witness to others of His Glory, and to share the Good News of the Gospel as we have opportunity.
- 1.3.9 We live in expectation of the personal return of the Lord Jesus Christ to judge the living and the dead.

Part 2 - Membership

2.1 Requirements for Membership

- 2.1.1 There shall be the following types of membership:
 - 2.1.1.1 General Membership - is open to anyone who agrees with the above objectives. General members are not entitled to vote on constitutional matters. However, they are entitled to vote on administrative matters of the fellowship, including the election of office bearers.
 - 2.1.1.2 Constitutional Membership - is open to those who agree with the above objectives and the TRAX 4WD Fellowship Statement of Faith and have been current members for at least five years.
 - 2.1.1.3 Life Membership - provides all privileges of Constitutional Membership but Life Members do not pay membership fees and shall be considered to be current members within this constitution and the By-Laws.
- 2.1.2 All members who have paid their membership fees shall be considered current members within this constitution and the By-Laws.
- 2.1.3 Each membership may comprise one or more people who live at the same address. The membership is conjointly entitled to only one vote at any election, or upon any motion.
- 2.1.4 All members of the Fellowship shall be deemed to have agreed to abide by this Constitution and By-Laws by the payment of the annual subscription. Refer to the Fellowship's By-Laws.

2.2 Nomination for Membership

- 2.2.1 Application for, and renewal of, membership shall be submitted in writing to the Treasurer.

2.3 Life Membership

- 2.3.1 The committee may recommend, to the annual general meeting, that any natural person who has rendered distinguished service to the Fellowship, be appointed as a Life Member.
- 2.3.2 A special resolution of an annual general meeting is necessary in order to confer life membership.

- 2.3.3 For Life Membership to be conferred, the person must accept the Fellowship's offer in writing. The person's details shall then be entered into the Register, and the person shall become a Life Member.

2.4 Termination of Membership

- 2.4.1 Any person, upon ceasing to be a member for any reason whatsoever, shall forfeit all rights and claims upon the Fellowship, its property and its funds and shall return all fellowship property to either the President or the Secretary.

2.5 Resignation

- 2.5.1 A membership wishing to resign from the Fellowship may do so by giving written notice. Such resignation shall be put before the next general meeting.

2.6 Register of Members

- 2.6.1 The secretary or treasurer must establish and maintain a register of members of the Fellowship. The register must contain the name and address of each member and the date on which the person became a member.
- 2.6.2 The register of members must be kept in New South Wales:
- i at the main premises of the Fellowship, or
 - ii if the Fellowship has no premises, at the Fellowship's official address.
- 2.6.3 The register must be available for inspection, free of charge, by any member of the Fellowship, at any reasonable hour.
- 2.6.4 A member of the Fellowship may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.
- 2.6.5 If a member requests that any information contained in the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.
- 2.6.6 A member must not use information obtained from the register to contact or send material to any person or organisation, other than:
- i for the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the Fellowship or other material relating to the Fellowship, or
 - ii to comply with a requirement of the Act or the Regulations.

2.7 Membership Fees

- 2.7.1 All annual membership fees fall due on the 1st day of July each year. The value of the annual fees will be set at the final General Meeting of the previous financial year.
- 2.7.2 A membership failing to pay the annual fees within two months of the due date shall be deemed un-financial and the membership shall be cancelled.

2.8 Members' Liabilities

- 2.8.1 The liability of a member of the Fellowship to contribute towards the payment of the debts and liabilities of the Fellowship or the costs, charges and expenses of the winding up of the Fellowship is limited to the amount, if any, unpaid by the member in respect of membership of the Fellowship.

2.9 Resolution of Disputes

- 2.9.1 A dispute between any members of the Fellowship (in their capacity as members), or a dispute between any members and the Fellowship, is to be referred to a community justice centre for mediation under the Community Justice Centres Act 1983.
- 2.9.2 If a dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the dispute is to be referred to arbitration.
- 2.9.3 The Commercial Arbitration Act 1984 applies to any such dispute referred to arbitration.

2.10 Discipline

- 2.10.1 The Committee may admonish, suspend or expel from the Fellowship any member whose conduct is such as shall be, in the opinion of the majority of the Committee members present at a Committee Meeting, injurious to the welfare, progress, character or interest of the Fellowship.

2.11 Right of Appeal

- 2.11.1 The member shall have the right of appeal. The appeal shall be in writing and must be handed to the Secretary for presentation to the next General Meeting. The decision of this General Meeting shall be final.

Part 3 - Management Committee

3.1 Powers of Management Committee

- 3.1.1 The committee, subject to the Act, the regulation, these rules, and to any resolution passed by the Fellowship in general meeting:
- i controls and manages the affairs of the Fellowship.
 - ii exercises all functions that may be exercised by the Fellowship other than those functions that are required by these rules to be exercised by the Fellowship in general meeting.
 - iii has power to perform all acts and do all things that appear to the committee to be necessary or desirable for the proper management of the affairs of the Fellowship.
 - iv shall act in accordance with the objectives of the Fellowship and shall operate for the benefit of the members and the community.

3.2 Constitution and Membership of Committee

- 3.2.1 The management of the Fellowship shall be vested in a committee. The committee shall comprise five executive positions in addition to any other committee positions as decided by the Annual General Meeting.
- 3.2.2 The executive positions shall include:
- 3.2.2.1 President
 - 3.2.2.2 Secretary
 - 3.2.2.3 Treasurer
 - 3.2.2.4 Chaplain
 - 3.2.2.5 One other position as defined in the Fellowship's By-Laws.
- 3.2.3 Duties of the committee are defined in the Fellowship's By-Laws.
- 3.2.4 The Fellowship shall appoint a public officer who may be a member of the committee. The public officer must ensure that the Fellowship's obligations under the Associations Incorporation Act (2009) are met.
- 3.2.5 Only a member of the Fellowship can be elected or appointed to a position on the committee.

- 3.2.6 Each member of the committee holds office, subject to these rules, until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- 3.2.7 Any member appointed to the committee must disclose any conflict of interest before accepting the position or as soon as the conflict becomes apparent.
- 3.2.8 The committee may appoint a current member to fill a vacancy on the committee with the appointment by the unanimous agreement of the remainder of the committee.
- 3.2.9 A committee member may not hold more than one executive position at a time on the committee except in the case where that person fills a vacancy occurring after the Annual General Meeting.
- 3.2.10 A position on the committee becomes vacant if the member:
- i Dies.
 - ii ceases to be a member.
 - iii presents a written resignation to the Fellowship secretary.
 - iv is absent from three consecutive committee meetings without the consent of the committee.
 - v becomes bankrupt or suspends payment of their creditors or compounds with their creditors.
 - vi becomes physically or mentally incapable of performing his or her duties.
 - vii fails to declare the nature of their interest in a contract or office or property while making decisions on behalf of the Fellowship.
 - viii is removed from office pursuant to section 3.5.
 - ix in the opinion of the Committee, but subject always to this Constitution:
 - a) has acted in a manner unbecoming or prejudicial to the Objects and interests of the Fellowship.
 - b) has brought the Fellowship into disrepute.

3.3 Election of Officers

- 3.3.1 At the Annual General Meeting only current members shall be elected to fill these positions.

- 3.3.2 No member shall be nominated for election to any office unless present at the Annual General Meeting or written consent is tendered at the Annual General Meeting.
- 3.3.3 For each office of the Fellowship:
- i if more than one nomination is received, a ballot must be held, either by a show of hands or as otherwise decided at the meeting.
 - ii if only one nomination is received, the person nominated is taken to be elected.
 - iii if, after calling for nominations from the floor, no nominations are received, the position is taken to be a vacancy.
- 3.3.4 A person nominated as a candidate for election to an executive position on the committee must be a Constitutional or Life member of the Fellowship as defined in section 2.1 Requirements for Membership on page 3
- 3.3.5 Should a non-executive position on the committee fall vacant during the year for any reason, the Committee is empowered to appoint a current member to fill the office.
- 3.3.6 Should an executive position fall vacant during the year, the committee shall appoint a qualifying member to take that position until the next General Meeting. The next General Meeting shall ratify the appointment or elect another member to the position.

3.4 Indemnity of Members

- 3.4.1 Members of the Fellowship who, by authority of the Committee or a General Meeting, accept or incur any pecuniary liability on behalf of the Fellowship shall be held indemnified by the Fellowship against any personal loss in respect of such liability.

3.5 Removal of Officers

- 3.5.1 The appointment of any officer may be terminated at a general meeting by a majority of 75% of the votes of current members who, being entitled to vote, vote in person at the meeting.
- 3.5.2 If a member of the committee to whom a proposed resolution referred to in subsection 3.5.1 relates, makes representations in writing to the secretary or president (not exceeding a reasonable length), the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

3.6 Committee Meetings and Quorum

- 3.6.1 The committee will meet regularly, and no less than four times, throughout the calendar year at the place, date and time that the committee may decide.
- 3.6.2 Additional meetings of the committee may be called by any member of the committee making such request either orally or in writing to the secretary.
- 3.6.3 Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- 3.6.4 Notice of a meeting given under subsection 3.6.3 must specify the general nature of the business to be transacted at the meeting and no business other than that business may be transacted at the meeting, except as agreed by a unanimous vote of the committee members present at the meeting.
- 3.6.5 50% of the members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- 3.6.6 No business may be transacted by the committee unless a quorum is present and, if within half an hour after the time appointed for the meeting a quorum is not present, the meeting stands adjourned to a place, date and time to be decided by those members who are present. And this place, date and time is to be notified by the secretary to each member of the committee in accordance with subsection 3.6.4.
- 3.6.7 If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, those members present constitute a quorum.
- 3.6.8 Any member of the committee who does not attend three consecutive meetings without notification and reason, may be removed under section 3.5.
- 3.6.9 At meetings of the committee:
- i the President or, in the absence of the President, a Vice-President presides; or
 - ii if the President and the Vice-Presidents are absent, one of the remaining members of the committee may be chosen by the members present to preside.

3.7 Delegation to Subcommittee

- 3.7.1 The General Meeting or committee may delegate to a subcommittee (consisting of the persons that the committee considers appropriate) the exercise of the functions of the committee that are specified in the instrument of delegation, other than:
- i this power of delegation; and
 - ii a function that is imposed on the committee by the NSW Act, or by resolution of the Fellowship in General Meeting.
- 3.7.2 A function, the exercise of which has been delegated to a subcommittee under this section may, while the delegation remains unrevoked, be exercised from time to time by the subcommittee in accordance with the terms of the delegation.
- 3.7.3 A delegation under this section may be made subject to any conditions or limitations about the exercise of any function, or about time or circumstances, that may be specified in the instrument of delegation.
- 3.7.4 Despite any delegation under this section, the committee may continue to exercise any function delegated.
- 3.7.5 Any act or thing done or suffered by a subcommittee acting in the exercise of a delegation under this section has the same force and effect as it would have if it had been done or suffered by the committee.
- 3.7.6 Subcommittee meetings shall be convened as and when necessary to address the terms of reference.
- 3.7.7 Each subcommittee shall record minutes of all meetings and lodge them with the Fellowship Secretary within two weeks of each subcommittee meeting.
- 3.7.8 Each subcommittee shall report to the committee in accordance with the terms of reference.
- 3.7.9 The president shall be an ex-officio member on all subcommittees.
- 3.7.10 Upon completion of the tasks as detailed in the terms of reference, the subcommittee shall be dissolved.

3.8 Voting and Decisions of Committee and Subcommittees

- 3.8.1 Subject to this Constitution, questions arising at a meeting of the committee or of any subcommittee appointed by the committee are decided by a simple majority of the votes of members of the committee or subcommittee present at the meeting and entitled to vote.
- 3.8.2 Each member present at a meeting of the committee or of any subcommittee, and entitled to vote, may cast one vote, except the chairman who may only exercise a casting vote.
- 3.8.3 Subject to subsection 3.6.5, the committee may act despite any vacancy on the committee.
- 3.8.4 Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a subcommittee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or subcommittee.
- 3.8.5 If the person presiding does not exercise a casting vote when there are otherwise equal votes for a given motion, the motion shall be lost.

Part 4 - Meetings

4.1 Types of Meetings

- 4.1.1 Annual General Meeting
- 4.1.2 General Meeting
- 4.1.3 Special General Meeting
- 4.1.4 Extraordinary General Meeting
- 4.1.5 Committee Meeting
- 4.1.6 Subcommittee Meeting

4.2 Annual General Meeting

- 4.2.1 The Annual General Meeting of the Fellowship shall be held within three months of the end of the Fellowship financial year. All members shall be notified of the place, date and time of the Annual General Meeting. This notification shall be by way of the Fellowship's newsletter or calendar or by other notification methods as specified in the By-Laws.
- 4.2.2 Summary reports of the year's activities shall be given by the various officers of the committee.
- 4.2.3 The treasurer shall submit the financial statements for the Fellowship's financial year.
- 4.2.4 All committee positions shall be declared vacant and current Fellowship memberships shall elect officers to the Fellowship Committee.

4.3 General Meetings

- 4.3.1 General Meetings shall be held for conducting the general business of the Fellowship. All members shall be notified of the place, date and time of the General meeting. This notification shall be by way of the Fellowship's newsletter or calendar or by other notification methods as specified in the By-Laws.
- 4.3.2 General Meetings shall be held regularly, and no less than four times, throughout the calendar year at the place, date and time that the committee may decide.

4.4 Special General Meetings

- 4.4.1 Special General Meetings shall be held for conducting the specific business of the Fellowship that was deemed necessary for calling the Special General Meeting. All members shall be notified of the place, date and time of the Special General Meeting. This notification shall be by way of the Fellowship's newsletter or calendar or by other notification methods as specified in the By-Laws.
- 4.4.2 A Special General Meeting shall be called:
- when considered necessary by the committee or
 - upon notice of motion of a change of Constitution, or
 - upon a written request signed by not less than five members
- 4.4.3 Such a meeting should be held within one month of the secretary receiving such a request or notice and shall only deal with the subject for which the meeting is convened, or contained in the notice of motion.
- 4.4.4 If the committee fails to convene a Special General Meeting to be held within one month after the date on which a requisition from members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than three months after that date.
- 4.4.5 All members shall be notified of the time, date, place and purpose of the any Special General Meeting at least two weeks prior to the Special General Meeting. This notification shall be by way of the Fellowship's newsletter or calendar or by other notification methods as specified in the By-Laws.

4.5 Extraordinary General Meeting

- 4.5.1 An Extraordinary General Meeting shall only be called for the purposes of dealing with the dissolution of the Fellowship and shall be called when considered necessary by the committee.
- 4.5.2 Voting shall be by secret ballot.
- 4.5.3 All members shall be notified of the place, date, time and purpose of the Extraordinary General Meeting at least three weeks prior to the meeting. This notification shall be by way of the Fellowship's newsletter or calendar or by other notification methods as specified in the By-Laws.

4.6 Committee Meetings

4.6.1 Committee Meetings shall be conducted as per section 3.6.

4.7 Subcommittee Meetings

4.7.1 Subcommittee Meetings shall be conducted as per section 3.7.

4.8 Meeting Procedures

- 4.8.1 The President or, in his absence, the Vice-President shall be Chairman.
- 4.8.2 If the President and the Vice-President are absent or unwilling to act, the members present shall elect a member to preside as Chairman for the meeting.
- 4.8.3 Each current membership shall have one vote on each motion proposed except for committee, and subcommittee meetings where each position is entitled to vote in accordance with section 3.8.2.
- 4.8.4 The Chairman has the right to vote only as the casting vote upon the voting being equal.
- 4.8.5 No motion shall be moved by the Chairman.
- 4.8.6 No membership shall be entitled to vote by proxy at any Fellowship meeting.
- 4.8.7 Voting shall be by a show of hands unless otherwise decided at the meeting, except at an Extraordinary General Meeting (as per section 4.5) or where postal votes are being used as detailed in the Fellowship By-Laws.
- 4.8.8 Meetings shall be held only at the place stated in the notice and shall not commence before the notified time.
- 4.8.9 The quorum at any meeting shall be at least half of those eligible to vote at that meeting or five eligible memberships, whichever is the lesser.
- 4.8.10 If at any meeting, a quorum is not present within thirty minutes of the time for which the meeting was called, the meeting shall stand adjourned until another meeting can be called.
- 4.8.11 All meetings shall have the power to adjourn the proceedings for such a period as the meeting may see fit.

Part 5 - Miscellaneous

5.1 Finance

5.1.1 Transactions

- 5.1.1.1 The income and property of the Fellowship shall be applied solely towards the objects of the Fellowship and no portion thereof shall be paid to or transferred directly or indirectly to, any member of the Fellowship except by way of reimbursement of approved expenditure.
- 5.1.1.2 Without the authority of a General Meeting, the committee is not authorised to spend any amount of money except as provided in the By-Laws,
- 5.1.1.3 The committee shall annually donate an agreed amount of money from the general account to the benefit of the charities supported by TRAX, as nominated in the By-Laws.
- 5.1.1.4 All general financial transactions of the Fellowship shall be through an account in the Fellowship's name with a licensed bank or credit union.
- 5.1.1.5 Payments from this account shall be signed, or electronically authorised via the banks systems, by any two unrelated authorised officers.
- 5.1.1.6 The authorised officers permitted to operate the bank accounts shall be appointed from the executive positions at the first committee meeting following each Annual General Meeting.

- 5.1.2 The financial year of the Fellowship shall end on the 30th day of June each year.

5.2 Amendment of the Constitution

- 5.2.1 The Constitution shall only be amended at a TRAX 4WD Fellowship Special General Meeting and in accordance with section 4.4.
- 5.2.2 Only current constitutional members present at the Special General Meeting are eligible to vote for any change to the Constitution.

5.3 Amendments to By-Laws

- 5.3.1 The By-Laws may be amended at a TRAX 4WD Fellowship General Meeting.
- 5.3.2 Current members present at the General Meeting are eligible to vote for any change to the By-Laws.
- 5.3.3 Constitutional members may vote to veto any changes to the By-Laws if they see fit.

5.4 Dissolution of the TRAX 4WD Fellowship

- 5.4.1 The fellowship shall not be wound-up except by mutual agreement by a majority of the current constitutional members at an Extraordinary General Meeting conducted as per section 4.5.
- 5.4.2 Any material (excluding money), if any, shall be sold and the proceeds used to pay any due debts.
- 5.4.3 Any moneys left after all due debts have been paid shall be donated to the TRAX supported charities.
- 5.4.4 The executors of such a decision shall be the outgoing President and remaining committee members.

5.5 Fellowship Logo or Emblem

- 5.5.1 The official Fellowship logo or emblem shall not be affixed to any instrument except by authority of the Committee.

5.6 Liability

- 5.6.1 The Fellowship is not liable in law or intent for any injury or loss suffered by any member during any Fellowship activity. Membership of the Fellowship constitutes acceptance of this condition.