



***AUSTRALIAN MINIATURE PONY SOCIETY INC***

# **CONSTITUTION**

## **2017**

***To take effect 10th October, 2017  
and to replace all previous Constitutions.***

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## **CONSTITUTION:**

### **NAME:**

The name of the Society is: **Australian Miniature Pony Society Incorporated**,  
(Hereinafter referred to as “The Society”)

This Society is a Society of breeders and/or owners and/or persons interested in the breed of ponies known as Australian Miniature Ponies.

### **AIMS and OBJECTS:**

The Aims and Objects of the Society are as follows:-

- a) To standardise, improve and promote the breed of pony to be known as “Australian Miniature Pony”.
- b) To maintain records of:-
  - i) The breeding history of Ponies registered with the Society.
  - ii) The ownership of registered Ponies and transfers of ownership of registered Ponies from one financial Member of the Society to another financial Member of the Society, or from an ex-Member of the Society to a financial Member of the Society;
  - iii) Foal Recordings, Adult Registrations, Gelding Registrations, Appendix Registrations, details of adult height at two (2) year and four (4) year height measurements and where relevant six (6) years
- c) To establish and regulate the procedures and documentation to be used for the purpose of recording any of the activities coming within the Aims and Objects of the Society.
- d) To establish a Stud Book of the Society and from time to time publish the Stud Book of the Society.
- e) To promote, exhibit and otherwise advance the breed of pony known as the Australian Miniature Pony.

## **AIMS and OBJECTS: Contd.,**

- f) To purchase, lease or otherwise acquire an interest in or to accept any gift of, any property of any nature whatsoever where to do so is in the interest of the Society and the promotion of the Aims and Objects of the Society.
- g) To inform either Members of the Society or the public or any portion thereof of information relevant to the activities of the Society or the Aims and Objects of the Society, including, but not limited to, printing, publishing and/or distributing literature
- h) To make such investments and in such manner as may from time to time be determined by the Society.
- i) To do all such lawful things as are conducive to the promotion of the Society and the achievement of its Aims and Objects, including but not limited to assisting Members either generally or individually to improve their knowledge of, management of and development of the Australian Miniature Pony breed.
- j) To encourage Members to act at all times with honesty and integrity and to foster cooperation between Members.

### **1. INTERPRETATION**

- 1.1 In this Constitution, except in so far as the context or subject matter otherwise indicates or requires
- “The Act” means – “The Associations Incorporation Act 2009”
- “Financial year” in relation to the Society shall begin on the 1<sup>st</sup> July each year and end on the 30<sup>th</sup> June of the following year.
- “National Committee of Management” referred to as the Management Committee
- “Patron” means the person or company appointed by the Management Committee to become Patron of the Society.
- “Promotional Committee” or “Promotional Group” means a Sub Committee in each State authorised by the Management Committee in accordance with Article 20 to promote the Australian Miniature Pony in that State.
- “The Regulation” means – “The Association’s Incorporation Regulation 2016.”
- “Rules and Regulations” means - the Rules of the Society approved and amended by the Society from time to time.
- “State Delegate” means the person elected by the Members of each State to liaise between the Management Committee and the Members of the State. The State Delegate will preside at Meetings of Members within their State.
- 1.2 In this Constitution -
- a) a reference to a function includes a reference to a power, authority and duty, and
  - b) a reference to the exercise of a function includes where the function is a duty, a reference to the performance of the duty.

## **1. INTERPRETATION Contd.,**

- 1.3 The provisions of the Interpretation Act, 1987 apply to and in respect of this Constitution in the same manner as those provisions would so apply if this Constitution were an instrument made under the Act.

## **2. MEMBERSHIP**

### **MEMBERSHIP CATEGORIES**

- 2.1 The Society shall offer the following Membership categories and the Management Committee may, if it is deemed of benefit to the Society and its Members, alter the categories where appropriate.
- 2.2 The Society shall offer:-
- a) Full Membership consisting of one adult, with entitlements of one vote, one badge, one magazine.
  - b) Joint Membership consisting of two people (any age), with entitlements of one vote, two badges, one magazine.
  - c) Family Membership consisting of one or two adults, their Children (up to and including 17 years of age) but not Grandchildren, with entitlements of one vote, two badges, one magazine.
  - d) Junior Membership is for a person, up to and including 17 years of age, with entitlements of a badge, a magazine, owner rights, but no breeding or voting rights.
  - e) Associate Membership is for a person, 18 years and over, with entitlements of a badge, a magazine, owner rights, but no breeding or voting rights.
  - f) Handler Membership is for any person of any age, but has no owner, breeding or voting rights and no magazine
- 2.3 The Society shall set the Joining Fee(s), Membership Fee(s) and any other Fees in relation to all Membership categories.
- 2.4 The Society may confer Life Membership on any financial Member of the Society if:-
- a) The person is nominated for Life Membership by no less than two Members of the Society.
  - b) The Committee of Management of the Society is of the opinion that the person has rendered special service to the Society.
- 2.5 The number of Life Members shall not be higher than the ratio of one for every one hundred Members of the Society. If the number of Members decreases then no current Life Member shall lose their Life Membership, however no new Life Member can be appointed unless the number of Life Members is less than one for every one hundred Members.

### **3. APPLICATION FOR MEMBERSHIP**

- 3.1 An Application for Membership shall be made to the Society in writing on the appropriate Membership Application Form, which must be signed by the applicant/s and must be accompanied by the prescribed Joining and Membership Fees.
- 3.2 As soon as practicable after receiving an Application for Membership, the Registrar shall refer the Application to the Committee for approval.
- 3.3 Where the Management Committee determines to approve an Application for Membership, the State Delegate shall, as soon as practicable after that determination, notify the applicant of that approval.
- 3.4 The Secretary shall, on determination of acceptance of the Application for Membership, ensure the Member is added to the Register of Members.

### **4. CESSATION OF MEMBERSHIP**

- 4.1 A person ceases to be a Member of the society if the person
  - (a) Dies
  - (b) Resigns their Membership
  - (c) Is expelled from the Society
- 4.2 A Member of the Society who does not pay their annual Membership fees and renew their annual Membership by the due date, or at the latest within three calendar months thereafter, will be deemed to be an Unfinancial Member of the Society automatically. However, their Membership number, prefix and brand will remain in the Society database attached to that Membership. Unfinancial Members may apply to reinstate their Membership at any time, by submitting a Membership Application Renewal Form, together with relevant fees payable, as per the current fee structure.

### **5. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE**

- 5.1 Any right, privilege or obligation which a person has by reason of them being a Member of the Society is not capable of being transferred or assigned to any other person and terminates upon the person ceasing to be a Member of the Society.

### **6. RESIGNATION OF MEMBERSHIP**

- 6.1 A Member of the Society is not entitled to resign that Membership except in accordance with this Article.

## **6. RESIGNATION OF MEMBERSHIP Contd.,**

- 6.2 A Member of the Society who has paid all amounts payable by the Member to the Society in respect of the Member's Membership may resign from Membership of the Society by first giving notice being not less than one month, or such other period as the Management Committee determines (in writing) to the Secretary of the Society of the Member's intention to resign and upon the expiration of the period of notice, the person ceases automatically to be a Member of the Society.
- 6.3 Where a Member of the Society ceases to be a Member pursuant either to Article 6.2 above or otherwise the Secretary shall cause an entry to be made in the Register of Members recording the date on which the Member ceased to be a Member.

## **7. REGISTER OF MEMBERS**

- 7.1 The Public Officer (or in the absence of a Public Officer, the Secretary) of the Society shall cause to be established and maintained a Register of Members of the Society containing the name and address of each person who is a Member of the Society together with the date on which the person became a Member and when, if applicable, they ceased to be a Member.

## **8. FEES, SUBSCRIPTIONS, ETC**

- 8.1 The Society shall prescribe what shall be the fees payable for joining the Society, remaining a Member of the Society and for such other purposes as the Society determines. The Management Committee shall have the power to set such fees subject to any alteration thereto by the Society at a General Meeting. Any such alteration by the Society at a General Meeting shall not be retrospective in its application.
- 8.2 A new Member joining between 1st February and 31st May will pay a pro-rata fee of 50% of the Membership Fee but shall pay all other fees as applicable.
- 8.3 In the case of an Annual Membership Fee, any person who becomes a new Member of the Society and is liable to pay their first Annual Membership Fee between 1<sup>st</sup> June and 1<sup>st</sup> August in any year, will not be required to pay their second Annual Membership Fee until the 1<sup>st</sup> August in the following year.
- 8.4 Any Member who is indebted to the Society under the following conditions; -
- a) Membership renewal not up to date,
  - b) dishonoured cheques,
  - c) non-payment of registry fees,
  - d) non-payment of advertising in the Society magazine,
  - e) non-payment of promotional items,
  - f) late fees,

## **8. FEES, SUBSCRIPTIONS, ETC Contd.,**

- 8.4 Any Member who is indebted to the Society under the following conditions: Contd.,
- g) late pony returns,
  - h) any, other non-payment of monies due to the Society,
  - i) or non return of Society's monies or property in the control of retiring office bearers of any Committee in the Society and or Delegates, will have all transactions with the Society suspended until such requests are satisfied by Management Committee.

## **9. MEMBERS' LIABILITIES**

- 9.1 The liability of a Member of the Society to contribute towards the payments of the debts and liabilities of the Society or the costs, charges and expenses of the winding up of the Society is limited to the amount, if any, unpaid by the Member in respect of Membership of the Society as required by Article 8.4.

## **10. DISCIPLINING OF MEMBERS**

- 10.1 Where the Management Committee is of the opinion that a Member of the Society;-

- a) has persistently refused or neglected to comply with a provision or provisions of this Constitution or the Rules and Regulations of the Society, or
- b) has persistently and wilfully acted in a manner prejudicial to the interests of the Society

The Management Committee may, by vote, move that the Member:-

- c) be expelled from the Society, or
- d) be suspended from Membership of the Society for a specified period.

- 10.2 A vote as referred to in either of Articles 10.1 (c) or 10.1 (d) above shall be carried if a simple majority of Management Committee Members vote in favour thereof.

- 10.3 Upon the passing of a vote pursuant to Article 10.2 above, the Secretary shall forward to the Member(s) who are the subject of the vote, a notice in writing, either by mail or electronically which;-

- a) sets out in full the terms of the vote of the Management Committee and states which sub Article of Article 10.1 above is the basis for the Management Committees action, and
- b) advises the Member that he or she may address the next Management Committee Meeting in relation to the expulsion or suspension; and
- c) the date, place and time of the next meeting of the Management Committee,

## **10. DISCIPLINING OF MEMBERS *Contd.,***

- 10.3 Upon the passing of a vote pursuant to Article 10.2 above, the Secretary shall forward to the Member(s) who are the subject of the vote, a notice in writing, either by mail or electronically which;- *Contd.,*
- d) inform the Member that they may either or both;-
    - (i) attend at and speak at the next meeting of the Management Committee and/or
    - (ii) submit to the Management Committee at or prior to the date of its next meeting written representations relating to the vote and the expulsion / suspension.
- 10.4 At the meeting of the Management Committee nominated in the Notice forwarded to the Member pursuant to Article 10.3 above, or at any subsequent meeting to which the Management Committee agrees to adjourn further consideration of the matter, the Management Committee shall;-
- a) consider the representations made by or on behalf of the Member, and
  - b) either confirm or revoke the original vote, such matter to be determined by a vote of the Management Committee on a simple majority basis.
- 10.5 If the Management Committee confirms the previous vote then the Secretary, shall within seven days (7) after such confirmation, by notice in writing, inform the Member of the decision of the Management Committee and shall inform the Member of their right of appeal pursuant to Article 11 of this Constitution.
- 10.6 A vote confirmed by the Management Committee, pursuant to Article 10.4 above, shall not take effect until either the expiration of the period prescribed under Article 11 of this Constitution for the Member to appeal or, if an appeal is duly made by the Member, then unless and until the Society confirms the vote pursuant to Article 11.4 hereof.

## **11. RIGHT OF APPEAL OF DISCIPLINED MEMBER**

- 11.1 A Member may appeal to the Society in General Meeting against any confirmation by the Management Committee of a vote to expel or suspend the Member so long as the Member lodges with the Secretary of the Society a written notice requesting that the decision be determined by the Society in a General Meeting, such notice to be lodged within seven days (7) after the Member receives notification pursuant to Article 10.5 above.
- 11.2 Upon receipt of a notice from a Member under Article 11.1 the Secretary shall notify the Management Committee which shall convene a General Meeting of the Society to be held within twenty one (21) days after the date on which the Secretary received the notice.

## **11. RIGHT OF APPEAL OF DISCIPLINED MEMBER Contd.,**

- 11.3 At a General Meeting of the Society convened under Article 11.2:-
- a) no business other than the question of the appeal shall be transacted,
  - b) the Management Committee and the Member shall be given the opportunity to state their respective cases orally or in writing or both; and
  - c) the Members present shall vote by secret ballot on the question of whether the vote by the Management Committee should be confirmed or revoked.
- 11.4 If at the General Meeting, the Society passes a Special Resolution in favour of the confirmation of the vote of the Management Committee, the vote is confirmed.

## **THE MANAGEMENT COMMITTEE**

### **12. POWERS ETC OF THE MANAGEMENT COMMITTEE**

- 12.1 The Committee shall be called the Management Committee of the Society and subject to the Act and these Articles and to any Special Resolution passed by the Society in a General Meeting:-
- a) shall control and manage the affairs of the Society,
  - b) may exercise all such functions as may be exercised by the Society other than those functions that are required by these Articles to be exercised by a General Meeting of Members of the Society, and
  - c) has power to perform all such acts and do all such things as appear to the Management Committee to be necessary or desirable for the proper management of the affairs of the Society.

### **13. COMPOSITION AND MEMBERSHIP OF MANAGEMENT COMMITTEE**

- 13.1 The Management Committee of the Society shall consist of the following persons elected in accordance with this Constitution:-
- a) The following Office Bearers:-
    - i) A President
    - ii) A Vice-President
    - iii) A Secretary
    - iv) A Treasurer
    - v) A Magazine Editor
  - b) Five other Members, and
  - c) An elected Delegate from and on behalf of each State.

### **13. COMPOSITION AND MEMBERSHIP OF MANAGEMENT COMMITTEE Contd.,**

- 13.2 Additionally the Management Committee may appoint either from among its own Members or from among the Membership of the Society generally, someone to be Registrar and someone to be the Public Officer of the Society.
- 13.3 The duties of the Registrar shall be as follows:-
- a) To maintain an up-to-date Register of Ponies registered with the Society,
  - b) To record Foal Recordings, Adult Registrations and Appendix Registrations,
  - c) To record Stud Prefixes and Brands,
  - d) To record details of ownership of registered Ponies and transfers of such ownership.
  - e) To maintain details of leases of registered Ponies and service certificates.
  - f) To record height recordings.
  - g) To record deaths of registered Ponies.
- and to report on the above matters to the Management Committee.
- 13.4 Each Member of the Management Committee shall, subject to these provisions, hold office until the conclusion of the next Annual General Meeting following the date of the Members election to the Management Committee. Each Member is then eligible for re-election.
- 13.5 In the event of a casual vacancy occurring in the Membership of the Management Committee, the Management Committee may appoint a Member of the Society to fill that vacancy and that person shall then hold office subject to these provisions until the conclusion of the next Annual General Meeting thereafter.
- 13.6 To be eligible for nomination for an Executive Position on the Management Committee as an Office Bearer i.e. President, Vice-President, Secretary, Treasurer or Magazine Editor, a Member must have served a minimum of two (2) consecutive years as a current Management Committee Member.

### **14. ELECTION OF MANAGEMENT COMMITTEE**

- 14.1 Nominations of candidates for election as Office Bearers of the Society or as other Members of the Management Committee:
- a) shall be made in writing upon the nomination form approved by the Society at the time, with such form to be signed by, two (2) Members of the Society, acting as nominators for the candidate and shall have endorsed upon it the written consent of the candidate. The candidates consent may be provided by way of separate acknowledgement in writing contemporaneously, and
  - b) shall be delivered to the Secretary of the Society not less than twenty eight (28) days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.

#### **14. ELECTION OF MANAGEMENT COMMITTEE *Contd.,***

- 14.2 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- 14.3 If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- 14.4 The ballot for Office Bearers, Ordinary Members of the Management Committee and State Delegates shall be elected by a properly conducted vote as per Article 31.
- 14.5 If insufficient nominations are received to fill all vacancies on the Management Committee the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- 14.6 If insufficient further nominations are received any vacant positions remaining on the Management Committee shall be deemed to be casual vacancies.
- 14.7 No Member may hold a position on any Management Committee or Sub-Committee or be appointed to any office in the Society if at the same time they hold a position in another Society or Organisation which places them in a conflict of interest.
- 14.8 When Management Committee Members stand for re-election they will include in their resume, the number of Meetings attended in that year.

#### **15. SECRETARY**

- 15.1 The Secretary of the Society shall, as soon as practicable after being appointed as Secretary, lodge notice with the Society of his or her address.
- 15.2 It is the duty of the Secretary to keep minutes of :-
  - a) all appointments of Management Committee Members,
  - b) the names of Members of the Management Committee present at a Committee Meeting or a General Meeting and
  - c) all proceedings at Committee Meetings and General Meetings.
- 15.3 Minutes of proceedings at a Meeting shall be signed by the Chairperson of the Meeting or by the Chairperson of the next succeeding Meeting.

#### **16. TREASURER**

It is the duty of the Treasurer of the Society to ensure that:-

- a) all money due to the Society is collected and received and that all payments authorised by the Society are made; and
- b) correct books and accounts are kept showing the financial affairs of the Society including full details of all receipts and expenditure connected with the activities of the Society.

## **17. CASUAL VACANCIES**

- 17.1 For the purposes of these Articles a casual vacancy on the Management Committee occurs if a Member:-
- a) dies,
  - b) ceases to be a Member of the Society,
  - c) becomes an insolvent under administration within the meaning of the Corporations Act 2001 of the Commonwealth.
  - d) resigns office by notice in writing given to the Secretary,
  - e) is removed from office under Article 18.1,
  - f) becomes a person who is liable to be dealt with in any way under the law,  
or
  - g) is absent without the consent of the Management Committee from all Meetings of the Management Committee held during a period of six (6) months.
- 17.2 In the event of a casual vacancy occurring in the Membership of the Committee, the Committee may appoint a Member of the Society to fill the vacancy and the Member so appointed is to hold office, subject to this Constitution, until the next Annual General Meeting.

## **18. REMOVAL OF A MEMBER**

- 18.1 The Management Committee may vote to remove any Member of the Management Committee from the office they hold before the expiration of their term of office.

## **19. MEETINGS AND QUORUM**

- 19.1 The Management Committee shall meet at least three (3) times in each period of twelve (12) months at such a place and time as the Management Committee may determine.
- 19.2 Additional Meetings of the Management Committee may be convened.
- 19.3 Notice of a Meeting of the Management Committee shall be given by the Secretary to the Management Committee, either verbally, written or electronically, at least forty eight (48) hours (or such other period as may be unanimously agreed upon by the Management Committee) before the time appointed for the holding of the Meeting.
- 19.4 Notice of a Meeting given under Article 19.3 shall specify the general nature of the business to be transacted at the Meeting and no business other than that business shall be transacted at the Meeting except business which the Management Committee present at the Meeting unanimously agree to treat as urgent business.

## **19. MEETINGS AND QUORUM Contd.,**

- 19.5 Any five (5) Members of the Management Committee constitute a quorum for the transaction of the business of a Meeting of the Management Committee. For the purpose of constituting a quorum a Member of the Management Committee may be counted as being "present" where that word is used in these Articles if they are physically present at the Meeting or if they are taking part in the Meeting via telephone, teleconferencing or electronic facilities.
- 19.6 No business shall be transacted by the Management Committee unless a quorum is present. If within half an hour of the time appointed for the Meeting a quorum is not present, the Meeting stands adjourned to the same day of the following week, the same time and same place; unless another time and place is specified at the time of the adjournment by the person presiding at the Meeting or communicated by written notice to Members given before the day to which the Meeting is adjourned.
- 19.7 If at the adjourned Meeting a quorum is not present within half an hour of the time appointed for the Meeting, the Meeting shall be dissolved.
- 19.8 At a Meeting of the Management Committee:-
- a) the President or in the President's absence, the Vice-President shall preside,
- Or,
- b) if the President and the Vice-President are absent or unwilling to act, one of the remaining Members of the Management Committee may be chosen by the Members present at the Meeting to preside.

## **20. DELEGATION BY THE MANAGEMENT COMMITTEE TO STATE SUB-COMMITTEE**

- 20.1 The Management Committee may, by Instrument In Writing delegate to one or more State Sub Committees, consisting of such Member or Members of the Society as the Management Committee see fit. The exercise of the functions of the State Sub-Committee as are specified in the Instrument In Writing, other than:-
- a) this power of delegation and
  - b) a function which is a duty imposed on the State Sub Committee by the Act or by any other law.
- 20.2 A function, the exercise of which has been delegated to a State Sub-Committee under this Article may, while the delegation remains unrevoked, be exercised from time to time by the State Sub-Committee in accordance with the terms of the Instrument In Writing.

## **20. DELEGATION BY THE MANAGEMENT COMMITTEE TO STATE SUB-COMMITTEE Contd.,**

- 20.3 A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the Instrument In Writing.
- 20.4 Notwithstanding any delegation under this Article the Management Committee may continue to exercise any function delegated.
- 20.5 Any act or thing done or suffered by a State Sub-Committee acting in the exercise of a delegation under this Article has the same force and effect as it would have if it had been done or suffered by the Management Committee.
- 20.6 The Management Committee may, by Instrument In Writing, revoke wholly or in part any delegation under this Article.
- 20.7 A State Sub-Committee may meet and adjourn as it thinks proper.

## **21. VOTING AND DECISIONS**

- 21.1 Questions arising at a Meeting of the Management Committee or any State Sub-Committee shall be determined by a majority vote of the Management Committee or State Sub-Committee present at the Meeting.
- 21.2 Each Member present at a Meeting of the Management Committee or of any State Sub-Committee including the person chairing the Meeting is entitled to one vote, but in the event of an equality of votes on any question the person chairing the Meeting may exercise a second or casting vote.
- 21.3 Subject to Article 19.5 the Management Committee may act notwithstanding any vacancy on the Management Committee.
- 21.4 Any act or thing done or suffered or purporting to have been done or suffered by the Management Committee or by a State Sub-Committee appointed by the Management Committee is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any Member of the Management Committee or State Sub-Committee.
- 21.5 A Member may appoint another Member as their proxy to vote on their behalf at any General Meeting, Management Committee Meeting, or any State Sub-Committee Meeting. The proxy must be lodged in writing prior to the commencement of the Meeting.

## **GENERAL MEETINGS**

### **22. ANNUAL GENERAL MEETINGS - HOLDING OF**

- 22.1 With the exception of the first Annual General Meeting of the Society, the Society shall at least once in each calendar year and within the period of six (6) months after the expiration of each financial year of the Society, convene an Annual General Meeting of its Members.

## **GENERAL MEETINGS Contd.,**

### **22. ANNUAL GENERAL MEETINGS - HOLDING OF Contd.,**

- 22.2 The Society shall hold its first Annual General Meeting -
- a) within the period of eighteen (18) months after its Incorporation under the Act; and
  - b) within the period of six (6) months after the expiration of the first financial year of the Society
- 22.3 Articles (1) and (2) have effect subject to any extension or permission granted by the Commission.

### **23. ANNUAL GENERAL MEETINGS - CALLING OF AND BUSINESS AT**

- 23.1 The Annual General Meeting of the Society shall, subject to the Act and to Article 22, be convened on such date and at such place and time as the Management Committee thinks fit. A Member may be counted as being "present" where that word is used in these Articles if they are physically present at the Meeting, or if they are taking part in the Meeting via telephone, teleconferencing or electronic facilities.
- 23.2 In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting shall be –
- a) to confirm the Minutes of the last preceding Annual General Meeting and of any Special General Meeting held since that Meeting,
  - b) to receive from the Management Committee reports upon the activities of the Society during the last preceding financial year.
  - c) to confirm elected Members of the Management Committee;
  - d) to receive and consider the financial statement.
- 23.3 An Annual General Meeting shall be specified as such in the notice convening it.
- 23.4 An independent Auditor for the Society shall be nominated and elected annually at the Annual General Meeting of the Society
- 23.5 General Business will be included on the Agenda of an Annual General Meeting.

### **24. SPECIAL GENERAL MEETINGS - CALLING OF**

- 24.1 The Management Committee shall on the receipt of a requisition in writing or electronically from not less than five percent of the total number of Members convene a Special General Meeting of the Society, or the Management Committee may decide to decide itself to convene a Special General Meeting of the Society otherwise

## **24. SPECIAL GENERAL MEETINGS - CALLING OF Contd.,**

- 24.2 A requisition of Members for a Special General Meeting:-
- a) shall state the purpose of the Meeting,
  - b) shall be signed by the Members making the requisitions,
  - c) shall be lodged with the Secretary; and
  - d) may consist of several documents in a similar form, each signed by one or more of the Members making the requisition.
- 24.3 If the Management Committee fails to convene a Special General Meeting to be held within one (1) month after the date on which a requisition of Members for the Meeting is lodged with the Secretary, any one or more of the Members who made the requisition may convene a Special General Meeting to be held not later than three (3) months after that date.
- 24.4 Any expenses properly incurred by a Member in convening a Special General Meeting pursuant to Article 24.3 above shall be reimbursed by the Society upon proof of expense being incurred.
- 24.5 The provisions of Article 30 shall apply to any Special General Meeting called under this Article and also to the business to be transacted at such meetings.

## **25. NOTICE**

- 25.1 Except where the nature of the business proposed to be dealt with at a General Meeting requires a Special Resolution of the Society, the Secretary shall at least twenty one (21) days before the date fixed for the holding of the General Meeting advise each Member the place, date and time of the Meeting and the nature of the business proposed to be transacted at the Meeting.
- 25.2 Where the nature of the business proposed to be dealt with at a General Meeting requires a Special Resolution of the Society, the Secretary shall at least twenty one (21) days before the date fixed for the holding of the General Meeting advise each member in the manner provided in Article 25.1 the intention to propose the Special Resolution and complying with Article 31.6.
- 25.3 No business other than that specified in the notice convening a General Meeting shall be transacted at the Meeting except in the case of an Annual General Meeting, business which may be transacted pursuant to Article 23.2.
- 25.4 A Member desiring to bring any business before a General Meeting may give notice in writing of that business to the Secretary, who shall include that business in the next notice calling a General Meeting given after receipt of the notice from the Member.

## **26. PROCEDURE**

- 26.1 No item of business shall be transacted at any General Meeting of the Society, whether it is an Annual General Meeting, a Special General Meeting, Extraordinary General Meeting or any sort of General Meeting, unless a quorum of five (5) Members entitled under these Articles to vote is present at the commencement of the Meeting.
- 26.2 If within half an hour after the appointed time for the commencement of a General Meeting a quorum is not present, the Meeting if convened upon the requisition of Members shall be dissolved. In any other case shall stand adjourned to the same day of the following week, the same time and same place; unless another time and place is specified at the time of the adjournment by the person presiding at the Meeting or communicated by written notice to Members given before the day to which the meeting is adjourned.

## **27. PRESIDING MEMBER**

- 27.1 The President, or in the President's absence the Vice-President, shall preside as Chairperson at each General Meeting of the Society.
- 27.2 If the President and the Vice-President are absent from a General Meeting or unwilling to act, the Members present shall elect one of their number to preside as Chairperson at the meeting.

## **28. ADJOURNMENT**

- 28.1 The Chairperson of a General Meeting at which a quorum is present may with the consent of the majority of Members present at the Meeting adjourn the Meeting from time to time and place to place but no business shall be transacted at an adjourned Meeting other than the business left unfinished at the Meeting at which the adjournment took place.
- 28.2 Where a General Meeting is adjourned for fourteen (14) days or more, the Secretary shall give written or oral notice of the adjourned Meeting to each Member of the Society stating the place, date and time of the Meeting and the nature of the business to be transacted at the Meeting.
- 28.3 Except as provided in Articles 28.1 and 28.2 notice of an adjournment of a General Meeting, or of the business to be transacted at an adjourned Meeting is not required to be given.

## **29. MAKING OF DECISIONS**

- 29.1 Any question arising at a General Meeting of the Society shall be determined on a show of hands, unless before or on the declaration of the show of hands a poll is demanded. A declaration by the Chairperson that
- a) A vote has, on the show of hands been carried, or carried unanimously, or by a particular majority or lost, shall be conclusive.
- 29.2 An entry in the Minute Book of the Society recording the declaration made by the Chairperson in article 29.1 above, shall prima facie be conclusive evidence of the fact so recorded, without proof of the number or proportion of votes recorded in favour or against any question.
- 29.3 A demand for a poll may be made at a General Meeting of the Society by either the Chairperson, or alternatively by not less than three (3) Members present at the Meeting.
- 29.4 Where a poll is demanded in accordance with Article 29.3 above the poll shall be taken:
- a) In the case of a poll which relates to the election of the Chairperson of the Meeting or to the question of an adjournment, immediately thereafter, or
  - b) In any other case in such manner and at such time before the close of the Meeting as the Chairperson directs, subject to compliance with the provisions hereof.
- A second poll on any matter or question cannot be demanded at the same meeting.

## **30. SPECIAL RESOLUTIONS & RESOLUTIONS**

- 30.1
- a) A Special Resolution Is passed by a majority which comprises not less than three quarters of such Members of the Society being entitled under these Articles to vote, either in person, or by postal or electronic ballot at a General Meeting of which not less than twenty one (21) days written notice specifying the intention to propose the Special Resolution was given in accordance with these Articles.
  - b) Where it is made to appear to the Commission that it is not possible or practicable for the Special Resolution to be passed in the manner specified in Article 30.1 (a) - the Special Resolution is passed in a manner specified by the Commission.
- 30.2
- a) A Resolution Is passed by a majority which comprises not less than half of such Members of the Society being entitled under these Articles to vote, either in person, or by postal or electronic ballot at a General Meeting of which not less than twenty one (21) days written notice specifying the intention to propose the Resolution was given in accordance with these Articles.

## **31. VOTING**

- 31.1 Upon any question arising at a General Meeting of the Society, eligible Members are entitled to have one vote only.
- 31.2 All votes shall either be in person, by proxy (as specified in Article 21.5) or by postal or electronic ballot.
- 31.3 No Member shall vote in person when a postal or electronic ballot has been provided.
- 31.4 In the case of an equality of votes on a question at a General Meeting the Chairperson of the Meeting is entitled to exercise a second vote or casting vote.
- 31.5 A Member is not entitled to vote at any General Meeting of the Society unless all money due and payable by the Member to the Society has been paid.
- 31.6 Ballot Papers, Postal Voting instructions, envelopes and Online Voting instructions shall be sent to all eligible Financial Members prior to the Meeting. Postal Ballot Papers to be returned in Reply Paid Envelopes (which are to include the name, address and Membership number of the Member on the reverse side) and Online Votes to be returned to an independent Returning Officer/s.
- The Returning Officer/s means a person or persons outside the Society who has been appointed by the Committee to receive and count all postal votes and online votes for General, Special General or Annual General Meetings and report the results of such ballot for the relevant Meeting.

## **MISCELLANEOUS**

### **32. INSURANCE**

- 32.1 The Society shall effect and maintain Insurance pursuant to the appropriate section of the Act.
- 32.2 In addition to the Insurance required under Article 32.1 the Society may effect and maintain other Insurance.

### **33. FUNDS – SOURCE**

- 33.1 The funds of the Society shall be derived from such fees and charges as the Society fixes and from donations and such other sources as the Management Committee determines.
- 33.2. All money received by the Society shall be deposited as soon as practicable and without deduction to the credit of the Society bank account.
- 33.3. The Society shall, as soon as practicable after receiving any money, issue an appropriate receipt.

### **33. FUNDS – SOURCE Contd.,**

- 33.4 The Management Committee shall determine what charges or fees the Society will impose from time to time, including the following:-
- a) Joining Fee,
  - b) Annual Membership Fee,
  - c) Donation,
  - d) Application fee for the registration of Ponies,
  - e) Transfer Fee of registered Ponies,
  - f) Handling Fee for paperwork that is incomplete or incorrect,
  - g) Fee for registration of a stud prefix,
  - h) Sale of promotional items,
  - i) Fee for advertisements in the Society's magazine,
  - j) Late fees for late payment of any fees imposed by this Constitution or otherwise by the Society,
  - k) Any other such fees as the Management Committee may prescribe.

### **34. FUNDS – MANAGEMENT**

- 34.1 Subject to any Special Resolution passed by the Society in a General Meeting the funds of the Society shall be used in pursuance of the Objects of the Society, in such manner as the Management Committee determines.
- 34.2 All cheques, drafts, bills of exchange, and other negotiable instruments shall be signed by any two Members of the Management Committee of the Society being Members authorised to do so by the Management Committee.

### **35. ALTERATION TO ARTICLES OF THE CONSTITUTION & RULES & REGULATIONS:**

- 35.1 The Aims and Objects and Articles of the Constitution may only be altered, rescinded or added to, by a Special Resolution of the Society.
- 35.2 The Rules and Regulations may only be altered, rescinded or added to, by a Resolution of the Society.

### **36. COMMON SEAL**

- 36.1 The Common Seal of the Society shall be kept in the custody of the Secretary or the Public Officer.
- 36.2 The Common Seal shall not be affixed to any instrument except by the authority of the Management Committee and the affixing of the Common Seal shall be attested by the signatures of the Secretary and the Public Officer

### **37. CUSTODY OF BOOKS, ETC.,**

- 37.1 Except as otherwise provided by these Articles the Public Officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Society.
- 37.2 All information recorded either on paper, or by way of computer technology or other technology and which relates to the affairs of the Society and is recorded in the ordinary course of the operations of the Society shall remain at all times the property of the Society. However any software system used to organise or collate such information and which is / was used by any private individual in their capacity as an office holder of the Society shall remain that individual's property subject to them recording and making a copy of all the Society's information and providing the same to the Society in an acceptable form.

### **38. INSPECTION OF BOOKS, ETC.,**

- 38.1 So as to maintain Member's confidentiality, the Society records, books and other documents may be open for inspection by a Member of the Society at the discretion of the Management Committee.

### **39. SERVICE OF NOTICES**

- 39.1 For the purpose of these Articles a notice may be served by or on behalf of the Society upon any Member either by post or electronically to the Member's address shown in the register of Members.

### **40. NON-PROFIT**

- 40.1 The assets and income of the Society shall be applied solely in furtherance of its above mentioned objects and no portion shall be distributed directly or indirectly to the Members of the Society, except as bona fide compensation for services rendered or expenses incurred of behalf of the Society.

### **41. DISSOLUTION**

- 41.1 In the event of the Society being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities, shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual Members.



***AUSTRALIAN MINIATURE PONY SOCIETY INC***

# **RULES & REGULATIONS**

## **2018**

***To take effect 15th September 2018  
and to replace  
all previous Rules & Regulations***

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## **INTERPRETATION**

In these Rules and Regulations, except insofar as the context or subject matter otherwise indicates or requires:-

“Application form” where the context signifies, means Membership, Adult, Foal, Gelding or Transfer or any other type deemed necessary from time to time.

“Brand” is the identification mark registered with the Society and the relevant State Authorities, which denotes the symbol adopted by the breeder of a Pony. It is to be noted that it is the responsibility of the breeder to brand the Ponies they have bred with their stud brand before the Pony in question is sold and leaves the property, is leased and leaves the property, is measured by an official measurer, or is shown. The stud brand is to be on the near side. The numeral brand in order of sequence of arrival is to be placed on the off side over the last numeral of the current foaling season, except Queensland who brand on the near side. In Queensland the stud brand is to be placed over the numeral brand indicating the sequence of birth arrival, over the last numeral of the current foaling season, on the near side.

“The Breed” means collectively the Ponies registered as Australian Miniature Ponies with the Society.

“Code of Ethics” means the set of Regulations which Financial Members of the Society presenting (showing) an Australian Miniature Pony are expected to abide by.

“Foaling Season” means the year commencing the 1<sup>st</sup> of August each year and ending on 31<sup>st</sup> July of the following year. Branding of the current season's foals will be sequence of birth arrival over the last numeral of the current foaling season.

“Official Measurer” means a person qualified and approved by the Society to act on the Society's behalf to measure the height of Ponies.

“Prefix” means the name approved by the Society and so recorded as belonging to the Member for the purposes of identification of Ponies bred by that Member.

“Registered Lessee” in relation to a Pony entered in the records of the Society denotes the Financial Member or Members to whom the pony has been leased from the registered owner or owners and who is in possession of the Pony and provided that the Society has been advised of the lease.

“Registered owner” in relation to a Pony denotes the person or persons recorded as the owner or owners of that pony in the Society's records.

“Registered Pony” where the context signifies, means a Stallion, Colt, Mare, Filly or Gelding collectively, or singularly.

## **INTERPRETATION Contd.,**

“Service Certificate” denotes the Certificate signed by the registered owner or owners of a Stallion certifying the date or dates when the Mare was served, the colour, brands, registration number and name of Mare visiting the Stallion. This service certificate is to be handed to the Mare owner on payment of the service fee, as it must be sent with the Foal Recording application form

This does not apply to Mares owned by Stallion owner.

“Standard of Dress” means the standard set of regulations for apparel that Members of the Society should wear when exhibiting the Australian Miniature Pony as recommended by the Management Committee.

“Standard of Excellence” means the standard set of regulations by which the Member is guided in breeding the quality Australian Miniature Pony. “Standard of Showing” means the set of regulations which governs the presentation and exhibition of the Australian Miniature Pony.

“Pony Return” means the return which must be completed and sent to the Registrar by relevant current Financial Member annually, declaring all Ponies owned, served, foaled, gelded, died or disposed of without papers by 31<sup>st</sup> July each year. Failure to comply incurs a penalty determined from time to time by the Management Committee. These returns are sent annually to Members with their Membership renewal notice

## **SECTION A: ADMINISTRATION**

### **A1. REPORTING OF MINUTES**

- A1.1 Minutes from the Meetings conducted by the Management Committee are to be published in the Society magazine, so that Members of the Society may be informed of what is going on in their Society. Movers and Seconders of motions are not to be shown and the words “correctly moved and seconded” are to be used instead. If necessary, an abridged copy may be published.
- A1.2 All ponies advertised in Society magazine must have their size stated in centimetres and their Australian Miniature Pony Society Inc, Registration Number shown.

## **SECTION B: HONORARY OFFICE BEARERS' REQUIREMENTS**

### **B1. OFFICIAL MEASURERS**

- B1.1 A Member wishing to be an Official Measurer must apply by submitting the appropriate Form to the Management Committee for this position, with a Nominator and a Seconded who are prepared to state their reasons for their faith in the Nominee's ability to do the job honestly and correctly.
- B1.2 Nominees for the position of Official Measurer must have been a Member of the Society for twelve (12) months and have a working knowledge of Ponies.
- B1.3 Out of pocket expenses incurred by Official Measurers will be reimbursed. Members requiring a Pony to be measured will be responsible for the cost of travelling by the Official Measurer. The fee is to be agreed prior to measuring.
- B1.4 Official Measurers must check that brands are visible on the Pony to ensure it is the correct Pony being presented for measuring
- B1.5 Official Measurers must not measure their own Ponies or Ponies they are selling.
- B1.6 In the case of a Measurer or Member living in a non- serviced area, with no access to having their Ponies measured, application is required to be made in writing to the National Secretary allowing for the nomination of a Financial Member or Vet to witness the measuring of the said Ponies.

## **SECTION C: REGISTRY REQUIREMENTS**

### **C 1. FOAL RECORDING**

- C1.1 Application for Recording will only be accepted by the Registrar if the Member is a current Financial Member of the Society.
- C 1.2 Foal Recording can be carried out when at least one of the parents is a registered Australian Miniature Pony.  
**Note:** If neither Parent is a registered Australian Miniature Pony the foal cannot be recorded. However, at two (2) years of age it may be Adult Registered, providing it complies with the Society's requirements.
- C1.3 Each application for Recording will only be accepted by the Registrar if it is submitted on the Society's Application to Register or Record Form, showing such information as may be prescribed by the Management Committee from time to time. The prescribed fee shall be paid in respect of each separate application for Recording. Two (2) photographs one of each side of the Foal must accompany each Foal Recording Application. The photographs should provide a clear view of the Foal, reasonably close up.  
Where relevant, a Service Certificate should also be attached. A Service Certificate is not necessary in such cases where the Applicant/ Breeder is the Owner of the Stallion.

## **C 1. FOAL RECORDING *Contd.,***

- C 1.4 Notwithstanding anything herein contained, the Management Committee may insist upon inspection of any Foal before accepting the Application for Foal Recording and may appoint such qualified persons for that purpose and the expense of the application shall be borne by the applicant.
- C 1.5 Foals must be branded in accordance with C7.

## **C2. ADULT REGISTRATION**

- C2.1 Application for Adult Registration will only be accepted from a current Financial Member of the Society.
- C2.2 Each Application for Adult Registration will only be accepted by the Society if the Adult Registration Application for Mare, Stallion or Gelding is on the prescribed Form accompanied by a two (2) current photographs one of each side of the Pony in question and the prescribed fee. In the case of Stallions, the Society's Veterinary Certificate of Soundness must also be included.
- C2.3 In the event of the Mare, Stallion or Gelding being previously Foal Recorded with the Society the Foal Recording Certificate must also be submitted. Ponies to be Adult Registered at the age of two (2) years (actual) if intended to be bred from or shown. If not intending to breed from or show, then they are to be Adult Registered within four (4) calendar years (actual) of their birthdate. A penalty fee applies to applications for Ponies previously Foal Recorded who are over the age of four (4) years (actual).
- C 2.4 Also to be submitted with Adult Registration Application is a current Height Recording which may be done from two (2) years (actual). Another current Height recording is required at four (4 )years (actual) and again at six (6)years (actual) if the pony is 85.5cms or over at four (4) years and should be forwarded to the Registrar together with the Adult Registration Certificate. (Height is to be measured in accordance with C4).
- C2.5 Ponies being submitted for Adult Registration must be branded in accordance with C 7.
- C2.6 Where required details are not provided on the relevant forms, a handling charge will apply to cover the additional work involved. Except that where Registration is sought for a Pony which was not previously Foal Recorded or for whom the breeding details are not known, it is acceptable for the Sire and/or Dam to be shown as unknown. Where the date of birth is not known, the best approximation should be given.

## **C2. ADULT REGISTRATION *Contd.,***

C2.7 It may happen from time to time that the Management Committee may query the application for Adult Registration for a particular Pony, and ask for an independent Veterinary examination, or alternatively require the height to be checked by one of the Society's Official Measurers or other approved persons. When this happens, the Management Committee will arrange a time and place suitably convenient to all parties to carry out whatever examination is required, since while the Stud Book is open, the Management Committee has the responsibility of maintaining the standard of the Australian Miniature Pony and if necessary, has the right to deny Registration in order to maintain that standard.

## **C3. TRANSFER OF OWNERSHIP**

C3.1 The Official Transfer Certificate, Foal Record Certificate, Adult Registration or Certificate of Identification, accompanied by the prescribed fee, is to be forwarded to the Registrar, by the purchaser, within Thirty (30) days of the purchase of a Pony.

C3.2 A Pony that is Adult Registered and is from unknown or over height parentage, cannot be transferred to a new owner within six (6) months of the date of Registration.

C3.3 The Purchaser and Vendor must be Financial Members of the Society and the Vendor must be the Registered Owner of the Pony. Except that if a person ceases to be a Member of the Society and applies to have an existing registered Pony of this Society transferred to a Financial Member, this application will be processed if the completed transfer form is accompanied by the Pony's Registration Certificate and the appropriate fee.

## **C4. HEIGHT MEASUREMENT**

C4.1 At all times, the height of the Australian Miniature Pony **must not exceed 87cms** and Appendix Ponies **must not exceed 91.5cms** irrespective of age.

C4.2 Australian Miniature Ponies and Appendix Ponies will be measured at the highest point of the wither. The Pony must stand naturally with all four hoofs standing squarely on the ground.

C4.3 The brands of any Pony presented for measuring shall be visible.

C4.4 Adult Registered Ponies, who at their four (4) year height measurement were 85.5cms or more and Appendix Ponies, who at their four (4) year height measurement were 89.5cms or more, shall be re-measured at age six (6) years and before reaching age seven (7) years.

#### **C4. HEIGHT MEASUREMENT Contd.,**

- C4.5: In the case of a Measurer or Member living in a non-serviced area, with no access to having their Ponies measured, application is required to be made in writing to the National Secretary allowing for the nomination of a Financial Member or Vet to witness the measuring of the said Ponies.

#### **C5. CERTIFICATE OF SERVICE**

- C5.1 The Society has a Service Certificate. Its use is compulsory where Stallion owners take in outside Mares.
- C5.2 At the discretion of the Management Committee Stallion owners who take in outside Mares for Service and do not issue a Certificate of Service to the owner of the Mare within 30 days of payment of the Service fee, will incur a fine in respect of each Certificate not supplied.
- C5.3 It is up to the owner of the Mare to send a copy of the Service Certificate to the Society with Foal Recording Applications.
- Note:** The details of any service must also be recorded on the Annual Pony return. Failure to do so will result in non-eligibility of any resultant Foal to be Foal Recorded. The Foal may, however be eligible for Adult Registration at age two (2) years (actual).
- C5.4 Any person owning a Registered Pony Stallion and taking in registered Pony Mares for Stud breeding purposes must be a full current Financial Member of the Society before the Society will recognise the Certificate of Service by that Stallion.
- C5.5 Where the registered owner sells a Mare registered in the Society's records and which is in Foal, he/she shall furnish the purchaser with a Service Certificate.

#### **C6. ADVICE OF DEATH, GELDING, DE – REGISTRATION ETC.**

- C6.1 If a Pony goes over height, the Certificate must be forwarded to the Society with a note that the Pony is over height.
- C6.2 If a Stallion or Colt is Gelded, the Certificate of Registration must be forwarded to the Society within Ninety (90) days with notification of Gelding. For Foal Recordings, the Certificate will be endorsed "Gelded" and returned. A Gelding Certificate will be issued for Adult Ponies.
- C6.3 Notice of death of a Pony recorded in the Society's records shall be given by the registered owner to the Registrar within Ninety (90) days of the death of the Pony and upon such notice being given the death shall be recorded by the Registrar.

## **C7. BRANDING / MICRO-CHIPPING**

- C7.1 The Society will accept Fire or Freeze Branding or Micro-chipping as a means to identify its registered Ponies.
- C7.2 Ponies must also be Branded or Micro-chipped before being shown, but Foals under the age of eight months being shown independent of their Dams are excluded.
- C7.3 All ponies, regardless of age, being Foal Recorded, Adult Registered or Appendix Registered with the Society and displaying stud identification brands as the only means of identification, must, prior to being accepted for Registration, carry the Prefix that is identified in the Registry with that brand.

## **C8. APPENDIX REGISTRY**

- C8.1 Mares, Fillies, Stallions, Colts and Geldings who have been previously Foal Recorded or Adult Registered with the Australian Miniature Pony Society Inc and subsequently have gone over height and do not now exceed 91.5cms, may be recorded in the Appendix Registry. All measurements to be done with the Society's Official Measuring stick.
- C8.2 Application for all Appendix Identification will only be accepted from a current full Member of the Society.
- C8.3 Each application for Appendix Identification will only be accepted if it is on the prescribed form, accompanied by a current photo of each side of the Pony in question and the prescribed fee.
- C8.4 In the event that the pony being applied for was previously Foal Recorded or Adult Registered and now exceeds 87 cm the original Foal Recording or Adult Registration Certificate must accompany the Application Form.  
If these are not available, contact your relevant State Delegate.
- C8.5 Also to be submitted with the application for an Appendix Pony is the current Height Recording Certificate, which may be done from two (2) years (actual). Another Height Recording Certificate is required at 4 years (actual), and again at 6 years (actual), if the pony measured 89.5cms or over at 4 years and should be forwarded to the Registrar together with the Certificate of Identification.  
The Height Certificates are compulsory.
- C8.6 Ponies being submitted for Appendix Identification must comply with C7.
- C8.7 All Appendix Ponies that are accepted in the Registry section for Appendix classified Ponies are eligible to be shown in classes that are specifically held for Appendix Registered Ponies only.
- C8.8 The Society will not accept applications for Foals that are bred from both Appendix Sire and Dam, applications must be from one Appendix recorded parent (either Sire or Dam) and one registered Australian Miniature Pony parent (not exceeding 87cm).

## **C9. GENERAL**

- C9.1 Foal Registration Certificate, Adult Certificate of Registration and Certificates of Identification are Society documents and must be surrendered if requested.
- C9.2 Registration of a Pony under a particular name may be refused if:-
- a) The name proposed is so like the name of another pony as to be likely to be misleading.,
  - b) The name incorporates another Breeder's registered Prefix whether in Australia or elsewhere;
  - c) The name "Champion", "Supreme" or similar or a Breed name is included in the submission for Prefix or Pony's name;
  - d) The Society, in its absolute discretion, considers the name to be misleading, misapplied, or contrary to the interests of Members of the Society generally.
- C9.3 The name or number of a Pony shall not be changed if it was published in the Stud Book unless the Management Committee finds that the error was made by the Society in the printing of the name or the allocation of the number, and upon any changes being made in accordance with these Regulations, a proper record shall be made by the Registrar in the Stud Book or elsewhere and as maybe required in order to avoid confusion.
- C9.4 The Management Committee reserves the right to order the cancellation of the Registration or Recording of any Pony in the records of the Society if it be found that the particulars furnished for Registration or Recording (including Certificate of Soundness) of such Pony in the Society's records are falsified.
- C9.5 The Management Committee may order the Registrar to cancel or amend the Registration in the Stud Book or Foal Records of any Pony and/or of any particulars relating to such Pony if,
- a) the prescribed fee payable on entry of Registration or Transfer shall not be duly paid or any cheque payments are dishonoured,
  - b) the Pony is sold, exchanged, leased or otherwise disposed of and if no application for Transfer on the prescribed form was lodged with the Registrar in the prescribed time, or if the prescribed fee was not paid
  - c) by reason of bankruptcy or liquidation or by reason of the appointment of a Committee on Lunacy or otherwise by operation of the law, the person registered in the Society's records be divested of ownership of the Pony;
  - d) by reason of the owner not being a Financial Member;
  - e) otherwise provided the Pony shall exceed the height prescribed for the breed in accordance with the regulations hereof.

## **C9. GENERAL Contd.,**

- C9.6 Subject to the determination of the Management Committee, de-registration of any Pony shall not affect the Registration or entry of any Foal of which such Pony is the Sire or Dam if the Registration or entry of such Foal was recorded during the period of Registration of such Pony.
- C9.7 Subject to determination of the Management Committee, de-registration shall not constitute a disqualification from re-registration, which may be permitted by the Management Committee in the name or names of such person or persons and upon the application of such person or persons as the Management Committee may think fit.
- C9.8 When a Member de-registers an Australian Miniature Pony because it is considered to be unsound or over height, the pony cannot be re-registered unless it has been thoroughly inspected by, at least two Society officials and a Veterinary Surgeon, plus a written approval for re-registration from the original owner who initiated the de-registration.
- C9.9 No Member and no person submitting a Pony for Registration or Recording in the records of the Society and no owner of any Pony registered or Recorded in the records of the Society shall use any of the terms defined in the Regulations in respect of Ponies to which they are not properly attributable in accordance with these Regulations.
- C9.10 When an Application for Registration is received and the Sire or Dam's Registration number is that of another Society, providing that one Parent is a registered Australian Miniature Pony and its number is shown, the Registrar will enter the appropriate Registration number of the Sire or Dam in the records of the Society.

## **SECTION D: REQUIREMENTS FOR SHOWING THE AUSTRALIAN MINIATURE PONY/APPENDIX PONY**

### **D1. STANDARD OF EXCELLENCE**

#### **D1.1 GENERAL**

The Australian Miniature Pony is a small well proportioned Pony possessing good temperament, not exceeding 87cms and free of hereditary unsoundness, exhibiting no vices, showing refinement and femininity in Mares and boldness and masculinity in Stallions.

- D1.2 The Pony should be robust enough to carry a small Child or pull an Adult in a small vehicle. The Pony should also possess the characteristics recognised of a typical Pony in Miniature.
- D1.3 In judging all factors being equal, preference could be given to the smaller size.

## **D1. STANDARD OF EXCELLENCE *Contd.***

### **D1.4 DESCRIPTION**

EARS:	Small to medium size.
HEAD:	Comparatively small, head well in proportion to rest of the body, profile straight or slightly concave (dished) below eyes, comparatively small muzzle, round expressive eyes set well apart, comparatively short distance between eye and muzzle.
TEETH:	Should meet evenly, no more than 3 mm variation acceptable.
NECK:	Lightly crested on Mares and moderately crested on Stallions. The length of the neck will be proportional to the body.
BODY:	Should have well sprung ribs, a generous girth, a slight natural curve in the back and a strong well rounded rump, the whole body shall present a picture of balance and shall be in proportion for the height. The body should not be coarse or overlong.
LEGS:	Are straight, true and squarely set, straight sound flat bone, strong forearm, short cannon bone, strong sloping pasterns.
ACTION:	Should be smooth showing free flexion of the joints without exaggeration.
COLOURS:	All colours are acceptable.
SIZE:	Ponies must measure 87cms or under for Miniature Pony or 87.1 cm to 91.5cms for an Appendix Pony, both to be measured at the highest point of the wither. The Pony must stand naturally with head held in a natural position and all four hoofs standing squarely on the ground (not stretched)

### **DISQUALIFICATIONS**

- 1 Height over 87cms for Miniature Pony or over 91.5cms for Appendix Pony
- 2 Dwarfism
- 3 Overshot or parrot mouth in excess of 3 mm maximum
- 4 Monorchids or Cryptorchids in Stallions
- 5 Lock stifle, congenital cataract, nasal disease, malformation of genitals.

### **D2. CODE OF ETHICS – SHOWING**

- D2.1 A Financial Member of the Society shall not cause to be deleted from publication show results in the Society's Magazine names of Ponies which have been placed, unless any such Ponies have been de-registered or are unregistered at the time of the show.

## **D2. CODE OF ETHICS – SHOWING Contd.,**

- D2.2 Provided that the Australian Miniature Ponies being exhibited are registered with the Society, the Handler/Exhibitor must be a Financial Member of the Society.
- D2.3 A Financial Member of the Society shall not cause disruption to any Australian Miniature classes that are being conducted at any recognised show, by walking into the ring and disrupting the class while judging of the class is in progress with a protesting procedure that contravenes regulations stipulated by the Show Society in question
- D2.4 A Financial Member/Exhibitor shall not cause embarrassment to other Members/Exhibitors of the Society by loud verbal comments and jeers. Protests as per the Regulations of the Show Society in question must be respected. If in the events the dispute contravenes the Regulations of the Society that have been set down regarding point score awards, a letter of complaint is to be sent to the Management Committee or State Delegate after the show in question so that action can be taken and a decision made to solve the dispute. Members must not act in a manner that is not in the Society's best interest while exhibiting the Australian Miniature Pony.
- D2.5 Financial Members of the Society have the right to challenge the height of a Pony being exhibited at a recognised Agricultural Show or any of the Society's point score awards, providing the Show Society in question stipulates "for registered AMPS® Ponies".
- D2.6 Conditions of entry for all Shows must have the Regulation that "all Ponies 85.5 cm and over must be measured prior to commencement of classes" as stipulated by the Management Committee.
- D2.7 Any Pony that is discovered to be tranquillised on the day of a show, be it Agricultural or Society Show, will be swabbed. If proved to be positive, the Pony and Exhibitor shall be banned from exhibiting in future.
- D2.8 A Financial Member of the Society will not be allowed to show any Ponies owned by a Member at any Agricultural Show or any of the Society's Shows which have been classified as point scoring shows for any of the Society's point score awards, when such a show is being judged by a relative of that Exhibitor.
- D2.9 A Financial Member of the Society shall not be allowed to Exhibit any Ponies owned by the Member at any Agricultural Show or any of the Society's Shows which have been classified as point scoring shows for any of the Society's point score awards, when such a show is being judged by a person who has sold, leased, bred or given the Ponies to that exhibitor within the last twelve (12) months prior to the show in question.

### **D3. STANDARD OF DRESS**

- D3.1 A standard of dress that is neat and tidy as recommended by the Management Committee and/or does not ridicule the Australian Miniature Pony breed must be worn by Exhibitors of the Australian Miniature Pony.
- D3.2: The following is the Society's recommendation for the Standard of Dress for Members showing Australian Miniature and / or Appendix Ponies. The Society suggests that this standard be regarded as a minimum and Members may dress to a higher standard if they wish.

#### **ACCEPTABLE:**

- Slacks / Trousers
- Skirt / Dress
- Jodhpurs and Boots
- Blouse / Shirt
- Hat and/or Coat, optional
- Fully enclosed Shoes / Boots

#### **UNACCEPTABLE:**

- Thongs / open toe shoes
- Jeans
- T-Shirts
- No advertising permitted in ring

Where a Show Society e.g. Royal etc has its own Standard of Dress, this will apply for the Show in question.

### **D4. STANDARD OF SHOWING**

#### **D4.1. STANDARD OF SHOWING THE AUSTRALIAN MINIATURE AND APPENDIX PONY**

- Presentation to be at the discretion of the Owner/Exhibitor, i.e. to be shown to its best advantage at any time of the year
- Foals of the current season must not be shown clipped
- Alteration of markings and natural body colour – No person shall alter in any way, change or attempt to hide or alter the natural markings or natural body colour (e.g. bay to black etc) of a pony, by surgery, dye or any other manner
- All Colts and Stallions, regardless of age, are to be handled by an adult.
- All Colts and Stallions, 2 years and over, are to be shown correctly bitted.

#### **D4.1. STANDARD OF SHOWING THE AUSTRALIAN MINIATURE AND APPENDIX PONY Contd.,**

- Conditions of entry for all Shows must have the regulation that “all ponies 85.5 cm and over must be measured prior to commencement of classes” as stipulated by the Management Committee.
- Any Member has the right to challenge the height of a Pony in the Australian Miniature Pony Society Registry
- Only registered ponies owned by Financial Members of the Australian Miniature Pony Society Inc may compete in Australian Miniature Pony events.
- Should a Pony be de-registered for exceeding height limitations prior to winning any perpetual trophy, the trophy will then forfeit and the runner up will automatically be declared the winner of that trophy for that year.
- Where Ponies have dual registration, Members are requested to refrain from showing in two (2) Society’s events on the same day.
- Ponies exhibiting injuries which are temporary or blemishes not associated with unsoundness should not be penalised unless it impairs the general appearance of the pony and/or action of the pony.

#### **DISQUALIFICATIONS**

1. Tranquillised Ponies
2. Height over 87cms for Miniature Pony or over 91.5cms for Appendix Pony
3. Dwarfism
4. Overshot or parrot mouth in excess of 3 mm maximum
5. Monorchids or Cryptorchids in Stallions
6. Lock stifle, congenital cataract, nasal disease, malformation of genitals.

#### **D5. POINT SCORES**

- D5.1 All the Society’s point score awards shall start with the first recognised Agricultural Show or Feature of the season in all States of Australia commencing after 1<sup>st</sup> August each year and ceases on 31<sup>st</sup> July in the following year.
- D5.2 Any Pony that is leading in any of the Society’s point score awards and has been de - registered for any reason at time of winning such award, shall surrender the award in question to the first runner-up.

**Space provided for future amendments to Constitution or Rules & Regulations:**

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