

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028



# Constitution

A handwritten signature in black ink, appearing to read 'D. Willcoxson', is written over a light blue rectangular background.

Dot Willcoxson  
ACDS President  
17 February 2024

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

## CONSTITUTION CONTENTS

SCHEDULE 1: CONSTITUTION

SCHEDULE 2: BY-LAWS

### SCHEDULE 1

<b>PART 1 – PRELIMINARY</b>	<b>4</b>
1. <i>INTERPRETATION</i>	4
<b>PART 2 – OBJECTIVES OF THE ACDS</b>	<b>6</b>
2. <i>THE OBJECTIVES OF THE ACDS</i>	6
<b>PART 3 – MEMBERSHIP</b>	<b>7</b>
3. <i>CLASSES OF MEMBERSHIP</i>	7
4. <i>MEMBERSHIP QUALIFICATIONS</i>	9
5. <i>APPLICATION FOR MEMBERSHIP</i>	9
6. <i>DEEMED MEMBERSHIP</i>	10
7. <i>MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE</i>	10
8. <i>CESSATION OF MEMBERSHIP</i>	10
9. <i>RESIGNATION OF MEMBERSHIP</i>	11
10. <i>FEE, SUBSCRIPTIONS</i>	11
11. <i>MEMBERS' LIABILITIES</i>	11
12. <i>DISPUTE RESOLUTION AND DISCIPLINING OF MEMBERS</i>	11
13. <i>RIGHT OF APPEAL OF DISCIPLINED MEMBER</i>	16
<b>PART 4 – THE COUNCIL</b>	<b>17</b>
14. <i>POWERS OF THE COUNCIL</i>	17
15. <i>STRUCTURE AND MEMBERSHIP OF THE COUNCIL</i>	17
16. <i>ELECTION OF OFFICE BEARERS</i>	18
17. <i>ELECTION OF ORDINARY COUNCIL MEMBER</i>	19
18. <i>SECRETARY / PUBLIC OFFICER</i>	19
19. <i>TREASURER</i>	20
20. <i>VACANCIES</i>	20
21. <i>REMOVAL OF COUNCIL MEMBER</i>	21
22. <i>COUNCIL MEETING AND QUORUM</i>	21
23. <i>DELEGATION BY COUNCIL TO SUB-COMMITTEE</i>	23
24. <i>EXECUTIVE SUB-COMMITTEE</i>	23
25. <i>VOTING AND DECISIONS</i>	24
<b>PART 5 – GENERAL MEETINGS</b>	<b>24</b>
26. <i>ANNUAL GENERAL MEETING</i>	24
27. <i>CALLING OF GENERAL MEETING</i>	25
28. <i>NOTICE OF A MEETING</i>	26
29. <i>GENERAL MEETINGS – PROCEDURES AND QUORUM</i>	26
30. <i>PRESIDING MEMBER</i>	27
31. <i>ADJOURNMENT</i>	27
32. <i>MAKING A DECISION</i>	27

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

33. SPECIAL RESOLUTION	28
34. VOTING	28
35. POSTAL VOTING	28
<b>PART 6 – BRANCHES</b>	<b>36</b>
36. BRANCHES	36
<b>PART 7 – MISCELLANEOUS</b>	<b>30</b>
37. FUNDS SOURCE	30
38. FUNDS MANAGEMENT	30
39. BY-LAWS	31
40. AUDIT	31
41. ALTERATIONS OF OBJECTIVES AND THIS CONSTITUTION	31
42. INDEMNITY	31
43. CUSTODY OF BOOKS	32
44. INSPECTION OF BOOKS	32
45. SERVICE OF NOTICE	32
46. SURPLUS PROPERTY	32

**MODIFICATION HISTORY CONSTITUTION AND BY-LAWS**

PAGE 26 OF SCHEDULE 2 – BY-LAWS

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

## PART 1 - PRELIMINARY

### 1. Interpretation

1.1 In this Constitution and in the By-laws, unless a contrary intention appears:

**ACDS** means the Australian Carriage Driving Society Incorporated.

**Act** means the Associations Incorporation Act 1991 (ACT).

**Active Member** (*non-driving*) means a person who has been admitted to Membership of the ACDS; pursuant to Clause 3.6 and in respect of whom all monies payable on account of Membership Subscription have been paid to their Principal Local Club or directly to the ACDS.

**Branch** means the branch of the ACDS in each State and Territory.

**By-laws** are clauses that prohibit, regulate, control, restrict or require permission for certain activities included in the day-to-day governance of the ACDS and do not conflict with this Constitution. Council has the sole authority to create By-laws.

**Constitution** comprises the basic principles and laws of the ACDS and specifies the powers and duties of the governing body and guaranteeing certain rights to Members.

**Council** means the Federal Council of the ACDS constituted in accordance with Clause 15.2.

**Deemed Member** means a person deemed to be a Member of the ACDS pursuant to Clause 6.1

**Executive Sub-committee** means the committee elected pursuant to Clause 24.1.

**Financial Year** means the year ending on 30<sup>th</sup> April.

**Honorary Life Member** means a person elected as an Honorary Life Member pursuant to Clause 3.7.

**Horse** means a heavy horse, light horse, pony, ass, mule, donkey or any other animal that falls in the equidae family, regardless of breed.

**Jury** means the persons described as such in respect of any show or event conducted by the ACDS or any Branch of the ACDS or under the auspices of the ACDS.

**Local Club** means an organisation recognised as such by the Council and in which:

- (a) the objectives are similar to those of the ACDS;
- (b) the Constitution and/or Rules:
  - (i) Subject to compliance with the Act of Parliament in the State or Territory of Australia where the Branch is located, contain, a provision that in the event of any inconsistency between the Constitution and/or Rules of the Local Club and the ACDS Constitution, the latter shall prevail; and

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- (ii) provide for such other matters as the Council may from time to time require.
- (c) there are at all times at least sufficient Members to comply with the requirements for ongoing incorporation as an incorporated association in the State or Territory of Australia where the Local Club is incorporated.

**Member** means a person who has been admitted to Membership of the ACDS; pursuant to Clause 4 and in respect of whom all monies payable on account of Membership Subscription have in fact been paid to the Principal Local Club and includes an Honorary Life Member.

**Office Bearers** means the President, Vice President, Secretary and Treasurer of Council.

**Ordinary Council Member** means a Member of the Council who is not an office bearer of the ACDS as referred to in Clause 15.2.

**President** means the person holding office under this Constitution as President of the ACDS and subsequently, of Council.

**Principal Local Club** means the local club described as such and referred to in Clause 4.2.

**Register of Members** means the register required to be maintained by the ACDS of Members pursuant to the Act.

**Regulations** means the Associations Incorporation Regulations (ACT).

**Rule of Natural Justice** means everyone is entitled to a decision by unbiased adjudicators and that the party shall be given adequate notice of the allegations against them, a right to respond and a right to appeal.

**Secretary** means the person holding office under this Constitution as Secretary of the ACDS or, where no such person holds that office, the public officer of the ACDS.

**Technology** includes radio, telephone, closed circuit television, computer, tablet or other electronic means or telecommunications device for audio or audio-visual communication, written document, email or other means of communication, as determined by the Council from time to time, to be appropriate.

**Territory** means the Australian Capital Territory, a territory of Australia.

**Treasurer** means the person holding office under this Constitution as Treasurer of the ACDS.

**Vice-President** means the person holding office under this Constitution as Vice-President of the ACDS.

1.2 In this Constitution and in the By-laws:

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

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- 1.3 The provisions of the ACT Associations Incorporation Act 1991, A1991-46, Effective: 8 October 2021 and the Legislation Act 2001, A2001-14, Effective: 6 April 2022, apply to and in respect of this Constitution in the same manner as those provisions would so apply if this Constitution were an instrument made under the Act.

## **PART 2 – OBJECTIVES OF THE ACDS**

### **2. The Objectives of the ACDS are to:**

- 2.1 encourage and promote the driving of horses.
- 2.2 educate persons interested in horse driving.
- 2.3 promote and offer education in respect of the building and restoration of horse drawn vehicles.
- 2.4 provide for the education and training of officials for the various activities of the ACDS.
- 2.5 set up and maintain a national scheme of accreditation for persons to teach driving at all levels.
- 2.6 promote and encourage competitive and non-competitive driving events and activities.
- 2.7 apply rules to competitive and non-competitive driving events and activities.
- 2.8 setup and maintain a register of harness horses within Australia.
- 2.9 act as a supreme governing body for all clubs, associations and like organisations in Australia interested in carriage driving.
- 2.10 encourage and assist the setting up and administration of Local Clubs.
- 2.11 cooperate with, assist and affiliate with kindred organisations.
- 2.12 to pay or apply (including by donation) the funds of the ACDS for any purpose conducive to the attainment of any of the foregoing objectives.
- 2.13 to seek grants and donations from Government and private bodies for the promotion of the objectives of the ACDS.
- 2.14 make By-laws in relation to any matter or item within or related to this Constitution and/or competition and non-competitive activities of the ACDS.
- 2.15 encourage the development of international driving in Australia, assisted with support by affiliations with appropriate organisations, which may include Equestrian Australia.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

## PART 3 – MEMBERSHIP

### 3. Classes of Membership

3.1 The annual ACDS Membership period is from 1<sup>st</sup> September to 31<sup>st</sup> August the following year.

3.2 The ACDS has approved the following classes of Membership:

- (a) Single Membership;
- (b) Family Membership;
- (c) Junior Membership;
- (d) Active Member (non-driving) Membership;
- (e) Honorary Life Membership;
- (f) One Activity Membership;
- (g) Constituent Schools Membership; and
- (h) Deemed Membership

3.3 A person may be elected to the category of Single Member, which is available to a person who has attained the age of 18 years. A Single Member has one vote.

3.4 Family Membership, which is available to persons being either:

- (a) the spouse, defacto spouse of a Member or one additional adult person (aged eighteen [18] years or over) in a family or a defacto relationship living at the same household (Family Member); and
- (b) a child or grandchild of a Member who has not attained the age of eighteen (18) years (Family Junior Member):
  - (i) Does not need to live at the same household as the primary Members listed on the Membership form but must be a maternal/paternal Family Member.
- (c) a full-time student holding a Student Concession Card, who is no older than twenty-five (25) years of age:
  - (i) does not need to live at the same household as the primary Member/s listed on the Membership form, but they must be a maternal/paternal Family Member.
  - (ii) maintains their Membership for the full Membership year, even if they do not maintain their Student Concession Card for the whole period.
- (d) All Members of a family Membership over eighteen (18) years of age, including a Member with a Student Concession Card, have one vote each.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- (e) A maternal/paternal family Membership also applies to those that are legally adopted or come under the legal guardianship of the primary Members.
- 3.5 A person may be elected to the category of Junior Member, which is available to a person who has not attained the age of 18 years and who is not the child of a Member. Junior Members will be able to drive at ACDS activities but will not have voting rights.
- 3.6 A person may be elected to the category of Active Member (non-driving), which is available to persons of any age who do not drive horses. Active Members (non-driving) will have voting rights; but will not be able to drive at ACDS activities. If an Active Member (non-driving):
- (a) chooses to be a Club and/or State Member; the application process would be through their principal Club.
  - (b) chooses to be a Federal Member only, applications should be sent directly to the Federal Secretary.
- An Active Member (non-driving) has one vote (providing they are over eighteen [18] year of age).
- An Active Member (non-driving) can officiate in any capacity as an 'Official' at an ACDS sanctioned activity/event, providing they hold the relevant accreditation.
- 3.7 The Council may elect any Member, who has been a Member for a substantial period of time and who has given distinguished service to the ACDS, as an Honorary Life Member of the ACDS. A Member elected as an Honorary Life Member shall not be required to pay a subscription to the ACDS; but will have voting rights and be able to drive and officiate at ACDS activities.
- 3.8 A person, that is interested in experiencing the ACDS's activities, may be granted the category of 'One Activity Membership'. A person in this category can apply for a One Activity Membership for a maximum of three times in any one Membership Year.
- 3.9 A family interested in experiencing ACDS activities may be granted the category of 'One Activity Membership'. A Family in this category can apply for a One Activity Membership for a maximum of three times in any one Membership Year. A family is defined in Clause 3.4.
- 3.10 One Activity Memberships are not available to a current or previous Member who is currently suspended or expelled from the ACDS; unless prior written approval is obtained from Council.
- 3.11 Government recognised teaching schools may be elected to the category of Constituent Schools Membership upon application to the Council. Persons covered by this class of Membership will be a guardian (i.e., a person who would qualify for Single or Family Membership) and up to five persons who satisfy as Junior Members and whose names are supplied. The fee shall be the same as for a Family Membership.
- 3.12 Any person joining the ACDS for the first time, or a previous Member who has not been an ACDS Member for a period of eight (8) years, after 1<sup>st</sup> March in a year, will be granted a Membership until the end of the Membership Year in the calendar year after the calendar year that the person first joins or re-joins the ACDS.



# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

## 4. Membership Qualifications

- 4.1 Subject to Clause 3.1 – 3.12 (inclusive), a person is qualified to be a Member if they:
- (a) have attained the age of eighteen (18) years;
  - (b) are a Member of a Local Club, except for circumstances in Clause 3.6(b);
  - (c) have filled out the appropriate Membership Application Form as per Clause 5.1 a) and paid the appropriate fees; or
  - (d) become a Junior Member under Clause 3.5, providing Clause 4.1 b) and c) are followed.
- 4.2 Where a person is a Member of more than one Local Club, then for the purpose of Clause 4.1 (b) that person shall nominate the Local Club that they consider to be their Principal Local Club and the annual subscription payable in respect of that person upon their admission to Membership of the ACDS shall be payable only through that Principal Local Club. Any other Local Clubs of which that person may be a Member shall be disregarded for all purposes under this Constitution and Membership thereof shall not carry any additional rights within the ACDS in respect of voting, participation, representation or otherwise howsoever.

## 5. Application for Membership

- 5.1 An application by a person for Membership of the ACDS, or a renewal of a Membership:
- (a) shall be made by the applicant in writing in such form as the Council may from time to time approve.
  - (b) shall be lodged with the secretary of a Local Club.
  - (c) shall be accompanied by payment of the Membership fee applicable to the Local Club and the annual Membership Subscription for the ACDS referred to in Clause 10 and the fee charged by the Branch.
  - (d) when an applicant for Membership receives a receipt from the Local Club, they shall be deemed to be a Member of the ACDS until such time as the Local Club determines the application in accordance with Clause 5.2.
- 5.2 As soon as practicable after receiving an application for Membership, or a renewal of a Membership, the secretary of the Local Club shall refer the application or renewal to the committee of the Local Club, which shall determine whether to approve or reject the application or renewal and record in the minutes of the meeting of the Local Club the names of applicants approved for Membership of the ACDS.
- 5.3 Where the committee of the Local Club determines to approve an application for Membership:
- (a) the secretary of the Local Club shall as soon as practicable after that determination notify the ACDS Branch Secretary.
  - (b) the applicant shall become a Member of the ACDS with effect from the date of that determination.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- (c) the Branch secretary shall as soon as practicable after receiving notice from the secretary of the Local Club, enter the applicants name in the register of Members.
- 5.4 Where the Local Club rejects an application for Membership or a renewal of a Membership, the Local Club shall not be required to provide reasons for the rejection.
- 5.5 Vacant
- 5.6 Upon admission to Membership of the ACDS, a Member shall be deemed to have agreed to be bound by and strictly adhere to this Constitution, By-laws and policies of the ACDS as amended from time to time.
- 5.7 Council has the authority to alter the structure of the membership application process detailed in 5.1 to 5.4.

## 6. Deemed Membership

- 6.1 Subject to and at the entire discretion of the Council, persons may, by resolution of the Council be Deemed Members of the ACDS for a period of time and subject to such terms and conditions as the Council may from time to time determine. A Deemed Member must comply with the ACDS Constitution, By-laws, Regulations and policies, may attend General Meetings of the ACDS and may be elected or appointed to Sub committees. A Deemed Member is not entitled to vote at a General Meeting but is entitled to vote at a meeting of a Sub-committee if they are elected or appointed to that Sub-committee.

## 7. Membership Entitlements Not Transferable

- 7.1 A right, privilege or obligation, which a person has by reason of being a Member of the ACDS:
  - (a) is not capable of being transferred or transmitted to another person; and
  - (b) terminates upon cessation of the person's Membership.

## 8. Cessation of Membership

- 8.1 A person ceases to be a Member of the ACDS if the person:
  - (a) dies,
  - (b) resigns from Membership of the ACDS,
  - (c) is expelled from be ACDS, or
  - (d) fails to pay any monies due by the Member to the ACDS.
- 8.2 A person also ceases to be a Member of the ACDS on 31 August in each calendar year.
- 8.3 The name of a person who has ceased to be a Member pursuant to Clauses 8.1 or 8.2 shall be forthwith removed from the Register of Members by the Secretary.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

## 9. Resignation of Membership

- 9.1 A Member who has paid all amounts due to the ACDS may resign from Membership of the ACDS by first giving not less than one months' notice in writing to the Secretary of the Member's intention to resign and, upon the expiration of the period of notice, the Member ceases to be a Member.
- 9.2 Where a person ceases to be a Member, the Secretary or Assistant Secretary shall make an appropriate entry in the register of Members recording the date on which the Member ceased to be a Member.
- 9.3 In the case where a person ceases to be a Member of the ACDS pursuant to either Clauses 8.1 or 9.1, the person will not be refunded any part of their Membership fee.

## 10. Fees, Subscriptions

- 10.1 The annual Membership Subscription shall be such amount as may be determined from time to time by resolution of the ACDS at the Annual General Meeting and is payable by 31<sup>st</sup> August in each year.
- (a) Where a person does not renew their Membership for the next Membership year, by 31<sup>st</sup> August, the person ceases to hold any Membership rights. Upon the person complying with the requirements of Clause 5, the person's Membership rights will be reinstated from the date referred to in Clause 5.1(d) until the end of the current Membership Year.
- (b) Where a person renews their Membership prior to 31<sup>st</sup> August in each consecutive year, the renewal of the Membership will be deemed to have occurred on 1<sup>st</sup> September of the year.
- 10.2 The annual Membership Subscription will be decided at an Annual General Meeting and may be different for such categories, descriptions or classes of Membership.

## 11. Members' Liabilities

- 11.1 The liability of a Member to contribute towards the payment of the debts and liabilities of the ACDS or the costs, charges and expenses of the winding up of the ACDS is limited to the amount, if any, unpaid by the Member in respect of Membership of the ACDS as required by Clause 10.

## 12. Dispute Resolution and Disciplining of Members

### 12.1 Dispute Resolution Procedure

This Clause sets out the dispute resolution procedure for dealing with a dispute under the Act or the Association's rules between parties. Parties are defined as:

- (a) a member and another member; or
- (b) a member and the Council.

- 12.2 A member may appoint someone to act on their behalf in the dispute resolution procedure.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

## 12.3 Resolving Dispute by Agreement

- (a) The parties to a dispute must attempt to resolve the dispute by agreement between themselves.
- (b) A party to the dispute may ask the Council to help the parties resolve the dispute by agreement if:
  - (i) the Council is not a party to the dispute; and
  - (ii) the parties are unable to resolve the dispute between themselves.

## 12.4 Dispute Resolution Procedure – Starting the Procedure

- (a) If the parties to a dispute do not resolve the dispute by agreement under 12.3, any party to the dispute may start the dispute resolution procedure by giving written notice to the Council.
- (b) The notice must:
  - (i) include the names and contact details of the parties to the dispute; and
  - (ii) give a summary of the matters in dispute (a dispute summary) including the relevant provisions of the ACDS Constitution, Code of Conduct or any other relevant ACDS Policy.
  - (iii) briefly state the steps the parties have taken to resolve the dispute.

## 12.5 Dispute Resolution Procedure – Appointing a Decision-maker

- (a) As soon as practicable after receiving a notice under section 12.4(b), the Council must appoint a decision-maker to decide the outcome of the dispute.
- (b) The Council must ensure that the decision-maker:
  - (i) is unbiased;
  - (ii) does not have a conflict of interest;
  - (iii) has, or can quickly acquire, knowledge of the:
    - (1) ACDS Constitution (including the ACDS Objectives);
    - (2) the management and operation of the ACDS (including policies);
    - (3) the ACT Incorporations Act 1991
- (c) The Council must give the decision-maker a copy of the notice.

## 12.6 Dispute Resolution Procedure – Notice to Parties about the Decision-Maker

- (a) As soon as practicable after a decision-maker is appointed under 12.5a, the Secretary must give written notice to each party to the dispute that the dispute resolution procedure has started.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- (b) If the Council is a party to the dispute, the Secretary is not required to give notice to the Council.
- (c) The notice must include:
  - (i) a copy of the dispute summary for the dispute; and
  - (ii) the name and contact details of the decision-maker; and
  - (iii) information about the dispute resolution procedure.

## 12.7 Dispute Resolution Procedure – Opportunity to be Heard

- (a) Before deciding the outcome of a dispute, the decision-maker must invite each party to make a written or oral submission (or both) about the dispute.
- (b) The invitation must state:
  - (i) if the decision-maker invites the parties to make a written submission – a period of not less than 14 days in which a party may make a written submission (the submission period); and
  - (ii) if the decision-maker invites the parties to make oral submissions – the day and time (within the submission period) when the party may make the oral submission.
- (c) The decision-maker may also attempt to resolve the dispute with the agreement of the parties to the dispute.

## 12.8 Dispute resolution procedure—Outcome

As soon as practicable after the submission period has ended, the decision-maker must:

- (a) consider any submissions made during the submission period;
- (b) decide the outcome of the dispute (the dispute decision);
- (c) give the parties to the dispute a written notice that states:
  - (i) the dispute decision; and
  - (ii) the reasons for the dispute decision; and
- (d) if the Federal Council is not a party to the dispute – give the Federal Council a copy of the notice mentioned in paragraph (c).
- (e) The written notice must include:
  - (i) reasons for the decision, whether the term ‘reasons’, ‘grounds’ or any other term is used; and
  - (ii) the setting out of the findings on material questions of fact and refer to the evidence or other material on which the findings were based.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- (f) If either party do not agree with the decision of the decision-maker they have a right to appeal as per Clause 13 of this Constitution

## 12.9 Dispute Resolution Procedure—Ending Dispute by Agreement

- (a) The parties to a dispute may agree to end the dispute at any time before the decision-maker decides the outcome of the dispute.
- (b) If the parties agree to end the dispute, they must give written notice to the following people:
  - (i) if the Council is not a party to the dispute – the Council;
  - (ii) if a decision-maker has been appointed for the dispute – the decision-maker.
- (c) The notice must state:
  - (i) that the parties have agreed to end the dispute; and
  - (ii) the reasons for the parties ending the dispute.

## 12.10 If a member has initiated a dispute resolution procedure in relation to a dispute between the member and the ACDS, the ACDS must not take disciplinary action against any of the following people in relation to the matter, which is the subject of the dispute resolution procedure, until the dispute resolution procedure has been completed:

- (a) the member who initiated the dispute resolution procedure (complainant member); and
- (b) a member of the association appointed by the complainant member to act on behalf of the complainant member in the dispute resolution procedure.

## 12.11 **Disciplining of Members**

Where Council is of the opinion that a member has:

- (a) acted prejudicially in, or detrimentally to the interests, objectives or purpose of the ACDS;
- (b) refused or neglected to comply with a provision of this Constitution, By-laws, regulations, policies and competition rules;
- (c) conducted themselves at any show or event in a violent aggressive, abusive, improper or offensive manner;
- (d) engaged in conduct that may reasonably be regarded as unsportsmanlike;
- (e) disobeyed or ignored any reasonable request by any Judge, Steward or Official at any show or event;

## Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- (f) disobeyed or ignored any reasonable request from the ACDS Council or Executive, or any Judge, Steward or Official at any show or event;
- (g) published any unjust intemperate or unduly critical matter concerning the ACDS or any Member or any Judge, Steward or Official at any show or event;
- (h) offered any bribe or inducement to any judge, steward or official at or in connection with any show or event;
- (i) engaged in any dangerous driving or has in any manner ill-treated any horse;
- (j) competed with a horse that is lame, exhausted or in distress or otherwise not reasonably fit for competition;
- (k) been convicted of any offence relating to cruelty to any animal;
- (l) failed to discharge a just debt to, or incurred in connection with any activity of or service provided or arranged by the ACDS; or
- (m) been found guilty by a Jury of an offence at a show or event, as referred to in the By-laws.

The Council may, by resolution:

- (n) suspend the Member from such rights and privileges of Membership of the ACDS as the Council may determine for a specified period.
- (o) suspend the Member and/or the horse involved from any future show or event or activity of the ACDS or of a Branch or a Local Club for such period of time not exceeding two years as the Council may determine.
- (p) disqualify the Member and/or the horse involved from any show or event in which he or they have taken part (and such disqualification shall ipso facto [by the fact itself] result in the forfeiture of any award or prize received at or given in respect of the show or event in question).
- (q) impose such fine (not exceeding 20 times the then current annual Subscription) on the Member as is considered appropriate.
- (r) retract an Honorary Life Membership; where the recipient has conducted themselves in a manner that reflects directly and adversely on the image or activities of the ACDS.
- (s) expel the Member from the ACDS provided that a resolution pursuant to this Clause, 12.1(s), for expulsion of a Member shall require two-thirds majority of persons present and voting.

12.12 A resolution of the Council under Clause 12.11 is of no effect unless the Council, at a meeting held not earlier than 14 days and not later than 28 days after service on the Member of a notice under Clause 12.13, confirms the resolution by a two-thirds majority present and voting.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- 12.13 Where the Council passes a resolution under Clause 12.11, the Secretary shall, as soon as practicable, cause a notice in writing to be served on the Member:
- (a) setting out the resolution of the Council and the grounds on which it is based;
  - (b) stating that the Member may address the Council at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
  - (c) stating the date, place and time of that meeting; and
  - (d) informing the Member that the Member may do either or both of the following:
    - (i) Present to the Council, at or prior to the date of that meeting, a written submission relating to the resolution.
    - (ii) Attend and speak at that meeting in person and/or by representative.
- 12.14 Subject to compliance with the rules of natural justice, at a meeting of the Council mentioned in Clause 12.13, the Council shall:
- (a) give to the Member mentioned in Clause 12.11 due consideration to any written submission/s presented to the Council;
  - (b) give to the Member or their representative mentioned in clause 12.11 an opportunity to make oral representations; and
  - (c) determine whether to confirm or to revoke the resolution of the Council made under Clause 12.11 and shall require two-thirds majority of persons present and voting.
- 12.15 Where the Council confirms a resolution under Clause 12.14(c), the Secretary shall, within seven (7) days after that confirmation, by notice in writing, inform the Member of that confirmation and of the Member's right of appeal under Clause 13.
- 12.16 A resolution confirmed by the Council under Clause 12.15 does not take effect:
- (a) until the expiration of the period within which the Member is entitled to appeal against the resolution where the Member does not exercise the right of appeal within that period; or
  - (b) where within that period the Member exercises the right of appeal, unless and until the ACDS confirms the resolution in accordance with Clause 13.4.

## **13. Right of Appeal of Disciplined Member**

- 13.1 A Member may appeal to the ACDS, at a General Meeting, against a resolution of the Council, within seven (7) days after notice of the resolution is served on the Member, by lodging with the Secretary a notice to that effect.
- 13.2 Upon receipt of a notice under Clause 13.1 the Secretary shall notify the Council, which shall convene a General Meeting of the ACDS to be held within 40 days after the date on which the Secretary received the notice or as soon as possible after that date.



# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- 13.3 Subject to compliance with the rules of natural justice, at a General Meeting of the ACDS convened under Clause 13.2:
- (a) no business other than the question of the appeal shall be transacted;
  - (b) the Council and the Member shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
  - (c) the Members present shall vote by secret ballot on the question of whether the resolution made should be confirmed or revoked.
- 13.4 If the meeting passes a recommendation or resolution, of which two-thirds of those present in person vote in favour to confirm the recommendation resolution made under Clause 12.8 or 12.14, that resolution is confirmed.

## PART 4 – THE COUNCIL

### 14. Powers of the Council

- 14.1 The Council, subject to the Act, the Regulations, this Constitution, By-laws and policies and to any resolution passed by the ACDS in General Meeting/s:
- (a) shall control and manage the affairs of the ACDS;
  - (b) may exercise all such functions as may be exercised by the ACDS other than those functions that are required by this Constitution to be exercised by the ACDS in a General Meeting; and
  - (c) has power to perform all such acts and do all such things as appear to the Council to be necessary or desirable for the proper management of the affairs of the ACDS.
- 14.2 All decisions of the Council shall, subject to this Constitution, the Act, and the ACT Regulations be final and binding on all Members.

### 15. Structure and Membership of the Council

- 15.1 The Office Bearers of the ACDS shall be:

- (a) the President,
- (b) the Vice-President,
- (c) the Treasurer, and
- (d) the Secretary.

each of whom shall be elected annually at the Annual General Meeting as hereafter provided in Clause 16.

- 15.2 The Council shall consist of:

- (a) the office bearers of the ACDS and in addition,

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- (b) one Ordinary Council Member elected by and representing each Branch of the ACDS as hereafter provided in Clauses 15.3, 15.4 and 15.5.
- 15.3 Each Office Bearer shall, subject to this Constitution, hold office until all office bearers' positions are declared vacant at the Annual General Meeting following the date of the Member's election, but is eligible for re-election, subject to Clause 16. The new office bearers shall take up their positions immediately upon their election.
- 15.4 In the event of a vacancy in the office bearers of the ACDS, the Council shall appoint another Member of the Council to fill the vacancy and the Member so appointed shall hold office, subject to this Constitution, until the conclusion of the Annual General Meeting next following the date of the appointment.
- 15.5 In the event of:
- (a) a vacancy in the Ordinary Council Member representing a Branch, the Branch concerned shall, in accordance with its own procedures, elect or appoint another Member to fill the vacancy and that Member shall hold office, subject to this Constitution, until the conclusion of the next Annual General Meeting following the date of appointment
  - (b) the Branch failing within sixty (60) days to elect or appoint another Member to fill such a vacancy, the Council of the ACDS may do so by appointing a Member of a Local Club within the Branch concerned to fill the vacancy until the conclusion of the Annual General Meeting next following the date of the appointment.
- 16. Election of Office Bearers**
- 16.1 Nominations of candidates for election as office bearers of the ACDS:
- (a) shall be made in writing, signed by two Members of the ACDS and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and
  - (b) shall be delivered to the Secretary of the ACDS by the 15th day of April and the candidates' names, complete with their resumes, shall be circulated to all Members.
- 16.2 A candidate for election as an office bearer of the ACDS must be a financial Single Member, Family Member, Honorary Life Member, or Active Member (non-driving).
- 16.3 If insufficient nominations are received to fill all Office Bearer vacancies by the date referred to in clause 16.1 (b), the candidates' nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting for those positions not filled.
- 16.4 If insufficient further nominations are received, any vacant positions remaining in the Office Bearers shall be deemed to be vacancies.
- 16.5 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be taken to be elected.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- 16.6 If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- 16.7 The ballot for the election of office bearers shall be conducted at the Annual General Meeting in such manner as the Council may direct.
- 16.8 A person is not eligible to simultaneously hold more than one position on the Council.
- 16.9 A person may not hold office as President for more than three consecutive years and thereafter is ineligible for election as President for a period of one year.
- 16.10 A person may not hold office as Vice-President or Treasurer for more than five consecutive years and thereafter is ineligible for election as any such office bearer for a period of one year. There is no term limit applicable to the position of Secretary.
- 16.11 The Council may co-opt any person, whether or not a Member of the ACDS, to assist the Council in relation to any matter and any such person may attend meetings of the Council but may not vote thereat.

## **17. Election of Ordinary Council Member**

- 17.1 Each Branch of the ACDS shall, prior to the Federal Annual General Meeting, elect from amongst the Members of the Local Clubs constituting the Branch, one person, who is a financial Member of the ACDS, to be an Ordinary Council Member representing that Branch on the Council.
- 17.2 The persons elected by the Branch shall be:
  - (a) one of the principal officers of the Branch; or
  - (b) a Branch Committee Member or person who has had previous Council or Branch experience.
- 17.3 Ordinary Council Members elected pursuant to this Clause shall commence to hold office as such from the conclusion of the next ensuing Annual General Meeting of the ACDS until the conclusion of the second such Annual General Meeting following their election.
- 17.4 Procedures for the election of Ordinary Council Members by Branches shall be as each Branch may from time to time require; provided that at all times each Member of each Local Club within a Branch shall be entitled to vote in any such election.
- 17.5 Each Branch of the ACDS may appoint a person to act as that Branch's alternate Ordinary Council Member representing that Branch on the Council. The alternate Ordinary Council Member shall represent the Branch if the Ordinary Council Member is unable to fulfil their duties and shall have all of the power and entitlements, including the entitlement to vote at Council meetings, as the Ordinary Council Member.

## **18. Secretary / Public Officer**

- 18.1 The Secretary of the ACDS shall, as soon as practicable after being appointed as Secretary, notify the ACDS of their postal address.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- 18.2 The Secretary shall keep minutes of:
- (a) all elections and appointments of Office Bearers,
  - (b) the names of Ordinary Council Members of the Council present at a Council meeting or a General Meeting, and
  - (c) all proceedings at Council meetings and General Meetings.
- 18.3 Minutes of proceedings at a meeting shall be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting.
- 18.4 If the Secretary is
- (a) eligible to be the public officer of the ACDS under the Act, the Secretary shall be the public officer of the ACDS, or
  - (b) not eligible to be the public officer of the ACDS, the Council shall appoint a person who has attained the age of eighteen (18) years and is a resident of the Australian Capital Territory as the public officer of the ACDS.
- 18.5 The Secretary shall be responsible for maintaining a Register of Members.

## 19. Treasurer

- 19.1 The Treasurer of the ACDS shall:
- (a) collect and receive all moneys due to the ACDS and make all payments authorised by the ACDS; and
  - (b) keep correct accounts and books showing the financial affairs of the ACDS with full details of all receipts and expenditure connected with the activities of the ACDS.

## 20. Vacancies

- 20.1 A vacancy in the office of an Office Bearer, public officer or Member of the Council occurs if the Member:
- (a) dies;
  - (b) is not a financial Member of the ACDS as at 1<sup>st</sup> September of the applicable year;
  - (c) ceases to be a Member of the ACDS;
  - (d) resigns the office;
  - (e) is removed from office pursuant to Clause 21.1;
  - (f) becomes bankrupt or personally insolvent;

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- (g) is disqualified from office under sections 63(1) & (2), 63A or 64 (1) & (2) of the Act; or
- (h) is absent without the consent of the Council for two consecutive meetings of the Council.

## 21. Removal of Council Members

- 21.1 The ACDS in a General Meeting may, by resolution, subject to compliance with the rules of natural justice, remove any Member of the Council from the office of Member of the Council before the expiration of the Member's term of office.

## 22. Council Meetings and Quorum

- 22.1 The Council shall meet at least two times in each calendar year at such place and time as the Council may determine. Without limiting the discretion of the Council to regulate their meetings, the Council may, if they think fit, confer by any technology, but should meet in person at least once per year.
- 22.2 Additional meetings of the Council may be convened by the Secretary on the instruction of the President (or Vice-president in the event the President is overseas or has been granted a leave of absence) or by any four (4) Members of the Council.
- 22.3 An oral, written or an electronic Notice of a Meeting of the Council shall be given by the Secretary to each Ordinary Council Member of the Council:
  - (a) in the case of a non-urgent meeting, at least twenty-one (21) days
  - (b) in the case of an urgent meeting, at least seven (7) days (or in each case, such other period as may be unanimously agreed upon by the Members of the Council) before the time appointed for the holding of the meeting.
  - (c) the requirements as at 22.4.
- 22.4 Notice of a Meeting given under Clause 22.3 shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business, of which at least 75% of the Council Members present at the meeting agree to address.
- 22.5 Any seven (7) Members of the Council constitute a quorum for the transaction of the business of a meeting of the Council.
- 22.6 No business shall be transacted by the Council unless a quorum is present and if within half an hour after the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
- 22.7 If, at the adjourned meeting, a quorum is not present within half an hour after the time appointed for the meeting, the meeting shall be dissolved.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- 22.8 At a meeting of the Council:
- (a) the President or in the absence of the President, the Vice-President shall preside; or
  - (b) if the President and the Vice-President are absent, one of the remaining Members of the Council shall be chosen by the Members present to preside.
- 22.9 Notwithstanding that the Council are not present together in one place at the time of the meeting, a resolution passed by the meeting will be deemed to have been passed at a meeting of the Council, held on the day on which and at the time at which the meeting was held.
- 22.10 The provisions of these Clauses relating to proceedings of Council apply to the meeting to the extent that they are capable of applying, and with the necessary changes.
- 22.11 A Council Member present at the commencement of the meeting will be conclusively presumed to have been present and, subject to other provisions of this Constitution to have formed part of the quorum throughout the meeting.
- 22.12 Any Minutes of a meeting of the type referred to in Clause 22.1 purporting to be signed by the chairperson of that meeting or by the chairperson of the next succeeding meeting of Council will be sufficient evidence of the observance of all necessary formalities regarding the convening and conduct of the meeting.

When, by the operation of Clause 22. 1, a resolution is deemed to have been passed at a meeting of the Council Members, that meeting will be deemed to have been held at such place as is determined by the chairperson of the relevant meeting, provided that at least one of the Council Members, who took part in the meeting, was at that place for the duration of the meeting.

If all of the Council Members have signed a document containing a statement that they are in favour of a resolution of the Council in terms set out in the document, a resolution in those terms will be deemed to have been passed at a meeting of the Council held on the day on which and at the time at which the document was last signed by a Council Member.

For the purposes of Clause 22.12:

- (i) two (2) or more separate documents containing statements in identical terms each of which is signed by one or more Council Members will together be deemed to constitute one document containing a statement in those terms signed by the Council Members;
- (ii) a reference to all the Council Members does not include a reference to a Council Member who, at a meeting of the Council, would not be entitled to vote on the resolution, and;
- (iii) any document so signed by a Council Member may be received by the Secretary (or other place agreed by the Council Members) by post or other technology that displays the Council Member's signature, actual or electronic signature, or by delivery (personal or otherwise).

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

22.13 Notwithstanding the entire content of Clause 22, where a motion is circulated by email, Clause 25 shall apply to any decisions and votes made or carried out via email. Where a motion is circulated by email, the resolution is not passed unless all recipients of the email vote in favour of the motion and the motion is deemed passed on the date and at the time when the Federal Secretary receives the response from the final recipient to forward a response.

## **23. Delegation by Council to Sub-Committees**

23.1 The Council may, by resolution, delegate to one or more Sub-committees consisting of such Member or Members of the ACDS as the Council thinks fit, the exercise of such of the functions of the Council as specified in the resolution, other than:

(a) this power of delegation; and

(b) a function which is a function imposed on the Council by the Act, by any other law of the Territory, or by resolution of the ACDS at a General Meeting.

23.2 A function, the exercise of which has been delegated to a Sub-committee under this Clause may, whilst the delegation remains unrevoked, be exercised from time to time by the Sub-committee in accordance with the terms of the delegation.

23.3 A delegation under this Clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.

23.4 Notwithstanding any delegation under this Clause, the Council may continue to exercise any function delegated.

23.5 Any act or entity performed or suffered by a Sub-committee acting under the direction of a delegation in this Clause, has the same force and effect as it would have if it had been performed or suffered by the Council.

23.6 The Council may, by instrument in writing, revoke wholly or in part any delegation under this Clause.

23.7 A Sub-committee may meet and adjourn, as it thinks proper.

23.8 Any two Members of a Sub-committee shall constitute a quorum at a meeting of the Sub-committee.

## **24. Executive Sub-Committee**

24.1 There shall be a Sub-committee of the Council comprising the office bearers of the ACDS and known as the Executive Sub-Committee. Election of the Executive Sub-committee is defined in Clause 16.

24.2 The Executive Sub-committee shall deal with routine business between meetings of the Council and shall report all decisions to the next ensuing Council meeting.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

24.3 Any three Members of the Executive Sub-Committee shall constitute a quorum at a meeting of the Executive Sub-Committee, provided that a decision is agreed upon by all those Members of the Executive Sub-Committee, by means of telephone, in writing or electronic means. The decision shall be a valid and effective as if the meeting had actually occurred. Where a motion is circulated by email, the resolution is not passed unless all recipients of the email vote in favour of the motion and the motion is deemed passed on the date and at the time when the Federal Secretary receives the response from the final recipient to forward a response.

## 25. Voting and Decisions

25.1 Questions arising at a meeting of the Council, or of any Sub-committee appointed by the Council, shall be determined by a majority of the votes of Members of the Council or Members of the Sub-committee present at the meeting.

25.2 At a meeting of the Council:

(a) each Office Bearer shall be entitled to one vote and each Ordinary Council Member representing each Branch shall be entitled to one vote at any Council meeting.

25.3 Each Member present at a meeting of any Sub-committee appointed by the Council and at the Executive Sub-Committee is entitled to one vote.

25.4 In the event of an equality of votes on any question at a meeting of the Council or of any Sub-committee or the Executive Sub-Committee, the person presiding may exercise a second or casting vote.

25.5 Subject to Clause 22.5, the Council may act notwithstanding any vacancy on the Council.

25.6 Any act or thing done or suffered, or purporting to have been done or suffered, by the Council or by a Sub-committee appointed by the Council, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any Member of the Council or Sub-committee.

## PART 5 – GENERAL MEETINGS

### 26. Annual General Meetings

26.1 The Annual General Meeting of the ACDS shall, subject to the Act, be convened in June or July each year and at such place and time as the Council thinks fit.

26.2 Council may convene the Annual General Meeting either entirely as an in-person meeting or by the use of technology or as a hybrid in-person and telecommunications meeting.

26.3 An Annual General Meeting may be held at two (2) or more venues using any technology approved by Council that gives each ACDS Member a reasonable opportunity to participate.



# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- 26.4 A Member of the ACDS' who participates in an Annual General Meeting using that technology is taken to be present at the meeting and, if the Member votes at the meeting, is taken to have voted in person.
- 26.5 In addition, to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting shall be:
- (a) to confirm, the minutes of the preceding Annual General Meeting and any specified General Meeting held since that meeting;
  - (b) to receive from the Council reports on the activities of the ACDS during the last preceding Financial Year;
  - (c) to elect the Office Bearers;
  - (d) to receive and consider the statement of accounts and the reports that are required to be Submitted to Members pursuant to Clause 75(1)(a) and 75(2) of the Act; and
  - (e) to set the annual Membership Subscription, as required by Clause 10.
- 26.6 An Annual General Meeting shall be specified as such in the Notice of a Meeting, convening it in accordance with Clause 28.
- 26.7 An Annual General Meeting shall be conducted in accordance with the provisions of Clause 29.

## **27. Calling of General Meetings**

- 27.1 The Council may, whenever it deems fit and proper, convene a General Meeting of the ACDS.
- 27.2 Council may convene the General Meeting either entirely as an in-person meeting or by the use of Technology or as a hybrid in-person and telecommunications meeting.
- 27.3 A General Meeting may be held at two (2) or more venues using any technology approved by Council that gives each ACDS Member a reasonable opportunity to participate.
- 27.4 A Member of the ACDS, who participates in a General Meeting using that technology, is taken to be present at the meeting and, if the Member votes at the meeting, is taken to have voted in person.
- 27.5 The Council shall, on the requisition in writing of not less than twenty (20) Members, convene a General Meeting of the ACDS.
- 27.6 A requisition of Members for a General Meeting:
- (a) shall state the purpose or purposes of the meeting,
  - (b) shall be signed by the Members making the requisition,
  - (c) shall be lodged with the Secretary,

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- (d) may consist of several documents in a similar form, each signed by one or more of the Members making the requisition,
- (e) may be in electronic form, and
- (f) a signature may be transmitted and a requisition may be lodged by electronic means.

27.7 If the Council fails to convene a General Meeting within sixty (60) days after the date of which a requisition of Members for the meeting is lodged with the Secretary, any one or more of the Members who made the requisition may convene a General Meeting to be held not later than three months after that date.

27.8 A General Meeting convened by a Member or Members referred to in Clause 27.4 shall be convened as nearly as is practicable in the same manner as General Meetings are convened by the Council and any Member who thereby incurs expense is entitled to be reimbursed by the ACDS for any reasonable expense so incurred.

## 28. Notice of a Meeting

28.1 The Secretary shall, at least thirty (30) days before the date fixed for the holding of a General Meeting, cause to be sent by pre-paid post to each Member at the Member's address appearing in the Register of Members, or by email, or by posting on the ACDS website, or by advertisement in a national newspaper, a Notice of a Meeting specifying the venue, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

28.2 If the business proposed to be dealt with at a General Meeting requires a special resolution of the ACDS, the Secretary shall cause the Notice of a Meeting provided to each Member as provided in Clause 28.1 to specify, in addition to the matter required under that Clause, the intention to propose the resolution as a Special Resolution.

28.3 No business other than that specified in the notice convening the General Meeting shall be transacted at the meeting except, in the case of an Annual General Meeting, business, which may be transacted pursuant to Clause 26. 5.

28.4 A Member desiring to bring any business before a General Meeting may give notice in writing of that business to the Secretary, who shall include that business in the next Notice of a Meeting calling a General Meeting given after receipt of the notice from the Member.

## 29. General Meetings – Procedure and Quorum

29.1 No item of business shall be transacted at a General Meeting unless a quorum of Members entitled under this Constitution to vote is present during the time the meeting is considering that item.

29.2 Twenty (20) Members, either entirely as an in-person meeting, or by the use of technology or as a hybrid in-person and telecommunications meeting, being Members entitled under this Constitution to vote at a General Meeting, constitute a quorum for the transaction of the business of a General Meeting.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

29.3 If within half an hour after the appointed time for the commencement of a General Meeting a quorum is not present, the meeting, if convened upon the requisition of Members, shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and at the same venue, unless another venue is specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to Members given before the day to which the meeting is adjourned.

29.4 If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, Clause 29.2 applies.

## **30. Presiding Member**

30.1 The President, or in the absence of the President, the Vice-President, shall preside at each General Meeting of the ACDS.

30.2 If the President and the Vice-President are absent from the meeting or are unwilling to act, the Members of the Council present shall elect one of their number to preside at the meeting.

## **31. Adjournment**

31.1 The person presiding at a General Meeting at which a quorum is present may, with the consent of the majority of Members present at the meeting, adjourn the meeting from time to time and venue to venue, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

31.2 Where a General Meeting is adjourned for fourteen (14) days or more, the Secretary shall give written Notice of a Meeting for the adjourned meeting to each Member of the ACDS by mail, by email, by posting on the ACDS website or by advertisement in a national newspaper stating the venue, date and time of the meeting and the nature of the business to be transacted at the meeting.

31.3 Except as provided in Clauses 31.1 and 31.2, notice of an adjournment of a General Meeting or of the business to be transacted at an adjourned meeting is not required to be given.

## **32. Making of Decisions**

32.1 A question arising at a General Meeting of the ACDS shall be determined on a show of hands or by electronic vote before and/or at the meeting, and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands or by electronic vote, been carried or carried unanimously or carried by a particular majority, or lost, or an entry to that effect in the minute book of the ACDS evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution. In the case of a General Meeting using technology, Federal Council may allow for electronic voting on motions to commence prior to the General Meeting.

32.2 At a General Meeting of the ACDS, a poll may be demanded by the person presiding or by not less than three Members present in person or by proxy at the meeting.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- 32.3 Where the poll is demanded at a General Meeting, the poll shall be taken:
- (a) immediately in the case of a poll that relates to the election of the person to preside at the meeting or to the question of an adjournment; or
  - (b) in any other case, in such manner and at such time before the close of the meeting as the person presiding directs and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

## 33. Special Resolution

A special resolution is required to be passed by at least three-quarters of the Members present, who, being entitled to vote, vote pursuant to Clause 34.2.

## 34. Voting

- 34.1 Subject to Clause 34.3, upon any question arising at a General Meeting of the ACDS a Member has one vote only.
- 34.2 All votes shall be given personally, by electronic means, by postal vote or by proxy.
- 34.3 In the case of an equality of votes on a question at a General Meeting, the person presiding is entitled to exercise a second or casting vote.
- 34.4 A Member is not entitled to vote at any General Meeting of the ACDS unless all money due and payable by the Member to the ACDS on any account whatsoever has been paid.
- 34.5 Each Member shall be entitled to appoint another Member as proxy by notice given to the Secretary before the scheduled time of commencement of the meeting in respect of which the proxy is appointed. The notice appointing the proxy shall be in the form set out in Schedule 2 of this Constitution, or by means of electronic voting organised by a provider of an electronic meeting and approved by Council from time to time. Either forms must provide for voting on each resolution or acceptance of the voting by the person appointed as proxy.

## 35. Postal Voting

- 35.1 Members who do not have an email address or other means of electronic communication, as shown on the Membership list, shall be entitled to make use of postal or proxy voting in the election of the Office Bearers of the ACDS and in dealing with Notices of a Meeting as circulated for Annual General Meetings and General Meetings.
- 35.2 Election of Office Bearers

For the election of Office Bearers:

- (a) For those Members who do not have an email address or other means of electronic communication, as shown on the Membership list, a ballot paper, initialled by hand or mechanical means by an ACDS Member appointed by Council, shall be sent to Single Members, Family Members over the age of eighteen (18) years, Active Members (non-driving) and Honorary Life Members with the notice of a meeting for the Annual General Meeting, giving in

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

alphabetical order the names of Members duly nominated as candidates and the vacancies to be filled.

- (b) Any Member wishing to exercise their right to vote should do so by indicating with a mark on the ballot paper beside the name of the candidate of their choice and return the marked ballot paper to the Secretary no later than seven (7) days prior to the commencement time of the annual General Meeting in the envelope provided endorsed with the Members signature and Membership number.

## 35.3 Notice of a Meeting

- (a) Members that do not have an email address or form of electronic media shown on the Membership list are to be sent, by post, a Notice of a Meeting.
- (b) For those members that do not have an email address or form of electronic media shown on the Membership list, a ballot paper, initialled by hand or mechanical means by an ACDS Member appointed by Council, shall be sent to Single Members, Family Members over the age of eighteen (18) years, Active Members (non-driving) and Honorary Life Members with the Notice of the Annual General Meeting setting out the motions, to be considered at the Annual General Meeting or General Meeting.
- (c) Any Member wishing to exercise their right to vote should do so by indicating with a mark on their ballot paper beside the Yes/No box. The completed ballot paper shall be returned to the Secretary not later than seven (7) days prior to the commencement time of the annual General Meeting or General Meeting in the envelope provided endorsed with the Members signature and Membership number.

## 35.4 Counting of Votes.

- (a) All ballot papers received shall be secured by the Secretary. Ballot papers are to be opened and counted prior to the commencement of the Annual General Meeting or General Meeting by the Secretary or a Member appointed by the Council and all valid votes shall be recorded by the Secretary or the appointee and two (2) scrutineers appointed by the Council for that purpose.
- (b) Votes cast by the ballot are to be added to the votes cast at the poll and the results are to be announced at the Annual General Meeting or General Meeting.
- (c) At the conclusion of the Annual General Meeting all ballot papers and polling papers shall be destroyed.

## PART 6 – BRANCHES

### 36. Branches

36.1 A Branch of the ACDS shall comprise the Local Clubs in the geographic areas designated in the By-laws.

36.2 Each Branch shall formulate its own Constitution/Rules for the conduct of its affairs provided that such Constitution/Rules:

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

- (a) Shall provide for a Branch Committee comprising at least a chairman, vice-chairman (or vice-president), a secretary and a treasurer, elected at a branch Annual General Meeting at which all Members of all Local Clubs within the Branch area are entitled to attend and vote.
- (b) Shall provide for the disciplining of Members of the Branch in their capacity as such Members and shall be dealt with pursuant to the Constitution/Rules of the Branch and all discipline of Members of a Local Club in their capacity as such Member shall be dealt with pursuant to the Constitution/Rules of the Local Club concerned. Any discipline of Members pursuant to a breach of the ACDS Constitution, policies, rules or regulations is to be conducted by the ACDS Council only.
- (c) Shall be compliant with any and all Acts of Parliament and the laws of the relevant State or Territory of Australia where the Branch is registered. It shall not conflict with any part of the ACDS Constitution and shall contain a provision that in the event of any inconsistency between the rules of the Branch and the ACDS Constitution, the latter shall prevail.
- (d) Shall provide for such other matters as the Council may from time to time require via By-laws.

## **PART 7 – MISCELLANEOUS**

### **37. Funds Source**

- 37.1 The funds of the ACDS shall be derived from entrance fees and annual Subscriptions of Members, donations and, subject to any resolution passed by the ACDS at a General Meeting and other sources as the Council may determine.
- 37.2 All money received by the ACDS shall be deposited as soon as practicable and without deduction to the credit of the ACDS bank account.
- 37.3 The ACDS shall, as soon as practicable after receiving any money, issue an appropriate receipt and in the instance of any type of direct deposit, record the receipt of that money directly into the account books.

### **38. Funds – Management**

- 38.1 Subject to any resolution passed by the ACDS at a General Meeting, the funds of the ACDS shall be used in pursuance of the objectives of the ACDS in such manner as the Council determines.
- 38.2 Electronic direct deposit, cheques and other negotiable instruments shall be authorised by any two office bearers of the ACDS, being office bearers sanctioned to do so by resolution of the Council.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

## **39. By-laws**

- 39.1 The By-laws of the ACDS at the date of adoption of this Constitution shall be those set out in Schedule 2.
- 39.2 The power to make, amend and repeal By-laws is vested solely in the Council.
- 39.3 Any By-law of the ACDS, whether contained in Schedule 2 or made by the Council after the adoption of this Constitution, may be amended or repealed at an Annual General Meeting of the ACDS by a simple majority of those present and entitled to vote, pursuant to Clause 34.2.

## **40. Audit**

- 40.1 The Council shall be responsible for ensuring that the financial books and records of the ACDS are audited prior to the Annual General Meeting each year and otherwise in compliance with the Act.
- 40.2 Subject to the Act, the auditor to be appointed by the Council shall be such duly qualified person as the Council may from time to time appoint. Conflict of interest is to be considered when appointing an Auditor.
- 40.3 The auditor's report shall be presented to the Annual General Meeting of the ACDS.

## **41. Alteration of Objectives and this Constitution**

Neither the objectives of the ACDS referred to in section 29 of the Act, nor this Constitution shall be altered except pursuant to a special resolution and otherwise in accordance with the Act.

## **42. Indemnity**

- 42.1 Every Member of the Council of the ACDS, every Member of the ACDS and every employee and agent of the ACDS shall be indemnified by the ACDS against, and it shall be the duty of the Council out of the funds of the ACDS to pay, all damages, costs, losses and expenses which any such person may incur or in respect of which he may become liable by reason of any contract entered into or any act or thing done (whether negligently or otherwise) by them as such Member, employee or agent or in any way in the performance of their duties including travelling expenses, unless such damages, costs, losses and expenses shall have been incurred by such person through their own dishonesty, wilful act, or default.
- 42.2 No Member of the Council of the ACDS, Member of the ACDS or other employee or agent of the ACDS shall be liable for the acts, receipts, neglects or defaults of themselves or any other person or for loss, damage or expense howsoever arising as the result of any act, omission or default of any person, (including themselves) or for any loss occasioned by any error of judgment or oversight or neglect on their part or for any other loss or damage whatsoever which shall happen in the performance of their duties or in relation thereto unless the same shall happen in the performance of their duties through their own dishonesty, wilful act or default.

# Australian Carriage Driving Society

ABN: 28 794 114 302 – Incorporation No: A01028

## 43. Custody of Books

Subject to the Act, the Regulations and this Constitution, the Secretary or Treasurer shall keep in their custody or under their control, all records, books and other documents relating to the ACDS.

## 44. Inspection of Books

The records, books and other documents of the ACDS shall be available for inspection at such venue as Council may from time to time reasonably determine, free of charge, by a Member of the ACDS at any reasonable hour.

## 45. Service of Notices

45.1 For the purposes of this Constitution, a notice may be served on or on behalf of the ACDS upon any Member either personally, electronically or by sending it by post to the Member at the Member's address shown in the Register of Members.

45.2 Where an electronic Service of Notice has been sent, it must be followed by a properly addressed letter.

45.3 Where a document is sent to a person by a properly addressed letter, it must be a category of mail that can be tracked. For the purposes of this Constitution, a document shall be deemed to have been served on the person three working days after posting.

## 46. Surplus Property

46.1 At the first General Meeting of the ACDS held after the adoption of this Constitution, the ACDS shall pass a special resolution nominating:

- (a) another association, for the purpose of paragraph 92(1)(a) of the Act; or
- (b) a fund, authority or institution for the purpose of paragraph 92(1)(b) of the Act, in which it is to vest its surplus property in the event of the dissolution or winding up of the ACDS.

46.2 An association nominated under Clause 46.1(a) must fulfil the requirements specified in Subsection 92(2) of the Act.



# **Australian Carriage Driving Society Inc.**

ABN 28 794 114 302 – Incorporation No. A01028



## **Schedule 2 BY-LAWS**

*D. Willcoxson*

Dot Willcoxson  
President  
Australian Carriage Driving Society Inc.

Effective 1 June 2024

## TABLE OF CONTENTS

1.	BRANCH AREAS _____	3
2.	LOCAL CLUBS _____	3
3.	OFFENCES AT A SHOW OR EVENT _____	4
4.	FEDERAL CONVENORS _____	5
5.	COMBINED DRIVING _____	5
6.	DRESSAGE _____	5
7.	NATIONAL DRIVING EVENTS _____	6
8.	SHOW DRIVING _____	7
9.	PLEASURE AND ENDURANCE _____	7
10.	HISTORICAL _____	8
11.	JUDGES AND OFFICIALS _____	8
12.	SPECIALIST ACTIVITY GROUPS _____	9
13.	HONORARIUMS _____	9
14.	GENERAL _____	9
15.	OBSERVERS AT FEDERAL COUNCIL MEETINGS _____	11
16.	ACDS COACH ACCREDITATION SCHEME _____	11
17.	ACDS JOURNAL _____	12
18.	NON ACDS MEMBER GROOMS _____	12
19.	MEMBER DISCIPLINE _____	12
20.	THIRD PARTY DOCUMENTATION AND AUTHORISATION _____	13
	BY-LAW SCHEDULE A – CONFLICT OF INTEREST POLICY _____	14
	BY-LAW SCHEDULE B – ACDS MEMBERS CODE OF CONDUCT _____	17
	BY-LAW SCHEDULE B-1 – USE OF SOCIAL MEDIA _____	18
	BY-LAW SCHEDULE C – FEDERAL COUNCIL CODE OF CONDUCT _____	19
	BY-LAW SCHEDULE D – ACDS HORSE WELFARE POLICY STATEMENT _____	20
	BY-LAW SCHEDULE E – ACDS CHILD SAFE AND VULNERABLE PERSON CODE OF CONDUCT _____	21
	BY-LAW SCHEDULE F – PROXY VOTING FORMS _____	23
	MODIFICATION HISTORY CONSTITUTION AND BY-LAWS _____	26

### Definition

For the purpose of these By-Laws, a reference to the ACDS Constitution means a reference to the Australian Carriage Driving Society Inc. Constitution registered with Access Canberra.

## 1. Branch Areas

Branch geographic areas shall be as follows:

- 1.1. The State of Victoria.
- 1.2. The State of Tasmania.
- 1.3. The State of Western Australia.
- 1.4. The State of South Australia and the Northern Territory.
- 1.5. The State of Queensland.
- 1.6. The State of New South Wales and the Australian Capital Territory.

## 2. Local Clubs

- 2.1. Members are required to pay to their local club all amounts payable pursuant to the ACDS Constitution and the rules of the local club, including the amount referred to in Clause 5.1 (c), no later than 31 August in each year.
- 2.2. The local club must remit the amount payable pursuant to Clause 5.1 (c) of the ACDS Constitution to the relevant Branch treasurer within seven (7) days of receipt, together with a full list of Members of the local club to whom the remittance refers too.
- 2.3. The Branch Treasurer must remit to the ACDS within seven (7) days of receipt the amount payable in respect of each Member pursuant to clause 10 of the ACDS Constitution and such remittance must be accompanied by a list of Members of the local clubs within that Branch to whom the remittance refers too.
- 2.4. In respect of Members joining local clubs and the ACDS after 31 August, the foregoing procedure must be adopted mutatis mutandis.
- 2.5. A local club must issue a receipt for all membership subscriptions (for the local club, state and the ACDS) for verification purposes.
- 2.6. If the Federal Council becomes aware that a local club has insufficient Members and social Members to comply with the legal requirements for the ongoing existence as an incorporated association in that local clubs State or Territory of incorporation, Federal Council may by notice in writing to the local club and Members of the local club:
  - a. advise the local club and Members of the local club that based on the information available to Federal Council that it appears that the local club has insufficient Members and social Members to comply with the legal requirements for the ongoing existence as an incorporated association;
  - b. request the local club to confirm to Federal Council that it has sufficient Members and social Members to comply with the legal requirements for the ongoing existence as an incorporated association;

- c. if the local club cannot confirm to Federal Council that it has sufficient Members and social Members to comply with the legal requirements for the ongoing existence as an incorporated association, give the local club and Members 30 days to obtain additional persons to ensure the local club has sufficient Members to comply with the legal requirements for the ongoing existence as an incorporated association; or
  - d. request written advice from the local club and Members to transfer Memberships to another local club.
- 2.7. If Federal Council does not receive the notification set out in either clauses 2.6 (b), 2.6 (c) or 2.6 (d) of these By-laws, Federal Council has the authority to transfer the Members of the local club to the nearest local club that complies with the legal requirements for the ongoing existence as an incorporated association.
- 2.8. A local club shall be acknowledged as being affiliated with the ACDS upon submission of an application for affiliation to the Federal Secretary on an annual basis. The affiliation year shall run from March to February. The form of application for affiliation shall be determined by the Federal Council as required from time to time.
- 2.9. Federal Council ratification of the formation of a new Club recognises that Club as an Affiliated Club of the ACDS.
- 2.10. The Affiliation Form is a requirement for maintaining Club affiliation with the ACDS.
- 2.11. An office bearer being either the President, Vice-President, Secretary or Treasurer of a State Branch or local club must be 18 years or older and be either a Single Member, be part of a Family Membership, be an Active (non-driving) Member or an Honorary Life Member, subject to compliance with the State Branch or local club rules.

### **3. Offences at a Show or Event**

- 3.1. It shall be the responsibility of persons conducting any show or event to establish a Jury comprising suitably experienced Members of a local club whose function it will be to hear and determine any allegation that any person at the show or event has engaged in conduct described in Clause 12.11 (a), (b), (c), (d), (e), (f), (g), (h), (i) or (j) of the ACDS Constitution.
- 3.2. If the Jury, having heard evidence from appropriate witnesses (if any) and the person concerned, forms the opinion that the person concerned has engaged in conduct referred to in By-law 3.1, the Jury may:
  - a. reprimand the person concerned;
  - b. suspend or disqualify the person concerned and/or the horse involved from all or any event;
  - c. take no action.
- 3.3. It shall be the responsibility of the Jury and of the President of the local club concerned to cause full particulars of the matter to be forwarded to the Secretary of the ACDS State Branch concerned within 28 days of the conclusion of the show or event in question, and the Branch concerned may deal with the matter as contemplated by Clause 12, notwithstanding the decision of or any action that may have been taken by the Jury.
- 3.4. Any appeal shall be forwarded by the applicant to the Federal Council within 28 days of that Branch's decision.

#### **4. Federal Conveners**

- 4.1. The Federal Conveners for Combined Driving, Driven Dressage, Historical, Pleasure and Endurance Driving and Show Driving shall be appointed by Federal Council on an annual basis, following submission of an expression of interest to the Federal Secretary at least 30 days prior to the Annual General Meeting of the ACDS. The appointment term shall run from conclusion of the Federal Council meeting at which the appointment is confirmed through to the conclusion of the corresponding Federal Council meeting 12 months hence, or as determined by Federal Council at the time.
- 4.2. A person appointed by Federal Council as Federal Convener after 1 July 2016 may hold the position for a maximum period of five (5) consecutive years; thereafter they are eligible for one (1) further year appointed to the role at the discretion of Federal Council. The person is then ineligible to hold the same appointed position for a period of two (2) consecutive years.

#### **5. Combined Driving**

- 5.1. The Federal Convener for Combined Driving shall keep up-to-date on all aspects of Combined Driving.
- 5.2. The Federal Convener shall liaise with, attend to the concerns of, and provide assistance to, the Branch Combined Driving Sub-committees.
- 5.3. The Federal Convener shall provide advice and recommendations to Federal Council on matters relating to the conduct of Combined Driving.
- 5.4. Combined Driving rules shall be formulated by the Combined Driving Sub-committee and approved by Federal Council.
- 5.5. Federal Council shall from time to time formulate and publish rules for the sport of Combined Driving, which shall be deemed to be incorporated in and comprise by-laws
- 5.6. All graded and ungraded driving events shall be conducted in accordance with the Combined Driving rules.
- 5.7. Random drug testing of horses and ponies by the Official Veterinary Surgeon may be conducted at all levels of Combined Driving events conducted in accordance with the Combined Driving rules. Warning of such action must be incorporated in the competition schedule by the organisers of the event.
- 5.8. Registration of all horses competing in ACDS CDE events is compulsory and that the horses are registered with the ACDS horse registrar.

#### **6. Dressage**

- 6.1. The Federal Convener for Driven Dressage shall keep up-to-date on all aspects of Driven Dressage. The Federal Convener for dressage must be an advanced dressage judge.
- 6.2. The Federal Convener shall liaise with, attend to the concerns of, and provide assistance to, the Branch Dressage Sub-committees.
- 6.3. The Federal Convener shall provide advice and recommendations to Federal Council on matters relating to the conduct of Driven Dressage.

- 6.4. Graded Driven Dressage Rules shall be formulated by the Driven Dressage Sub-committee and approved by Federal Council.
- 6.5. The Federal Council shall from time to time formulate and publish rules for the sport of Graded Driven Dressage excepting the driven dressage phase of Combined Driving events, which shall be deemed to be incorporated in and comprise by-laws.

## **7. National Driving Events**

- 7.1. The ACDS shall instigate a national driving event for Combined Driving, Graded Driven Dressage and Show Driving; to be held in the year following each Annual General Meeting and to be conducted by a Branch of the ACDS.
- 7.2. Proposals for the venue for the next ensuing national driving event are to be forwarded by the Branch to the Secretary of the ACDS at least one month prior to the Annual General Meeting of the ACDS for consideration by Federal Council.
- 7.3. In the event of no suitable proposal for such a venue being received as required by by-law 7.2, Federal Council may select such a venue and invite such persons as it considers appropriate to conduct the next ensuing national driving event, but so far as possible the venue shall be in a different Branch area each year.
- 7.4. No national driving event may be conducted other than in accordance with such requirements as Federal Council may from time to time impose and, in particular, the schedule and all officials for any such event must be approved by Federal Council.
- 7.5. Full particulars of a National Driving Event, including details of the officials proposed to be involved in the event and a budget must be provided to the Federal Secretary at least six months prior to the date the event is due to commence.
- 7.6. For all National Championship events the proforma schedules contain the wording "(Club Name) presents on behalf of the Australian Carriage Driving Society, the (Year) Australian (Discipline as applicable) Championships" which is to be included on all programs and advertising material associated with that event.
- 7.7. That a One Activity Membership may be offered at Show Driving and Graded Driven Dressage State and National Championships at the discretion of the State hosting the Championships.
- 7.8. Graded Combined Driving Events (Levels 1, 2 and 3) shall not be run in opposition on the same day(s) as the National Combined Driving Event Championships.
- 7.9. International CDE Competitors who have achieved the relevant qualification criteria for a CDE Championship in their home country are regarded as being suitably qualified to compete at an ACDS National and State CDE Championship event, subject to the membership requirements of the Society being met.
- 7.10. The CDE Roster shall be arranged so that the National Championships are offered to the two large States (Vic and NSW) every second year. In alternate years the National Championships shall be rostered in small States.

2023	New South Wales
2024	South Australia
2025	Victoria
2026	Western Australia
2027	New South Wales
2028	Queensland
2029	Victoria
2030	South Australia

If a State agrees to host the championship when another State declines, the rota does not change for forthcoming years.

7.11. The National Graded Driven Dressage Rota shall be as follows:

2023	South Australia
2024	Victoria
2025	Tasmania
2026	New South Wales
2027	Queensland
2028	Western Australia
2029	South Australia
2030	Victoria

If a State agrees to host the championship when another State declines, the rota does not change for forthcoming years.

## 8. Show Driving

- 8.1. The Federal Convener for Show Driving shall keep up-to-date on all aspects of Show Driving.
- 8.2. The Federal Convener shall assist Branches in reviewing the accreditation of Show Driving officials, and make recommendations to Federal Council relating to those accreditations.
- 8.3. The National Show Driving Rota shall be:

2023	Tasmania
2024	Western Australia
2025	New South Wales
2026	South Australia
2027	Queensland
2028	Victoria
2029	Tasmania
2030	Western Australia

If a State agrees to host the championship when another State declines, the rota does not change for forthcoming years.

## 9. Pleasure and Endurance

- 9.1. The Federal Convener for Pleasure and Endurance shall keep up-to-date on all aspects of Pleasure and Endurance driving.

- 9.3. The Federal Convener shall liaise with, attend to the concerns of, and provide assistance to, the Branch P&E sub committees.
- 9.4. The Federal Convener shall provide advice and recommendations to Federal Council on matters relating to the conduct of PE.

## **10. Historical**

- 10.1. The Federal Convener for Historical matters shall keep up-to-date on all aspects of Historical driving matters.
- 10.2. The Federal Convener shall liaise with, attend to the concerns of, and provide assistance to, the Branch Historical sub committees.
- 10.3. The Federal Convener shall provide advice and recommendations to Federal Council on matters relating to the conduct of Historical.

## **11. Judges and Officials**

- 11.1. Federal Council shall from time to time appoint persons to the Training & Schools sub-Committee and/or examiners to teach, examine, and recommend to Federal Council, officials for inclusion, on the following national lists;
  - a. show judges (light or heavy);
  - b. dressage judges (novice or open);
  - c. presentation judges;
  - d. technical delegates (novice and advanced);
  - e. course designers;
  - f. TPR stewards;
  - g. cones judges; and
  - h. president of ground jury and ground jury members.
- 11.2. Persons on the Federal lists described above are required to be and remain fully experienced and up to date on relevant matters and for that purpose are required to attend a refresher course at least once every three years.
- 11.3. Federal Council shall annually review the Federal lists referred to above and, on such review, may add to or remove from a list such persons as Federal Council considers appropriate. Any person on a list who has not attended a refresher course as required by by-law 11.2 may be removed from the list by Federal Council.
- 11.4. It shall be the responsibility of the Federal Convener of the Combined Driving, Graded Driven Dressage and Show Driving Disciplines in conjunction with the Training & Schools Coordinator to arrange at least one school in each Branch area in each calendar year for the training of potential officials and to provide a refresher course for existing officials.



- 11.5. All officials listed in By-Law 11.1 (a) to (h) excluding show judges and TPR stewards must be a Single, Family, Honorary Life or Active (non-driving) Member of the ACDS.
- 11.6. That all non ACDS Coaches/Instructors at a minuted Club/State/Federal activity be deemed to be ACDS members for the purpose of the minuted activity only.

## **12. Specialist Activity Groups**

- 12.1. Federal Council may from time to time authorise the setting up of groups to represent and deal with matters pertaining to a particular specialist activity within the ACDS, such as (by way of example only) Combined Driving, Show Driving, pleasure, dressage, endurance and heavy harness.
- 12.2. No decision of a specialist activity group shall have any force or effect until it has been approved by the Federal Council.
- 12.3. Overseas driving societies and sponsors may only be contacted by an organising committee with Federal Council approval and through the Federal Secretary if the activity is an official ACDS activity and/or supported by the ACDS.
- 12.4. Minutes taken at the Subcommittee Meetings are to be provided to the Federal Secretary as soon as possible and that those Minutes be confidential to the Federal Council.
- 12.5. Federal Council Subcommittees (not including Discipline Subcommittees) consist of a maximum of five persons including the President as ex officio unless otherwise determined.

## **13. Honorariums**

- 13.1. An honorarium of \$1,000 is offered annually to the President and subject to prior approval by the other office bearers, reasonable out of pocket expenses be reimbursed.
- 13.2. An honorarium of \$2,000 is offered annually to the Secretary and subject to prior approval by the other office bearers, reasonable out of pocket expenses be reimbursed.
- 13.3. An honorarium of \$1,000 is offered annually to the Assistant Secretary and subject to prior approval by the office bearers, reasonable out of pocket expenses be reimbursed
- 13.4. Subject to prior approval by the other office bearers, reasonable out of pocket expenses be reimbursed to the Vice President and Treasurer.
- 13.5. Federal Conveners be entitled to claim travelling expenses to the Federal Annual General Meeting

## **14. General**

- 14.1. Any five of the designated Branch Discipline Sub-Committee Conveners may make a request in writing that a meeting of the sub-committee be convened. The Federal Convener will convene the meeting either as a face to face or teleconference meeting within fourteen days of receipt of their request.
- 14.2. It shall be the responsibility of all ACDS Office Bearers and Members to protect the privacy of all Members by preventing the circulation and distribution of Members' names, addresses, phone numbers and email addresses to organisations which are not part of the Australian Carriage Driving Society.
- 14.3. The Young Driver upper age limit is set at 25 years for the purposes of the Young Driver Program.

- 14.5. The ACDS Public Officer is a deemed full Member of the ACDS.
- 14.6. Federal Council approve the formation of a new Federal Council Appointment to be known as Assistant Secretary and Federal Council authorizes the Federal Secretary to delegate such matters as thought fit to the Assistant Secretary.
- 14.7. All persons under 18 years of age driving or riding in a carriage must wear protective head gear designed for equestrian use whilst at an ACDS activity.
- 14.8. That the minimum age for driving at ACDS activities be as tabled below:

	<b>Applicable to all ACDS driving activities excluding Combined Driving Events (Level 1-4)</b>
Junior definition	a person who has not attained the age of 18 years
Youngest driving age (Single horse or pony)	A Junior driver aged 6 - 7 years inclusive must be accompanied in the vehicle by an ACDS adult Member (an experienced driving person) seated alongside at all times and holding a second pair of reins attached to the bit.
Additional restrictions	A Junior driver aged 8 - 15 years inclusive must be accompanied in the vehicle by an ACDS adult Member (an experienced driving person) who must be facing forward.
Stallions	Junior Drivers under 18 years of age are not allowed to drive stallions at ACDS events.
Multiples	Junior Multiple drivers – a Junior driver aged 16 - 17 years inclusive may drive a pair or tandem or team of ponies. They must be accompanied in the vehicle by an ACDS adult Member (an experienced driving person). A Junior driver cannot drive a horse multiple (pair, tandem, four-in-hand) until they turn 18 years of age.

- 14.9. The partner of a deceased Life Member be mailed a copy of the Journal on an honorary basis.
- 14.10. At all ACDS activities equines must be bitted and the equine driven in the conventional manner with the reins attached to that bit.
- 14.11. Where helmets are worn at ACDS activities they must comply with at least one of the following codes and its proviso(s):
- British – PAS 015: 1998 or 2011, VG1 01.040: 2014-12 – provided they are BSI Kitemarked
  - European – VGI 01.040 2014-12 with or without BSI Kitemarked
  - American – ASTM F1163: 2004a or 04a onwards provided they are SEI marked or SNELL E2001 marked
  - Australian or New Zealand – AS/NZS 3838 2006 onwards and provided they are SAI Global marked
  - Helmet Standard EN1384 will remain in place until 31<sup>st</sup> December 2016. As of 1<sup>st</sup> January 2017 helmets which are certified to EN 1384 only, will not be accepted for use at ACDS activities.
- 14.12. All Discipline Subcommittees must submit Manual and Rule changes to Federal Council for ratification.
- 14.13. That Federal Council adopts the Code of Conduct with noted amendments. (Refer Schedule C).
- 14.14. The results of ballots at a Federal Annual General Meeting or general meeting are to be recorded and then the ballot papers are to be destroyed.

- 14.15. All horses and ponies are required to be registered to compete at Dressage, Indoor and CDE competitions.
- 14.16. A horse or pony does not need to be registered for the purpose of competing at a Driven Dressage Competition if the driver is competing under a One Activity Membership. However, the horse or pony is not eligible for grading points, qualification for Championships or prizes at the event.
- 14.17. Victorian State Branch is to be responsible for the administration and development of the Australian Indoor Rules until November 2021.
- 14.18. If any disciplinary action is considered by Federal Council against any Member of the ACDS, all formal letters generated by Federal Council during the process are to be:
  - a. sent to the Member's email address; and
  - b. posted to the Member using Express Post (tracked mail) as a minimum; or Registered Mail.

Formal notifications of discipline against Members are to be sent to Club secretaries and posted in the Members' section of the ACDS Website.

#### **15. Observers at Federal Council Meetings**

- 15.1. On occasion a Member of the ACDS may wish to attend Federal Council Meetings as an observer. Attendance at a Federal Council meeting that is conducted via Zoom, or similar means, is restricted to Council members only.
- 15.2. Members should notify the Federal Secretary of their intention to attend at least 10 days prior to the scheduled Federal Council Meeting.
- 15.3. The Secretary will (for those Members notifying as above) provide information about the time and place of the Meeting, catering arrangements and costs involved (if any).
- 15.4. Seating will be provided (for those Members notifying as above) in a designated area(s).
- 15.5. Observers will not be able to contribute to the meeting. The only exception would be where a member was invited by the Federal Council to attend to provide information or answer disciplinary matters. The above conditions would apply to these Members for all parts of the Meeting other than the point of business referred to in the invitation.
- 15.6. Observers would be asked to leave the meeting room or technology if the Federal Council moved to discuss a matter "in camera" or the observer's behavior was considered inappropriate. Determination to be made by the Chair.
- 15.7. Observers may choose to take notes however these notes must not be distributed.
- 15.8. No electronic recordings are allowed.
- 15.9. Members may on request to their State Branch Secretary or the Federal Secretary, receive a copy of Federal Council Minutes.
- 15.10. A Member's attendance at the Federal Council Meeting indicates acceptance of these conditions.

#### **16. ACDS Coach Accreditation Scheme**

- 16.1. All Federal Discipline Conveners will be eligible to sit on the Federal Coaching Accreditation Panel comprising the Federal Coaching Coordinator any two of the Discipline Conveners.

## 17. ACDS Journal

- 17.1 The ACDS Journal is to be published quarterly in each year and is to be distributed to members, via mail, in:
- a) March
  - b) June
  - c) September
  - d) December
- 17.2 The following membership categories are entitled to one ACDS Journal per issue:
- a) Family membership;
  - b) Single membership;
  - c) Junior membership;
  - d) Active (non-driving) membership;
  - e) Honorary Life Member.
- 17.3 A non ACDS member may subscribe to the ACDS Journal at a cost set by a vote at the Annual General Meeting.

## 18. Non ACDS Member Grooms

- 18.1 All non ACDS Member Grooms at a sanctioned (minuted) Club/State/Federal activity are deemed to be ACDS members for the purposes of the sanctioned activity only. This membership is for insurance purposes only and does not provide the same rights and privileges of a fully paid member. A deemed Member must comply with the ACDS Constitution, By-laws, Regulations and Policies and must obey the Organising Committee and all event officials.

## 19. Member Discipline

- 19.1 If the Federal Council suspends a Member from such rights and privileges of membership of the ACDS, the following applies to that suspended Member:
- They are not to attend any sanctioned or unsanctioned ACDS events as a driver, groom, passenger, helper, assistant, official, steward, penciller or in person. This includes the use of a One Activity Membership.
  - All ACDS Insurance for that member is null and void for the term of the suspension.
  - Access to the ACDS Website and Social Media pages are denied for the period of the suspension.
  - They are not entitled to an ACDS Journal, in any format, for the period of suspension.
- 19.2 Horses/ponies registered with the ACDS under the suspended member's name, may remain registered but cannot be utilised at ACDS events by other ACDS or non ACDS members.

## **20. Third Party Documentation and Authorisation**

Business of the Federal Council is to be considered as 'In Confidence' and any information contained in reports or publications must not contain content that could be inadvertently detrimental to the Society.

Members are not to personally contact any external third party or agency to ask for any paid or unpaid information that is designated for Federal Council or nominated person/s only. To do so may contaminate any information to be used for reports or publications and in some instances may break the law.

Should there be a need to share particular information outside of Council, this information is to be authorised by the Federal President or Federal Secretary only.

## BY-LAW SCHEDULE A – CONFLICT OF INTEREST POLICY

(This is the Master Copy of a Controlled Document.).

### CONFLICTS OF INTEREST OF OFFICE BEARERS & MEMBERS OF FEDERAL COUNCIL, STATE BRANCHES, COMMITTEES & SUBCOMMITTEES OF THE AUSTRALIAN CARRIAGE DRIVING SOCIETY.

#### Intent

This policy outlines procedures for resolving conflict-of-interest issues related to ACDS Members acting in these capacities.

#### Policy Provisions

##### Overview

This policy deals with the resolution of conflict-of-interest issues so far as those issues relate to ACDS Members acting in these capacities. For the purpose of this Policy a Conflict of Interest arises where a Member of Federal Council, a State Branch, Committee or Subcommittee of the ACDS has, in relation to an issue under consideration:

- a. a Material Personal Interest, or
- b. a fiduciary obligation to a person or organisation other than the ACDS.

For the purposes of this policy, a person has a material personal interest in an issue if the person has, or should reasonably have, a realistic expectation that, whether directly or indirectly, the person or an associate stands to gain a benefit or suffer a loss, depending on the issue's outcome.

There is an expected obligation on Members of Federal Council, a State Branch, Committee or Subcommittee of the ACDS to act in the best interests of the ACDS at all times, i.e., they must act in the way that appears most likely to promote the ACDS' interests.

#### **Exclusion from Meeting of a Member of Federal Council, a State Branch, Committee or Subcommittee of the ACDS with a Conflict of Interest.**

A Member who has a Conflict of Interest in an issue to be considered at a Meeting:

- a. must disclose the interest as soon as is practicably possible; and
- b. must not be present at or take part in the meeting while the issue is being considered or voted on, subject to the discretion and direction of the meeting and any conditions for participation, which may be set down by the meeting.

For the purposes of clarity in relation to this clause, the Member concerned may not vote on a question regarding their participation.

The disclosure must be given:

- a. where the Conflict of Interest arises at a meeting, at the meeting; or
- b. otherwise, as soon as practicable after the Member becomes aware of the conflict.

Notice should be given to the Secretary of the meeting, or in the absence of the Secretary, the Chair of the meeting.

A Member who is excluded from a meeting due to a conflict of interest must not be in the place where the meeting is being conducted, including any part of that place set aside for observers and guests attending the meeting. In the case of a meeting carried out using any form of technology, including telephone conference, the Member who is excluded from the meeting must disconnect from the technology and shall not re-join the meeting until re-connected under order of the Chair of the meeting.

A Member who is excluded from a meeting due to a Conflict of Interest must not seek, directly or indirectly, to influence the outcome of any deliberations by the Members at the meeting in relation to the issue.

If a Member discloses circumstances which might (but in the Member's opinion does not) establish a Conflict of Interest; or in the absence of any such disclosure, another Member informs the meeting that it is their opinion that a Member has a Conflict of Interest which has not been disclosed; the meeting may resolve by a majority that a Conflict of Interest does exist. A resolution to that effect imposes the same obligations on the affected Member as would apply had that Member disclosed a Conflict of Interest in relation to the issue.

A Member who has declared a Conflict of Interest or been found, by resolution of the meeting, to have a Conflict of Interest in relation to an issue has no entitlement to information or materials about the Members' deliberations on and determinations about that issue, except to the extent that the information is available generally to persons who are not Members of the meeting and those who were not involved in reporting to the meeting or otherwise assisting the Members in their deliberations on the issue.

#### **Members Not to Use Information for Personal Gain or Benefit of Another Organisation.**

A Member who has received information through Membership of the Federal Council, a State Branch, Committee or Subcommittee must not seek to make use of that information to achieve personal gain or give benefit to another organisation.

#### **Assistance**

Where a Member is in doubt as to whether or not a Conflict of Interest exists, that Member should consult the Federal Secretary as soon as possible.

#### **Definitions**

**"ACDS"** – means the Australian Carriage Diving Society

**"Associate"** – means a colleague, companion, partner, immediate family Member, or business partner

**"Conflict of Interest"** – means an Interest which may potentially (or reasonably be perceived to potentially) affect or influence a decision or course of action, and which if not declared in a timely manner, may undermine the real or perceived integrity of that decision.

**"Meeting"** – means a meeting of Federal Council, a State Branch, Committee or Subcommittee of the ACDS

**"Member"** – means an Office Bearer or Member of Federal Council, a State Branch, Committee or Subcommittee of the ACDS

**CONFLICT OF INTEREST REGISTER**

DATE	NAME	ORGANISATION	POSITION



## BY-LAW SCHEDULE B – ACDS MEMBERS CODE OF CONDUCT

(This is the Master Copy of a Controlled Document.).

### MEMBERS CODE OF CONDUCT

#### Purpose of the Code

This Code of Conduct is intended to outline the behaviour expectations for Members of the Australian Carriage Driving Society Inc. (ACDS) and those associated with Members at ACDS activities. Federal Council recognises that the ACDS is made up of incorporated bodies and clubs in each State of Australia and that each State has laws that may be relevant to a Code of Conduct. This Code of Conduct is intended to set broad over-arching principles, which shall be incorporated into each State's/Club's Code of Conduct, subject to these principles complying with the laws applicable to the relevant State.

This Code of Conduct is to be read in conjunction with the ACDS Constitution, By-laws, Regulations and Policies as applicable from time to time.

#### Expectations

Members of the ACDS and their associates are expected to conduct themselves in a manner that reflects the best interests of the ACDS and is commensurate with the expectations of the broader Membership, community standards and the law. Members are encouraged to develop and maintain an inclusive environment that promotes participation.

Behaviour, which may be considered as discriminatory, bullying, intimidatory, violent or of a harassing (sexual or otherwise) nature will not be tolerated. Unjust or intemperate criticism of other Members or behaviour that brings the Society and/or sport into disrepute is similarly not acceptable.

**Of principle expectation for all ACDS Members and those associated with Members, is compliance with the Constitution, By-laws, Regulations and Policies of the ACDS**

#### *More Specifically:*

**Competitors/Participants and their Associates** are expected to behave in a courteous, respectful and sporting manner; comply with the rules of the relevant activity and any reasonable direction from an official. Horse Welfare considerations shall always take priority over competitive or commercial interests.

**Officials and Volunteers** are expected to conduct themselves professionally; be respectful towards participants and other officials/volunteers; take all reasonable steps to ensure activities are conducted in a safe and fair manner and comply with the ACDS's Conflict of Interest Policy.

**Office Bearers at a Club, State and Federal Level** are expected to conduct themselves in a professional manner; take all reasonable steps to ensure the Society is meeting its legal and constitutional obligations; declare any conflict of interest that may arise in the course of fulfilling their role and, in all decisions, act in the best interests of the ACDS and its Membership.

**Coaches and Trainers** are expected to adhere to and promote best-practice in Horse Welfare; at all times act in the best interests of their client, comply with the ACDS's Conflict of Interest Policy and take all reasonable steps to ensure the training process is conducted in a safe and positive environment.

**Compliance with the Constitution, By-laws, Regulations, Policies and that of the State Branch and the respective affiliated Club is a condition of Membership.**

**Failure to comply may result in disciplinary action against the Member in accordance with the relevant provisions of the Constitution.**

**Non-Members who are deemed to have breached the Code of Conduct, may be asked by a representative of the Society to leave the ACDS activity and may be refused entry to future ACDS events.**

## **BY-LAW SCHEDULE B-1 – ACDS MEMBERS CODE OF CONDUCT**

(This is the Master Copy of a Controlled Document.).

### **USE OF SOCIAL MEDIA**

The Australian Carriage Driving Society (ACDS) is sensitive to the fact that our sport is run by volunteers; all of whom are doing their very best in the interest of the sport and, without their input, the sport would not exist.

Comments and discussion on social media posts can cause distress and disruption to individuals and the ACDS as a whole.

Members must consider very carefully the consequences of their words, both online and in person. Adverse feedback or criticism of any ACDS Member on Social Media is inappropriate as it gains momentum, often fed by people who are not Members and/or who do not compete in driving activities.

Behaviour, which may be considered as discriminatory, bullying, intimidatory, violent or of a harassing (sexual or otherwise) nature will not be tolerated. Unjust or intemperate criticism of other Members or behaviour that brings the Society and/or sport into disrepute is similarly not acceptable.

Contrary behaviour may result in disciplinary action against the Member in accordance with the relevant provisions of the Constitution.

**BY-LAW SCHEDULE C – FEDERAL COUNCIL CODE OF CONDUCT**

(This is the Master Copy of a Controlled Document.).

**CODE OF CONDUCT FOR MEMBERS OF FEDERAL COUNCIL  
AUSTRALIAN CARRIAGE DRIVING SOCIETY Inc (ACDS)**

(To be signed on election / appointment to Federal Council)

**As a Member of ACDS Federal Council, I certify that:**

1. I will act honestly, in good faith and in the best interest of the ACDS as a whole.
2. I have a duty to use care and diligence in fulfilling the functions of office and exercising the powers attached to that office.
3. I will use the powers of office for a proper purpose, in the best interests of the ACDS as a whole.
4. I recognise that my primary responsibility is to ACDS Members as a whole, but where appropriate I will have due regard for the interests of all stakeholders in the organisation.
5. I will not make improper use of information acquired as a Member of Federal Council.
6. I will not take improper advantage of the position of Federal Councillor.
7. I will not allow personal interests, or the interests of any associated person, to conflict with the interests of the ACDS.
8. I have an obligation to be independent in judgement and actions, and to take all reasonable steps to be satisfied as to the soundness of all decisions taken by Federal Council.
9. Confidential information received by me in the course of the exercise of my Federal Council duties remains the property of the ACDS, and it is improper for me to disclose it, or allow it to be disclosed, unless that disclosure has been authorised by the ACDS, or the person from whom the information was provided, or is required by law.
10. I will not engage in conduct likely to bring discredit upon the ACDS.
11. I have an obligation, at all times, to comply with the spirit, as well as the letter, of the law, the principles of this Code, and the ACDS Constitution, By-laws, Regulations and Policies.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*(Adapted from AHIC Code of Conduct for Directors)*

## BY-LAW SCHEDULE D – ACDS HORSE WELFARE POLICY STATEMENT

(This is the Master Copy of a Controlled Document.).

### HORSE WELFARE POLICY STATEMENT

**The Australian Carriage Driving Society places the utmost importance on the welfare of the Horse as the primary consideration in all carriage driving activities.**

Horse welfare must never be compromised by competitive or commercial interests and all ACDS Members are expected to accept and abide by this principle.

ACDS Rules, Guidelines and Risk Management Policies are intended to improve Horse welfare standards. The Rules, Guidelines and Policies are regularly reviewed and updated to ensure effective promotion and implementation of best – practice Horse welfare by ACDS Members.

***Regardless of the carriage driving activity or discipline, the following over-arching horse welfare principles apply:***

**1. At all stages during preparation, training and use of carriage Horses & Ponies, welfare must take precedence over other demands.**

This includes ensuring good Horse management; using training methods which are appropriate to the physical and mental capabilities of the Horse and which do not result in pain or fear; use of harness and vehicles which are correctly fitted and do not cause pain or injury; a high standard of farriery and foot care; and appropriate methods of transport.

**2. Horses & Ponies must be fit, competent and capable and in good health, appropriate to the type of activity and the specific demands.**

This includes ensuring an adequate level of fitness for the activity, applying appropriate Horse-health and biosecurity practices; and allowing adequate recovery time following veterinary treatment.

**3. Activities must not prejudice Horse welfare.**

Venues, stabling / yards, courses and their components must be designed and maintained with the safety of the Horse in mind. Competitions and activities must take into consideration the best interests of the Horses involved. The effects of extreme weather must be taken into account and mitigated as appropriate.

**4. The practice of trimming horses' sensory hairs is not permitted**

Vibrissae, or sensory hairs/whiskers, are the long stiff hairs growing on the chin, mouth and around the eyes and are used as organs of touch by the horse. The practice of trimming these sensory hairs/whiskers is not permitted.

Horses will not be permitted to compete in any ACDS activity if the horse's sensory hairs have been shaved or in any other way removed unless individual sensory hairs have been removed by a veterinarian. (veterinary certificate necessary).

**5. Every effort must be made to ensure Horses & Ponies receive proper and humane treatment during their lives.**

This includes provision of adequate veterinary and health care; the prompt and appropriate treatment of injury or illness; sympathetic and humane treatment during retirement; and where necessary, appropriate methods of euthanasia to minimise suffering.

**The ACDS supports the ongoing awareness and skills development of its members in relation to Horse welfare and encourages all those involved in equestrian sport to attain the highest levels of knowledge in relation to care & management of the Horse.**

## BY-LAW SCHEDULE E – ACDS CHILD SAFE AND VULNERABLE PERSONS CODE OF CONDUCT

(This is the Master Copy of a Controlled Document.).

### CHILD SAFE AND VULNERABLE PERSONS CODE OF CONDUCT

This Code of Conduct outlines appropriate standards of behaviour by adults towards children and vulnerable persons.

The Code of Conduct aims to protect children and vulnerable persons and reduce any opportunities for abuse or harm to occur. It also helps Members by providing them with guidance on how to best support children / vulnerable persons and how to avoid or better manage difficult situations. This Code of Conduct applies to all people involved in Australian Carriage Driving Society (ACDS) activities, including participants, coaches, officials, volunteers and parents.

**All ACDS Members** are responsible for promoting the safety and wellbeing of children and vulnerable persons by:

- Adhering to this Code of Conduct and other relevant ACDS policies.
- Taking all reasonable steps to protect children and vulnerable persons from abuse and to keep them safe from harm.
- Treating everyone with respect, including listening to and valuing their ideas and opinions.
- Welcoming all children / vulnerable persons and their families and carers and being inclusive.
- Respecting cultural, religious and political differences and acting in a culturally sensitive way, particularly when interacting with children who are Aboriginal, Torres Strait Islander or otherwise culturally or linguistically diverse and those with a disability.
- Modelling appropriate adult behaviour.
- Listening to children and vulnerable persons and responding to them appropriately.
- Reporting and acting on any breaches of this Code of Conduct, complaints or concerns appropriately and treating them seriously and with respect.
- Working with children / vulnerable persons in an open and transparent way – other adults should always know about the work you are doing in this respect.
- Respecting children / vulnerable persons and their families, and only disclosing information to people who have a need to know.

ACDS Members **MUST NOT**:

- Seek to use children / vulnerable persons in any way to meet the inappropriate needs of adults.

- Ignore or disregard any concerns, suspicions or disclosures of abuse.
- Use prejudice, oppressive behaviour or language with children / vulnerable persons.
- Discriminate on the basis of age (except as provided for in the sport's rules), gender, race, culture, vulnerability or sexuality.
- Initiate unnecessary physical contact with children / vulnerable persons or do things of a personal nature that they can do for themselves, such as toileting or changing clothes.
- Direct inappropriate attention to children or vulnerable persons.
- Have unauthorised contact with children and vulnerable persons online or by phone, or exchange personal contact details without parent / guardian consent.

**By observing these standards, you acknowledge the responsibility to immediately report any suspected instances of abuse to Police and Child Protection Authorities.**

**Compliance with this Code is a condition of Membership of the Australian Carriage Driving Society.**

**BY-LAW SCHEDULE F – FORM OF APPOINTMENT OF PROXY**

(This is the Master Copy of a Controlled Document.).

**AUSTRALIAN CARRIAGE DRIVING SOCIETY INC.  
FORM FOR APPOINTMENT OF PROXY**

**NOTE:**

- **FAMILY** Memberships are entitled to lodge **TWO** Proxy Votes – Use the first and second page of this form (*Note – only family Members over the age of 18 years can vote*).
- Providing they are over 18 years of age, a Family Member with a **STUDENT CONCESSION CARD** is entitled to lodge **ONE** Proxy Vote. (Use the third page of this form).
- **SINGLE/LIFE/ACTIVE** Memberships are entitled to lodge **ONE** Proxy Vote – **Use the front of this form.**
- **JOURNAL or JUNIOR** Memberships are **NOT** entitled to Vote.
- A Proxy Vote may not be given to a person who is not a Member of the Australian Carriage Driving Society Inc.

I (Full Name): \_\_\_\_\_

of (Address): \_\_\_\_\_

\_\_\_\_\_

Being a Member of the Australian Carriage Driving Society Inc. – Membership No: \_\_\_\_\_

Hereby appoint (Full Name): \_\_\_\_\_

of (Address) \_\_\_\_\_

\_\_\_\_\_

Being a Member of the Australian Carriage Driving Society Inc. – Membership No: \_\_\_\_\_

as my Proxy to vote for me on my behalf at the Annual General Meeting of the Australian Carriage Driving Society Inc. to be held on the \_\_\_\_\_ and at any adjournment of that meeting. I direct my Proxy vote in favour of / against (*delete as appropriate*) the following resolutions:

*(If the above space is not completed, the Proxy will be entitled to vote as they think fit).*

\_\_\_\_\_  
(Signature of Member appointing Proxy)

\_\_\_\_\_  
(Date)

**AUSTRALIAN CARRIAGE DRIVING SOCIETY INC.  
FORM FOR APPOINTMENT OF PROXY**

**This section is for use of the second Member on a Family Membership**

I (Full Name): \_\_\_\_\_

of (Address): \_\_\_\_\_

\_\_\_\_\_

Being a Member of the Australian Carriage Driving Society Inc. – Membership No: \_\_\_\_\_

Hereby appoint (Full Name): \_\_\_\_\_

of (Address) \_\_\_\_\_

\_\_\_\_\_

Being a Member of the Australian Carriage Driving Society Inc. – Membership No: \_\_\_\_\_  
as my Proxy to vote for me on my behalf at the Annual General Meeting of the Australian Carriage  
Driving Society Inc. to be held on the \_\_\_\_\_ and at any adjournment of that meeting. I  
direct my Proxy vote in favour of / against (*delete as appropriate*) the following resolutions:

*(If the above space is not completed, the Proxy will be entitled to vote as they think fit).*

\_\_\_\_\_  
(Signature of Member appointing Proxy)

\_\_\_\_\_  
(Date)



**AUSTRALIAN CARRIAGE DRIVING SOCIETY INC.  
FORM FOR APPOINTMENT OF PROXY**

**This section is for use of the Student Concession Member on a Family Membership**

I (Full Name): \_\_\_\_\_

of (Address): \_\_\_\_\_

\_\_\_\_\_

Being a Member of the Australian Carriage Driving Society Inc. – Membership No: \_\_\_\_\_

Hereby appoint (Full Name): \_\_\_\_\_

of (Address) \_\_\_\_\_

\_\_\_\_\_

Being a Member of the Australian Carriage Driving Society Inc. – Membership No: \_\_\_\_\_

as my Proxy to vote for me on my behalf at the Annual General Meeting of the Australian Carriage Driving Society Inc. to be held on the \_\_\_\_\_ and at any adjournment of that meeting. I direct my Proxy vote in favour of / against (*delete as appropriate*) the following resolutions:

*(If the above space is not completed, the Proxy will be entitled to vote as they think fit).*

\_\_\_\_\_  
(Signature of Member appointing Proxy)

\_\_\_\_\_  
(Date)

## MODIFICATION HISTORY

### Constitution and By-laws

Article	FC Meeting Date	Updated	By Whom
13.11	13.07.2012	2012	T Brand
Schedule 6	13.07.2012	2012	T Brand
13.13	08.12.2012	06.04.2016	T Brand
6.10	27.04.2013	06.04.2016	T Brand
11.4	12.07.2013	06.04.2016	T Brand
13.14 Schedule 4	12.07.2013	06.04.2016	T Brand
13.15	12.07.2013	06.04.2016	T Brand
11.5	14.07.2013	06.04.2016	T Brand
6.11	14.07.2013	06.04.2016	T Brand
6.9	26.10.2013	06.04.2016	T Brand
6.12	26.10.2013	06.04.2016	T Brand
15.1	04.07.2014	06.04.2016	T Brand
15.2	04.07.2014	06.04.2016	T Brand
13.16	04.07.2014	06.04.2016	T Brand
Schedule 3 amendment	15.02.2015	06.04.2016	T Brand
Schedule 5	15.02.2015	06.04.2016	T Brand
2.9	26.06.2015	06.04.2016	T Brand
2.10	26.06.2015	06.04.2016	T Brand
13.17	26.06.2015	06.04.2016	T Brand
13.12 rewritten	02.04.2016	06.04.2016	T Brand
20	24.06.2017	04.10.2017	T Brand
20f	24.06.2017	04.10.2017	T Brand
20g	24.06.2017	04.10.2017	T Brand
10.1a added	24.06.2017	04.10.2017	T Brand
13.12 updated	18.03.2017	27.02.2018	T Brand
Schedule E added	21.10.2017	28.02.2018	T Brand
16.10 updated	14.07.2018	14.07.2018	P Lee
By-law 7.4 included	14.07.2018	14.07.2018	P Lee
Re-write of By-Laws	12.07.2019	12.07.2019	P Lee
By-law 14.7 amended	02.07.2020	02.07.2020	P Lee
3: 5.2 – 5.5	AGM 04.8.2021	04.8.2021	P Lee
8 and 10	AGM 04.8.2021	04.8.2021	P Lee
12 and 13	AGM 04.8.2021	04.8.2021	P Lee
26; 27 and 28	AGM 04.8.2021	04.8.2021	P Lee
32 and 33	AGM 04.8.2021	04.8.2021	P Lee
Reformatted	AGM 04.8.2021	04.8.2021	P Lee
By-law Schedule B1, D1 & F; 2.8; 3.1; 11.5; 14.10; 14.17 & 17	08.9.2021	09.9.2021	D. Willcoxson
By-law 17, 18 and 19	29.5.2022	30.5.22	D. Willcoxson
Rules changed to Constitution and major overhaul – 94 changes By-law Schedule B – Code of Conduct By-law Schedule B1 – Use of social media By-law Schedule C – Federal Council Code of Conduct By-law Schedule F – Form of Appointment of Proxy	Results of 2022 AGM 3.7.2022	3.7.2022	D. Willcoxson
By-law 15.1 and 20	4 August 2022	4 August 2022	D. Willcoxson
By-law 19.1 and 19.2	7 September 2022	7 September 2022	D. Willcoxson
By-Law 3.1 (reference to 12.11 instead of 12.1 in the Constitution)	7 September 2023	7 September 2023	D. Willcoxson
By-law schedule D and D1 Combined to make one Horse Welfare Policy	13 February 2024	17 February 2023	D. Willcoxson
Index numbering changed in Schedule 1 – Constitution as needed by change of By-law above	13 February 2024	17 February	D. Willcoxson
By-law 6.4 removed	31 May 2024	1 June 2024	D. Willcoxson
Renumbering of By-law 6.5 and 6.6 to 6.4 and 6.5 respectively to compensate for removal of 6.4	31 May 2024	1 June 2024	D. Willcoxson