



# **GHS Constitution**

(Last amended on 24 November 2011)

## **GHS CONSTITUTION**

### **INDEX**

1. NAME
2. DEFINITIONS AND ANNEXURES
3. OBJECTS
4. MEMBERS
5. LIMITATION OF MEMBERSHIP
6. ELECTION AND RESIGNATION OF MEMEBRS
7. RIGHTS OF MEMBERS
8. FEES AND SUBSCRIPTIONS
9. MEETINGS
10. EXECUTIVE COMMITTEE
11. POWERS OF THE EXECUTIVE COMMITTEE
12. SUB COMMITTEES
13. ACCOUNTS
14. NOTICES
15. MALREATMENT
16. DISSOLUTION OF THE SOCIETY
17. STATUS
18. DISCIPLINE COMMITTEES
19. THE MANAGEMENT COMMITTEE
20. LIABIITY OF MEMBERS
21. REGISTRATION OF HORSES
22. RECORDS
23. EQUESTRIAN DEVELOPMENT SCHEME
24. OFFICIAL COLOURS, LOGO AND BRANDING
25. FEI AND SANEF
26. THE PRIMARY AND SECONDARY PROVINCES
27. REGIONAL MATTERS
28. DISCIPLINARY MATTERS
29. AMENDMENTS AND REGULATIONS
30. CODE OF CONDUCT
31. CHAIRMANSHIP OF COMMITTEES
32. BAD STANDING
33. KYALAMI EQUESTRIAN PARK

ANEXURE A      CATEGORIES OF MEMEBRSHIP

## **CONSTITUTION OF GAUTENG HORSE SOCIETY**

**(Amended at: AGM on 21 November 2001, AGM on 20 November 2002, AGM on 19 November 2003, AGM on 17 November 2004, AGM on 17 November 2005, AGM on 29 November 2006, AGM on 15 November 2007, AGM on 13 November 2008, AGM on 12 November 2009, AGM on 24 November 2010 and AGM on 24 November 2011)**

### **PREAMBLE:**

The SOCIETY is affiliated to **SANEF** and holds the status of a provincial body under the **SANEF** CONSTITUTION with jurisdiction in the SOCIETY PROVINCES.

The prime responsibility of the SOCIETY is to ensure that the constitutions, regulations, rules and policies of FEI and **SANEF** are observed at all RECOGNISED SHOWS in the SOCIETY PROVINCES, that the interests of the horse are paramount in equestrian sport and that equestrian sport is developed in the SOCIETY PROVINCES.

This constitution contains rules to provide for local conditions in the SOCIETY PROVINCES and these rules may be added to as necessity arises. These rules are supplementary to and in no way conflict with FEI rules or the **SANEF** rules and, in cases of dispute, the relevant FEI or **SANEF** rules will apply.

### **1. NAME**

The name of this society is "Gauteng Horse Society". The abbreviation of such name is "GHS".

### **2. DEFINITIONS AND ANNEXURES**

Throughout these rules the following definitions apply:

- 2.1. DISCIPLINES - dressage, driving, equitation, eventing, **reining, SANEF Schools, show jumping**, showing, Para-equestrian, vaulting and any other branch of equestrian sport which may from time to time be recognised by **SANEF** and which the SOCIETY resolves to add to the above list.
- 2.2. EXECUTIVE COMMITTEE - the executive committee from time to time of the SOCIETY.
- 2.3. FEI - the Federation Equestre International.
- 2.4. FEI CONSTITUTION - the constitution, rules and regulations of FEI.
- 2.5. MEMBERSHIP YEARS - years commencing on 1 August.
- 2.6. PRIMARY PROVINCE - Gauteng Province.

- 2.7. RECOGNISED SHOWS - shows that are organised in the SOCIETY PROVINCES by the SOCIETY or by the SOCIETY AFFILIATED BODIES or by any other showholding body as approved by the SOCIETY for such purposes.
- 2.8. **SANEF - the South African National Equestrian Federation.**
- 2.9. **SANEF** CONSTITUTION - the constitution, rules and regulations of **SANEF**.
- 2.10. SECONDARY PROVINCES - Limpopo Province and part of Northwest Province, to the extent that same fall under the jurisdiction of the SOCIETY as determined by **SANEF** from time to time.
- 2.11. SOCIETY - Gauteng Horse Society.
- 2.12. SOCIETY AFFILIATED BODIES - organisations which are affiliated to the SOCIETY; same include the SOCIETY REGIONAL COMMITTEES.
- 2.13. SOCIETY HEADQUARTERS - the headquarters of the SOCIETY within the boundaries of the SOCIETY PROVINCES as determined by the EXECUTIVE COMMITTEE from time to time.
- 2.14. SOCIETY PROVINCES - the PRIMARY PROVINCE and the SECONDARY PROVINCES.
- 2.15. SOCIETY REGIONAL COMMITTEES - committees elected or appointed as determined by the EXECUTIVE COMMITTEE from time to time to regulate regional matters of the SOCIETY in the SOCIETY REGIONS.
- 2.16. SOCIETY REGIONS - regions of the SOCIETY PROVINCES, which are determined by the EXECUTIVE COMMITTEE as such from time to time.

In this constitution any reference to horse or pony includes the other, unless a contrary intention is clearly intended.

The following ANNEXURE forms part of this constitution:

ANNEXURE A - categories of membership.

### 3. OBJECTS

The objects of the SOCIETY are:

- 3.1. to promote equestrian sports in the area under its jurisdiction;
- 3.2. to ensure the best interests of horses are served in all equestrian sports, and in any activity involving horses, which are under the jurisdiction of the SOCIETY;

- 3.3. to promote the standard of equitation in any relevant activities of the SOCIETY or conducted under the auspices of the SOCIETY;
- 3.4. to promote the turnout of horses and competitors in any relevant activities of the SOCIETY or conducted under the auspices of the SOCIETY;
- 3.5. to promote good sportsmanship and honourable practice by members of the SOCIETY;
- 3.6. to promote acceptable standards of judging at all shows held by or held under the auspices of the SOCIETY;
- 3.7. to co-operate where necessary with any institutions, bodies or persons to further the interests of the SOCIETY;
- 3.8. to ensure that the FEI CONSTITUTION and the **SANEF** CONSTITUTION are observed where applicable in all activities of the SOCIETY or conducted under the auspices of the SOCIETY;
- 3.9. to ensure that the laws of the Republic of South Africa are observed where applicable in any activities of the SOCIETY or conducted under the auspices of the SOCIETY;
- 3.10. to act in the best interests of its members in all matters pertaining to the SOCIETY;
- 3.11. to promote the best interests of the SOCIETY.

3bis **GENERAL POWERS OF THE SOCIETY**

The general powers of the SOCIETY are, in the furtherance of its objectives:

- 3bis.1 to acquire (whether by purchase, donation or otherwise) any property;
- 3bis.2 to let or hire any property;
- 3bis.3 to dispose of (whether by purchase, donation or otherwise) any property;
- 3bis.4 to deal (including by exchange) with any property;
- 3bis.5 to alter any of the rights, restrictions, privileges, benefits or controls attaching to any property;
- 3bis.6 to improve, add to or alter any property;
- 3bis.7 to acquire any rights or privileges;
- 3bis.8 to waive or abandon any rights or privileges;
- 3bis.9 to conclude agreements with any persons for the rendering of any services to the

SOCIETY;

- 3bis.10 to appoint any persons as the agent of the SOCIETY;
- 3bis.11 to employ employees of the SOCIETY;
- 3bis.12 to fund any activities of the SOCIETY;
- 3bis.13 to invest any of money of the SOCIETY in any form of investment;
- 3bis.14 to donate money or property of the SOCIETY to any person, body or institution for equestrian purposes;
- 3bis.15 to accept any gifts, donations or bequests made to the SOCIETY;
- 3bis.16 to incur any debts (including borrowing money);
- 3bis.17 to grant credit to any person;
- 3bis.18 to grant any security for the obligations of the SOCIETY (including any guarantee, suretyship, bond, pledge or cession);
- 3bis.19 to accept any security for the obligations owed to the SOCIETY (including any guarantee, suretyship, bond, pledge or cession);
- 3bis.20 to execute and/or recover against any security granted to the SOCIETY (including any guarantee, suretyship, bond, pledge or cession);
- 3bis.21 to give any indemnities for the SOCIETY;
- 3bis.22 to determine (including vary) the terms and conditions of any agreements concluded by the SOCIETY;
- 3bis.23 to terminate or cancel any agreement concluded by the SOCIETY;
- 3bis.24 to sign and execute transfers, cessions, delegations or assignments (including any deeds or powers of attorney) of property, bonds, consents to cancellations of bonds, leases and servitudes, and generally all documents of any nature whatsoever as may be necessary from time to time in connection with the acquisition, realisation, disposal or encumbrance of property;
- 3bis.25 to compromise, compound or settle all claims made by or against the SOCIETY;
- 3bis.26 to hold any interest (including shares, members interest or loan accounts) in any juristic person;
- 3bis.28 take part in the management, supervision and control of any juristic person (including

- its business or property);
- 3bis.29 to exercise the voting powers attached to any shares, debentures or any interest in any juristic person;
- 3bis.30 to cause (either solely or in conjunction with other persons) any reorganisation, consolidation, merger, readjustment, alteration or conversion of any shares or interest of or in any juristic persons which may at any time be held by the SOCIETY;
- 3bis.31 to exercise any rights of conversion or subscription appertaining to any shares at any time held in any juristic persons;
- 3bis.32 to exercise any rights attaching to any shares held in, members interest held in or membership of any juristic person;
- 3bis.33 to appoint directors or representatives of the SOCIETY to any board or committee of any juristic person in which the SOCIETY has an interest;
- 3bis.34 to enter into any shareholders or members agreement in respect of any juristic person in which the SOCIETY has an interest;
- 3bis.35 to indemnify any committee, committee member, official (including officials at shows), officer or representative of the SOCIETY against claims (whether for damages, losses, costs, charges, expenses or otherwise);
- 3bis.36 to reimburse any committee, committee member, official (including officials at shows), officer or representative of the SOCIETY for any costs, charges and expenses as they may necessarily incur in the exercise of their duties on behalf of the SOCIETY;
- 3bis.37 to institute and hold disciplinary proceedings, and to enforce the findings of those proceedings;
- 3bis.38 to institute, defend or prosecute any legal proceedings (including any arbitration or mediation proceedings) for or against the SOCIETY in its own name;
- 3bis.39 to take any steps to enforce its rights and remedies, and to fulfil its obligations;
- 3bis.40 to make, draw, issue, execute, accept, endorse or discount promissory notes, bills of exchange and any other kind of negotiable or transferable instruments;
- 3bis.41 to open and operate accounts with any financial institution;
- 3bis.42 to do anything which is lawful to attain the objects of the SOCIETY.

For the purposes hereof, property is any property whether movable or immovable, corporeal or incorporeal.

#### **4. MEMBERS**

- 4.1. The SOCIETY will consist of such members as may from time to time be elected to membership by the EXECUTIVE COMMITTEE and continue as members thereafter as determined by the EXECUTIVE COMMITTEE.
- 4.2. The members of the SOCIETY will comprise the categories listed in ANNEXURE A and such other categories as may be determined by the SOCIETY in general meeting from time to time.
- 4.3. The charges for membership will be determined in terms of 8.1 hereof unless otherwise determined by the SOCIETY in general meeting.
- 4.4. The terms of membership will be as reflected in this constitution (including rules and regulation of the SOCIETY).

#### **5. LIMITATION OF MEMBERSHIP**

The EXECUTIVE COMMITTEE, upon reasonable written grounds, can:

- 5.1. Decline to accept any membership.
- 5.2. Decline to renew any membership.
- 5.3. Expel or suspend any members for good reason as determined by the EXECUTIVE COMMITTEE in its sole discretion.

#### **6. ELECTION AND RESIGNATION OF MEMBERS**

Save as expressly envisaged to the contrary in this constitution:

- 6.1. All applicants for membership will apply for membership on such forms as are prescribed by the EXECUTIVE COMMITTEE and will be proposed and seconded in writing by members in good standing.
- 6.2. Election of members will be by the EXECUTIVE COMMITTEE.
- 6.3. Membership will be granted for a MEMBERSHIP YEAR at a time (or part thereof, where appropriate) and is renewable annually.
- 6.4. Members may resign during a MEMBERSHIP YEAR by giving written notice but will not thereby be released from any of their liabilities to the SOCIETY.

- 6.5. All applications for membership (including renewals) are subject to acceptance by the SOCIETY on the basis determined by the EXECUTIVE COMMITTEE from time to time.

## **7. RIGHTS OF MEMBERS**

- 7.1. Save as expressly envisaged to the contrary in this constitution, all members who are 18 years and older, and are personally present, will be entitled to vote at meetings of the SOCIETY.
- 7.1 bis Juristic persons are only allowed to vote at meetings of the SOCIETY through their nominees, provided that the juristic persons concerned have advised the SOCIETY, in writing, of their nominee prior to the meeting concerned. Any such nominee must be a member who is 18 years or older, and who is not a member in bad standing. Such nominee will exercise the vote of the member nominating him/her in addition to any vote which the nominee has in his/her own right as a member. For the purposes hereof, juristic persons are deemed to include companies, close corporations, associations, trusts, partnerships or other bodies which are members of the SOCIETY and which are not natural persons
- 7.2. Members are entitled to register horses with the SOCIETY subject to the rules and regulations of the SOCIETY and SANEF.
- 7.3. Members are entitled to participate in shows in accordance with the privileges attaching to the various types of membership.
- 7.4. DELETED
- 7.5. Only adult members will be eligible for election to any office of the SOCIETY.
- 7.6. No member will have any right, title or interest in and to the property or funds of the SOCIETY.
- 7.7. Members may use the facilities of the SOCIETY (including liquor and refreshments supplied on the premises of the SOCIETY) as determined by the EXECUTIVE COMMITTEE, but subject to the applicable laws, by-laws, regulations, ordinances, town planning scheme, conditions of title, servitudes and licenses (including liquor licenses).
- 7.8. Members may bring guests to the premises of the SOCIETY on the basis and subject to the conditions determined by the EXECUTIVE COMMITTEE.

## **8. FEES AND SUBSCRIPTIONS**

- 8.1. The EXECUTIVE COMMITTEE may from time to time determine and impose entrance fees, annual subscriptions, affiliation fees, horse registration fees and such other fees

as they in their discretion may think fit; provided that such charges for a MEMBERSHIP YEAR may be increased during such MEMBERSHIP YEAR; provided further that such increases may not exceed 20% of the charge increased unless otherwise decided by a general meeting of the members.

8.2. Members and SOCIETY AFFILIATED BODIES who join the SOCIETY before February of any MEMBERSHIP YEAR will pay the full annual subscriptions for that MEMBERSHIP YEAR. Members and SOCIETY AFFILIATED BODIES who join the SOCIETY after January of any MEMBERSHIP YEAR will pay the following annual subscriptions:

8.2.1. members joining during February, 50% of the annual subscriptions;

8.2.2. members joining during March, 37.5% of the annual subscriptions;

8.2.3. members joining during April, 25% of the annual subscriptions;

8.2.4. members joining during May, 12.5% of the annual subscriptions;

8.2.5. members joining during June or July will not be liable for annual subscriptions for that MEMBERSHIP YEAR provided that they pay the full annual subscription for the following MEMBERSHIP YEAR.

8.3. Entrance and Registration Fees are payable in full irrespective of the date of joining as a member or registration of a horse.

8.4. Entrance Fees and first Subscriptions are payable upon application for membership and registration fees are payable on application for registration of a horse. Same are refundable if the application is not accepted.

8.5. Annual subscriptions are payable on or before 1 August of each MEMBERSHIP YEAR.

8.6. Members whose fees and subscriptions are not paid in full by the 1 August of a MEMBERSHIP YEAR will not be in good standing with the SOCIETY and such member's membership will automatically terminate on 31 August of that MEMBERSHIP YEAR if such amounts are not paid by then.

8.7. Members, in addition to their annual subscriptions, will be obliged to pay to the SOCIETY a levy as determined by the EXECUTIVE COMMITTEE as they may deem fit.

## 9. MEETINGS

9.1. Meetings of the SOCIETY will either be annual general meetings or special general meetings.

## 9.2. ANNUAL GENERAL MEETINGS

- 9.2.1. The annual general meeting will be held on or before the 30 November of each year.
- 9.2.2. The notice convening the annual general meeting will be posted to members not less than 20 days prior to the date of the annual general meeting and will be accompanied by a copy of each of the following documents:
- the agenda
  - the minutes of the last annual general meeting and of any special general meetings held since the last annual general meeting
  - the annual report of the chairperson for the preceding year as well as the reports from each of the discipline chairpersons
  - the audited financial statements of the SOCIETY for the preceding financial year of the SOCIETY
- 9.2.3. Any member desiring to submit a proposal for inclusion in the agenda, or proposing an amendment or alteration to this constitution under 29 hereof, will submit such proposal (signed by both the proposer and the seconder) to the SOCIETY in writing so as to reach the SOCIETY not less than 40 days prior to the meeting. Both the proposer and the seconder will be present at the annual general meeting failing which the proposal will not be considered.
- 9.2.4. The agenda for the annual general meeting will include (but not necessarily be limited to) the following items:
- read the notice convening the annual general meeting
  - record apologies
  - approve the minutes of the previous annual general meeting as well as any special general meetings held since the last annual general meeting
  - discuss matters arising from the minutes
  - approve the reports from the chairperson of the SOCIETY and all the chairpersons of all the disciplines as well as any sub-committees
  - receive and confirm the treasurer's report as well as the audited income and expense statement and balance sheet from the previous

financial year

- elect members for the EXECUTIVE COMMITTEE in terms of 10 hereof
- elect an auditor for the ensuing year
- consider, discuss and if necessary accept proposed amendments to this constitution in terms of 29 hereof
- deal with any proposal received in terms of 9.2.3
- close the meeting.

### 9.3. SPECIAL GENERAL MEETINGS

- 9.3.1. The EXECUTIVE COMMITTEE may convene special general meetings at any time it deems fit, provided 20 days written notice of such special general meeting is given to the members.
- 9.3.2. The EXECUTIVE COMMITTEE will convene a special general meeting within 60 days of receipt of a request in writing therefore signed by not less than 30 members who are entitled to vote.
- 9.3.3. Special general meetings will be held at such a time and place as decided by the EXECUTIVE COMMITTEE. The notice convening the special general meeting will specify the business to be transacted at that special general meeting and only that item will be discussed at the meeting.
- 9.3.4. The minutes of any special general meeting have to be published within 30 days from the date of the meeting.

### 9.4. The procedures at annual general meetings and special general meetings will be as follows:

- 9.4.1. The quorum for an annual general meeting and a special general meeting of the SOCIETY will be at least 10 members who are entitled to vote.
- 9.4.2. If after 30 minutes of the appointed time for an annual general meeting no quorum is present, that annual general meeting will stand adjourned for 7 days. At such adjourned annual general meeting the members there present will form a quorum.
- 9.4.3. If after 30 minutes of the appointed time for a special general meeting no quorum is present, the motion before the special general meeting will be

deemed to be defeated and the meeting will be deemed to be ended.

- 9.4.4. The chairperson of the SOCIETY (or another member nominated by him/her) will preside as the chairperson at all annual general meetings and all special general meetings; provided that if he/she (or his/her nominee) is not present within 10 minutes of the appointed time of the meeting, the vice-chairperson or, in his/her absence, a chairperson elected by those persons entitled to vote, will preside at the chairperson at that meeting.
- 9.4.5. Save as otherwise expressly provided in this constitution, all matters to be voted on by the SOCIETY will be determined by a simple majority.
- 9.4.6. All members who are entitled to vote at annual general and special general meetings are entitled to 1 vote each.
- 9.4.7. Voting will be by a show of hands or, if the chairperson so elects, by a ballot.
- 9.5. The procedures of all committees appointed by the EXECUTIVE COMMITTEE are as follows:
  - 9.5.1. Such committees will meet together for the regular despatch of business and may adjourn or otherwise regulate their meetings as they think fit. They will keep minutes of proceedings and recommendations. Copies of all minutes will be handed to the General Manager for record keeping purposes and for distribution as the EXECUTIVE COMMITTEE may determine.
  - 9.5.2. A member of any committee may be removed if he/she absents themselves without leave from 3 consecutive meetings of the committee of which he/she is a member.
  - 9.5.3. The quorum for a meeting of any such committee will be 3 committee members who are entitled to vote on such committee (excluding the chairman of the EXECUTIVE COMMITTEE who is on such committee ex officio or any member of the EXECUTIVE COMMITTEE who is nominated on such committee in place of the chairman of the EXECUTIVE COMMITTEE).

## 10. EXECUTIVE COMMITTEE

- 10.1. The business and management of the affairs of the SOCIETY will be in the hands of the EXECUTIVE COMMITTEE.
- 10.2. The EXECUTIVE COMMITTEE will consist of six executive committee members

elected by the members of the SOCIETY at the annual general meeting.

10.3.

10.3.1. Subject to 10.3.4 hereof, 50% of the executive committee members longest in office on the EXECUTIVE COMMITTEE since their last re-election, will retire annually by rotation at the close of the annual general meeting held in each year, but will be eligible for re-election; provided that executive committee members offering themselves for re-election will advise the EXECUTIVE COMMITTEE of their intention to do so not less than 40 days prior to the date on which the annual general meeting is to be held.

10.3.2. DELETED.

10.3.3. Any two members will be entitled to nominate as many members willing and eligible to stand for election to the EXECUTIVE COMMITTEE as there are vacancies to be filled. Nominations in writing, signed by the two nominators, are to be received by the SOCIETY 40 days before the annual general meeting. If there are no such nominations, then the retiring members will be deemed to be re-elected. Retiring members will not require to be nominated in terms hereof. The names of all members whose valid nominations have been received, including the names of the EXECUTIVE COMMITTEE standing for re-election, will be posted to all members entitled to vote at the same time as the documents posted under 9.2.2 hereof.

10.3.4. Should an executive committee member vacate office for any reason other than effluxion of time, or should there otherwise be a vacancy on the EXECUTIVE COMMITTEE, the serving Executive committee members may appoint a successor who will retire at the close of the first annual general meeting held after such appointment.

10.3.5. An executive committee member who is absent without leave from 3 consecutive meetings may be removed from office by resolution of the EXECUTIVE COMMITTEE.

10.3.6. The EXECUTIVE COMMITTEE may, in its discretion, co-opt to the EXECUTIVE COMMITTEE not more than 2 additional members who will have the same rights as the other executive committee members, except that they will not be entitled to vote on the EXECUTIVE COMMITTEE or to serve as the chairman or vice-chairman or the EXECUTIVE COMMITTEE.

10.3.7. The executive committee members will meet together for the regular despatch

of business, and may adjourn or otherwise regulate their meetings as they think fit. Proceedings at meetings will be recorded in minute form.

10.3.8. Until otherwise determined in general meeting, 3 executive committee members who are entitled to vote will form a quorum. Each executive committee member who is entitled to vote will have a deliberative vote.

10.3.9. Immediately after the termination of the annual general meeting, the EXECUTIVE COMMITTEE will annually appoint from its members a chairman and vice-chairman. The chairman, who will also be the chairman of the SOCIETY, will have a casting vote in addition to his deliberative vote. The EXECUTIVE COMMITTEE will furthermore have the power to remove and/or replace the chairman or the vice-chairman at any time.

## **11. POWERS OF THE EXECUTIVE COMMITTEE**

In addition to the powers and authorities conferred upon it in this constitution, the EXECUTIVE COMMITTEE may exercise all such powers, do all such things, sign all documents and perform all such acts as may be exercised or done by the SOCIETY (including those envisaged in 3bis hereof), save to the extent expressly directed or required to be done by the SOCIETY only in general meeting; provided that nothing may be done by the EXECUTIVE COMMITTEE which is contrary to any resolution passed at any general meeting of the SOCIETY; provided further that a resolution passed by the SOCIETY in general meeting will not invalidate any prior decision or act of the EXECUTIVE COMMITTEE that would have been valid if such resolution had not been passed.

## **12. SUB-COMMITTEES**

Notwithstanding anything to the contrary contained in this constitution, the EXECUTIVE COMMITTEE may from time to time appoint and delegate to sub-committees any of its powers and impose such conditions with regards to such delegations as it thinks fit.

## **13. ACCOUNTS**

The EXECUTIVE COMMITTEE will cause proper books to be kept recording the monies received and expended by the SOCIETY and of the assets and liabilities of the SOCIETY. Such books will be duly audited by an auditor registered in terms of the Public Accountants and Auditors Act as Amended at a remuneration to be determined by the EXECUTIVE COMMITTEE. In the event of the Auditor appointed at the A G M being unable to act, the EXECUTIVE COMMITTEE will appoint another registered auditor to act in their stead. Members of the EXECUTIVE COMMITTEE are precluded from acting as the Auditor. At the A G M in every year the EXECUTIVE COMMITTEE will lay before the members the auditor's report as

well as audited Balance Sheet and Income and Expense Statements as at the 31st July in each year which will be the end of the Financial Year for each year. Said statements will be approved by the EXECUTIVE COMMITTEE and signed by 2 of its members prior to the A G M.

#### **14. NOTICES OF ADDRESS**

Every member will register with the SOCIETY an address (postal or electronic) to which notices, invoices, statements of account and any other communication of whatsoever nature will be sent, but the non-receipt of same by a member will not invalidate the proceedings at any meeting to which such notice may refer, nor release the member from any liability for payment or from any other obligation to the Society. It is noted that all communication pertaining to the AGM and any SGM, as well as statements will be sent electronically unless specifically requested in writing by the member. The Executive Committee may impose an additional mailing fee to cover this. This fee will be determined by the Executive Committee from time to time.

#### **15. MALTREATMENT**

15.1. No member will maltreat any horse/pony at any place and at any time. Any such maltreatment will be regarded as a serious contravention of this constitution.

15.2. For the purposes hereof, maltreatment (without limiting the generality of the concept) includes causing the death, injury or discomfort of a horse / pony through abuse, neglect, malice or cruelty, failing to ensure the wellbeing of a horse / pony owned by or in the care of or under the control of the person concerned, depriving any horse / pony owned by or in the care of or under the control of the person concerned of food or water, whipping or beating a horse / pony excessively, subjecting the horse / pony to any kind of electric shock device, using spurs or jabbing the horse / pony in the mouth with the bit excessively or persistently, remounting (or attempting to remount) an obviously exhausted, lame or injured horse / pony, rapping a horse / pony, hypersensitising any part of a horse / pony and leaving a horse / pony without adequate food, drink or exercise.

#### **16. DISSOLUTION OF THE SOCIETY**

In the event of the dissolution of the SOCIETY, the Assets will be donated to any equestrian fund or such other body or fund with similar interests as may be decided at a special general meeting of members in membership at the time of such dissolution and provided that the normal notice period for a meeting is adhered to, no quorum will apply for this meeting only.

#### **17. STATUS**

The SOCIETY will be a juristic person with full powers to institute and defend legal proceedings, appeals and arbitrations in its own name and to hold, buy, sell, encumber, bank and pledge assets, movable and immovable, invest, re-invest from time to time and at all times to do all acts necessary to protect and further its interests and all legal processes and documents to give effect thereof, may be signed by the chairperson or his designated deputy. Such proceedings must be in the name of the SOCIETY.

## 18. **DISCIPLINE COMMITTEE**

- 18.1. Voting for DISCIPLINE committees will, take place at the SOCIETY'S annual general meeting or at a DISCIPLINE annual general meeting, as determined by each DISCIPLINE.
- 18.2. DISCIPLINES are not obliged to hold an annual general meeting but may do so if they wish. Such annual general meeting will be held within 14 days of the completion of the SOCIETY'S annual general meeting. The DISCIPLINE annual general meeting will be convened and held mutatis mutandis under 9 hereof, save that the notice convening the meeting will be posted to each adult member not less than 20 days prior to the meeting and it will not be necessary to prepare and distribute audited annual accounts of the DISCIPLINE. The quorum for the holding of the DISCIPLINE annual general meeting will be 10 adult members personally present.
- 18.3. The nominations for the election of members of the DISCIPLINE committee, which must be in writing, signed by two nominators and accepted by the nominee, are to be received by the SOCIETY'S office at least 40 days before the SOCIETY'S annual general meeting.
- 18.4. The members of the DISCIPLINE committee will be elected by members entitled to vote. Voting will be restricted to members attending the annual general meeting concerned in person. The members present will elect a minimum of 6 and a maximum of 8 DISCIPLINE committee members.
- 18.5. The DISCIPLINE committee will immediately after the end of such annual general meeting elect the chairman and a vice-chairman of the DISCIPLINE from amongst their number. The DISCIPLINE committee will furthermore have the power to remove and/or replace the DISCIPLINE chairman or DISCIPLINE vice-chairman at anytime.
- 18.6. Two further discipline committee members may be co-opted by the chairperson of the discipline committee during the year before the next annual general meeting, but will retire at the close of the next annual general meeting.
- 18.7. The chairman of the EXECUTIVE COMMITTEE will ex officio be a member of each

DISCIPLINE committee with the same rights as elected members.

- 18.8. Subject to 18.6 hereof, 50% of the committee members longest in office on the DISCIPLINE committee since their last election, will retire annually by rotation at the close of the annual general meeting of the SOCIETY or of the DISCIPLINE (as the case may be), but will be eligible for election, provided that they offer themselves for re-election by written notice to that effect given to the SOCIETY not less than 40 days prior to the date on which the annual general meeting of the SOCIETY is to be held.
- 18.9. Each DISCIPLINE committee will be entitled in its discretion to co-opt such further members to its committee as it see fit to replace elected members; co-opted members will have the same rights as elected members, but will have no voting rights and will not be entitled to serve as the chairman or vice-chairman of the DISCIPLINE committee.
- 18.10. The quorum for a meeting of a discipline committee will be 3 committee members who are entitled to vote (excluding the chairman of the EXECUTIVE COMMITTEE). Each discipline committee member who is entitled to vote will have a deliberative vote.
- 18.11. Each discipline committee will meet at least 6 times in each MEMBERSHIP YEAR.
- 18.12. The DISCIPLINE committee has primary responsibility for running its discipline.
- 18.13. The EXECUTIVE COMMITTEE has right to veto any DISCIPLINE committee decision (save to the extent that such decisions have been implemented).

## 19. **THE MANAGEMENT COMMITTEE**

If the EXECUTIVE COMMITTEE determines that there will be a management committee, then the management committee will be subject to the following:

- 19.1. The management committee will consist of the chairmen of each DISCIPLINE COMMITTEE (or, in the absence of any such chairman, any other member of the DISCIPLINE COMMITTEE concerned who is nominated by the chairman concerned) and all the members of the EXECUTIVE COMMITTEE. The chairman of the EXECUTIVE COMMITTEE (or a member of the Executive Committee nominated by him/her) will be the chairman of the management committee and will have a casting as well as a deliberative vote. The other members of the management committee will each have a deliberative vote.
- 19.2. The management committee will exercise such powers as may be delegated in writing to it, from time to time, by the EXECUTIVE COMMITTEE pursuant to 11 hereof. The EXECUTIVE COMMITTEE has the right to veto management committee decisions (save to the extent that such decisions have been implemented).

- 19.3. The management committee or the executive committee will be entitled in their discretion to co-opt further members to the management committee who will have the same rights as the other members of the management committee.

## **20. LIABILITY OF MEMBERS**

- 20.1. Members are not liable for the SOCIETY'S debts.
- 20.2. If, in any litigation (including review proceedings) instituted by the SOCIETY against (or in respect of disciplinary proceedings against) a member, an order for costs is made against the member, then such order will be for costs on an attorney-and-own-client scale. Each member is deemed to have consented to the order of costs being made on such basis.
- 20.2bis If a member institutes any litigation (including review proceedings) against the SOCIETY, then whether or not the member is successful in such proceedings, the member will be liable for all costs on an attorney-and-own-client scale incurred by the SOCIETY in respect of such proceedings. Each member is deemed to have consented to an order of costs being made by a court of law in proceedings and on such basis.
- 20.3. No member will have any claim for damages or compensation (including costs) against the SOCIETY, the SOCIETY AFFILIATED BODIES, SANEF or FEI (including the employees, agents, officials and members of committees of such bodies in their capacities as such) arising from or in connection with the enforcement (including the exercise and/or fulfilment of powers, rights and obligations) of this constitution (including its regulations), the SANEF CONSTITUTION or the FEI CONSTITUTION.
- 20.4. The members of the EXECUTIVE COMMITTEE, the members of the DISCIPLINE COMMITTEES, the members of other committees of the SOCIETY, the officials and officers of the SOCIETY (including the employees, agents, officials at shows of the SOCIETY) are indemnified and held harmless by the SOCIETY against all claims (whether for damages, losses, costs, charges, expenses or otherwise) which are made against them arising from or in connection with the execution or purported execution of any duties on behalf of the SOCIETY.

## **20bis REQUIREMENTS FOR THE REGISTRATION OF HORSES**

The EXECUTIVE COMMITTEE may determine from time to time what horses require registration with the SOCIETY, any purposes for which horses are required to be registered with the SOCIETY and any rights, obligations and privileges attaching to the registration of horses with the SOCIETY.

## **21. REGISTRATION AND TRANSFER OF HORSES**

The SOCIETY will not be under any obligation to register any horse/pony for any purpose whatsoever or to register the transfer of any horse from one person to another whether or not the transferor is the owner of the horse, unless:

- 21.1. The person registering the horse/pony or the transfer of the horse/pony (as the case may be) completes such forms as the SOCIETY may from time to time require and satisfies the SOCIETY by such means as the SOCIETY may require that it is entitled to register the horse under that person's name or to register the transfer of the horse into the name of the transferee;
- 21.2. The foregoing provisions will mutatis mutandis apply in the case of registration of the change of name of the horse or the change of its classification.
- 21.3. The registration of a horse/pony by the SOCIETY does not establish legal ownership of the horse/pony.

## **22. RECORDS**

The EXECUTIVE COMMITTEE will ensure that proper records (including a register of members) are kept relating to the management and running of the SOCIETY.

## **23. EQUESTRIAN DEVELOPMENT SCHEME (E.D.S)**

An E.D.S levy may be imposed on entry fees for any shows held by the SOCIETY or the SOCIETY AFFILIATED BODIES. Such levies will be paid over to the SOCIETY and will be utilised by the SOCIETY for the development of equestrian sport and for the assistance of underprivileged equestrians who are deserving of assistance, in both instances as determined by the EXECUTIVE COMMITTEE.

## **24. OFFICIAL COLOURS, LOGO AND BRANDING**

- 24.1. The official colours of the SOCIETY are blue, red and white, and are to be used as determined by the EXECUTIVE COMMITTEE from time to time.
- 24.2. The official logo of the SOCIETY is to be determined by the EXECUTIVE COMMITTEE from time to time.
- 24.3. The branding of the SOCIETY is to be determined by the EXECUTIVE COMMITTEE from time to time.

## **25. FEI AND SANEF**

- 25.1. To the extent that this constitution (including its regulations) is in conflict with the FEI

CONSTITUTION or the **SANEF** CONSTITUTION, such other constitutions have precedence to the extent that they are applicable.

- 25.2. All members are bound by the FEI CONSTITUTION and the **SANEF** CONSTITUTION by virtue of their membership of the SOCIETY and undertake under this constitution not to contravene such other constitutions.
- 25.3. Members of bodies affiliated to **SANEF** or other national federations recognised by FEI may participate in RECOGNISED SHOWS as may be determined by the EXECUTIVE COMMITTEE from time to time.

## 26. THE PRIMARY PROVINCE AND THE SECONDARY PROVINCES

- 26.1. It is recorded that:
  - 26.1.1. The SOCIETY PROVINCES include the PRIMARY PROVINCE and the SECONDARY PROVINCES.
  - 26.1.2. If determined by **SANEF** and the SOCIETY, SECONDARY PROVINCES could become separate provincial bodies under **SANEF** which are governed by their own constitutions.
- 26.2. Until **SANEF** and the SOCIETY determine that the SECONDARY PROVINCES will be separate provincial bodies under the **SANEF** constitution which are governed by their own constitutions, the EXECUTIVE COMMITTEE may determine as follows:
  - 26.2.1. The EXECUTIVE COMMITTEE may regulate any provincial matters of the SECONDARY PROVINCES through sub-committees as the EXECUTIVE COMMITTEE may see fit.
  - 26.2.2. The EXECUTIVE COMMITTEE may determine that any SECONDARY PROVINCES will be subject to 26.3 hereof.
- 26.3. SECONDARY PROVINCES will function as follows (unless otherwise determined by the EXECUTIVE COMMITTEE):
  - 26.3.1. Separate membership lists will be prepared reflecting all the members of the SOCIETY who reside in each SECONDARY PROVINCE.
  - 26.3.2. The SOCIETY will keep separate records of the affairs of the SOCIETY which relate to each SECONDARY PROVINCE insofar as practically possible.
  - 26.3.3. The EXECUTIVE COMMITTEE may determine a separate name under which the SOCIETY will operate in a SECONDARY PROVINCE.

26.3.4. The EXECUTIVE COMMITTEE may determine separate rules and regulations to govern the affairs of the SOCIETY in each SECONDARY PROVINCE.

## 27. REGIONAL MATTERS

- 27.1. The EXECUTIVE COMMITTEE may elect to regulate any regional matters of the SOCIETY through SOCIETY REGIONAL COMMITTEES in the manner and subject to such rules and regulations as the EXECUTIVE COMMITTEE may determine from time to time.
- 27.2. SOCIETY REGIONAL COMMITTEES may be established (and disbanded) in respect of the SOCIETY REGIONS as determined by the EXECUTIVE COMMITTEE. Notwithstanding anything to the contrary herein contained, the EXECUTIVE committee may determine that members who are not otherwise entitled to vote at meetings of the SOCIETY are entitled to vote for the election of the members of SOCIETY REGIONAL COMMITTEES.
- 27.3. The EXECUTIVE COMMITTEE may provide SOCIETY REGIONAL COMMITTEES with the necessary funds to organise regional events and to regulate regional matters in their SOCIETY REGIONS.

## 28. DISCIPLINARY MATTERS

- 28.1.
- 28.1.1. Any member who contravenes this constitution (including its regulations) is guilty of an offence and is subject to the disciplinary procedures set out herein.
- 28.1.2. Complaints will be made by interested persons in writing to the EXECUTIVE COMMITTEE or to the general manager of the SOCIETY or to the show director of any show (where the complaint relates to a contravention at or in relation to such show) or to a judge of any show (where the complaint relates to a contravention at or in relation to such show); provided that the general manager, show director or judge receiving the complaint will forward same to the EXECUTIVE COMMITTEE for further action as soon as practically possible.
- 28.1.3. The EXECUTIVE COMMITTEE (or the chairman or the vice-chairman of the SOCIETY) will appoint disciplinary committees to hear complaints which are founded, which are not frivolous, which the EXECUTIVE COMMITTEE (or the chairman or the vice-chairman of the SOCIETY) determines have been made in good time and which the EXECUTIVE COMMITTEE (or the chairman or the vice-chairman of the SOCIETY) is of the opinion should be adjudicated on by

a disciplinary committee.

28.1.4. The show director and the judges and/or such other persons as the EXECUTIVE COMMITTEE (or the chairman or the vice-chairman of the SOCIETY) may determine are appointed as designated officials to receive complaints at RECOGNISED SHOWS.

28.1.5. The EXECUTIVE COMMITTEE (or the chairman or the vice-chairman of the SOCIETY) will further appoint a disciplinary committee to hold disciplinary enquiries in relation to each complaint.

28.1.6. The EXECUTIVE COMMITTEE or the disciplinary committee charged with holding a disciplinary enquiry in respect of a complaint may elect to accept a written admission of guilt by the accused (together with a reprimand of the accused and / or the payment of a fine by the accused) in lieu of holding a disciplinary enquiry in respect of the complaint. Admissions of guilt should not be considered appropriate in instances where the EXECUTIVE COMMITTEE or the disciplinary committee are of the opinion that the contravention complained of is serious enough to warrant suspension or expulsion, if founded.

28.1.7.

28.1.7.1. The chairman of the EXECUTIVE COMMITTEE or the vice-chairman of the EXECUTIVE COMMITTEE or any other person designated for such purpose by the EXECUTIVE COMMITTEE or under regulations of the SOCIETY may issue spot fines to members who commit the following contraventions (but not any contravention of clauses 15 or 30 of this constitution):

28.1.7.1.1. A contravention of any regulation made pursuant to the provisions of this constitution.

28.1.7.1.2. A contravention of any of the conditions, terms, rules or regulations governing any show or competition (including the entry thereof and including competition therein) which is below CN status or equivalent status (as determined by the **SANEF** CONSTITUTION or the FEI CONSTITUTION).

28.1.7.2. The amount of the spot fine will be in the discretion of the person issuing the spot fine; provided that the amount of a spot fine may

not exceed 10% of the maximum amount for fines as determined by the EXECUTIVE COMMITTEE from time to time in terms of 28.3.13 hereof; provided further that, to the extent that guidelines for spot fines are issued by the EXECUTIVE COMMITTEE or under the regulations of the SOCIETY from time to time, same will be taken into account by such person in exercising such discretion.

28.1.7.3. A spot fine will be issued either in writing by the person authorised to do so or orally by the person authorised to do so (provided that the oral issuing of the spot fine is confirmed in writing by or on behalf of the person authorised to do so within 7 days after it has been issued orally, failing which it will be of no force and effect). Writing includes any telefacsimile, email or sms sent by cellular phone. The EXECUTIVE COMMITTEE will be provided with a copy of the written notice under which such spot fine is issued or confirmed as soon as practically possible by the person issuing the spot fine.

28.1.7.4. The person issuing the spot fine must be of the bona fide belief that the contravention has been committed and must take the steps that he/she deems necessary to have such belief. If the EXECUTIVE COMMITTEE is of the view that the spot fine has not been issued bona fide, it may be revoked by the EXECUTIVE COMMITTEE.

28.1.7.5. A spot fine which has been issued in terms of this clause is final, may not be withdrawn by the person issuing the spot fine and is not subject to any right of appeal or to review by the EXECUTIVE COMMITTEE or by any other committee, official or officer of the SOCIETY.

28.1.7.6. A contravention for which a spot fine has been issued may not be the subject of a disciplinary committee hearing in terms of this clause (but does not exclude any disciplinary proceedings under the SANEF CONSTITUTION or the FEI CONSTITUTION).

## 28.2.

28.2.1. If any contravention of this constitution by a member is also a contravention of the FEI CONSTITUTION, then the member is subject to the disciplinary procedures set out herein unless the EXECUTIVE COMMITTEE, SANEF or

FEI determines that the member will be subject to the disciplinary procedures set out in the SANEF CONSTITUTION or the FEI CONSTITUTION for such contravention.

28.2.2. If any contravention of this constitution by a member is also a contravention of the SANEF CONSTITUTION, then the member is subject to the disciplinary procedures set out herein unless the EXECUTIVE COMMITTEE or SANEF determines that the member will be subject to the disciplinary procedures set out in the SANEF CONSTITUTION for such contravention.

28.3. The following are the disciplinary procedures under this constitution for contraventions of this constitution and the regulation under 29 hereof:

28.3.1. The EXECUTIVE COMMITTEE (or the chairman or the vice-chairman of the SOCIETY) will appoint a disciplinary committee consisting of at least 3 persons selected by the EXECUTIVE COMMITTEE (or the chairman or the vice-chairman of the SOCIETY). The disciplinary committee may be assisted by experts of its choice who will form part of the disciplinary committee; provided that such experts may not exceed 2 in number without the approval of the EXECUTIVE COMMITTEE (or the chairman or the vice-chairman of the SOCIETY).

28.3.2. The accused will be advised of the alleged contravention on behalf of the SOCIETY either orally or in writing as soon as practically possible after the disciplinary committee has been charged with the adjudication of the alleged contravention.

28.3.3. The disciplinary enquiry proceedings will be commenced within 60 days (or such extended period as the EXECUTIVE COMMITTEE, or the chairman or the vice-chairman of the SOCIETY, may determine) after the accused has been advised of the alleged contravention at a time and place in the SOCIETY PROVINCES determined by the disciplinary committee. The accused will be given fair warning of the time and place at which the disciplinary enquiry will be held.

28.3.4. The accused is entitled to be represented at the disciplinary enquiry by a fellow member (free of consideration and not in any professional capacity). The accused is not entitled to any other representation; provided that the disciplinary committee may in exceptional cases, on written application by the accused setting forth compelling reasons, grant the accused the right to professional legal representation. This representation may be granted in the

absolute discretion of the disciplinary committee in order to attain procedural fairness, and taking into account such factors as the nature of the charges brought against the accused; the degree of legal or factual complexity involved; the potential seriousness of the consequences of an adverse finding; the availability of suitably qualified legal representatives amongst fellow members; and any other factors which the disciplinary committee in its discretion considers relevant in light of the circumstances which prevail in the particular case.

- 28.3.5. The EXECUTIVE COMMITTEE (or the chairman or the vice-chairman of the SOCIETY) will appoint a member (free of consideration and not in any professional capacity) as a prosecutor to prosecute the alleged contravention before the disciplinary committee and to gather evidence of the alleged contravention.
- 28.3.6. The EXECUTIVE COMMITTEE may prescribe forms for use in connection with such disciplinary proceedings. In such event, such forms will be used insofar as practically possible.
- 28.3.7. The disciplinary committee will determine its own procedures for holding the disciplinary enquiry.
- 28.3.8. The chairman of the disciplinary committee will maintain order during the disciplinary enquiry.
- 28.3.9. The prosecutor will detail the alleged contravention at the commencement of the disciplinary proceedings and will present evidence of the alleged contravention to the disciplinary committee.
- 28.3.10. The accused will have an opportunity to state his/her case and to present evidence to the disciplinary committee in respect of the alleged contravention.
- 28.3.11. The prosecutor, the accused and the disciplinary committee may examine all witnesses.
- 28.3.12. After all evidence has been presented, the disciplinary committee will adjourn to consider all evidence and to make its decision.
- 28.3.13. The disciplinary committee in respect of each contravention will either:
  - exonerate the member
  - reprimand the member

- suspend the member from the SOCIETY for a specified period (but not exceeding the maximum number of days for such suspensions as determined by the EXECUTIVE COMMITTEE from time to time)
- expel the member from the SOCIETY

and, in all such cases, the disciplinary committee may fine the member; such fine will be the amount determined by the disciplinary committee, which fine will not exceed the maximum amount for such fines as may be determined by the EXECUTIVE COMMITTEE from time to time.

28.3.14. The chairman of the disciplinary committee (or the SOCIETY on his/her behalf) will advise the accused either orally or in writing of the decision of the disciplinary committee and such chairman will submit a written report to the EXECUTIVE COMMITTEE on the disciplinary enquiry and its decisions as soon as practically possible.

28.3.15. The details of the disciplinary enquiry may be published as the EXECUTIVE COMMITTEE (or the chairman or the vice-chairman of the SOCIETY) may determine.

28.3.16. If an accused refuses or fails to attend a disciplinary enquiry, he/she waives all his/her rights in respect of the disciplinary enquiry and the disciplinary enquiry may proceed in his/her absence.

28.3.17. The decision of the disciplinary committee will be final and binding and is not subject to any right of appeal.

28.3.18. No suspension or expulsion of a member will take effect until same has been ratified by the EXECUTIVE COMMITTEE; provided that if such suspension or expulsion is not ratified, the EXECUTIVE COMMITTEE will refer the matter back to the disciplinary committee concerned to impose a different sentence. The EXECUTIVE COMMITTEE will take its decision within 30 days after it is considered the report of the chairman of the disciplinary committee and may call for oral or written representations from the accused before taking its decision. The EXECUTIVE COMMITTEE will advise the accused of its decision in writing or orally.

28.4. Any fine (including a spot fine) issued in terms hereof is immediately due and payable.

## 29. **AMENDMENTS AND REGULATIONS**

29.1. No amendment will be made to this constitution save by special resolution passed by a

majority of not less than two-thirds of the members entitled to vote at that meeting of the SOCIETY.

- 29.2. Notwithstanding 29.1 hereof, and if so specially determined by the members in general meeting after written request by SANEF to the EXECUTIVE COMMITTEE, no amendment to this constitution will be of any force and effect until ratified by SANEF (which ratification may not be unreasonably withheld by SANEF). The EXECUTIVE COMMITTEE will take the necessary steps to obtain such ratification as soon as practically possible.
- 29.3. The EXECUTIVE COMMITTEE may make such regulations as it deems necessary to give effect to this constitution provided that such regulations are not in conflict with this constitution. Such regulations will be binding on the members as soon as they are published generally to the membership by the EXECUTIVE COMMITTEE in such manner as the EXECUTIVE COMMITTEE deems practical.

### **30. CODE OF CONDUCT**

- 30.1. All members will ensure that when they participate at RECOGNISED SHOWS they display sportsmanship and good behaviour in accordance with the standards which are reasonably acceptable in equestrian sport or otherwise as determined by the EXECUTIVE COMMITTEE from time to time and published generally to the members. Any member (including a custodian member) who assists any other member in any capacity or in any way at a RECOGNISED SHOW is deemed to be participating at such show for the purpose hereof.
- 30.2. The following code of conduct is applicable in respect of all members of the SOCIETY and in respect of all affairs (including shows) of the SOCIETY:
- 30.2.1. The horse will be considered paramount in all equestrian sports.
- 30.2.2. The well being of the horse will take precedence over the needs and demands of breeders, trainers, riders, owners, dealers, organisers, sponsors or officials.
- 30.2.3. All handling and veterinary treatment of horses should ensure the health and welfare of the horse.
- 30.2.4. The highest standards of nutrition, health, sanitation and safety of horses will be encouraged and maintained at all times.
- 30.2.5. Adequate provision should be made for ventilation, feeding, watering and maintaining a healthy environment for horses during transportation.

- 30.2.6. Emphasis should be placed on increasing education in training methods and in equestrian practices and on promoting scientific studies in equine health.
  - 30.2.7. The fitness and competence of the rider will be regarded as essential in the interest of the horse.
  - 30.2.8. All riding and training methods should take account of the horse as a living entity and should not include any technique considered by the FEI to be abusive.
  - 30.2.9. The SOCIETY should establish adequate controls in order that all persons and bodies under its jurisdiction respect the welfare of the horse.
  - 30.2.10. The national and international rules and regulations in equestrian sport regarding the health and welfare of the horse should be adhered to not only during national and international events, but also in training. Competition rules and regulations will be continually reviewed to ensure such welfare.
- 30.3. No member will conduct themselves at, or in relation to, any equestrian event, occasion, matter or facility, or in respect of any officer, official or employee of the SOCIETY, in a manner which brings equestrian sport, FEI, SANEF, the SOCIETY or any body or committee of FEI, SANEF or the SOCIETY into disrepute. Equestrian sport means any equestrian sport conducted under the auspices of FEI, SANEF or the SOCIETY.

## 31. **COMMITTEES**

- 31.1 No member may chair any committee for a continuous period of more than 4 years. Once a member has chaired a committee he/she may not again chair that committee before the lapse of 1 year since he/she has last chaired that committee.
- 31.2 Save as expressly stated to the contrary in this constitution, only members (who are 18 years or older and who are natural persons) may serve on committees of the SOCIETY and may act as chairmen or vice-chairmen of committees of the SOCIETY."

## 32. **BAD STANDING**

- 32.1. A member is in bad standing if he/she is:
  - 32.1.1. in arrear with any annual subscription, affiliation fee, horse registration fee or levy payable to the SOCIETY;
  - 32.1.2. in arrear with any fine owing to the SOCIETY pursuant to disciplinary proceedings, or any spot fine issued in terms of clause 28.1.7 hereof, and is so in arrear for a period of at least 30 days;

32.1.3. in arrear with any other amount owing to the SOCIETY and is so in arrear for a period of at least 120 days.

32.2. Without prejudice to the rights and remedies of the SOCIETY, the consequences of a member being in bad standing are as follows:

32.2.1. The member in bad standing may not exercise any right or privilege of membership (including, but not limited to, voting rights, rights to attend general meetings of the SOCIETY, rights to serve on committees, rights to compete in shows, rights to have horses registered in his/her name and rights to form part of any team of the SOCIETY) while he/she is in bad standing.

32.2.2. A member in bad standing shall forthwith and automatically cease to serve on any committee of the SOCIETY as if he/she had resigned from such committee and will not be eligible for election to any committee of the SOCIETY for at least one year after such member has ceased to be in bad standing.

32.2.2bis In the event that a member is in bad standing with the SOCIETY the member in bad standing may not enter Kyalami Equestrian Park ("KEP"), excluding the SA Lipizzaners facilities at the invitation of the SA Lipizzaners for one of its events, or make use of any of KEP facilities (including but not limited to attending any event held at KEP as a spectator, attending seminars and making use of the club house facilities) until such time as their bad standing has been rectified (other than with the express prior written consent of the EXECUTIVE COMMITTEE where such person wishes to attend a show at KEP as a spectator).

32.2.3 If the member in bad standing is a SOCIETY AFFILIATED BODY, then any member who is a shareholder, director, member, executive officer, trustee, proprietor or the like of such SOCIETY AFFILIATED BODY, or is a person/s responsible in respect of such SOCIETY AFFILIATED BODY as envisaged in clause 9.4 of ANNEXURE A, is deemed to be in bad standing for as long as the SOCIETY AFFILIATED BODY is in bad standing, and will remain so notwithstanding such member ceasing to have such capacity in respect of such SOCIETY AFFILIATED BODY at any time while it is in bad standing.

32.2.4 If the member in bad standing is a custodian member, then any junior or child member in relation to whom such member is a custodian member is deemed to be in bad standing for as long as the custodian member is in bad standing. The custodian member in bad standing may not be substituted with another

custodian member for as long as the first mentioned custodian member is in bad standing.

32.2.5 If the member in bad standing is a SOCIETY AFFILIATED BODY, then such SOCIETY AFFILIATED BODY will not be entitled to organise any event above regional level while it is in bad standing and, once it ceases to be in bad standing, for a period of one year thereafter.

### 33. **KYALAMI EQUESTRIAN PARK**

33.1. It is recorded that:

33.1.1. The property known as Kyalami Equestrian Park is Portion 114 (a Portion of Portion 4) of the Farm Witpoort No. 406, Registration Division J.R., Province of Gauteng.

33.1.2. Kyalami Equestrian Park is registered in the name of The South African National Equestrian Centre (Pty) Ltd (registration number 1972/005124/07).

33.1.3. The SOCIETY is the only member and shareholder of such company and holds the entire issued share capital of such company.

33.2. Notwithstanding anything to the contrary herein contained, the following may not be done without the approval of a special resolution in general meeting passed by a majority of not less than 80% of the members entitled to vote at such meeting:

33.2.1. The disposal (whether by sale, donation or otherwise) of Kyalami Equestrian Park (or any part thereof or any undivided share therein) by such company.

33.2.2. The disposal (whether by sale, donation or otherwise) of any of the shares in or claims against such company.

33.2.3. The encumbering (whether by mortgage bond or otherwise) of Kyalami Equestrian Park or any shares in or claims against such company.

33.2.4. The granting of any rights of occupation or possession (including under any lease) in respect of Kyalami Equestrian Park for a period of longer than 5 years (including any rights of renewal or extension) or the granting of any lease for an indefinite period which is not terminable on written notice of less than 5 years.

33.2.5. Any amendment of the conditions of title or the town planning scheme which are applicable to Kyalami Equestrian Park and which would have the effect of preventing or limiting the use of such property for equestrian sport.

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## **ANNEXURE A**

### **TO THE CONSTITUTION**

The following are the categories of membership of the SOCIETY and some of the terms relating to such memberships:

#### 1. ADULT MEMBERS

1.1. Adult members will be 18 years and over.

1.2. There will at all times be no fewer than 100 adult members.

1.3. Adult members are divided into the following categories:

- PARTICIPATING ADULT MEMBERS

The EXECUTIVE COMMITTEE may grant such membership to adult members who wish to compete in RECOGNISED SHOWS (other than in entry level classes).

- NON-PARTICIPATING ADULT MEMBERS

The EXECUTIVE COMMITTEE may grant such membership to adult members who do not wish to compete in any classes at RECOGNISED SHOWS, but wish to register a horse or horses in their names other than as sponsor members.

- COUNTRY MEMBERS

The EXECUTIVE COMMITTEE may grant such membership to adult members (who may be participating adult members or non-participating adult members or patrons) who reside beyond a 45 kilometre radius of the SOCIETY HEADQUARTERS.

#### 2. LIFE MEMBERS

Life members are members who are persons who pay a single subscription and who are elected to life membership by the EXECUTIVE COMMITTEE.

#### 3. JUNIOR MEMBERS

The EXECUTIVE COMMITTEE may grant such membership to persons who have attained their fourteenth birthday, but have not yet attained their eighteenth birthday.

#### 4. CHILD MEMBERS

The EXECUTIVE COMMITTEE may grant such membership to persons who have not yet

attained their fourteenth birthday.

## 5. CUSTODIAN MEMBERS AND GUARDIANS

- 5.1. No persons under the age of 18 years will be eligible to be a junior member or child member unless his/her legal guardian (which includes the parents) is an adult member or is a custodian member who is granted such membership by the EXECUTIVE COMMITTEE.
- 5.2. Such guardian will at all times be bound by this constitution on behalf of such junior/child member; in particular, without limitation;
  - 5.2.1. Such guardian will at all times be responsible for the payment of membership fees of such junior/child member.
  - 5.2.2. Such guardian is fully responsible for such junior/child member and acts on his/her behalf in all matters relating to the SOCIETY (including the ownership of his/her ponies/horses).
  - 5.2.3. The ponies/horses of such junior/child member will be deemed to be registered in the name of the guardian even if registered in the name of the junior or child member.
  - 5.2.4. The ponies/horses of such junior/child member which are sponsored will be registered in the name of the guardian on behalf of the sponsor.
- 5.3. Guardians of junior/child members who are not adult members may become custodian members, subject to the following:
  - 5.3.1. No entrance fee is payable.
  - 5.3.2. No annual membership subscription is payable. If the status of membership changes to any other form of membership, the rules applicable to such form of membership apply (including in respect of payment of entrance fees and annual subscriptions).
  - 5.3.3. Custodian members are entitled to vote at any meeting of the SOCIETY or to serve on any committee of the SOCIETY, provided that a person who is a custodian member in relation to more than one child or junior member will only have one vote including any other vote of such custodian member; provided further that there will only be such a vote where the child or junior member would have had a vote if he/she were in the corresponding category of adult membership.

- 5.3.4. Custodian membership of a member will cease as soon as it no longer necessary to give effect to 5.1 hereof in respect of the junior/child member concerned.

## 6. DELETED

## 7. HONORARY MEMBERS

The EXECUTIVE COMMITTEE may grant honorary membership to such person or persons (including corporate bodies represented by their nominees) as it sees fit, subject to the following:

- 7.1. Such membership will be for such periods as the EXECUTIVE COMMITTEE determines.
- 7.2. Such membership may only be granted to persons who have conferred exceptional benefit on the SOCIETY and who otherwise qualify for membership of the SOCIETY.

## 8. SPONSOR MEMBERS

The EXECUTIVE COMMITTEE may grant such membership to persons who are firms, companies, closed corporations, clubs or stables that derive commercial benefit from having horses competing in events at RECOGNISED SHOWS.

## 9. SHOW HOLDING MEMBERS

- 9.1. The EXECUTIVE COMMITTEE may grant such membership to SOCIETY AFFILIATED BODIES which hold RECOGNISED SHOWS.
- 9.2. Each SOCIETY AFFILIATED BODY, by written notice given to the SOCIETY or in its membership application as required by the SOCIETY, will nominate a responsible person/s to represent such body in its dealings with the SOCIETY and will be bound by all actions of such responsible person/s in representing such body. Such responsible person/s will be a person/s who is/are reasonably acceptable to the EXECUTIVE COMMITTEE. Each responsible person will be an adult member of the SOCIETY over the age of 18 years.
- 9.3. Any individual, company, close corporation, partnership or other body applying for membership as a SOCIETY AFFILIATED BODY will on demand disclose to the SOCIETY such facts or data as the society may deem necessary to determine the nature of the controlling interest in any person or body applying for such membership.
- 9.4. The SOCIETY may require the person/s responsible to guarantee payment by the SOCIETY AFFILIATED BODY of all amounts owing by the SOCIETY AFFILIATED

BODY to the SOCIETY from time to time on such terms and conditions as the SOCIETY may determine. Such person/s responsible will be members of the SOCIETY who are entitled to vote at meetings of the SOCIETY.

- 9.5. If any amounts owed by the SOCIETY AFFILIATED BODY to the SOCIETY are not paid when due, then without derogating from clause 32 of the Constitution, the SOCIETY may refuse to permit the SOCIETY AFFILIATED BODY to hold any shows under the auspices of the SOCIETY until such amounts are paid.
- 9.6. The person or body applying for membership as a SOCIETY AFFILIATED BODY and the person/s responsible will sign such application form/s as may be required by the SOCIETY. Such application form/s may contain such provisions as the SOCIETY may determine, including a warranty that all information contained in this application form/s is true and correct.
- 9.7. If the person/s responsible is / are not acceptable to the SOCIETY then the application by the SOCIETY AFFILIATED BODY may be rejected by the SOCIETY. The person/s responsible may only be substituted with other persons by written agreement between the SOCIETY, the SOCIETY AFFILIATED BODY and the substituted person/s.

10. DELETED

11. PANEL OFFICIAL MEMBERSHIP

The EXECUTIVE COMMITTEE may grant such membership to panel officials (who are not already adult members) as it sees fit. Such membership will be for periods as the EXECUTIVE COMMITTEE may determine;

12. COMMITTEE MEMBERSHIP

The EXECUTIVE COMMITTEE may grant such membership to committee members as it may see fit. Such membership will be for periods as the EXECUTIVE COMMITTEE may determine.

13. TEMPORARY MEMBERS

The EXECUTIVE COMMITTEE may grant temporary membership to such persons as it sees fit, subject to the following:

- 13.1. Such membership will be for such limited periods (not exceeding an aggregate of 30 days in any MEMBERSHIP YEAR in respect of any person) as the EXECUTIVE COMMITTEE determines.
- 13.2. Temporary members will not have the right to vote at any meeting of the SOCIETY or to serve on any committee of the SOCIETY.

13.3. Temporary membership may not be granted for National Status Shows and above.

#### 14. ENTRY LEVEL MEMBERS

The EXECUTIVE committee may grant entry level membership to such persons as it sees fit, subject to the following:

14.1. Entrance fees are payable by such members.

14.2. The annual entry level membership fees are payable by such members.

14.3. Entry level members will not be entitled to vote. Entry level members are entitled to serve on committees but not to act as chairmen.

14.4. If a member's status of membership is upgraded to any other form of paid up membership during a MEMBERSHIP YEAR, then the difference between the entrance fee and the annual membership fee paid by the member as an entry level member and the entrance fee and the annual membership fee for the upgraded membership is payable by the member; for the purposes hereof, the fees are pro-rated according to the number of days remaining in the MEMBERSHIP YEAR from the date of application for the upgraded membership.

14.5. Entry level membership is available to those persons wishing to compete in entry level classes at RECOGNISED SHOWS.

14.6. Entry level members may only compete in those classes determined by the SOCIETY for entry by entry level members.

#### 15. FRIENDS OF THE SOCIETY

Friends of the SOCIETY are persons to whom the EXECUTIVE COMMITTEE may grant such membership, subject to the following:

15.1. Entrance fees are payable by such members.

15.2. Annual membership fees are payable by such members.

15.3. Friends of the Society will not be entitled to vote, will not be entitled to enter any competition (whether at a RECOGNIZED SHOW or otherwise), will not be entitled to register any horse with the SOCIETY and will not be entitled to serve on committee of the SOCIETY.

15.4. If a member's status of membership is upgraded to any other form of paid up membership during a MEMBERSHIP YEAR, then the difference between the entrance fee and the annual membership fee paid by the member as a Friend of the Society and

the entrance fee and the annual membership fee for the upgraded membership is payable by the member; for the purposes hereof, the fees are pro-rated according to the number of days remaining in the MEMBERSHIP YEAR from the date of application for the upgraded membership.

- 15.5. The benefits of such membership will otherwise be as determined by the EXECUTIVE COMMITTEE from time to time."
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