



TASMANIAN EQUINE ENDURANCE RIDERS ASSOCIATION INC. - RULES

- as amended February 2023

Variations with respect to

issue of receipts in some circumstances 8.1b)

and

audit of accounts – inclusion of 10A including 10A.3

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RULES OF ASSOCIATION

1 NAME OF ASSOCIATION

1.1 The name of the Association is the Tasmanian Equine Endurance Riders Association Inc.

2 INTERPRETATION

2.1 In these rules -

- a) **Act** means the Associations Incorporation Act 1964;
- b) **Association** means the association referred to in rule 1;
- c) **auditor** means the person appointed as the auditor of the Association under rule 9;
- d) **basic objects of the Association** means the objects and purposes of the Association as stated in an application under section 7 of the Act for the incorporation of the Association;
- e) **committee** means a committee as defined by the Act;
- f) **general meeting** includes -
 - the annual general meeting; and
 - any special general meeting;
- g) **ordinary business of the annual general meeting** means the business specified in rule 11.5;
- h) **member** means a financial member of the Association;
- i) **committee member** means a member of the committee to whom rule 21 relates;
- j) **AERA Inc.** means the Australian Endurance Riders Association Inc., the governing body for affiliated endurance riding in Australia;
- k) **Ride committee** means a group of people who form an independent committee to properly affiliate, organise and conduct one or more affiliated rides;
- l) **financial year** means the period beginning on the first day of January in one year and ending on the last day of December of the same year;
- m) **horse** means genus equidae and hence shall include horses, mules and donkeys;
- n) **affiliated ride** means a ride affiliated with the AERA Inc. which is either:
 - a competitive endurance event for horses and riders which tests the endurance of both over a distance of at least 80 km in one day and may be of greater distance and of more than one day;
 - a non-competitive training event for both horses and riders which provides endurance training for over a distance of less than 80 km in one day;
 - a non-competitive introductory event which provides an introduction to endurance riding for both horses and riders;

- any other type of event sanctioned by the AERA Inc.
- o) **accredited steward and/or official** means any person who has some formal responsibility for the conduct and application of AERA Inc. ride controls at any affiliated event and includes any Chief Steward, veterinarian, T.P.R. steward, drug steward, weigh and time Steward and any Other person designated as an official during the conduct of the event;
- p) **volunteer** means any person acting with authorisation on behalf of the ride committee or TEERA to assist with the running of an affiliated ride and which Includes all officials but excludes any paid officials.
- q) **suspension** means a withdrawal of membership privileges and rights for a period of time determined by the committee;
- r) **expulsion** means the permanent withdrawal of membership privileges and rights by the committee;
- s) expressions referring to writing include any mode of representing or reproducing words in a visible form.

3 ASSOCIATION'S OFFICE

- 3.1 The office of the Association shall be the residential address of the public officer of the Association or such other place as the committee determines.

4 OBJECTS & PURPOSES OF ASSOCIATION

- 4.1 The Association's objects and purposes are to:

- a) on behalf of the AERA Inc., act as the controlling and coordinating body for the sport of affiliated equine endurance riding in Tasmania;
- b) promote and enforce the rules, regulations, guidelines, policies and other requirements of both the AERA Inc. and the Association for the organisation of and entry into affiliated rides that are to be conducted in the state of Tasmania by a ride committee;
- c) ensure that riding rules, regulations, guidelines and veterinary procedures are observed in a manner that provides protection for the well-being of horses ridden in affiliated rides;
- d) promote and foster the highest ideals in sportsmanship and horsemanship and the spirit of endurance riding as embodied in the motto 'to complete is to win';
- e) in accordance with the AERA Inc. requirements, train, accredit and maintain accreditation of Association members to be stewards and officials whose responsibility it is to ensure affiliated rides in Tasmania are conducted in accordance with AERA Inc. and any Association rules, regulations, guidelines, policies and other requirements;
- f) encourage, promote and conduct affiliated endurance rides with International standing within Tasmania and negotiate or contact with any organisation or administrative body as may be necessary to conduct such events;

- g) conduct, when agreed to by the AERA Inc., an equine riding test of endurance over a distance of not less than 160 kilometers in 24 hours to be known as the Tom Quilty Gold Cup Endurance Ride;
- h) encourage the breeding of superior equines by providing opportunity for the ridden testing of equines over a distance of not less than 80 kilometres in one day;
- i) maintain complete and accurate records of the results of affiliated rides conducted in Tasmania and to create and maintain an archive for the sport of equine endurance riding;
- J) do all things desirable to promote the acceptance at future Olympic Games or like events of the sport of equine endurance riding over distances of not less than 80 kilometres;
- k) disseminate information relation to the performance, training, diseases, genetics, animal husbandry and feeding of equines used in the sport of equine endurance riding;
- l) liaise with properly accredited members of the veterinary profession, the Royal Society for the Prevention of Cruelty to Animals or any other similarly recognised body;
- m) promote in any way whatsoever the interests of the sport of equine endurance riding and the Association;
- n) procure the Association to be registered or recognised in any country, state or place and to do all things necessary to enable the Association to effectually ensure the promotion of the objects of the Association;
- o) promote social activities amongst members;
- p) act in co-operation with any State or Federal Government or any other club, association, committee, society, institution or person for the promotion of any of the objects;
- q) when necessary or convenient for any of the objects:
 - purchase, take on lease or in exchange, hire or otherwise acquire any real or personal property;
 - buy, sell, supply and deal in goods of all kinds;
 - construct, maintain and alter buildings or works;
 - accept any gift, whether subject to a special trust or not;
 - print and publish newspapers, magazines, periodicals, books leaflets or other documents for the promotion of the objects;
- r) seek and obtain contributions to the Association's funds whether by way of donations, subscriptions, levies or otherwise;

- s) borrow and raise money in such manner and on such terms as the committee determines or as may be approved or directed by resolution passed at a general meeting, or invest any moneys not immediately required for any of the objects;
- t) make gifts, subscriptions or donations to any of the funds, authorities or institutions to which Section 78 (1)(a) of the Income Tax Assessment Act of the Commonwealth relates or to any other club, association committee, society or institution with similar objects and purposes as the prime objects;
- u) establish and support, or aid in the establishment and support of, associations, institutions, funds, trusts, schemes and conveniences calculated to benefit employees or past employees and their dependents and the granting of pensions, allowances or other benefits to employees or past employees and their dependents and the making of payments towards insurance in relation to any of those purposes;
- v) purchase or acquire and undertake all or any part of the property assets, liabilities and engagements of any association with which the Association may at any time become amalgamated in accordance with the provisions of the Act and these rules;
- w) do all such other lawful things as are incidental or conducive to the attainment of any of the objects.

5 MEMBERSHIP OF ASSOCIATION

5.1 The classes of membership of the Association, plus their qualifications and entitlements are:

- a) **Ordinary members** who shall be members who have attained the age of eighteen years or more during the calendar year of application and who have the right to:
 - compete in affiliated rides;
 - vote at any general meeting and hold office (but only if over the age of 18 years); and
 - be a ride official.
- b) **Associate members** who shall be members who have attained the age of eighteen years or more during the calendar year of application and who have the right to:
 - hold office as a committee member;
 - vote at any general meeting;but shall not have the right to compete in affiliated rides.
- c) **Honorary life members** who shall be members who have rights as ordinary members but shall not be levied membership fees or subscriptions and shall be nominated and appointed by such methods as determined by the committee.
- d) **Junior members** who shall be members who are less than eighteen years of age at all times during the relevant calendar year and who have the right to compete in affiliated rides but shall not be entitled to vote at meetings nor hold office.

- e) Any other membership category as determined by the committee of the Association from time to time.
- 5.2 A request for membership of the Association:
 - a) is to be made in writing on the committee approved *Membership Application Form* forwarded to the Association secretary or other nominated member; and
 - b) must be accompanied by the payment of the annual subscription in accordance with rule 29.
- 5.3 A person is not to be admitted to membership unless the admission as a member is approved by the Association committee.
- 5.4 When a membership application is approved by the committee, the secretary or other nominated officer -
 - a) is to notify the applicant, in writing, that he or she has been approved for membership of the Association; and
 - b) upon receipt of the membership fee payable, is to enter the applicant's name in the register of members.
- 5.5 A member of the Association may resign from the Association by delivering or sending by post a written notice of resignation to the secretary.
- 5.6 On receipt of a notice from a member under sub-rule 5.6, the secretary is to remove the name of the member from the register of members.
- 5.7 A person -
 - a) becomes a member of the Association when his or her name is entered in the register of members; and
 - b) ceases to be a member of the Association when his or her name is removed from the register of members.
- 5.8 Any right, privilege or obligation of a person as a member of the Association -
 - a) is not capable of being transferred or transmitted to another person; and
 - b) terminates on the cessation of the membership.
- 5.9 If the Association is wound up -
 - a) every member of the Association; and
 - b) every person who, within the period of 12 months immediately preceding the commencement of the winding up, was a member of the Association -
 - is liable to contribute -
 - a) to the assets of the Association for payment of the debts or liabilities of the Association; and
 - b) for the costs, charges and expenses of the winding up; and
 - c) for the adjustment of the rights of the contributories among themselves.

5.10 Any liability under sub-rule 5.9 is not to exceed \$1.00.

5.11 A former member is not liable to contribute under sub-rule 5.9 in respect of any debt or liability of the Association contracted after he or she ceases to be a member.

6 ASSOCIATION INCOME & PROPERTY

6.1 The income and property of the Association is to be applied solely towards the promotion of the objects and purposes of the Association.

6.2 No portion of the income and property of the Association is to be paid or transferred to any member of the Association.

6.3 The Association is not to -

- a) appoint a person who is a member of the committee to any office in the gift of the Association to the holder of which there is payable any remuneration by way of salary, fees or allowances; or
- b) pay to any such person any remuneration or other benefit in money or money's worth, other than the repayment of out-of-pocket expenses.

6.4 A servant or member of the Association may be paid -

- a) remuneration in return for services rendered to the Association or for goods supplied to the Association in the ordinary course of business; or
- b) interest at a rate not exceeding $7\frac{1}{4}\%$ on money lent to the Association; or
- c) reasonable and proper sum by way of rent for premises let to the Association.

7 ACCOUNTS OF RECEIPTS & EXPENDITURE

7.1 True accounts are to be kept of -

- a) all money received and expended by the Association and the matter in respect of which the receipt or expenditure takes place; and
- b) the property, credits and liabilities of the Association.

7.2 The accounts are to be open to inspection by the members of the Association subject to any reasonable restrictions as to time and manner of inspecting the Association may impose.

7.3 The treasurer of the Association is to keep all general records, accounting books and records of receipts and expenditure connected with the operations and business of the Association in the form and manner the committee directs.

7.4 The accounts, books and records are to be kept at the Association's office or at any other place the committee decides.

8 BANKING & FINANCE

- 8.1 The treasurer of the Association, or other persons authorised by the committee, on behalf of the Association, is to -
- a) receive all money paid to the Association; and
 - b) where the money is received other than by direct deposit into the Association's bank account, e.g. by cash or cheque, immediately after the receipt issue official receipts..
- 8.2 The committee is to cause to be opened with any bank, building society or credit union the committee selects an account, or accounts, in the name of the Association into which all money received is to be paid as soon as possible after receipt.
- 8.3 The committee may -
- a) receive from the Association's financial Institution the cheques drawn by the Association on any of its accounts with the financial institution; and
 - b) release and indemnify the financial institution from and against all claims, actions, suits or demands that may be - brought against the financial institution arising directly or indirectly out of those cheques
- 8.4 Except with the authority of the committee, a payment of any sum exceeding \$20 is not to be made from the funds of the Association otherwise than by cheque or electronic funds transfer drawn on the Association's account.
- 8.5 The committee may provide the treasurer with a sum to meet urgent expenditure, subject to any conditions in relation to the use and expenditure the committee may impose.
- 8.6 Cheques or electronic funds transfers are not to be drawn on the Association's account except for the payment of expenditure that has been authorised by the committee.
- 8.7 All cheques, drafts, bills of exchange, promissory notes, other negotiable instruments or electronic funds transfers are to be signed or otherwise authorised by any two of: the president, vice president, secretary, treasurer and any other nominated committee member.

9 AUDITOR

- 9.1 At each annual general meeting of the Association, the members present are to appoint a person as the auditor of the Association.
- 9.2 The auditor is to hold office until the annual general meeting next after that at which he or she is appointed, and is eligible for reappointment.
- 9.3 If an appointment is not made at an annual general meeting, the committee is to appoint an auditor for the current financial year of the Association.
- 9.4 The auditor may only be removed from office by special resolution.
- 9.5 If a casual vacancy occurs in the office of auditor during the course of a financial year of the Association, the committee may appoint a person as the auditor to hold office until the next succeeding annual general meeting.

10 AUDIT OF ACCOUNTS

- 10.1 The auditor is to examine the accounts of the Association at least once in each financial year of the Association.
- 10.2 The auditor is to -
- a) certify as to the correctness of the accounts of the Association; and
 - b) report to the members present at the annual general meeting.
- 10.3 In the report and in certifying to the accounts, the auditor is to state if -
- a) he or she has obtained the required information; and
 - b) in his or her opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Association:
 - according to the information at his or her disposal and the explanations given; and
 - as shown by the books of the Association; and
 - c) the rules relating to the administration of the funds of the Association have been observed.
- 10.4 The public officer of the Association is to cause to be delivered to the auditor a list of all the accounts, books and records of the Association.
- 10.5 The auditor may:
- a) have access to the accounts, books, records, vouchers and documents of the Association; and
 - b) require from the servants of the Association any information and explanations he or she considers necessary for the performance of the duties as auditor; and
 - c) employ persons to assist in investigating the accounts of the Association; and
 - d) in relation to the accounts of the Association, examine any member of the committee or any servant of the Association.

10A EXEMPTIONS UNDER THE ACT

10A.1 For any financial year that the Association is exempt from the requirement to be audited by virtue of section 24(1B) or (1C) of the Act –

- a) an auditor is not required to be appointed for that financial year under rule 9 unless the Association elects to have the financial affairs of the Association for that financial year audited in accordance with the Act and these rules; and
- b) if an auditor is not appointed for a financial year by virtue of paragraph a) –
 - rules 9 and 10 do not apply in respect of the Association for that financial year; and
 - rule 11(5)(b) , to the extent that it relates to an auditor, does not apply in respect of the annual general meeting held by the Association in respect of that financial year; and
 - (iii) rule 11(5)(d) does not apply in respect of the annual general meeting held by the Association in respect of that financial year.

10A.2 For any financial year that the Association is exempt from the requirement to provide an annual return by virtue of section 24(1B) of the Act, the committee must provide, as part of the ordinary business of the annual general meeting for that financial year, a copy of the annual financial report given under the Australian Charities and Not-for-profits Commission Act 2012 of the Commonwealth in respect of that financial year.

10A.3 Where the Association elects not to have its financial affairs audited in accordance with the Act, it will appoint a suitable member, group of members or external person, not being members of the Committee, to examine the Association's financial affairs for that year. For all practical purposes the provisions of Rules 9 and 10 will apply to those appointed and to their appointment.

11 ANNUAL GENERAL MEETING

11.1 The Association is to hold an annual general meeting each year.

11.2 The annual general meeting is to be held on any day (being not later than 3 months after the close of the financial year of the Association) the committee determines.

11.3 The annual general meeting is to be in addition to any other general meetings that may be held in the same year.

11.4 The notice convening the annual general meeting is to specify the purpose of the meeting.

11.5 The ordinary business of the annual general meeting is to be as follows:

- a) to confirm the minutes of the last preceding annual general meeting and of the last general meeting held since that meeting;
- b) to receive from the committee, auditor and servants of the Association reports on the transactions of the Association during the last preceding financial year;
- c) to elect the committee members;

- d) to appoint the auditor and determine his or her remuneration;
- 11.6 The annual general meeting may transact special business of which notice is given in accordance with these rules.

12 GENERAL MEETINGS

- 12.1 The committee may convene a general meeting of the Association at any time.
- 12.2 The committee, on the requisition in writing of at least 10 members, may convene a general meeting of the Association.
- 12.3 A requisition for a general meeting -
 - a) is to state the objects of the meeting; and
 - b) is to be signed by the requisitionists; and
 - c) is to be deposited at the office of the Association; and
 - d) may consist of several documents, each signed by one or more of the requisitionists.
- 12.4 If the committee does not cause a general meeting to be held within 21 days from the day on which a requisition is deposited at the office of the Association, the requisitionists, or any of them, may convene the meeting within 3 months from the day of the deposit of the requisition.
- 12.5 A general meeting convened by requisitionists is to be convened in the same manner as nearly as possible as meetings are convened by the committee.
- 12.6 *All reasonable expenses* incurred by requisitionists in convening a general meeting are to be refunded by the Association.

13 NOTICES OF GENERAL MEETINGS

- 13.1 The Secretary of the Association, at least 21 days before the date fixed for holding a general meeting of the Association, is to notify members in writing-
 - a) specifying the place, day and time for the holding of the meeting; and
 - b) the nature of the business to be transacted at the meeting.

13.2 A notice is published for the purposes of 13.1 if the notice –

(a) appears on a website of the Association; and may also

(b) be sent to each member of the Association at-

- the member's postal or residential address or address of business or employment; or
- an email address that the member has nominated as the email address to which notices from the Association may be sent.

14 BUSINESS AND QUORUM AT GENERAL MEETINGS

14.1 All business transacted at a general meeting, except the ordinary business of the annual general meeting, is special business.

14.2 Business is not to be transacted at a general meeting unless a quorum of members entitled to vote is present at the time the meeting is considering that business.

14.3 A quorum for the transaction of the business of a general meeting is not less than 15 members present (or 1/10 of voting members whichever is the lesser) and who are entitled to vote.

14.4 If a quorum is not present one hour after the appointed time for the commencement of a general meeting, the meeting -

- a) If convened on the requisition of members, is to be dissolved; or
- b) in any other case, is to be adjourned to the same day in the next week at the same time at the same place.

14.5 If at an adjourned general meeting a quorum is not present one hour after the time appointed for the commencement of the meeting, the meeting is to be dissolved.

15 PRESIDENT TO PRESIDE AT GENERAL MEETINGS

15.1 The president, or in his or her absence, the vice-president, or in the absence of both the president and the vice-president, the treasurer, is to preside as chairperson at every general meeting of the Association.

15.2 If the president, vice-president and treasurer are absent from a general meeting, the members present are to elect one of their number to preside as chairperson.

16 ADJOURNMENT OF GENERAL MEETINGS

16.1 The chairperson of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

16. If a meeting is adjourned for 14 days or more, the notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting.

- 16.3 It is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

17 DETERMINATION OF QUESTIONS ARISING AT GENERAL MEETINGS

- 17.1 A question arising at a general meeting of the Association is to be determined on a show of hands.
- 17.2 Unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, and an entry to that effect in the minute book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

18 VOTES

- 18.1 On any question arising at a general meeting of the Association, a member has one vote only.
- 18.2 All votes are to be given personally and proxies shall not be counted.
- 18.3 In the case of an equality of voting on a question, the question is deemed to have been lost.

19 TAKING OF POLL

- 19.1 If at a meeting a poll on any question is demanded--
- a) It is to be taken at that meeting in the manner the chairperson directs; and
 - b) the result of the poll is taken to be the resolution of the meeting on that question.

20 WHEN POLL TO BE TAKEN

- 20.1 A poll that is demanded on the election of a chairperson, or on a question of adjournment, is to be taken immediately.
- 20.2 A poll that is demanded on any other question is to be taken at any time before the close of the meeting as the chairperson directs.

21 AFFAIRS OF ASSOCIATION TO BE MANAGED BY A COMMITTEE

- 21.1 The affairs of the Association are to be managed by a committee of management.
- 21.2 The committee -
- a) Is to control and manage the business and affairs of the Association; and may exercise all the powers and perform all the functions of the Association, other than those powers and functions that are required by these rules to be exercised by general meetings of members of the Association; and
 - b) has power to do anything that appears to the committee to be essential for the proper management of the business and affairs of the Association.

- 21.3 The committee consists of those members nominated as committee members by the members of the Association and elected at the annual general meeting of the Association.
- 21.4 The committee shall consist of ten members, one half of whom shall be elected at the annual general meeting in *each* year.
- 21.5 The committee shall include at least six Ordinary members.
- 21.6 An ordinary committee member holds office until the annual general meeting held two years after the date of election and is eligible for re-election
- 21.7 The committee shall hold its first meeting within thirty days after the annual general meeting electing it and at that first meeting shall elect the officers of the Association from the committee members.
- 21.8 If a casual vacancy occurs in the office of ordinary committee member, the committee may appoint a member of the Association to fill the vacancy until the conclusion of the annual general meeting next following the date of the appointment.

22 OFFICERS OF THE ASSOCIATION

- 22.1 The officers of the Association are as follows:
 - a) president;
 - b) vice-president;
 - c) a treasurer; and
 - d) a secretary.
- 22.2 The provisions of sub-rules 23.2, 23.3 and 23.4, so far as they are applicable and with the necessary modifications, apply in relation to the election of persons to any of the offices referred to in sub-rule 22.1.
- 22.3 Each officer of the Association is to hold office until the next annual general meeting after the date of election, and is eligible for re-election.
- 22.4 The officers have the powers of the ordinary members when they are sitting as chairman, except where otherwise stated in these rules.
- 22.5 If a casual vacancy in any office referred to in sub-rule 22.1 occurs, the committee may appoint one of its members to the vacant office, to hold the office up to and including the conclusion of *the* annual general meeting next following the date of the appointment.
- 22.6 The committee may appoint other functional positions within the committee from time to time.

23 ELECTION OF MEMBERS OF COMMITTEE

- 23.1 Nominations of candidates for election as ordinary committee members are to be -
 - a) made in writing on an application form approved by the committee, supported by two members of the Association, verified by their signatures on the form or otherwise by

the Secretary of the Association, and endorsed by the written consent of the nominee;
and

- b) delivered to the secretary of the Association at least thirty days before the date fixed for the holding of the annual general meeting.
- 23.2 If insufficient nominations are received to fill all vacancies on the committee -
- a) the candidates nominated are taken to be elected; and
 - b) further nominations are to be received at the annual general meeting.
- 23.3 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- 23.4 If the number of nominations exceeds the number of vacancies to be filled, a ballot is to be held.
- 23.5 The ballot for the election of officers and ordinary committee members is to be conducted prior to or at the annual general meeting in the usual manner as directed by the committee.
- 23.6 Where the ballot is conducted prior to the AGM all reasonable steps are to be taken to ensure-
- (a) only the votes of those entitled to vote are include in the ballot;
 - (b) the votes of those entitled to vote are counted once only;
 - (c) the confidentiality of voting, with the results being enclosed in a sealed envelope by the returning officer, to be opened at the Annual General Meeting.

24 VACATION OF OFFICE

- 24.1 A vote of no confidence in any officer or ordinary committee member may be moved at any time at a general meeting by way of a special resolution.
- 24.2 For the purpose of these rules, the office of an officer of the Association or of an ordinary committee member becomes vacant if the officer or committee member -
- a) dies; or
 - b) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his or her creditors, or makes any assignment of his or her estate for their benefit; or
 - c) becomes of unsound mind; or
 - d) resigns office in writing addressed to the committee; or
 - e) ceases to be resident in the State; or
 - f) fails, without leave granted by the committee, to attend 3 consecutive meetings of the committee; or
 - g) ceases to be a member of the Association; or

- h) ceases to be eligible to hold that office; Or
- i) If a vote of no confidence is passed in respect to the member in accordance with sub-rule 24.1; or
- j) falls to pay all arrears of subscription due, within 14 days after receiving a notice in writing signed by the public officer stating that he or she has ceased to be a financial member of the Association.

25 COMMITTEE MEETINGS

- 25.1 The committee is to meet at such times and places the committee determines to transact such business as the committee determines.
- 25.2 Notice of committee meetings shall be given to committee members either in writing, by telephone or personally.
- 25.3 Special meetings of the committee may be convened by the president or any four of its members.
- 25.4 Notice is to be given to members of the committee of any special meeting, specifying the general nature of the business to be transacted, and no other business is to be transacted at such a meeting.
- 25.5 Half the committee members plus one shall constitute a quorum for the transaction of the business of a meeting of the committee.
- 25.6 Business is not to be transacted unless a quorum is present.
- 25.7 If half an hour after the time appointed for the meeting a quorum is not present, the meeting is to be adjourned to a time and place determined by those committee members present.
- 25.8 At a meeting of the committee, the following is to preside:
 - a) the president, or in the absence of the president, the vice-president, or in the absence of both the president and the vice-president, the treasurer;
 - b) If the president, the vice-president and the treasurer are absent, any one of the remaining members of the committee as may be chosen by the members present.
- 25.9 Any question arising at a meeting of the committee or of any subcommittee appointed by the committee is to be determined -
 - a) on a show of hands; or
 - b) If demanded by a member, by a poll taken in any manner the person presiding at the meeting determines.
- 25.10 Each member present at a meeting of the committee or of any subcommittee appointed by the committee (including the person presiding at the meeting) is entitled to one vote.
- 25.11 If there is an equality of votes on any issue, the issue will be deemed to have been lost.
- 25.12 Committee meetings shall be open to members of the Association except where disciplinary action against either a member or a ride committee is being discussed. In all

cases members shall not be allowed to speak unless leave to do so is granted by the chairman.

25.13 A Committee meeting may be held at two or more venues using any technology approved by the Committee that gives each Committee Member a reasonable opportunity to participate.

25.14 Fifty percent of the quorum must be physically present at one of the venues.

25.15 Other than with respect to making up a quorum, a Committee Member who participates in a Committee Meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

25.16 In the event of there being circumstances where a physical meeting is not possible the SMC may meet virtually with the quorum requirements of clause 25.14 and 25.15 being rescinded for that meeting only.

26 DISCLOSURE OF INTEREST IN CONTRACTS

26.1 A member of the committee who is interested in any contract or arrangement made or proposed to be made with the Association is to disclose the interest -

- a) at the first meeting of the committee at which the contract or arrangement is first taken into consideration, if the Interest then exists; or
- b) In any other case, at the first meeting of the committee after the acquisition of the interest.

26.2 If a member of the committee becomes interested in a contract or arrangement after It is made or entered into, he or she is to disclose the interest at the first meeting of the committee after he or she becomes so interested.

26.3 A member of the committee is not to vote as a member of the committee in respect of any contract or arrangement in which he or she is interested and any such vote is not to be counted.

27 SUBCOMMITTEES

27.1 The committee may -

- a) appoint a subcommittee from the committee;
- b) prescribe the powers and functions of that subcommittee;
- c) co-opt any person as a member of a subcommittee without voting rights, whether or not the person is a member of the Association; and
- d) determine the quorums and procedures of any sub-committee whether appointed by these rules, the committee or by any general meeting or may delegate to any sub-committee the power to determine its own quorum and procedures.

28 EXECUTIVE COMMITTEE

28.1 The president, the vice-president, the treasurer and the secretary constitute the executive committee.

28.2 The executive committee may issue Instructions to the public officer and the servants of the Association in matters of urgency connected with the management of the affairs of the Association during the period between meetings of the committee.

28.3 The executive committee is to report on any instructions issued under sub-rule 28.2 to the next meeting of the committee.

29 ANNUAL SUBSCRIPTION

29.1 The annual subscription payable by members (excepting honorary life members) shall be set by the committee for the following financial year.

29.2 The annual subscription of a member is due and payable before the member:

- a) competes in their first affiliated ride in each year; or
- b) commences any official capacity as a committee member in each year; or
- c) commences duty as an accredited official in each year.

30 NOTICES

30.1 A notice may be served or given by or on the Association's behalf on or to any member either personally or by sending it through the post in a prepaid letter addressed to the member at his usual or last known place of abode.

30.2 Where any notice is required by these rules to be given to the Association, the committee or any officer of the same may be served or given by sending it through the post in a prepaid letter so addressed to the residential address of the public officer of the Association or such other postal address as the committee from time to time advises the members to be the Association's postal address.

31 SUSPENSION OR EXPULSION OF-MEMBERS

31.1 Subject to this rule, the full committee less one may suspend or expel a member if that member:

- a) is convicted of an indictable offence;
- b) fails to comply with any of the provisions of these Rules of Association, the AERA Inc. rules and other formal requirements, or any other rules or requirements which determine how affiliated rides are conducted;
- c) has abused, neglected, caused undue stress or taken any other action against a horse at an affiliated ride which is not in the best interests of the horse;
- d) conducts themselves in a manner-considered to be injurious or prejudicial to the character or interests of the Association, of the -AERA Inc. or affiliated endurance riding.

31.2 Expulsion should be determined only *where* suspension is not considered an adequate discipline action for the severity of the noncompliance.

- 31.3 Where the committee intends to suspend or expel a member, that member must be notified of the intention in writing and the member invited to a meeting of the committee to hear the issue.
- 31.4 The member concerned under this rule shall be given a full and fair opportunity of presenting their case in person to the committee, but shall not be represented by any other person.
- 31.5 Other appropriate people may be asked to attend or to provide additional information in writing.
- 31.6 That part of a committee meeting dealing with the suspension or expulsion shall be closed to members not involved in the suspension or expulsion process.
- 31.7 After hearing available evidence and deliberating on the issues, the committee members present may:
- a) suspend the member from competing in one or more affiliated endurance rides; or
 - b) expel the member from membership of the Association.
- 31.8 Where the committee suspends or expels a member, the secretary shall without undue delay, cause to be served on the member a written notice:
- a) stating that the committee has *suspended* or *expelled* the *member*;
 - b) specifying the grounds for the suspension or expulsion;
 - c) if suspension, stating the period of suspension; and
 - d) informing that if the member wishes they may, within seven days after the service of the notice, appeal against the suspension or expulsion as provided in rule 32.
- 31.9 The suspension or expulsion of a member under this rule does not take effect until whichever of the following is the later date:
- a) the expiration of seven days after the service on the member of a notice under sub-rule 31.8;
 - b) if the member exercises his right of appeal under rule 32, the conclusion of the appeal tribunal convened to hear the appeal.

32 APPEAL TO AN APPEAL TRIBUNAL

- 32.1 A member on whom a notice of suspension or expulsion is served under rule 31 may give written notice to the Association secretary within seven days after the service of the notice requesting the convening of an appeal tribunal for the purpose of hearing an appeal against the suspension or expulsion.
- 32.2 On receipt of a notice under sub-rule 32.1 the secretary shall forthwith notify the committee of its receipt and the committee shall cause the appeal tribunal to be held within twenty one days after the date on which the notice is received by the secretary.
- 32.3 The appeal tribunal shall consist of three ordinary or honorary members of at least thirty years of age who are not current committee members, one of whom shall be nominated by the member requesting the appeal, one of whom shall be nominated by the

committee and the third shall be the joint nominee of both the member and the committee, and that member of the appeal tribunal shall be its chairman.

32.4 At the appeal tribunal convened *for* the purpose of this rule -

- a. members of the committee may place before the tribunal details of the grounds of the suspension or expulsion and the committee's reasons for the suspension or expulsion;
- b. the suspended or expelled member shall be given an opportunity to be heard and to present any witnesses they may have, but shall not be represented by any other person.

32.5 An appeal tribunal may determine that -

- a) a member whom the committee has expelled be suspended only and may determine the length of such suspension;
- b) the length of a suspension set by the committee be reduced to such length as the tribunal sets;

but the tribunal may not expel a member whom the committee has suspended nor increase the length of the suspension determined by the committee.

32.6 If at the appeal tribunal a majority of the tribunal vote in favour of:

- a) the lifting of the expulsion or suspension, the expelled member is entitled to continue their membership;
- b) expulsion, the expulsion takes immediate effect and the expelled member ceases to be a member and the secretary shall immediately remove the expelled member's name from the Register of Members; or
- c) suspension, the suspension takes immediate effect for the period of the suspension.

33 DISPUTES

33.1 A dispute between a member of the Association in the capacity as a member and the Association is to be determined by arbitration in accordance with the provisions of the *Commercial Arbitration Act 1986*.

33.2 This rule does not affect the operation of rule 31 or 32.

34 SEAL OF ASSOCIATION

- 34.1 The seal of the Association is to be in the form of a rubber stamp, inscribed with the name of the Association encircling the word "Seal".
- 34.2 The seal of the Association is not to be affixed to any instrument except by the authority of the committee.
- 34.3 The affixing of the seal is to be attested by the signatures of -
- a) two members of the committee; or
 - b) one member of the committee and the public officer of the Association or any other person the committee may appoint for that purpose.
- 34.4 Attestation under sub-rule 34.3 is sufficient for all purposes that the seal was affixed by authority of the committee.
- 34.5 The seal is to remain in the custody of the public officer.

35 ALTERATIONS OF OBJECTS & RULES

- 35.1 The Statement of Objects of the Association and these rules may be altered, rescinded or added to only by a special resolution.

36 SPECIAL RESOLUTION

- 36.1 A resolution is a special resolution if it is passed by a majority of not less than three-quarters of such members of the Association entitled under the rules of the association to vote, as may be present in person at a general meeting of which notice specifying the intention to propose the resolution as a special resolution was given in accordance with those rules.
- 36.2 Notice of the passing of a special resolution shall be lodged by the public officer of the Association, as prescribed, with the Commissioner within a period of one month after the passing of the resolution and thereupon the resolution shall be registered by him and, until registered, it does not take effect.

37 WINDING UP

- 37.1 The Association may be wound up and dissolved only by a special resolution.