

**PONY
CLUB**



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195-292 NPO

**THE CONSTITUTION OF THE
NATIONAL COMMITTEE OF
THE SOUTH AFRICAN PONY CLUB**

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1 NAME

The name of the Organisation is “The South African Pony Club” represented by the National Committee which is named the “The South African Pony Club National Committee”.

2 TERRITORY

The territory controlled by the South African Pony Club shall be the Republic of South Africa.

3 THE PONY CLUB

The Committee acknowledges that it is constituted in terms of Rules 11 and 12.2 of The South African Pony Club.

4 OBJECTIVES

- 4.1 To promote as the principal objective, social, educational and recreational activities, or amenities or facilities, for the members in a non-profit manner.
- 4.2 To take on the power and authority that it, the Committee, believes it needs to be able to achieve the objectives of the organisation.
- 4.3 To promote, encourage and protect the interest of The Pony Club and to deal with matters, which may affect the common interests of the Members in all Regions.
- 4.4 To negotiate with the relevant South African Government bodies that may be appointed from time to time, and the South African Equestrian Council, when necessary, and to act as a link between Regional controlling bodies and The Pony Club Council in the UK.
- 4.5 To organise International, National and Inter-Regional Championships and competitions and to select teams and/or individuals to represent The South African Pony Club in International Events.
- 4.6 To draw up rules and guidelines for Pony Club competitions at International, National and Inter-Regional events and for the guidance of Regional bodies and Branches organising competitions at events of lesser status, providing always that such rules shall maintain the spirit of The Pony Club.
- 4.7 To assist in the co-ordination of Pony Club activities throughout the territory.
- 4.8 To promote higher standards of instruction throughout the territory.
- 4.9 To arrange “A” Tests and promote uniform standards of testing.
- 4.10 To collect and disseminate any information of use to Regional Bodies and Members in general.

5 MEMBERSHIP

- 5.1 The Committee shall exist in its own right, separately from its members.
- 5.2 The Committee shall continue to exist even when its membership changes and there are different office bearers.
- 5.3 At least three persons who accept fiduciary responsibility for the recreational club will not be connected persons in relation to each other, and no single person will directly or indirectly control the decision-making powers relating to the recreational club.
- 5.4 Members or office bearers do not have rights over the assets of the organisation.
- 5.5 No funds or assets of the organisation may be given to the members or office bearers of the organisation, except in reimbursement of expenses incurred by a member or office bearer in carrying out work for or on behalf of the organisation.

- 5.6 No surplus funds will be directly or indirectly distributed to any person.
- 5.7 No remuneration will be paid to any person which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered, nor may any remuneration be determined as a percentage of any amounts received or accrued to the recreational club.
- 5.8 The Committee shall manage the organisation. The members of the Committee are the office-bearers of the organisation.
- 5.9 The Committee shall consist of the Regional Chairperson and Vice-Chairperson from each Region and the National Chairperson of The South African Pony Club as elected from time to time. The committee must consist of at least 5 members.
- 5.10 The Chairperson shall be elected by the Members from among themselves at the Annual General Meeting and shall hold office for two years and thereafter may offer themselves for re-election. Upon election the Chairperson shall cease to represent a region and that region shall elect a replacement at an Extra Ordinary General Meeting of that Region.
- 5.11 The Vice-Chairperson shall be elected by the Members from among themselves at the Annual General Meeting and shall hold office for two years, and thereafter may offer themselves for re-election. The duties of the Vice-Chairperson shall be limited to responsibility of The South African Pony Club only in the temporary absence, for whatever reason, of the Chairperson.
- 5.12 The Committee may appoint a Secretary, a Treasurer, a Development Officer and an SAEF representative, and may co-opt any other suitable person to attend their meetings, but such official and persons shall have no vote.
- 5.13 The office of the Members of the Committee shall be vacated:
- 5.13.1 On resignation.
 - 5.13.2 On ceasing to be a Regional representative, except in the case of the current National Chairperson, Vice-Chairperson and the officials appointed according to Clause 5.9 above.
 - 5.13.3 On failing to attend three (3) successive meetings of the Committee either in person or by proxy.

6 MEETINGS

- 6.1 Annual General Meeting
- 6.1.1 A minimum of one meeting shall be held within each twelve (12) month period, which if necessary, shall include the Annual General Meeting.
- 6.2 Special Meetings
- 6.2.1 A quorum of Members may at their discretion call a Special Meeting.
- 6.3 Notice of Meeting and Agenda
- 6.3.1 At least thirty (30) days' notice shall be given of any meeting. The Agenda must include the wording of any resolution proposed and any matters for discussion and decision. This Agenda shall accompany the 'Notice of the Meeting' and both the 'Notice' and the 'Agenda' shall be transmitted in writing.
- 6.4 Quorum
- 6.4.1 The quorum shall be two-thirds ($\frac{2}{3}$) of voting Members, or their nominated proxies.
- 6.5 Proxies

6.5.1 A Regional Member unable to attend a meeting may appoint a suitable person to act as proxy, but must notify the Chairperson personally or in writing that he has done so.

6.6 Voting

6.6.1 Voting shall be one vote per Region, the Chairperson having a casting vote when necessary.

6.7 Items not on the Agenda

6.7.1 If an item is raised which is not on the 'Agenda', it may be discussed under 'General'.

6.8 Minutes

6.8.1 Minutes of Annual General and Special Meetings must be taken and circulated to the members and office bearers of the organisation.

7 AMENDMENT OF THE SOUTH AFRICAN PONY CLUB RULES

7.1 An amendment of the Rules under The South African Pony Club Rule 30 requires a unanimous vote of all Regions.

8 AMENDMENT OF THIS CONSTITUTION

8.1 The constitution can be changed by a resolution. The resolution has to be agreed upon and passed by unanimous agreement of all the members present at an annual general meeting or special general meeting. Members must vote at this meeting to change the constitution.

8.2 Two-thirds ($\frac{2}{3}$) of voting Members, or their nominated proxies shall be present at a meeting ('quorum') before a decision to change the constitution is taken. The annual general meeting may vote upon such a notion, if details of the change is set out in the notice referred to in the following paragraph.

8.3 A written notice must go out no less than fourteen (14) days before the meeting at which the changes to constitution are going to be proposed. The notice must indicate the proposed changes to the constitution that will be discussed at the meeting. The notice can be waived by unanimous agreement by all members present at the annual general meeting or the special general meeting.

8.4 Clause 3 can never be altered.

8.5 A copy of all amendments to the constitution, memorandum and articles of association or other written instrument under which the recreational club was established, will be submitted to the Commissioner of the South African Revenue Service.

9 FINANCIAL YEAR END

9.1 The Financial year end of the South African Pony Club will be on the 30 September.

9.2 The recreational club is not or was not knowingly a part to, or does not knowingly permit or has not knowingly have permitted itself to be used as part of any transaction, operation or scheme of which the sole or main purpose is or was the reduction, postponement or avoidance of liability for any tax, duty or levy which, but for such transaction, operation or scheme, would have been or would have become payable by any person under the Income Tax Act or any other Act administered by the Commissioner for the South African Revenue Service.

9.3 The recreational club will submit the required returns for income tax together with the relevant supporting documentation.

10 LEVIES

- 10.1 The Committee shall have the power to raise money by imposing a levy on Regions based on the Membership of the Branches, Centres and Centre Plus's as at 30th September each year.
- 10.2 All these members will be entitled to annual membership, running from 1st October to 30th September.
- 10.3 Members are prohibited from selling their membership rights or any entitlement in terms thereof.
- 10.4 A bank account must be maintained in the name of 'National Committee of the South African Pony Club' in which to deposit these levies or any other funds collected or accumulated by the Committee. There must be at least three signatories to this account.

11 SUB COMMITTEES

- 11.1 The National Committee may form sub-committees, the Members of which need not be Members of the National Committee.

12 AFFILIATION

- 12.1 The Committee may join, co-operate with, or become affiliated to, any body or association whose objectives are similar to those of The Pony Club, provided this does not imply that Members or associates are forced to join any body or organisation other than The South African Pony Club.

13 REPRESENTATION ON OTHER BODIES

- 13.1 The Committee may elect representatives from Members, to other bodies. Such duly appointed representatives shall serve as a representative of The South African Pony Club and not as an individual. Every representative elected is to carry out the instructions of the Committee in all matters pertaining to his appointment and the Committee may at any time recall the appointment of any representative and appoint another in his place.

14 FURTHERANCE OF OBJECTIVES

- 14.1 The Committee may do all things lawful in furtherance of its objectives.

15 DISCLAIMER

- 15.1 The National Committee and Members thereof cannot be held responsible, in any way whatsoever, for liabilities or debts incurred by any Official, Associate or Member of The South African Pony Club.

16 DISPUTE RESOLUTION

- 16.1 In the event of a dispute over the meaning of any of the Rules or Constitution of The South African Pony Club, not resolved by the National Committee, the National Chairperson shall give his/her interpretation, which shall be binding. An appeal against this decision may be made to an independent arbitrator appointed by the National Committee.

17 DISSOLUTION

- 17.1 The organisation may be dissolved if at least two-thirds of the members present at a meeting convened for the purpose of considering this matter, are in favour of dissolution.

- 17.2 When the organisation closes down it has to pay off all its debts. After doing this if there is property or money left over it should not be paid or given to members of the organisation. It should be transferred to another non-profit organisation that has similar objectives.
- 17.3 The organisation's general meeting can decide what organisation this should be. The remaining assets of the organisation must be transferred to:
- 17.3.1 Any other recreational club which is approved by the Commissioner in terms of section 30A
 - 17.3.2 A public benefit organisation contemplated in paragraph (a)(i) of the definition of a "public benefit organisation" in section 30(1) which has been approved in terms of section 30(3)
 - 17.3.3 Any institution, board or body which is exempt from tax under the provisions of section 10(1)(cA)(i), which has as its sole or principal object the carrying on of any public benefit activity, or
 - 17.3.4 The government of the Republic in the national, provincial or local sphere, contemplated in section 10(1)(a).

Approved at the National Annual General Meeting on 3rd February 2019.

Approved and accepted by:

National Chairperson

Leann Morecroft-Davies

National Vice Chairperson

Cecile Watt

Western Cape Regional Chairperson

Cindy Laurence

Gauteng Regional Chairperson

Michelle MacKenzie

KwaZulu Natal Regional Chairperson

Melissa Boulind

National Treasurer

Lynnette van Zyl