

SOUTH AUSTRALIAN ENDURANCE RIDERS ASSOCIATION INC.

CONSTITUTION

As amended at Annual General Meeting 18th January 2004.

1. NAME

The name of the organization shall be the "South Australian Endurance Riders Association" herein referred to as 'SAERA" or "The Association" or "The Division"

2. AIMS

- a) To support and promote the sport of endurance riding and the aims of the Australian Endurance Riders Association within the State of South Australia
- b) To foster the highest ideals of sportsmanship, horsemanship and the spirit of endurance riding as embodied in the motto "To complete is to win"
- c) To ensure uniformity of riding rules, veterinary standards and procedures to be adopted at all affiliated endurance rides in South Australia
- d) To keep full and accurate records of all endurance rides in South Australia and conduct point score competitions for members
- e) To provide effective liaison with the veterinary profession, the RSPCA and other relevant bodies

3. RESPONSIBILITIES

The Association shall:

- a) be affiliated with the Australian Endurance Riders Association (AERA);
- b) establish a ride calendar of affiliated endurance rides within the State division area;
- c) affiliate endurance rides and provide the necessary ride stationary to ride organizers;
- d) liaise between the AERA and clubs affiliated with the association and members of the association;
- e) determine the standards for "short" (less than 80km) rides and junior riders, to apply within the province of the association;
- f) supervise the annual conduct of the State Championship
- g) train and approve "Vetting Stewards" by procedure and standards determined by the AERA National Council, at the committee's discretion;
- h) collect Association membership and affiliation fees;
- i) consider disputes not settled at rides or at Club meetings and recommend appropriate action

4. MEMBERSHIP

(1) The membership of the South Australian Endurance Riders Association shall consist of ordinary members and any of the following classes of members:

- a) honorary member;
- b) associate member & honorary associate member
- c) junior member;
- d) international member;
- e) family membership;
- f) life membership
- g) such other class or classes (e.g. affiliated) of membership as may be determined by the SAERA Committee from time to time such members to be bound by the rules and regulations of the AERA and SAERA as amended from time to time.

(2) An ordinary member shall

- a) have attained, or will attain the age of 16 years in the membership year and shall be entitled to vote:
- (i) at any general meeting of the Association; and
 - (ii) in the election of the Management Committee and at an Annual General Meeting.
 - (iii) be considered to be a riding member as defined by the riding rules of the Association and shall be bound by the rules and regulations of the AERA and SAERA as amended from time to time.
- (3) a) An honorary member is a member who has been recognised by the Association as having provided special services to the sport of Endurance Riding and is nominated and approved as an honorary member at an Annual General Meeting of the Association.
- b) A nomination for honorary membership shall be made by at least two financial members in writing, served on the Association at least 28 days before the Annual General Meeting of the Association, and shall appear with the Notices of Motion provided to members prior to the Annual General Meeting.
- c) The appointment as honorary member shall be for the following membership year with all existing honorary members being considered for reappointment at the Annual General Meeting of the Association without the need for renomination.
- d) An honorary member shall not be required to pay a membership fee to the Association, but shall have voting rights as an ordinary member and shall be bound by the rules and regulations of the AERA and SAERA as amended from time to time.
- e) The Association shall not have at any one time more than 15 honorary members.
- (4) a) An associate member shall be entitled to vote on the affairs of the Association but not be entitled to compete as an ordinary member in an Endurance Ride. The non-riding associate member may enter affiliated training and introductory rides upon payment of the appropriate ride fee and day membership fees (insurance fees) and shall be bound by the rules and regulations of the AERA and SAERA as amended from time to time
- b) The SAERA Management Committee may appoint Honorary Associate Members from time to time but such Honorary Associate Members shall not be entitled to vote nor entitled to compete as an ordinary member in an Endurance Ride. The non-riding honorary associate member may enter affiliated training and introductory rides upon payment of the appropriate ride fee and day membership fees (insurance fees) and shall be bound by the rules and regulations of the AERA and SAERA as amended from time to time
- (5) A junior member shall attain 15 years of age or less in the membership year and shall not be entitled to vote on the affairs of the Association. A junior member is considered to be a riding member as defined in the rules of the Association and shall be bound by the rules and regulations of the AERA and SAERA as amended from time to time.
- (6) An international member shall be deemed to be any visitor to Australia who is a member of an Endurance Ride organization outside Australia that is recognized by the AERA upon presentation of proof of novice or open riding status. Such international member shall be entitled to enter affiliated rides with the Association upon payment of the appropriate ride fee together with the Day Membership Fees (a day member insurance fee). An international member shall not be entitled to vote on the affairs of the Association and shall be bound by the rules of AERA and SAERA as amended from time to time

(7) Family membership.

a) Family membership is deemed to comprise:

- (i) one or two adult members; and
- (ii) up to two of their children of junior status.

b) Any additional riders in the family membership are required to pay appropriate levies as set by the State Management Committee from time to time.

(8) Life membership

a) A life member of the Association will be a person who has given long and meritorious service to the Association.

b) Life membership will be awarded by the State Management Committee on behalf of the members of the Association, at an Annual General Meeting of the Association, where an appropriate token of recognition of the life member's services will be presented.

c) Life members will not be required to pay a membership fee but will have all of the rights of an ordinary member of the Association, and are also subject to the rules of the Association and shall be bound by the rules and regulations of the AERA and SAERA as amended from time to time.

Membership Qualifications

5. A person is qualified to be a Member of the Association if, but only if the person is a natural person who has completed the appropriate membership application form and paid the required fees, and is not currently under suspension or exclusion from membership of the Association or other divisions.

Application for Membership

6. (1) An application by a person for membership of the Association shall:

a) be made in writing on the current Application Form together with the correctly signed waiver; and

b) be lodged with the Secretary/Registrar of the Association with the appropriate fees.

(2) The Association shall upon receipt of an application for membership and on payment of the fees as set from time to time, enter the applicant's name in the register of members and, upon the name being so entered the applicant becomes a member of the Association.

Cessation Of Membership

7. A person ceases to be a member of the Association if the person:

a) dies;

b) resigns the membership;

c) is expelled from the Association; or

d) does not renew membership by payment as referred to in clause 13(1) (2) and (3) and (4).

Transfer of Membership Entitlements

8. A right, privilege or obligation, which a person has by reason of being a member of the Association:
- a) is not capable of being transferred or transmitted to another person; and
 - b) terminates upon cessation of the person's membership.

Resignation Of Members

9. (1) A member of the Association who has paid all amounts payable by the member to the Association in respect of the member's membership may resign from membership of the Association by first giving notice (being not less than 1 month or not less than such other period as the Committee may determine) in writing to the Secretary/Registrar of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
- (2) Where a member of the Association ceases to be a member pursuant to clause 11(1), and in every other case where a member ceases to hold membership, the Secretary/Registrar shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.
- (3) A member of the Association is not entitled to resign that membership except in accordance with this rule.

Register Of Members

10. (1) The Secretary/Registrar of the Association shall maintain a register of members of the Association specifying the name and address of each person who is a member of the Association.
- (2) The register of members shall be kept at the nominated place of administration of the Association and shall be open for inspection at any reasonable hour but not for copy or duplication by any member of the Association, without the written authority of the South Australian Endurance Riders Association Management Committee.
- (3) Where any member requests to inspect the register of members, the ordinary member shall, before the inspection takes place, pay to the Association an amount as determined by the SAERA Management Committee from time to time.

Fees, Subscriptions, Other Charges

11. (1) The members of the Association shall determine from time to time the membership fees and other charges payable by each class of member. However, any change in the insurance levies may be passed on, in part or in full, to the members of the Association by a resolution of the State Management Committee.
- (2) The membership fee, if any, for each class of membership shall be payable on or before the 1st day of January of each membership year.
- (3) For new members the fee payable shall be for a period, which concludes at the end of the then current membership year.

Members Liabilities

12. The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association as required by clause 13(1) (2) and (3) above.

Disciplining of Members

13. (1) On receipt of a written complaint to the South Australian Management Committee that a member of the Association:

- a) has refused, failed or neglected to comply with a provision or provisions of these rules, or the riding rules, procedures, veterinary procedures or conditions of entry for Endurance Rides as approved by the Association from time to time; or
- b) has acted in a manner prejudicial to the interests of the Association,

the South Australian Management Committee shall cause the member to:

- (i) be advised in writing of the basis and grounds for the complaint; and
- (ii) if appropriate be asked to respond to the complaint in writing or in person at a nominated South Australian Management Committee meeting which shall be no sooner than 14 days from the date of posting of the advice notice.

- (2) Where the Management Committee is of the opinion that a member of the Association:

- a) has refused, failed or neglected to comply with a provision or provisions of these rules, or the riding rules, procedures, veterinary procedures or conditions of entry for Endurance Rides as approved by the Association from time to time; or
- b) has acted in a manner prejudicial to the interests of the Association,

the SAERA Management Committee may by resolution:

- (i) expel the member from the Association,
- (ii) suspend the member from membership of the Association for a specific period; or
- (iii) suspend the members right to compete in affiliated Endurance Rides or Training Rides; or
- (iv) impose such other reasonable disciplinary action as the SAERA Management Committee may deem appropriate

- (3) Where the SAERA Management Committee passes a resolution under clause 15(2) above, the Secretary of the Association shall, as soon as practical, cause a notice in writing to be served on the member:

- a) setting out the resolution of the SAERA Management Committee and the grounds on which it is based. Such resolution is to commence from the date of the advice letter.

b) stating that the member has the right of appeal to the SAERA Management Committee within a period of 14 days after the serving of the notice. Such appeal must be lodged with the Secretary of the Association. The resolution shall remain in place unless rescinded or amended by the SAERA Management Committee.

c) informing the member that the member may do either or both of the following:

(i) attend and speak at the appeal meeting;

(ii) submit to the SAERA Management Committee at or prior to the date of that meeting written representations relating to the resolution.

(4) Where the South Australian Management Committee receives notice of appeal from the member it shall inform the member:

a) of the date, time and place of the meeting with the SAERA Management Committee so long as this date shall not be sooner than 14 days from the receipt of the notice of intent to appeal;

b) that the member may do either of the following:

(i) attend and speak at the meeting personally, or if a junior, their guardian speak for them; or

(ii) submit to the SAERA Management Committee at or prior to the date of that meeting written representations relating to the resolution.

(5) At a meeting of the SAERA Management Committee held as referred to in clause 15(4) above, the SAERA Management Committee shall:

a) give to the member or other members an opportunity to make oral representations;

b) give due considerations to any written or oral representation submitted to the SAERA Management Committee at or prior to the meeting which relates to the resolution;

c) by majority vote determine whether to confirm, or amend, or to revoke the resolution of the SAERA Management Committee; and

d) inform the AERA of its decision in writing.

(6) The Secretary of the SAERA, shall within 14 days of the meeting, notify the member in writing the result of the resolution referred to in clause 15(5)c) above.

(7) The resolution referred to in clause 15(5)c) above is final and no further submissions will be accepted.

(8) The Association shall not be liable for any costs incurred by a member in making submissions to the Association.

(9) A member expelled or suspended by SAERA shall be expelled, suspended, or prohibited from membership of all other Divisions of the AERA.

14. COMMITTEE

a) the affairs of the Association shall be managed by a committee not exceeding ten (10) members, including a chairperson, a secretary, a treasurer and other

- appropriate officers, all elected at a duly constituted Annual General Meeting of the Association.
- b) The committee shall meet as often as is deemed necessary, but this shall be at least twice a year in addition to the Annual General Meeting. Five (5) members shall form a Quorum at a committee meeting.
 - c) Where possible, one member of the committee should be a qualified Veterinarian who shall be appointed at the AGM of the Association
 - d) Clubs affiliated with the association shall be entitled to one representative at State committee meetings
 - e) The committee may appoint a member to fill a casual vacancy on the committee at any time
 - f) Committee members shall be elected or appointed for a two (2) year term except where a member has been appointed by the Committee to fill a casual vacancy in which case the member shall retire from the committee at the next AGM
 - g) The committee shall be entitled to nominate a member as a Member of the AERA and the State Division shall pay all entrance fees and annual subscription for the members that are payable to the AERA
 - h) The committee shall be entitled to sponsor Notices of Motion via its delegate member/s to the AERA Committee of Management
 - i) The committee may withhold or withdraw affiliation of any endurance ride and shall not be obliged to furnish reasons for its decision other than at a committee meeting where the ride organizers concerned shall be given the opportunity to represent themselves prior to the final decision to withhold or withdraw affiliation being made.

15. MEETINGS AND ELECTIONS

- a) the Annual General Meeting shall be held at such a time and place as the committee shall from time to time determine
- b) Ten percent (10%) of financial members of the Division, other than junior members, shall constitute a quorum for any General Meeting
- c) A General Meeting (with annual or extraordinary) shall be convened by not less than 7 days notice in writing or by notice in the Daily Press specifying the time and place at which such meeting will be held and the nature of any special resolution proposed to be moved thereat.
- d) Notice of the General Meeting shall be given to every Division member
- e) Notice shall be deemed to have been given if:
 - i) delivered to such member personally, or
 - ii) addressed to such a member at his registered address and delivered or posted (pre-paid) to such member. Any notice so posted shall be deemed to have been given at the expiration of 24 hours from the time of posting or
 - iii) published in a daily newspaper circulating throughout South Australia
- f) business to be conducted at the Annual General Meeting shall be:
 - i) Election of Committee and Officers of the Association, including Chairperson, Secretary, Treasurer and other appropriate officers
 - ii) presentation of annual reports from President/Chairperson and Treasurer
 - iii) appointment of Veterinarian to the Committee
 - iv) appointment of Auditor
 - v) Appointment of two (2) delegates to attend and vote at National Congress
 - vi) Consider and vote upon motions of notice
 - vii) Consider and vote upon constitutional amendments
 - viii) Consider and submit motions for consideration by the National Congress
- g) a division membership may only be elected to the committee if he/she is present at the Annual General Meeting at which the election takes place, or if not present, has prior to the commencement of such meeting, signified in writing to the Division Secretary his/her willingness to stand for such election

- h) An Extraordinary General Meeting will be called on the written request of the President/Chairperson, or four committee members or any ten percent (10%) of financial voting members of the Division.

16. FEES AND FINANCE

- a) The annual membership of fees shall be determined by the Committee of Management of AERA from time to time and adjusted as required by the SAERA at its Annual General Meeting
- b) The Treasurer shall;
 - i) keep or cause to be kept all necessary or proper books of accounts and financial records
 - ii) pay all claims against the Division which are approved by the committee
 - iii) prepare yearly or as required proper financial statements showing receipts and disbursements on behalf of the Association, a profit and loss account and a statement of assets and liabilities of the Association
- c) the Association shall circulate an auditor certified financial statement of the members and affiliated clubs, together with the minutes of the Annual General Meeting, no later than two months after the date of such meeting
- d) Funds of the Association are to be lodged in a bank with authority to operate on the bank account to rest with any two authorized members of the committee
- e) The Association may acquire and dispose of property and hold the same in trust for its members.

17. WINDING UP

- a) the Association may be wound up and/or dissolved by a special resolution passed by a majority of three-quarters of members voting at a General Meeting called for that purpose with required notice
- b) in the event of the winding up of the Association, its funds, after its liabilities have been discharged, shall be devoted to the attainment of objectives similar to that of the Association and no member shall be entitled to receive any part of those fund

18. INDEMNITY

- a) Every office bearer of the Association or committee shall be entitled to be indemnified out of the funds of the Association against any loss, expense or
- b) Liability incurred or sustained by him/her in the bonafide and proper exercise of his/her duty, provided that a special expense statement in respect thereof shall be submitted to and approved by the committee
- c) Neither the Association, or any committee member, nor any office bearer, nor any person acting under the authority of the committee, shall be liable for any act or omission pursuant to the Regulations of the Association or the directions of the committee

19. CONSTITUTION

- a) The Constitution of the Association shall be printed and a copy issued to each member
- b) The Constitution may be amended by a special resolution carried by a simple majority of votes of members present and voting in person at a General Meeting of members, provided that at least twenty-one (21) days notice of intention to amend the Constitution shall be given in writing by the Secretary together with a copy of the resolution proposed, in accordance with clause 6 c) hereof
- c) Any doubt arising as to the application or meaning of any clause in the Constitution shall be decided by the committee

20. RIDING RULES, VETERINARIAN STANDARDS AND PROCEDURES AND RULES FOR AFFILIATED RIDES

- a) the Riding Rules, the Veterinarian Standards and Procedures and the Rules for affiliated rides shall be deemed excluded from the Constitution and shall be determined from time to time as stated by the Constitution
- b) The SAERA committee shall cause to be drawn up a set of Riding Rules, which shall supplement the AERA Riding Rules. These rules may only be changed at the commencement of a new riding year, except with the approval of at least two-thirds of the members present at a duly constituted General Meeting
- c) Powers of SAERA. All members agree to abide by the rules and directions of SAERA
- d) Members bound by the rules. Every member shall be bound by and submit to the rules and by-laws of the Association. The committee shall be the sole authority for interpreting the rules and by-laws of the Association and the decision of the Committee on any question of fact or upon any matter affecting the Association and not provided on any question of fact or upon any matter affecting the Association and not provided by these rules or by-laws made thereunder shall be final and binding on all parties

21. FINANCIAL YEAR

The Financial Year of the Association will commence on 1st January and conclude on 31st December each year.