



# STATE COMMITTEE STRUCTURE & PROCEDURES

Date: January 2018

*This State Committee Structure & Procedures document supersedes all past versions.*

## OBJECTIVES OF THE STATE COMMITTEES

A Riding Pony Stud Book Society Ltd (RPSBS Society) State Committee to operate in each Australian State as recognised by the RPSBS National Board.

The role and function of each State Committee is to promote the interests of members of RPSBS in that State by:

- Conducting not less than two Riding Pony breed shows per year;
- Conducting schools, social events and other activities considered appropriate by the State Committee;
- Promoting the interests of the Society and its members with convenors of Royal, agricultural and other equestrian shows and events within that State;
- Nominating a member of the State Committee to represent the State as a member of the Board of Directors of the Society;
- Managing funds held by the State Committee;
- Managing the funds allocated to the State Committee by the Society for the benefit of Society members in that State;
- Providing to the Board of the Society ongoing reports of the activities, performance and financial position of the State;
- Provide necessary documentation to the Company Treasurer to enable a financial audit on an annual basis in the timeframe of the Society's financial year. Audit documents to be published on the State website within seven days after the State Annual Meeting of members;
- Providing the Company Treasurer with the necessary financial information in order to complete the quarterly BAS in the timeframe required;
- Resolving Society issues; and;
- Referring issues to the Board for resolution/adjudication by written correspondence through the National Office.

## PROVISIONS RELATING TO STATE COMMITTEES

### ESTABLISHMENT

1. Only Full Financial members of the Society have the right to:
  - 1.1. stand as a candidate for a position on a State Committee;
  - 1.2. nominate a candidate for election to a State Committee; and/or
  - 1.3. vote in the election of a State Committee
2. To be eligible to vote in the election of a State Committee a member must:
  - 2.1. be recorded as a resident of that State OR
  - 2.2. have requested the National Office to register him/her as a member of that State rather than the State in which he/she is resident and reside within 100km of that State's border.
3. A member can only vote in one State.
4. The minimum period of membership before a member registered in a State is eligible to be nominated for a position on the State Committee is three months. A nominee must be a financial member of the Society at the date of nomination.
5. A State Committee will comprise not less than three and not more than nine elected members.

## **TERMS OF OFFICE**

6. A State Committee Member will be elected for a term of three years.
7. State Committee elections will be held annually.
8. The State Committee Secretary must notify the Company Secretary of any change of State Committee members and must publish an updated list of State Committee members on the State website within 14 days of such change.

## **STATE COMMITTEE MEETINGS**

9. State Committees are required to have a minimum of two face-to-face meetings per year. Other communication and consultation may be conducted via phone or electronic means as each State Committee Member deems necessary.
10. Three Committee Members shall constitute a quorum for the purpose of conducting the meeting present in person or via electronic means.

## **APPOINTING A STATE COMMITTEE MEMBER TO THE RPSBS BOARD OF DIRECTORS**

11. A State Committee nominated member elected to serve on the RPSBS Board of Directors will serve a three year term as a Director except in the following circumstances:
  - 11.1 The appointed State Director resigns from either his/her State Committee and/or Board Position; or
  - 11.2 The appointed State Director is removed from either his/her State Committee or Board Position in accordance with the RPSBS Constitution, Structures and Procedures, Rules and Regulations, legal and government regulatory requirements.
12. When a State Committee member's term as a member of the Board of the Society is to expire or has been terminated the State Committee will either re-nominate that member to serve as a Director for another term or nominate another State Committee member to the position as soon as practicable.
13. A second RPSBS Board Director shall be nominated from each State to act as a substitute if required.

## **STATE ANNUAL MEETING (SAM)**

14. Each State Committee will convene a SAM of Members registered to vote in that state in May of each year.
15. The State Committee Secretary must give not less than 30 days notice of that state's SAM to its member's via the Society website and Facebook page, by email, and/or by post.
16. The State Annual Meeting of Members will be deemed to be validly held and election of State Committee Office Bearers to be validly conducted notwithstanding accidental failure to give any member of the Society notice of the meeting.
17. The business of the State Annual Meeting of Members will be to:
  - 17.1. Receive a report from the State Chairperson;
  - 17.2. Receive a report from the State Board Director;
  - 17.3. Receive an audited report from the State Treasurer on the financial operations of the State Committee's previous financial year;
  - 17.4. conduct the election of members of the State Committee
18. A State Committee may convene other meetings of members registered in that State from time to time.
19. Three RPSBS Members shall constitute a quorum for the purpose of conducting the SAM present in person or via electronic means.

## STATE ELECTIONS

20. The election for each vacant State Committee Office Bearer and member will be by submitting a written vote on the required Ballot Paper in the following fashion;
  - 20.1 by post to the State Secretary to be received no later than 48 hours prior to the State Annual Meeting; or
  - 20.2 in person at the SAM prior to the closing of voting.
21. Only one vote per Financial Member is permitted and there are to be no votes submitted by proxies at the SAM.
22. The ballot will be conducted by the State Secretary. Each election will be conducted to the following timetable:

Action	When
Notification of SAM & Nominations open	30 days prior to SAM
Nominations close with State Secretary (Late nominations will not be accepted)	14 days prior to SAM
List of Nominees published on state website with ballot paper and information required to submit a valid postal vote	7 days prior to SAM
Votes received	48 hours prior to SAM by post or prior close of voting in person at SAM
Election – scrutineer to count postal votes and ballot papers received in person at SAM	At SAM

In the event of any of the above dates falling on a weekend or on a public holiday the next available business day will be deemed to be the set date.

23. The State Secretary will observe the following in conducting the ballot:
  - 23.1 Notices calling for nominations and notice of SAM will be published on the State website and Facebook page at least 30 days prior to the SAM
  - 23.2 To be eligible to stand for election a candidate must have been a current financial or life member of the Society for a minimum of three months and must be 18 years of age or over and must be a financial member at the date of nomination.
  - 23.3 A retiring committee member who wishes to continue in office must renominate for election and that nomination must be received by the State Secretary on or before the closing date for nominations.
  - 23.4 A candidate for a State Committee election must be nominated for that election by a current voting member of that State.
  - 23.5 Any query as to the validity of a nomination, voting procedure or election must be lodged in writing with the National Office within 30 days of the election. Should no correspondence to this effect be received within 30 days then all nomination forms and ballot papers will be destroyed.
  - 23.6 If the number of valid nominations is equal to or less than the number of vacancies the State Secretary and the appointed Scrutineer will declare the nominees elected.
  - 23.7 If the number of valid nominations exceeds the number of vacancies the State Secretary will conduct a ballot for election to the State Committee at the SAM.
  - 23.8 The State Secretary shall be responsible for ensuring the eligibility of each candidate.
24. A Ballot Paper will:
  - 24.1 List each candidate in alphabetical order of surname;
  - 24.2 Identify if the candidate is a current State Committee member seeking re-election.

25. The close of ballot will be as announced by the State Chairperson during the relevant SAM.
26. A suitably qualified independent person as appointed by the State Committee will act as Scrutineer.
27. Ballot Papers will only be counted if received in accordance with rules and submitted by Full Financial and Life Members of the Society.
28. After the close of the ballot the envelopes containing voting papers received by the State Secretary will be handed unopened to the Scrutineer at the SAM.
29. The candidate or, if there is more than one vacancy, the candidates in each State receiving the highest number of votes will be elected to the State Committee.
30. If two or more candidates tie in votes the result of the ballot will be determined in the following manner:
  - 30.1 All ballot papers of the tied candidates be placed into a ballot box and the Scrutineer shall draw one name from the box
  - 30.2 The candidate whose name is drawn will be elected.
  - 30.3 Scrutineer and State Secretary will certify the result.
  - 30.4 Unsuccessful candidates will be co-opted onto the State Committee for a period of one year.
31. The State Secretary will then immediately notify the attendees of the SAM of the results and then publish the results on the Society website within 7 days thereafter.
32. The costs of the ballot will be an administration expense of the State.

#### **EXTRAORDINARY ELECTION PROCEDURES**

33. When the nomination process and election does not result in the formation of a valid State Committee with a minimum of three members then nominations for Committee will be accepted from Members present at the SAM.
34. If only sufficient nominations are received to meet the requirement for a State Committee to comprise a minimum of three members, the nominee(s) will be declared elected to the State Committee and no ballot will be required.
35. If the process of an Extraordinary Election to form a State Committee is unsuccessful or should a State Committee's numbers fall below the required minimum of three then the Board will disband the current State Committee and appoint an Administrator.
  - 35.1. The Administrator appointed in this situation must be:
    - 35.1.1. a member of the RPSBS Board representing a State other than that for which the appointment is made; or
    - 35.1.2. an independent person appointed by the Board because of his/her knowledge and skills
  - 35.2. The Administrator will hold the position until the following year's Annual Meeting of Members or until a valid Committee can be formed

#### **VACANCY AND CASUAL VACANCY**

36. A State Committee member's position may be declared vacant by the relevant State Chairperson if the committee member fails to attend three consecutive meetings of the State Committee without being granted leave of absence by the State Committee.
  - 36.1 A State Committee member is entitled to leave of absence from that committee providing he/she notifies the State Secretary by email, fax or post of the requirement for leave of absence.
    - 36.1.1 Leave of absence will be valid for up to six months.
    - 36.1.2 If continued leave of absence is required after six months the member will resign.

36.1.3 Leave of absence will not be continued beyond the elected term of the Committee member.

37. A **vacancy** occurs on a State Committee when an elected committee member dies, resigns or becomes ineligible for the position as a result of:
- 37.1 Being declared to be of unsound mind by a government mental health authority or is a person whose property is liable to be dealt with under a law about mental health;
  - 37.2 Being removed under the Constitution of the Society;
  - 37.3 Becoming insolvent or being placed under administration;
  - 37.4 Being found guilty of an offence and sentenced to imprisonment for three or more months; or
  - 37.5 Being indicted for an offence that arises out of managing a corporation.
38. A **casual vacancy** of a State Committee occurs when the committee has less than the maximum number of members (refer to Rule 5).
39. Where a vacancy or casual vacancy occurs on a State Committee that vacancy may be filled in the following manner:
- 39.1 If there was a ballot for the selection of the member whose position has become vacant, the vacancy will be filled by the person receiving the highest number of votes in the preceding election and who was not elected to a committee position.
  - 39.2 If that person is not willing to fill the vacancy, the position will be offered to the other candidates in the preceding election who were not elected in order from highest to lowest of the number of votes received by each candidate until the vacancy is filled.
  - 39.3 If there was no election for the State Committee or if no candidate who contested that election is willing to fill the vacancy, the State Committee may co-opt a member of the Society who is qualified for election to the State Committee to fill the vacancy
  - 39.4 Where a **vacancy** is filled, the appointee filling the vacancy will hold office for the balance of the term of the State Committee member the appointee is replacing.
  - 39.5 Where a **casual vacancy** is filled, the appointee filling the vacancy will hold office for three years.
  - 39.6 No vacancy is to be filled from February 15 in any year until that year's State Annual Meeting of Members.
  - 39.7 A co-opted Committee Member must nominate for election at the end of his/her appointed term or resign from the committee.

## STATE COMMITTEE OFFICE BEARERS

40. Each State Committee will elect a State Chairperson, Vice Chairperson, State Secretary, Treasurer and Public Relations Officer annually. These roles may be combined at the discretion of the State Committee.
41. State Committee Office Bearers will be determined by the Committee at a meeting to be held following the close of SAM. At this time the Chairperson will declare all positions, other than that of Board Director, vacant and an independent person shall conduct the election.
42. If an Office Bearer's position becomes vacant during a term of office an existing State Committee Member may be appointed to fill that position.
43. At its discretion, a State Committee may appoint a person who is not a member of the committee or an RPSBS member to fill any Office Bearer role other than that of State Chairperson or Vice Chairperson if that person possesses a specialised skill set commensurate with that particular Office Bearer role providing
- 43.1.1 Such an appointee will have no voting rights on the State Committee.
44. A State Committee member may hold multiple Officer Bearer positions.

## GENERAL

45. The postal, email and/or fax address(es) of a member contained in the records of the Society is deemed to be the correct address of the member.
46. It is the responsibility of the member to ensure that his/her postal, email and/or fax address(es) in the records of the Society are correct.
47. A notice or publication sent to a member by post to an address is taken to be given ten business days after it is posted, irrespective of whether or not the notice or publication is received.
48. A notice sent to a member's current email or fax contact details or published on the Society or State website or Facebook page is taken to be given on the business day.
49. A notice will be deemed given on the tenth day following the dispatch of a newsletter or magazine by the Society, irrespective of whether or not the publication is received.
50. All cheques and other withdrawal instruments of any bank account operated by a State Committee will require at least two independent signatories and must include the Company Treasurer.

## DEFINITIONS

51. In these rules;
  - **Ballot Paper** means the ballot paper contained on the relevant State website
  - **Full Financial Members** means a current member of the society that holds a category of membership with full voting rights and shall include Life Members
  - **National Office** means the registered office of the Society
  - **Office Bearer** means a State Committee Member that holds a position of either the Chairperson, Vice Chairperson, Secretary, Treasurer or Publicity Officer.
  - **SAM** means STATE ANNUAL MEETING
  - **Society** means the Riding Pony Stud Book Society
  - **Society website** means the website operated and used by the Society from time to time
  - **State Committee** means a committee of no less than three members appointed by ballot to represent the affairs of Society in accordance with these rules.
  - **State website** means the website operated and used by the State Committee from time to time
  - **State Secretary** means the State Committee Secretary