

INDEPENDENT PINTO HORSE SOCIETY Inc

CONSTITUTION & REGULATIONS

EFFECTIVE: 14 January 2017

1. NAME

Independent Pinto Horse Society Inc

2. OBJECTIVES

- a) To promote the Pinto and/or any registered horse or pony with IPHS in all categories of Showing, Performance and other Equine Competition
- b) To unite people interested in the Pinto and/or any registered horse or pony with IPHS and assist members in obtaining maximum enjoyment and benefit from owning a Pinto and/or any registered horse or pony with IPHS.
- c) To keep a register of all eligible animals.
- d) To promote and encourage the use of the Pinto and/or any registered horse or pony with IPHS by supporting classes for registered Pintos and/or any registered horse or pony with IPHS at shows and all possible equestrian sports/events/activities.
- e) To conduct a show or shows run by the Society for the members whenever possible.
- f) To encourage members who enjoy competing their Pinto and/or any registered horse or pony with IPHS in a wide variety of equestrian events by providing a system of points to attain recognition of achievement (Register of Merit) and awards for registered Pintos and/or any registered horse or pony with IPHS across a wide range of categories in which they may participate.
- g) To formulate regulations for the control of the Society.

3. DEFINITIONS

- Be
- a) "The Society" is the Independent Pinto Horse Society Inc
 - b) "IPHS" abbreviation may be used for the Independent Pinto Horse Society Inc
 - c) "The Committee" is the Committee of the Independent Pinto Horse Society Inc
 - d) "Committee person" is a member of the Committee.
 - e) "Member" means a current financial member of the Society whose subscription is not in arrears for more than one (1) month
 - f) "Person" is an animate person
 - g) A "Breeder" is the owner or lessee of a registered stallion or mare. The breeder of a foal is the owner or lessee of the dam at the time of foaling.
 - h) "Society Register" is a Register of the names and addresses of all members of the Society, which shall be kept by the Secretary.
 - i) "Secretary" – the Secretary is appointed by the Society and includes Acting Secretary or other person for the time being appointed by the Society to exercise its secretarial functions.
 - j) "Registrar" is the person responsible for registration records.
 - k) "Pinto" and/or any horse or pony is the horse or pony which has passed the requirements of the Independent Pinto Horse Society for confirmation, color and type.
 - l) "Registered Owner" is the person recorded as owner of the Pinto and/or any registered horse or pony in the Society's records.
 - m) "Registered Number" is the number allocated to the Pinto and/or any registered horse or pony in the Independent Pinto Horse Society's records
 - n) "Registered" is recorded in the Independent Pinto Horse Society inc records.
 - o) "Horse" shall also apply to Galloway or Pony where context permits and refers to stallion, mare, gelding, unless otherwise stated.

- p) "Constitution and Regulations" is the constitution herein set out as from time to time amended pursuant to the provisions herein after contained.
- q) "Writing" includes printing, typing, or any like means of communications. Where the context reasonably permits, singular number includes the plural and vice versa. Words implying masculine gender includes the feminine and neuter gender wherever the context reasonably permits

4. **POWERS:**

- a) The association has, in the exercise of its affairs, all the powers of an individual.
- b) The association may, for example: -
 - 1. Enter into contracts,
 - 2. Acquire, hold, deal with and dispose of property, and
 - 3. Make charges for services and facilities it supplies, and
 - 4. Do other things necessary or convenient to be done in carrying out its affairs.

5. **MEMBERSHIP**

Minimum number of members: The Society must have at least 7 members.

The Society shall consist of members divided into the following classes:

- a) "Adult Members" (being persons 18 years of age and over who have paid the subscription herein after specified or specified from time to time) each full member shall have one (1) vote.
- b) "Family Members" (being a family living at the same address that consists of 2 Adults and their children up to and including seventeen (17) years of age who have paid the subscription herein after specified or specified from time to time) Adult family Members (maximum 2 Adults) shall have one (1) vote each. Children listed on the Family Membership Form shall be deemed financial for the purpose of being eligible for youth points and awards
- c) "Associate Members" (being Adult persons who have paid the subscription hereinafter specified or specified from time to time) Each Associate Member shall be eligible to attend and speak at meetings, but shall not be entitled to vote.
- d) "Junior Members" (being persons aged five (5) and up to and including the age of seventeen (17) years who have paid the subscription hereinafter specified or specified from time to time). Junior Members shall be eligible to attend and speak at meetings but shall not be entitled to vote. Junior members who reach the age of 18 during the financial year may opt to upgrade to an Adult membership should they wish to attend meetings and be entitled to vote and or become an Amateur Owner for the remainder of the year; or Junior members may continue to compete in the Youth category until the end of the financial year. Junior members are only permitted to have up to two (2) horses registered in their name, excluding Stallions.
- e) "Amateur Owner Members" (being persons 18 years of age and over who hold an financial 'Adult Membership') may apply to the Society via the nomination form to be accepted as an Amateur Owner provided they meet the set requirements of the Society, an additional fee herein after specified or specified from time to time will be required.
- f) Any person interested in the Pinto and/or any horse eligible to be registered with IPHS shall be entitled to apply for membership of the Society. Applicants for membership shall agree to support the purposes of the Society and abide by all rules and regulations of the Society.
- g) Every applicant for membership shall submit to the Society an application form which shall contain the full name, address and in the case of Junior members date of birth of the applicant and any further or other information which the Committee may from time to time require, together with the appropriate fee.
- h) Every application for membership shall be submitted to the Committee at the meeting next following the date of its receipt by the Secretary and the Committee shall proceed to the election or rejection of the applicant.

- i) An applicant shall become a member if so elected by at least seventy-five percent (75%) majority of the Committee present at the said meeting and voting shall be by secret ballot if so desired by any member of the Committee.
- j) "Honorary Life Members" A Life Member may be elected at an Annual General Meeting by a vote of at least 75% of those present and will only be considered after a period of not less than 10 years of outstanding contribution to the aims of the association. A Life Member will be eligible to enjoy the benefits of the association without payment of an annual subscription. Life Members are entitled to one (1) vote.

6. **ADMISSIONS AND REJECTION OF MEMBERS:**

- a) Upon the acceptance or rejection of any application for any class of membership, the Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.
- b) No reason need be given for the rejection of an application.
- c) Upon any rejection the Secretary will ensure fees paid by the unsuccessful applicant shall be refunded within 14 days of the meeting.

7. **SUBSCRIPTIONS**

All subscriptions payable by members shall be determined by a resolution passed at the Annual General Meeting of members or a Special General Meeting.

8. **PAYMENT OF SUBSCRIPTIONS**

- a) All annual subscriptions shall be payable in advance, prior to or on the first (1st) day of January in each year.
- b) A member whose subscription is not financial may not vote at any meeting
- c) Any member whose subscription is unpaid on the first (1st) day of February annually shall cease to be a member from that date.
- d) The Secretary of the Committee shall send a notice in writing to all members of the Society whose subscription is unpaid on the first (1st) day of March and shall inform the said member of the provisions of subparagraph c) of this paragraph.

9. **TERMINATION OF MEMBERSHIP**

A Member shall cease to be a member of the Society:

- a) If he shall resign by notice in writing addressed to the Secretary and provided that he shall not owe any moneys to the Society.
- b) If he shall pass away.
- c) If he is unable or refuses to pay his debts with the Society.
- d) If he shall be called upon to resign his membership by the Committee pursuant to the Constitution and Regulations.
- e) If he shall not have paid his subscription on or before the first (1st) day of February and the Committee resolve that he be no longer a member of the Society.
- f) If pursuant to a resolution passed by a 75% majority of the number of votes carried by the members present and voting at a meeting of the Committee, he be requested in writing to resign and if he shall not have resigned at or before the expiration of thirty (30) days from the delivery or posting of such request.
- g) If the Committee shall at any time become aware of any act or conduct of any member, which may to it appear to be such as to be prejudicial to the interests of the Society or be calculated to bring discredit on the Society, the Committee may by notice in writing, sent out by Registered Post, addressed to such member at his address appearing in the Society's Register of Members, requiring such member to attend a meeting of the Committee to be held not less than fourteen (14) days after the posting of such notice and calling upon him to give to the Committee an explanation of the alleged act or conduct.
- h) The Executive Committee may then if not satisfied with the explanation so given deal with the member by way of reprimand, fine or suspension from membership of the Society for any term or expulsion from the Society as the Executive Committee may determine.

- i) A person who ceases to be a member of the Society shall be deemed to have forfeited all rights and privileges of the Society.

10. **PRIVILEGES OF MEMBERSHIP**

Subject to the restrictions and limitations prescribed by or pursuant to the Constitution and Regulations the privileges of a member shall hold:

- a) The right to attend and vote at the Annual General Meeting and all General Meetings of the Society.
- b) The right to register with the Society his eligible Pinto stock with the proviso that any outstanding debts to the Society be settled.
- c) The right unless otherwise decided by the Committee to receive a copy of each edition of the Society's Newsletter.
- d) The right to compete for prizes (including trophies) available from competition of members of the Society.
- e) The rights of a member are not transferable and end when membership ceases

11. **OFFICE BEARERS**

- a) The Office Bearers of the Society shall comprise of President, Vice President, Secretary, Treasurer, Registrar (hereinafter called the Executive Committee)
- b) The term of office for the Executive Committee shall be one year.
- c) The Executive Committee shall be elected at the Annual General Meeting in the manner hereinafter provided.
- d) The Executive Committee who retires shall be eligible for re-election.

12. **COMMITTEE**

The affairs of the Society shall be managed by the Committee.

- a) The Committee shall consist of:
 - 1) The Officer Bearers (Executive Committee)
 - 2) If possible at least four (4) Ordinary Committee Members including a Point Score Officer, Newsletter Editor, Show Coordinator, Fundraising coordinator and up to a maximum of ten (10) members of the Society (not including any subcommittees) wishing to act on the committee (hereinafter called the Ordinary Committee Members)
 - 3) A member of the Executive Committee may hold a position on the Ordinary Committee but is not entitled to a second vote.
- b) The Office Bearers (Executive Committee) and the Ordinary Committee Members shall be hereinafter referred to collectively as the "Members of the Committee".
- c) The term of office for an Ordinary Committee Member shall be one (1) year, commencing from the Annual General Meeting provided that the original Ordinary Committee Members shall be elected at the first General Meeting of the Society by the Members present at the meeting.
- d) An Ordinary Committee Member or Executive Committee Member who resigns shall be eligible for election to the Committee/Executive Committee for the following year.
- e) The Secretary shall call a meeting of the Committee at least once every two (2) months or whenever requested to do so by the President of the Society or by any four (4) members of the Committee.
- f) Notice of all meetings of the Committee shall be given to all members of the Committee. Notice shall be given in writing at least seven (7) days before the meeting of the Committee PROVIDED THAT the Secretary may give notice of a meeting verbally by phone or electronic means if requested to do so by the President of the Society.
- g) The quorum necessary for a meeting of the Committee shall be three (3) members plus one (1)
- h) At all meetings of the Committee each member shall be entitled to one (1) vote and in the case of an equality voting, the President shall have the casting vote.

- i) No Committee member shall approach a member on any matter concerning papers, disciplinary or otherwise without the attendance of another Committee member as a witness. All conversations to members will be of a constructive nature, especially with junior members. Any disagreements are to be solved away from the show ground or event etc; disagreements needing resolve must be sent to the Society in writing to be paneled at the next meeting. No Committee member is to approach a member in an intimidating manner, be rude or critical. Should a Committee member repeatedly approach members in a derogatory or defamatory manner, then it is to be the decision of the Committee to vote that Committee member not suitable to represent the Society as a Committee Member.
- j) Any Committee member who willingly supplies false or misleading information to members or solicits funds from potential sponsors without the authority and approval from the Committee may be voted out of their position by the Committee and/or other disciplinary action taken. No member shall physically or verbally harass, intimidate, threaten, defame or cause harm to any member of the Society at any time.
- k) Any Officer Bearer, being Executive Committee and or Ordinary Committee member that is found not to be adhering to the Constitution and Regulations and have used their position on the committee in an incorrect manner, will be summonsed in writing, sent by registered post, to attend a special meeting of the Society to give the Committee an explanation of the alleged act or conduct. If found to be guilty of the offence the said member shall be removed from their position on the Committee and not be eligible to re-stand the following year. If in such case that the alleged offence in question applies to an Executive Committee member, that member will not be eligible to re-stand for an Executive position in future years. Depending on the severity of the alleged offence the member may be suspended from the Society for a period of no less than twelve (12) months and no more than three (3) years, unless termination of membership (see regulation 9) is applicable.

13. **RESIGNATION**

A Member of the Committee may resign his office by giving written notice to the Secretary or President.

14. **LOSS OF OFFICE BY CONTINUED ABSENCE**

Any member of the Committee who is absent for three (3) consecutive Committee meetings without leave of absence obtained from the President shall automatically cease to be a member of the Committee.

15. **CASUAL VACANCIES**

Any casual vacancy on the Committee shall be filled by the Committee and any member so chosen shall retire at the following Annual General Meeting but shall be eligible as a candidate for the election to the Committee at such Annual General Meeting.

16. **NOMINATIONS FOR ELECTION AND RE-ELECTION AT EACH ANNUAL GENERAL MEETING**

- a) A candidate for election as an Office Bearer must be an active current financial member of the Society for at least six (6) months prior to nomination. Nominations for election as an Office Bearer shall be called for by the Secretary at least one month prior to the Annual General Meeting. Nominations must be lodged with the Secretary in writing at least two (2) weeks before the Annual General Meeting. If no written nominations are received by the Secretary as aforesaid; nominations for election as an Office Bearer shall be called by the Returns Officer at the Annual General Meeting in the following order:
 - i. President
 - ii. Vice President
 - iii. Secretary
 - iv. Treasurer
 - v. Registrar

- b) A candidate for election as an Ordinary Committee Member must be an active current financial member of the Society for at least six (6) months prior to nomination financial member of the Society. A candidate who has had a suspension imposed by the Society for a period of twelve (12) months or more will not be eligible for a position on the Committee for a period of two (2) years. Nominations for election as an Ordinary Committee Member shall be lodged with the Secretary in writing at least two (2) weeks before the Annual General Meeting. If no written nominations are received by the Secretary as aforesaid; nominations for election as an Ordinary Committee Member shall be called for by the Secretary at the Annual General Meeting.
- c) The Office Bearers and if possible, at least four (4) Ordinary Committee Members who are to be elected at the Annual General Meeting shall be elected by Full Adult Members at the Annual General Meeting.
- 1) No more than two members of a family, including extended family may serve on the Executive Committee at any time.
- d) A vote by secret ballot shall be taken to fill each Executive Committee position in the following order.
- i. President
 - ii. Vice President
 - iii. Secretary
 - iv. Treasurer
 - v. Registrar
- e) A vote by secret ballot shall be taken to fill each Ordinary Committee position in the following order.
- 1) Point Score Officer
 - 2) Newsletter Editor
 - 3) Show Coordinator
 - 4) Fundraising coordinator
 - 5) Any other member who wishes to serve on the committee
- In the case of insufficient nominations to fill Ordinary Committee positions the Executive Committee shall appoint a person or persons from the Executive Committee members to oversee the unfilled positions
- f) Procedure for ballot votes for members attending:
- 1) The Chairperson (President or person chairing the Annual General Meeting if President not available) must appoint a member to act as returning officer to conduct the ballot.
 - 2) The returning officer must not be a member nominated for a position on the Executive Committee
 - 3) The returning officer must hand out blank paper to each person eligible to vote and collect once completed. In the case of a member holding proxy votes for another member the returning officer will supply a blank piece of paper for each proxy vote appointed to that member.
 - 4) Postal/Electronic proxy votes for each position, if received by the Society in accordance with Rule 33 shall be received by the returning officer for inclusion in the ballot vote count.
 - 5) The returning officer, upon counting the ballot papers must declare the elected candidate, or in the case of more than one candidate, the candidate who received the most votes.
- g) The successful candidates shall take office as at the close of the meeting at which they are elected. When handover of large office and society equipment is not practicable at time of close of meeting arrangement for handover must be conducted immediately following close of meeting, no item is to be retained by the retiring committee member longer than a term of 2 weeks (14 days)
- h) If there are no nominations for election the Members of the Committee in office shall continue as if re-elected at the Annual General Meeting and this fact shall be entered in the Minute Book.
- i) A candidate nominating for election as an Office Bearer (see 11. a) the 'Executive Committee') being the President, Vice President, Registrar, Secretary and Treasurer and or nominating for election on the Ordinary Committee will not be eligible for nomination for any position if found to have breached the Constitution and Regulations in any way aforesaid.

- j) Ballot Votes: will be made available to members who cannot attend each AGM. The Secretary shall ensure Postal/Electronic ballot vote forms shall be available with all relevant information required.
- k) Voting at an AGM – votes will only be accepted from members who have been current financial members for a minimum of 3 months.

17. **FUNCTIONS OF THE MANAGEMENT COMMITTEE**

- 1) Subject to these rules or a resolution of the members of the society carried at a general meeting, the management committee has the general control and management of the administration of the affairs, property, and funds of the society.
- 2) The management committee has authority to interpret the meaning of these rules and any matter relating to the society on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.
- 3) The management committee may exercise the powers of the society —
 - a) to borrow, raise or secure the payment of amounts in a way the members of the society decide; and
 - b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee, or other engagement incurred or to be entered into by the society in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the association’s property, both present and future; and
 - c) to purchase, redeem or pay off any securities issued; and
 - d) to borrow amounts from members and pay interest on the amounts borrowed; and
 - e) to mortgage or charge the whole or part of its property; and
 - f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the society; and
 - g) to provide and pay off any securities issued; and
 - h) to invest in a way the members of the society may from time to time decide.
- 4) For subrule (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by—
 - a) the financial institution for the society; or
 - b) if there is more than 1 financial institution for the society—the financial institution nominated by the management committee.

18. **DUTIES OF THE PRESIDENT**

The President is the spokesperson for the Society and shall preside as Chairperson at all meetings of the Society and of the Committee and shall be ex officio as member of any and every other standing or temporary Committee appointed by the Society. As Chairperson of all Society meetings the President shall control order and may dismiss any person disturbing Society meetings. As chairperson, the President is responsible for the maintenance of order, for the conduct of business, the correctness of procedure and the control and tone of the meeting. The President must sight and sign the reconciled books of account, including bank statements, at each meeting and (as Chairman) must sign the Minutes of each meeting, certifying their accuracy. The President plays a pivotal role in the conduct of the affairs of the Society and is responsible for coordinating and supervising the activities of other Office Bearers and any Sub Committees. The President bears the final responsibility for the conduct of the business of the Society. All other Office Bearers must consult the President regularly in the course of conducting Society affairs and ensure that the President is fully advised on all Society matters which come to their notice. The President must take a leadership role, enforce the rules and regulations and be prepared to be assertive should the need arise. The President should take all reasonable actions to keep harmony among members. The President is the head of the Society, the representative on all public occasions and the host at all social functions. The President should lead by example, being courteous and efficient; assisting with Society activities

wherever possible. The President must welcome new members, encourage involvement and new ideas from members and engender a sense of usefulness and belonging in all members. Society members should have access to the President at suitable times and should feel free to discuss all issues.

19. **DUTIES OF THE VICE PRESIDENT**

The Vice President shall generally assist the President and in the event of death, absence, incapacity or refusal to act of the President, the Vice President shall perform all the duties of the President and shall have the same rights, duties and privileges as though he were the President.

20. **DUTIES OF THE SECRETARY**

The Secretary is the next “key appointment” after the Club President. As with the President, the Secretary must deal with all Club members without bias and is responsible for maintaining all records of the Club except for the financial Books of Account, which are held by the Treasurer. The Secretary shall be General Administrative and Clerical Officer of the Society and in the absence, disability, inability or refusal to act of both the President and the Vice President, the Secretary shall perform the duties and have the same rights, power and privileges as possessed by the President. Subject to the direction and control of the Committee, the Secretary shall conduct the correspondence of the Society, shall have the custody of all records and documents belonging to the Society and shall keep full and correct minutes of all proceedings and records of all meetings and events of the Society. Minute books are to be maintained by the Secretary. The “Master” Minute book should be a bound book into which Minutes of meetings are written or typed pages glued.

Minutes are to be signed by the chairman of the meeting. No alterations may be made unless agreed at a subsequent meeting, in which case the incorrect words are ruled through and the correct words inserted in writing. Meeting Agendas are prepared by the Secretary in consultation with the President. A list of items to be included in the Agenda of a General Meeting is to be sent to all members by the Secretary.

A copy of the Club Constitution is to be held by the Secretary and is to be available at all Meetings. No amendment may be made to the Constitution without prior approval.

The Secretary shall at any time upon the written request of the President, Member of the Committee or Member of the Society make available to the President, Member of the Committee or Member of the Society all records, minutes and documents belonging to the Society for inspection.

21. **DUTIES OF THE TREASURER**

The Treasurer or in the case of the Secretary also acting as Treasurer, the Treasurer shall have possession and custody of all moneys and securities of the Society and shall keep or cause to be kept a full and sufficient account of all the receipts and payments of the Society, in the books belonging to it and shall cause all moneys and other assets of the Society to be deposited in the name of and to the credit of the Society. The Treasurer shall render to the President and Committee at each of the Meetings of the Society or the Committee or whenever required by the President of the Committee, a written detailed account of the financial transactions of the Society from the date of the last statement. The Treasurer shall not be responsible for any securities or moneys, the custody or care of which has been committed by the Committee to any other person, firm or company. All contracts, agreements and other writings binding on the Society shall be signed by either two: President and or Secretary and or Treasurer.

22. **DUTIES OF THE REGISTRAR**

The Registrar shall be a Clerical Officer of the Society who shall have possession of all records of registry relating to horses of the Society. The Registrar is responsible for all applications of new registration, transfers of ownership, registration certificates, registration records of changes and additions, replacement of registration certificates, inoperative registrations, de-registrations, advancement of a pinto from one division to another, lease agreements, death of registered stock. The Registrar shall render to the President and Committee any disputes and requests of inspection if irregularities are suspected

23. **FUNDS and ACCOUNTS**

1) The funds of the society must be kept in an account in the name of the society in a financial institution decided by the management committee.

2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.

3) All amounts received must be deposited in the financial institution account. The Society shall ensure that all cheques or cash shall be banked within 14 days and all moneys to be paid out of the Society's funds shall be paid by cheque or online banking.

4) Any payment by the society must be made by cheque or electronic funds transfer.

5) If a payment is made by cheque, the cheque must be signed by any 2 of the following—the president; the secretary; the treasurer

6) Cheques, other than cheques for petty cash recoupment, must be crossed not negotiable.

7) A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.

8) All expenditure must be approved or ratified at a management committee meeting.

9) The income and property of the association must be used solely in promoting the societies objects and exercising the society's powers.

24. **ENDORSEMENT OF CHEQUES**

All cheques payable to the order of the Society shall be endorsed by such person(s) as the Committee has authorized.

25. **OFFICE AND BOOKS OF ACCOUNTS**

The Office of the Society shall be at such a place or places as the Committee shall decide and all the books of accounts and records of the Society shall be kept at such office.

26. **GENERAL MEETINGS**

a) An Annual General Meeting shall be held once in every calendar year, such time (be held within four months after the end of the Association's Financial Year), and place as may be determined by the Society.

b) The abovementioned General Meetings shall be called **Annual General Meetings**; all other General Meetings shall be called Ordinary General Meetings.

c) A Special General Meeting may be called at any time by the Secretary on the direction of the President and shall be called as soon as convenient, on the requisition of five (5) members but no business shall be transacted at any such meeting other than that for which it has been called.

d) Seven (7) days' notice at the least (exclusive of the day of which the notice is served or deemed to be served but exclusive of the day for which notice is given) specifying the place, the day and the hour of meeting and in case of special business the general nature of that business shall be given in manner hereinafter mentioned, or in such other manner if any as may be prescribed by the Society in General Meetings to such Society members as are entitled to receive such notices from the Society.

e) At any General or Special Meetings of the Society each current financial Adult member of the Society shall be entitled to one (1) vote.

- f) At any Annual General Meeting or Special Meeting of the Society, five (5) of the Members of the Society present in person plus one (1) and entitled to vote shall constitute a quorum.
- g) If within thirty (30) minutes or such time as is determined by the Chairman from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned and if at the adjourned meeting a quorum is not present within thirty (30) minutes from the time appointed for the meeting, the members present shall be considered a quorum.
- h) The President, if present, shall preside as Chairman at every General Meeting or Special General Meeting of the Society.
- i) At any General Meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on a declaration of the result of the show of hands) demanded by at least five (5) delegates present in person and entitled to vote and unless a poll is so demanded, a declaration by the Chairman that a resolution has on a show of hands been carried unanimously or by a particular majority or lost and an entry to that effect in the book of proceedings of the Society shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favor of or against that resolution.
- j) If a poll is duly demanded it shall be taken in such manner as the Chairman directs and unless the meeting is adjourned, the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded. The admissibility of any vote to be determined by the Chairman.
- k) In the case of any equality of votes whether on a show of hands or on a poll, the Chairman of the meeting at which the show of hands takes place or at which the poll is demanded shall be entitled to a second or casting vote.
- l) A poll demanded on any other question shall be taken such time the Chairman of the meeting directs.
- m) On all occasions when a poll is demanded and taken, the Secretary or such person the meeting appoints shall act as sole scrutineer.
- n) At all General and Special Meetings of the Society, the Chairman of the meeting shall have a primary and casting vote.
- o) Upon membership approval any new member shall be entitled to vote at the next following meeting.

27. **DISPUTES**

Any disputes between members may be referred in writing by either disputant to the nominated Disputes Person. Should either disputant feel they will not get a fair hearing from the nominated Disputes Person they have the alternative option to contact either the President or the Secretary. A Disputes Committee of three (3) which may include the President, shall be appointed and whose decision thereon subject to these rules shall finally settle the matter. The complainant shall with his complaint deposit fifty (50) dollars with the Secretary or Treasurer and if the Committee consider the complaint to be frivolous they may order the amount to be forfeited to the funds of the Society.

28. **FINANCIAL YEAR AUDIT**

The Financial Year of the Society shall be from the first (1st) day of January to the thirty-first (31st) day of December in each year and annual membership fees shall become due on the first (1st) day of January and be payable by the thirtieth (31st) day of January in each year. Members not financial by this date may not be eligible to vote or accumulate competition points until membership fees are paid. Points received during the un-financial period will not accepted by the Society.

Prior to each Annual General Meeting of the Society, the Committee shall appoint a competent certified auditor who is not a member, officer, nor related to any member or officer of the Society, to examine and audit all the books, records and accounts of the Society. The written report of such Auditor shall be produced at the Annual General Meeting and if deemed necessary at a Special General Meeting. Any auditor so appointed

shall be paid such amount by way of honorarium for his services rendered to the Society as shall from time to time be agreed by the Committee.

29. **OPERATIONS OF WEBSITE, FACE BOOK AND E-MAIL ACCOUNT**

E-MAIL:

- a) The e-mail account of the Independent Pinto Horse Society is to be maintained by the President and Secretary.
- b) All incoming and outgoing e-mail from the e-mail account of the Independent Pinto Horse Society is required to be printed off by the Secretary and tabled at every committee meeting as correspondence In and Out.
- c) The e-mail account of the Independent Pinto Horse Society is not for personal use and only for use for the Pinto Horse Society
- d) The password for the e-mail account of the Independent Pinto Horse Society is confidential and only the current President and Secretary, and if nominated a Website Co-ordinator are able to have access to the e-mail account and password for the Independent Pinto Horse Society
- e) The password for the e-mail account of the Independent Pinto Horse Society is to be changed after every Annual General Meeting by the President, Secretary or Website Co-ordinator and all said persons are to have a copy of the new password.

WEBSITE:

A website is to be developed for the Independent Pinto Horse Society and will be available for:

- l) Members and non-members to gain public information about the Society via the World Wide Web (internet).
- a. The website is to be maintained by the President, Secretary and if nominated, a Website Co-ordinator of the Independent Pinto Horse Society
- b. The website is to be used to promote the Society for new members, current members and registered horses. It should not be used as personal promotion.
- c. Notices for the website of the Independent Pinto Horse Society need to be approved by the Committee at a committee meeting. If a committee meeting is not available, then the notice is to be approved by the Secretary and President or the Secretary and two active committee members.
- d. The website of the Independent Pinto Horse Society is not to have a guest book as people may abuse it by putting such things as slandering comments or derogatory remarks about the Society. Any such comments or opinions are to be e-mailed or posted to the Society and dealt with privately.
- e. Public information is to be kept on the website of Independent The Pinto Horse Society and is not removed unless there is a need for a section of information to be amended or altered. These are as follows;
 - 1) Constitution/Rules & Regulations and other relevant rules adopted by the Independent Pinto Horse Society
 - 2) Explanation of suitable horses eligible for registry with the Independent Pinto Horse Society
 - 3) Standard of Excellence
 - 4) Membership and Renewal Application forms
 - 5) Registration Application forms
 - 6) All applicable forms required for the Society
 - 7) Any or all information approved by the Secretary and President for inclusion on the website as and when required
- f. The password for the website of the Independent Pinto Horse Society is required to be confidential and only the current President, Secretary and, if nominated, a Website Co-ordinator are to have access to the website and password for any alterations and additions that may be required.

- g. The password for the Website of the Independent Pinto Horse Society is to be changed after every Annual General Meeting by the President, Secretary or nominated Website Co-ordinator and all said persons are to have a copy of the new password.

FACE BOOK:

A face book page/group will be maintained for members of the Independent Pinto Horse Society

- a) The group is to be administrated by the President, Secretary and if required, a nominated Face Book Co-Ordinator of the Pinto Horse Society
- b) For financial members only – acceptance to the group will be available to financial members only
- c) The group page is to be used to keep members informed of current matters, ie: upcoming meetings, events that will be relevant to members and registered Pintos. No personal advertising shall be permitted on the page
- d) Posts submitted by members will be approved by the President, Secretary or nominated Face Book Co-Ordinator.
- e) Members are not to use the group page to ask questions regarding membership, registration or general queries, these must be directed to the President who will answer questions or refer you to the relevant committee member.

30. **DUTIES OF THE WEBSITE AND FACE BOOK ADMINISTRATORS/ CO-ORDINATORS**

- a. To keep the Website and Face Book accounts maintained.
- b. To keep the Website and Face Book accounts current with the latest public news regarding the Independent Pinto Horse Society.
- c. If a nominated website coordinator is appointed, that position should be held by a member of the committee as they will be required to attend committee meetings.
- d. The website, Face Book and email accounts are automatically overseen by the President and Secretary.

31. **NEWSLETTER**

Society members shall receive a regular newsletter which shall be made available to financial members no less than bi-monthly. Newsletters shall include a copy of the minutes from each meeting held. Members will also receive notification of agenda for each Society meeting. Advertising in the newsletter shall be available for financial members, a fee may be charged as prescribed by the committee.

32. **CONSTITUTION BINDING MEMBERS**

This Constitution and any amendments thereof together with any Rules & Regulations, Code of Conduct, Show Rules etc properly made hereunder shall bind all members of the Society.

33. **VOTING**

- a. A member whose annual subscription is unpaid may not vote at any Annual General Meeting, Ordinary General or Special General Meeting.
- b. A proxy vote will not be accepted from non-current financial members

34. **PROXIES**

A Member may appoint another member as his proxy to vote on his behalf at any General Meeting. The appointment of a proxy must be in writing and signed by the member making the appointment. The member appointing the proxy may give specific directions as to how the proxy is to vote on his behalf, otherwise, the proxy may vote on behalf of the member in any way he sees fit.

The official Society proxy form must be used, and is available from the President or Secretary and our website.

Proxy forms must be received by the President or person chairing the General Meeting on or before the commencement of the meeting.

A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Society no later than 24 hours before the commencement of the General Meeting.

Proxy voting for Annual General Meetings:

- 1) Proxy votes will be permitted for voting the Executive Committee and or Ordinary Committee Positions and for any special resolutions to be addressed
- 2) Proxy voting forms will be made available to all members prior to the Annual General Meeting

34. **USE OF TECHNOLOGY**

- a) A member not physically present at a General Meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.
- b) For the purposes of this part, a member participating in a General Meeting as permitted in sub rule a) above; is taken to be present at the meeting, and if the member votes at the meeting, is taken to have voted in person.

35. **ALTERATION TO RULES**

- a) No alteration or amendments to the Constitution and Rules or any other Rules and Regulations shall be made without Special Resolution carried by seventy-five percent (75%) of the number of votes recorded in person or by proxy at an Annual General Meeting or Special General Meeting of Members of the Society nor unless a copy of the proposed additional alteration or amendment shall have been posted by the Secretary to every current financial member at least seven (7) days prior to the date of the meeting. Changes to the Society's schedule of fee's, approval for any Life membership shall only be conducted at an AGM, only agenda items will be attended to at the AGM.
- b) However an amendment, repeal or addition is valid only if it is registered by the chief executive.

36. **GENERAL**

Any question whatsoever arising and which no specific rule is herein provided shall be decided by the Committee whose ruling shall be final.

37. **SALE OF PROPERTY**

No real property belonging to the Society shall be sold except by the authority of a majority of members present at an Annual General Meeting or at a Special General Meeting called for the purpose and of which purpose notice was stated in the notice convening such meeting.

38. **INCOME AND PROPERTY**

The income and property of the Society shall be applied solely to the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of pecuniary profit to the members. If upon the winding up of the Society there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the members or former members, but shall be given or transferred

- a) to another association incorporated under the Act which has similar objects; or
- b) for charitable purposes which Society or purpose, as case requires, shall be determined by a resolution of the members.

39. **DISSOLUTION**

The Society may be dissolved or wound up at any time of a Special Resolution to that effect be carried by the affirmative vote of not less than seventy-five percent (75%) of the members of the Society on a poll taken in such a manner as the Executive Committee shall arrange to determine whether or not the Society shall be wound up. If upon the dissolution of winding up of the Society there shall remain after satisfaction of all its debts and liabilities any surplus property whatsoever the same shall not be paid to nor distributed amongst the Member of the Society but shall be given or transferred or distributed between some other incorporated associations having objects similar wholly or in part to the objects of the Society and which shall prohibit the distribution of its or their

income and property among its or their members as shall be determined by the Members of the Society on or before the time of dissolution or winding up or in default thereof or if insofar as effect cannot be given to such determination then such payment transfer or distribution shall be determined by another Association under the Act or other charitable cause.

40. **HONORARY LIFE MEMBERS**

Any three (3) members may nominate an Adult member for Life Membership of the Society in writing to the Secretary. Any such nomination will be voted upon at the following Annual General Meeting. The members shall not award any more than one (1) candidate per year, in recognition of any special services rendered the Society and any such person so elected shall have all rights and privileges of a member of the Society being exempt from payment of any portion of the annual subscription.

41. **INTERPRETATION OF CONSTITUTION**

If any question arises as to the Constitution of the Society, the same shall be determined by the President subject to right of appeal to the Executive Committee.

42. **COMMON SEAL**

The Society may have a common seal

If the Society has a common seal

- a) The name of the Society must appear in legible characters on the common seal.
- b) The Common Seal of the Society shall be in the custody of the Secretary or President.
- c) The Common Seal of the Society shall be affixed to any document only pursuant to a resolution of the Committee.
- d) The affixation of the seal shall be witnessed by any two (2) of the following Office Bearers namely President, Vice President, Secretary, Treasurer or Registrar and dated.



PRESIDENT

SECRETARY

We certify that this and the foregoing pages are a true copy of the Constitution of the Independent Pinto Horse Society.

Revised and approved by Office of Fair Trading 2019.

