



**STANDARD BRED
PLEASURE & PERFORMANCE
HORSE ASSOCIATION
OF VICTORIA Inc.**

A0030433Z

RULES OF THE ASSOCIATION

Adopted 7 November 2016

Incorporated November 1994

STANDARD BRED PLEASURE & PERFORMANCE HORSE ASSOCIATION OF VICTORIA Inc.

Rules of the Association

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Rules of the Association

1 Name

The name of the Association is the *Standardbred Pleasure & Performance Horse Association of Victoria Inc.* (Hereinafter referred to as 'the Association' or the SPPHAV.)

2 Interpretation

In these rules:

2.1 *Committee* means the Committee of Management of the Association.

Financial Year means the year ending 30 June.

General Committee Meeting means a meeting of the Committee, convened in accordance with Rule 17.

Special General Meeting means a specially convened meeting offered to the full membership, convened in accordance with Rule 17.

Annual General Meeting means the annual meeting, convened within 5 months of the end of the financial year, at which the financial report for the previous year is presented for acceptance by the membership; the setting of fees of the Association; voting for the bestowing of Honorary / Life memberships and voting on matters submitted for consideration and uptake by the Association in accordance with Rule 17.

Member means a member of the Association.

Ordinary Member of the Committee means a member of the Committee who is not an Office Bearer.

The Act means the 'Associations Incorporation's Act of Victoria in operation at that time.

The Regulations means regulations under the Act.

2.2 Reference to the Secretary of the Association is reference to:

2.1 where a person holds the office of *Secretary*, to that person.

2.2 the Secretary of the Association is also registered as the *Public Officer* of the Association, under the Act.

2.3 Words or expressions contained in these Rules must be interpreted in accordance with the provisions of the *Interpretation of Legislation Act* of Victoria in operation at that time.

3 Membership

3.1 Only permanent residents of Victoria shall be eligible to apply for a Junior, Single or Family membership with the Association. Interstate residents wishing to maintain contact with the SPPHAV may apply for an Associate membership.

3.2 The SPPHAV will offer membership types of:

3.2.1 Associate Member – a person who wishes to join the SPPHAV as a means of supporting the work of the Association but who does not wish to register a horse, compete at a SPPHAV High Point Show or SPPHAV event / competition with their own horse, purchase a Performance Card, or be eligible to vote on issues pertaining to the running of the Association.

3.2.2 Junior Member – a child under 18 years of age. A Junior member is eligible to register a gelding, filly or mare in their name and to purchase a Performance Card, but is not eligible to vote on issues pertaining to the running of the Association. When membership renewals are due, a Junior Member who will turn 18 between 1 July and 30 September of the new financial year, must upgrade their membership to that of a single member.

3.2.3 Single Member – a person 18 years or older. A Single member is eligible to register a horse in their name, purchase a Performance Card, nominate for Committee membership and to vote on issues pertaining to the running of the Association.

3.2.4 Family Membership – parents and children (by birth, legally adopted, legally fostered) residing at the same address and where the child / children are under the age of 18 years. A Family can register horses in the family or individual name, purchase Performance Cards, nominate one (1) family member to the Committee and have one (1) vote on issues pertaining to the running of the Association. Members of a family who are 18 years or over, either living at home or residing elsewhere, must secure individual membership(s) in order to register a horse in their name, purchase a Performance Card, nominate for Committee membership and to vote on issues pertaining to the running of the Association.

3.3 Applications for membership must only be accepted by completion and submission of the official SPPHAV membership application form. New memberships will be confirmed by the Secretary / Registrar of the Association on receipt of their application and subscription within fourteen days of receipt of same.

3.4 Short term *honorary* or *special membership* may be conferred by the Committee to any visiting, financial member of any other SPPHA within or outside of Australia.

3.5 Financial members, 18 years of age or over, shall be eligible to vote at any meeting.

3.6 Financial members, under the age of 18, shall not be eligible to sit on the Committee or to vote on issues pertaining to the running of the Association.

3.7 In the case of *family membership*, one member (nominated by the family) only shall have the right to vote. This member must satisfy 3.2.4 above.

Rules of the Association

- 3.8 *Honorary life members* are any member/person who must be nominated and confirmed by vote, at an Annual General Meeting, in recognition of services rendered by them to the Association. Life members shall not pay membership fees but will enjoy all the privileges of membership.
- 3.9 The Committee has the right to levy fines or otherwise penalise breaches of conduct or regulations (as stated herein) by members.
- 3.10 Any member with voting capacity may nominate a proxy for voting purposes if the need arises. Such a nomination shall be received, in writing and signed by both the member and their proxy, prior to any vote being undertaken. The life of the proxy voting rights shall be clearly stated on the notification. Any person nominated as a proxy must satisfy 3.2 above.
- 3.11 A right, privilege, or obligation of a person by reason of their membership of the Association —
 - 3.11.1 is not capable of being transferred or transmitted to another person,
 - 3.11.2 terminates upon the cessation of their membership whether by death, resignation or otherwise.
- 3.12 The Association reserves the right to refuse and/or cancel membership to/of any person (or family) deemed unsuitable by the standing Committee.
- 3.13 All members must be provided with a copy of these Rules on joining the Association and whenever the Rules have been amended and approved under the Act. Receipt of these Rules is assumed unless an Australian Post-delivery envelope is returned as not delivered or a, non-delivery notice, of an emailed copy, is returned.

4 Subscriptions

4.1 Administrative Fee

An administrative fee shall only be fixed by resolution of the SPPHAV membership either present at the Annual General Meeting or by a returned email or Australia Post vote provided to the full membership.

- 4.1.1 *New members* shall be required to pay an administrative fee on joining the Association.
- 4.1.2 *Returning members who have not paid the previous year's membership fee* shall be required to pay the current year's membership fee and the administrative fee before being readmitted as a member.
- 4.1.3 *The Committee of the Association* may choose to remove the administrative fee, from time to time, to attract membership.

4.2 Membership

The annual membership fee shall be fixed by resolution of the members present at the Annual General Meeting. Any person who has not paid their membership for the preceding year shall not be eligible to vote at any meeting of the Association whilst the membership remains unpaid.

- 4.2.1 *Membership fees for new members* are due and payable on application for membership.
- 4.2.2 *Renewal of membership* shall be payable within one month of the due date.
- 4.2.3 No membership fee shall be payable in respect of *honorary or special* membership.
- 4.2.4 Persons who are current, financial members of an interstate SPPHA and who move to Victoria may register, with submission of authentic proof, with the SPPHAV for the remainder of the current financial year on payment of a prescribed administration fee.

4.3 Registration of Horses

- 4.3.1 For its initial registration with the SPPHAV, a horse must have an owner who is a paid up member of the Association.
- 4.3.2 Registration of horses is payable, once only, by completion and submission of the official SPPHAV horse registration form and photographs as requested on the form and by the Registrar.
- 4.3.3 There shall be no reduction in registration fees for members wishing to register more than one horse.
- 4.3.4 Registration of Colts — at the time of registration colts, under 4 years of age, will be registered at the current rate for Geldings. If a registered colt is not gelded by 4 years of age the balance between the current Gelding and Stallion registration fees will be due and payable. Stallions remaining registered as geldings will not be eligible to compete in SPPHAV classes or shows.
- 4.3.5 In the event of the transfer of ownership of a SPPHAV registered horse, a prescribed horse transfer fee must apply. Rules 4.2.1 and 4.2.2 must be satisfied before such transfers can take place.
- 4.3.6 Horses registered with an interstate SPPHA, whose owners have moved to Victoria and wish to join the SPPHAV, will be registered, with submission of authentic proof, on payment of the current horse transfer fee.
- 4.3.7 Validity for registration purposes.
 - 4.3.7.1 *Purebred*
 - (a) Must have a traditional freeze brand or satisfy proof of purebred Standardbred bloodlines via DNA testing and certification.

Rules of the Association

- (b) All DNA certified, non-freeze branded purebred horses must be registered as NRS (non racing Standardbred) in the NRS Studbook administered by the Secretary / Registrar and managed by Harness Racing Australia.

4.3.7.2 *Partbred*

- (a) Must carry a minimum of 25% Standardbred blood, AND
- (b) Satisfy proof of partbred Standardbred bloodlines via DNA testing and certification.
- (c) All DNA certified, partbred horses must be registered as a partbred Standardbred in the Partbred Register, administered by the Secretary / Registrar and managed by Harness Racing Australia.

Owners of a DNA certified horse must carry proof when contesting Standardbred ring show classes in Australia.

5 Registers of Members and Horses

- 5.1 The Secretary / Registrar must keep and maintain a register of members in which must be entered the full name, address and date of entry of the name of each member.
- 5.2 The Secretary / Registrar must keep and maintain a register of horses in which must be entered the SPPHAV registration number; full name; blood lines; freeze brand registration; height; date of birth; colour and gender.
- 5.3 All horse registration applications must be accompanied with colour photographs as directed by the Secretary / Registrar.
- 5.4 Registers must be available for inspection, by members, at a time and location convenient to the Secretary / Registrar.

6 Resignations and Expulsions of Members

Membership of the Association shall cease if:

- 6.1 Any member may retire from the Association at any time by giving written notification to the Secretary / Registrar who must note the resignation and date thereof in the Association's membership register.
- 6.2 A member shall die.
- 6.3 A member shall be declared medically incompetent.
- 6.4 A member has not paid their membership subscription in respect of the Association's financial year within three months of commencement of that year must be considered as resigned from the Association until their full membership subscription has been received by the Association. Once considered as resigned all Association communications to the member must cease.
- 6.5 If it shall appear that any member may have been guilty of any breach of the provisions of the Association, its Constitution or Regulations, or be guilty of misconduct, the Secretary shall, if directed to do so by the Committee, call upon the member to appear before the Committee which may make such inquiry as it considers appropriate in the circumstances and may, in the exercising of its judgement, either reprimand the member or inflict upon the member such a fine as the Committee may think proper in the circumstances or may require the member to tender their resignation from the Association provided always that upon any such inquiry the member shall be informed of the breach and shall be given a reasonable time to answer any charge that may be laid against them and to provide any explanation or evidence that they may consider desirable and an opportunity shall be afforded the member of appearing before the Committee in order to answer the charge and to furnish such evidence or explanation as the circumstances warrant. If after due consideration a member is found to be in serious breach of these Rules and pursuant to a resolution passed by a two thirds majority of the members present and voting at a duly constituted General Committee Meeting, a member may be requested in writing to resign and if the member shall not do so within 30 days they shall, at the expiration of the said 30 days, ipso facto cease to be a member of the Association.
- 6.6 Procedures described in the Association's Code Of Conduct, current at the time, must be applied for issues under 6.5 above.

7 Returning Member

When a member who has not paid their membership subscription for a period of more than one year and who has been considered as *resigned* from the Association, requests to renew their membership: before the member shall be readmitted to membership, at the discretion of the Committee, the full membership subscription for the current financial year and the administrative fee must be paid

8 Risk Management

The Association will develop and distribute to all members, a Risk Management Policy.

- 8.1 The Committee of the Association will review the Risk Management Policy, on a regular basis, to ensure it is up-to-date at all times.
- 8.2 All members will be immediately provided with any changes to the Risk Management Policy.
- 8.3 The current Risk Management Policy will be made available to all members via the Association's web site.

Rules of the Association

- 8.4 All members must make themselves aware of and follow the current Risk Management Policy.
- 8.5 Any member found to be not following the current Risk Management Policy will be subject to Rule 10.1 – Conduct of Members.
- 8.6 Any horse found to be in breach of the current Risk Management Policy must be immediately withdrawn from the competition or activity, it is engaged in, until it is proven to conform to the Policy.

9 Code Of Conduct

- 9.1 The Association will develop and distribute to all members, a Code Of Conduct.
- 9.2 The Committee of the Association will review the Code Of Conduct, on a regular basis, to ensure it is up-to-date at all times.
- 9.3 All members will be immediately provided with any changes to the Code Of Conduct.
- 9.4 The current Code Of Conduct will be made available to all members via the Association’s web site.
- 9.5 All members must make themselves aware of and follow the current Code Of Conduct.
- 9.6 Any member found to be not following the current Code Of Conduct must be subject to Rule 10.1 – Conduct of Members.

10 Conduct

10.1 *Conduct of Members*

- 10.1.1 No member shall conduct themselves in a manner as to discredit the Association, the breed or the member.
- 10.1.2 Any member deemed, by the Committee, to be not acting in strict accordance with these Rules, the Risk Management Policy and / or the Code Of Conduct, may be called upon by the Committee to determine appropriate actions or sanctions.
- 10.1.3 The Committee may impose sanctions when they are satisfied that there is proof that a breach of the Code of Conduct has occurred. Such sanctions must be in line with the Code of Conduct current at that time.
- 10.1.4 A member who has at any time been convicted of an indictable offence or been adjudged bankrupt or assigned their estate for the benefit of creditors or made a composition or arrangements with creditors generally must not be eligible for election or appointment as a committee member of the Association.
- 10.1.5 Any sitting Committee member who is convicted of an indictable offence or adjudged bankrupt or assigns their estate for the benefit of creditors or makes a composition or arrangement with creditors generally must resign their position as a Committee Member of the Association.

10.2 *Conduct of Horses*

- 10.2.1 Any horse, either in or around the show arena, that is deemed uncontrollable by a judge and/or 2 or more Committee Members must be withdrawn from the competition without refund of entry fee.
- 10.2.2 Any horse found to be continually uncontrollable must be suspended from competition until appropriate schooling proves the behavioral pattern is under control.
- 10.2.3 The Committee reserves the right to inspect all vehicles and harness prior to competition and to withdraw the horse and vehicle from competition if the equipment proves defective or unsafe.
- 10.2.4 The current Risk Management Policy may apply to the conduct of a horse.

10.3 *Foreign Substance*

- 10.3.1 All horses must be competed free of any foreign substance.
- 10.3.2 The SPPHAV Committee reserves the right to carry out swabbing at any event to ensure that horses competing at these events are free from any foreign substance.
- 10.3.3 All protests must be in writing and accompanied by the protest fee, set by the Committee, and received within one hour of the event.
- 10.3.4 Expenses relating to the swabbing of a horse that receives a “free from foreign substance” result will be met by the SPPHAV.
- 10.3.5 Any member who presents a horse that is “not free of foreign substance” will be required to pay all costs relating to the horse being swabbed.
- 10.3.6 Any member who presents a horse that is not free of foreign substance will be deemed to have acted against the Rules as set out in 10.1.1.

Rules of the Association

11 The Chair

- 11.1 The founding member of the Association will hold the position of Chair until resignation or death - upon which the position of Chair shall cease to exist, as the title and position are reserved only for the Founder of the Standardbred Pleasure and Performance Horse Association of Victoria. The position of Chair shall carry with it an Honorary Life Membership.
- 11.2 The position of Chair, for as long as it is held, will not come up for re-election, therefore the position of Chair is not a General Committee Position, nor Office Bearing - however, as the Founder of the Association, the Chair's name will head any Committee name listing.
- 11.3 The Chair will preside over Committee meetings and generally oversee Committee works but does not have a Committee vote. However, the Chair holds the casting vote in the event of an equal amount of votes.

12 The Committee

- 12.1 There shall be a Committee of the Association, which shall consist of the Officers of the Association and six other ordinary or honorary members with a maximum of one honorary member.
- 12.2 All members of the Association must be given the opportunity to nominate them self or another member to Office Bearing and / or General Committee positions of the Association.
- 12.3 All members of the Association must be given sufficient time and means to vote in order to select the next incoming Committee of the Association. This may be via postal distribution and voting or emailed distribution and voting.
- 12.4 The incoming Committee of the Association must be confirmed at the Annual General Meeting of the Association and shall hold office for a period of 12 months.
- 12.5 The Officers of the Association must be elected by and between the members of the Association and shall be the President, Vice President, Secretary and Treasurer who shall hold office for a period of 12 months.
- 12.6 When appropriate, a Committee Member may hold more than one Office Bearing position on the Committee of the Association.
- 12.7 Committee Members must reside permanently in Victoria and be able to provide a residential address, email address and telephone number.
- 12.8 Any casual vacancy occurring in the Committee, during the year, must be filled by a person appointed by the Committee to hold the position until the next Annual General Meeting.
- 12.9 Any Committee Member may stand for reelection, for the ensuing year, at the Annual General Meeting.
- 12.10 Any Office Bearer or Committee Member who shall retire after a 12 month appointment shall be eligible for nomination and election to any vacancy in the Association whether created by their retirement or otherwise.
- 12.11 The Committee must manage the affairs of the Association in accordance with these Rules and the Act.

13 Secretary

The Secretary must – unless other wise advised or arranged:

- 13.1 Adhere to the current “position description” for the Secretary if there is one.
- 13.2 Take and keep minutes of the proceedings of all meetings and be responsible for the general secretarial work of the Association.
- 13.3 Keep and maintain all books securities and documents of the Association including those required by the Act, a Register of Members and a Register of Horses. Upon reasonable notice both Registers must be available for inspection to any financial or honorary member.
- 13.4 Issue all notices of meetings and pay to the Treasurer or into the Association’s bank account, at the earliest possible time, all Association monies received by them (the Secretary). The Secretary performs such other duties as the Committee may from time to time direct.
- 13.5 The Secretary must hold a current copy of the Act.
- 13.6 The Secretary may or may not also be the Registrar.
- 13.7 The position of Secretary with the SPPHAV does not automatically transfer to the position of Secretary with the national group, the Standardbred Horse Association of Australia (SHAA).

14 Replacing the Secretary

The Incorporations’ Act 2012 states: If the office of the secretary of an incorporated association becomes vacant, the association must, within 14 days after the vacancy arises, fill the vacancy in accordance with the procedure provided in its rules.

When the position of Secretary is to / has become vacant, the Committee must develop or update a “position description” for the role of Secretary of the Association.

Rules of the Association

The role of the Secretary may or may not include the role of Registrar.

- 14.1 In the first instance and within 14 days, members of the existing Committee must secure, from their number, a volunteer to take over the position of Secretary on a temporary basis until:
 - 14.1.1 The next Annual General Meeting when nominations for all Office Bearing positions on the Committee are called for and voted on.
 - 14.1.2 The volunteer offers to take on the position, on a permanent basis, subject to annual nomination and election procedures.
 - 14.1.3 The volunteer advises they no longer wish to continue in the role of Secretary.
- 14.2 In the event of there being no volunteer from the current Committee, the President must immediately call for a volunteer from the current, financial membership until:
 - 14.2.1 The next Annual General Meeting when nominations for all Office Bearing positions on the Committee are called for.
 - 14.2.2 The volunteer offers to take on the position, on a permanent basis, subject to annual nomination and election procedures.
 - 14.2.3 The volunteer advises they no longer wish to continue in the role of Secretary.

15 The Treasurer

The Treasurer must – unless other wise advised or arranged:

- 15.1 Collect all monies due to the Association and make all payments authorised by the Association.
- 15.2 Keep correct books of accounts showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
- 15.3 Deliver to the Secretary of the Committee — whenever required so to do — a full statement of all receipts and monies received.

All payments made must be by cheque, reported and recorded at a General Committee Meeting.

16 The Registrar

The Registrar must – unless other wise advised or arranged – collect and process:

- 16.1 *Members*
 - 16.1.1 All applications for new / returning membership with the Association.
 - 16.1.2 All annual membership renewals.
- 16.2 *Purebred Standardbred Horses*
 - 16.2.1 All applications for new, purebred, harness freeze branded horse registrations with the Association.
 - 16.2.1 All applications for the transfer of ownership for all purebred, harness freeze branded horse ownership, within the Association.
- 16.3 *Non Racing Standardbred and Partbred Standardbred Horse Registrations*
 - 16.3.1 Unless otherwise agreed to by all member groups of the national group SHAA, working with Harness Racing Australia (HRA) manage all aspects relative to the processing of applications for certification of purebred status of Non Racing Standardbred horses and partbred Standardbred horses in line with procedures and processes determined and agreed to with Harness Racing Australia.
 - 16.3.2 Unless otherwise determined, the responsibility of these registrations covers and supports all member groups of the national group, SHAA.

17 Meeting Procedures

- 17.1 *General Committee Meeting*
 - 17.1.1 General Committee Meetings must be open to all financial members of the Association. Non-financial members, considering membership with the Association, may be extended an invitation to attend a meeting of the Committee.
 - 17.1.2 The Committee shall meet at least once each calendar month but this requirement may be waived when it is not practical or expedient to do so.
 - 17.1.3 The Secretary must provide written notice of each General Committee Meeting of the Association to each Committee Member. Such notice must be forwarded by email at least 5 working days prior to the date of the meeting.
 - 17.1.4 A quorum for General Committee Meetings must be any six members of the Association including at least two Office Bearers and two ordinary members.
 - 17.1.5 The Chair shall preside over all General Committee Meetings but, if they are not present then the President shall do so. If neither is present the members must appoint one of their number to the Chair.

Rules of the Association

- 17.1.6 Any Committee Member failing to attend or forward an apology to 3 consecutive General Committee Meetings must be automatically be disqualified from holding a place on the Committee. Such disqualification must be advised, in writing, to that members within 5 days of the decision being made.

17.2 *Special General Meeting*

All general meetings, offered to the full membership, other than the Annual General Meeting must be called *Special General Meetings*.

- 17.2.1 Providing four weeks' notice to the members, the Secretary must call a Special General Meeting whenever directed to do so by the President.
- 17.2.2 The Secretary must, on the requisition of any twelve ordinary or honorary members stating the business for which it is required and providing four weeks' notice to the members, convene a Special General Meeting of the Association for any specific purpose or purposes.
- 17.2.3 A quorum for a Special General Meeting must be any six members of the Association including at least two Office Bearers and two ordinary members.
- 17.2.4 The Honorary Chair shall preside at all Special General Meetings but, if they are not present then the President shall do so. If neither is present the members must appoint one of their number to the Chair.
- 17.2.5 Each question at a Special General Meeting must be decided by a majority of votes by the total membership of the Association, excluding the Honorary Chair / Chair of the meeting. In the case of an equality of votes, the Honorary Chair / Chair of the meeting must take the casting vote.
- 17.2.6 The total membership of the Association must be given the opportunity to vote for all motions being put at an Special General Meeting.
- 17.2.6 Voting by proxy must be subject to conformity with Membership rule 3.2.

17.3 *Annual General Meeting*

An Annual General Meeting of members must be held within 5 months of the end of the preceding financial year at a time, date and place as determined by the Committee. The Annual General Meeting must be in addition to any other General Committee Meeting that may be held in the same month (and year). The Annual General Meeting must be held at a convenient location, on a day and at a time that allows the Association's full membership to attend. The business to be transacted at the Annual General Meeting must be:

- 17.3.1 To confirm the minutes of the last preceding Annual General Meeting of the Association.
- 17.3.2 To receive and if so resolved, adopt the balance Sheet and Statement of Income and Expenditure for the year which must end on the 30th day of June preceding the date of the Annual General Meeting. Such Balance Sheet and Statement of Income and Expenditure must be prepared and drawn in accordance with the Act.
- 17.3.3 To elect the Officers of the Association and the General Committee for the next ensuing year.
- 17.3.4 To fix the Association's fees for the next ensuing year.
- 17.3.5 To confirm all/any honorary life members.
- 17.3.6 To transact any other business for which notice has been given to the Secretary at least four weeks prior to the Annual General Meeting.
- 17.3.7 The total membership of the Association must be given the opportunity to vote for all motions being put at an Annual General Meeting.
- 17.3.8 A quorum for an Annual General Meeting must be any six members of the Association including at least two Office Bearers and two ordinary members.

17.4 *Annual Award Presentations*

The presentation of Annual Awards must be as soon as possible after points have been allocated and awards secured. Presentations must be made at a convenient location, on a day and at a time that allows the Association's full membership to attend. The business to be transacted at the Annual Award Presentations shall include:

- 17.4.1 To provide an opportunity for members to gather at a social occasion.
- 17.4.2 To receive, from the Committee, a report / reports on the activities of the Association during the preceding financial year – other than reports and business described in Rule 17.3, which must be observed at the Annual General Meeting.
- 17.4.3 To present the annual awards for the preceding year.

- 17.5 There is no reason to prevent the business / activities listed for the Rule 17.3 , the Annual General Meeting and Rule 17.4, the Annual Award Presentations from being combined and held at the one time.

18 **Nominations and Elections**

- 18.1 Any ordinary or honorary member may nominate any other ordinary or honorary member for election to the office of President, Vice President, Secretary, Registrar, Treasurer or to the Committee subject to the consent of the candidate.

Rules of the Association

- 18.2 Nominations must be in writing and reach the Secretary in accordance with the current Incorporations' Act. Only ordinary members who were financial members on the 30th day of June preceding the date of the Annual General Meeting and honorary members are eligible to nominate a candidate for election to the Committee or to be themselves nominated and elected to the Committee.
- 18.3 If more eligible candidates than there are vacancies have been nominated a ballot must be held and the result of such ballot announced by the Chair of the meeting at which the ballot count is taken.
- 18.4 If the number of candidate nominations is insufficient to fill the vacancies the Chair must declare the persons nominated duly elected to the positions appropriate to their nomination. The Chair must then call for nominations to fill the remaining vacancies and the meeting may then proceed to elect eligible persons so nominated to fill those vacancies.
- 18.5 Notwithstanding that the number of members elected be less than the full composition of the Committee as prescribed above. Such insufficiency must not operate to prevent the Committee from acting provided that the requisite quorum is present at every meeting.

19 Voting

- 19.1 Prior to holding a Special General Meeting or an Annual General Meeting where a vote by the full membership of the Association is to be enacted, the Secretary must, with twenty-eight days prior to the meeting, forward to all members of the Association, by email, or by sending it by Australia Post to the member at their address as shown in the Register of Members, documents details and paperwork for all motions to be put to and voted on by, the Association's membership. Such paperwork must include:
 - 19.2 Any / all reasons for the motion being put to the members of the Association.
 - 19.3 Details of the actual motion being put to the members of the Association.
 - 19.4 Motions to be put must be, but not limited to:
 - 19.4.1 Alterations / amendments to these Rules of the Association.
 - 19.4.2 Election of a new Committee of the Association whether nominations be under or in excess of the required composition of the Committee of the Association as described in Rule 12.
 - 19.4.3 Acceptance of the Minutes of the previous Annual General Meeting.
 - 19.4.4 Acceptance of the Financial Report for the immediate, previous operational year ending on 30 June.
 - 19.4.5 Setting the fees of the Association.
 - 19.4.6 The bestowing of Life Membership on a member of the Association.
- 19.5 All members of the Association must be provided with instructions for an emailed vote and return voting slips as well as a stamped return envelope to those members who receive notifications by Australia Post.

20 Removal of Member of Committee

- 20.1 The Association in General Committee Meeting may by resolution remove any member of the Committee before the expiration of their term of office and appoint another member in their stead to hold office until the expiration of the term of the first-mentioned member.
- 20.2 Where the member to whom the proposed resolution referred to in 19.1 above makes representations in writing to the Secretary or President of the Association (not exceeding twenty-one days) and requests the resolution be notified to the members of the Association, the Secretary or President must send a copy of the representation(s) to each member of the Association, or, if they are not so sent, the member may require that they be read out at the next Special General or Annual General Meeting of the Association.

21 Disputes and Mediation

- 21.1 The grievance procedure set out in this Rule applies to disputes under these Rules between –
 - (a) a member and another member; or
 - (b) a member and the Association.
- 21.2 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within twenty-one days after the dispute comes to the attention of all of the parties or at the next meeting of the Committee.
- 21.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within ten days, hold a meeting in the presence of a mediator.
- 21.4 The mediator must be –
 - (a) a person chosen by agreement between the parties;
or
 - (b) in the absence of agreement –
 - (i) in the case of a dispute between a member and another member, a person appointed by the Committee of the Association, or

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- (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- 21.5 A member of the Association can be a mediator.
- 21.6 The mediator must not be a member who is a party to the dispute.
- 21.7 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 21.8 The mediator, in conducting the mediation, must –
 - (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 21.9 The mediator must not determine the dispute.
- 21.10 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.

22 Notices of Meetings

22.1 General Committee Meeting

The Secretary must provide written notice of each General Committee Meeting of the Association to each Committee member. Such notice must be forwarded by email at least five working days prior to the date of the meeting.

22.2 Special General Meeting

The Secretary must, at least twenty-eight days, (if any special resolution is to be voted upon - matters referred to in Division 4 of the Act), before any Special General Meeting send to every member of the Association, either by email or, by Australia Post at his/her last address as shown in the Register of Members, a notice of such meeting, stating the time and place where it will be held and the business that will be brought before the meeting.

No business, other than the business of the formal nature previously advised to every member of the Association, must be brought forward at any Special General Meeting unless notice thereof shall have been given to the Secretary at least twenty-eight days prior to the date of the meeting.

The accidental omission to give or to post a notice to a member or members as required by these rules must not operate so as to invalidate a Special General Meeting or the procedure or decisions thereat.

22.3 Annual General Meeting

The Secretary must, at least twenty-eight days, before any Annual General Meeting, send to every member of the Association, either by email or, by Australia Post at his/her last address as shown in the Register of Members, a notice of such meeting, stating the time and place where it will be held and the business that will be brought before the meeting.

22.4 Annual Award Presentations

The Secretary will provide written notice of each Annual Award Presentation event of the Association to each member. Such notice shall be forwarded, via email or by pre-paid post addressed to members at their usual or last known place of residence, in accordance with the current Incorporations' Act, prior to the date of the meeting.

23 Cheques

Unless agreed to, for special circumstances, all cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two members of the Committee. If one signature is to be applied, this fact must be advised to the other signatory in place at that time.

24 Seal

The Association does not hold a common Seal.

25 Alterations to Rules and Statement of Objectives

These Rules and the Statement of Objectives of the Association must not be altered except in accordance with the Incorporations' Act Victoria.

If an issue, not covered in these Rules, should arise then the Incorporations' Act Victoria must be referenced and observed.

26 Notices

- 26.1 A notice may be served by or on behalf of the Association upon any member either personally, by email, or by sending it by Australia Post to the member at their address as shown in the Register of Members.

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- 26.2 Where a document is properly addressed, prepaid and posted to a person as a letter or emailed, the document must, unless the contrary is proved, be deemed to have been given to the person at the time at which the document would have been delivered in the ordinary course of delivery type.

27 Non-Profit Clarification

27.1 Non-Profit Clause

The assets and income of the Association must be applied solely in furtherance of the above-mentioned objects and no portion must be distributed directly or indirectly to the members of the association except as bona fide compensation for services rendered or expenses incurred on behalf of the Association.

27.2 Dissolution of the Association

In the event of the Association being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities must be transferred to other organisations with similar purposes which are not carried on for the profit or gain of its individual members. Nominated recipients (any or all) are:

27.2.1 The Victorian RSPCA – with advice that the moneys must be used for equine purposes only

27.2.2 Project Hope

27.2.3 Equine Research

28 Custody of Records

- 28.1 The Treasurer of the Association must keep in their custody or under their control all books and documents relative to the finances of the Association.
- 28.2 The Registrar of the Association must keep in their custody or under their control all books and documents relative to the registration of members, registration of horses and the DNA processes for NRS Standardbred horses and or Partbred Standardbred horses.
- 28.3 Except as otherwise provided in these Rules, the Secretary must keep in their custody or under their control all other books, documents and securities of the Association.

29 Funds

The funds of the Association shall be derived from annual membership subscriptions, registration of horses, donations and such other sources as the Committee determines.