

1. The name of the club shall be:

SOUTH AUSTRALIAN HARNESS RACING PONY ASSOCIATION INC.

2. The objects for which this club is formed are:
 - a) To encourage the use of ponies “in harness”.
 - b) To encourage children to learn to understand, use and effectively control ponies “in harness”.
 - c) To do all such things and acts conducive to the furtherance of the objects and interests of the “Club”.

3. MEMBERSHIP

Any person interested in the use of ponies in harness is eligible to apply for membership.

4. Any person desirous of becoming a member of the Club must apply in writing, on the official form provided by the Club and all particulars therein must be properly complete. Each application shall be dealt with at the first meeting of the committee, after receipt of the application by the Secretary. The committee, may at its discretion either approve or refuse the application, and, in the latter case, without giving any reason for such refusal.

The Club shall consist of:

5. a) Owner members having ponies 13hh and under (including people having ponies under lease, with either a written or verbal agreement). No stallions or Standardbred types.
- b) Driver members – Children 6 years to 16 years of age. Drivers turning 17 years of age from 1st September a driver is eligible to compete to the end of the season.
The above is void should any driver obtain their Harness Racing ‘C’ Class Drivers Licence within a season. Their pony licence will be cancelled effective immediately.

c) LIFE MEMBERS, shall be an adult person of either sex.

To be eligible for life membership a person must have been a member of the club for at least five years.

The committee may elect such life members at they think fit.

Such elections shall take place at a committee meeting which a majority of the committee are present.

6. No person over 18 years of age may join the club in the period of 30 days prior to AGM each year. All new members must be members for 12 months before they can stand for Committee or be eligible to vote.
7. The annual membership fee shall be determined at the last meeting prior to the AGM each year.
8. Any member may resign from the club and such resignation must be in writing and forwarded to the club secretary.
9. Upon any person ceasing to be a member of the club for any reason whatsoever, shall not be entitled to the return of any portion of their membership.
10. Any member who has not paid his or her subscription by the 31st day of October shall cease to be entitled to privileges of the club and shall be liable to have his or her name removed from the membership roll of the club.
11.
 - a) The committee may expel from the club or otherwise punish or penalise any member whose conduct, in the opinion of the committee, is discreditable or injurious to the character or interests of the club.
 - b) Before any member is expelled or penalized their conduct shall be enquire into be the committee. The member shall be given the opportunity to defend themselves or explain their conduct, provided that the majority of the committee is present and the opinion that the member has been guilty then the committee may expel, suspend or penalize them. If the member wishes to appeal then the matter will be referred to the Chairman of Stewards of HRSA.

- c) Should any member fail to appear at any enquiry conducted under Clause 11 (b) here of or any adjournment there of the committee may proceed in that members absence to conduct the said enquiry and make its findings as here in before empowered.
- d) Any person expelled from membership or otherwise punished or penalised in terms of Rules 11 (a, b and c) has the right of appeal to an independent appeals committee nominated by the committee of The South Australian Harness Racing Club Inc. in consultation with the committee of The South Australian Harness Racing Pony Association Inc.

GENERAL MEETINGS:

- 12. The Annual General Meeting of the members shall be held in the month of August in each year, and members shall be given notice in writing at least fourteen days before such meeting.
- 13. The annual report and audited balance sheet or financial statement shall be submitted to members at the Annual General Meeting.
- 14. The Annual General Meeting may make by-laws necessary for proper administration of the club. Any by-laws so made shall not be repealed, added to or amended unless and until:
 - a) Notice of intention to propose such repeal, addition or amendment is first given in writing by a member of the club to the Secretary of the club no later than 30 days prior to the date of such Annual General Meeting and included in the agenda for such meeting.
 - b) Such repeal, addition is proposed at such Annual General Meeting and is approved by not less than two-thirds of the members of the club present at such meeting and voting there on.
- 15. The Election of committee for the ending twelve months shall take place at the Annual General Meeting together with any other business mentioned in the notice paper convening before such meeting.

- a) At each Annual General Meeting of the club 5 of the 9 members of the Committee for the preceding 12 months shall retire from office and each alternate year 4 Committee members shall retire from office.
 - b) A retiring member of the Committee shall be eligible for re-election.
16. A special meeting of members shall be called at the request of the President or the Secretary or any five members of the committee or at the written request of fifteen financial members of the club eligible to vote. Such meeting shall be held within 30 days of such request and all members shall be notified in writing not less than 10 days before such meeting.
17. The President of the club shall be the chairman at all general meetings. Should he not be present then the vice-president shall be elected to the chair, and if there be no vice-president present then the committee members shall elect a committee member to take the chair.
18. a) At all meetings the chairman's decision on points of order shall be final.
- b) The chairman shall have a casting vote in addition to deliberate vote.
19. The quorum for a general meeting shall be ten members present.
20. If at any general meeting there be no quorum within 30 minutes of the time appointed for the meeting then the meeting shall lapse unless a majority of the members present decide to adjourn the meeting for a period not exceeding 14 days. If there be no quorum within 30 minutes after the time appointed for such adjourned meeting then the meeting shall lapse all together.
21. Only members present in person shall be entitled to vote.
- a) All financial members holding a membership for more than 12 months are able to nominate themselves for Committee via writing, however, the vote must be moved and seconded by current or life member and forwarded to the Club Secretary no later than 14 days prior to such date of the Annual General Meeting and included in the agenda for such meeting.

VOTING:

22. At all meeting, except for the election of officers, voting shall be by show of hands unless a ballot is requested by at least 5 members eligible to vote. In the event of voting at annual or extraordinary meetings being equal the chairman of the meeting shall have a second or casting vote. No member under the age of 18 years shall be entitled to vote at any meeting of the club.

COMMITTEE:

23. a) The Association shall have powers conferred by Section 25 of the Association Incorporation Act 1985.
- b) The business and affairs of the club shall be under the management and control of a committee, provided however, that except in the case of extreme urgency the committee shall not take any action contrary to decisions made at a general meeting.
- c) The committee may, subject to the decisions made at general meetings, exercise all the powers of the club and do all acts and things as may be done by the club or which it considers necessary or expedient to carry out the objects of the club.
24. The committee shall consist of:
- a) The President, a vice-president, a secretary, a treasurer (hereinafter called the office bearers) and
- b) Five members of the club, elected at the Annual General Meeting or otherwise provided here in.
25. All members of the committee must be financial members of the club unless they are Life Members.
26. Should any vacancy occur, in the committee or office bearers of the club other than in the normal course of elections, the committee shall fill, such vacancy from the financial members of the club and such member duly elected shall hold office for the unexpired portion of the predecessor's term.

27. The committee shall meet as often as may be required to conduct the business of the club. The president or the secretary or five members of the committee shall have the power to call a meeting of the committee. The president of the club shall take the chair at all committee meetings. Should the president not be present then a vice-president shall be elected to the chair and if there be no vice-president present the committee shall elect one of its members to take the chair.
28. a) All notices of committee meetings shall be in writing and posted to members of the committee at least 7 days before the date of such meeting.
- b) The accidental omission to give to any member, or the non-receipt by any member of any notice required by this constitution, shall not invalidate or affect any proceedings at such meeting.
29. a) The committee shall have the power to delegate any of its powers to a subcommittee to deal with any particular matter or matters and upon such terms as the committee may think fit.
- b) All acts or decisions done or made by any meeting of the committee or any member thereof shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of such member or all or any members of the committee be as valid and effective as if they had all been properly appointed, unless it is proved that the appointment was made in fraud or bad faith.
30. The quorum for committee meetings shall be five members present in person.

ELECTION OF OFFICE BEARERS:

- 31.
- a) Should there be more nominations than there are vacancies, a secret ballot, by the simple majority method, shall be taken to decide who shall take office.
- b) Should there be an equal number of nominations and vacancies, the chairman shall declare all nominees duly elected.

- c) Should there be a lesser number of nominations than there are vacancies or vacancy, the committee shall have the power to fill such vacancies or vacancy, at its next meeting.
- d) Nominations shall be received verbally at the Annual General Meeting at which such election is to take place.
- e) In the event of any vacancies occurring in any office, through any cause whatsoever, between Annual General Meetings, such vacancies may be filled by the committee.
- f) All office bearers will be elected by committee from who the members elected at AGM.

DUTIES:

- 32. a) The Secretary shall carry out their duties under the direction of the committee and keep a true record of all minutes of all meetings, attend to correspondence, issue notices for meetings, keep records and carry out such duties as the committee may from time to time direct.
 - b) The Treasurer shall receive all monies payable to the club and give receipts for same. All monies so received shall be paid into the banking account of the club. The Treasurer shall present at each general meeting a balance of the finances of the club and shall keep proper books of account of all monies received and disbursed and a complete and accurate register of financial members and generally perform all such duties as directed by the committee from time to time.
33. **FINANCE:** The financial year shall end on the 30th June each year.
34. No monies shall be drawn from the clubs account unless a cheque has been signed by the bank signatories authorised by the Committee or by Electronic Funds Transfer with 2 persons present chosen by the Committee. The persons must not be immediate or extended family members or in the case of urgency, by the President and Secretary.
35. NON PROFIT:

“The income and property of the association shall be applied solely towards the promotion of the objects of the association. No portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the association, provided that nothing shall prevent the payment in good faith of remuneration to any person other than a member, in return for services rendered to the association.

36. RULES:

The appended rules shall govern the conduct of fixtures held on venues under the control of the

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37. These rules may be varied by the committee at properly convened meetings.

38. ALTERATION TO CONSITIUTION:

No alteration, addition, or amendment shall be made to this constitution except at an Annual General Meeting or an extraordinary meeting convened for that purpose, and then only by a majority of two thirds of the votes of members present at the meeting. A copy of any proposed alteration, addition, or amendment shall be included on the notice paper calling the meeting at which the meeting the alteration, addition or amendment is to be discussed.

39. COMMON SEAL:

“The common seal of the association engraved with the name of the association shall be kept in the care of the president. The seal shall not be used or affixed to any deed or other document except pursuant to a resolution of the committee and in the presence of the president and two members of the committee both of whom shall subscribe their names as witnesses”.

40. DISSOLUTION:

“The association may be dissolved or wound up by a resolution at any General Meeting or at a special general meeting called for such

purpose. If upon the dissolution or winding up of the association there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to, transferred or distributed amongst the members of the association. It shall be given to some other association, institution or body having objects similar wholly or in part to the objects of the association, provided that the association, institution or body shall prohibit the distribution of its income and property among its members, or it shall be paid to or transferred to some charitable object, which association, institution, body or object shall be determined by the members of the association at or before the time of dissolution or winding up. In default of any such resolution such payment, transfer or distribution shall be determined by a Judge of the District Court”.