



ACT Endurance Riders Association Inc

RULES OF ASSOCIATION

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RULES OF ASSOCIATION
AUSTRALIAN CAPITAL TERRITORY ENDURANCE RIDERS ASSOCIATION INC
incorporated under the *Associations Incorporation Act 1991*
of the Australian Capital Territory

OBJECTS AND PURPOSES OF THE ASSOCIATION

1. The name of the Association shall be the Australian Capital Territory Endurance Riders Association Incorporated (herein called 'the Association').
2. The objects of the Association are to:
 - (1) Promote the sport of endurance horse riding in the Australian Capital Territory and its surrounding districts and to promote further public interest in the sport.
 - (2) Conduct at least one annual endurance horse ride of no less than 80 kilometres, under the rules of the Australian Endurance Riders Association unless prevented by extraordinary circumstances.
 - (3) Hold programs for public interest and education in the sport such as seminars, film nights or any other function the Association deems useful in promoting the sport of endurance horse riding.
 - (4) Draw together all people who may be interested in the sport of endurance horse riding.
 - (5) Liaise with the veterinary profession, the Royal Society for the Prevention of Cruelty to Animals and other relevant bodies to ensure the good health and management of horses competing in endurance horse rides in the Australian Capital Territory and surrounding districts.
 - (6) Make representations on behalf of the Association and the broader endurance and equestrian community in the ACT region on government planning and engagement on issues including but not limited to access to public land, infrastructure, and preservation of trails and areas for endurance riding events and training.

POWERS

3. (1) In addition to the objects of the Association, the powers of the Association shall be deemed to include:
 - (a) the purchase, taking on 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 objects or purposes of the Association;
 - (b) the buying, selling and supplying of, and dealing in, goods of all kinds;
 - (c) the construction, maintenance, and alteration of buildings or works necessary or convenient for any of the objects or purposes of the Association;
 - (d) the accepting of any gift, whether subject to a special trust or not, for any one or more of the objects or purposes of the Association;
 - (e) the taking of such steps from time to time as the committee or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Association, whether by way of donations, subscriptions, or otherwise;

- (f) the printing and publishing of such newspapers, periodicals, books, leaflets, or other documents including in electronic format as the committee or the members in general meeting may think desirable for the promotion of the objects and purposes of the Association;
- (g) the borrowing and raising of money in such manner and on such terms as the committee may think fit or as may be approved or directed by resolution passed at a general meeting; and securing the repayment of money so raised or borrowed or the payment of a debt or liability of the Association by giving mortgages, charges or securities upon or over all or any of the real or personal property of the Association;
- (h) the investment of any money of the Association not immediately required for any of its objects or purposes in such matter as the committee may determine;
- (i) the making of gifts, subscriptions, or donations to other like-minded organisations with an interest in endurance horse riding that the committee may determine from time to time;
- (j) 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 dependents, and the making of payments towards insurance in relation to any of those purposes;
- (k) the establishment and support or aiding in the establishment or support, of any other association formed for any of the objects of the Association;
- (l) the doing of all such other lawful things as are incidental or conducive to the attainment of the objects of the Association or of any of the powers specified in the foregoing provisions of this sub-rule.

RULES OF THE ASSOCIATION

4. (1) In these rules, unless the contrary intention appears:

‘the Act’ means the *Associations Incorporation Act 1991*;

‘General meeting’ means a general meeting of members convened in accordance with rule 15;

‘Ordinary committee member’ means a member of the committee to whom paragraph (b) of sub-rule (1) of rule 25 relates;

‘Registrar-General’s Office’ means the ACT Government agency that is responsible for administering the *Associations Incorporation Act 1991*, notwithstanding that such agency might from time to time operate under a different name.

‘Small association’ means, for a financial year, an association that has a total revenue for the financial year of less than \$400,000.

- (2) In these rules, expressions referring to writing shall, unless the contrary intention appears, be construed as including references to electronic, printing, photocopy, and other modes of representing or reproducing words in a visible form.
- (3) Words of expressions contained in these rules shall be interpreted in accordance with the provisions of the Interpretation Ordinance 1937 and that Ordinance as in force on the date on which the Association adopts these rules.

Membership of the Association

5. (1) A person who applies for membership as provided in these rules is eligible to be a member of the Association on payment of the annual subscription prescribed in, or fixed under, these rules.
- (2) New members may be admitted to the Association with the approval of a committee member.
- (3) The application of a person for membership of the Association:
- (a) shall be made in writing;
 - (b) shall be accompanied by the written consent of the person applying (which may be endorsed on the application form); and
 - (c) shall be lodged with the Secretary of the Association.
- (4) Upon an applicant being approved for membership, the Secretary shall, with as little delay as possible, and upon receipt of the sum payable by or on behalf of the nominee as their first year's subscription, enter the nominee's name in a register of members to be kept by the Secretary, whereupon the applicant becomes a member of the Association.
- (5) A membership shall be any one of the following categories:
- (a) Single: one person.
 - (b) Family: Up to four people living at one address in a family situation, or as otherwise defined from time to time by the New South Wales Endurance Riders Association Inc. For this part, 'junior' means anyone under the age of 18 years.
 - (c) In each of these membership categories, only one yearly subscription is payable and only one vote per adult in the case of family memberships is allowed. For this part, 'adult' means anyone 18 years of age or over.
 - (d) Honorary Life Member: a member who has been recognised by the Association as having provided special services to the sport of Endurance Horse Riding in the ACT over an extended period of time, and is nominated and approved as a Life Member at an Annual General Meeting of the Association.
 - (e) A nomination for Honorary Life Membership shall be made by two financial members in writing, and must be accompanied by a detailed list of the proposed member's contribution to the Association over an extended period of time. The nomination must be served on the Association at least 28 days before the annual general meeting, and shall appear with the notices of motion provided to members prior to the AGM.
 - (f) The appointment of an Honorary Life Member shall be decided by a majority of members voting in person or by proxy at the AGM as allowed for under these rules.
 - (g) An Honorary Life Member shall be appointed for life unless they later become subject to any of the provisions in rule 36 (1) *Expulsion of members*.

- (h) On the death of an Honorary Life Member, their name shall be added to a list of Past Honorary Life Members. This list is to be maintained by the Association's secretary and included in the Association's newsletter or on the Association's website, or as the Honorary Life Member may have directed prior to their death.
 - (i) An Honorary Life Member shall not be required to pay a membership fee to the Association but shall have voting rights as an ordinary member and may serve on committees or as a delegate if so elected or appointed.
 - (j) To enter endurance rides in the ACT or elsewhere, an Honorary Life Member must be a member of NSW Endurance Riders Association, with the exception of short events where a day membership is accepted under NSWERA rules.
 - (k) An Honorary Life Member shall be eligible for any privileges available to ordinary members of the Association taking part in endurance rides run by the Association, including but not limited to concessional entry fees or member-only prizes.
- (6) A member, including an Honorary Life Member, of the Association may, at any time, resign from the Association by delivering or sending electronically or by post to the Secretary or Public Officer a written notice of resignation.
 - (7) An ordinary member shall cease to be a member of the Association if they are unfinancial for a period exceeding two calendar months.
 - (8) Upon receipt of a notice under sub-rule (6) of this rule, the Secretary shall remove the name of the member by whom the notice was given from the register of members, whereupon that member ceases to be a member of the Association.
 - (9) A right, privilege, or obligation of a person by virtue of their membership, including Honorary Life Membership, of the Association
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon the cessation of their membership, whether by death, resignation, or otherwise.
 - (10) Members shall not be liable to contribute towards payment of liabilities of the Association on a winding up.

Register of members

- 6. (1) The register of members shall contain the following information about each member:
 - (a) the member's name and contact details;
 - (b) the class of membership;
 - (c) the date they became a member.

- (2) A member may apply to the Association's committee to inspect the register of members, and the committee may allow or refuse the request.
 - (a) The committee must refuse the request if granting the request would allow the member to access any personal information restricted under these rules.
 - (b) The committee may refuse the request if satisfied that the member has sought the inspection to use information on the register for a purpose not directly related to the purposes or management of the Association, or for and improper use.
 - (b) If the committee allows the request, they must make the register available for inspection by the member at a reasonable time and in a place in the ACT nominated by the committee.

Restriction of access to personal information

7. (1) A member of the Association may request that the committee restrict access to the member's personal information recorded in the register of members.
 - (2) The request may seek to restrict access to only the public officer and members of the committee other than to stated members of the committee.
 - (3) A request may be made by a member, or a parent or guardian if the member is a child.
 - (4) The committee must either agree to the request if satisfied that there are special circumstances that justify doing so, or refuse the request.
 - (5) If the committee refuses the request they must notify the requesting member in writing about the decision and give the reasons for it, and they must not release the member's personal information without the member's consent unless at least 28 days have passed since the committee gave notice to the member under this rule.

Copies of documents for members

8. (1) A member of the Association may request from the committee copies of certain documents, and the committee must give the member any of:
 - (a) a copy of a current statement of the objects and rules of the Association; or
 - (b) a copy of the deeds of any trust relevant to the Association; or
 - (c) a summary of the minutes of a meeting of the committee of the Association.
- (2) The Association may charge the requesting member a fee commensurate with the reasonable cost incurred by the Association in producing the requested documents.
- (3) The committee of the Association may refuse to give a member of the Association access to some documents if satisfied that allowing access to the documents would be prejudicial to the interests of the Association. This applies to documents mentioned in sub-rule 10(5) of these rules and any other documents that a member might have access to under these rules.

Income and property of the Association

9. (1) The income and property of the Association, however derived shall be applied solely towards the promotion of the objects and purposes of the Association and no portion thereof shall be paid or transferred, directly or indirectly, by dividend, bonuses, or otherwise, to any member of the Association.
- (2) The Association shall not
- (a) appoint a person who is a member of the committee to any office of the Association to the holder of which is payable any remuneration by way of salary, fees, or allowances; or
 - (b) pay to any such person any remuneration or other benefit in money or money's worth (other than the repayment of out-of-pocket expenses).
- (3) Nothing in the foregoing provisions of this rule prevents the payment in good faith to a servant or member of the Association of
- (a) remuneration in return for services actually rendered to the Association by the servant or member or for any goods supplied to the Association by the servant or member in the ordinary course of business;
 - (b) interest at current bank overdraft rate on money lent; or
 - (c) a reasonable and proper sum by way of rent for premises let to the Association by the servant or member.
- (4) In the event of the Association being dissolved, any assets that remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members.

Accounts of receipts, expenditure etc.

10. (1) True accounts shall be kept
- (a) of all sums of money received and expended by the Association and the matter in respect of which the receipt or expenditure takes place; and
 - (b) of the 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, these accounts shall be open to the inspection of the members of the Association.
- (2) The Treasurer of the Association shall faithfully keep all general records, accounting books and records of receipt and expenditure connected with the operations and business of the Association in such form and manner as the committee may direct.
- (3) The accounts, books, and records referred to in sub-rules (1) and (2) of this rule shall be kept at the Association's office or at such other place as the committee may decide.
- (4) Any other documents or securities that the association holds shall also be kept at the Association's office or at such other place as the committee may decide.
- (5) Members of the Association may arrange with the committee to inspect any books

or documents relating to financial matters of the Association by writing to the Secretary and requesting access to those documents. Access must be freely provided to any member who requests it provided that doing so does not contravene rule 8(3) of these rules.

Banking and finance

11. (1) The Treasurer of the Association shall, on behalf of the Association, receive all moneys paid to the Association and forthwith after the receipt thereof issue official receipts therefor.
- (2) The committee shall cause to be opened with such bank as the committee selects a banking account in the name of the Association into which all moneys received shall be paid by the Treasurer as soon as possible after the receipt thereof.
- (3) The committee may receive from the Association's bank or bankers for the time being the cheques or other record of transactions drawn by the Association on any of its accounts with the banks or bankers from and against all claims, actions, suits, or arising directly or indirectly out of those cheques or other transactions or the surrender thereof to the Association.
- (4) Except with the authority of the committee, no payment of a sum exceeding two dollars shall be made from the funds of the Association otherwise than by electronic funds transfer or cheque drawn on the Association's bank account to meet urgent expenditure, subject to the observance of such conditions in relation to the use and expenditure thereof as the committee may impose.
- (5) No cheques or electronic funds transfers shall be drawn on the Association's bank account except for the payment of expenditure that has been authorised by the committee.
- (6) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by the Treasurer or, in their absence, by such other member or members of the committee as the committee may nominate for that purpose.
- (7) The funds of the association shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the committee determines.

Review of accounts

12. (1) For each financial year, the committee of a small incorporated association must take reasonable steps to ensure that the Association's accounts for the year are reviewed by a reviewer or auditor.
- (2) The Treasurer of the Association shall cause to be delivered to the reviewer or auditor a list of all accounts, books and records of the Association relating to the Association's financial matters.
- (3) A reviewer of an association's statement of accounts means a person who:
 - (a) is not an officer of the Association; and
 - (b) has not prepared or assisted with the preparation of the accounts.

- (4) A reviewer must:
 - (a) undertake a review of the Association's accounting records; and
 - (b) prepare a written report; and
 - (c) state in the report whether, on the basis of the review, anything has come to the reviewer's attention that causes the reviewer to believe that the account records do not satisfy the requirements of this part.
- (5) At each annual general meeting of the Association, the committee shall appoint a person who is not a member or the Public Officer of the Association as the reviewer or auditor.

Annual general meeting

- 13. (1) The association shall, in each year, hold an annual general meeting.
- (2) The annual general meeting shall be held on such day (being not later than five months after the close of the financial year of the Association) as the committee may determine.
- (3) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.
- (4) The annual general meeting shall be specified as such in the notice convening it.
- (5) The ordinary business of the annual general meeting shall be to:
 - (a) confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - (b) receive from the committee, reviewer or auditor, and servants of the Association, reports upon the transactions of the Association during the last preceding financial year;
 - (c) elect the officers of the Association and the ordinary committee members;
 - (d) appoint the reviewer or auditor and determine their remuneration; and
 - (e) determine the remuneration of servants of the Association.
- (6) The annual general meeting may transact special business of which notice is given in accordance with these rules.
- (7) All general meetings other than the annual general meeting shall be called special general meetings.

Special general meetings

- 14. (1) The committee may, whenever it thinks fit, convene a special general meeting of the Association.
- (2) The committee shall, on the requisition in writing of not less than ten members, convene a special general meeting of the Association.

- (3) A requisition for a special general meeting shall state the objects of the meeting and shall be signed by the requisitionists and deposited with the Secretary of the Association and may consist of several documents in the like form, each signed by one or more of the requisitionists.
- (4) If the committee does not cause a special general meeting to be held within twenty-one days from the date on which a requisition therefor is deposited with the Secretary of the Association, the requisitionists, 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 deposit of the requisition.
- (5) A special general meeting convened by the requisitionists in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the committee, and all reasonable expense incurred in convening the meeting shall be refunded by the Association to the persons incurring them.

Notices of general meetings

- 15. The Secretary of the Association shall, at least twenty-one days before the date fixed for holding a general meeting of the Association, including the annual general meeting, advertise the time, day and place of the meeting and the nature of business to be transacted at the meeting by inserting a notice in a newspaper published daily in the ACT and/or by electronic means and/or by an online medium.

Business and quorum at general meetings

- 16. (1) All business that is transacted at special general meetings and all business that is transacted at the annual general meeting, with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting, shall be deemed to be special business.
- (2) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item.
- (3) Five members personally present (being members entitled under these rules to vote at the meeting) constitute a quorum for the transaction of the business of a general meeting.
- (4) If within one hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition 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 (unless another place is specified by the chairman 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 of the time appointed for the commencement of the meeting, the meeting shall be dissolved.

President to preside at general meetings

- 17. (1) The President, or in their absence, the Vice-President, shall preside as chairperson at every general meeting of the Association.
- (2) If the President and the Vice-President are absent from a general meeting, the members present shall select one of their number to preside as chairperson at that meeting.

Adjournment of general meetings

18. (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a meeting is adjourned for fourteen days or more, like notice of the adjourned meeting shall be given as in the case of the original meeting.
- (3) Except as provided in the foregoing provisions of this rule, it is not necessary to give any notice of an adjourned meeting.

Determination of questions arising at a general meeting

19. (1) A question arising at a general meeting of the Association shall be determined on a show of hands. The chairperson will then make a declaration that a resolution has either been carried unanimously, or carried by a majority, or lost. An entry to that effect in the minute book at the Association is evidence of the outcome of the resolution.
- (2) If, before or on the result of the show of hands a poll is demanded, the chairperson will not make a declaration on the result of the resolution and will cause a poll to be taken.

Votes

20. (1) Upon any question arising at a general meeting of the Association, each adult member has one vote only.
- (2) Votes shall be given personally, or a member may appoint another member to act as their proxy.
- (3) The instrument appointing a proxy shall be in writing in the form appearing at Schedule 1 to these rules and shall be given to the Secretary before commencement of the meeting or adjourned meeting at which the person named in the instrument proposes to vote.
- (4) In the case of an equality of voting on a question the chairman of the meeting is entitled to exercise a second or casting vote.

Taking of poll

21. If at a meeting a poll on any question is demanded it shall be taken at that meeting in such 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.

When poll to be taken

22. 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.

Affairs of Association to be managed by a committee

23. (1) The affairs of the Association shall be managed by a committee of management constituted as provided in these rules.
- (2) The committee
- (a) shall control and manage the business and affairs of the Association;
 - (b) may, subject to these rules, exercise all powers and functions as may be exercised by the Association other than those powers and functions that are required by these rules to be exercised by general meetings of members of the Association;
 - (c) subject to the Act and these rules, has power to perform all such acts and things as appear to the business and affairs of the Association; and
 - (d) shall appoint a Public Officer who shall be a resident of the Australian Capital Territory. The Public Officer shall act until they resign or the Committee appoints their successor.

Officers of the Association and tenure of office

24. (1) The officers of the Association shall be:
- (a) President, the office of which shall not be held by the same person in excess of three consecutive years;
 - (b) Vice-President;
 - (c) Treasurer;
 - (d) Secretary
- (2) The provisions of sub-rules (2), (3) and (4) of this rule, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-rule (1) of this rule.
- (3) Each officer of the Association shall hold office until the annual general meeting next after the date of their election.
- (4) In the event of a casual vacancy in any office mentioned in sub-rule (1) of this rule, 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. If the casual vacancy occurs in the role of President, the person appointed to fill that vacancy is eligible for election to the same position at the next annual general meeting, and sub-rule 1(a) of this rule becomes effective.
- (5) An officer of the Association must exercise duty of care and diligence in performing their functions and duties with the degree of care and diligence that a reasonable person would exercise if that person were the officer.
- (6) An officer of the Association must exercise their functions and discharge their duties in good faith in the best interests of the Association and for a proper purpose.

- (7) An officer of the Association must not improperly use their position to gain advantage for themselves or another person, or cause detriment to the Association.
- (8) If a person obtains information because they are, or have been, an officer of the Association, they must not improperly use the information to gain an advantage for themselves or another person or cause detriment to the Association.

Constitution of the committee

25. (1) The committee shall consist of
- (a) the officers of the Association; and
 - (b) up to four ordinary members.
- (2) The President, the Vice-President, the Treasurer, and the Secretary constitute an executive committee, which may issue instructions to the Public Officer and the servants of the Association in matters of urgency connected with the management of the affairs of the Association during the intervals between meetings of the committee, and where any such instructions are issued shall report thereon to the next meeting of the committee.
- (3) Each ordinary committee member shall, subject to these rules, hold office until the annual general meeting next after the date of their election, but is eligible for re-election.
- (4) In the event of a casual vacancy occurring in the office of ordinary committee members, 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 conclusion of the annual general meeting next following the date of their appointment.
- (5) Committee members shall inform the Public Officer of any change of address so that the Public Officer can then inform the Registrar-General's Office of the changes.

Election of members of committee

26. (1) Nominations of candidates for election as officers of the Association or as ordinary committee members
- (a) shall be given orally or in writing including by electronic means to a member of the committee prior to the annual general meeting or shall be called for at the time of the annual general meeting; and
 - (b) such nominations shall be deemed to be accepted upon the nominee consenting to their nomination provided there are no other nominations for that position.
- (2) Members who wish to nominate themselves for election to the committee may do so before the annual general meeting and need not be present at the meeting to be elected to the position.
- (3) If insufficient nominations are received to fill all vacancies on the committee, the positions will remain vacant and the officers of the committee may from time to time, until the next occurring annual general meeting, appoint a sub-committee to carry out the duties of the positions not filled at the annual general meeting.

- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (5) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- (6) The ballot for the election of officers and ordinary committee members shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

Vacation of office

27. For the purposes of these rules, the office of an officer of the Association or an ordinary committee member becomes vacant if the officer or committee member
- (a) dies;
 - (b) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with their creditors;
 - (c) becomes of unsound mind;
 - (d) resigns by written notice to the Public Officer or Secretary;
 - (e) fails, without leave granted by the committee, to attend three consecutive meetings of the committee;
 - (f) ceases to be a member of the Association; or
 - (g) fails to pay all arrears of subscription due by them within fourteen days after they have received a notice in writing signed by the Secretary stating that they have ceased to be a financial member of the Association.

Meetings of the committee and sub-committee

28. (1) The committee shall meet at such places and at such times as the committee may determine.
- (2) Special meetings of the committee may be convened by the President, or any four of its members.
 - (3) Notice shall be given to members of the committee of any special meeting, specifying the general nature of the business to be transacted, and no other business shall be transacted at such a meeting.
 - (4) Any five members of the committee constitute a quorum for the transaction of business of a meeting of the committee.
 - (5) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place at the same hour of the same day in the following week unless the meeting was a special meeting, in which case it lapses.
 - (6) At a meeting of the committee the President, and in their absence the Vice-President, or in the absence of both the President and the Vice-President, such one of the remaining members of the committee as may be chosen by the members present shall preside.

- (7) Questions arising at meetings of the committee or of any sub-committee appointed by the committee shall be determined on a show of hands or, if demanded by a member, by a poll taken in such a manner as the person presiding at the meeting may determine.
- (8) Each member at a meeting of the committee or of any sub-committee appointed by the committee (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 may exercise a second or casting vote.
- (9) Notice of each committee meeting shall be served on each member of the committee, either personally, at a reasonable time before the meeting or by sending it by electronic means or by post in a prepaid letter addressed to the member at their usual or last known place of abode in time to reach them in due course of the post before the date of the meeting.

Disclosure of material personal interest

- 29. (1) If a member of the committee has a material personal interest in a matter being considered at a committee meeting, the committee member must, as soon as they become aware of the interest, disclose to the committee the nature and extent of the interest, and the relation of the interest to the Association's activities, and make the same disclosure to members at the next general meeting of the Association.
- (2) A committee member does not need to disclose a material personal interest to the committee if that interest exists because the member is a person of a class for whose benefit the Association is established, or if the member's interest is in common with a majority of other members of the Association.
- (3) If a committee member has an interest in a contract or proposed contract and has met the conditions in sub-rules (1) or (2), the contract is not liable to be avoided by the association on any ground arising from the fiduciary relationship between the member and the association, and the member is not liable to account for profits derived from the contract.
- (4) The details mentioned in sub-rule (1) must be recorded in the minutes of the committee meeting at which the disclosure is made.
- (5) A member of the committee who has a material personal interest in a matter being considered at a committee meeting must not be present while the matter is being considered at the meeting or vote on the matter, except if sub-rule (2) applies.
- (6) If because of sub-rule (1) there are not enough committee members to form a quorum, the committee may call a general meeting and pass a resolution to deal with the matter.

Sub-committees

- 30. (1) The committee may at any time appoint a sub-committee from the committee as it may think fit and shall prescribe the powers and functions thereof.
- (2) The committee may co-opt as members of a sub-committee such persons as it thinks fit, whether or not those persons are members of the Association, and any person so co-opted is entitled to vote on matters of sub-committee business.
- (3) Three appointed members of a sub-committee constitute a quorum at a meeting of the sub-committee.

- (4) The person chairing a sub-committee of the Association is responsible for calling meetings of the sub-committee.
- (5) Written notice of each sub-committee meeting shall be served on each member of the sub-committee by delivering it to them at a reasonable time before the meeting by electronic means or by sending it by post in a prepaid letter addressed to them at their usual or last-known place of abode in time to reach them in due course of post before the date of the meeting.

Annual subscription

- 31. (1) Until otherwise fixed according to sub-rule (2) of this rule, the annual subscription payable by members shall be determined by the committee.
- (2) The amount of the annual subscription may be altered from time to time by the members of the Association by special resolution.
- (3) The annual subscription of a member is due and payable before the first day of the financial year of the Association.

Financial year

- 32. The financial year of the Association is the period beginning on the first day of May in each year and ending on the last day of April next following.

Notices

- 33. A notice may be served by or on behalf of the Association upon any member either personally or by electronic means or by sending it through the post in a prepaid letter addressed to the member at their usual or last known place of abode.

Conflict of interest

- 34. (1) This rule addresses situations in which a conflict of interest arises between members of the Association and other organisations.
- (2) When undertaking activities for the Association that require dealings with another organisation with which the member may be affiliated, the member must first and foremost fulfill the objects and purposes of the Association according to these rules regardless of any such affiliation.
- (3) If the member is unable to fulfill this duty due to a conflict of interest between the Association rules and the policy of the other organisation, the member must acknowledge the conflict of interest and disqualify themselves from further involvement in the activities.
- (4) If the member fails to acknowledge the conflict of interest, the executive committee reserves the right to disallow the member from participating in the activities.
- (5) If as a result a dispute arises between the member and the Association, either party may initiate a dispute resolution procedure in accordance with these rules.

Dispute resolution procedure

- 35. (1) If a dispute arises between a member of the Association and another member or between a member and the Association, a dispute resolution procedure may be started.

- (2) A member may appoint any person to act on behalf of the member in the dispute resolution procedure.
- (3) Each party to the dispute shall be given an opportunity to be heard on the matter which is the subject of the dispute.
- (4) The outcome of the dispute shall be determined by an unbiased decision maker.
- (5) The decision maker shall notify each party to the dispute, in writing, about the decision and give reasons for the decision.
- (6) The dispute resolution procedure shall be completed as soon as is reasonably practicable, provided that doing so is compatible with rules (3), (4) and (5) of this rule.
- (7) Either party to the dispute may appeal the decision at a special general meeting convened to hear the appeal.
- (8) The Association shall not take disciplinary action against the member who initiated the dispute resolution procedure or a member of the Association who the member appointed to act on the member's behalf until the dispute resolution procedure has been completed.

Expulsion of members

36. (1) Subject to this rule, the committee may expel a member, including an Honorary Life Member, from the Association if, in the opinion of the committee, the member has been guilty of conduct detrimental to the interests of the Association, including but not limited to:
 - (a) any conviction for sexual misconduct involving another person and/or being listed on a sex offenders register;
 - (b) any conviction involving violence towards another person or an animal;
 - (c) any conviction for dishonesty, fraud or theft;
 - (d) any act of terrorism, domestic or foreign; or
 - (e) any conviction that results in a custodial sentence.
- (2) The expulsion of a member pursuant to sub-rule (1) of this rule does not take effect
 - (a) until the expiration of fourteen days after the service on the member of a notice under sub-rule (3) of this rule; or
 - (b) if the member exercises their right of appeal under this rule, until the conclusion of the special general meeting convened to hear the appeal, whichever is the later date.

- (3) Where the committee expels a member from the Association, the Public Officer of the Association shall, without undue delay, cause to be served on the member a notice in writing
 - (a) stating that the committee has expelled the member;
 - (b) specifying the grounds for expulsion; and
 - (c) informing the member that if they so desire they may, within fourteen days after the service of the notice on them, appeal against the expulsion as provided in this rule.
- (4) A member on whom a notice under sub-rule (3) of this rule is served may appeal against the expulsion to a special general meeting by delivering or by sending by post to the Public Officer of the Association, within fourteen days after the service of that notice, a requisition in writing demanding the convening of such a meeting for the purpose of hearing his appeal.
- (5) Upon receipt of a requisition under sub-rule (3) of this rule, the Public Officer shall forthwith notify the committee of its receipt and the committee shall thereupon cause a special general meeting of members to be held within twenty-one days after the date on which the requisition is received by the Public Officer.
- (6) At a special general meeting convened for the purpose of this rule
 - (a) no business other than the question of the expulsion shall be transacted;
 - (b) the committee may place before the meeting, details of the grounds of the expulsion and the committee's reasons for the expulsion;
 - (c) the expelled member shall be given an opportunity to be heard; and
 - (d) the members present shall vote by secret ballot on the question of whether the expulsion should be lifted or confirmed.
- (7) If at the special general meeting a majority of members present shall vote in favour of the lifting of the expulsion, the expulsion shall be deemed to have been lifted and the expelled member is entitled to continue their membership of the Association.
- (8) If at the special general meeting a majority of the members vote in favour of the confirmation of the expulsion, the expulsion takes effect, and the expelled member ceases to be a member of the Association.

Alteration of the constitution

37. (1) The rules may be amended by a resolution passed by a three-quarters majority of financial members voting at a special general meeting.
- (2) Notice of the proposed amendment shall be included in the notice calling the special general meeting.
- (3) An amendment to the objects and purposes of the Association shall not be effective until approved by the Registrar-General's Office in the ACT.
- (4) An alteration to the objects and purposes or rules is of no effect until a copy of the alteration is lodged with the Registrar-General's Office in the ACT.

**SCHEDULE 1 TO THE RULES OF ASSOCIATION
OF THE ACT ENDURANCE RIDERS' ASSOCIATION INC.**

Appointment of proxy

ACT Endurance Riders' Association Inc.

I,
(name)

of
(address)

being a member of the abovenamed Association, hereby appoint

.....
(name of proxy)

of
(address of proxy)

as my proxy to vote for me on my behalf at the

- annual general meeting ☐
- general meeting ☐
- (✓ appropriate option)

of the Association, to be held on / / and at any adjournment thereof.

This form is to be used: **IN FAVOUR OF** ☐ or **AGAINST** ☐ the resolution(s)*.
(✓ appropriate option)

I wish to make the following comments in respect of the resolution(s):

.....
.....
.....
.....
.....

.....
(signature)

..... / /
(date)

* Unless otherwise instructed, the proxy may vote as they see fit.

APPENDIX 1: AMENDMENT HISTORY

Rule	Changed by special resolution 29 May 2024
9	'Income and Property of the Association': Inserted new sub-rule 9(4): 'In the event of the Association being dissolved, any assets that remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members.'

Rule	Changed by special resolution 8 June 2022
* RTRLAA (referred to below) is the <i>Red Tape Reduction Legislation Amendment Act 2018</i> that required certain changes to the <i>Associations Incorporation Act 1991</i> (referred to below as AIA)	
2	'Objects and Purposes of the Association': Inserted new sub-rule 2(6) concerning representations to various government bodies on behalf of the equestrian community.
3	'Powers': In 3(1)(h) – Deleted reference to the Trustee Ordinance 1957 (<i>unable to find said Ordinance</i>) In 3(1)(i) – Deleted reference to bodies referred to in the <i>Income Tax Assessment Act 1936 (Cwth)</i> and replaced with 'like-minded organisations'.
4(1)	'Rules of the Association' In 'General meeting', changed 'Rule 13' to renumbered 'rule 15'. In 'Ordinary committee member', changed 'rule 23' to renumbered 'rule 25'. Added definition of 'Small association' <i>Under RTRLAA* and AIA changes</i>
5	'Membership of the Association' [a new section created under new sub-heading] Inserted new sub-rules (5)(d)–(k) concerning 'Honorary Life Membership' <i>[Note: all subsequent rules renumbered as a consequence.]</i> In renumbered sub-rule 5(6): added 'including an Honorary Life Member' and 'Secretary or Public Officer' In renumbered sub-rule 5(7): added 'ordinary [member]' In renumbered sub-rule 5(9): added 'including Honorary Life Membership'
6 (NEW)	'Register of members' [new sub-heading] Inserted new sub-rules 6(1) and (2): concerning information in, and inspection of, the register. <i>Under RTRLAA* and AIA changes</i>
7 (NEW)	'Restriction of access to personal information' [new sub-heading] Inserted new sub-rules 7(1)–(5) concerning requests by members to restrict access to personal information and how the committee deals with those requests. <i>Under RTRLAA and AIA changes</i>
8 (NEW)	'Copies of documents for members' [new sub-heading] Inserted new sub-rules 8(1)–(3) concerning requests by members for copies of certain documents and how the committee deals with those requests, including charging a fee. <i>Under RTRLAA and AIA changes</i>
(OLD 9 & 10)	Deleted former rule 9 ('Auditor') and rule 10 ('Audit of accounts'). Replaced with new rule 12 ('Review of accounts') in line with the AIA, Part 5, 'Record keeping and reporting', sections 70B, 74 and 75 <i>A consequence of the RTRLAA changes</i>
10 (consequential renumbering)	'Accounts of receipts, expenditure etc.' [formerly rule 7 in 2011 version] In 10(5), added words clarifying that inspection of books or documents relates to 'financial matters'; and cross-referenced to sub-rule 8(3) with regard to not contravening that sub-rule.
11 (consequential renumbering)	'Banking and finance' [formerly rule 8 in 2011 version]: In 11(3), added 'other record of transactions'. In 11(4), added 'electronic funds transfer'; deleted words 'but the committee may provide the Treasurer with a sum'. In 11(5), added 'electronic funds transfers'.
12 (NEW)	Inserted new rule: 'Review of Accounts' [replaces deleted rules 9 and 10] <i>Encapsulates the requirements for the financial reporting required of a small association under sections 70B, 74 and 75 of the AIA</i> <i>Under RTRLAA and AIA changes</i>
13 (consequential renumbering)	'Annual general meeting': In 13(5)(b) and (d), inserted 'reviewer' <i>Under RTRLAA and AIA changes</i>
19 (consequential renumbering)	'Determination of questions arising at a general meeting': In 19(1), amended wording to reflect current practice concerning the passing of resolutions.
24 (consequential renumbering)	'Officers of the Association and tenure of office': In 24(4), clarified a perceived confusion around tenure of president to more properly convey the intent of this sub-rule. Inserted new sub-rules 24(5)–(8) concerning officers exercising duty of care and exercising

	their duties for the good of the association <i>Under RTRLAA and AIA changes</i>
25 (consequential renumbering)	'Constitution of the committee': At 25(2), relocated existing rule concerning role of executive committee from it's formerly incorrect position at former rule 28(6) [version 2011].
27 (consequential renumbering)	'Vacation of office': At 27(d), replaced words 'resigns their office by writing under their hand addressed to the committee' with 'resigns by written notice to the Public Officer or Secretary' <i>Under RTRLAA and AIA changes</i>
29 (NEW)	'Disclosure of material personal interest' [replaces former rule 27 'Disclosures of interest in contracts etc.' in 2011 version.] <i>Under RTRLAA and AIA changes</i>
30 (consequential renumbering)	'Sub-committees' [rule 28 in 2011 version]: Deleted the words 'and executive' from heading.
34 (NEW)	'Conflict of interest' [new sub-heading]: Addresses situations where a conflict of interest arises between members of the Association and other organisations.
35 (NEW)	'Dispute resolution procedure' [new sub-heading]: Concerns how the Association deals with disputes between members, or between a member and the committee. <i>Under RTRLAA and AIA changes</i>
36 (consequential renumbering)	'Expulsion of members': In 36(1), added 'Honorary Life Member'. Inserted new sub-rules 36(a)–(e) concerning the conditions under which a member might be expelled.
(OLD 34)	'Seal of the Association': Former Rule 34 deleted in its entirety as a seal is no longer required. <i>Under RTRLAA and AIA changes</i>

Rule	Changed by special resolution 21 June 2011
22(1)	(a) President, the office of which shall not be held by the same person in excess of three consecutive years;

Rule	Changed by special resolution 9 June 2010
2(b)	Added words in bold: 'to conduct at least one annual endurance ride of no less than 80 km under the rules of the [AERA] unless prevented by extraordinary circumstances '.
3(1)(f)	Added words in bold: 'the printing and publishing of such newspapers, periodicals, books, leaflets, or other documents including in electronic format as the committee or the members in general meeting may think desirable for the promotion of the objects and purposes of the Association'
4(1)	Added new definition: 'Registrar-General's Office' means the ACT Government agency that is responsible for administering the <i>Associations Incorporation Act 1991</i> , notwithstanding that such agency might from time to time operate under a different name.'
4(2)	Added word in bold: 'In these rules, expressions referring to writing shall, unless the contrary intention appears, be construed as including references to electronic , printing, lithography, photocopy, and other modes of representing or reproducing words in a visible form'
5(5)(b)	Replaced struckthrough words with words in bold: 'Family: two seniors and any number of juniors, all of whom are genuinely part of the family. up to four people living at one address in a family situation, or as otherwise defined from time to time by the New South Wales Endurance Riders Association Inc. For this part, 'junior' means anyone under the age of 18 years.'
5(5)(c)	Added words in bold: 'In each of the above membership categories, only one yearly subscription is payable, and only one vote per adult in the case of family memberships is allowed. For this part, 'adult' means anyone 18 years of age or over. '
5(6)	Added words in bold: 'A member of the Association may, at any time, resign from the Association by delivering or sending electronically or by post to the Secretary a written notice of resignation.'
11(2)	Replaced struckthrough word with word in bold: 'The annual general meeting shall be held on such day (being not later than three five months after the close of the financial year of the Association) as the committee may determine.'
13	Replaced struckthrough words with words in bold: 'The secretary of the Association shall, at least twenty-one days before the date fixed for holding a general meeting of the Association, cause to be inserted in a newspaper published daily in the ACT an advertisement specifying the place, day and time for the meeting, and the nature of business to be transacted at the meeting including the annual general meeting, advertise the time, day and place of the meeting and the nature of business to be transacted at the meeting by inserting a notice in a newspaper published daily in the ACT and/or by electronic means and/or by an online medium '.
22(1)	Replaced struckthrough word with word in bold: 'The officers of the Association shall be: (a) President, the office of which shall not be held by the same person in excess of three five consecutive years'.

Rule	Changed by special resolution 9 June 2010
22(4)	Deleted this sub-rule. 'At each annual general meeting, a President Elect shall also be elected and shall, upon the conclusion of the annual general meeting next following their appointment, automatically become President for the succeeding year.'
23(1)(c)	Deleted this part. '(c) a newsletter editor.'
24(1)	Added words in bold: 'Nominations of candidates for election as officers of the Association or as ordinary committee members (a) shall be given orally or in writing including by electronic means to a member of the committee prior to the annual general meeting or shall be called for at the time of the annual general meeting; and (b) such nominations shall be deemed to be accepted upon the nominee consenting to their nomination provided there are no other nominations for that position.'
24(2)	Replaced struckthrough words with words in bold: (b) Members who wish to nominate themselves for election to a position the committee may do so before the annual general meeting and need not be present at the meeting to be elected to the position
24(3)	Replaced struckthrough words with words in bold: 'If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting the positions will remain vacant and the officers of the committee may from time to time, until the next occurring annual general meeting, appoint a sub-committee to carry out the duties of the positions not filled at the annual general meeting.
26(9)	Added words in bold: 'Notice of each committee meeting shall be served on each member of the committee, either personally at a reasonable time before the meeting, or by sending it by electronic means or by post in a prepaid letter addressed to the member at their usual or last known place of abode in time to reach them in due course of the post before the date of the meeting.'
28(2)	Added words in bold: 'The committee may co-opt as members of a sub-committee such persons as it thinks fit, whether or not those persons are members of the Association, and any person so co-opted is entitled to vote on matters of sub-committee business.'
28(5)	Added words in bold: 'Written notice of each sub-committee meeting shall be served on each member of the sub-committee by delivering it to them at a reasonable time before the meeting by electronic means or by sending it by post in a prepaid letter addressed to them at their usual or last-known place of abode in time to reach them in due course of post before the date of the meeting.'
31	Added words in bold: 'A notice may be served by or on behalf of the Association upon any member either personally or by electronic means or by sending it through the post in a prepaid letter addressed to the member at their usual or last known place of abode'
<i>Typographical and technical changes not affecting the substance of the rules</i>	
5(8)	Changed '(6)' to '(8)'
6(1)	Changed 'an' to 'and'
(6(3)(a)	Changed 'courses' to 'course'
21(2)(d)	Changed 'he or she resigns' to 'they resign'
23(4)	Changed 'they' to 'Public Officer'; and 'Registrar's Office' to 'Registrar-General's Office'
Schedule 1	Changed formatting only, for clarification.

Rule	Changed on instruction from Registrar-General's Office 31 July 2007
33 (1)	Changed 'two-thirds majority' to 'three-quarters majority'.

Rule	Changed by special resolution 13 June 2007
23 (1)	Changed sub-rule (1) from: The committee shall consist of (a) the officers of the Association; and (b) five ordinary members, all of whom shall be elected at the annual general meeting of the Association in each year, to fill the roles of Course Organiser, Base Camp Organiser, Publicity Officer, Sponsorship Officer and Newsletter Officer respectively; and (c) up to four other members to: The committee shall consist of (a) the officers of the Association; and (b) up to four ordinary members; and (c) a newsletter editor.

Rule	Changed by special resolution 19 June 2002
Title	Changed from 'Constitution' to 'Rules of Association'
5 (1)	Changed words to 'applies for'
5 (2)	Added rule: 'New members may be admitted to the Association with the approval of a

	committee member'
5 (3)	Changed words to 'The application' (b) changed words to 'applying', 'application form'
5 (4)	Changed words to 'an applicant', 'applicant' Text added, previous sub-rule 4 deleted and sub-rule number changed by special resolution 19 June 2002
5 (5)	(b) Added words 'For this part, "junior" means anyone under the age of 16 years' (c) Added sub-rule: 'In each of the above membership categories, only one yearly subscription is payable and only one vote per adult in the case of family memberships is allowed.'
8 (6)	Changed word from 'his' to 'their'
9 (2)	Changed words from 'he is' to 'they are'
10 (3)	Changed word from 'his' to 'their' (a) Changed 'he or she has' to 'they have' (b) Change 'his/her' to 'their' and 'him' to 'them' (c) Changed word 'relation' to 'relating'
10 (4)	Changed words 'public officer' to 'treasurer'
10 (5)	(b) Changed 'his/her' to 'their'
12 (3) & (4)	Added words 'with the Secretary'
13	Changed words from 'fourteen' to 'twenty-one'. Deleted some words and changed 'thereat' to 'at the meeting'
14 (3)	Changed words from 'thereat' to 'at the meeting'
15 (1)	Changed words from 'his' to 'their', and from 'chairman' to 'chairperson'
15 (2)	Changed words from 'chairman thereat' to 'chairperson at that meeting'
16 (1)	Changed word from 'chairman' to 'chairperson'
17 (1)	Certain words deleted and replaced with 'The chairperson will than make a declaration', and 'either', and 'An'
17 (2)	Sub-rule (2) added and certain words from previous rule 17 rearranged to be more meaningful
18 (1)	Changed words from 'a member' to 'each adult member'
18 (2)	Added facility for proxy voting
18 (3)	Added rule 3 concerning proxy voting
19 & 20	Changed 'chairman' to 'chairperson'
22 (1)	(d) Previous sub-rule changed from 'Course organiser' to 'Secretary'
22 (3) & (4)	Changed words from 'his' to 'their'
23 (1)	(b) Sub-rule changed to 'five ordinary members, all of whom shall be elected at the annual general meeting of the Association in each year, to fill the roles of Course Organiser, Base Camp Organiser, Publicity Officer, Sponsorship Officer and Newsletter Officer respectively' (c) Added sub-rule 'up to four other members'
24 (1)	(a) Changed words to 'called for at the time of the annual general meeting' (b) Added sub-rule 'such nominations shall be deemed to be accepted upon the nominee consenting to their nomination' (c) Added sub-rule '
24 (2)	Added sub-rule 'Members who wish to nominate themselves for election to a position may do so before the annual general meeting and need not be present at the meeting to be elected to the position'
25	(a) Changed word 'relation' to 'relating' (b) Changed 'his or her' to 'their' (g) Changed 'he has' to 'they have'
26 (6)	Changed word 'his' to 'their'
27 (2)	Changed 'he becomes' to 'they become'
27 (3)	Changed 'he or she is' to 'they are'
28 (4)	Changed 'public officer' to 'person chairing a sub-committee'
29 (1)	Changed 'pursuant' to 'according'; and 'prescribed' to 'determined'
29 (2)	Added words 'of the Association...special'
33 (3) & (4)	Changed 'Corporate Affairs Commission' to 'Registrar-General's Office'
Rule	Changed by special resolution 30 June 1999
30	Amended dates for financial year