



## **CONSTITUTION OF THE NEW ZEALAND PINTO HORSE SOCIETY INCORPORATED**

### **1. NAME**

The name of the Society is New Zealand Pinto Horse Society Incorporated.

### **2. PURPOSE**

The purpose for which the Society was formed is to preserve, improve and promote the coloured horse known as Pinto.

- A. To maintain, operate, promote, and support effective registry record keeping functions.
- B. To compile and publish a register of registered horses in New Zealand.
- C. To aid and encourage the breeding, exhibition, and continuation of the Pinto Horse in New Zealand.
- D. To organise and promote shows and other activities. Including to set rules, regulations, and standards for shows with Pinto sections/classes.

### **3. INSURANCE**

The society shall from time-to-time effect and maintain such insurance as shall be deemed necessary by the Committee.

### **4. COMMON SEAL**

- A. The Committee shall provide a common seal for the Society and may from time to time replace it with a new one.
- B. The Registrar shall have the custody of the common seal which shall only be used for the purposes of affixing to New Zealand Pinto Horse Society Incorporated certificates of registration and other documentation.

### **5. USE OF MONEY AND ASSETS**

The Society may only use money and other assets if:

- A. It is for a purpose of the New Zealand Pinto Horse Society Incorporated.
- B. It is not for the sole personal or individual benefit of any Member. But shall not prevent the payment in good faith of reasonable and proper remuneration to any officer or servant of the Society or to any member of the Society in return for any services actually rendered to the Society; and
- C. That use has been approved by either the Committee or by majority vote of the Society.

## **6. CONTROL AND USE OF FUNDS**

All monies received by or on behalf of the Society shall forthwith be paid to the credit of the Society in an account with a bank from time to time to be fixed by the Society. All withdrawal slips drawn on the account shall be signed by one signatory of the account.

## **7. WINDING UP**

If the Society is wound up:

- A. The Societies debts, costs and liabilities shall be paid.
- B. No distribution may be made to any Member.
- C. Surplus money and other assets of the Society shall be distributed to the non-for-profit organisation NZ Riding for the Disabled Association.

## **8. REGISTERED OFFICE**

The Registered Office of the Society shall be that of the current Secretary.

## **9. REGULATIONS**

The committee shall from time to time make, amend, or rescind regulations not consistent with the constitution or the affairs of the Society. Any changes will come into effect immediately.

## **10. MEMBERSHIP**

- A. The Society must have a minimum of 15 members.
- B. Membership shall be open to all persons who subscribe to the purpose of the Society, agree to abide by its constitution, rules, and regulations upon submission of the online Membership application and payment of the annual fee.
- C. Members are responsible for notifying the Society via email of any change to their contact information.
- D. The Society shall maintain an up-to-date and accurate list of its members, including, but not limited to, membership category, members name, membership number, date membership started and the last known contact information.
- E. The Society shall maintain an up-to-date and accurate list of its members, including, but not limited to, membership category, members name, membership number, date membership started and last known information.

## **11. CLASSES OF MEMBERS**

### **A. Adult Member**

Any person 18 years of age or over as of the 1<sup>st</sup> of August in each year and having been accepted by the Society as an adult member and paid the annual adult membership fee as set by the committee.

### **B. Junior Member**

Any person 17 years of age and under as of the 1<sup>st</sup> of August in each year and having been accepted by the Society and paid the annual membership fee as set by the committee. Junior members shall not be entitled to hold office or vote at any meeting.

### **C. Family Membership**

For families consisting of two or less adults and their dependent children 17 years of age or under as of the 1<sup>st</sup> of August in each year and been accepted by the Society and paid the annual membership fee as set by the committee. A dependent child is defined as being maintained as a member of the family for which membership is applied, not financially independent and not living with another person in a marriage, civil union, or de facto relationship.

#### **D. Life Member**

Any person 18 years of age or over as of the 1<sup>st</sup> of August in each year and having been accepted by the Society as an adult member and paid 10 x the current annual adult membership fee.

### **12. ANNUAL MEMBERSHIP FEE**

- A. Every member (excluding Honorary and Life Members) shall pay to the Society an annual fee to be set at each AGM for the following year.
- B. Membership fees are valid from 1<sup>st</sup> August to 31<sup>st</sup> July of the following year.

### **13. SOCIAL MEDIA**

The Society treat all social media postings, blogs, status updates and tweets as public comment. Postings (written, photos or videos) must be family-friendly and feature positive Society news and events.

No personal information about our members can be disclosed without their permission.

No statements will be made that might bring the Society into disrepute, must not offend, intimidate, humiliate, or bully another person, must not be misleading, false or injure the reputation of another person, should respect and maintain the privacy of members.

Abusive, discriminatory, intimidating, or offensive statements will not be tolerated. Offending posts will be removed and those responsible will be blocked from the site.

Members must conduct themselves appropriately when using electronic communication to share information with other members or posting material on public websites, social media connected to the Society.

### **14. RESIGNATION OF MEMBERS**

Any member may resign from their membership by giving to the Secretary notice via email to that effect and every such notice shall unless otherwise expressed take effect as from the date of such notice.

A person who ceases to become a member remains liable to pay to the Society the amount of any fees or other accounts due and payable by the person to the Society but unpaid at the date of that cessation.

The Society will make no refund to the resigned member for any fees already paid.

### **15. EXPULSION OF MEMBERS**

If, for any reason whatsoever, the Committee is of the view that a member is breaching the Constitution or acting in a manner inconsistent with the purposes of the Society, the Committee may give written notice of this to the Member ("the Committee's Notice").

The Committee's Notice must:

- A. Explain how the Member is breaching the Constitution, Regulations or Rules or acting in a manner inconsistent with the purposes of the Society.

B. State what the Member must do in order to remedy the situation; or state that the Member must write to the Committee giving reasons why the Committee should not terminate the Member's Membership.

C. State that if, within fifteen days of the Member being sent the Committee's Notice to the last known email, the Committee is not satisfied, the Committee may in its absolute discretion immediately terminate the Member's Membership. The member shall forfeit all rights, title and interest and shall have no claim against the Society for reimbursement of any fees or any part thereof.

D. State that if the Committee terminates the Member's Membership, the Member may appeal to the Society.

E. Fifteen days after the Member being sent the Committee's Notice, the Committee may in its absolute discretion by majority vote terminate the Member's Membership by giving the Member written notice ("Termination Notice"), which takes immediate effect. The Termination Notice must state that the Member may appeal to the Society at the next Meeting by giving written notice to the Secretary ("Member's Notice") within ten days of the Member's being sent the Termination Notice.

F. If the Member gives the Member's Notice to the Secretary, the Member will have the right to be fairly heard at a committee meeting held within the following fifteen days. If the Member chooses, the Member may provide the Secretary with a written explanation of the events as the Member sees them ("the Member's Explanation"), and the Member may require the Secretary to give the Member's explanation to every other Member within seven days of the Secretary receiving the Member's explanation. The Committee shall then by majority vote decide whether to let the termination stand, or whether to reinstate the Member.

G. The Member has the right to ask for the decision to be reviewed by an external official, from a recognised equestrian association (RAS or ESNZ), who may make recommendations to the committee. Any review is at the Member's expense.

H. The Committee's decision will be final.

## **16. COMMITTEE MEETINGS**

Meetings are conducted by email or online meeting. The discussions and voting results will be included in the meetings minutes and will be available on request by any financial member.

## **17. VACANCIES ON THE COMMITTEE**

The committee shall have power to appoint a member to fulfil any casual vacancy on the committee until the next AGM and any member so appointed shall retire at the next AGM.

## **18. DUTIES OF THE COMMITTEE**

- A. It shall be the duty of the committee generally to conduct the affairs of the Society and to keep usual and proper books of account properly posted up and other records of the business of the Society and to notify members of intended meetings and the business to be transacted thereat and to prepare and submit to the AGM a report, balance sheet and statement of accounts for the preceding year.
- B. Meetings of the committee may be convened by e-mail or online meeting at such times and places as the Secretary appoints or in his/her absence, inability or refusal to act, the President shall appoint for the purposes of transacting the business of the Society and deciding upon resolutions as shall be duly submitted to the meeting.
- C. Committee members are required to vote at meetings, missing no more than two meetings in a row or four throughout the year, unless the committee is contacted and excuses the member at their discretion.

- D. The committee is to maintain a minimum of six members, including position holders, with a maximum of twelve.
- E. They endeavour to have a balance of membership from both Islands.
- F. All committee members must be a current member of the Society.
- G. All committee members must
  - Act in good faith and in the best interests of the Society.
  - Exercise powers for proper purposed only.
  - Comply with the Societies Act and New Zealand Pinto Horse Society Constitution.
  - Exercise reasonable care and diligence.
  - Not create a substantial risk of serious loss to creditors.
  - Not incur an obligation the officer doesn't reasonably believe the Society can perform.

## **19. OFFICERS OF THE SOCIETY**

- A. All officers must consent in writing and certify that they are not disqualified.
- B. They must be 18 years of age or older.
- C. They cannot be:
  - An undischarged bankrupt.
  - Prohibited from being a director or promoter of a company.
  - Disqualified from being an officer of a charitable entity.
- D. Convicted and sentenced for certain offending within the last 7 years for
  - Fraudulent use of destruction of property.
  - Defrauding of creditors.
  - Improper use of 'incorporated or the Te Reo version 'Manatopu'.
  - Breaching of a banning order.
- E. Be unable to comply with any qualifications for officers contained in the society's constitution.

## **20. NOTICE OF BUSINESS FOR ANNUAL GENERAL MEETING (AGM) OR SPECIAL GENERAL MEETING (SGM)**

Notice of Business for Annual or Special General Meetings. Fourteen days' notice will be given to all members stating the time, date, and place of the meeting. The Notice will include the business to be transacted at the meeting, and in the case of a SGM, the reason for calling the meeting.

Every notice required to be given to the members shall be deemed to have been duly e-mailed to them at the last known e-mail address or by notice posted on the New Zealand Pinto Horse Society Incorporated website [www.nzpinto.com](http://www.nzpinto.com).

## **21. ANNUAL GENERAL MEETING**

An Annual General Meeting of the Society shall be held during the month of July unless the committee decides otherwise, but no later than six months from the end of the Societies financial year.

The meeting will be held either via e-mail votes, online meeting or at a venue appointed by the committee.

- A. The business of the Annual General Meeting will include: -
  - President's Report

- Financial Account
  - Treasurer’s Report
- B. The election of the following office holders
- President
  - Vice President
  - Secretary
  - Treasurer
  - Registrar
  - Up to seven Committee members
- C. The consideration of any other business
- D. The Annual Financial Statements must be filed with the Companies Office by the end of the month that follows the AGM.

**22. SPECIAL GENERAL MEETING**

The President may for any special purpose call a Special General Meeting.

Any member may call for a Special General Meeting but must have the written support of not less than one third of the total voting members and must state the purpose for which the meeting is required.

The Secretary will give notice of a Special General Meeting no later than fourteen days after receiving the request.

The meeting can be held at a venue appointed by the committee or via e-mail or online meeting.

**23. ALTERATION OF THE CONSTITUTION**

Any adult member entitled to vote may lodge a remit seeking to alter, amend or add to this Constitution at an AGM or SGM.

- A. 75% majority vote (including proxy votes) of the votes cast shall be sufficient to pass a remit affecting this Constitution.
- B. Voting shall be by email or online form vote or online meeting or by confidential paper vote at the AGM/SGM.
- C. Any alteration, amendment or addition to this Constitution that is approved at an AGM or SGM shall come into force immediately after filed in the Companies Office which shall be within ten working days of the AGM or SGM.

**24. PROCEDURE AT MEETINGS**

At all meetings not conducted electronically the President shall take the chair and in his/her absence the Vice President and in the absence of both the President and the Vice President the members of the committee present shall elect one of their members to take the chair.

Every adult member shall be entitled on every motion to one vote exercised in person or by proxy. In the case of an equality of votes, the Chairperson at that time shall have a casting vote as well as a deliberative vote.

## **25. QUORUM**

- A. At all committee meetings four members shall constitute a quorum.
- B. At the Annual General Meeting ten members shall constitute a quorum.
- C. At a Special General Meeting seven members shall constitute a quorum.
- D. Proxy vote/s will be counted towards the numbers of members attending the meetings.

## **26. VOTING RIGHTS**

Only accepted financial adult members shall be entitled to vote at any Annual or Special General Meeting of the Society. Members shall have the following votes according to their membership classification.

**Adult members** (18 years and over) – One Vote.

**Family members** – Each Adult to have one vote, no more than two Adults per family.

**Junior members** (17 years and under) – No vote.

## **27. PROXY VOTES**

Any adult member is eligible to vote by email or online form on any remit or show of hands in an online meeting at an Annual General Meeting or Special General Meeting.

The Secretary must receive the voting form no later than three days prior to the meeting.