



Wanneroo Adult Equestrian Club Inc

Constitution

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1 Name

Wanneroo Adult Equestrian Club Inc.

2 Interpretations

The words mentioned in the Constitution shall bear the meanings set out opposite each unless out of context

"The Act"	Associations Incorporation Act 2015
"Association"	A group of people organised for a joint purpose
"Club"	Wanneroo Adult Equestrian Club (Inc.)
"ARCA"	Adult Riding Clubs Association of Western Australia
"Commissioner"	means the person for the time being designated as the Commissioner by the Minister of the Department under section 153 of the Act
"Member"	A financial member of the club
"Year and Financial Year"	The calendar year: 1st January to 31st December
"Voting rights"	A 10% deposit of the membership fee will entitle a member to vote at any meeting
"Management Committee"	The President, Vice President, Secretary, Treasurer and all General Committee Positions
"Executive Committee"	The President, Vice President, Secretary and Treasurer
"General Committee"	Committee members whose position is not included in the Executive Committee and those that do not have an assigned position

3 Objectives

- To encourage members to ride and learn to enjoy all aspects of sport connected with horses and horse riding
- To provide instruction in riding and horsemanship and to instill in members the proper care of their animals and gear
- To encourage members to participate in horse riding competitions, both open and closed, representing the club
- To facilitate social events for all members
- To encourage all members to be actively involved in the operation of the Club

4 Membership

- The name, contact number and the postal or residential address of all members shall be recorded and maintained in a Members Register, this can be an online register
- An Incorporated Association must, at the request of a member, make the Register of Members available for inspection by the requesting member. In the instance of a member requesting a copy or extract of the register, a statutory declaration must be submitted stating

the purpose of use and declaring it relates to the affairs of the Association. If a copy or extract is requested, the member must pay \$20 prior to the information being released

- The club reserves the right to limit membership numbers. This will be at the discretion of the Committee

4.1 Categories

Membership of the Club will come under the following categories:

Full riding member: Entitled to ride at every rally in a calendar year and represent the club at competitions and Inter-Club events

- **Associate riding member:** Entitled to 8 lessons per calendar year plus the 'fun day rally in November' and represent the club at competitions and Inter-Club events
- **Non-riding member (social member):** Not entitled to ride at Club rallies or Inter-Club events. They can join social rides/functions organised by the Club
- **Life Member:** Nominations for life membership are to be made in writing to the Secretary and only agreed upon the majority vote at any Annual General Meeting of the Club. Life membership will only be granted for special outstanding services to the Club. Life Membership will convey no special privileges, with the exception that Life Members are not required to pay membership fees of the Club each year (ground fee per horse still needs to be paid). Life membership may be terminated at the discretion of the Committee in accordance with Section 4.2 of this Constitution, if the member has not been actively present in the club for two (2) years or more or the member has not completed 2 helper duties in each calendar year
- **Trial/Day member:** an outside participant may partake in a mounted rally (if vacancy allows), they will be required to pay the day rate for the rally. If they decide to join the club within 14 days of the rally, the rally fee (excluding ground fee) may be used to offset the cost of membership. A maximum of 2 rallies per year can be attended as a trial/guest.
- Both trial and day members must abide by club rules
- Memberships are restricted to persons eighteen 18 years of age and over
- All members are required to complete the required registration forms and waivers

4.2 Conduct

The Club reserves the right to terminate a membership based on unsafe practices or abuse towards an animal or another member. The Committee also has the power to suspend or expel any member whose conduct is deemed to be detrimental to the welfare of the Club. The members will have the opportunity to appear before the Committee to answer any charge of misconduct of which they are accused. Any member who is expelled from the club will not receive a refund of fees paid

5 Subscriptions

Annual membership payment options:

- Option 1: Full payment on enrolment
- Option 2: \$100 payment before the first rally, and the balance due before the 3rd rally or at the discretion of the Committee members

Membership fees (riding and non-riding) will be determined by the Management Committee and updated in the Club Policies and Information Pack. Members will be advised at the AGM each year of any changes. No credit or refund will be given on fees due to non-attendance at rallies and any decisions regarding the potential refund of a membership fee will be decided by the Committee on a case-by-case basis.

6 Management Committee

The management of the affairs of the Club will be vested in a 'Management Committee' elected by the members of the Club. It requires a minimum of four (4) people, the President, Vice President, Secretary and Treasurer, it is recommended to include at least three (3) other financial members of the club known as the General Committee.

Persons who are not eligible to be Management Committee as per Section 39 of the Act include:

- a person who is, according to the Interpretation Act 1984 section 13D, a bankrupt or person whose affairs are under insolvency laws
- a person who has been convicted, within or outside the State, of an indictable offence in relation to the promotion, formation or management of a body corporate; or
- an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than 3 months; or
- an offence under Division 3 or section 127 of the Act.

Additionally, the club requires any Management Committee member not to have been convicted of a crime involving fraud, dishonesty, theft, violence or offences related to anyone under 18 years of age in the last 5 years.

- All members of the Management Committee will be elected by a vote at each Annual General Meeting, and the term of office will be one (1) year
- At the end of each year, all documents and records pertaining to the management of the Association must be handed over to the new Committee as soon as practicable after a person has ceased to be a committee member
- It is expected that all members of the Management Committee disclose any conflicts of interest regarding Committee decisions
- The office of a member of the Committee will become vacant through any of the following events:
 - Resignation from the Committee by the member in writing, to the President OR Vice President, the resignation must be accepted by resolution of the Committee

- Is convicted of an offence under the Act
- Is absent for two (2) or more consecutive Committee meetings, without notice
- Termination of membership in writing
- Termination of membership by the Committee on grounds of misconduct
- On the death of a member or mental or physical incapacitation
- At the end of each year

The main method of communication for the Management Committee will be outlined in the Committee Roles and Responsibilities document.

7 Powers of the Management Committee

The Committee has the power to manage the affairs of the Association. Subject to the Act, these Rules, the by-laws (if any), Club Policies (if any) and any resolution passed at a General Meeting, the Committee has power to do all things necessary or convenient to be done for the proper management of the affairs of the Association.

Ordinary Club business that requires the approval of the Management committee (including but not limited to updating the Club policy and information or Committee Roles and description document) can be voted/approved online outside of a Management Committee Meeting and must have a 75% majority to pass. Any business approved in this manner must be documented in the Meeting Minutes of the next Management Committee Meeting and include the names of those that were in favor.

The Committee must take all reasonable steps to ensure that the Association complies with the Act, this Constitution, and the by-laws (if any).

8 Election and terms of office

- Office bearers will be elected by nomination and vote (if more than one nomination is received) at each Annual General Meeting. The term of the office will be one (1) year; however, exiting Committee members are eligible for reelection
- Should there be more nominations than there are vacancies, the simple majority method will be adopted to decide who takes office
- No more than two (2) persons from the same family can hold office at one time
- Casual vacancies will be filled by an existing committee member, or the committee may appoint any member for the remaining calendar year
- **Any** paying member can be voted into a committee position, without holding a prior Committee position
- An Executive Committee member can only hold the same position for a maximum of three (3) consecutive years

9 Duties of the Management Committee

All members of the Management Committee must uphold their position to the best of their ability. A vote of no confidence can be called if the persons are found not to be upholding their position within the club. A meeting of the members needs to be held, with a quorum present and a majority vote to pass. Members must receive 21 day's notice of the vote.

It is expected that all Committee members will exercise their powers with due care and diligence, and make decisions with good faith and purpose

The following are examples of the duties required by the Management committed, full position descriptions are available in the Committee Roles and Responsibilities booklet. This is updated as needed based on the requirements of the club.

9.1 President

- To be a chairman at all meetings, when in attendance
- To be the spokesman for the club on such occasions as a spokesman is required
- To thank participants and judges and to present ribbons and/or trophies to winners when in attendance at events hosted by the Club
- To enforce the rules of the club when required

9.2 Vice President

- To act as a chairman when the President is unavailable to attend meetings
- To act as a Deputy to the President when directed and required
- To liaise with the President and other office bearers of the club on all relevant matters

9.3 Secretary

- To attend and take minutes of all meetings and to make a copy of the minutes available to members
- To prepare agendas for meetings
- To liaise with the President regarding agendas for meetings and on the club's activities in general
- To handle all the paperwork for competitive functions, and to give members reasonable notice of the dates of any functions held under the auspices of the club
- To handle all inwards and outward correspondence as directed by the Committee
- Keep all books, papers, documents and records of the club (except the financial books and records). All paper documents may be converted to digital copies.

- To ensure that the club's constitution is kept up to date and keep the Department of Commerce informed of all changes to the constitution.
- Prepare and complete all forms as required, e.g. Organisation affiliations

9.4 Treasurer

- Receive all subscriptions and give receipts where required, along with receiving all monies due to the club
- Do banking and pay accounts as directed by the Management Committee
- Report to the Management Committee at each meeting the balance in the bank and at hand along with the treasurer's report
- Maintain a complete up to date record of members and their financial position
- Attend functions held by the club to handle monetary matters
- At the beginning of each year, ensure the Club bank account is updated to remove signatories that are no longer Executive Committee Members and add any new signatories as required.
- Prepare the end of year treasurer report to be presented at the AGM. The report must include a Profit and Loss Summary, current bank balance, petty cash balance (if any) and any other relevant matters.
- Assist the auditor with the review of the club bank account and financial records, as required. You may also be required to assist after your term as Treasurer has ended

9.5 Responsibilities of the Executive Committee

- At least 3 executive committee members are required as signatories on the Club bank account
- The Club Bank account is required to be set up in a way that requires at least 2 of the 3 signatories to approve any outgoing payments
- To supervise the setting up and putting away of equipment, or arrange a supervisor
- To prepare in conjunction with other office bearers, a list of rules for the club and to circulate these rules to all members
- To comply on behalf of the club with the requirements of the Western Australian Associations Incorporation Act 1987
- Arrange a professional review of the Clubs bank accounts and financial records when requested.
 - The auditing of the Club financial records is required when the majority of the Executive Committee requests or a majority vote of members at an AGM/SGM
 - Or when requested by the commissioner

- An Incorporated Association must, at the request of a member, make the records and documents of the Club available for inspection by the requesting member. In the instance of a member requesting a copy or extract, a statutory declaration must be submitted stating the purpose of use and declaring it is connected with the affairs of the Association. If a copy or extract is requested, the member must pay \$20 prior to the information being released.

9.6. General Committee

All members of the General Committee will be delegated a role for the calendar year, examples being:

- ARCA Representative
- Rally Coordinator
- Uniform coordinator
- Events coordinator
- Equipment coordinator
- Website Coordinator

10 Quorum

At a General Meeting of the members, two (2) Executive Committee members and eight (8) other members will form a quorum, and at Committee Meetings, four (4) including the President or Vice President will form a quorum

11 Notice of Meetings

11.1. Management Committee Meetings

The first Management Committee Meeting for each year is to be held prior to the first rally. Management Committee meetings will be held as needed on dates decided by the Committee with a notice period of fourteen (14) days. The method of communication will be outlined in the Committee Roles and Responsibilities Document. The committee is required to hold meetings at least 4 times each year.

Any matter requiring a vote requires 75% of the Management Committee Members present to be passed.

At each Management Committee Meeting, the order of business will be:

- Meeting opened
- Confirmation on who the Chair of the meeting is
- Confirmation the Secretary is present to take the meeting minutes
- Confirmation a quorum is present
- Presentation of Treasures report
- General Business

11.2 Special Resolution Meeting

The Committee may arrange a special resolution meeting to resolve an urgent matter, or a matter

requiring the vote of members outside of the Annual General Meeting. No less than twenty-one (21) days' notice will be provided, stating, when, where and the purpose of the meeting. The method of communication will be detailed in the Club Policy and Information Pack.

11.3 Annual General Meetings

An Annual General Meeting of the club will be held at least once every period of twelve (12) months

- It is to be held within three (3) months of the beginning or end of the association's year end
- No less than twenty-eight (28) days' notice will be given of the holding of the Annual General Meeting. The notice will include when, where and the agenda of the Annual General Meeting. The method of communication will be detailed in the Club Policy and Information Pack.
- At each Annual General Meeting of the club, the order of business will be:
 - Meeting opened
 - Confirmation on who the Chair of the meeting is
 - Confirmation the Secretary is present to take the meeting minutes
 - The reading and confirmation of the minutes of the previous Annual General Meeting
 - The presentation or reports from the Management Committee
 - Election of members to the Management Committee
 - Notice of motion (if any)
 - General business

A General or Special General meeting must be convened when 20% or more of the members request it and notify the Secretary via post, email or provide the written request in person.

12 Voting

Life members and all members that have paid a 10% deposit towards a membership will be deemed eligible to vote and will be entitled to one (1) vote. Except otherwise prescribed in these rules, resolutions will be carried out by a majority of voting members present at any meeting. In the case of the equality of votes the Chairman will have a second or deciding vote

13 Alterations to rules

No new rule, alteration, additions or amendments to this constitution are to be made unless carried by members voting at a Special Resolution Meeting.

Within one month of passing a Special Resolution or altering the rules, the association must lodge the required documents to the Commissioner. The required documents are:

- A Notice of the Special Resolution Meeting, clearly stating the changes proposed
- A certificate in the approved form that the resolution was duly passed (signed by a member of the Management Committee)

- A copy of the rules

The new rules do not take effect until the above is compliant

14 Affiliation

- The Club will become a member of, or affiliate with the Adult Riding Club Association (ARCA)
- The Club will become a member of, or affiliate with Equestrian Australia (EA)
- The Club may become a member of or affiliate with any other body having similar objectives to the club
- Any member of the club may make themselves available to be a representative of the affiliating body

15 Liability

Neither the club nor any person acting on its behalf will be held responsible for any accident, damage, injury or loss to members, their horses or belongings at any rally, rides/meetings/competitive event hosted by the club, or at any event where a member may be representing the club

16 Uniform

All members, whilst engaged in mounted club activities (groundwork included) whether it be at club grounds or elsewhere, must always wear approved riding boots and safety standard approved helmet. Members are encouraged to wear informal uniform to rally days, and formal uniform is required for all ARCA challenges and unofficial interclub challenges.

Informal uniform consists of

- Club shirt (long or short sleeve)
- Black riding pants
- Black Saddle pad

Formal Uniform Consists of

- Club shirt (long or short sleeve)
- Black riding pants
- Black Saddle pad with club logo
- Club coloured helmet cover
- Club coloured browband (limited browbands available to be borrowed from the club)

17 Mounts

Stallions, colts, or rigs shall not be permitted to attend club activities without prior permission from the Committee. Applications need to be submitted in writing one month prior to the rally/event. Approval can be given for the year but needs to be renewed each year. The approval

does not extend to ARCA challenges, other club events or events cohosted with a Pony Club.

The club reserves the right to refuse admission to any horse regarding its fitness, soundness or safety concerns

18 Dissolution of the Club

The association may be dissolved or wound up by a vote at a Special Resolution Meeting with the consent of $\frac{3}{4}$ (75%) of members voting at such a meeting.

If upon a dissolution or winding up there remains any funds after the satisfaction of all debts and liabilities of the association and the costs and charges in relation to the dissolution, those funds will not be distributed or paid to any member and will instead be transferred to another association or institution as decided upon at the meeting.

19 Non-profit Making

Wanneroo Adult Equestrian Club Inc. operates as a non-profit making Association. All money received into the club will be used for the improvement of the club's facilities and to pay any expenses. No part of the property or income may be paid or otherwise distributed to any member other than

- Reimbursing the member for expenses incurred on behalf of the club as agreed upon by the committee
- Reasonable remuneration for services provided as agreed upon by the committee

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 the 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

20 Audit and financial records

Wanneroo Adult Equestrian Club Inc. is a tier one (1) Association as per Section 64 of the Act. The Association must keep financial records that correctly record and explain its transactions, financial position and performance and enable true and fair financial statements to be prepared as per the Act.

- All financial records must be retained for at least seven (7) years after the transaction occurred
- Within six (6) months of the year end, financial statements must be prepared to provide a clear view of the financial position of the Association
- When requested the Management Committee with appoint an auditor in accordance with Divisions 5,6 and 7 of the Act. They must NOT be financial members of the club
- Reasonable fees and expenses for the reviewer or auditor must be paid by the Association

- The appointment of the reviewer or auditor will be made by the resolution of members at a general or special general meeting
- A person is qualified for appointment if the person is:
 - A member of a professional accounting body
 - A registered company auditor under the corporations Act
 - A person who the Commissioner considers appropriate qualifications or experience
- The club must comply with all other requirements as per the Act

21 Resolution of Complaints

If members have a complaint, it must be put in writing to the Committee. The complaint must set out all the details of the grievance or dispute. The President, or person designated to deal with the complaint must attempt to resolve the matter within the complaint.

If there is a dispute between two (2) or more people, mediation may be recommended at this stage, where an impartial third party attempts to assist the parties to resolve their dispute. If mediation fails, or is not considered appropriate in the circumstances, the matter is referred to an impartial grievance Committee.

The Committee sums up the issues, and after considering all the information presented to them, the Committee makes a decision. The Committee informs the parties of their decision or recommendation.

**END OF
CONSTITUTION**