

Proposed changes to the Dressage NSW Constitution.

The Committee of DNSW propose changes to the Constitution and Rules of the Association. The proposed changes will be put at the 2017 Annual General Meeting. The main purpose of the changes is to bring our Constitution in line with changes to the association laws on 1 September 2016, including amendments made to Associations Incorporated Act 2009 (the Act) and a new Regulation.

The key changes are published below.

Other changes are cosmetic and are not included in this summary.

A copy of the full Constitution with the proposed changes is published on the DNSW website and a digital copy can be emailed to members on request.

Proposed changes to the Constitution and Rules

Proposed changes are in red

2. The objects of the Association are:

(a) To promote, facilitate, assist and implement all those objects contained in the Constitution and Rules of Equestrian Australia and Equestrian New South Wales that pertain directly or indirectly to Dressage.

3. DEFINITIONS

"Writing" includes printing, typing, email and other like recognised means of communication including electronic communication.

REGISTER OF MEMBERS

A Register of Life Members, Ordinary Members, Honorary Life Members, Honorary Members, Junior Members and Constituent Members (and the appointed representative) and their addresses shall be kept and maintained and properly kept in written or electronic form by the Secretary.

APPOINTMENT OF COMMITTEE

27. (a) Members shall elect by ballot twelve Committee members. Subject to sub-clause (f) of this clause, the term of office shall be three (3) years.
- (c) A Committee member may hold up to two offices (other than both the offices of President and Vice President)
- (d) The maximum number of consecutive terms for which a Committee member may hold office is three terms or nine years in total, after which the Member shall not be eligible for election or appointment as a Committee member for a period of one year unless otherwise determined by the Committee.

For Committee members in office at the time of introduction of this sub-clause (December 2017), the time assessed as served under this clause will either be one term of three years or, if the time served on the Committee is less than three years, the actual time served.

For avoidance of doubt, this means that for a Committee member, who has been in office for, say, two or three consecutive terms at the time of introduction of this clause (i.e. in December 2017), only one term before the 2017 Annual General Meeting will be taken into account when the total consecutive time of holding office as a Committee member is calculated.

- (f) At every Annual General Meeting of the Association at least one-third of the Members of the Committee, not including Delegates, (as referred to in paragraph (a) above) shall retire from office and shall, **subject to subclause 27 (d)**, be eligible for re-election or appointment as the case may be. This one-third shall be made up as follows:
1. Committee Members who were appointed by the Committee to fill casual vacancies during the Committee year in question.
 2. Committee Members who have been in office for three years.
 3. If after this selection the number of retiring Committee Members has not reached at least the number required, this third will be reached by adding the required number from those of the remaining Committee Members who have been longest in office.

29 C.

- (i) The Secretary shall prepare a ballot paper listing the nominated persons in alphabetical order by surname. A copy of this ballot paper together with instructions and a notice of the closing date of the ballot shall be posted to reach every Ordinary, Life Members and Honorary Life Members not later than twenty-one days before the closing date of the ballot. The ballot paper shall be deemed to have reached each Member five working days after having been posted **or sent electronically**.
- (ii) All ballot papers **may sent by post or electronically and** must be received by the Returning Officer, at the office nominated by the Returning Officer, by 5 p.m. on a day three days prior to the date of the Annual General Meeting.

MEETINGS OF COMMITTEE

41. A meeting of the General Committee shall be convened at the discretion of the President or at the request of at least six (6) members of the Committee.
- (a) A Committee meeting may be held at two or more venues using technology approved by the Committee that gives each of the Committee members a reasonable opportunity to participate.**
- (b) A Committee member who participates in a Committee meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.**

VOTING AND DECISIONS

43.

- (a) Questions arising at a meeting of the Committee or of any Sub-Committee appointed by the Committee are to be determined by a majority of the votes of members of the Committee or Sub-Committee present at the meeting and if the Committee member participates in the meeting via technology they shall have the same rights of voting as the members present at that meeting**
- (b) Each member present at a meeting of the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.**
- (c) Subject to clause 40, the Committee may act despite any vacancy on the committee**
- (d) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee.**

DELEGATION BY COMMITTEE TO SUB- COMMITTEES

44. (1) The Committee may, by instrument in writing, delegate to one or more Sub-Committees (consisting of the member or members of the Association that the Committee thinks fit) the exercise of any of the functions of the Committee that are specified in the instrument, other than

- a) this power of delegation, and
 - (b) a function which is a duty imposed on the Committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a Sub-Committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the Sub-Committee in accordance with the terms of the delegation.
 - (3) A delegation under this clause may be made subject to any conditions or limitations as to the exercise of any function, or as to time or circumstances, that may be specified in the instrument of delegation.
 - (4) Despite any delegation under this clause, the Committee may continue to exercise any function delegated.
 - (5) Any act or thing done or suffered by a Sub-Committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the Committee.
 - (6) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
 - (7) A Sub-Committee may meet and adjourn as it thinks proper.
 - (8) A Sub-Committee may not commit expenditure of funds that fall outside of the delegated amounts determined annually by the Committee.

ALTERATION TO RULES

- (b) such notice shall be sent only to each Member of the Association either by post or electronically.