



THE CONSTITUTION OF THE CONNEMARA PONY BREEDERS' SOCIETY OF AUSTRALIA INCORPORATED

NAME

1. The name of the Society shall be:-

"The Connemara Pony Breeders' Society of Australia Incorporated".

OBJECTS

2. The objects of the Society are:-

- (a) to encourage and promote the popularity of Connemara Ponies and in particular to -**
 - (i) establish and maintain a Stud Book and such other permanent records relating to the breeding of Connemara Ponies as might be necessary or desirable from time to time;**
 - (ii) compile, publish and distribute to members of the Society and to the general public, literature of all kinds relating directly or indirectly to Connemara Ponies;**
 - (iii) arrange Field Days, Conferences and Meetings of members and the general public for the purpose of dealing with subjects relating directly or indirectly to Connemara Ponies;**
 - (iv) promote directly or indirectly, competition amongst Connemara Ponies particularly at agricultural shows, horse shows, stud book shows, pony club gymkhanas and the like;**
 - (v) provide information when possible for the sale of Connemara Ponies and for the introduction of persons wishing to sell Connemara Ponies;**
- (b) to control, maintain and improve the standard of breeding of Connemara Ponies particularly by -**
 - (i) making such rules and regulations affecting members as may be thought necessary;**
 - (ii) providing trophies, prizes, ribbons and awards of all kinds including cash for competitions of all kinds directly or indirectly involving Connemara Ponies;**
 - (iii) buying, selling and/or breeding Connemara Ponies;**
 - (iv) arranging by any means for competent judges and assessors of Connemara Ponies to be available at any show or similar event as required;**
- (c) to provide social functions and facilities for members of the Society.**

MEMBERSHIP

3. Subject to Paragraph 6:-

- (a) any person of the age of 18 years or more shall be eligible to become a full member of the Society;**
- (b) any person of any age shall be eligible to become associate members of the Society. Associate members shall not be entitled to any voting rights nor shall they be members of the Committee.**



4. A candidate for membership shall make application for membership by-
 - (a) completing an application in the form prescribed by the Committee;
 - (b) completing an undertaking in the form prescribed by the Committee, to be bound by the Constitution and by any other Rules and Regulations of the Society, including all rules relating to the Stud Book, if elected,
 - (c) forwarding to the Secretary of the Society -
 - (i) the application form duly completed;
 - (ii) the undertaking duly completed;
 - (iii) the entrance fee and annual membership fee prescribed by the Committee.
5. (a) The Secretary shall advise Committee as soon as is possible of all new applications for membership by sending a letter to each Committee person prepaid post to his or her registered address.
 - (b) If, within 14 days of sending such letter the Secretary does not receive a request in writing from any member of the Committee for any application to be considered at a meeting of the Committee, the candidate referred to in such application shall thereupon become a member.
 - (c) If within 14 days of sending such letter the Secretary receives a request in writing from a Committee member for any application to be considered at a meeting of the Committee, the Committee shall deal with such application at its next meeting when it may elect the candidate referred to in the application as a member, but if the Committee does not elect the candidate as a member it shall not be bound to give its reasons.
 - (d) When a person has become a member of the Society, the Secretary shall thereupon;
 - (i) inform such member by letter forwarded by prepaid post to the address set out in the member's application;
 - (ii) enter the name and address of the member in the Registration of Members;
6. After a candidate for full membership has become a full member, he or she shall, subject to paragraph 8, pay to the Society the annual membership fees from time to time prescribed by the Committee within the period fixed for payment, and he or she shall not be entitled to vote at any meeting of the Society or of the Committee of the Society, nor shall he or she be entitled to a postal vote for any election for members of the Committee or any alteration of the Constitution for so long as such fees remain unpaid PROVIDED THAT if such fees remain unpaid for one year he or she shall thereupon cease to be a member.



LIFE MEMBERS

7. The Committee may at any meeting attended by at least two-thirds of the members of the Committee elect any person, whether a member of the Society or not, who in the opinion of the Committee has served the Society outstandingly well, or performed outstanding services generally, in promoting the objects of the Society as a life member of the Society.

FINES, SUSPENSION AND EXPULSION

8. (a) If, in the opinion of the Committee, a member refuses or neglects to comply with the Rules and Regulations of the Society, or is guilty of conduct considered prejudicial to the interests of the Society, the Committee may subject to sub-paragraph (b), at a meeting attended by at least two-thirds of the members of the Committee resolve to fine, and/or suspend or expel such member from the Society whereupon such member shall forfeit all interest and/or benefit in the Society and the funds and assets thereof. There shall be no appeal from such a resolution.
- (b) No member shall be fined, suspended or expelled unless -
- (i) notice in writing has been sent to such member at his registered address by prepaid post, informing such member of the charge or complaint against him and inviting him to attend the meeting of the Committee referred to in sub-paragraph (a) in order to defend himself, justify or explain his conduct;
- (ii) at the meeting referred to in sub-paragraph (a), such member has been given an opportunity to defend himself, justify, or explain his conduct. Provided that if such member does not attend such meeting the Committee may proceed in his absence.

RESIGNATION OF MEMBERS

9. A member may retire from membership at any time by giving notice in writing thereof to the Secretary; but any member retiring without having paid his annual membership fee for the current year or any previous years shall be liable for the same.

FEES AND SUBSCRIPTIONS

10. The Committee may determine, impose, fix, vary and/or otherwise regulate -
- (a) entrance fees payable by persons becoming members of the Society;
- (b) annual membership fees payable by members;
- further, the Committee may from time to time determine when and in what manner annual membership fees shall be payable.

REGISTER

11. The Committee shall keep a register of the names and addresses of members, life members, and such other particulars relating to members as the Committee may prescribe. Such register may be in the form of a book, card index, Addressograph stencil, or such other form as the Committee may determine.



12. Every member shall communicate any change in his or her address to the Society in writing and any such change of address shall be entered in the Register. The address of a member as originally entered in such register, or if notice of change be given the new address set out in such notice shall be deemed to her his or her registered address.

ELECTION OF COMMITTEE

13. After every third Annual General Meeting commencing with the Annual General Meeting after these alterations to the Constitution are passed all members of the existing Committee shall retire.
14. The Committee shall consist of 12 members.
15. (a) The election of members of the Committee to be held under this Constitution shall be in accordance with Paragraph 17. Full members shall be elected from the following categories
- (i) one full member shall be elected from and by full members of the Society normally residing in Queensland;
 - (ii) one full member shall be elected from and by full members of the Society normally residing in Western Australia;
 - (iii) one full member shall be elected from and by full members of the Society normally residing in South Australia and Northern Territory;
 - (iv) one full member shall be elected from and by full members of the Society normally residing in Tasmania.
 - (v) one full member shall be elected from and by full members of the Society normally residing in Victoria;
 - (vi) one full member shall be elected from and by full members of the Society normally residing in New South Wales and Australian Capital Territory;



(vii) Six full members shall be elected from and by full members of the Society wherever they reside.

PROVIDED THAT if there is any State in respect of which no full members stands for election to the Committee in accordance with sub-paragraphs 15(a) (i) to 15 (a)(vi), the number of full members to be elected in accordance with sub-paragraph 15 (a)(vii) shall be increased to cover the vacancy or vacancies which would otherwise occur, and in that event the Committee shall designate from those members of the Committee elected under sub-paragraph (vii) and this proviso, a full member for each State in respect of which no full member stood for election who shall be deemed, for the purposes of sub paragraphs (b),(c), to have been elected by the full members of that State
PROVIDED FURTHER THAT no full member who in the absence of sub-paragraph 15(a)(vii) would have been elected under any of sub-paragraphs 15 (a)(i) to (vi) inclusive shall be eligible for election under sub-paragraph 15 (a)(vii).

- (b) If at any time during the term of office of a member of the Committee, such member should resign from office or cease to be a member of the Committee or of the Society by his or her own wish or as a result of action under paragraph 8, such office shall thereby become vacant and the remaining members of the Committee may thereupon appoint a new member of the Committee who shall hold office for the remainder of his or her predecessor's term
PROVIDED THAT such new member shall be appointed from the same category as the retiring member.
- (c) Retiring members shall be eligible for re-election.
- (d) The continuing members of the Committee may act notwithstanding any vacancy in their body but if and so long as their number is reduced below the number fixed by or pursuant to this Constitution as the necessary quorum of members the continuing members may act for the purpose of increasing the number of members to that number or of summoning a General Meeting but for no other purpose.

NOMINATION OF CANDIDATES FOR ELECTION TO THE COMMITTEE

16. (a) Not less than 70 clear days prior to the day on which the next Annual General Meeting is to be held the Secretary shall send by prepaid post to each full member at his or her registered address a request in writing for nominations of candidates for election to the Committee.
- (b) Subject to paragraph (c) any full member of the Society may give notice to the Secretary that he wishes to nominate himself as a candidate for election to the Committee or nominate any other full member as a candidate, **PROVIDED THAT**;
- (i) such notice is received by the Secretary not more than 70 clear days and not less than 42 clear days prior to the day on which the Annual General Meeting is due to be held.
- (ii) such notice is in writing, signed by the candidate, and, (where the candidate has been nominated by another full member), also by the person nominating such candidate.
- (iii) such candidate has been a full member of the Society for at least twelve months prior to the date of the nomination.



- (c) No candidate may stand for election from any category referred to in parts (i) to (vi) of sub-paragraph 15 (a) without also standing for election under paragraph 15 (a) (vii).

VOTING FOR ELECTION OF MEMBERS OF THE COMMITTEE

17. (a) Subject to paragraph 6 each full member shall be entitled to vote for the election of members for the Committee. Voting for the election of members shall be by postal vote only.
- (b) (i) Not less than 28 clear days prior to the Annual General Meeting after which the newly elected Committee shall take office the Secretary shall send by prepaid post to each full member at his or her registered address a postal ballot paper in the form prescribed by the Committee containing a list of candidates for election with each ballot paper being marked in the handwriting of the Secretary the State in which the full members resided.
- (ii) Postal votes for these candidates shall be accepted not less than 10 days prior to the next Annual General Meeting.
- (iii) The President shall thereupon declare the result of this election at the Annual General Meeting such declaration to be final.
- (c) The Committee shall appoint scrutineers who shall count all votes accepted by the Secretary as follows-
- (i) the voting papers to be divided into States and the candidate residing in each State who receives the highest number of votes will be elected to the Committee according to paragraph 15 (i) to (vi). These candidates to be removed from further consideration.
- (ii) the remaining candidates will be elected according to votes to fill the remaining vacancies on the Committee.

ELECTION OF PRESIDENT AND VICE PRESIDENT

18. (a) The President and Vice President of the Society shall be elected from and by members of the Committee.
- (b) The first President and Vice President of the Society under this Constitution shall be elected by the first Committee elected under this Constitution and shall take office immediately after the first Annual General Meeting. Subject to sub-paragraph (d), they shall hold office until immediately after the next succeeding Annual General Meeting.
- (c) After the first Annual General Meeting under this Constitution, the President and Vice President of the Society shall be elected by and from the Committee after each election held in accordance with paragraph 17 and before the next Annual General Meeting, and they shall take office immediately after such Annual General Meeting and hold office until immediately after the next succeeding Annual General Meeting.
- (d) If, at any time during his, her or their term or terms of office the President and/or Vice President should resign from such office, or cease to be a member of the Committee or of the Society, such office or offices shall thereby become vacant, and the Committee thereupon shall elect a new President and/or Vice President who shall hold office for the remainder of such term or terms.



APPOINTMENT OF SECRETARY, TREASURER AND REGISTRAR

19. (a) The Committee shall be responsible for appointing a person or persons to the offices of Secretary, Treasurer and Registrar of the Society, upon such terms and conditions as the Committee, in its absolute discretion may fix.
- (b) Such person may, but need not necessarily, be a member of the Society.

POWERS AND DUTIES OF THE COMMITTEE

20. Subject to paragraph 35 (c) the management and control of the business and affairs of the Society shall be vested in the Committee, subject only to the following requirements -
- (a) the Committee shall act lawfully;
- (b) the Committee shall act in accordance with the provisions of this Constitution and any other rules or regulations of the Society.

21. In particular:-

The Committee shall have power from time to time to make, vary and repeal rules and/or regulations for the proper conduct and management of the Society including -

- (a) all matters pertaining to the Stud Book and/or other breeding records;
- (b) the appointment and qualifications of classifiers and judges;
- (c) all matters pertaining to the breeding and classification of Connemara Ponies.
22. All acts done at any Meeting of the Committee or by a sub-committee appointed by the Committee, or by any person acting on behalf of the Committee and duly authorised in that behalf shall notwithstanding that it shall afterwards be discovered that there is some defect in the appointment of such members of the Committee or persons acting as aforesaid or that they or any of them were disqualified from so acting be as valid as if every such persons had been duly qualified.
23. The Committee shall cause proper minutes to be kept and suitable books of all resolutions and proceedings of the Committee and of all General Meetings.

DUTIES OF SECRETARY, TREASURER AND REGISTRAR

24. (a) the Treasurer shall keep a true and accurate record of the financial affairs of the Society in proper books of account which shall be available at all reasonable times for inspection by members; he/she shall also prepare a statement of accounts and such other accounts as the Committee may direct, for presentation at Annual General Meetings of the Society in accordance with paragraph 35.
- (b) the Funds are to be managed by the Secretary/Treasurer under the direction of the Committee. The Secretary/Treasurer will have an audited financial statement prepared by an Accountant for presentation at the Annual General Meeting. Cheques are to be drawn and signed by the Secretary and one other person to be nominated by and from the Committee.
- (c) the funds of the Society are or may be derived from member's subscriptions, fees for registration of ponies in the Stud Book, donations, sale of Stud Books, badges and other items intended to promote the breed.



25. **The Secretary shall be responsible for keeping such minutes of meetings of the Committee and the Society as the Committee may direct and the minutes of the General Meetings shall be available at all reasonable times for inspection by members. The Secretary shall also be responsible for the reasonable performance of such secretarial duties as are specified in this Constitution, and which may be requested by the Committee from time to time.**
26. **The Registrar shall be responsible for maintaining the Stud Book which shall be available at all reasonable times for inspection by members and for dealing with all correspondence relating to the Stud Book and for such other matters as may be requested by the Committee from time to time.**

PROCEEDINGS OF COMMITTEE

27. **The Committee shall meet at such times and places as it decides but not less than once a year. Special meetings may be convened by the Secretary at any time when so directed by the President or by any two members of the Committee.**
28. **Not less than 28 days notice of any meeting of the Committee shall be given to every member of the Committee by letter sent to his or her registered address by prepaid post and such notice shall indicate the business to be dealt with.**
29. **Notwithstanding paragraph 28 a meeting of the Committee may in a case of emergency be called at any notice providing that the nature of the business is stated but at any such meeting the quorum shall be 5 members.**
30. **Questions arising at any meeting of the Committee shall be decided by a majority of votes.**
31. **The President shall preside when he/she is present and in his/her absence at the time appointed the Vice President or in their absence or in case all of them present decline to take the chair a Chairman elected by the members of the Committee shall preside.**
32. **The Chairman shall have a casting vote as well as a deliberative vote.**
33. **No business shall be transacted unless a quorum is present. Until otherwise determined by a two thirds majority of the whole Committee, save and except where otherwise provided in this Constitution, 5 members shall form a quorum.**
34. **The Committee shall endeavour to relay appropriate decisions to members of the Society.**



GENERAL MEETINGS

35. A General Meeting to be called the Annual General Meeting shall be held at least once in each calendar year, not more than 19 months after the preceding Annual General Meeting for the following purposes -
- (a) to confirm the minutes of the previous Annual General Meeting; receive the balance sheet and statement of accounts for the period since the preceding Annual General Meeting; to receive Committee reports on the Activities of the Society; to declare all offices vacant and confirm the election of Committee as required by Clauses 13-18
 - (b) to consider any other business of which notice shall have been given to the Secretary at least 42 days before the Meeting is held, for this purpose the giving of notice means the posting of a letter by ordinary pre-paid mail addressed to the Secretary containing the details of the said business. Notice in writing of the said business shall then be sent by pre-paid mail, by the Secretary, to each member at least 14 days before the Meeting is held.
 - (c) to consider and if thought fit to pass resolutions relating to any future and current activities of the Society.
36. The Committee may at any time, and the Secretary shall on the requisition in writing of 10 full members stating the business for which it is required, convene an Extraordinary General Meeting in order to deal with such business.

NOTICE OF GENERAL MEETINGS

37. Not less than 28 days prior to the date on which a General Meeting is due to be held the Secretary shall send to each member at his registered address by prepaid post notice in writing of such meetings -
- (a) specifying the place, day and hour of the meeting;
 - (b) requesting the business that will brought before such meeting; but the accidental omission to give such notice to any of the members shall not invalidate any resolution passed at such meeting.

PROCEDURE AT GENERAL MEETINGS

38. At General Meetings of the Society 10 members entitled to vote shall form a quorum. If within half an hour from the time appointed for the meeting a quorum is not present the meeting if convened upon requisition under paragraph 36 shall be dissolved; but in any other case it shall stand adjourned to such date, time and place as the members present shall resolve.
39. The President shall preside at any meeting of members at which he/she is present and in his/her absence at the time appointed for any such meeting the Vice President or in their absence or in case both of them are present but decline to take the chair a Chairman elected by the meeting shall preside.



- 40. Voting at General Meetings shall be as follows -**
- (a) Subject to paragraph 6, each member shall be entitled to one vote.**
 - (b) Any member not wishing to vote in person may authorise some other member to vote in his or her stead provided that -**
 - (i) such member has previously, in writing requested the Secretary to record such other person's name in the Register of Members as being entitled to vote in his or her stead and the Secretary has registered such person's name in the Register as requested.**
 - (ii) such other person holds an authority in writing to vote at such meeting in place of such member.**
 - (c) The Chairman shall have a casting vote as well as a deliberative vote on all questions.**
- 41. Any questions for decision shall be determined by a show of hands. If the Chairman so decides, or if he/she is so requested by 10 full members or more, a question may be decided by division, or by written ballot, and in the latter case the Chairman shall decide unless otherwise directed by the members how and when such ballot shall take place and if it takes place after such meeting, it shall nevertheless be deemed to be the resolution of such meeting. The result shall be declared by the Chairman and such declaration shall be conclusive and final.**

ALTERATION OF CONSTITUTION AND STATEMENT OF PURPOSES

- 42. (a) Voting for the alteration of the Constitution shall be by postal vote only.**
- (b) If, at a General Meeting it is resolved by a majority of not less than three-quarters of full members present that an alteration of the Constitution of the Society should be proposed, the Secretary shall as soon as possible thereafter send by pre-paid post to each full member at his or her registered address a ballot paper in the prescribed form containing a copy of the resolution proposing the said alteration.**
 - (c) Postal votes shall be accepted by the Secretary at the office of the Society for 21 days after the date on which the said ballot papers were sent by the Secretary pursuant to sub-paragraph (b).**
 - (d) Such alteration shall be made if the said resolution is passed by a majority of not less than three-quarters of such postal votes returned.**
 - (e) The result of the ballot shall be declared by the President and such declaration shall be final.**

SOCIETY OFFICE

- 43. The office of the Society shall be at such place as the Committee may from time to time determine.**



COMMITTEE OF MANAGEMENT - EMERGENCY SITUATIONS

44. (a) In the event of an emergency situation developing which requires URGENT - IMMEDIATE ACTION the affairs of the Society shall be managed by a management Committee consisting of :-
(i) President (ii) Vice-President (iii) Secretary
- (b) The Emergency Committee of Management shall be responsible to the full Committee who will be required to ratify or rescind the actions of the Committee of Management at the next special or General Meeting of the Full Committee.

PUBLIC OFFICER

45. The custody and use of the Common Seal will lie with the Secretary who is the Public Officer. To be signed under seal by the President and Secretary.

WINDING UP

46. The Society may be wound up at a General Meeting duly convened to do so provided that the notice of the meeting clearly specifies this to be the purpose of the meeting. Upon such a resolution being passed, all the property and assets of the Society, after payment of all properly incurred debts and liabilities of the Society shall be disposed of, in such manner as shall be decided upon by the members present at the meeting.