



**WALLANGARRA PONY CLUB  
(INCORPORATED)**

**CONSTITUTION**

# Wallangarra Riding and Pony Club (Inc.) CONSTITUTION

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# Wallangarra Riding and Pony Club (Inc.) CONSTITUTION

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**THIS CONSITUTION of Wallangarra Riding and Pony Club (INC.) is made on the 10th day of August, 2011**

## **1. NAME**

The name of the incorporated club is **Wallangarra Riding and Pony Club (Inc.)**

## **2. DEFINITIONS**

CLUB	Means the Wallangarra Riding and Pony Club (Inc.)
COMMITTEE	Means the Management Committee of the Wallangarra Riding and Pony Club.
MEETING	Means a general meeting of members of the Wallangarra Riding and Pony Club convened in accordance with the constitution.
MEMBER	Means a financial member of the Wallangarra Riding and Pony Club
SUB COMMITTEE	Means any other committee deemed necessary by the Management Committee
DELEGATE	Means an appointed representative by the Wallangarra Riding and Pony Club

## **3. OBJECTS AND PURPOSES**

The objects and purposes of the Club are:

- 3.1 To encourage young people to ride and learn to enjoy all kinds of sport connected with horses and riding.
- 3.2 To hold horse and pony sports for members 25 years and under
- 3.3 To provide instruction in riding and horsemanship, and to instill in members the proper care of their animals and equipment
- 3.4 To promote the highest ideals of sportsmanship and loyalty, thereby creating strength of character and self discipline.
- 3.5 To disseminate information on all matters relating to horses and ponies and the training and management, exhibition and general utility of horses and ponies
- 3.6 To encourage and assist all those who are interested in horses and ponies in their endeavors to improve their knowledge of, and to promote the welfare of and demand for, horses and ponies.

### 4 POWERS OF THE CLUB/ INCOME & PROPERTY

- 4.1 To acquire, hold, deal with, and dispose of any real or personal property.
- 4.2 To open and operate bank accounts.
- 4.3 To invest its money:
  - (a) in any security in which trust moneys may be invested; or
  - (b) in any other manner authorised by the rules of the Club.
- 4.4 To borrow money upon such terms and conditions as the Club sees fit.
- 4.5 To give such security for the discharge of liabilities incurred by the Club as the Club sees fit.
- 4.6 To appoint agents to transact any business of the Club on its behalf.
- 4.7 To enter into any other contract the Club considers necessary or desirable.

### 5. MEMBERSHIP

- 5.1 Members who are under 17years of age and who shall be known as :
  - (a) Ordinary Riding Members
  - (b) Ordinary Non-Riding Members
- 5.2 Members who are 17 Years of age and over, up to and including the end of the calendar year in which they attain the age of 25 years, who shall be known as:
  - (a) Associate Riding Members
  - (b) Associate Non-Riding Members
- 5.3 Mounted coach/Official/ Instructor(s)
- 5.4 Adult supporters, being persons who have attained 25 years of age.

### 6. TERMINATION OF MEMBERSHIP

- 6.1 Any person's membership may be terminated by the following events:
  - (a) Resignation;
  - (b) False or inaccurate statements made in the members application for membership of the Club.
  - (c) Breach of any rule, regulation or By-law of the Club or the PCAWA parent Association.
  - (d) Commit any act detrimental to the Club.
- 6.2 The Management Committee shall have the power to suspend or expel any member of the Club for any of the events in item 6.1 above.
- 6.3 Any member who is expelled, suspended or has their membership terminated shall have the right to appeal against their suspension or expulsion by presenting their case to a General meeting called for such purpose, and the decision of the General Meeting shall be final.

## 7. FEES/ SUBSCRIPTIONS

- 7.1 The Committee may from time to time:
- (a) Adjust the annual subscription payable by each classification of members
  - (b) Subscriptions shall be due on the Enrolment Day. Any member who has not paid his/her subscription by 31<sup>st</sup> March in the year in which it is due will not be considered a member, and shall not be entitled to any club privileges until such subscription has been paid for.
  - (c) Make provision for exemption/ reduction of fees for members absent from the state of Western Australia for periods greater than 12 months.

## 8. MANAGEMENT COMMITTEE

- 8.1 The dealings of the club will be managed by a committee consisting of the following persons being members:
- (a) President
  - (b) Two Vice-Presidents
  - (c) Honorary Secretary
  - (d) Honorary Treasurer
  - (e) Five Members
- 8.2 The President, Vice President, Honorary Secretary, Honorary Treasurer and other members of the Committee shall be elected each year at an Annual General Meeting of the Club.
- 8.3 The office of Secretary and Treasurer may be held by the one person.
- 8.4 Only members 18 years of age and over shall be eligible to hold office

## 9. POWERS OF THE MANAGEMENT COMMITTEE

- 9.1 The Management Committee shall carry out the day to day running of the Club and shall have the power to:
- (a) Administer the finances, appoint bankers, and direct the opening of bank accounts for specific purposes and to transfer funds from one account to another, and to close any such accounts;
  - (b) Fix the manner in which such banking accounts shall be operated upon, providing all payments are passed by the Management Committee.
  - (c) Fix ground fees and other such fees and subscriptions payable by the member and decide such levies and charges as is deemed necessary and advisable, and to enforce payment thereof.
  - (d) Adjudicate on all matters brought before it which in any way affect the Club.
  - (e) Create, amend and rescind rulings and By-laws.

- (f) Have the power to form and appoint any sub committee/s as required for specific purposes such as fund raising for the Club
- (g) Should a vacancy occur on the Management Committee during the season, the Committee shall appoint a successor until the next Annual General Meeting.
- (h) Appoint a member of the Management Committee to have custody of the Clubs records, documents and securities.

### 10. PATRON

At a General Meeting of members, a Patron and Vice Patron may be appointed to the Club.

### 11. AUDITOR

- (a) An Auditor will be appointed by the committee at the Annual General Meeting
- (b) The Auditor/s shall be a qualified accountant.
- (c) The Auditor/s shall examine and audit all the books and accounts of the Club annually, and have the power to call for all books, papers, accounts, receipts etc of the Club and report thereon to the Annual General Meeting if so required.

### 12. MEETINGS

#### 12.1 Annual General Meeting

- (a) The Annual General Meeting of the Club must be held within the month of November
- (b) The Secretary shall give at least fourteen (14) days notice of the date of the Association Annual General meeting to members.
- (c) Any person who is a Financial Member of the Club may attend the Annual General Meeting.
- (d) The agenda for a Club Annual General Meeting shall be:
  - (i) Opening of Meeting
  - (ii) Apologies
  - (iii) Confirmation of Minutes of previous Annual General Meeting
  - (iv) Presentation of Presidents Report
  - (v) Presentation of Annual Reports of Affiliated Clubs
  - (vi) Presentation of Treasurer's statement
  - (vii) Appointment of Auditor
  - (viii) Vote of Thanks to outgoing Executive
  - (ix) Election of incoming Office Bearers
  - (x) Notice/s of Motion
  - (xi) Ratify Association Fees

- (xii) Questions & comments from non-delegate members
- (xiii) Closure

### 12.2 **Management Committee Meetings/Special General Meetings**

- (a) Management Committee Meetings will be held monthly or as required.
- (b) The quorum at the Management Committee Meetings shall be a minimum of a half plus one elected delegate
- (c) Management Committee Meetings or a Special General Meeting may be called by the Management Committee at the request of the president and Secretary or on the written request of six (6) members of the Management Committee.
- (d) The Secretary shall give at least seven (7) days notice in writing of the date of the Special General Meeting to the members. Notice of Special General Meetings shall set out clearly the business for which the meeting has been called.

## 13. **MINUTES**

Minutes shall be kept at all Management Committee Meetings, Special General Meetings, Annual General Meetings and Sub Committee Meetings.

## 14 **VOTING AT ANNUAL GENERAL MEETINGS AND MANAGEMENT COMMITTEE MEETINGS**

### 14.1 Voting powers at the **Annual General Meetings:**

- (a) All incoming club delegates on the Management Committee have the right to vote.
- (b) The President shall be entitled to a deliberative vote and in the event of a tied vote; the President shall exercise a casting vote.

### 14.2 Voting Powers at **Management Committee Meetings:**

- (a) All delegates on the Management Committee have the right to vote.
- (b) The President shall be entitled to a deliberative vote and in the event of a tied vote; the President shall exercise a casting vote.

## 15 **FINANCE**

- 15.1 All funds of the Club shall be deposited in the Clubs accounts at such bank or recognised financial institution as the Management Committee deem appropriate.
- 15.2 All accounts due by the Club shall be paid by cheque after having been passed for payment at the Management Committee meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next Management Committee Meeting.

- 15.3 The Honorary Secretary/Treasurer shall not spend more than a set amount of Petty Cash without the consent of the Management Committee and shall keep a record of such expenditure in a Petty Cash Book.
- 15.4 The Treasurer shall table a statement showing the financial position of the Club at each Management Committee Meeting.
- 15.5 A detailed statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting. The Auditor's report shall be attached to such financial report.
- 15.6 The financial year of the Club shall commence on November 1st each year. The accounts, books and all financial records of the Club shall be audited each year.
- 15.7 The signatories to the Clubs account/s will be the Treasurer with any one (1) from the following:
- (a) President
  - (b) Secretary
  - (c) Vice President (if Secretary/Treasurer is a combined appointment)

### **16 ACCOUNTS**

The Club shall keep such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the Club.

### **17 COMMON SEAL**

The common seal of the Club shall be kept in the care of the Honorary Treasurer. The seal shall not be used or affixed to any Deed or other document except pursuant to a resolution of the Management Committee and in the presence of at least the President and two Members of the Committee, all of whom shall subscribe their names as witnesses.

### **18 AMENDMENTS TO THE CONSTITUTION AND BY-LAWS**

- 18.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or Special General Meeting called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members fourteen (14) days prior to the Annual General Meeting, or seven (7) days prior to a Special General Meeting called for such purpose.
- 18.2 The Secretary shall forward such notices of motion to each Management Committee Member at least fourteen (14) days prior to the Annual General Meeting or seven (7) days prior to a Management Committee Meeting.



- 18.3 Such motions or any part thereof shall have no effect unless passed by a seventy five percent (75% in favour of the Special Resolution) of those present and entitled to vote at the Annual General Meeting, Special General Meeting or Management Committee Meeting as the case may be.
- 18.4 Within one month of the result of the Special Resolution, the Secretary shall notify the Ministry of Fair Trading of the amendment.

### **19. AFFILIATION**

- 19.1 The Club shall affiliate with the Pony Club Association of Western Australia and accept its rules and By-laws
- 19.2 The Club may cooperate with; become a member of, or affiliate to body or bodies having objects similar in whole or in part to its own objects, or any of them, provided two-thirds majority of the committee is in favor of such affiliation.
- 19.3 The Club shall have the power to appoint a delegate(s) as its representative to other bodies. Such delegates shall enjoy such powers and privileges as may be determined by the Committee from time to time.

### **20. WINDING UP**

- 20.1 If, on the windup up of the Club, any property of the Club remains after satisfaction of the debts and liabilities of the Club and the costs, charges and expense of that winding up, that property shall be distributed:
- (a) To another Club incorporated under the Act; and having objects similar, wholly or in part to the objects of the club; or
  - (b) For charitable purposes.
- 20.2 Which incorporated Club or charitable purpose, as the case requires shall be determined by resolution of the Members when authorizing and directing the Committee under section 33 (3) of the Act to prepare a distribution plan for the distribution of the surplus property of the Club. If effect cannot be given to such determination, then such payment or distribution shall be determined by a judge of the Supreme Court.