

CONSTITUTION – November 2017

1. NAME

The name of the Club is **Western Australian Reining Horse Association (Inc.)**
Hereafter referred to as the “Club”

2. OBJECTS

The objects of the Club are:

- 2.1 To promote the sport of Reining in Western Australia
- 2.2 To provide competitions for members to participate in.
- 2.3 To provide training clinics for members to participate in.
- 2.4 To provide social outings for members

3. ATTAINING OBJECTS

The Club shall be empowered to do all things necessary which are incidental to and necessary for the attainment of the objects of the association.

4. PROPERTY OF THE CLUB

The Club must apply all property and income of the association towards the promotion of the objects or purposes of the Club. No part of that property or income to be paid or otherwise distributed, directly or indirectly, to members of the Club, except in good faith in the promotion of those objects or purposes.

5. POWERS OF THE CLUB (as conferred by Section 13 of the Act)

- 5.1 To acquire, hold, deal with, and dispose of any real or personal property;
- 5.2 To open and operate bank accounts;
- 5.3 To invest its money –
 - (i) in any security which trust moneys may be invested; or
 - (ii) in any other manner authorized by the rules of the Club;
- 5.4 To borrow money upon such terms and conditions as the Club thinks fit;
- 5.5 To give such security for the discharge of liabilities incurred by the Club as the Club thinks fit;

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- 5.6 To appoint agents and employees to transact any business of the Club on its behalf for reward or otherwise;
- 5.7 To build, construct, erect, maintain, alter and repair any premises building or other structure of any kind and to furnish equipment and improve the same for the use by the Club;
- 5.8 Accept donations and gifts in accordance with the objects of the Club;
- 5.9 Print and publish any information by any media including newsletters, newspapers, articles or leaflets for the promotion of the Club;
- 5.10 Provide gifts and prizes in accordance with the objects of the Club;
- 5.11 Organize social events for Members and the promotion of the Club; and
- 5.12 To enter into any other contract the Club considers necessary or desirable.

i. MEMBERSHIP

- 6.1 Membership shall be open to any person of good character and reputation that has an interest in the sport and promotion of the reining horse. However, membership is a privilege and not a right and it will be granted, rejected or revoked at the discretion of the management committee
- 6.2 Any person seeking membership shall make application to the Management Committee, and the Management Committee shall determine whether the application is successful or not.
- 6.3 Each person admitted to membership shall be;
 - 6.3.1 Bound by the constitution and By-laws of the Club.
 - 6.3.2 Come liable for fees and subscriptions as may be fixed by the club.
 - 6.3.3 Entitled to all advantages and privileges of membership.
- 6.4 Membership Categories:

- 6.4.1 **ORDINARY MEMBER** – any person who is a financial member of the Club is entitled to hold any office and enjoy the privileges of the Club
- 6.4.2 **SOCIAL MEMBER** – persons other than ordinary members who are interested in promoting the Club, but who do not wish to participate in the riding activities of the Club, may become a Social Member. Social members have no voting rights at meetings or AGM.
- 6.4.3 **YOUTH MEMBER** – persons under the age of 18 years may become a Junior Member. Junior Members shall have no voting rights nor be entitled to hold any office.
- 6.4.4 **LIFE MEMBERSHIP** – the Management Committee as a Life Member may elect any member who has given outstanding service to the Club. Any member may nominate a person to the Management Committee for the consideration for Life Membership.
- 6.4.5 **PATRON** – the club may, at its discretion, elect a patron/s or vice patron/s of the Club for such period as may be deemed necessary. Such patron/s or vice patron/s shall not be eligible to vote unless they are current members of the Club under another category of membership.
- 6.4.6 **AFFILIATED CLUBS OR TEAMS** – a club or team must make application in accordance with the by-laws of the Club. Such application must be lodged with the Club Secretary on or before a date determined by the Management Committee of the Club. Each affiliated club or team shall appoint or elect a delegate as his or her representative to meetings of the Management Committee.
- 6.5 The Management Committee shall appoint a member of the Management Committee to maintain an up to date register of members of the Club.

General

6.6 Any member may at any reasonable time inspect the records and documents of the Club.

7 SUBSCRIPTIONS

7.1 To be paid by different membership classes as and when they are due.

7.1 The financial year for the association will commence on 1st January each calendar year. Subscriptions will fall due on this date.

8 TERMINATION OF MEMBERSHIP

8.1 Any person's membership may be terminated by the following events:

8.1.1 resignation

8.1.2 expulsion

8.1.3 a member's annual membership fee remains unpaid after 3 months of falling due;

8.2 The Management Committee shall have the power to suspend or expel any member of the Club for:

8.2.1 any of the events in item 8.1

8.2.2 false or inaccurate statements made in the member's application for the membership of the Club,

8.2.3 breach of any rule, regulation or by-law of the Club and

8.2.4 by any act detrimental to the association, or its members or its sponsors, after having undertaken due enquiry.

8.3 Any member who is expelled, suspended or has their

membership terminated, shall have the right the appeal against their suspension or expulsion by presenting their case to a General Meeting called for such purpose, and the decision of the General Meeting shall be final.

8.4 Past history may be considered for all disciplinary matters

9. DISPUTES

9.1 The disputes procedure set out in this rule applies to disputes under these rules between a Member and: (1) another Member; or

(2) the Association.

The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within fourteen (14) days after the dispute comes to the attention of all parties.

9.2 Dispute submissions will not be considered valid without the appropriate information. Information required shall include:

- (a) Name of the accused
- (b) Event name, date and location
- (c) Accused allegation
- (d) Witness list with contact information
- (e) Detailed description and/or evidence of the accused allegation

9.3 A Dispute Review committee will be appointed by the Chairperson to review and mediate dispute submissions. The DRC will consist of 3 members of the management committee.

9.3.1 All relevant documents submitted are to remain confidential.

10 MANAGEMENT COMMITTEE

- (1) sometimes referred to as Executive Committee
- (2) Committee persons are sometimes referred to as Office Bearers.
- (3) the main Office Bearers are often referred to as The Executive.

10.1 Management of the Club shall be vested in the Management Committee elected by the members at the Annual General Meeting and consisting of:

10.1.1 President

10.1.2 Vice-President

10.1.3 Secretary

10.1.4 Treasurer

10.1.5 Two committee members - minimum

10.1.6 Club or Team delegates

10.2 No person shall hold more than one position on the Management Committee at any one time. A person shall cease to be a member of the Management Committee at the conclusion of the Annual General Meeting which follows his/her election and he /she will be eligible for re-election.

10.3 A quorum of the Management Committee shall be half of its members plus one.

10.4 If the President or Vice President is unable to attend, then a chairperson nominated by the meeting shall chair the meeting.

10.5 A member of the Management Committee may loses his or her seat on the committee for either of the following:

- Absence from three or more meetings without leave of absence
- Found not to be a financial member.

11 POWERS OF THE MANAGEMENT COMMITTEE

11.1 The Management Committee shall carry out the day-to-day running of the Club and shall have the power to:

- 11.1.1 Administer the finances, appoint bankers and direct the opening of the banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account;
- 11.1.2 Fix the manner in which such banking accounts shall be operated upon, providing the Management Committee passes all payments;
- 11.1.3 Fix fees and subscriptions payable by members and decide such levies, fines and charges as it is deemed necessary and advisable, and to enforce payment thereof;
- 11.1.4 Adjudicate on all matters brought before it which in any way affect the Club;
- 11.1.5 Cause minutes to be made of all proceedings at meetings of the Committee and General Meetings of members;
- 11.1.6 Make, amend and rescind rulings and By-laws.
- 11.1.7 Have the power to form and appoint any sub committee/s as required for specific purposes.

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- 11.1.8 May at their discretion employ a person or persons to carry out certain duties required by the club, at salaries or remunerations for such period of time, as may be deemed necessary.
- 11.1.9 Should a vacancy occur on the Management Committee during the season, the Management Committee shall appoint a Successor until the next Annual General Meeting.
- 11.1.10 Appoint an officer/s or agent of the Management Committee to have custody Of the Club's records, documents and securities.

12. AUDITOR

- 12.1 The Annual General Meeting shall elect or appoint an Auditor or Auditors.
- 12.2 The Auditor/s shall examine and audit all the books and accounts of the Club annually, and have the power to call for all books, papers, accounts, receipts, of the Club and report thereon to the Annual General Meeting.

13. GENERAL MEETINGS

13.1 Annual General Meeting

- 13.1.1 The Annual General Meeting of the Club must be held within four months of the end of the Club's financial year.
- 13.1.2 The Secretary shall give a least fourteen (14) days notice of the date of the Annual General Meeting, to members.
- 13.1.3 All financial members may attend the Annual General Meeting.
- 13.1.4 The quorum at the Annual General Meeting shall be a minimum of six financial members.

If, at the end of 30 minutes after the appointed time in the notice for the opening of the Meeting, there be no quorum the meeting shall stand and adjourn for one week. If at such meeting there is no quorum those members present shall competent to discharge the business of the meeting.

13.1.5 The agenda for an Annual General Meeting shall be:

- Opening of Meeting
- Apologies
- Confirmation of Minutes of previous AGM
- Presentation of Annual Report
- Adoption of Annual Report
- Presentation of Treasurer's statement
- Election of new executive committee
- Appoint an auditor
- Vote of thanks to outgoing executive
- Determination of Membership Fees
- Notice/s of motion
- Urgent general business
- Closure

13.2 GENERAL MEETINGS

13.2.1 General meetings may be called by the Management Committee or at the request of the President and Secretary or on the written request of 6 members of the Club.

13.2.2 The Secretary shall give at least seven (7) days notice of the General Meeting to the members. Notice of General Meetings shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at the General Meeting.

13.2.3 The quorum at the General Meeting shall be

a minimum of 10% of the eligible voting membership.

14 VOTING

14.1 Voting powers at the Annual General Meeting and General Meetings:

14.1.1 The President shall be entitled to a deliberate vote and, in the event of a tied vote, the President will exercise a casting vote.

14.1.2 Each individual full financial members present shall have one (1) vote.

14.2 Voting powers at Management Committee meetings;

14.2.1 The President shall be entitled to a deliberate vote, and, in the event of a tied vote, the President shall exercise a casting vote.

14.2.2 Each individual full financial member present shall have one (1) vote.

15 FINANCE

15.1 All funds of the Club shall be deposited into the Club's accounts at such bank or recognized financial institution as the Management Committee may determine.

15.2 All accounts due by the Club shall be paid by cheque or electronic funds transfer after having been passed for payment at the Management Committee meeting and when immediate payment is necessary, accounts shall be paid and the action endorsed at the next Management Committee meeting.

15.3 The Secretary shall not spend more than a set amount of petty cash without the consent of the Management Committee, and shall keep a record of such expenditure

in a petty cash book.

15.4 A statement showing the financial position of the Club shall be tabled at each Management Committee meeting by the Treasurer.

15.5 A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting. The auditor's report shall be attached to such financial report.

15.6 The financial year of the Club shall commence on 1st of January each year. The accounts, books and all financial records of the Club shall be audited each year.

15.7 The signatories to the Club's account/s will be the Treasurer and any one (1) from the following;

President

Vice President

Secretary

15.8 All property and income of the Club will apply solely to the promotion of the objects of the Club and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.

15.9 Payments may be made to a member of the Management Committee out of the funds of the association as reimbursement upon presentation of receipts or invoices if items purchased are to support the objects of the association.

16 COMMON SEAL

The common seal of the club shall be kept in the care of the Secretary.

The seal shall not be used or affixed to any deed or document except pursuant to a resolution of the Management Committee and in the presence of at least the President and two of the Committee, both of whom shall subscribe their names as witnesses.

17 ALTERATIONS TO THE CONSTITUTION AND BY-LAWS

- 17.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or General Meeting, called for the purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members fourteen (14) days prior to the Annual General Meeting, or seven (7) days prior to a General Meeting called for such purpose.
- 17.2 The Secretary shall forward such notices of motion to each Management Committee member at least fourteen (14) days prior to the Annual General Meeting or seven (7) days prior to a General Meeting.
- 17.3 Alterations to the By-laws can be made only at Management Committee Meetings provided notice of the Proposed alteration/s has been duly notified to the Committee Members.
- 17.4 Such motions, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority (Special Resolution) of those present and entitled to vote at the Annual General Meeting.
- 17.5 Within one month of the passing of a Special Resolution, the Secretary shall notify the Department of Consumer and Employment Protection of the amendment.

18 DISSOLUTION

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

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- (a) to another incorporated association having objects similar to those of the Club; or
- (b) for charitable purposes, which incorporated association or purpose, as the case requires, shall determine by resolution of the members.

