## RUNCORN HORSE AND PONY CLUB INC

## CONSTITUTION

## NAME

1 The name of the incorporated association shall be "Runcorn Horse and Pony Club Inc", (in these rules called The Association). Which is a zone affiliate and state affiliate of The Pony Club Association of Queensland Inc.

## OBJECTS

The Objects for which the Association is established are:-

1) To encourage young people to ride and to learn to enjoy all kinds of sport connected with horses and riding;
2) To provide instruction in riding and horsemanship, and to instil in members the proper love and care of their animals;
3) To promote the highest ideals of horsemanship, citizenship and loyalty thereby cultivating strength of character and self discipline.

## POWERS

The powers of the Association are:-

1) To subscribe to, become a member of, and co-operate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with its funds any Club, Association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under of by virtue of Rule 24(10);
2) In furtherance of the objects of the Association to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Association's premises;
3) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real personal and any rights or privileges which may requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Association: Provided that in case the Association shall take or hold any property which may be subjected to any trusts the Association shall only dealt with the same in such manner as allowed by law having regard to such trusts;
4) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or Authority any rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
5) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association;
6) To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated association, or in or about the
incorporated association or promotion of the incorporated association or in the furtherance of its objects;
7) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance development, working, management, carrying out, alteration or control thereof;
8) To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit;
9) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate;
10) In furtherance of the objects of the Association to lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate;
11) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent of secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage charge, lien or other security upon the whole or any part of the incorporated association's property or assets present or future, and to purchase, redeem or pay off such securities;
12) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;
13) In furtherance of the objects of the Association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association;
14) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or nay unpaid balance of the purchase price, of any part of the Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchasers and others;
15) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to the proviso in Sub-rule (4);
16) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise;
17) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects;
18) In furtherance of the objects of the Association to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of Rule (10);
19) In furtherance of the objects of the Association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorised to amalgamate;
20) In furtherance of the objects of the Association to transfer all or part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated Associations with which the Association is authorised to amalgamate;
21) To make donations for patriotic, charitable or community purposes;
22) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association;

## CLASSES OF MEMBERS

4 (a) The membership of the Association shall consist of:-
(I) Senior members - The entry requirement for Senior members is that they be twenty-one years of age and over; There is no limitation to the number of Senior Members. Senior members have the right to vote at all General Meetings.
(ii) Associate members - The entry requirement for associate members is that they be eighteen years or older but under twenty-six years of age. Associate members have the right to vote at all General Meetings.
(iii) Junior members - The entry requirement for junior members is that they be under eighteen years of age; there is no limitation on the number of Junior Members. Junior members have no voting rights and are not eligible for election to management committee positions. Any members under the age of 18 must have a parent/guardian as either a social or riding member of the club.
(iv) At any General Meeting, of the Association may, on the advice and recommendation of the committee appoint any person who has been considerable help and assistance to the Association, an honorary member. Such person will then enjoy all the privileges, benefits, and advantages of the Association. Provided he or she shall have no voting and competition rights. Such honorary membership is to be renewed at each Annual General Meeting of the Association; there is no limitation on the number of honorary members.
(v) The Annual General Meeting of the Association may on the advice and recommendation of the Management Committee, declare and appoint any member or ex-member of the Association as a Life Member of the Association, and from after such appointment, no further fees shall be payable by such member who shall enjoy all the privileges, benefits and advantages of any other member of the Association.
(vi) At any General Meeting, of the Association may, on the advice and recommendation of the committee appoint a person who has been considerable help and assistance to the Association, a Patron of the Association. Such person will then enjoy all the privileges, benefits, and advantages of the Association. Provided he or she shall have no voting and competition rights. The position is to be renewed at each Annual General Meeting of the Association; there is to be a limit of only two Patrons of the Club.
(b) The number of members of each Class, with the exception of Patron, shall be unlimited; In the case of Patron there may be two co-Patrons.

## REGISTER OF MEMBERS

(c) (I) The Management Committee shall cause a register to be kept in which shall be entered the names and addresses of all persons admitted to membership of the Association and the dates of their admission;
(ii) Particulars shall be also be entered into the register of resignations, terminations and reinstatements of membership any further particulars as the Management Committee or the Members at any general meeting may require from time to time;
(iii) The register shall be open for inspection at all reasonable times by any member who
previously applies to the Secretary for such inspection.

## MEMBERSHIP

Any applicant who received the majority of the votes of the members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.

## MEMBERSHIP FEES

1) The membership fees for each class of membership shall be such sum as the members shall from time to time at any special general meeting or Annual General Meeting so determine;
2) The membership fees for each class of membership shall become due at the first day of the financial year and are to be paid within three calendar months after this date.

## ADMISSION AND REJECTION OF MEMBERS

1) At the next meeting of the Management Committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Management Committee, who shall there-upon determine upon the admission or rejection of the applicant;
2) Any applicant who receives a majority of the votes of the member of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for;
3) Upon the acceptance or rejection of an application for any class of membership the Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection;
4) A member may resign from the Association at any time by giving notice in writing to the Secretary. Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date;
5) If a member:-
(I) is convicted of an indictable offence; or
(ii) fails to comply with any of the provisions of these rules;
(iii) or has membership fees in arrears for a period of two months or more; or
(iv) conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the Association;

The Management Committee shall consider whether his membership shall be terminated.
6) The member concerned shall be given a full and fair opportunity of presenting his case and if the Management Committee resolves to terminate his membership it shall instruct the Secretary to advise the member in writing accordingly.

## APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

A person whose application for membership has been rejected or whose membership has been terminated may within one month of receiving written notification thereof, lodge with the Secretary written notice of his intention to appeal against the decision of the Management Committee;
2) There shall be right of rejection to membership, the manner shall be determined by the Management Committee;
3) Upon receipt of a notification of intention to appeal against rejection or termination of membership the Secretary shall convene, within three months of the date of receipt by him of such notice, a general meeting to determine the appeal.. At any such meeting the applicant shall be given the opportunity to fully present his case and the Management Committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case. The appeal shall be determined by the vote of the members present at such meeting;
4) Where a person whose application is rejected, does not appeal against the decision of the Management Committee within the time prescribed by these Rules or so appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any fee paid.

## MEMBERSHIP OF THE MANAGEMENT COMMITTEE

1) The Management Committee of the Association shall be elected from the Senior, Associate or Life Members and shall consist of a President, a Vice President, Secretary, Treasurer, Chief Instructor or one member of instructors' panel, Agistment Officer, Canteen Convenor, and such other members as the members of the association at any general meeting from time to time elect or appoint. The number of members of the Management Committee shall be a maximum of ten (10) and a minimum of five (5) members.
2) At the Annual General Meeting of the Association, all the members of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election;
3) The election of officers and other members of the Management Committee shall take place in the following manner:-
a) Any two members of the Association shall be at liberty to nominate any other member to serve as an officer or other member of the Management Committee;
b) The nomination, which shall be in writing and signed by the member and his proposer and seconder, shall be lodged with the Secretary at least fourteen days before the Annual General Meeting at which the election is to take place;
c) A list of the candidates' names in alphabetical order with the proposers' and seconders' names, shall be posted in a conspicuous place in the office or usual place of meeting of the Association for at least seven days immediately preceding the Annual General Meeting;
d) Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies;
e) Should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting;
4) The Management Committee may (at the discretion of that Committee include a maximum of five representatives under seventeen years of age elected by the Junior members who shall be ex-officio members and shall not have any voting rights;
from among its members to carry out such duties as directed by the Management Committee provided that any decisions receive the endorsement of the Management Committee;
5) Any member of the Management Committee may resign from membership of the Management Committee at any time by giving notice in writing to the Secretary but such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date, or such member may be removed from office at a general meeting of the Association where that member shall be given the opportunity to fully present his case. The question of removal shall be determined by the vote of the members present at such a general meeting.
6) Any member of the management Committee who fails to attend three consecutive meetings of the management committee may be removed from the management committee by a simple vote of the management committee

## VACANCIES ON MANAGEMENT COMMITTEE

1) The Management Committee shall have power at any time to appoint any member of the Association to fill any casual vacancy on the Management Committee until the next Annual General Meeting;
2) The continuing members of the Management Committee may act notwithstanding any casual vacancy in the Management Committee, but if and so long as their number is reduced below the number fixed by or pursuant to these Rules as the necessary quorum of the Management Committee, the continuing member or members may act for the purpose of increasing the number of members of the Management Committee to that number or of summoning a general meeting of the Association, but for no other purpose.

## FUNCTIONS OF THE MANAGEMENT COMMITTEE

1) Except as otherwise provided by these Rules and subject to resolutions of the members of the Association carried at any General Meeting the Management Committee:-
a) Shall have the general control and management of the administration of the affairs, property and funds of the Association; and
b) Shall have authority to interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent;
2) The Management Committee may exercise all the powers of the Association:-
a) To borrow or raise or secure the payment of money in such manner as the members of the Association may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Association's property, both present and future, and to purchase, redeem or pay off any such securities;
b) To borrow money from embers at a rate of interest not exceeding interest at the rate for the time being charged by bankers in Brisbane for overdrawn accounts on money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association, and to provide any pay off any such securities; and
c) To invest in such manner as the members of the Association may from time to time determine.
3) The Management Committee shall meet at least once every two calendar months to exercise its functions;
4) A special meeting of the Management Committee shall be convened by the Secretary on the requisition
in writing signed by not less than one-third of the members of the Management Committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat;
5) At every meeting of the Management Committee a simple majority of a number equal to the number of members elected and/or appointed to the Management Committee as at the close of the last general meeting of the members, shall constitute a quorum;
6) Subject as previously provided in this rule, the Management Committee may meet together and regulate its proceedings as it thinks fit:Provided that questions arising at any meeting of the Management Committee shall be decided by a majority of votes, and in the case of equality of votes, the Chairman shall have a second or casting vote;
7) A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Association in which he is interested, or any matter arising thereout, and if he does so vote his vote shall not be counted;
8) Not less than fourteen days notice shall be given by the Secretary to members of the Management Committee of any special meeting of the Management Committee. Such notice shall clearly state the nature of the business to be discussed thereat;
9) The President shall preside as Chairman at every meeting of the Management Committee, or if there is
no President, or if at any meeting he is not present within ten minutes after the time appointed for holding the meeting, one of the Vice-Presidents shall be Chairman or if the Vice-Presidents are not present at the meeting then the members may choose one of their number to be Chairman of the meeting;
10) If within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place, as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.
11) The Management Committee may delegate any of its powers to a sub-committee consisting of such members of the Association as the Management Committee thinks fit. Any SubCommittee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Management Committee;
12) A sub-committee may elect a Chairman of its meetings. If no such Chairman is elected, or if any meeting the Chairman is not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their number to be Chairman of the meeting;
13) A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of equality of votes, the question shall be deemed to be decided in the negative.

14 All acts done by any meeting of the Management Committee of a sub-committee or by any person acting as a member of the Management Committee shall, notwithstanding that it is afterwards discovered that
there
wa
s some defect in the appointment of any such member of the Management Committee or person acting as aforesaid, or that the members of the Management Committee or any of the were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the Management Committee.

## ANNUAL GENERAL OR GENERAL MEETINGS

16 1) The Annual General Meeting of the Association shall be convened and held each year in such months and on such dates and time as the Management Committee shall from time to time appoint provided that the date of such meeting shall be not later than 31 ${ }^{\text {st }}$ December of any year.
2) The business to be transacted at every Annual General Meeting shall be to receive and vote upon:-
(a) the Management Committee's report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the Association for the preceding financial year, revision of fees, recommendations for life membership;
(b) The Auditor's report upon the books and accounts for the preceding financial year;
(c) The appointment of an auditor;
(d) The appointment of an honorary solicitor;
(e) The election of office bearers;
(f) The appointment of patron/s;
$(\mathrm{g})$ Notices of motion;
(h) Any other business.

17 The Secretary shall convene a special general meeting -
a) When directed to do so by the Management Committee; or
b) On the requisition in writing singed by not less than one-third of the members presently on the Management Committee or not less than the number of ordinary members of the Association which equals the number of members presently on the Management Committee plus one. Such requisitions shall clearly state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat; or
c) On being given a notice in writing of an intention to appeal against the decision of the Management Committee to reject an application for membership or to terminate the membership of any person.

1) At any general meeting the number of eligible voting members required to constitute a quorum shall be the number of members presently on the Management Committee plus one;
2) No business shall be transacted at any general meeting unless a quorum of eligible voting members is present at the time when the meeting proceeds to business. For the purposes of this rule "member" includes a person representing a corporation which is a member;
3) If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee or the Association, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half and hour from the time appointed for the meeting, the members present shall be a quorum;
4) The Chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the meeting to another time and place, but no business shall be transacted at any adjourned meeting other that the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.
5) The Secretary shall convene all general meetings of the Association by giving not less than fourteen days notice of any such meeting to the members of the Association;
6) The manner by which such notice shall be given shall be determined by the Management Committee: Provided that notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of his membership by the Management Committee, shall be given in writing. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

Unless otherwise provided by these Rules, at every general meeting -

1) The President shall preside as Chairman, or if there is no President, or if he is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, one of the Vice-Presidents shall be the Chairman, or if the Vice-Presidents are not present, or are unwilling to act then the members present shall elect one of their number to be Chairman of the meeting;
2) The Chairman shall maintain order and conduct the meeting in a proper and orderly manner;
3) Every question, matter or resolution shall be decided by a majority of votes of the members present;
4) Every Senior or Associate member present shall be entitled to one vote and in the case of an equality of votes, the Chairman shall have a second or casting vote: Provided that no member shall be entitled to vote at any general meeting if his annual subscription is more than three months in arrears from the end of the financial year (31st December);
5) Voting shall be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot. The Chairman shall appoint two members to conduct the secret ballot in such a manner as he shall determine and the result of the ballot as declared by the Chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded;
6) A member may vote in person on a show of hands, every person who is a member or a representative of a member shall have one vote and in a secret ballot every member present in person shall have one vote;
7) The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and General meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding meeting verifying their accuracy. Similarly, the Minutes of every General
meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding general meeting; Provided that the Minutes of any Annual General Meeting shall be signed by the Chairman of that Meeting or the Chairman of the next succeeding general meeting or Annual General Meeting.

## BY-LAWS

The Management Committee may from time to time make, amend or repeal by-laws, not inconsistent with these Rules or the Rules or By-laws of the Pony Club Association of Queensland Inc, for the internal management of the Association, and any By-laws may be set aside by a general meeting of Members.

## ALTERATION OF RULES

1) Subject to the Associations incorporation Act 1981, these rules may be amended, repealed or added to by a special resolution carried at a general Meeting.
2) However an amendment, repeal or addition is valid only if it is registered by the chief executive.

## COMMON SEAL

The Management Committee shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a member of the management Committee and shall be counter signed by the Secretary or by a second member of the Management Committee or by some other person appointed by the Management Committee for the purpose.

## FUNDS AND ACCOUNTS

1) The funds of the Association shall be banked in the name of the Association in such bank as the Management Committee may from time to time direct;
2) Proper books and accounts shall be kept and maintained either in electronic or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature;
3) All moneys shall be banked as soon as practicable after receipt thereof;
4) All amounts of fifty dollars or over shall be paid by cheque signed by any two of the President, Secretary, Treasurer or other member authorised from time to time by the Management Committee;
5) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupment which may be open;
6) The Management Committee shall determine the amount of petty cash which shall be kept on the imprest system;
7) All expenditure shall be approved or ratified at a Management Committee meting;
8) As soon as practicable after the end of each financial year ( $31^{\text {st }}$ October) the Treasurer shall cause to be prepared a statement containing particulars of -
a) The income and expenditure for the financial year just ended; and
b) The assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year;
9) All such statements may be examined by an Auditor who shall present his report upon such audit to the Secretary for the purpose of applying for funding grants; The timing of the audit would be at the discretion of the Management Committee.
10) The income and property of the Association whencesoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Association provided that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Association or reasonable and proper rent for remises demised or let to the Association.

## DOCUMENTS

The Management Committee shall provide for the safe custody of books, documents, instrument of title and securities of the Association.

## FINANCIAL YEAR

The financial year of the Association shall close on $31^{\text {st }}$ October in each year.

## DISTRIBUTION OF SURPLUS ASSETS

If the Association shall be wound up in accordance with the provisions of the Associations Incorporations Act 1981, and there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Association, but shall be given or transferred to the Pony Club Association of Queensland.

## INSTRUCTOR

Any Senior or Associate Member who has qualified as an Instructor (and renews such qualification annually) in accordance with the requirements set down from time to time by The Pony Club Association of Queensland Inc, and whose appointment and/or renewal has been approved by the Management Committee of such Association.

