

# Quarter Pony Association Australia Inc

## CONSTITUTION

**EFFECTIVE: 12 August 2023**

### 1. **INTERPRETATION**

- a) In these rules –  
Act means the Associations Incorporation Act 1981
- b) A word or expression that is not defined in these rules, but is defined in the act has, if context permits, the meaning given by the act.

### 2. **NAME**

Quarter Pony Association Australia Inc.

### 3. **OBJECTIVES**

- a) To unite people interested in the Australian Quarter Pony.
- b) To promote and encourage participation in a variety of equestrian activities.
- c) To provide a supportive, enjoyable, and safe environment for members.

### 4. **DEFINITIONS**

- a) QPAA abbreviation may be used for the Quarter Pony Association Australia Inc.
- b) "The Committee" is the Committee of the Quarter Pony Association Australia Inc
- c) "Committee person" is a member of the Committee.
- d) "Member" means a current financial member of the QPAA whose subscription is not in arrears for more than one (1) month.
- e) "Person" is an animate person.
- f) "Secretary" – the Secretary is appointed by the QPAA and includes Acting Secretary or other person for the time being appointed by the Society to exercise its secretarial functions.
- g) "Constitution" is the constitution herein set out as from time to time amended pursuant to the provisions herein after contained.
- h) "Writing" includes printing, typing, or any like means of communications. Where the context reasonably permits, singular number includes the plural and vice versa. Words implying masculine gender includes the feminine gender wherever the context reasonably permits.

### 5. **POWERS:**

- a) The QPAA has, in the exercise of its affairs, all the powers of an individual.
- b) The QPAA may, for example: -
  1. Enter into contracts,
  2. Acquire, hold, deal with and dispose of property, and
  3. Make charges for services and facilities it supplies, and
  4. Do other things necessary or convenient to be done in carrying out its affairs.

### 6. **MEMBERSHIP**

The minimum number of members shall be 7 eligible voting members.

Membership shall be divided into the following classes:

- a) "Adult Members" (being persons 18 years of age and over who have paid the subscription herein after specified (or specified from time to time) each full member shall have one (1) vote.
- b) "Family Membership" (being a family that consists of 2 Adults and their children up to and including seventeen (17) years of age who have paid the subscription herein after specified

or specified from time to time) Adult family Members (maximum 2 Adults) shall have one (1) vote each.

- c) "Junior Members" (being persons aged five (5) and up to and including the age of seventeen (17) years who have paid the subscription hereinafter specified or specified from time to time). Junior Members shall be eligible to attend and speak at meetings but shall not be entitled to vote.
- d) "Associate Members" (being Adult persons who have paid the subscription hereinafter specified or specified from time to time. Each Associate member shall be permitted to speak at a meeting but has no voting rights.
- e) "Amateur Owner" - Youth attaining 18 years of age and adults who have not been 'professional' for no less than 3 years. \*Professional refers to a person who receives either Sponsorship or remuneration, either directly or indirectly for breaking, training, schooling, Driving, halter and show preparation, showing or competing in halter or under saddle at any event, conducting clinics, seminars or giving instruction any person in showing, competition, training or riding. Prize money received at a show or event is not considered remuneration. To apply for Amateur Owner, you must hold an Adult membership.
- f) Any interested person or persons shall be entitled to apply for QPAA membership.
- g) Every applicant for membership shall submit an application form which shall contain the full name, address and in the case of Junior members, date of birth of the applicant and any further or other information which the Committee may from time to time require, together with the appropriate fee.
- h) Every application for membership shall be submitted to the Committee within 3 weeks of the date of its receipt by the President or Secretary and the Committee shall proceed with the approval or rejection of the applicant.
- i) An applicant shall become a member if so approved by the majority of the Committee present and voting shall be by secret ballot if so desired by any member of the Committee.

#### **HONORARY LIFE MEMBERS**

Any two (2) members may nominate an Adult member for Life Membership of the QPAA Inc in writing to the Secretary. Any such nomination will be voted upon at the following Annual General Meeting. The members shall not award any more than two (2) candidates per year, in recognition of 10 years of active service rendered, and any such person so elected shall have all rights and privileges of a member of the QPAA Inc, being exempt from payment of any portion of the annual subscription.

#### **MULTIPLE OWNERSHIP:**

- a) Registration applications made in the name of a partnership – all partners must be members of the Assn. The application must be accompanied by a letter of authority signed by all partners granting permission for one person to act as 'nominee' on behalf of the partnership.
- b) Registration applications made in the name of a corporation – the application must be accompanied by a letter of authority nominating an agent to act on behalf of the corporation.
- c) Family membership – any financial family member may submit a registration application in his or her name; applications submitted by members under the age of 18 must include the signature of one financial parent or guardian.

#### **7. ADMISSIONS AND REJECTION OF MEMBERS:**

- a) Upon the acceptance or rejection of any application for any class of membership, the Assn. shall forthwith give the applicant notice in writing of such acceptance or rejection.
- b) No reason need be given for the rejection of an application.
- c) Upon any rejection the Assn. will ensure fees paid by the unsuccessful applicant shall be refunded within 14 days of the meeting.
- d) There is no set maximum number of members permitted to join the association.

8. **SUBSCRIPTIONS**

All subscriptions payable by members shall be determined by a resolution passed at the Annual General Meeting of members or a Special General Meeting.

9. **PAYMENT OF SUBSCRIPTIONS**

- a) All annual subscriptions shall be payable prior to or no later than the first (1st) day of August in each year.
- b) A member whose subscription is not financial may not vote at any meeting.
- c) Any member whose subscription is unpaid on the first (1st) day of September annually shall be classed as non-financial. Non-financial members may not exhibit their registered livestock in Quarter Pony classes or events or participate in the awards program until their subscription has been paid.
- d) The Assn. may notify members whose subscription is unpaid on the first (1st) day of September and may inform said member of the provisions of subparagraph c) of this paragraph.

10. **TERMINATION OF MEMBERSHIP**

A Member shall cease to be a member:

- a) If he shall resign by notice in writing addressed to the Secretary and if he shall not owe any money to the QPAA.
- b) If he shall pass away.
- c) If he is unable or refuses to pay his debts with the QPAA.
- d) If he shall be called upon to resign his membership by the Committee pursuant to the Constitution and Regulations.
- e) If he shall not have paid his subscription on or before the first (1st) day of September and the Committee resolve that he be no longer a member of the QPAA.
- f) If pursuant to a resolution passed by most of the number of votes carried by the members present and voting at a meeting of the Committee, he be requested in writing to resign and if he shall not have resigned at or before the expiration of thirty (30) days from the delivery or posting of such request.
- g) If the Committee at any time becomes aware of any act or conduct of a member, which may appear to be prejudicial to the interests of the QPAA or be calculated to bring discredit on the QPAA, the Committee may by notice in writing, sent out by Registered Post, addressed at his address recorded in the Register of Members, requiring such member to attend a meeting of the Committee to be held not less than fourteen (14) days after the posting of such notice and calling upon him to give to the Committee an explanation of the alleged act or conduct.
- h) The Executive Committee may then if not satisfied with the explanation so given deal with the member by way of reprimand, fine or suspension from membership for any term; or expulsion as the Executive Committee may determine.
- i) A person who ceases to be a member shall be deemed to have forfeited all rights and privileges of the QPAA.

11. **PRIVELGES OF MEMBERSHIP**

Subject to the restrictions and limitations prescribed by or pursuant to the Constitution and Regulations the privileges of a financial member shall hold:

- a) The right to attend and vote at the Annual General Meeting and all General Meetings of the Assn.
- b) The right unless otherwise decided by the Committee to receive a copy of any newsletter produced for members.
- c) The rights of a member are not transferable and end when membership ceases.

12. **OFFICE BEARERS**

- a) The Office Bearers shall comprise of President, Secretary, Treasurer, Vice President, Registrar (hereinafter called the Executive Committee) Awards Manager, Social Media/

website manager, fundraising manager and any other committee members will be referred to as Ordinary Committee.

- b) Members of the Executive Committee must be 18 years of age or older.
- c) The term of office for the Executive Committee shall be one year.
- d) The Executive Committee shall be elected at the Annual General Meeting in the manner hereinafter provided.
- e) The Executive Committee who retires shall be eligible for re-election.

### 13. **COMMITTEE**

The affairs of the QPAA shall be managed by the Committee.

- a) The Committee shall consist of:
  - i. The Officer Bearers (Executive Committee – the Executive committee must always have at least President, Secretary and Treasurer)
  - ii. If possible, at least three (3) Ordinary Committee Members including a Newsletter manager, Fundraising manager and up to a maximum of ten (10) members (not including any subcommittees) wishing to act on the committee (hereinafter called the Ordinary Committee Members)
  - iii. A member of the Executive Committee may hold a position on the Ordinary Committee but is not entitled to a second vote.
- b) The Office Bearers (Executive Committee) and the Ordinary Committee Members shall be hereinafter referred to collectively as the “Members of the Committee”.
- c) The term of office for an Ordinary Committee Member shall be one (1) year, commencing from the Annual General Meeting provided the original Ordinary Committee Members shall be elected at the first General Meeting of the Society by the Members present at the meeting.
- d) An Ordinary Committee Member or Executive Committee Member who resigns shall be eligible for election to the Committee/Executive Committee for the following year.
- e) The Secretary shall call a meeting (including the AGM) at least once every six (6) months or whenever requested to do so by the President, or by any three (3) members of the Committee.
- f) Notice of all meetings of the shall be given to all members, members of the Committee will be given notice of a Committee Meeting. Notice shall be given in writing (either by email or social media) at least seven (7) days before the meeting. The Secretary may give notice of a meeting verbally by phone or other electronic means if requested to do so by the President of the Society.
- g) The quorum necessary for a meeting of the Committee shall be three (3) members plus one (1)
- h) At all meetings of the Committee each member shall be entitled to one (1) vote and in the case of an equality voting, the President shall have the casting vote.
- i) No Committee member shall approach a member on any matter concerning papers, disciplinary or otherwise without the attendance of another Committee member as a witness. All conversations with members will be of a constructive nature, especially with junior members. Any disagreements are to be solved away from the immediate vicinity of venue; disagreements needing resolve must be sent to the QPAA in writing to be paneled at a meeting. No Committee member is to approach a member in an intimidating manner; or be rude or critical. Should a committee member repeatedly approach members in a derogatory or defamatory manner, then it is to be the decision of the Committee to vote that member not suitable to represent the QPAA as a Committee Member.
- j) Any Committee member who willingly supplies false or misleading information to members or solicits funds from potential sponsors without the authority and approval from the Committee may be voted out of their position by the Committee and/or other disciplinary action taken. No member shall physically or verbally harass, intimidate, threaten, defame, or cause harm to any member of the QPAA at any time.

- k) Any Officer Bearer, being Executive Committee and or Ordinary Committee member that is found not to be adhering to the Constitution and Regulations and have used their position on the committee in an incorrect manner, will be summonsed in writing, sent by registered post, to attend a special meeting of the QPAA to give the Committee an explanation of the alleged act or conduct. If found to be guilty of the offence the said member shall be removed from their position on the Committee and not be eligible to re-stand the following year. If in such case that the alleged offence in question applies to an Executive Committee member, that member will not be eligible to re-stand for an Executive position in future years. Depending on the severity of the alleged offence the member may be suspended for a period of no less than twelve (12) months and no more than three (3) years, unless termination of membership (see regulation 9) is applicable.

14. **RESIGNATION**

A Member of the Committee may resign his office by giving written notice to the Secretary or President.

15. **LOSS OF OFFICE BY CONTINUED ABSENCE**

Any member of the Committee who is absent for two (2) consecutive meetings without leave of absence obtained from the President shall automatically cease to be a member of the Committee.

16. **CASUAL VACANCIES**

Any casual vacancy on the Committee shall be filled by the Committee and any member so chosen shall retire at the following Annual General Meeting but shall be eligible as a candidate for the election to the Committee at such Annual General Meeting.

17. **NOMINATIONS FOR ELECTION AND RE-ELECTION AT EACH ANNUAL GENERAL MEETING**

- a) A candidate for election as an Executive Committee member must be an active current financial member of the QPAA for at least six (6) months prior to nomination. Nominations for election shall be called for by the Secretary at least one month prior to the Annual General Meeting. Nominations must be lodged with the Secretary in writing at least two (2) weeks before the Annual General Meeting. If no written nominations are received by the Secretary as aforesaid; nominations for election shall be called by the Returns Officer at the Annual General Meeting in the following order:
- iv. President
  - v. Secretary
  - vi. Treasurer
- b. A candidate who has had a suspension imposed by the QPAA for a period of twelve (12) months or more will not be eligible for a position on the Committee for a period of two (2) years. Nominations for election as an Ordinary Committee Member shall be lodged with the Secretary in writing at least two (2) weeks before the Annual General Meeting. If no written nominations are received by the Secretary as aforesaid, nominations for election as an Ordinary Committee Member shall be called for by the Secretary at the Annual General Meeting.
- c. The Office Bearers and if possible, at least three (3) Ordinary Committee Members who are to be elected at the Annual General Meeting shall be elected by Full Adult Members at the Annual General Meeting.
- 1) No more than two members of a family, including extended family may serve on the Executive Committee at any time.
- d. If more than one person is nominated, a vote by secret ballot shall be taken to fill each Executive Committee position in the following order.
- i. President
  - ii. Secretary
  - iii. Treasurer
  - iiii. Registrar
  - iiiii. Vice President



- e) If more than one person is nominated, a vote by secret ballot shall be taken to fill each Ordinary Committee position in the following order
  - i. Website/ Social media Manager
  - ii. Fundraising Manager
  - iii. Any other member who wishes to serve on the committee

In the case of insufficient nominations to fill Ordinary Committee positions the Executive Committee shall appoint a person or persons from the Executive Committee members to oversee the unfilled positions
- f) Procedure for ballot votes for members attending:
  - 1) The Chairperson (President or person chairing the Annual General Meeting if President not available) must appoint a member to act as returning officer to conduct the ballot.
  - 2) The returning officer must not be a member nominated for a position on the Executive Committee
  - 3) The returning officer must hand out blank paper to each person eligible to vote and collect once completed. In the case of a member holding proxy votes for another member the returning officer will supply a blank piece of paper for each proxy vote appointed to that member.
  - 4) Postal/Electronic proxy votes for each position, if received by the Society in accordance with Rule 33 shall be received by the returning officer for inclusion in the ballot vote count.
  - 5) The returning officer, upon counting the ballot papers must declare the elected candidate, or in the case of more than one candidate, the candidate who received the most votes.
- g. The successful candidates shall take office as at the close of the meeting at which they are elected. When handover of large office and society equipment is not practicable at time of close of meeting arrangement for handover must be conducted immediately following close of meeting, no item is to be retained by the retiring committee member longer than a term of 2 weeks (14 days)
- h. If there are no nominations for election the Members of the Committee in office shall continue as if re-elected at the Annual General Meeting and this fact shall be entered in the Minute Book.
- i. A candidate nominating for election as an Office Bearer, being the President, Vice President, Secretary, Treasurer and Registrar or nominating for election on the Ordinary Committee will not be eligible for nomination for any position if found to have breached the Constitution and Regulations in any way aforesaid.
- j. Ballot Votes: will be made available to members who cannot attend each AGM. The Secretary shall ensure Postal/Electronic ballot vote forms shall be available with all relevant information required.
- k. Voting at an AGM – votes will only be accepted from members who have been current financial members for a minimum of 3 months.

## 18. **FUNCTIONS OF THE MANAGEMENT COMMITTEE**

- 1) Subject to these rules or a resolution of the members of the QPAA carried at a general meeting, the management committee has the general control and management of the administration of the affairs, property, and funds of the QPAA.
- 2) The management committee has authority to interpret the meaning of these rules and any matter relating to the QPAA on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.
- 3) The management committee may exercise the following powers—
  - a) to borrow, raise or secure the payment of amounts in a way the members decide upon; and
  - b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee, or other engagement incurred or to be entered into in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the QPAA property, both present and future; and
  - c) to purchase, redeem or pay off any securities issued; and
  - d) to borrow amounts from members and pay interest on the amounts borrowed; and

- e) to mortgage or charge the whole or part of its property; and
  - f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the QPAA and
  - g) to provide and pay off any securities issued; and
  - h) to invest in a way the members may from time to time decide.
- 4) For subrule (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by—
- a) the financial institution for the QPAA; or
  - b) if there is more than 1 financial institution—the financial institution nominated

19. **DUTIES OF THE PRESIDENT**

The President is the spokesperson for the Society and shall preside as Chairperson at all general meetings and meetings of the Committee and shall be ex officio as member of any and every other standing or temporary Committee appointed. As Chairperson of all meetings the President shall control order and may dismiss any person disturbing meetings. As chairperson, the President is responsible for the maintenance of order, for the conduct of business, the correctness of procedure and the control and tone of the meeting. The President must sight and sign the reconciled books of account, including any bank statements, at each meeting and (as Chairman) must sign the Minutes of each meeting, certifying their accuracy. The President plays a pivotal role in the conduct of the affairs of the QPAA and is responsible for coordinating and supervising the activities of other Office Bearers and any Sub Committees. The President bears the final responsibility for the conduct of the business of the QPAA. All other Office Bearers must consult the President in the course of conducting QPAA affairs and ensure that the President is fully advised on all matters which come to their notice. The President must take a leadership role, enforce the rules and regulations, and be prepared to be assertive should the need arise. The President should take all reasonable actions to keep harmony among members. The President is the head of the QPAA, the representative on all public occasions and the host at social functions. The President should lead by example, being courteous and efficient, assisting with activities wherever possible. The President must welcome new members, encourage involvement and new ideas from members and engender a sense of usefulness and belonging in all members. Members should have access to the President at suitable times and should feel free to discuss all issues.

20. **DUTIES OF THE VICE PRESIDENT**

The Vice President shall generally assist the President and in the event of death, absence, incapacity or refusal to act of the President, the Vice President shall perform all the duties of the President and shall have the same rights, duties and privileges as though he were the President.

21. **DUTIES OF THE SECRETARY**

The Secretary is the next “key appointment” after the President. As with the President, the Secretary must deal with all members without bias and is responsible for maintaining all records of the QPAA except for the financial Books of Account, which are held by the Treasurer. The Secretary shall be General Administrative and Clerical Officer of the Society and in the absence, disability, inability or refusal to act of the President, the Secretary shall perform the duties and have the same rights, power and privileges as possessed by the President. Subject to the direction and control of the Committee, the Secretary shall conduct the correspondence of the Society, shall have the custody of all records and documents belonging to the Society and shall keep full and correct minutes of all proceedings and records of all meetings and events of the Society. Minute books are to be maintained by the Secretary. The “Master “Minute book should be a bound book into which Minutes of meetings are written or typed pages glued.

Minutes are to be signed by the chairman of the meeting. No alterations may be made unless agreed at a subsequent meeting, in which case the incorrect words are ruled through and the correct words inserted in writing. Meeting Agendas are prepared by the Secretary in consultation with the President. A list of items to be included in the Agenda of a General Meeting is to be sent to all members by the Secretary.

A copy of this Constitution is to be held by the Secretary and is to be available at all meetings. No amendment may be made to the Constitution without prior approval.

The Secretary shall at any time upon the written request of the President, Member of the Committee or Member of the Society make available to the President, Member of the Committee or Member of the Society all records, minutes and documents belonging to the Society for inspection.

22. **DUTIES OF THE TREASURER**

The Treasurer (or in the case of the Secretary also acting as Treasurer) shall have possession and custody of all moneys and securities and shall keep or cause to be kept a full and sufficient account of all the receipts and payments of the QPAA, in the books belonging to it and shall cause all moneys and other assets to be deposited in the name of and to the credit of the QPAA. The Treasurer shall render to the President and Committee at each of the Meetings of the QPAA or the Committee or whenever required by the President of the Committee, a written detailed account of financial transactions from the date of the last statement. The Treasurer shall not be responsible for any securities or money, the custody or care of which has been committed by the Committee to any other person, firm or company. All contracts, agreements and other writings binding the QPAA shall be signed by either two: President and or Secretary and or Treasurer.

23. **FUNDS and ACCOUNTS**

- 1) All funds must be kept in an account in the name of the QPAA in a financial institution decided by the management committee.
- 2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the QPAA.
- 3) All amounts received must be deposited in the financial institution account. The Treasurer shall ensure that all cheques or cash shall be banked within 14 days and all moneys to be paid out of the funds shall be paid by online banking or in a manner agreed upon by both parties.
- 4) Any payment by the society must be made by electronic funds transfer or in a manner agreed upon by both parties.
- 5) Expenditure must be approved or ratified by the committee.
- 6) The income and property of the association must be used solely in promoting the societies objects and exercising the society's powers.

24. **OFFICE AND BOOKS OF ACCOUNTS**

The Office of the QPAA shall be at such a place or places as the Committee shall decide and all the books of accounts and records shall be kept at such office.

25. **GENERAL MEETINGS and AGM**

- a) An **Annual General Meeting** shall be held once in every calendar year, such time (be held within four months after the end of the Association's Financial Year), and place as may be determined by the committee.
- b) All other General Meetings shall be called General Meetings, Special General meetings or Committee Meetings.
- c) A Special General Meeting may be called at any time by the Secretary on the direction of the President and shall be called as soon as convenient, but no business shall be transacted at any such meeting other than that for which it has been called.



- d) Seven (7) days' notice at the least (exclusive of the day of which the notice is served or deemed to be served but exclusive of the day for which notice is given) specifying the place, the day and the hour of meeting and in case of special business the general nature of that business shall be given in manner hereinafter mentioned, or in such other manner if any as may be prescribed in General Meetings to such members as are entitled to receive such notices.
- e) At any General or Special Meetings of the Society each current financial adult member of the Society shall be entitled to one (1) vote.  
At any Annual General Meeting or Special Meeting of the Society, three (3) of the Members of the Society present in person plus one (1) and entitled to vote shall constitute a quorum.
- f) If within thirty (30) minutes or such time as is determined by the Chairman from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned and if at the adjourned meeting a quorum is not present within thirty (30) minutes from the time appointed for the meeting, the members present shall be considered a quorum.
- g) The President, if present, shall preside as Chairman at every General Meeting or Special General Meeting.
- h) At any General Meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on a declaration of the result of the show of hands) demanded by at least five (5) delegates present in person and entitled to vote and unless a poll is so demanded, a declaration by the Chairman that a resolution has on a show of hands been carried unanimously or by a particular majority or lost and an entry to that effect in the book of proceedings of the Society shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favor of or against that resolution.
- i) If a poll is duly demanded it shall be taken in such manner as the Chairman directs and unless the meeting is adjourned, the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded. The admissibility of any vote to be determined by the Chairman.
- j) In the case of any equality of votes whether on a show of hands or on a poll, the Chairman of the meeting at which the show of hands takes place or at which the poll is demanded shall be entitled to a second or casting vote.
- k) A poll demanded on any other question shall be taken such time the Chairman of the meeting directs.
- l) On all occasions when a poll is demanded and taken, the Secretary or such person the meeting appoints shall act as sole scrutineer.
- m) At all General and Special Meetings of the Society, the Chairman of the meeting shall have a primary and casting vote.
- n) Upon membership approval any new member shall be entitled to vote at the next following meeting.

26. **DISPUTES**

Any disputes between members must be referred in writing by either disputant to the QPAA committee. Should either disputant feel they will not get a fair hearing they have the option to contact either the President or the Secretary. A Disputes Committee of three (3) which may include the President, shall be appointed and whose decision thereon subject to these rules shall finally settle the matter. The complainant shall with his complaint deposit any prescribed fee with the Secretary or Treasurer and if the Committee consider the complaint to be frivolous, they may order the amount to be forfeited to the funds of the QPAA.

27. **FINANCIAL YEAR AUDIT**

The Financial Year of the QPAA shall be from the first (1st) day of August to the last day (final) day of July in each year and annual membership fees shall become due on the first (1st) day of August and be payable by the last (final) day of July in each year. Members not financial by this date may not be eligible to vote, exhibit their registered livestock or accumulate competition points until

membership fees are paid. Points received during the un-financial period will not accepted by the Society.

Prior to each Annual General Meeting of the QPAA, the Committee shall appoint a competent auditor to examine and audit all the books, records and accounts of the QPAA. The written report of such Auditor shall be produced at the Annual General Meeting and if deemed necessary at a Special General Meeting. Any auditor so appointed may be paid such amount by way of honorarium for his services rendered to the QPAA as shall from time to time be agreed by the Committee.

## 28. OPERATIONS OF WEBSITE, FACE BOOK AND E-MAIL ACCOUNT

### **E-MAIL:**

- a) The e-mail account is to be maintained by the President and Secretary.
- b) Incoming and outgoing e-mail from the e-mail account is required to be printed off by the Secretary and tabled at every committee meeting as correspondence In and Out.
- c) The e-mail account of the QPAA is not for personal use and only for use for the QPAA.
- d) The password for the e-mail account is confidential and only the current President and Secretary, and if nominated a Website Coordinator, can have access to the e-mail account and password.
- e) The password for the e-mail account is to be changed after every Annual General Meeting by the President, Secretary or Website Coordinator and all said persons are to have a copy of the new password.

### **WEBSITE:**

A website will be maintained for the QPAA and will be available for: Members and non-members to gain public information about the Society via the World Wide Web (internet).

- l. The website is to be maintained by the President, Secretary and if nominated, a Website Co-Ordinator of the QPAA.
- m. The website is to be used to promote the QPAA for new and current members. It should not be used as personal promotion.
- n. Notices for the website need to be approved by the Committee at a meeting.
- o. The website of the QPAA is not to have a guest book as people may abuse it by putting such things as slanderous comments or derogatory remarks about the QPAA.
- p. Public information is to be kept on the website of the QPAA and is not to be removed unless there is a need for a section of information to be amended or altered. These are as follows.
  - 1) Constitution/Rules & Regulations and other relevant rules adopted by QPAA.
  - 2) Membership and Renewal Application forms
  - 3) All other applicable forms required for the QPAA.
  - 4) Any or all information approved by the Secretary and President for inclusion on the website as and when required.
- q. The password for the website of the QPAA is required to be confidential and only the current President, Secretary and, if nominated, a Website Co-Ordinator are to have access to the website and password for any alterations and additions that may be required.
- r. The password for the Website of the QPAA is to be changed after every Annual General Meeting by the President, Secretary or nominated Website Co-Ordinator and all said persons are to have a copy of the new password.

### **FACE BOOK:**

A public face book page and a private member's face book group will be maintained for members of the QPAA.

- a) The face book page and group is to be administrated by the President, Secretary and if required, a nominated Social Media Co-Ordinator.
- b) Private face book group will be for financial members only – acceptance to the group will be available to financial members only.
- c) The group page is to be used to keep members informed of current matters, ie: upcoming meetings, events that will be relevant to members. No personal advertising shall be permitted on the page however QPAA registered livestock may be approved for advertising provided the advertiser is a current member and the registration is valid.
- d) Posts submitted by members will be approved by the President, Secretary or nominated Social Media Co-Ordinator.
- e) Members are not to use the group page to ask questions regarding membership or general queries, these must be directed to the President or Secretary who will answer questions or refer you to the relevant committee member.

29. **DUTIES OF THE WEBSITE AND SOCIAL MEDIA ADMINISTRATORS/ CO-ORDINATORS**

- a. To keep the Website and Social Media accounts maintained.
- b. To keep the Website and Social media accounts current with the latest public news regarding the QPAA.
- c. If a nominated website coordinator is appointed, that position should be held by a member of the committee as they will be required to attend committee meetings.
- d. The website, face book and email accounts are automatically overseen by the President and Secretary.

30. **NEWSLETTER**

Society members shall receive a regular newsletter which shall be made available to financial members no less than quarterly. Newsletters shall include a copy of the minutes from each meeting held. Members will also receive notification of an agenda for each Society meeting. Advertising in the newsletter shall be available for financial members, a fee may be charged as prescribed by the committee.

31. **CONSTITUTION BINDING MEMBERS**

This Constitution and any amendments made thereof together with any Rules & Regulations, Code of Conduct, etc properly made hereunder shall bind all members of the QPAA.

32. **VOTING**

- a. A member whose annual subscription is unpaid may not vote at any Annual General Meeting, Ordinary General or Special General Meeting.
- b. A proxy vote will not be accepted from non-current financial members.

33. **PROXIES**

A financial member may appoint another member as his proxy to vote on his behalf at any General Meeting.

The appointment of a proxy must be in writing and signed by the member making the appointment. The member appointing the proxy may give specific directions as to how the proxy is to vote on his behalf, otherwise, the proxy may vote on behalf of the member in any way he sees fit. The official Society proxy form must be used, and is available from the President or Secretary and or website.

Proxy forms must be received by the President or person chairing the General Meeting on or before the commencement of the meeting.

A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Society no later than one (1) week before the commencement of the General Meeting.

Proxy voting for Annual General Meetings:

- 1) Proxy votes will be permitted for voting the Executive Committee and or Ordinary Committee Positions and for any special resolutions to be addressed.

2) Proxy voting forms will be made available to all members prior to the Annual General Meeting

34. **USE OF TECHNOLOGY**

- a) A member not physically present at a General Meeting may be permitted to participate in the meeting by the use of technology that allows that member, and the members present at the meeting to clearly and simultaneously communicate with each other.
- b) For the purposes of this part, a member participating in a General Meeting as permitted in sub rule a) above; is taken to be present at the meeting, and if the member votes at the meeting, is taken to have voted in person.

35. **ALTERATION TO RULES**

- a) No alteration or amendments to the Constitution and Rules or any other Rules and Regulations shall be made without Special Resolution carried by a majority of the number of votes recorded in person or by proxy at an Annual General Meeting or Special General Meeting of Members of the QPAA nor unless a copy of the proposed additional alteration or amendment shall have been posted by the Secretary to every current financial member at least seven (7) days prior to the date of the meeting. Changes to the Society's schedule of fee's shall only be conducted at an AGM, only agenda items will be attended to at the AGM.
- b) However an amendment, repeal or addition is valid only if it is registered by the chief executive.

36. **GENERAL**

Any question whatsoever arising and which no specific rule is herein provided shall be decided by the Committee whose ruling shall be final.

37. **SALE OF PROPERTY**

No real property belonging to the QPAA shall be sold except by the authority of a majority of members present at an Annual General Meeting or at a Special General Meeting called for the purpose and of which purpose notice was stated in the notice convening such meeting.

38. **INCOME AND PROPERTY**

The income and property of the QPAA shall be applied solely to the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of pecuniary profit to the members. If upon the winding up of the QPAA there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the members or former members, but shall be given or transferred -

- a) to another association incorporated under the Act which has similar objects; or
- b) for charitable purposes which Society or purpose, as case requires, shall be determined by a resolution of the members.

39. **DISSOLUTION**

The Association may be dissolved or wound up at any time of a Special Resolution to that effect be carried by the affirmative vote of not less than the majority of the members of the QPAA on a poll taken in such a manner as the Executive Committee shall arrange to determine whether or not the QPAA shall be wound up. If upon the dissolution of winding up of the Association there shall remain after satisfaction of all its debts and liabilities any surplus property whatsoever the same shall not be paid to nor distributed amongst the Member of the Society but shall be given or transferred or distributed between other incorporated associations having objects similar wholly or in part to the objects of the Association and which shall prohibit the distribution of its or their income and property among its or their members as shall be determined by the Members of the Association on or before the time of dissolution or winding up or in default thereof or if insofar as effect cannot be given to such determination then such payment transfer or distribution shall be determined by another Association under the Act or other charitable cause.

40. **VOLUNTARY ADMINISTRATION/CANCELLATION**

- a) The committee may opt to voluntarily appoint an administrator to place the QPAA into voluntary administration should the QPAA experience financial difficulties. The administrator will help manage the affairs of the QPAA.
- b) The committee may opt to apply for a voluntary cancellation by applying to the Chief Executive of OFT, to cancel the incorporated QPAA provided that:
  - 1) There are no outstanding debts or liabilities.
  - 2) All applicable fees and penalties have been paid under the Associations Incorporation Act 1981
  - 3) QPAA is not a party to any legal proceedings.

41. **INTERPRETATION OF CONSTITUTION**

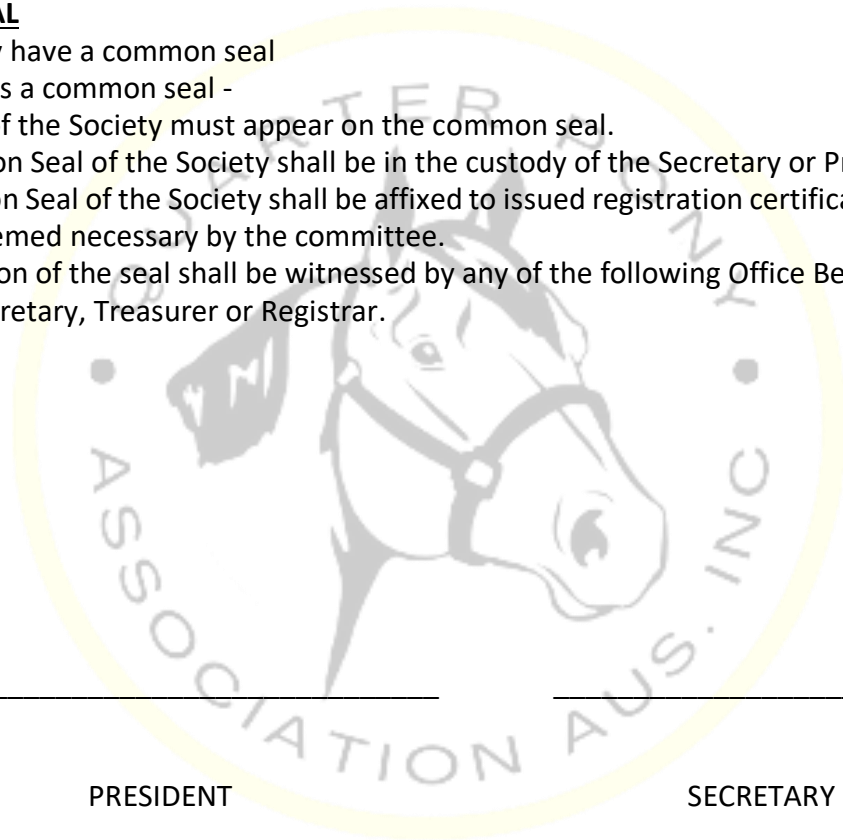
If any question arises as to the Constitution of the QPAA, the same shall be determined by the President subject to right of appeal to the Executive Committee.

42. **COMMON SEAL**

The Assn. may have a common seal

If the Assn. has a common seal -

- a) The name of the Society must appear on the common seal.
- b) The Common Seal of the Society shall be in the custody of the Secretary or President.
- c) The Common Seal of the Society shall be affixed to issued registration certificates or any other document deemed necessary by the committee.
- d) The affixation of the seal shall be witnessed by any of the following Office Bearers namely President, Secretary, Treasurer or Registrar.



\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
SECRETARY

Date: .....12.08. 2023.....

.....12. 08. 2023.....

We certify that this and the foregoing pages are a true copy of the Constitution of the Quarter Pony Association Australia Inc. IA4715716



