



Constitution

For the
Australian Mounted Games Association Inc.
ARBN 127 597 102

As modelled from the
Office Department of Commerce

Model rules for incorporated associations under the
Associations Incorporation Act, 1984

adopted Special General Meeting November 2021
(Original Constitution- FT119 September 2003
Amended AGM December 2007)

Australian Mounted Games Association Inc.

Additional copies

This constitution was ratified by the Committee of the AMGA. It was adopted and modified from the “Model Rules for incorporated associations” of the department of Fair Trading. More information pertaining to the “Model” can be viewed from the Publications page of the Department of FairTrading website at www.fairtrading.nsw.gov.au . For more information on the AMGA constitution please contact the President or view our website at www.australianmga.com.

Copies of this publication can be requested by contacting

AMGA Secretary
Maureen Purdie
P: 0427383343
E: info@australianmga.com
W: www.austrlianmga.com

C Office of Fair Trading
Last reviewed April 2021

Contents

Part 1-	Preliminary	
1.	Definitions	4
Part 2-	Membership	
2.	Membership qualifications	5
3.	Nomination for membership	5
4.	Life membership	6
5.	Cessation of membership	6
6.	Membership entitlements not transferable	6
7.	Resignation of membership	6
8.	Register of members	6
9.	Fees and subscriptions	7
10.	Members' liabilities	7
11.	Resolution of internal disputes	7
12.	Disciplining of members	7, 8
13.	Right of appeal of disciplined member	9
Part 3-	The Committee	
14.	Powers of the committee	9
15.	Constitution and membership	10
16.	Election of members	11
17.	Secretary	11
18.	Treasurer	12
19.	Casual vacancies	12
20.	Removal of member	12
21.	Meetings and quorum	13
22.	Delegation of committee to subcommittee	14
23.	Voting and decisions	14
Part 4-	General meetings	
24.	Annual general meetings-holding of	15
25.	Annual general meetings-calling of and business at	15
26.	Special general meetings-calling of	16
27.	Notice	16
28.	Procedure	16
29.	Presiding member	17
30.	Adjournment	17
31.	Making of decisions	17
32.	Special resolution	18
33.	Voting	18
34.	Appointment of proxies	18, 19
Part 5-	Miscellaneous	
35.	Insurance	19
36.	Funds-source	19
37.	Funds-management	19
38.	Alteration of objects and rules	19
39.	Custody of books	19
40.	Inspection of books	20
41.	Service of notices	20
42.	Equality	21
43.	Distribution of property on winding up of association	21
	Appendices- Proxy Voting Form	22

Appendices

Form of appointment by proxy

Part 1 – Preliminary

1. Definitions

(1) in these rules

Commissioner

means the Commissioner of the Office of Fair Trading

Committee

means the committee of management established under part 3

Ordinary member

means a member of the committee who is not an office-bearer of the association, as referred to in rule 14(2).

Regional Sub-Committee

means a sub-committee established by the Committee under rule 22(1)

Secretary

means:

- (a) The person holding office under these rules as the secretary of the association, or
- (b) If no such person holds that office-public officer of the association.

Special General Meeting

means a general meeting of the association other than an annual general meeting.

The Act

means the Associations Incorporation Act 2009.

The Regulation

means the Associations Incorporation Regulation 2016.

2) In these rules:

- (a) a reference to a function includes a reference to a power, authority and duty, &
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the Interpretation Act 1987 apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

Part 2 – Membership

2. Membership qualifications

A person is qualified to be a member of the association, if but only if:

- (a) The person is a person referred to in section 15(1) (a), (b) or (c) of the Act and has not ceased to be a member of the association at any time after incorporation of the association under the Act, or
- (b) the person is a natural person:
 - (i) who has been nominated for membership of the association in writing, and
 - (ii) who has been approved for membership of the association by the Committee of the association.

3. Nomination for membership

(1) A nomination of a person for membership of the association:

- (a) must be made by a member of the association in writing, and
- (b) must be lodged with the Secretary of the Association.

(2) As soon as possible after receiving the nomination for membership, the Secretary must refer the nomination to the Committee which is to determine whether to accept or reject the nomination.

- (a) the nomination for membership may only be rejected on legal advice.

(3) As soon as practicable after the Committee makes that determination, the Secretary must:

- (a) notify the nominee, in writing, that the Committee approved or rejected the nomination (whichever is applicable), and

- (b) if the Committee approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under these rules by a member as entrance fee and annual subscription.

(4) The Secretary must, on payment by the nominee of the amounts referred to in clause (3) (b) within the period referred to in that provision, enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the association.

4. Life Membership

(1) A Regional Sub_ Committee may at its discretion nominate to the Committee a person who has given long and meritorious service to the Australian Mounted Games Association for the award of Life Membership.

(2) The award of Life Membership shall only be granted with the unanimous approval of the Committee.

5. Cessation of membership

A person ceases to be a member of the association if the person

- (a) dies
- (b) resigns membership or
- (c) is expelled from the association

6. Membership entitlements

Not transferable

A right, privilege or obligation which a person has by reason of being a member of the association:

- (a) is not capable of being transferred or transmitted to another person,
- (b) terminates on cessation of the person's membership.

7. Resignation of membership

(1) A member of the association is not entitled to resign that membership except in accordance with this rule.

(2) A member of the association who has paid all amounts payable by the member to the association in respect of the member's membership may resign from membership of the association by first giving to the Secretary written notice of at least one month (or such other period as the Committee may determine) of the person's intention to resign and, on expiration of the period of notice, the member ceases to be a member.

(3) If a member of the association ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the Secretary must make an appropriate entry in the register of members recording the date on which the member ceases to be a member.

8. Register of members

(1) The public officer of the association must establish and maintain a register of members of the association specifying the name and address of each person who is a member of the association together with the date on which the person became a member.

(2) The register of members must be kept at the principal place of administration of the association and must be open for inspection, free of charge, by any member of the association at any reasonable hour.

(3) A member of the association may obtain a copy of any part of the register on payment of a fee of \$1 or, if some other amount determined by the Committee, that other amount.

9. Fees and subscriptions

(1) A member of the association must, on admission to membership, pay to the association a fee of \$1, or, if some other amount is determined by the Committee, that other amount.

(2) In addition to any amount payable by the member under clause (1) a member of the association must pay to the association an annual membership fee of \$2 or, if some other amount is determined by the Committee, that other amount:

(a) except as provided by paragraph (1), before July 1 in each calendar year, or

(b) if the member becomes a member on or after July 1 in any calendar year- on becoming a member and before July 1 in each succeeding calendar year.

10. Member's liabilities

The liability of a member of the association to contribute towards the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required by rule 8.

11. Resolution of internal disputes

(1) Disputes between members (in their capacity as members) of the association, and disputes between members and the association, are to referred to a community justice centre for mediation in accordance with the Community Justice Centres Act of 1983.

(2) At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

12. Disciplining of members

12.1 Breaches of Policies, Procedures, By-Laws and Codes of Conduct

(1) Where a member breaches any by-laws, codes of conducts or policies a written complaint must, at the first instance, be made to the Regional Sub-committee of which the member is a part.

(2) Upon receipt of such a complaint the Regional Sub-committee shall forthwith establish a disciplinary panel consisting of not less than 3 members of that Sub-committee.

(3) The complainant shall not be a member of the disciplinary panel.

(4) The disciplinary panel shall provide the member the details in writing of the complaint alleged against them and the member shall be entitled to present submissions either orally or in writing to the disciplinary panel.

(5) The disciplinary panel shall enquire as to the merits of the complaint and if satisfied that a breach of the by-laws, policies, procedures or codes of conduct has been committed shall determine an appropriate penalty which shall consist of

5.1 An informal verbal warning or

5.2 A formal written warning or

5.3 A good behaviour bond not exceeding 12 months or

5.4 A suspension of membership not exceeding 3 months

(6) If the disciplinary panel determines that the breach is sufficiently serious, it may refer the complaint to the Committee to deal with in accordance with rule 11 (2).

(7) A member who is aggrieved by a decision or penalty imposed by the disciplinary panel shall have the same appeal rights pursuant to rule 13 as a member aggrieved with a decision of the Committee imposed pursuant to rule 11 (2).

12.2

(1) A complaint may be made to the Committee by any person that is a member of the association:

(a) has persistently refused or neglected to comply with the provisions Of these rules or

(b) has persistently and wilfully acted in a manner that is prejudicial to the interests of the association.

(2) On receiving such a complaint, the Committee:

(a) must cause notice of the complaint to be served on the member concerned;

and

(b) must give the member at least 14 days from the time the notice is served within which to make submissions to the Committee in connection with the complaint, and

(c) must take into consideration any submissions made by the member in connection with the complaint.

(3) The Committee may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.

(4) If the Committee expels or suspends a member, the Secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the Committee for having taken that action and of the member's right of appeal under rule 13.

(5) The expulsion or suspension does not take effect:

- (a) until the expiration of the period within the member within which the member is entitled to appeal against the resolution concerned, or
- (b) if within that period the member exercises the right to appeal, unless and until the association confirms the resolution under rule 13(5), whichever is the later.

13 Right of appeal of disciplined member

(1) A member may appeal to the association in a general meeting against a resolution of the Committee under rule 11 and Rule 12, within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.

(2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.

(3) On receipt of a notice from the member under clause (1) the Secretary must notify the Committee which is to convene a general meeting of the association to be held within 28 days after the date on which the Secretary received the notice.

(4) At a general meeting of the association convened under clause (3):

- (a) no business other than the appeal is to be transacted, and
- (b) the Committee and the member must be given the opportunity to state their respective cases orally, in writing, or both, and
- (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

(5) If at the general meeting the association passes a special resolution in favour of the resolution, the resolution is confirmed.

Part 3- The Committee

14 Powers of the Committee

The Committee which is to be called the committee of management of the association and, subject to the Act, the Regulation and these rules and to any resolution passed by the association in general meeting:

- (a) is to control and manage the affairs of the association, and
- (b) may exercise all such functions as may be exercised by the association, other than those functions that are required by these rules to be exercised by a general meeting of the association, and
- (c) has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the association, including but not limited to, implementing and amending policies, procedures, by-laws and codes of conduct. Such policies, procedures, by-

laws and codes of conduct shall be placed on the AMGA website and shall be available to all members.

15 Constitution and membership

(1) Subject in the case of the first members of the Committee to section 21 of the Act the Committee is to consist of:

- (a) the office-bearers of the association with no more than 2 office-bearers being from each Regional-Sub-branch, and
- (b) at least one, but no more than 2, ordinary member from each of the association's Regional sub-committees, notwithstanding that that an office-bearer can be nominated by the Regional Sub-committee as its ordinary member.

(2) The office-bearers of the association are to be:

- (a) the president
- (b) the treasurer
- (c) the secretary, and
- (d) 2 vice presidents elected in accordance with rule 16 (2)

(3) Subject in the case of the first election of the office-bearers following the adoption of these rules, each office bearer is to hold office until the conclusion of the second annual general meeting following the date of the member's election, but is eligible for re-election.

(4) At the first election of office-bearers following the adoption of these rules, the office-bearers will be elected until the conclusion of the respective annual general meeting as stated below:

- (a) the president- first annual general meeting
- (b) the treasurer- first annual general meeting
- (c) the second elected vice president- first annual general meeting
- (d) the secretary- second annual general meeting
- (e) the first elected vice president- second annual general meeting

At the first annual general meeting following the adoption of these rules, the position of president, treasurer and second elected vice president will be elected for 2 years.

(5) In the event of a casual vacancy occurring in the membership of the office-bearers, the Committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to these rules, to the conclusion of the annual general meeting next following the date of appointment. Such appointment will be for a period to coincide with the term of the member who created the vacancy.

(6) The ordinary members of the Committee are to be nominated by their Regional Sub-branch committee and will hold office until such time as their Regional Sub-Branch appoints a new ordinary member to represent their sub-branch.

(7) There is no maximum number of consecutive terms for which a committee member may hold office.

16. Election of members

(1) Nomination of candidates for election as office-bearers of the association:

(a) must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and

(b) must be delivered to the Secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.

(2) The second elected vice president must be a member of a different Regional Sub-committee to the first elected vice president. Notwithstanding that if there are insufficient the second vice president can be a member of any Regional Sub-Committee and the procedures detailed in clause 16. (3), 16. (4) and 16. (5) are to be followed.

(3) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.

(4) If insufficient nominations are received to fill all vacancies on the Committee, any vacant positions remaining on the Committee are taken to be casual vacancies.

(5) If the number of nominations received is equal to the number of vacancies to be filled, the candidates nominated are taken to be elected.

(6) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.

(7) The ballot for the election of office-bearers is to be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.

17. Secretary

(1) The Secretary of the association must, as soon as practicable after being appointed Secretary, lodge notice with the association of his/her address.

(2) It is the duty of the Secretary to keep minutes of (either in written or electronic form):

(a) all appointments of office-bearers and members of the Committee,

(b) the names of members of the Committee present at a committee meeting or a general meeting, and

(c) all Committee meetings and general meetings

(3) The minutes at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next proceeding meeting.

(4) The signature of the chairperson may be transmitted by electronic means for the purpose of sub-clause 16. (3)

18. Treasurer

It is the duty of the treasurer of the association to ensure:

- (a) that all monies due to association is collected and received and that all payments authorised by the association are made, and
- (b) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditures connected with the activities of the association.

19. Casual vacancies

For the purpose of these rules, a casual vacancy in the office a member of the Committee occurs if the member:

- (a) dies, or
- (b) ceases to be a member of the association, or
- (c) becomes insolvent under the administration within the meaning of the Corporation Act of 2001 of the Commonwealth, or
- (d) resigns office by notice in writing given to the secretary, or
- (e) is removed from office under rule 20, or
- (f) becomes a mentally incapacitated person, or
- (g) is absent without the consent of Committee from all meetings of the Committee held during a period of 6 months.

20. Removal of a member

(1) The association in general meeting may by resolution remove any member of the Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another member to hold office until the expiration of the term of office of the member so removed.

(2) If a member of the Committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the Secretary or president (not exceeding a reasonable length) and requests that the representation be notified to the members of the association, the Secretary or the president may send a copy of the representations to each member of the association or, if the representations are not to be sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

21 Meetings and quorum

- (1) The Committee must meet at least 3 times in each period of 12 months at such place and time as the Committee may determine.
- (2) Additional meetings of the Committee may be convened by the president or by any member of the Committee.
- (3) Oral or written notice of a meeting of the Committee must be given by the Secretary to each member of the Committee at least 48 hours (or by such other period as may unanimously be agreed on by the members of the Committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under clause (3) must specify the general nature of the business to be transacted at the business of the meeting and no business other than that business is to be transacted at the meeting, except business, which the Committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 office-bearers of the association constitute a quorum for the transaction of the business of a meeting of the Committee.
- (6) No business is to be transacted by the Committee unless a quorum is present and, if within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and the same hour and the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the Committee:
 - (a) the president or, in the president's absence, the secretary is to preside., or
 - (b) if the president and the Secretary are absent or unwilling to act, such one of the remaining members of the Committee as may be chosen by the members present at the meeting is to preside.
- (9) A committee meeting may be held at 2 or more venues using any technology approved by the committee that gives each of the committee's members a reasonable opportunity to participate.
- (10) 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.

22. Delegation by Committee to sub-committee

- (1) The Committee shall at the first meeting following the adoption of this rule, by instrument in writing, establish one or more Regional Sub-Committees (consisting of such

member or members of the association who reside within a defined geographical area as the Committee thinks fit) to exercise such of the functions of the Committee as specified in the instrument other than:

- (a) the power of delegation, and
- (b) a function which is a duty imposed on the committee by the Act or by any other law.
- (c) a function which has by instrument in writing been delegated to a Regional Sub-Committee while such delegation remains in effect

(3) The Committee shall determine in writing the duties and powers afforded to any Regional Sub-Committee or sub-committee and the Regional Sub-Committee or sub-committee shall, in the exercise of such delegated powers, conform to any directions or By-Laws that may be prescribed by the Committee

(4) A function the exercise of which has been delegated to a Regional Sub-Committee or sub-committee under this rule may, while the delegation remains un-revoked, be exercised from time to time by the Regional Sub-Committee or sub-committee in accordance with the terms of the delegation.

(5) Despite any delegation under this rule, the Committee may continue to exercise any function delegated.

(6) Any act or thing done or suffered by a Regional Sub-Committee or sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Committee.

(7) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.

(8) A Regional Sub-Committee or sub-committee may meet and adjourn, as it thinks proper.

23. Voting and decisions

(1) Questions arising at a meeting of the Committee are to be determined by a majority of the votes of the members present at the meeting. Questions arising at a meeting of any sub-committee appointed by the committee in accordance with clause 21, are to be determined by a majority of votes of members of the sub-committee present at the meeting.

(2) Each member entitled to vote in accordance with clause 23(1) and present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

(3) Subject to rule 21(5), the committee may act despite any vacancy on the committee.

(4) Any act or thing done or suffered, or purporting to have been done or suffered, by

the committee or by a subcommittee appointed 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 or sub-committee.

Part 4 - General meeting

24. Annual general meetings – holding of

(1) With the exception of the first annual general meeting of the association, the association must, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the association, convene an annual general meeting of its members.

(2) The association must hold its first annual general meeting:

- (a) within the period of 18 months after its incorporation under the Act, and
- (b) within the period of 6 months after the expiration of the first financial year of the association.

(3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Commissioner under section 26(3) of the Act.

25. Annual general meetings – calling of and business at

(1) The annual general meeting of the association is, subject to the Act and to rule 24, to be convened on such date and at such place and time as the Committee thinks fit.

(2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:

- (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
- (b) to receive from the Committee reports on the activities of the association during the last preceding financial year,
- (c) to elect office-bearers of the association.
- (d) to receive and consider the statement which is required to be submitted to members under section 26(6) of the Act.

(3) An annual general meeting must be specified as such in the notice convening it.

26. Special general meetings – calling of

(1) The Committee may, whenever it thinks fit, convene a special general meeting of the association.

(2) The Committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the association.

(3) A requisition of members for a special general meeting:

- (a) must state the purpose or purposes of the meeting, and
- (b) must be signed by the members making the requisition, and
- (c) must be lodged with the Secretary, and

(d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

(4) If the Committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

(5) A special general meeting convened by a member or members as referred to in clause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee and any member who consequently incurs expenses is entitled to be reimbursed by the association for any expense so incurred.

27. Notice

(1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the Secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

(2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the Secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause

(1), the intention to propose the resolution as a special resolution.

(3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under rule 25(2).

(4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

28. Procedure

(1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

(2) Five members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

(3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:

(a) if convened on the requisition of members, is to be dissolved, and

(b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members

given before the day to which the meeting is adjourned) at the same place.

- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting; the members present (being at least 3) is to constitute a quorum.

29. Presiding member

- (1) The president or, in the president's absence, the secretary, is to preside as chairperson at each general meeting of the association.
- (2) If the president and the secretary are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

30. Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the Secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

31. Making of decisions

- (1) A question arising at a general meeting of the association is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a general meeting of the association, a poll may be demanded by the chairperson or by at least 3 members present in person or by proxy at the meeting.
- (3) If a poll is demanded at a general meeting, the poll must be taken;
 - (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment, or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

32. Special resolution

A resolution of the association is a special resolution:

(a) if it is passed by a majority which comprises at least three-quarters of such members of the association as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or

(b) where it is made to appear to the Commissioner that it is not practicable for the resolution to be passed in the manner specified in paragraph (a), if the resolution is passed in a manner specified by the Commissioner.

33. Voting

(1) On any question arising at a general meeting of the association a member has one vote only.

(2) All votes must be given personally, by an electronic vote or by proxy but no member may hold more than five (5) proxies unless the proxy is directed to the person acting as chairman of the meeting at the time of the vote and the member has specifically instructed (in the proxy) the chairman on how to cast the vote.

(3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

(4) A member or proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid, other than the amount of the annual subscription payable in respect of the then current year.

(5) A member is not entitled to vote at any general meeting of the association if the member is under 16 years of age.

(6) A General meeting may be held at 2 or more venues using any technology approved by the committee that gives each of the committee's members a reasonable opportunity to participate.

(7) A 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.

(8) Electronic voting may be used. for all elections and resolutions as directed by the Committee.

34. Appointment of proxies

(1) Each member is to be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

(2) The notice appointing the proxy is to be in the form set out in Appendix 1 to

these rules.

Part5-Miscellaneous

35. Insurance

The association may effect and maintain insurance.

36. Funds – source

(1) The funds of the association are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the committee determines.

(2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.

(3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

37. Funds – management

(1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.

(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of the association, being members or employees authorised to do so by the committee.

38. Alteration of objects and rules

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the association.

39. Custody of books

Except as otherwise provided by this constitution, all records, books and other documents relating to the association must be kept in New South Wales—

(a) at the main premises of the association, in the custody of the public officer or a member of the association (as the committee determines), or

(b) if the association has no premises, at the association's official address or in the custody of the public officer.

40. Inspection of books

(1) The following documents must be open to inspection, free of charge, by a member of the association at any reasonable hour—

- (a) records, books and other financial documents of the association,
- (b) this constitution,
- (c) minutes of all committee meetings and general meetings of the association.

(2) A member of the association may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.

(3) The Association must keep and maintain a register of all members in which shall be entered such information as is required under the Act from time to time. Having regard to privacy considerations, an extract of the register, excluding the address of any life member, individual member or Director shall be available for inspection (but not copying) by members, upon reasonable request.

(4) Despite subclauses (1), (2) and (3), the committee may refuse to permit a member of the association to inspect or obtain a copy of records of the association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the association.

41. Service of notices

(1) For the purpose of these rules, a notice may be served on or given to a person:

- (a) by delivering it to the person personally, or
- (b) by sending it by pre-paid post to the address of the person,
- or
- (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

2) for the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:

- (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
- (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

42. Equality

The Australian Mounted Games Association is committed to the principles of equality of opportunity and aims to ensure that no individual receives less favourable treatment on the grounds of Age, Disability, Gender, Sexual orientation, Race or Nationality, Class or social background, Religion or belief, Marriage or civil partnership except where this may conflict with local/national laws and regulations. This includes all those involved in mounted games: riders, parents, trainers, employees, officials, other volunteers and spectators.

43. Distribution of property on winding up of association

(1) Subject to the Act and the Regulations, in a winding up of the association, any surplus property of the association is to be transferred to another organisation with similar objects and which is not carried on for the profit or gain of its individual members.

(2) In this clause, a reference to the surplus property of an association is a reference to that property of the association remaining after satisfaction of the debts and liabilities of the association and the costs, charges and expenses of the winding up of the association.

Appendix 1

(Rule 3 (1))

Form of Appointment of Proxy

I,
(Full name)

of
.....
(address)

being a member of
.....
(Name of incorporated association)

hereby appoint
.....
(Full name of proxy)

of
.....
(address)

being a member of that incorporated association, as my proxy to vote for me on my behalf at the general meeting of the association (annual general meeting or special general meeting, as the case may be) to be held on the.....day of.....and at any adjournment of that meeting.
(Month and year)

* My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).

* To be inserted if desired.

.....
Signature of member appointing proxy Date

NOTE: A proxy vote may not be given to a person who is not a member of the association.

We the undersigned agree to the adoption of this constitution by the Australian Mounted Games Association. We agree to conduct all dealings on behalf of the AMGA in good faith and in accordance with the rules outlined in the constitution.

..... signed

.....signed

..... date

..... date

President..... position

Secretary..... position

Andrew Rodaughan- President
Phone: 0459 943058
Email: arodaughan@gmail.com

Maureen Purdie - Secretary
Phone: 02 62383343
Mobile: 0427 383343
Email: info@australianmga.com

Alister Ling- Treasurer
Phone: 0437 662402
Email: alister.ling@outlook.com