

Serpentine Horse And Pony Club

Constitution

CONSTITUTION

PRELIMINARY

In this Constitution:

“The Association”	means the Pony Club Association of Western Australia Inc.
“The Council”	means the Council of the Association.
“The Zone”	means a group of Clubs, as designated by the Council.
“The Club”	means the Serpentine Horse and Pony Club.
“The Committee”	means the Committee of the Club.
“Coach Coordinator”	means the person appointed to fill the role of Coach Coordinator as laid down in the current PCAWA Handbook and amendments from time to time.
“Membership”	means the membership of a Member of the Club.

1. **NAME:** The name shall be -

SERPENTINE HORSE AND PONY CLUB

2. OBJECTS

- (a) To encourage young people to ride and to learn to enjoy all kinds of sports connected with horses and riding.
- (b) To provide instruction in riding and horsemanship and to instill in members the proper care of their animals and gear.
- (c) To promote the highest ideals of sportsmanship and loyalty thereby cultivating strength of character and self-discipline.
- (d) To hold horse and pony sports for young people.
- (e) To conduct competitions in one or more of the EFA or FEI disciplines.

3. MEMBERSHIP

- (a) Any person desirous of becoming a member of the Club shall apply in writing on the form of application supplied by the Club.

The committee at its next meeting following receipt of such application shall deal with applications for membership.

The committee shall have the right to grant or decline any application for membership without stating a reason.

- (b) The Club shall comprise: -

- (i) Members who are under 17 years of age and who shall be known as:

- Ordinary Riding Members

- (ii) Members who are 17 years of age and over, up to and including the end of the calendar year in which they attain the age of 25 years, (on the proviso that the rider has been an active Member of a Club prior to the year in which they turned 21), who shall be known as:

- Associate Riding Members

- (iii) Honorary Members who may be of any age who shall be elected by a simple majority of those present at a General Meeting of the Club. Honorary Membership shall be granted only to individuals who have given outstanding service to the Club or to the Pony Club movement. At no time shall the number of Honorary Members exceed ten.

- (iv) Social Membership shall be given to persons of any age. Social Members shall have members' rights and privileges except the right to represent the Club and to have lessons on rally days.

- (v) Non Riding Members – who may be guardians or parents of riders, or supporters of the club.

- (c) **Expulsion of Members**

Any member of the Club who shall fail in the observance of any rule, regulation or by-law of the Club, or whose conduct in any respect shall be derogatory to the character or prejudicial to the interest of his Club, may be removed from membership of the Club by a resolution of the committee to that effect passed by a majority of at least two thirds of such of the members of the committee as shall be present in person and vote at a Special Meeting of the committee of which not less than seven days prior notice specifying the intention to propose such resolution shall have been sent to all members of the committee and at which not less than the majority of the members

of the committee shall be present.

- (d) Any member who shall be expelled from the Club or who shall for any reason whatsoever cease to be a member of the Club shall have no claim to or interest in the property or funds of the Club.
- (e) In the event of a dispute arising between members of the Club, the membership of the Club shall be deemed to be the members registered by the Club as at the date on which the dispute first arose.

4. RIGHT OF APPEAL

Any person who feels they have been discriminated against by a decision of the Committee shall have the right of appeal.

In the first instance the Committee of the Club shall hear the appeal and if not successful, then an appeal may be heard at a Special General Meeting of the Club. The request for a Special General Meeting must be signed by at least 20% (twenty percent) of the voting members of the Club. Such meetings shall be called in accordance with Clause 17 hereof.

5. OFFICE BEARERS :

The office bearers of the Club shall comprise -

- (a) President
- (b) Two Vice-Presidents (one of which shall be the immediate past President).
- (c) Hon. Treasurer
- (d) Hon. Secretary
- (e) Assistant Secretary/Treasurer (if the Club deems this position is necessary due to large membership).
- (f) A committee of 18-25, which must include the above office bearers, at least one of which must be an Associate Riding Member.

Only persons 17 years and over shall be eligible to serve on the Committee.

The office of Hon. Secretary and Hon. Treasurer may be combined.

6. PATRON

The Club shall nominate a Patron who may or may not be elected on the Committee.

7. AUDITOR

A Hon. Auditor shall be appointed by the members at the September Committee Meeting.

8. SUBSCRIPTIONS

Subscriptions shall be determined at the Annual General Meeting.

Subscriptions are due at the enrolment rally in February. Club membership and privileges shall not be given until subscriptions are paid.

9. ELECTION OF OFFICE BEARERS

All office bearers set out in Clause 5 and the Hon. Auditor shall retire annually, but shall be eligible for re-election.

- (a) Should there be more nominations than there are vacancies a secret ballot by the simple majority method shall be taken to decide who shall take office.
- (b) Should there be an equal number of nominations and vacancies the Chairman shall declare all nominations duly elected.
- (c) Should there be a lesser number of nominations than there are vacancies the committee shall have the power to fill the vacancy or vacancies.
- (d) The Club Coach Coordinator shall be appointed by the Club Committee

10. NOMINATIONS FOR OFFICE BEARERS:

Nominations for Office Bearers shall be received verbally at the Annual General Meeting at which such election is to take place.

11. MANAGEMENT:

The control and management of the income and expenditure of the Club: The entire management and superintendence of all the Club's other affairs and concerns and the appointment and management of its officers and servants shall be in the hands of a committee consisting of the office bearers set out in Clause 5.

12. QUORUM

At a General Meeting of members, a quorum shall be one more than one third of voting members; and at a Committee meeting, one more than one third of the number of Committee members shall form a quorum.

13. NOTICE OF MEETINGS

In the case of a General Meeting ten (10) days notice shall be given to members of the intention to hold such meeting and in the case of a committee meeting seven (7) days notice shall be given to each committee member of the intention to hold such meeting. Committee meetings shall be held as and when the President and Secretary deem necessary.

14. COMMITTEE MEETINGS

Committee Meetings shall be held at least monthly (may exclude December), and at other such times and places as the President and Secretary deem necessary.

15. ANNUAL GENERAL MEETING

The Annual General Meeting shall be held during the month of November or December in each year, at such time and place as the President and Secretary may determine.

16. FINANCIAL YEAR

The financial year shall commence on the first day of January each year and terminate on the last day of December of the same year. Notwithstanding the foregoing, the rights and privileges of membership shall continue until the enrolment rally of the new year.

17. GENERAL MEETINGS

The President or Secretary may call an ordinary or Special General Meeting at such time and place as they may determine and shall call a Special Meeting if required in writing by twenty percent (20%) of voting members. The President or Secretary shall hold such meeting within one calendar month of the written request reaching the Secretary at such time and place as determined.

18. VOTING

At any General Meeting of the Pony Club only members 17 years of age and over shall be eligible to vote.

19. SPECIAL VACANCIES

In the event of any vacancy occurring in any office from any cause whatsoever between General Meetings such vacancy shall be filled by committee as soon as convenient after the vacancy occurs and the person so appointed to such a vacancy shall hold office for the remainder of the term for which his predecessor was elected.

20. ALTERATION TO RULES

- (a) These rules bind every member and the Club to the same extent as if every member and the Club had signed and sealed these rules and agreed to be bound by all their provisions.
- (b) The Club may alter or rescind these rules, or make rules additional to these rules, in accordance with the procedure set out in sections 17, 18 and 19 of the Act.
(Note: As at November 1, 1998, the Act requires a majority of 75% of the members present and voting at the meeting.)
- (c) All members shall be notified in writing the precise wording of any proposed alteration, addition or amendment to this Constitution at least ten (10) days prior to the meeting at which it is to be considered.
- (d) No alteration, addition or amendment shall be made to this Constitution, which does not conform to the aims, objectives and rules of the Pony Club Association of Western Australia Inc.
- (e) Any alteration, addition or amendment to this Constitution must be advised in writing to the Pony Club Association of Western Australia Inc. within twenty eight (28) days of the meeting at which the alteration, addition or amendment is agreed to.

- (f) No alteration, addition or amendment to this Constitution shall become effective until
 - (i) written advice is received from the Pony Club Association of Western Australia Inc.
 - (ii) that the alteration, addition or amendment conforms to the aims, objectives and Rules of the Association.
 - (iii) a copy of the relevant alteration has been lodged with the Commissioner of Fair Trading, which must both be completed within one (1) calendar month of the change.

21. DUTIES

President

The President shall, unless otherwise excused, attend all meetings of the Club and shall preside at all General and Committee meetings. They shall order the conduct of business in a proper manner.

The President shall ensure the Club upholds the Constitution.

The President shall conduct all business in an unbiased manner.

The President shall attend all official functions held by the Club, and shall ensure that all members, sponsors, judges are welcomed and adequately hosted. The President should also be available at all presentation functions.

Hon. Secretary

The Hon Secretary shall:

- (a) Keep accurate minutes of all proceedings and decisions of the Club and of the Committee or of any sub-committee and shall give effect thereto.
- (b) Attend to all correspondence.
- (c) Maintain an up-to-date record of the Club membership.
- (d) Carry out such other duties as the Club, committee or President may from time to time prescribe.

Hon. Treasurer

The Hon. Treasurer shall:

- (a) Maintain accurate books of accounts in which should be entered details of all Club revenue and expenditure.
- (b) Issue receipts for all fees, subscriptions and other funds paid to the Club.
- (c) Compile and issue a Balance Sheet and Statement of Revenue and Expenditure duly audited and certified by the Hon. Auditor which shall be laid before the Annual General Meeting of the Club.
- (d) Present at each General Meeting of the Club and at each Committee Meeting a summarised statement of Revenue and Expenditure since the previous meeting.

Coach Coordinator

The Coach Coordinator shall fulfil the role of Coach Coordinator as contained in the current PCAWA Handbook and amendments from time to time.

22. BANKING

- (a) All revenue received by the Club shall be deposited in a bank account in the name of the Club.
- (b) All cheques drawn on behalf of the Club shall be signed by the Treasurer or Secretary/Treasurer in the case of a combined appointment together with the President or one combined appointment or one Vice-President or any appointed member of the Committee.
- (c) Any one of Treasurer, Secretary or President may endorse cheques payable to the Club.

23. AFFILIATION

The Club may co-operate with, become a member of or affiliate to any body or bodies having objects similar in whole or in part to its own objects or any of them provided that a two-thirds majority of the Club is in favour of such affiliation.

The Club shall have the power to appoint a delegate or delegates as its representative(s) to any other body or bodies. Such delegate(s) shall enjoy such powers and privileges as may be determined by the Committee from time to time and shall hold office for such term or terms as shall be decided by the Committee.

24. PROPERTY

The Club may purchase, take on lease or in exchange or on hire or otherwise acquire hold mortgage lease or dispose of any real or personal property either solely or in partnership and shall enjoy all such rights powers and privileges and do all such things as may be necessary or expedient for these purposes.

25. REGISTER AND INSPECTION OF RECORDS

A register of members shall be maintained by:

- (a) The Secretary of the Club, and
- (b) The Pony Club Association of Western Australia Inc.

A member may at any reasonable time inspect without charge the books, documents, records and securities of the Club.

26. SEALHOLDERS

- (a) The Club shall have a common seal on which its corporate name shall appear in legible characters.
- (b) The Common Seal of the Club shall not be used without the express authority of the Committee and every use of that Common Seal shall be recorded in the Minutes referred to in Clause 21.
- (c) The Sealholders of the Club shall be the President, the Vice-President and the Treasurer of the Club.
- (d) The Common Seal of the Club shall be kept in the custody of the Secretary of the Club and shall be affixed to any deed, document or writing only by a resolution of the Committee, and every deed, document or writing to which the Seal is affixed shall be signed by at least two of the Sealholders and countersigned by the Secretary.
- (e) The Secretary shall maintain a register of every deed, document or writing to which the Seal is affixed.

27. INTERPRETATION

Any question whatsoever arising for which no specific rule is herein provided shall be decided by the Committee whose decision shall be final and binding without recourse.

28. GENERAL

Neither the Pony Club nor any person acting on its behalf shall be held responsible for any accident, damage, injury or loss to members, their ponies or their belongings at any Rallies, Gymkhanas, Rides or meetings.

29. NON-PROFIT MAKING CLAUSE

The income and property of the Association whensoever derived shall be applied solely towards the promotion of its objects as set forth in this constitution and no portion thereof shall be paid or transferred directly or indirectly by way of dividend bonus or nothing herein shall prevent the payment in good faith or remuneration to any officer or servant of the association for services actively rendered to the association.

30. DISSOLUTION

The Club may at any time, with the consent of a majority of 75% (seventy five percent) of the members present, at a General Meeting called for the purpose, be dissolved.

If upon the dissolution or winding up of the Club any property of the Club remains after the satisfaction of the debts and liabilities of the Club and the costs, charges and expenses of that winding up, that property shall be distributed:

- (a) to another Association or Club incorporated under the Act; or
- (b) for charitable purposes which incorporated Association or Club or purposes as the case requires shall be determined by resolution of the members when authorising and directing the Committee under section 33(3) of the Act to prepare a distribution plan for the distribution of the surplus property of the Club.

