



PONY CLUB ASSOCIATION OF SOUTH AUSTRALIA INC
CLUB CONSTITUTION

The name shall be

AIMS AND OBJECTS

- (a) To encourage people of all ages to ride and learn to enjoy all kinds of sport connected with horses and riding.
- (b) To provide instruction and horsemanship and instil in members the proper care of their animals.
- (c) To promote the highest ideals 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. **Senior** member is a person who has reached the age of seventeen and not reached the age of twenty-six (26) years.
3. **Adult** Pony Club ® member is a person who has reached the age of twenty-six (26) years.
4. **Riding member**- any person in categories 1,2 & 3.
5. **Non-riding member**- any person who wishes to be a member to assist in the running of the club.

All members in 1-5 will be eligible to vote, except members under 18 years of age at the Annual general meeting- providing they have been a financial member for at least the previous "six (6) months. Voting age for club meetings is members over 15 years of age.

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 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, senior and adult member shall be issued with an Attendance Performance Record 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, Secretary and Treasurer which may be combined. Where able the committee will have ___ members.

All committee members must be financial members of the club. The affairs of the club shall follow the rules of Pony Club ® Association of South Australia Inc.

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, it may be held via zoom or phone if necessary.
 - (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 business to be transacted thereat shall be sent to every Junior, senior,



adult member and Non riding member. No business other than that of which notice has been given shall be brought forward at such meeting.

- (e) To decide on Junior, 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 18 years and over shall have one vote and in the case of an equality the question will be discussed and voted on again.
 - (g) 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 (15) 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 (2) members stating the purpose for which the meeting is required. Such meeting to take place not less than ten (10) days and not more than twenty-one (21) days of receipt of letter to the secretary. No business other than for which the meeting was called shall be delt 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 said meeting.
3. **COMMITTEE MEETINGS** shall be held bimonthly or on other occasions when the secretary has been requested (in Writing) by two (2) committee members to call a meeting. A quorum shall consist of simple majority of committee members. (see management of members). Meetings can be held via zoom, phone, or face to face.

Public Officer: As per section 56 (1) of the act.

3.1 **PRESIDENT 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.
To record, handle and pass onto the committee all Club correspondence.
- (b) To keep a register of members.
- (c) To call meetings at appointed times or when requested to do so.

3.3 TREASURER DUTIES

- (a) To compile and issue a balance sheet and statement of revenue and expenditure, which shall be laid out before a meeting.
- (b) To issue all receipts for fees and other monies paid to the Club.
- (c) To provide a finance statement 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. Officer bearers must have been a Financial member of the club for at least the previous six (6) months and remain financial for their term.

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 their 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 interest of the Club or calculated in any matter to bring discredit to the Club or it's members or to seriously impair or affect the enjoyment of any Club 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 meeting 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 case of an equality the question will be lost. The question will be discussed again and voted on at the next meeting.

- 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, Vice President and



Secretary and Treasurer of the said club. (an updated annual strength return to state office of the change if any)

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 and email addresses of the delegates and alternative delegates to the Zone. Executive shall also be included in the letter.
8. The Chairman at the Annual General Meeting and Special General Meeting shall have a deliberative vote.

9. BY-LAWS

10. BANKERS

The bankers of the club shall be Treasurer and one other appointed person at the AGM each year. 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 Constitution or By-Laws. Look to the Zone or State Constitutions for a resolution to the matter. If unable to resolve after so doing contact State President and seek legal advice.

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 Australia Inc. and the Zone with which this Club is affiliated.

14. POWERS: As under the Act section 25.

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.
- (9) Have a caretaker President, Secretary or Treasurer appointed by the Zone if the said club cannot appoint one from their committee. They may hold the position until the next AGM

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 provided 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, 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, but



must ensure not to breach Zone or State constitutions. They must send altered constitution to State Office for recording and checking and approval

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; Section 43 of the Act (part 5)

The association may be wound up in the manner provided for in the act.

"surplus assets"

- a) the Act, such surplus assets shall be distributed to any organisation which has similar objects and has rules which prohibit the distribution of its assets and income to its members.
- b) Such organisation or organisations shall be identified and determined by a Resolution of members in general meeting.

"special resolution" of and incorporated association means-

- (a) Where the rules of the association provide for the membership of the association if-
 - (1) At least twenty-one (21) days written notice specifying the intention to propose the resolution as a special resolution of the association if-
 - (2) It is passed at a meeting referred to this paragraph by a majority of not less than **three quarters** of such members of the club as, being entitled to do so, vote in person or, where proxies are allowed, by proxy, at the meeting.