

### **Funds – Management**

The funds of the Council shall be used in pursuance of the objects of the Council in such manner as determined from time to time.

Unless the Council resolves otherwise, all cheques and other negotiable instruments must be signed by the Treasurer and one other office bearer authorized so to do by resolution of the Council.

### **Financial Year**

The financial year of the Council shall end on 30 April each year.

### **Reimbursement of Expenses**

The Council may pay or reimburse the amount of any approved travelling or other expenses properly incurred by a member of Council in the performance of their duties as such.

### **Application of Property**

The income and property of the Council shall be applied solely towards to promotion of the objects of the Council and do portion thereof shall be paid or transferred directly by way of dividend, bonus or otherwise by way of profit to any Member of Council or any financial member provided that nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Council or to any Financial Member in return for any services actually rendered to the Council or reasonable and proper rent for premises let by any financial member of the Council.

### **Alteration of Rules**

These rules may only be amended by a special resolution of the Council.

### **Indemnity**

Every member of Council and every employee and agent of the Council shall be indemnified by the Council against, and it shall be the duty of the Council out of the funds of the Council to pay all damages, costs, losses and expenses which any such person may incur or in respect of which the person may become liable by reason of any contract entered into or any act or thing done (whether negligently or otherwise) by the person as such member of Council, employee or agent or in any way in the costs, losses and expenses shall have been incurred by such person through that person's own dishonesty, wilful act or default.

No member of Council or other employee or agent of the Council shall be liable for the acts, neglects or defaults of himself or any other person or for loss, damage or expense howsoever arising as the result of any act, omission or default of any person (including himself) or for any loss occasioned by any error of judgement or oversight or neglect on his part or for any other loss or damage whatsoever which shall happen in the performance of his duties or in relation thereto unless the same shall happen in the performance of his duties through his own dishonesty, wilful act or default.

### **Custody of Books**

The Secretary shall have custody of the books and records of the Council, save the books and records relating to the Council's financial transactions and records which shall be in the custody of the Treasurer.

The Secretary shall cause at least 28 days written notice of the Annual General Meeting of the Council to be sent to each financial member of Council, and place a notice of that meeting in the public notice section of The Age newspaper at least 28 days prior to the date set for the Annual General Meeting.

Such written advise to members and the notice in The Age newspaper shall specify the place, date and time of the meeting and the general nature of the business intended to be transacted at that meeting.

In addition to any other business which may be transacted at an Annual General Meeting the business of the Annual General Meeting shall be to;

- a) confirm the minutes of the last preceding Annual General Meeting;
- b) receive a report from the President (or failing the President, the Secretary) on the activities of the Council during the last preceding financial year;
- c) receive and consider the financial statements and reports of the Council for the preceding financial year;
- d) the election of the 9 councillors (at every second Annual General Meeting as prescribed in these rules)

Only members who are 17 years of age and over and who are financial on the day of the annual general meeting are entitled to vote at that meeting.

## **PART VIII – ADMINISTRATION**

### **Secretary**

The Secretary shall be the public officer of the Council. It is the duty of the Secretary to;

- a) maintain the Register of members of the Council;
- b) take minutes of all proceedings at the Council;
- c) maintain a record of the names of all members of Council present at a meeting of the Council
- d) generally be responsible for the administration of the affairs of the Council

### **Treasurer**

It is the duty of the Treasurer to ensure that;

- a) all money due to the Council is collected and reported
- b) all payments authorized by the Council are duly made
- c) the accounting records of the Council are maintained
- d) the accounts of the Council are examined by an auditor each financial year as required by the relevant Victorian Incorporation, and
- e) prepare and lay before the Annual General Meeting of the Council a report on the financial affairs of the Council for the last preceding financial year.

## **PART IX – MISCELLANEOUS**

### **Funds – Source**

The funds of the Council shall be derived from monies payable to the Council in respect of annual membership fees, levies, donations, fines and penalties, refunds in respect to the National Saddle Horse Regulations Scheme and such other sources as Council may determine from time to time.

All monies received by the Council must as soon as practicable be deposited without deduction to the credit of the Council's financial institution account.

In the case of an evenly split vote, the chairperson of the meeting is entitled to cast a second and deciding vote.

A matter is determined by a show of hands or by confidential ballot. Upon the completion of the voting, the chairperson declares the resolution as

- carried;
- carried unanimously;
- carried by a specified majority;
- lost

The resolution is recorded in the Minutes and is evidence that the question was resolved.

If at a meeting not less than three members demand a poll be taken in respect of a particular question, the chairperson may direct the manner in which such a poll is to be taken and the resolution of such a poll is deemed the resolution of the meeting on that question.

#### **PART V – FEES**

The Council may from time to time determine:

- a) fees payable by a member of the Council in respect of that membership and
- b) monies payable by a member by way of subscription or levy for or on account of insurance, administrative expenses relating to the Council or anything concerning the objects of the Council.

The Council may from time to time determine when monies payable pursuant to this rule are payable, provided that no member will be required to pay any monies to the Council sooner than 30 days after receipt of written notice requiring such payment.

Unless specified otherwise in the notice requiring payment, any monies not paid within 60 days of the date of the notice requiring payment are deemed to be overdue and the member deemed unfinancial.

#### **Member Liability**

The liability of a member of the Council to contribute towards the payment of the debts and liabilities of the Council or the costs, charges and expenses of winding up of the Council is limited to \$20.00.

#### **PART VI – DISPUTES AND DISCIPLINE**

The Council may;

- a) conduct or cause to be conducted all such enquiries and investigations as it considers appropriate in relation to;
  - i) any alleged misconduct by a member;
  - ii) any decision, act or omission or occurrence at a show;
  - iii) any breach of or failure by a member to comply with the rules or by-laws of the Council or any Regulations of the Show Horse Council of Australasia Inc.

In respect to any matter set out in this rule, the Council may, if it considers it appropriate, report the matter to the Show Horse Council of Australasia Inc for further investigation and resolution.

#### **PART VII – ANNUAL GENERAL MEETING**

The Annual General Meeting of the Council shall be convened in July each year.

At that same meeting the councillors shall elect, in the same manner as for office bearers, a delegate to the Show Horse Council of Australasia Inc. A nomination may be made for a delegate from any of the 9 councillors. Should a council member vacate the position of any office bearer during the period for which he or she was elected, either temporarily or permanently, the Council may elect a replacement office bearer in the same manner as herein before prescribed for the period of that vacancy.

6. The election of the 9 councillors shall take place at the first general meeting of financial members of the council to be held no later than 30 September. All following elections of councillors shall take place at every second subsequent Annual General Meeting of the Council.
7. In the event of a vacancy occurring in the Council between elections, the Council may second a financial member of the Council to that vacant office. The member so seconded shall remain a councillor until the next Annual General Meeting at which election of councillors was due to take place.
8. Nominations of candidates for election as one of the 9 councillors shall:
  - a) be made in writing on the prescribed form provided at Appendix 2 and duly signed by two financial members of the Council and the nominated candidate
  - b) be lodged with the Secretary at least 21 days prior to the set down for the Annual General Meeting at which election of councillors was to take place

If only one nomination for each position of councillor is made, the person so nominated is taken to be elected at the Annual General Meeting.

If more than one nomination is received in respect of each of the 9 positions, a secretary ballot shall be conducted at that Annual General Meeting. All financial members in attendance at that meeting shall be entitled to cast a vote.

### **Quorum**

The quorum for a meeting of the Council shall be 5 councillors present in person. No business will be conducted in the absence of a quorum.

### **Conduct of Business**

At a meeting of the Council, the President or in the absence of the President, the Vice President shall preside but if the President and Vice President are absent or unwilling to act, those other councillors present may select from their number a chairman of the meeting.

### **Meetings**

The councillor shall conduct not less than 6 ordinary meetings in any financial year but otherwise may regulate and adjourn its proceedings in the manner as the Council thinks fit.

### **Attendance at Meetings**

If a councillor misses 3 consecutive meetings without prior apology to the Secretary, that councillor may be deemed to no longer be elected to the Council.

### **Voting at Meetings**

Upon any question arising at a meeting of the Council, a member has one vote only. All votes must be given personally or by proxy. If a member is to appoint a proxy, they must give notice to the Secretary not less than 24 hours before the meeting. The notice appointing the proxy must be made by completing the form provided in Appendix 3.

If an affiliate is admitted to membership that affiliate may nominate one of its members as a delegate to attend any meetings of the Council. The name and address of any such delegate shall be notified in writing to the Council's Secretary.

The delegate of the affiliate may attend any ordinary meeting of the Council and participate in any business of the Council but may not participate in any vote or resolution of the Council's business dealt with at any meeting. If the Council so deems, it may exclude any delegate from attending all or any part of any meeting of the Council where the Council considers such business to be of a confidential or sensitive nature (e.g Disciplinary matters).

The Council may set an annual fee payable by any affiliate body.

#### **Part 111 – REGISTRATION AND MEASUREMENT OF HORSES**

Except where a member of the Council is excluded from doing so because of their class of membership, all members of the Council shall observe the requirements of the National Saddle Horse Register and Measuring Scheme Regulations of the Show Horse Council of Australasia Inc as amended from time to time and pay the Council all fees, charges and levies payable under those regulations or prescribed from time to time by that body. The Council shall pay to the Show Horse Council of Australasia Inc any fees due to that body in accordance with those regulations.

The Council may appoint such measures and approve such measuring sites in Victoria as are necessary to fulfil the requirements of the National Measuring Scheme Regulations and any measuring by-laws that the Council may pass from time to time in relation to members' horses which may not be required to comply with the National Measuring Scheme.

All members of the Council shall comply with any reasonable direction of the Council in relation to the measurement of any horse which the member wishes to enter in any competition conducted by the Council.

#### **PART IV – GOVERNANCE**

1. The Council shall consist of 8 councillors who are financial members of the Council and 17 years of age and over at the date of nomination. The 9 council members shall be elected at every second annual general meeting as prescribed in this part.
2. The entire control of the business and affairs of the Council vests in the elected members of the Council.
3. All decisions of the Council shall, subject to the rules of the Council and the rules of the Show Horse Council of Australasia Inc, be final and binding on all financial members.
4. The office bearers of the Council shall be:
  - a) President
  - b) Vice President
  - c) Secretary
  - d) Treasurer
  - e) Publicity Officer
  - f) Four Committee Members
5. The office bearers shall be elected by and from the 9 councillors following their election as councillors. The election of office bearers shall take place at a meeting of the Council immediately following the Annual General Meeting at which they were elected. The order of election of the five office bearers shall be (1) President, (2) Vice President, (3) Secretary, (4) Treasurer, (5) Publicity Officer. The remaining councillors will form the committee. The election of office bearers shall be by verbal nomination. Election shall be by a majority of votes on a show of hands by all councillors excluding the nominee. Prior to voting one councillor shall be nominated to take the chair to conduct the voting for office bearers and that nominee shall make a written record of the result of each office bearer's election and give that written record to the elected Secretary to be placed in the minutes of that meeting.

- t) accept any gift or legacy of money or property whether subject to any special trust or not for any one or more of the objects of the Council
- u) carry on such other activities or promote or encourage interest in the upkeep, training and the general wellbeing and improvement of horses and to do all such other things as may be necessary or conducive to carrying out the objects of the Council
- v) ensure that the Council and its members are adequately covered by appropriate insurance policies

## **PART II – MEMBERSHIP**

A person wishing to become a member of the Council shall complete the prescribed application form set out in Appendix 1 and lodge it with the Secretary.

The Secretary shall cause any such application to be submitted to the next ordinary meeting of Council for consideration.

Upon consideration of an application, the Council may accept the applicant as a member, reject the application for membership or defer the application for consideration at a subsequent meeting.

Upon acceptance as a member, rejection or deferment of the applicant, the Secretary shall advise the applicant in writing of the Council's decision.

If an applicant is accepted into membership of the Council, the Secretary shall, upon the payment of all fees payable in respect to membership, provide the member with a certificate of membership in a form that the Council may prescribe.

The Council may reject or defer any application for membership without ascribing a reason for such rejection or deferment.

If the Council rejects a membership application, the Council must notify the applicant as soon as practicable in writing.

Any right, privilege or obligation of a person by reason of membership is not capable of being transferred or transmitted to another person and is terminated upon the resignation, death or otherwise cessation of membership of the member.

A member who has paid all monies due and payable may cease to be a member by resigning from the Council. Such resignation shall be made in writing to the Secretary. Such resignation takes effect one month after notification.

### **Classes of Membership**

The Council may determine different classes of membership for its members. The Council may, in respect to any of those different classes of membership grant various rights or impose various restrictions as it sees fit in regard to the eligibility of a person holding a particular class of membership. Those rights and/or restrictions may only be granted or imposed in relation to the member's right to enter or be excluded from horse and/or riding competitions organized and conducted by the Council. The Council may determine different levels of fees, levies or any costs whatsoever in relation to those different classes of membership.

### **Affiliate Membership**

The Council may admit to affiliate membership any club, body, association or organization that has the same or similar aims and objectives as the Council.

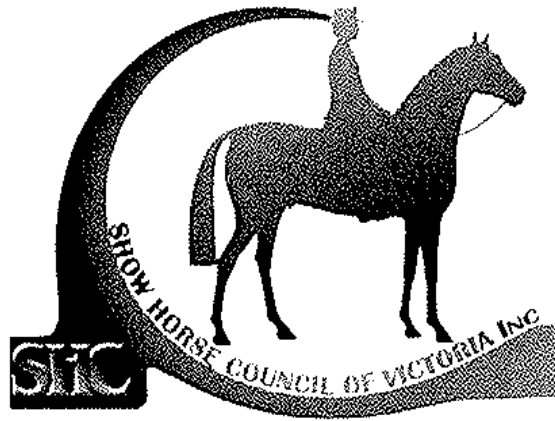
The Council may admit or reject any application for affiliate membership as it sees without ascribing any reason thereto.

**PART I – PRELIMINARY**

1. The name of the association shall be The Show Horse Council of Victoria (Inc) hereinafter referred to as the “Council”.
2. These rules:
  - a) shall take effect on such date as is specified in the resolution of the Council pursuant to which they are adopted
  - b) upon taking effect shall be the rules of the council

The objects of the Council are to

- a) promote and encourage the sport of showing saddle horses, ponies and galloways and riding competitions of all kinds
- b) promote and raise the standards for exhibiting horses
- c) affiliate with the Show Horse Council of Australasia Inc in order to have it act as the parent body of the Council
- d) foster, promote and protect the interests of horses and horse competitors at exhibitions and shows
- e) foster relations with other organisations having similar aims
- f) encourage the inclusion of hack and riding events in competition and support shows and agricultural societies and advise and assist in matters relating to the conduct of horse events at shows
- g) make awards and sponsor competitions at shows for exhibitors of horses
- h) promote good fellowship, fair play and sportsmanship amongst members and those participating in or attending shows
- i) make recommendations to the Show Horse Council of Australasia Inc of persons considered competent to be appointed judges of horses at shows in accordance with the scheme administered by that body
- j) encourage competitors, judges and show organisations to adopt and abide by the standards, rules and requirements as recommended by the Show Horse Council of Australasia Inc for the conduct of shows
- k) foster and encourage uniformity in the judging of show horse classes and in other competitions where horsemanship and horse-mastership is assessed in accordance with a method of instruction as approved by the Show Horse Council of Australasia Inc;
- l) hold shows, functions, seminars and workshops relating to horses and to the objects of the Council generally
- m) conduct the Show Horse Council of Victoria Horse of the Year show and Rider-of-the-Year championships each year
- n) facilitate the registration of show horses as prescribed by the registration scheme laid down and administered by the Show Horse Council of Australasia Inc
- o) make regulations and by-laws and do all the acts, matters and things as may be necessary or expedient to promote all or any of the objects of the Council or matters incidental thereto
- p) collect, verify, publish, print, produce and distribute literature or information relating to riding, horsemanship, care, training and showing horses
- q) purchase, take on, lease exchange or hire or otherwise acquire, hold, mortgage and dispose of any real or personal property and any rights or privileges which the council shall deem necessary or expedient for the purpose of carrying out the objects of the Council or any of them or promoting the interests of the Council
- r) borrow or raise or secure the payment of money in such manner the Council shall determine and to invest the funds of the Council not immediately required
- s) raise money by way of subscriptions and in other such manner as the Council shall determine and to grant any rights and privileges to subscribers



CONSTITUTION &  
RULES  
  
OF THE  
  
SHOW HORSE COUNCIL  
OF  
VICTORIA (INC) 2002

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