

PONY CLUB ASSOCIATION OF SOUTH AUSTRALIA INC

CLUB CONSTITUTION

Ref: ConstCib08

The name shall beInc.

AIMS AND OBJECTS

- (a) To encourage young people to ride and to learn to enjoy all kinds of sport connected with horses and riding.
- (b) To provide instruction in riding and horsemanship and to instil in members the proper care of their animals.
- (c) To promote the highest ideas of sportsmanship, citizenship and loyalty, thereby cultivating strength of character and self-discipline.

MEMBERSHIP

For the Club membership is as follows:

- 1 **Junior** member is a person who has not reached the age of seventeen (17) years.
- 2 **Associate** member is a person who has reached the age of seventeen (17) years and has not reached the age of twenty one (21) years
- 3 **Senior** member is a person who has reached the age of twenty one (21) years and has not reached the age of twenty six (26) years.
- 4 **Adult** Pony club member is a person who has reached the age of twenty six (26) Years.
- 5 **Riding member**- any person in categories 1.2.3.4.
- 6 **Non Riding member** – Any person who wishes to be a member to assist in the running of the club. (Such fee as set by the club and held by the club)

All members in 1-6 will be eligible to vote, except members under.....years at the Annual General meeting – provided they have been financial for the proceeding year.

The Club shall consist of all persons who elect to be members and remain financial. However, the Club reserves the right to refuse membership to any person should that membership be disputed. A membership shall be deemed to be disputed if objection is raised by any two (2) financial members of the club. Disputed memberships will be put to the vote at the first available committee meeting

HONORARY MEMBERSHIP

In addition to the provisions of rule headed membership, the Club may admit to honorary membership any person for such period as it thinks fit. Such person shall have limited powers as are set from time to time by the Club.

AWARD OF MERIT or LIFE MEMBERSHIP

The Club may at its discretion award to any person, who has given long and meritorious and outstanding service to the Club, an award of merit or life membership

REGISTER

The club shall keep a register of members which shall be available for inspection at any time.

MEMBERSHIP CARD

Each Ordinary, Associate, Senior and Adult Member shall be issued with an Attendance Performance Record Card.

Card, giving date of birth and all other particulars. This card must be signed by the President and Secretary and must be produced on request.

MANAGEMENT

The Management of the club shall be vested in a Committee consisting of the President, Vice President, District Commissioner (optional) Secretary, Treasurer and other financial members to make a total of The offices of President and District Commissioner may be combined as may Secretary and Treasurer offices. The affairs of the club shall follow the rules of the British Pony Club except where modified by the Pony Club Association of South Australia.

MEETINGS

1. An ANNUAL GENERAL MEETING shall be held before the 31st July at a convenient time and place to be fixed by the Committee.
 - (a) To receive from the Committee a report and the Statement of Accounts and Balance Sheet for the preceding year.
 - (b) To elect officers and auditor for the year.
 - (c) To decide on any motion which may be submitted to the meeting. No such motion shall be moved unless notice shall be given to the Committee in writing at least 28 days prior to the meeting.
 - (d) At least 14 days prior to the Annual General Meeting a notice of such meeting and of the business to be transacted thereat shall be sent by the Secretary to every Member, Associate, Senior, Adult Member and Non-competitive Member. No business other than that of which notice has been given shall be brought forward at such a meeting.
 - (e) To decide on Junior, Associate, Senior, Adult and Non-Riding membership fees for the coming year.
 - (f) The Report and Balance Sheet and Statement of Account shall be open to inspection on the day of the meeting only. The President or Vice President and in their absence a member selected by the meeting, shall preside at all General Meetings of the club. Every question shall be decided by a simple majority vote. Every financial member..... years and over shall have one vote and in the case of equality the Chairman shall have a casting vote only.
The quorum for all General Meetings shall be a simple majority. If a quorum shall not be present, the members present may at the expiration of fifteen minutes from the time appointed for assembling, adjourn the meeting to a time and place to be arranged and notified as for an Annual General Meeting. A quorum will not be necessary at the adjourned meeting.

2. **SPECIAL GENERAL MEETINGS** may only be called if sufficient reasons exist in the opinion of the Committee, who shall do so forthwith upon the requisition in writing of any two members stating the purpose for which the meeting is required. Such meeting to take place not less than 10 days nor more than 21 days of the receipt of the letter to the Secretary. No business other than for which the meeting was called shall be dealt with. A quorum shall consist of a majority of members. Any matter requiring the attention of a Special General Meeting, which is voted against may not be considered for a least one calendar year after the said meeting.
3. **COMMITTEE MEETINGS** shall be held or on other occasions when the Secretary has been requested (in writing) by two Committee members to call a meeting. A quorum shall consist of simple majority of members.
(See management for members).

3.1. PRESIDENTS DUTIES:

To chair all meetings and promote well being of the Club

3.2 . SECRETARIES DUTIES:

- (a) To keep a record of minutes of all meetings dealing with Club business.
- (b) To record, handle and pass onto the committee all Club correspondence.
- (c) To keep a registrar of Members.
- (d) To call meetings at appointed times or when requested to do so.

3.3. TREASURERS DUTIES:

- (a) To compile and issue a balance sheet and statement of revenue and expenditure, which shall be laid out before a meeting of the Club.
- (b) To issue all receipts for fees and other monies paid to the Club.
- (c) To arrange for audit of all finances of the Club and present report at Annual General Meeting. All books to be available for checking.

3.4. OFFICE BEARERS:

Office bearers retire at the Annual General Meeting, but shall be eligible for re-election without being proposed.

4. **DISCIPLINE OF CLUB MEMBERS**

The Committee may suspend, fine or expel any member of the club -

- (a) Who shall have become bankrupt or insolvent or make an assignment for the benefit of his creditors or compound or arrange with his creditors; or
- (b) Who shall commit any breach of any Rule or By-Law of the Club, the Zone or the Association or of any order or direction of the Committee or of any Special or Ordinary General Meeting; or
- (c) Who in the opinion of the Committee shall be guilty either in or out of the Club of any act, practice, conduct matter or thing which shall be seriously prejudicial to the interests of the Club or calculated in any matter to bring discredit to the Club or its members or to seriously impair or affect the enjoyment of any Club premises by the members or who shall act contrary to any direction of the Executive Council of the Association or the governing body of the Zone. Notice of any such suspension fine or expulsion shall forthwith be sent to the member at his last known address.

5. **MINUTES OF MEETINGS**

Minutes shall be taken of all proceedings of the Committee and shall be read and confirmed at the next or subsequent meeting. At every meeting the President and in their absence, some other member of the Committee selected by the Meeting, shall take the chair. Every question shall be decided by a simple majority of votes. In the case of an equality of votes, the Chairman shall have a casting vote only. No proxies shall be allowed.

- 6. At the conclusion of the Annual General Meeting the Secretary shall forthwith send in writing to the Association Secretary, the names of the President and Secretary of the said Pony Club.
- 7. At the conclusion of the Annual General Meeting the Secretary shall forthwith send in writing to the Zone Secretary the names of the office bearers of the said Pony Club. The names of the delegates and alternative delegates to the Zone Executive shall also be included in the letter.
- 8. The Chairman at any Annual General Meeting or Special General Meeting shall not have a deliberative vote but in the case of an equality he shall have a casting vote.

9. **BY-LAWS**

The Committee may, from time to time, alter and repeal by-laws regulating the management of the Club and without limiting the power, particularly as to:-

- (a) The selection, resignation and expulsion of Members.
- (b) The different classes of Members and their rights and disabilities.
- (c) The subscription and calls to be paid by Members or any class of Members.
- (d) The effect of failure to pay subscriptions when due.
- (e) The election of office bearers and their rights and duties and casual vacancies in their number.
- (f) The procedure to be adopted at General Meetings.
- (g) The convening of Committee Meetings and proceedings thereat.
- (h) The use by Members and others of the Club's property.
- (i) The appointment of sub-committees for any special resolution at General Meetings of the Club.

Such by-laws and alterations shall be binding to all Members and construed as part of the rules of the Club until repealed by the Committee or set aside by a special resolution at a General Meeting of the Club.

10. BANKERS

The Bankers of the Club shall beand..... signatories shall be appointed each year at the Annual General Meeting to operate this account.

11. FINANCIAL YEAR

The financial year shall end on the 30th June in each year to which day the accounts of the Club shall be balanced.

12. ANY MATTERS ARISING

Any matters arising and not dealt with under the above Constitution will be covered under the Zone or Association Constitution and/or By-Laws. In the event of any such matter not being included in the above Constitutions or By-Laws, the matter will be dealt with, firstly, under E.A. rules, then if necessary, the matter will be referred to F.E.I. rules.

13. LEGAL LIABILITY

This Club together with the Pony Club Association of South Australia Incorporated and the Zone with which this Club is affiliated shall not be liable for damages through any proceedings of any kind except to the extent of the indemnity afforded to it on them by any policy of insurance then in force in relation to any such claim made against it, the Pony Club Association of South Australia Inc. and the Zone with which this Club is affiliated.

14. POWERS: As under section 25 of the Act.

For the purpose of carrying out its objectives, an incorporated association may, subject to this Act and its rules –

- (1) Acquire, hold, deal with, and dispose of, real or personal property; and
- (2) Administer any property on trust; and
- (3) Open and operate ADI (Authorised Deposit Taking institution) accounts; and
- (4) Invest its moneys –
 - (i) in any security which trust moneys may, by Act of Parliament, be invested; or
 - (ii) in any other manner authorised by the rules of the association; and
- (5) borrow money upon which terms and conditions as the association thinks fit; and
- (6) give such security for the discharge of liabilities incurred by the association as the association thinks fit; and
- (7) appoint agents to transact any business of the association on its behalf; and
- (8) enter into any other contract it considers necessary or desirable

15. INTERPRETATION:

The interpretation and application of this Constitution shall be invested in the Committee, whose decision thereon and on all matters affecting the Club (association) not providing for by this Constitution shall be final and binding on each Member of the Club (association), and shall not be incumbent upon the Committee before arriving at such decision to give any notice to any Member, or to hold any formal or informal hearing, or to take any evidence or statement from any Member, or any other person.

In construction of this Constitution, words importing or signifying males only, shall extend to and include females and the singular number shall include the plural and vice versa.

16. AMENDMENT OF CONSTITUTION AND BY-LAWS

This constitution and any by-laws issued by the Committee may be added to, repealed or amended by resolution, moved by any Annual or Special General Meeting provided that no such resolution shall be deemed to have been passed unless it was carried by at least three quarters of the members voting thereon.

17. NON PROFIT CLAUSE

The assets and income of the Club shall be applied solely in furtherance of its objects and no portion shall be distributed directly or indirectly to its members except as bona fide compensation for services rendered or expenses incurred on behalf of the state.

**18. WINDING UP BY SPECIAL RESOLUTION:
(Part 5 Division 1 of the Act)**

“Special resolution” of and incorporated association means –

- (a) where the rules of the association provide for the **membership** of the association – a resolution passed at a duly convened meeting of the members of the association if –
 - (i) at least 21 days written notice specifying the intention to propose the resolution as a special resolution of the association if –
 - (ii) it is passed at a meeting referred to this paragraph by a majority on not less than **three quarters** of such members of the association as, being entitled to do so, vote in person or, where proxies are allowed. By proxy, at the meeting.