



# Tasmanian Eventing Association

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## 1 NAME OF THE ASSOCIATION

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The name of the association is Tasmanian Eventing Association incorporated (**Association**). Commonly referred hereafter as the “Association” or “TEA”.

## 2 DEFINITIONS AND INTERPRETATIONS

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### 2.1 Definitions

In this Constitution unless the context requires otherwise:

**Act** means the *Associations Incorporation Act 1964* (Tas).

**AGM** or **Annual General Meeting** means the annual General Meeting of the Association required to be held by the Association in each calendar year.

**Association** is the association created by this Constitution and incorporated under the Associations Incorporation Act 1964 comprising the State Council affiliated clubs and the members thereof.

**By-Law** means a By-Law made under **clause 35**.

**Chair** means the person elected under **clause 8** and **11**

**Branch** means the affiliated branch of the Association and may be commonly referred to as a Club of the Association.

**Committee** means a committee established by the State Council and Clubs under **clause 8** and **11**.

**Constitution** means this Constitution as amended from time to time, and a reference to a particular clause is a reference to a clause of this Constitution.

**EA** means Equestrian Australia.

**EA and ETas constitution** means the constitution and includes any by-laws made by EA and ETas in force from time to time.

**ETas** means Equestrian Tasmania.

**FEI** means Federation Equestre Internationale.

**Financial Year** means the year as per **Clause 19**

**General Meeting** means a general meeting of Members.

**Intellectual Property** means all rights subsisting in copyright, business names, names, trade marks (or signs), logos, designs, equipment including computer software, images (including photographs, videos or films) or service marks relating to the Association or any activity of or conducted, promoted or administered by the Association.

**Life Member** means a Member admitted to the Association under **clause 14**

**Member** means a member of the Association under **clause 5**.

**Objects** mean the objects of the Association in **clause 4**.

**Official Position** means, in connection with any Voting Member, a person who:

- is an employee, or holds a position, whether elected or appointed, as president, vice president, chairperson, deputy chairperson, secretary, treasurer, director or equivalent, of that Voting Member or a body corporate or organisation which is owned or controlled by, or has, directly or indirectly, a material ownership or financial interest in that Voting Member; or
- has, directly or indirectly, a material ownership or financial interest in that Voting Member.

**Public Officer** means a person appointed as public officer under **clause 8 and 11** .

**Special General Meeting** means a General Meeting called for a specific purpose other than an Annual General Meeting under **clause 24**

**Special Resolution** has the same meaning as that given to it in the Act.

**Sport** means the equestrian discipline of Eventing as recognised by EA and FEI.

**State Council** means the overseeing body of the branches (being the body that directs and has ultimate control of the affairs of the Association), referred to as TEA and defined in **clause 7**

**TEA** means Tasmanian Eventing Association inc.

**Voting Member** means those Members of the Association entitled to vote in General Meeting as set out under **clause 13**

**Rules** In these rules, expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, electronic means of media and other modes of representing or reproducing words.

### **3 OFFICE OF THE ASSOCIATION**

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- a) The office of the Association shall be at the address of the Public officer or at such other place as the Association may from time to time determine.

### **4 OBJECTS AND PURPOSES**

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- a) The basic objects for which the Association is formed are to conduct Eventing competitions, training and other activities and promote, encourage and improve the standard of Eventing in Tasmania
- b) In addition to the basic objects, the objects and purposes of the Association shall also be deemed to include:
  - i. Administration of the sport of Eventing in Tasmania.

- ii. the purchase, taking or lease or in exchange, and the hiring or otherwise acquiring of any real or personal property that may be deemed necessary or convenient for any of the object or purposes of the association.
- iii. the buying, selling and supplying of, and dealing in, goods of all kinds.
- iv. the construction, maintenance, and alteration of buildings or works necessary or convenient for any of the object or purposes of the Association.
- v. the accepting of any gift, whether subject to a special trust or not, for any of the objects or purposes of the Association.
- vi. the taking of such steps from time to time as I may be deemed expedient for the purpose of procuring contributions to the funds of the Association, whether by way of donation, subscription or otherwise.
- vii. the printing and publishing of such newspapers, periodicals, books, leaflets, or other documents in hard copy or in electronic format for the promotion of the objects and purposes.
- viii. the borrowing and raising of money in such manner and on such terms as the State Council may think fit or as may be approved or directed by resolution passed at a general meeting.
- ix. subject to the provisions of the Trustee Act 1898, the investment of any moneys of the Association not immediately required for any of its objects or purposes in such manner as may from time to time be determined.
- x. the making of gifts, subscriptions, or donations to any of the funds, authorities, or institutions to which paragraph (a) of subsection (1) of section 78 of the Income Tax and Social Services Contribution Assessment Act 1936-1964 Of the Commonwealth relates.
- xi. the establishment and support, or aiding in the establishment and support, of associations, institutions, funds, trusts schemes, and conveniences calculated to benefit servants or past servants of the Association and their dependants, and the granting of pensions, allowances or other benefits to servants or past servants of the Association and their dependants, and the making of payments toward insurance in relation to any of those purposes.
- xii. the establishment and support, or aiding in the establishment or support, of any other association formed for any of the basic objects of the Association.
- xiii. the purchase or acquisition and undertaking 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 Act and the rules of the Association.

- xiv. the doing of all such other lawful things as are incidental or conducive to the attainment of the basic objects of the Association or of any of the objects and purposes specified in the foregoing provisions of this sub-rule.
- xv. to affiliate with Equestrian Australia (Tasmanian Branch) or its successor.

## **5 MEMBERSHIP**

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- a) A person shall only become and remain a member of the Association through any one branch of the Association.
- b) Only a current financial members of a branch can be a member of the Association.
- c) A person who applies and is approved for membership by a branch committee as provided in these rules is eligible to be a member of the Association on payment of the annual subscription and on complying with such other requirements for membership generally as may be determined by the State Council.
- d) A person must submit an application for membership to the local branch secretary.
- e) Upon such approval and satisfaction of any such requirements and receipt of the sum payable by or on behalf of the person, the branch secretary shall enter the persons' name in a register of members, whereupon the person shall become a member of the Association.
- f) A member may at any time resign from the Association by delivering, emailing or sending by post to the Branch Secretary of his or her branch, written notice of his or her resignation
- g) Upon receipt of a notice under sub-clause f), the branch secretary shall remove the name of the member by whom the notice was given from the register of members, whereupon that person ceases to be a member of the Association
- h) A right, privilege, or obligation of a person by virtue of his/her membership of the Association
  - i. is not capable of being transferred or transmitted to any other person, and
  - ii. terminates upon the cessation of his/her membership, whether by death, resignation, under Clause 15 of this Constitution, or non-payment of the Associations levy's as deemed necessary by the Branch and State Council or otherwise that may be provided in this constitution.
- i) In the event of the Association being wound up:-
  - i. every member including Honorary Life Members, and

- ii. 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 to the assets of the Association for payment of the debts or liabilities of the Association and for the costs, charges and expenses of the winding up and for the adjustment of the rights of the contributors among themselves, such sum, not exceeding one dollar as may be required, but a former member is not liable so to contribute in respect of any debt or liability of the Association contracted after he/she ceased to be a member.
- iii. If upon winding up or dissolution there remains, after satisfaction of all debts and liabilities, any property whatsoever, it shall be given or transferred only to some other institution or institutions having objects similar to the objects of this Association.

## **6 MEMBERSHIP CATEGORIES**

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- a) Each Branch shall have the following membership categories.
  - Honorary Life Member
  - Family Member (2 adults and juniors, as defined below, living in the same household)
  - Senior Member (18 years and over on the 1<sup>st</sup> January of the year of subscription)
  - Junior Member (17 years and under on the 1<sup>st</sup> January of the year of subscription)
  - Social Member (any non-riding person)
- b) A Branch may elect to include additional categories, as required

## **7 STRUCTURE OF THE ASSOCIATION**

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- a) The governance of the Association shall comprise:-
  - i. The State Council – commonly referred to as “TEA”
  - ii. Affiliated Branch committees– commonly referred to as “Clubs”
- b) The Association is to be affiliated with Equestrian Tasmania or subsequent predecessor.
- c) The affairs of the Association shall be directed by the State Council, and managed by the Branch Committees.
- d) The State Council shall have power to direct and control the affairs of the Association.



- e) A committee shall carry out the objects of the Association for the branch of the Association that such committee manages subject however to any direction that may be given by the State Council to that branch or generally.
- f) The branch committees, as at the date of the adoption of this constitution, are;
  - i. Southern Tasmania Eventing Club (STEC)
  - ii. Northern Tasmanian Eventing Club (NTEC)
  - iii. North-West Eventing Club (NVEC)
- g) The aims and objects of a branch shall be in accord with the general aims and objects of the Association and with the policy as laid down from time to time by the State Council.
- h) The State Council shall have the power to establish new branches, and to provide for the amalgamation or sub-division of branches, subject to the agreement of all existing branches.
- i) All acts done or, with the authority of the State Council or a Committee, shall be deemed to have been fully authorised notwithstanding that it shall be afterwards discovered that there was some defect in the convening or constitution of the meeting thereof.
- j) Subject to the Act and these rules the State Council and the Committees have power to perform all such acts and do such things as appear to be necessary for the proper management of the affairs of the Association.
- k) Minutes of the proceedings of all Association meetings shall be recorded
- l) A meeting may be conducted by phone, video link, or any other form of communication provided that those participating in the meeting have the right to be heard, vote and be informed in a way that allows the purpose of the meeting to be achieved

## **8 STATE COUNCIL**

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- a) The State Council is to be made up of;
  - President
  - Vice President
  - Secretary/Public Officer
  - Treasurer
  - two delegates from each Club
- b) Each branch may, in addition to the two delegates, nominate a non-voting delegate (who must be a committee member of that Branch) who may participate in discussions.

- c) The Councillors shall take office at commencement of the State AGM and hold office until the commencement next State AGM.
- d) The President and Vice President shall be appointed annually by the State Council at the State Council Annual General meeting.
- e) The President appointed by the committee need not be a State Council committee member but must be an Association member and if not, a State Council member must be nominated by written notice to the State Secretary by a State Council member at least 7 days prior to the annual general meeting or alternatively be the subject of unanimous agreement by the delegates. The Secretary will inform each branch of any nomination received.
- f) The President may not serve more than three consecutive terms unless there is no other nomination.
- g) The State Council shall appoint a Secretary and/or Treasurer who may or may not be a member of the State Council and may or may not be the same person.
- h) Council may co-opt voting or non-voting members to Council and may create positions
- i) The State Council may make rules creating and governing rider's representatives but in the absence of any rule to the contrary the riders of each Branch shall elect annually a rider's representative and such riders' representatives shall annually elect a State riders representative.
- j) In respect of any matter that the State Council considers it is not able to adequately deal with, the State Council may call a meeting which will be attended by two members of each Club (in addition to the State Council) which will have the power to determine the matter referred to it by the State Council.

## **9 STATE REPRESENTATIVES**

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- a) The State Council may appoint members of the Association to be State Representatives of particular areas of the Association's activities to include but not limited to;
  - i. With its Affiliation to Equestrian Tasmania, may nominate a Representative to sit on the Equestrian Tasmania Board with the nominee's permission
  - ii. Appoint a representative to the National Equestrian Australia Eventing body with the nominee's permission
  - iii. Appoint the Officials Coordinator with the nominee's permission
  - iv. Appoint the State Coach with the nominee's permission

- v. Appoint a State High Performance/Development Squad Coordinator.

## **10 STATE COUNCIL SUB-COMMITTEES**

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- a) The State Council may at any time appoint a sub-committee of the State Council as it may think fit and shall prescribe the powers and functions thereof.
- b) The State Council may co-opt as members of a sub-committee such persons as it thinks fit,
- c) Three appointed members of a sub-committee constitute a quorum at a meeting of the subcommittee.
- d) Meetings of a sub-committee shall be called by the Chairperson of the sub-committee provided that State Council may require the Chairperson of a sub-committee to convene a meeting of the sub-committee and if no meeting is convened within 30 days of such a request, the State President shall convene a meeting of the sub-committee.
- e) At least three days' notice of each meeting of a subcommittee of State Council shall be given to each member of the sub-committee.
- f) These rules relating to the State subcommittees apply in the same manner to Branch subcommittees.

## **11 BRANCH COMMITTEE**

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- a) A Branch committee will consist of;
  - President
  - Vice-president
  - Secretary
  - Public officer
  - Treasurer
  - not more than Six (6) ordinary committee members.
- b) The president vice-president, secretary and /or treasurer will be elected annually.
- c) The president is not to hold office for a consecutive term longer than three years unless there are no other nominations for the position.
- d) The committee will be elected at the Branch Annual General Meeting by members whose membership is recorded through that Branch.

- e) The public officer and secretary may be the same person.
- f) The President shall be appointed annually by the delegates at the Branch Annual General meeting and be duly elected as chair for all meetings, subject to **clause 15**
- g) Each officer of the Association is to hold office until the next annual general meeting after that at which he or she is elected and is eligible for re-election.
- h) Each Branch will have the authority to determine how to define the class of family membership

## 12 ANNUAL SUBSCRIPTIONS

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- a) An affiliation fee is payable annually by each Branch to the Association. The fee amount shall be determined by the State Council annually at either the AGM or general meeting immediately following the AGM.
- b) The State Council will also set a levy on each horse commencing a competition at either an official One Day Event (ODE), Two Day Event (2DE), or any competition defined by the current EA Eventing Rules. This levy, commonly known as a TEA levy will be paid to the State Council Treasurer within 1 month of the competition from the event organising branch.
- c) Additional fees or levies may be made by a majority vote of the State Council when required.

## 13 SUBSCRIPTIONS AND VOTING RIGHTS

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- a) Only authorised representatives of the Association as defined in Clause 5 above are eligible to vote.
- b) The annual subscription, as per Clause 12 of this Constitution, of a member is due and payable on or before 1st July each year and will automatically cease to be a member if not paid.
- c) Membership voting rights are listed in the table below. Only current members have voting rights.

Membership	Description	Voting Rights
Senior Riding	18 years and over on the 1 <sup>st</sup> January of the year of subscription	One (1) vote
Family	2 adults and juniors, as defined below, living in the same household	One (1) vote per adult not exceeding two (2) votes
Junior Riding	17 years and under on the 1 <sup>st</sup> January of the year of subscription	No vote

Non-riding (social)	18 years and over	One (1) vote
Honorary Life	As per Clause 14 of this constitution	One (1) vote

## 14 HONORARY LIFE MEMBERS

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- a) On the recommendation of members of the Association the State Council may appoint a person who has been a member of the Association and who has rendered valuable service to the sport of eventing or has, in the State Councils opinion, provided outstanding service to be an Honorary Life Member.
- b) On the recommendation of members of a branch of the Association the branch may appoint a person who has been a member of the branch and who has rendered valuable service to the sport of eventing or has, in the Branch's opinion, provided outstanding service to be an Honorary Life Member.
- c) An Honorary Life Member shall be a current or past members of the Association.

## 15 MISCONDUCT BY MEMBERS

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- a) Subject to this rule, the State Council may discipline or expel a member of the Association if, in the opinion of the State Council the member has been guilty of conduct detrimental to the interest of the Association.
- b) The person so charged shall be notified of the charge and the time and place at which it will be heard by the State Council, and has the right to appear and state their case.
- c) Where the State Council disciplines a member of the Association, the secretary shall, without undue delay, cause to be served on the member a notice in writing and sent by certified mail;
  - i. stating that the State Council has disciplined the member and what form the disciplinary action is to be;
  - ii. specifying the grounds of the disciplinary action; and
  - iii. informing the member if they so desire, the member may within fourteen (14) days after the service of the notice on them, appeal against the disciplinary action provided for in this rule.
- d) A member on whom a notice is served may appeal against the disciplinary action to a special general meeting by delivering or sending, by post or trackable electronic correspondence, to the secretary of the State Council, within fourteen (14) days after the service of that notice, a requisition in writing demanding the convening of such a meeting for the purposes of hearing the appeal.
- e) Upon receipt of a requisition under sub rule of this rule, the secretary shall forthwith notify the State Council of its receipt and the State Council shall thereupon call a special general meeting of members as per the requirements of Clause 19 of this Constitution.
- f) At a special general meeting convened for the special purpose of this rule;
  - i. no business other than the disciplinary action shall be transacted.
  - ii. the State Council shall place before the meeting the details of the grounds of the disciplinary action and the reasons for the disciplinary action;
  - iii. the disciplined member shall be given an opportunity to be heard; and
  - iv. the members shall vote by secret ballot on the question whether the disciplinary action should be repealed or confirmed.
- g) If at the special meeting two thirds of the member's present vote in favour of the lifting of the disciplinary action, that action shall be deemed to have been repealed.

## 16 INCOME AND PROPERTY

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- a) The income and property of the Association is to be applied solely towards the promotion of the objects and purposes of the Association.
- b) No portion of the income or property of the Association is to be paid or transferred to any member of the Association unless the payment or transfer is made in accordance with this rule.
- c) The Association may;
  - i. pay a servant or member of the Association –
    - a. Remuneration in return for services rendered to the Association, or for goods supplied to the Association, in the ordinary course of business of the servant or member; or
    - b. Remuneration that constitutes a reimbursement for out-of-pocket expenses incurred by the servant or member for any of the objects or purposes of the Association; or
    - c. Interest at the Reserve Bank of Australia current business rate and not exceeding 5% on money lent to the Association by the servant or member; or
    - d. A reasonable amount by way of rent for premises, or a part of premises, let to the Association by the servant or member; and
  - ii. Pay a member of a committee or State Council remuneration in return for carrying out the functions of a member of the committee; and
  - iii. Pay a member of a subcommittee remuneration in return for carrying out the functions of a member of the subcommittee; and
  - iv. If so requested by or on behalf of any other association, organisation or body, appoint or nominate a member of the Association to an office in that other association, organisation or body.
- d) Despite sub rule 16 c), i, ii, iii, the Association is not to pay a person any amount under that sub rule unless the State Council or a Club committee has first approved that payment.
- e) Despite sub rule 16 c), i, ii, iii, the Association is not to appoint or nominate a member of the Association under that sub rule to an office in respect of which remuneration is payable unless the State Council or a Branch committee has first approved—

- i. that appointment or nomination; and
- ii. the receipt of that remuneration by that member.

## **17 ACCOUNTS OF RECEIPTS AND EXPENDITURE**

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- a) True accounts shall be kept;
  - i. of all sums of money received and expended by the Association and the matter in respect of which the receipt or expenditure takes place;
  - ii. of property, credits, and liabilities of the Association and subject to any reasonable restrictions as to time and manner of inspecting them that may be imposed by the Association for the time being, those accounts shall be open to the inspection of the members of the Association.
- b) The treasurers of the Association shall faithfully keep all general records, accounting books, and records of receipts and expenditure connected with the operations and business of the Association in such form and manner as the State Council and committees may direct.
- c) A treasurer of the Association shall, on behalf of the Association, receive all money paid to the Association.
- d) No expenditure by cheque, Electronic Funds Transfer (EFT) or other method shall occur except by specific or general authority authorised by a committee or State Council.
- e) A treasurer shall submit a financial statement to each meeting including, but not limited to, monthly transactions, expenses to be authorised, and current bank statements.

## **18 BANKING AND FINANCE**

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- a) The Treasurers at State Council and Branch committee level, or their nominees on behalf of the Association, shall receive all moneys paid to the Association and where a satisfactory record does not otherwise exist shall issue official receipts as soon as practicable after receipt thereof.
- b) The Association shall cause to be opened with such bank or banks as the Council or Branch selects, banking accounts in the name of the Association or branch into which all moneys received shall be paid by the Treasurer or their nominee as soon as possible after receipt thereof.



- c) The State Council or Branch shall appoint at least two signatories for each account. These signatories shall be the Treasurer and one other executive committee member, as elected.
- d) State Council or a committee may receive from the Association's bank or bankers for the time being the cheques drawn by the Association on any of its accounts with the bank or bankers and may release and indemnify the bank or bankers from and against all claims, actions, suits, or demand that may be brought against the bank or bankers arising directly or indirectly out of those cheque or the surrender thereof to the Association.
- e) No accounts of over \$250 shall be paid by cash, unless authorized by the State Council President or a Club president.
- f) Accounts for budgeted expenses;
  - i. May be paid prior to a committee meeting however, must be presented at the next meeting
  - ii. Any budgeted expenditure exceeding the budget line or the budgeted item and all non-budgeted items are to be approved by the State Council President or a Branch President prior to being incurred. The expenses will then be ratified by the State Council or the appropriate Branch committee at their next meeting.
- g) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be approved by the State Council or a Club committee.

## **19 FINANCIAL YEAR**

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- a) The financial year of the Association is the period beginning on the first day of July (1/7/xx) each year and ending on the thirtieth day of June (30/6/xx) the following year.

## **20 AUDITOR**

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- a) At the annual general meeting of the Association, a person shall be appointed as the auditor of the Association and its branches.
- b) Persons so appointed shall hold office until the annual general meeting next after that at which they are appointed, and are eligible for re-appointment.
- c) If an appointment is not made at an annual general meeting or if a casual vacancy occurs in the office of auditor during the course of a financial year of the Association, the State Council may appoint a person as the auditor and the person so appointed shall hold office until the next succeeding annual general meeting.
- d) An auditor may only be removed from Office by special resolution.

## **21 AUDIT OF ACCOUNTS**

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- a) Once at least in each financial year of the Association, the accounts of the State Council and its branches shall be examined by the auditor.
- b) The Secretary/Treasurer of the State Council and its branches shall deliver to the auditor a list of names and addresses of State Council and branch committee members, all account books and records of the Association.
- c) The auditor shall certify as to the correctness of the accounts of the Association and shall report thereon to the members present at the annual general meeting.
- d) The auditors –
  - i. have the right of access to the accounts, books, records, vouchers and documents of the Association,
  - ii. may require from the servants of the Association such information and explanations as may be necessary for the performance of their duties as auditors,
  - iii. may employ persons to assist them in investigating the accounts of the Association and,
  - iv. may, in relation to the accounts of the Association, examine any member of the committee or any servant of the Association.

## **22 STATE COUNCIL ANNUAL GENERAL MEETING**

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- a) State Council shall convene an Annual General Meeting within four months of the end of the Financial Year.
- b) The Annual General Meeting shall be specified as such in the notice convening it and shall be in addition to any other general meetings that may be held in the same year.
- c) The ordinary business of the Annual General Meeting shall be –
  - i. to confirm the minutes of the last Annual General Meeting
  - ii. to receive the State Council Presidents report
  - iii. to receive the Treasurers audited report
  - iv. Set annual levies
  - v. To receive from each Club, notice of its office bearers.

- vi. Report from branches details of activities during the last financial year.
- vii. Election of office bearers and committees.
- d) to appoint the Auditor;
- e) to consider proposed changes to the Constitution.

## **23 BRANCH ANNUAL GENERAL MEETING**

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- a) Branches shall convene an Annual General Meeting within three months of the end of the Financial Year and before the State Annual General Meeting.
- b) The Annual General Meeting shall be specified as such in the notice convening it and shall be in addition to any other general meetings that may be held in the same year.
- c) The ordinary business of the Annual General Meeting shall be;
  - i. to confirm the minutes of the last Annual General Meeting
  - ii. to receive the Branch Presidents report
  - iii. to receive the Treasurers audited financial report
  - iv. to appoint the Patron
  - v. Election of office bearers and committees.
- d) to appoint the Auditor;

## **24 SPECIAL GENERAL MEETINGS**

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- a) The State Council or branches may, whenever it thinks, fit convene a Special General Meeting.
- b) The State Council or branches shall, on the petition in writing of not less than ten members, convene a Special General Meeting.
- c) A petition for a Special General Meeting shall state the objects of the meeting and shall be signed by the petitioners and deposited at the office of the Association and may consist of several documents in the like form, each signed by one or more of the petitioners.
- d) If State Council or branch does not cause a special general meeting to be held within forty-four days from the date on which a petition is received at the office of the Association, the petitioners, or any of them, may convene the

meeting; but any meeting so convened shall not be held after three months from the date of the petition was lodged.

- e) A Special General Meeting convened by petitioners in pursuance of this Clause shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the State Council or branch and all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring them.

## **25 NOTICES OF A GENERAL MEETING, ANNUAL GENERAL MEETING AND SPECIAL GENERAL MEETING**

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- a) At least thirty (30) days before the date fixed for holding a general meeting or an annual general meeting, the State Secretary or Branch Secretary shall cause notice to be given by in the case of a Branch meeting at least two (2) and in the case of a State meeting one (1) of the following methods to members of the Association or Club as the case may be:
  - i. Newspaper advertisement.
  - ii. Post to members.
  - iii. Social media including a website or a page such as Facebook maintained by the association.
  - iv. Electronic correspondence to members.
- b) In the case of a State Council AGM, notice to Club Secretaries specifying the place, day and time for the holding of the meeting and the nature of the business to be transacted thereat.
- c) In the case of a State Council general meeting, the State Council Secretary must forward a notice of meeting to all State Council Members specifying the place, day and time for holding of the meeting, and the nature of the business to be discussed.

## **26 STATE COUNCIL MEETING**

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- a) All members of the State Council or his/her appointed delegate are to be present at the State Council Meetings unless absence is granted by the State President.

## **27 ELECTRONIC ATTENDANCE**

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- a) The relevant president may permit attendance at State Council or Branch committee meetings by electronic means such as conference call through skype, zoom, or an equivalent electronic means or phone hook up.

## **28 BUSINESS AND QUORUM AT GENERAL MEETINGS**

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- a) Two (2) members from each branch, who are entitled under these rules to vote, shall constitute a quorum of a State General Meeting. Six (6) members recorded in a Club membership record shall constitute a quorum for a Branch general meeting.
- b) Any member, as defined in **clause 5**, is entitled to attend meetings, either in person or video link, however only voting members as defined under **clause 13** are entitled to vote.
- c) No item of business shall be discussed at a General Meeting unless a quorum of members is present during the time when the meeting is considering that item. For the purpose of a quorum, attendance can be either minimum of 80% in person with 20% by electronic means such as Conference call, Skype or Video link.
- d) If a quorum is not present within one hour after the appointed time for the commencement of a General Meeting, the meeting, if convened upon the petition of members, shall be dissolved; and in any other case it shall stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

## **29 PRESIDENT TO PRESIDE AT STATE GENERAL MEETINGS**

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- a) The State President or in the absence of the President, a Vice President, shall preside as Chairperson at every General Meeting.
- b) If the State President and Vice Presidents are absent from a General Meeting, the members present shall elect one of their number to preside as Chairperson.

## **30 ADJOURNMENT OF GENERAL MEETINGS**

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- a) 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 shall be transacted at an adjourned meeting

other than the business left unfinished at the meeting at which the adjournment took place.

- b) It is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting except where a meeting is adjourned for fourteen days or more, in which case the same notice of the adjourned meeting shall be given as in the case of the original meeting.

### **31 DETERMINATION OF QUESTIONS ARISING AT GENERAL MEETINGS**

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- a) Unless a poll is demanded before or on the declaration of the result of a vote, a question arising at a General Meeting shall be determined on a show of hands and a declaration by the chairperson that a resolution has, on a show of hands in person, been carried, or carried unanimously, or lost, shall be deemed to be the resolution of the meeting on that question.
- b) If at a General Meeting a poll on any question is demanded it shall be taken at that meeting in such a manner as the chairperson may direct, and the result of the poll shall be deemed to be the resolution of the meeting on that question.
- c) A poll that is demanded on the election of a chairperson, or on a question of adjournment, shall be taken forthwith, and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the chairperson may direct.

### **32 NOTICES**

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- a) A notice may be served by or on behalf of the Association upon any member:
  - i. personally, or
  - ii. by sending it through the post in a pre-paid letter addressed to the place last nominated by the member as his/her postal address, or
  - iii. by written electronic media to the place nominated by the member for such communication.

### **33 SEAL OF THE ASSOCIATION**

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- i. The seal of the Association shall be in the form of a rubber stamp, inscribed with the name of the Association encircling the word "Seal."
- ii. The Seal of the Association shall not be affixed to any instrument except by the authority of State Council and the affixing thereof

shall be attested by the signatures either of two Officers or the Association or of one Officer of the Association and of the State Secretary and that attestation is sufficient for all purposes and that the Seal was affixed by authority of State Council.

- iii. The Seal shall remain in the custody of the State Secretary.

## **34 AMENDMENT OF THE CONSTITUTION**

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- a) The State Council, a Branch, or a member entitled to vote at an Annual General Meeting, may give notice of a proposed amendment to this Constitution to the State Secretary by providing a notice of motion to be put to the annual general meeting. Such notice must be provided at least six weeks prior to the earliest date on which the State Annual General meeting may be called in receipt of a notice or notices **clause 32**, the Secretary shall advise the Branch secretary's and when giving notice of the annual general meeting shall give notice of the notice of motion;
- b) Provided that the notice required is given, a motion to amend this Constitution may be passed by three quarters of those present and entitled to vote at the State Council Annual General Meeting and, unless a later date is specified by the Annual General Meeting, shall take effect immediately.

## **35 BY-LAWS**

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- c) Making and amending By-Laws
  - i. In addition to By-Laws made under **clause** Error! Reference source not found. the State Council may from time to time make By-Laws which in their opinion are necessary or desirable for the control, administration and management of the Association's affairs and the Sport in Tasmania and may amend, repeal and replace those By-Laws.
  - ii. Interpretation of the By-Laws is solely the responsibility of the State Council.

### **35.1 Effect of By-Laws**

A By-Law:

- a) is subject to this Constitution;
- b) must be consistent with this Constitution; and
- c) when in force, is binding on all Members and has the same effect as a provision in this Constitution.

## **36 CASUAL VACANCIES**

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- a) In the event of a casual vacancy in any Branch office the committee may appoint one of its members to the vacant office, and the member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of their appointment.
- b) In the event of a casual vacancy occurring in the State Council, the committee may appoint a member of the Association to fill the vacancy, and the member so appointed shall hold office, subject to these rules until the expiration of the term of office which they fill.

## **37 STATE COUNCIL MEETINGS**

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- a) The State Council shall meet at least two (2) times a year, not including the State Annual General Meeting, at such place and at such times as State Council may determine. This may include by electronic means such as; Conference call, Skype, or Video link, additional meetings of State Council may be convened by the President, or by any four of its members, upon giving at least five days' notice specifying the purpose of the meeting and may be by electronic means
- b) Notice shall be given to members of State Council of any additional meeting, specifying the general nature of the business to be transacted. Two members from each branch of State Council constitute a quorum for the transaction of the business of a meeting of State Council.
- c) No business shall be transacted unless a quorum is present and if within an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to a time, date and place set at the discretion of the State President, within a fortnight of the adjourned meeting The State President or in the absence of the President, the Vice President, or in the absence of both the President and the Vice-President, or a nominated delegator, shall preside as Chairperson at every meeting of State Council.
- d) Each member present at a meeting of the State Council or of any sub-committee appointed by the State Council (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question; the person presiding as Chair may exercise a second or casting vote.
- e) Except in a case deemed urgent by the President at least seven (7) days' notice shall be given to each member of State Council of each meeting of State Council.



### 38 DISCLOSURE OF INTEREST IN CONTRACTS

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- a) A member of the State Council or a Branch committee who has a financial interest in any contract or arrangement made or proposed to be made with the Association shall disclose his/her interest at the first meeting of the State Council or the Branch committee at which the contract or arrangements is first taken into consideration, if his/her interest then exists, or, in any other case, at the first meeting after the acquisition of his/her interest.
- b) If a member of the State Council or a committee becomes interested in a contract or arrangement after it is made or entered into, he/she shall disclose his/her interest at the first meeting after he/she becomes so interested.
- c) No member of the State Council or a committee shall vote in respect of any contract or arrangement in which he/she is interested and if he/she does so vote, his/her vote shall not be counted.

I, James (Jamie) Buckby of 13 Summit Drive, Devon Hills in Tasmania, Chairman of Eventing Tasmania, hereby certify that this copy is a true copy of the Constitution as passed by the annual general meeting held on 3rd September 2022.

Signed:

A handwritten signature in blue ink, appearing to read 'Buckby', with a stylized flourish at the end.