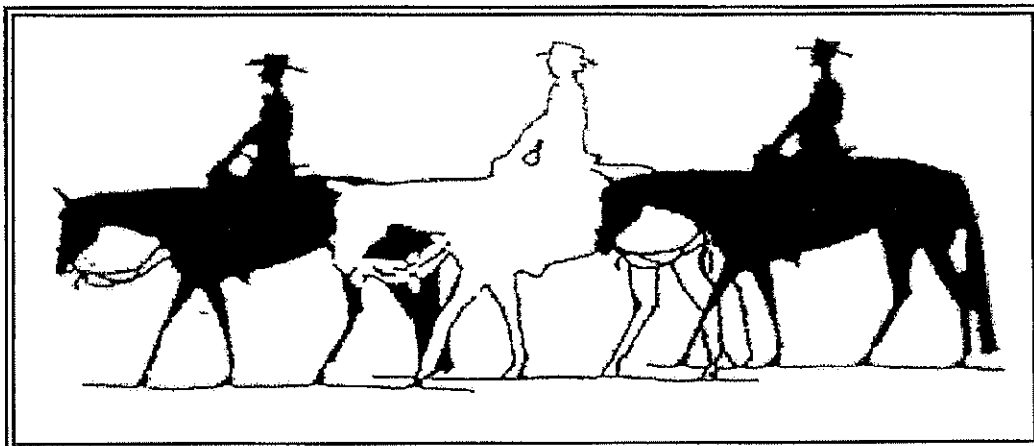


CONSTITUTION  
OF THE  
COLLIE WESTERN RIDING ASSOCIATION  
INCORPORATED



## 1. NAME OF ASSOCIATION

The name of the association is COLLIE WESTERN RIDING ASSOCIATION INCORPORATED.

## 2. DEFINITIONS

In these rules unless inconsistent with the context or subject matter. The singular shall include the plural and vice versa. The "Association" shall mean "Collie Western Riding Association Incorporated". "Committee" shall be the duly elected or appointed Committee of the Association for the time being. "General Meeting" means a general meeting of the Association whether annual or special. "Month" means a calendar month. "Secretary" means the Secretary of the Association for the time being.

## 3. OBJECTS

- (a) To establish, maintain and conduct an association to provide education and instruction for those wishing to become involved and participate in Western Performance Riding at a competitive level.
- (b) To provide enjoyment and recreation for those people involved in the association.
- (c) To run and provide assistance for others to run shows and promotions for the development of Western Performance Riding in the South-West Region of Western Australia.
- (d) This Association to be a non-profit Association according to the laws of this State.

(The property and income of the Association shall be applied solely towards the promotion of the objects or purposes of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members of the Association except in good faith in the promotion of those objects or purposes.)

## 4. POWERS

The powers of the Association shall be:

- (a) to borrow or raise or secure the payment of money for the purposes of the Association in such manner as the members think fit and in particular by the issue of debentures and to release and to redeem or pay off any such securities.
- (b) For the purpose aforesaid to draw, make, accept, endorse and issue negotiable securities or instruments of whatever kind or nature.
- (c) For the purpose aforesaid to sell or dispose of the whole or part of the assets of the Association.
- (d) To purchase, take on lease or otherwise acquire for such price and upon such terms and conditions as the Association thinks fit any freehold or leasehold lands or property which the Association considers is suitable for or may be used in the carrying out of any of the above purposes.
- (e) To do all other things incidental or conducive to the attainment of the above objects.

## 5. QUALIFICATIONS FOR MEMBERSHIP OF ASSOCIATION

A person who wishes to become a member shall:

- (a) Apply for membership to the committee in writing –
  - (i) signed by that person and by both of the members referred to in paragraph (b);and
  - (ii) in such form as the committee from time to time directs; and
- (b) Be proposed by one member and seconded by another member.
- (c) The committee members shall consider each application made under subrule (b) at a committee meeting and shall at the committee meeting or a subsequent committee meeting accept or reject that application.
- (d) In the event of rejection 10 members for special meeting to sign partition.

## 6. REGISTER OF MEMBERS OF ASSOCIATION

The Secretary shall on behalf of the Association keep and maintain the register of members and that register shall be so kept and maintained at his or her place of residence. The Secretary shall also cause the name of a person who dies or who ceases to be a member, by either

- (i) Not paying subscription within 3 month of relevant date fixed by committee,
- (ii) Resigning, or
- (iii) Expelled by the committee.

## 7. MEMBERSHIP FEES

The membership fees shall be as determined by the members at the Annual General Meeting and shall be paid to the Treasurer by the first day of August each year.

## 8. MANAGEMENT

The management of the Association is vested in an Executive Committee consisting of the President, Vice President, Secretary, Treasurer and at least four (4) and no more than six (6) elected members. They shall have one vote each. In case of an equality of votes the President shall have a second or casting voter. All matters arising shall be decided by a majority of votes.

The management committee shall meet as often as required but shall meet every second month.

## 9. DUTIES OF MANAGEMENT

9 (a) **THE PRESIDENT:** The President may preside at all meetings of the Association and shall have casting vote in all cases of equality of votes. The President shall retire on the day of the Annual General Meeting but shall be eligible for re-election. The President with the assistance of the secretary shall prepare the agenda for all meetings of the Association.

9 (b) **VICE PRESIDENT:** The Vice-President shall generally assist the President and reside at meetings in his or her absence. The Vice-President shall retire on the day of the annual General Meeting but shall be eligible for re-election.

9 (c) **SECRETARY:** The Secretary must-

- (a) co-ordinate the correspondence of the Association;
- (b) keep full and correct minutes of the proceedings of the Committee and of the Association;
- (c) comply on behalf of the Association with-

- (i) section 27 of the Act with respect to the register of members of the Association, as referred to in rule 6;
- (ii) section 28 of the Act by keeping and maintaining in a up to date condition the rules of the Association and, upon the request of a member of the Association, must make available those rules for the inspection of the member and the member may make a copy of or take an extract from the rules but will have no right to remove the rules for that purpose: and
- (iii) section 29 of the Act by maintain a record of-
  - (A)the names and residential or postal addresses of the persons who hold the offices of the Association provided for by these rules, including all offices held by

the persons who constitute the Committee and persons who are authorized to use the common seal of the Association under rule 27; and  
(B) the names and residential or postal addresses of any persons who are appointed or act as trustees on behalf of the Association.

and the Secretary must, upon the request of a member of the Association, make available the record for the inspection of the member and the member may make a copy of or take an extract from the record but will have no right to remove the record for that purpose;

- (d) unless the members resolve otherwise at a general meeting, have custody of all books, documents, records and registers of the Association, including those referred to in the paragraph
- (e) but other than those required by rule 9(d) to be kept and maintained by, or in the custody of, the Treasurer; and
- (f) perform such other duties as are imposed by these rules on the Secretary

The secretary shall retire on the day of the Annual General Meeting but shall be eligible for re-election.

9 (d) **TREASURER:** The Treasurer shall receive all monies due to the Association and pay the same into the Banking Account of the Association and his or her receipts shall be just discharge. He or she shall keep correct account and books of account showing financial affairs of the Association and particulars usually in books of account of like nature. Any of the President, Secretary or Treasurer shall sign all cheques. The Treasurer shall furnish a financial statement to Management Committee every second monthly meeting and at every Annual General Meeting of the Association. He or she shall furnish a complete statement of receipts and expenditure for the current year duly certified by the auditors at the Annual general meeting. The Treasurer shall retire on the day of the Annual General Meeting but shall be eligible for re-election.

9 (e) **COMMITTEE:** The Committee subject to the Constitution, shall manage and control:-

- (i) The affairs and business of the Association
- (ii) The property and all assets of the Association
- (iii) The income and expenditure of the Association

It shall, in addition, have power to:

- (iv) Form other Committees for specific purposes or reasons and to delegate its authority to certain individuals or committees within limits that it may decide at various times.

The committee shall as a body retire on the day of the Annual General Meeting but its members shall individually be eligible for re-election.

#### 10. ABSENTEE VACANCIES IN COMMITTEE

Should any member of the Management Committee fail to attend three consecutive meetings, the Committee may by resolution declare that seat vacant. The Committee shall fill any vacancy that may occur in their number by appointing any financial ordinary member of the Association.

#### 11. RESIGNATION OF MANAGEMENT COMMITTEE

In the event of the resignation of the Management Committee the management of the affairs of the Association shall be vested in the President, Vice President, Secretary and Treasurer who shall be competent to exercise all powers vested in the Management Committee until the holding of a special general meeting convened for the purpose of electing their successor which Special General Meeting shall be held within twenty-one (21) days of receipt of such resignation.

12. LIFE MEMBERSHIP

Management Committee members may at their discretion nominate an Association member to be elected as a Life Member providing that the member shall have rendered special services above and beyond that normally expected. The nomination must then be brought before a General Meeting for approval. Any member thus elected as a Life Member shall have all the rights and privileges of the members but shall pay no memberships fees.

13. HONORARY MEMBERSHIP

The Management Committee at its discretion may appoint Honorary Memberships to persons or groups for reasons that it may determine from time to time but such Honorary Members shall have no voting rights.

14. ASSOCIATE MEMBERS

The Management Committee at its discretion may offer to an organization or club the privilege of having one of its members appointed as an Associate member. The Associate Member shall have the right to sit in at all General Meetings and Executive Meetings but shall not have the right to vote.

15. DISQUALIFICATION OF A MEMBER

Any member charged with being guilty of conduct calculated to bring the Association into discredit may be liable to be brought before the Management Committee and if found guilty shall be subject to reprimand or disqualification from participating during the pleasure of the Management Committee or expulsion from the Association.

16. RESIGNATION OF MEMBERS

An Association member wishing to resign may do so by stating in writing their intention to do so. Resignation by any member shall not cancel out debts owing to the Association by the resigning member.

17. FINANCIAL YEAR

The Financial Year of the Association will commence on the 1<sup>st</sup> of July and end on the 30<sup>th</sup> June of the following year.

18. ANNUAL GENERAL MEETING

The Annual General Meeting will be held in the month of July in each year. Notice of such meeting to be convened in writing to each member by the Secretary at least two (2) weeks before the day of the meeting Fifty per cent (50%) of the total membership shall constitute a quorum. Election of all officers and committees shall take place at the Annual General Meeting as per rules number 18 and 19 of this Constitution.

The meeting will then

- (a) Consider the Management Committees and Treasurers Reports and Financial Statement.
- (b) Generally conduct such business as is pertinent at that time and within the scope of the Annual General Meeting.

19. ELECTION OF OFFICE BEARERS.

The Office Bearers of the Association shall be balloted into office by the general members at the Annual General Meeting by the following method.

- (a) Nominations shall be called for and received from the general body of members and at the Annual General Meeting and the election shall be carried out as per rule 19 of this Constitution providing that rule number 19 (b) is observed.
- (b) Voting shall be by means of a secret ballot on voting cards supplied by the Association. The members shall vote by means of writing on the card the name of the candidate they wish to elect to office.
- (c) Members shall be entitled to one vote for each position vacant.
- (d) The ballot count shall be carried out publicly and any member of the Association shall have the right to call a scrutiny of the ballot cards.
- (e) No voting rights for junior members (i.e. those under 18 years of age.)
- (f) Should the number of ballots cast be greater than the number of voting members present, then the election of that particular candidate is declared invalid and voting must be repeated.

20. ELECTION OF MANAGEMENT COMMITTEE

- (a) Nominations for Management Committee Members shall be called for and received from the general body of Members at the Annual General Meeting and the election shall be carried out as per rules 18 of this Constitution providing rule number 20(b) is observed.
- (b) If the number of nominations does not exceed the number required, the nominees shall be duly elected.

21. GENERAL MEETING

- (a) The General Meetings will be held at a time as deemed necessary by the Management Committee.
- (b) Members shall be notified of impending meeting at least seven (7) days before the due date by either notice in writing sent through the post by the secretary or by such other means as may be determined by the Management Committee.

22. PROCEDURE OF MEETINGS

- (a) The President may preside at all meetings and in his or her absence the Vice-President may preside. In the case where both the President and Vice-President are absent, then the members present shall elect a chairperson from among those present.
- (b) The following numbers shall constitute quorums.
  - (i) Annual general Meetings: 50% of the membership roll must be present.
  - (ii) General Meeting: 50% of the membership roll must be present
  - (iii) Management Committee: A quorum shall consist of at least six (6) members.
  - (iv) Special General Meeting: At least five (5) of the Management Committee and three (3) other general members.
- (c) The meeting shall follow a prepared agenda.

- (d) All remarks, questions, motions etc., must be directed through the chairperson.
- (e) The chairperson shall have the power to decline any member "out of order" if such is the case and shall have further power to postpone or close any meeting which becomes unruly or disorderly to such an extent that the continuance of the meeting becomes impractical.

23. TIME AND PLACE OF MEETINGS

The Management Committee shall have the power to set the time and place of all meetings.

24. SPECIAL MEETINGS

A Special General Meeting will be called upon a written application to the Secretary on the direction of the President, Management Committee or on the request of at least five (5) members. Notice of such meeting and the reason for it being called be brought to the members attention at least seven (7) days before the set date. No other business shall be conducted at that meeting other than that stated.

25. ALTERATION TO THE CONSTITUTION

The Constitution may be altered, amended or additions made to it by a majority vote of the general voting membership at a special meeting convened for that purpose under Rule 23.

26. WINDING UP OR DISSOLUTION OF ASSOCIATION

The Association shall not be wound up or the funds diverted or the assets or property liquidated except upon an affirmative vote by ballot of not less than seventy-five (75) per cent of the financial members of the Association.

At least fourteen (14) days notice of any motion to wind up or dissolve the Association shall be given to all financial members of the Association.

If upon the dissolution or winding up of the Association there shall be remaining credits, after satisfaction of all its debts and liabilities any property whatsoever the same not paid to nor distributed amongst the members of the Association but shall be given or transferred or distributed between other Association or Institution or Organisation have objects similar wholly or in part to the objects of the Association and which shall in its constitution prohibit the distribution of its or their income and property among its or their members shall be determined by the members of the Association on or before the time of dissolution or winding up.

27. THE COMMON SEAL

The Association shall have a Common Seal for affixing to documents and the Sealing Clause of the Association shall be worded as follows:

"THE COMMON SEAL OF THE COLLIE WESTERN RIDING ASSOCIATION INCORPORATED IS HERETO AFFIXED BY AUTHORITY OF THE MANAGEMENT COMMITTEE IN THE PRESENCE OF:

..... President  
 ..... or Vice-President  
 ..... Secretary

- (a) The Common Seal shall be entrusted to the President and or Secretary for safe keeping.
- (b) The Common Seal shall be affixed when required by the Secretary in the presence of the President or the Vice-President.

The document to which it is affixed must then be counter-signed by both the Secretary and President or Vice-President.

28. PROXY VOTE

A member who is unable to attend a meeting may appoint another Association member as his or her proxy. The proxy must be in writing in the approved manner, stating the item on the agenda to be voted on, either negatively or positively, and must be lodged with the Secretary prior to the commencement of the meeting.

29. ANNUAL AUDIT

Once in each year the accounts of the Association shall be examined by the auditor who shall also certify to the correctness of the Balance Sheet, Profit and Loss Account and accompanying accounts and schedules to be submitted to the Annual Meeting.

30. INCOME AND PROPERTY OF THE ASSOCIATION

The income and property of the Association whencesoever derived shall be applied solely towards the promotion of the objects of the Association and no portion shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the persons who at any time are or have been members of the Association or to any person claiming through any of them.

31. CYBER SAFETY

The Cyber Policy, which is held in the Procedures and Polices File in the Associations Club room, shall be read and the register signed by all Association Members.

32. DISCIPLINARY PROCEEDURE AND MEASURES

The Procedures and Measures, which is held in the Procedure and Polices File in the Associations Clubroom, shall be read and the register signed by all Association Members.

33. ANIMAL WELFARE

The Animal Welfare Policy, which is held in the Procedure and Polices File in the Associations Clubroom, shall be read and the register signed by all Association Members.