

ASSOCIATION INCORPORATION ACT 1984
CONSTITUTION OF THE FAR SOUTH COAST DRESSAGE ASSOCIATION
INCORPORATED

1. NAME OF ASSOCIATION

The name of the Association is the Far South Coast Dressage Association Incorporated.

2. OBJECTS OF THE ASSOCIATION

- a. To affiliate with and to remain affiliated with Equestrian Australia.
- b. To promote and implement the Dressage Rules and Official Procedure laid down for National Events by Equestrian Australia as amended from time to time.
- c. To promote, hold and/or assist in holding exhibitions (including competitions, tests, demonstrations of performance and other displays) of dressage.
- d. To organise and conduct any course of instruction, lectures or discussions conducive to greater efficiency and standardisation of dressage judging, stewarding and organisation: and also conducive to the greater knowledge of dressage owners and riders.

3. FOR THE PURPOSES OF FURTHERING THE OBJECTS OF THE ASSOCIATION THE ASSOCIATION SHALL HAVE POWER

- a. To purchase, hire or otherwise acquire any property whatsoever which may be necessary or suitable for the purposes of the Association and to sell lease dispose of or otherwise deal with all or any part of the Association.
- b. To raise funds by means of subscriptions donations appeals social function and any other means.
- c. To borrow raise or secure the payment of money in such manner and upon such terms as the Committee shall think fit.
- d. To enter into any arrangement or contract, with any government municipalities or other corporations or public bodies firms or persons, which may seem conducive to the objects of the Association: or any of them and to obtain any rights, licences, privileges or concessions, which the Association may think it desirable to obtain and to carry out exercise and comply with any arrangements, contracts, rights, licences, privileges and concessions.
- e. To do all such other lawful things as are necessary, incidental or conducive, to the progress development or welfare of the Association.

4. DEFINITIONS

'The Association' means the Far South Coast Dressage Association Incorporated.

'Member' denotes a person who has paid his membership subscription and his application for membership has been approved by the Committee.

'Person' means and includes animate person, firms and companies.

'Bodies' denotes any club or body not formed for profit which has amongst its activities the breeding, use, care, study and/or exhibition of light horses and/or ponies provided that such body be resident within the Commonwealth of Australia.

'The Secretary' denotes the Secretary and/or Honorary Secretary appointed by the Association pursuant to the Rules and includes an acting Secretary or other person for the time being appointed by the Association to exercise its secretarial functions.

'Exhibition' includes competitions, tests, demonstrations of performance and other displays or events in which horses participate.

'Committee' means the elected Committee of the Association in office from time to time.

'Public Officer' means the person appointed pursuant of the Association Incorporation Act 1984.

'Rules' means the rules set out in this Constitution as from time to time amended pursuant to the provisions hereinafter contained.

'Regulations' means regulations and by-laws made by the Association as from time to time in force.

'Writing' includes printing, typing, roneo and other like recognised means of communications.

Where the context reasonably permits, singular numbers include the plural number and vice versa and words applying to the masculine gender include the feminine and neuter gender.

5. MEMBERSHIP

- a. Membership of the Association shall comprise:
 - i. Life Members
 - ii. Yearly members restricted to persons 16 years of age and over, all of which are hereinafter referred to as 'Ordinary Members'.
 - iii. Junior members restricted to persons who have not yet reached the age of 16 years.

A Junior Members shall not be eligible for election to the committee or be eligible to nominate another member to the committee or to vote at any general meeting.

- b. A Life Member may be elected to the Association subject to the applicant paying the prescribed fee and upon the Association approving the election of the applicant as a Life Member.
- c. Ordinary Members may be elected by a vote of three-quarters of those present on the Committee who are in favour of election. An application for Ordinary Membership shall be accompanied by the appropriate fee, and if not, such fee shall be paid with seven (7) days of notification by the committee to the applicant that the Ordinary Membership is approved.
- d. Application for membership implies an undertaking to observe the Rules contained in this Constitution and the regulations in force from time to time.
- e. Honorary Membership: The Association may admit to Honorary Membership any person or body for such period as it thinks fit, such members shall have limited rights as are set down from time to time by the Association.
- f. Every Ordinary Member of the Association and every Life Member of the Association as at the date of the coming into force of the Constitution shall be deemed to have been admitted to the Association pursuant to this Constitution.

6. ANNUAL SUBSCRIPTIONS

- a. The annual subscription payable by each member of the Association other than a Life Member or Honorary Member shall be such as the Association in general meeting shall from time to time prescribe.
- b. Annual subscriptions shall be for the Association year which shall commence on the first day of February in each year and shall terminate on thirty first day of January in the next year following and shall be due and payable in advance on the first day of February in each year.

7. NON-PAYMENT OF SUBSCRIPTION

The membership of any member who fails to pay his annual subscription within one month after the same becomes due shall be automatically terminated and the name of the former member shall be removed forthwith from the Register of members – provided that the committee may subsequently and on payment of the arrears of the subscription and at their discretion restore the name of the former member to the Register whereupon the former member shall regain the full rights of membership of the Association.

8. REGISTRATION

Any member desiring to resign his membership of the Association shall give notice in writing addressed to the Secretary and deposited with him.

9. MANAGEMENT

- a. The business and affairs of the Association shall be under the management of the Committee of the Association, the members of which shall be (eight) in number including a President who shall be chairman of the committee and a Vice-President, a Treasurer, a Secretary, an Event Secretary, and (three) other general Committee Members, all of whom shall be elected at the Annual General Meeting of the Association in each year.
- b. All office bearers and committee members of the Association shall hold office until the next Annual General Meeting after their election and shall be eligible for re-election.
- c. This constitution vests in the committee power to all things as are within the objects of the Constitution (see section 15).
- d. The committee will regulate the appointment the Association of Life Members, Ordinary Members and Honorary Members.
- e. The committee may delegate all of or any of its powers and for that purpose appoint any sub-committee comprising such person or persons as it may from time to time think fit. The committee shall comply in all respects in the management of the Association with the provisions of the Association Incorporation Act 1984.

10. COMMITTEE MEETINGS

- a. The committee may meet together for the dispatch of business, adjourn and otherwise regulate their meetings and proceedings as they think fit.
- b. The committee shall meet as needed
- c. The President or Vic-President or at least four committee members may at any time convene a meeting of the committee
- d. At any meeting of the committee four members of the committee shall form a quorum.
- e. In the absence of the President and the Vice President the members of the committee present may elect one of their number to preside at a meeting of the committee and that member while so presiding shall have all the powers and functions of the President.

11. SPECIAL PROVISIONS WITH RESPECT TO THE COMMITTEE

- a. If the number of the committee falls below eight, the members of the committee shall at their first ensuing meeting and in any case not later than one month after the occurrence of the vacancy, fill that vacancy by the appointment of a member as a member of the committee for the remainder of the term of the committee.
- b. The office of a member of the committee shall become vacant in the event of his resignation, insanity, bankruptcy, conviction of a criminal offence, death, or in the event of his absenting himself from three consecutive committee meetings of the committee without the leave of the committee.
- c. The committee shall not be entitled to receive any fees but no members of the committee shall be disqualified by his office from contracting with the Association either as a vendor purchaser or otherwise or from accepting from the Association any security by way of indemnity nor shall any such contract or any contract or arrangement entered into by or on behalf of the Association in which any member of the committee shall in any way be interested be avoided nor shall any member of the committee so contracting or being so interested be liable to account to the Association for any profit realised by any such contract or arrangement by reason of such member of the committee holding that office or of the fiduciary relation thereby established, PROVIDED THAT such member declares his interests to the committee prior to entering into such contract or arrangement.
- d. A meeting of the committee for the time being at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions conferred by or under this Constitution for the time being vested in or exercisable by the committee generally.
- e. The committee in addition to the powers, authorities and discretion conferred by this Constitution or otherwise expressly conferred upon them, may exercise all such powers, authorities and discretion and do all such acts and things that may be exercised or done by the Association, and are not hereby or by law for the time being in force in New South Wales expressly directed or required to be exercised or be done by the Association in general meeting.
- f. The committee shall submit to the members of the Association at the Annual General Meeting each year commencing in the year 1986 a report of the affairs of the Association for the year immediately preceding.
- g. Each member of the committee not holding a designated office shall exercise and perform such duties and functions as the committee determines and shall generally do everything in his power to further the objects of the Association.

12. ANNUAL GENERAL MEETING

- a. The annual general meeting of the Association shall be held yearly in the (Bega Valley Shire) in the month of February at a time and place as may be determined by the committee.
- b. In default of any annual general meeting being held before the last day of February in any year, then an annual general meeting shall be held in the month next following and may be convened by any two members of the Association in the same manner as nearly as possible to that by which meetings are to be convened by the committee.
- c. Every member, excluding Honorary Members of Junior Members of the Association shall have the right to nominate any other eligible full member for the committee which shall be filled by election by ballot pursuant to this section.
- d. The President shall appoint a Returning Officer and two or more scrutineers to conduct the ballot. These need not necessarily be members of the Association.
- e. Nominations of candidates for election as office bearers of the Association shall be made verbally by two financial members of the Association at the Annual General Meeting and verbally agreed to by the nominee.
- f. If the number of nominations received is equal to the number of vacancies, then persons nominated shall be deemed to have been elected.
- g. If the number of nominations exceeds the number of vacancies, a secret ballot shall be held, and the election to the vacancy shall be made by the majority vote.

13. SPECIAL GENERAL MEETINGS

- a. The committee may whenever it thinks fit and shall on requisition being made in writing by at least (eight) financial members specifying the business to be dealt with at the meeting and deposited with the Secretary, convene a special general meeting.
- b. Upon receipt of a requisition referred to in a preceding subsection, the committee shall forthwith proceed to convene a special general meeting at which a quorum shall be (eight) financial members. If they do not within fourteen (14) days from the date of the deposit of the requisition proceed duly to convene a meeting, the requisitionists may themselves convene a meeting.
- c. When a special general meeting is convened upon the requisition of members or by the requisitionists, any business other than that specified in the requisitions (except for formal business) shall not be dealt with at that meeting unless at least two-thirds of the members present decide that it arises out of the business for which the meeting was convened.
- d. All business shall be deemed special that is transacted at a special meeting.

14. GENERAL MEETINGS

- a. Notice of a general meeting specifying the place, the day and the hour of the meeting where possible shall be advised to members via postal-mail, email and advertised on the Association website as appropriate.
- b. No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business, a quorum being at least six (6) members.
- c. In the absence of the President and Vice-President, the members present at any general meeting may elect one of their number to preside as chairman at the meeting and that member while so presiding shall have all the powers and functions of the President.
- d. Members shall be entitled to vote at any general meeting and subject to this Constitution each member shall have one vote.
- e. If within half an hour from the time appointed for a general meeting a quorum of members is not present the meeting if convened on the requisition of members shall be dissolved. In any other case it shall stand adjourned to a time and place to be fixed and if at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the members present shall be a quorum.
- f. The chairman with the consent of the meeting adjourns the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

15. POWERS OF THE COMMITTEE

- a. The committee shall have power from time to time to make regulations (by-laws) prescribing all matters which by this Constitution are required or permitted to be prescribed or which may be necessary or expedient or convenient for the proper conduct or management of the Association.
- b. The committee shall have power to amend or repeal any by-laws made by the committee.
- c. The committee shall bring to the notice of the members of the Association all such by-laws and amendments by publishing same in the Association newsletter the publication of which next follows the committee meeting at which the by-laws or amendments were so made – provided that a by-law shall not be inconsistent with or affect or repeal anything contained in this Constitution and that any by-laws may be set aside by resolution of a general meeting.

16. ACCOUNTS AND RECORDS

- a. All cheques paid on behalf of the Association shall be signed by any two of the following officers namely the President, Vice-President, Secretary, Event Secretary, Treasurer or nominated Committee Member.
- b. The committee shall cause true records to be kept of:
 - i. the property of the Association;
 - ii. the sums of money received and expended by the Association and the matters in respect of which such receipts and expenditure have taken place;
 - iii. the assets and liabilities of the Association; and
 - iv. all cash received.
- c. All members of the Association are entitled as such to inspect any records of the Association at general meetings or by arrangement with the Treasurer.
- d. The committee shall lay before each annual general meeting a report including a balance sheet trading account and profit and loss account compiled from records to be kept for the purpose of the Association showing as accurately as circumstances will permit the financial position of the Association up to a date not earlier than two months before the meeting from the date to which the last preceding balance sheet, trading account and profit and loss account were compiled, or in the case of the first balance sheet, trading account and profit and loss account from the date of the incorporation of the Association.
- e. The report of the committee shall set out the state and condition of the Association and the amount if any which the committee proposes to carry to the reserve fund and shall be signed by the President and countersigned by the Secretary.

- f. A copy or summary of each report balance sheet, trading account and profit and loss account shall be presented at the annual general meeting.

17. AUDIT

- a. The Treasurer shall present at the AGM a full and fair balance sheet containing the particulars to exhibit a true and correct view of the state of the Association.
- b. The Secretary shall supply a copy of the Associations current Insurance Policy.
- c. The Public Officer shall then forward to the Department of Fair Trading as soon as possible after the AGM
 - i. The Association Annual Statement of Assets & Liabilities (Form 12) Balance Sheet as per Section 65 (1) of the Associations Incorporation Act 1984.
 - ii. A copy of the Associations current Insurance Policy.

18. PUBLIC OFFICER

- a. The committee shall appoint one of its members to be the Public Officer of the Association in accordance with the Association Incorporation Act 1984.
- b. The office of Public Officer becomes vacant if the person holding that office dies, becomes bankrupt, becomes of unsound mind, resigns his office by writing under his hand addressed to the committee of the Association, or ceases to be a resident in New South Wales.
- c. The Public Officer may hold any other office in the Association.
- d. The Public Officer shall, within (14) days after his appointment, give notice in writing to the Registrar of Companies of his appointment and of his full name and address in accordance with Section 11 of the Ordinance.
- e. The Public Officer will do all things and serve all purposes of Public Officer as set forth in the Associations Incorporation Act 1984.

19. COMPLAINTS

- a. All complaints about Association matters shall be made in writing to the Secretary who shall submit them to the committee.
- b. The committee shall have power to conciliate and arbitrate upon complaints so raised, but not to make sanctions or enforce penalties in any way on any member of the Association.

20. CHANGE OF ADDRESS

A member shall notify the Secretary forthwith of any change of address, and the Secretary shall thereupon record the change of address in the Register of Members.

21. NOTICES

Except where otherwise provided in this Constitution a notice may be given or served by the Association on or upon any members either personally or by placing such notice addressed to members in the newsletter posted to all financial members of the Association.

22. SUSPENSION AND EXPULSION

If any member shall wilfully infringe any of the provisions of this Constitution of any of the by-laws or disregard any resolution passed by the committee, notice of which shall have been give to the member, or be in the opinion of the committee guilty of any conduct prejudicial to the interest of the Association, the committee shall have the power by resolution to suspend such member from all privileges of membership of the Association for any period or to expel that member and erase his name from the Register of Members, but that member shall not be expelled unless at least one (1) week before the meeting at which the proposed resolution is to be dealt with he shall have notice of the meeting and of the intended resolution of his expulsion and he shall at such meeting and before the passing of such resolution have had an opportunity of giving orally or in writing any explanation or defence he may think fit, and such suspension and or expulsion will not be contrary to the principles of natural justice.

23. INDEMNITY

- a. Every member of the committee and other officer or servant of the Association shall be indemnified by the Association and it shall be the duty of the committee out of the funds of the Association to pay all costs, losses and expenses which any such member of the committee or other officer or servant may incur or become liable for by reason of any contract entered into or act or thing done by him as a member of the committee or other officer or servant of the Association except such (if any) as shall happen through his own wilful neglect or default.

