

# THE CONNEMARA PONY SOCIETY OF SOUTHERN AFRICA



THE  
**CONNEMARA  
PONY SOCIETY**  
OF SOUTHERN AFRICA

## **CONSTITUTION 22 November 2016**

Amended - 4 January 2016

Amended – 22 November 2016

Approved – 18 February 2017

### **Name:**

1. The name of the Society shall be: The Connemara Pony Society of Southern Africa.

### **1. Mission:**

Subject to the provisions of the Act and this Constitution the objects of the Society shall be:

1. To encourage the improvement and promotion of Connemara Ponies; pure and partbred.
2. To promote the wellbeing, welfare and dignity of all Connemara Ponies.
3. To frame, enforce, amend, and add to Schedules, Rules, Regulations, and By-Laws made under the powers conferred by this Constitution of all matters falling within the jurisdiction of the Connemara Society
4. To encourage the participation of Connemara Ponies across all disciplines.
5. To encourage show-holding bodies to appoint judges who are recommended by the Society and to convince them of the necessity of employing such qualified judges.
6. To maintain the studbook, in accordance with the regulations, principles and standards of the Connemara Pony Breeders Society (Ireland)
7. To compile, keep and maintain an accurate register of the pedigrees and particulars of all Connemara ponies, pure and partbreds duly registered by the Society.
8. To preserve and promote the bloodlines of the Connemara Ponies by all available means.
9. To encourage the registration of Connemara ponies including partbreds.

### **2. Powers:**

Subject to the terms of the Constitution, the Society shall have the power:

1. To invest any funds of the Society or to recall or change such investments from time to time, which the Society may deem necessary for the attainment of its objects, or in the interest of the Society.
2. To take such action as may be deemed necessary in connection with all matters affecting the interests of breeders and members.

- I. Institute and defend any legal proceeding.
- II. Do all such other things as are incidental or conducive to the attainment of the Connemara Society's objects or any of them.

### **3. Membership:**

1. Any person seeking membership to the Connemara Society shall make written application on such form or in such manner as the Society may prescribe from time to time, and he shall dispatch therewith the entrance fee and current year's subscription as specified. His Guardian shall assist an applicant who is a minor and no minor shall enjoy voting rights.
2. Annual subscriptions payable by member's all be due and payable on the first day of February of each year.
3. All members are bound by the rules as per the bye-laws with no exceptions.

#### **3.1 Privileges of Membership:**

1. Every member of the Connemara Society shall be entitled to receive a free copy of the newsletter.
2. Every member may at any time raises any relevant issue or submits an advisory recommendation to the Connemara Society, who shall table the same at the next ordinary meeting.

#### **3.2 RESIGNATION AND EXPULSION OF MEMBERS**

1. Any member may resign from the Society by giving not less than one month's written notice to the Secretary; provided that all monies owing to the Society by such member will be paid and that such member will discharge all his obligations in respect of registrations, recordings, transfers or any other obligations in respect of his membership.
2. The Committee shall by resolution to that effect passed by at least two thirds of the members of Council, present and entitled to vote, at a meeting of Council, take disciplinary action against any member who:
  - I. has failed to pay any amount due by him the Society;
  - II. has infringed the Constitution or disobey any rule of the Society,
  - III. or who has, in the opinion of the Committee, acted dishonourably or in any way derogatory to the character, or prejudicial to the interest of the Society;
  - IV. has, by his acts or omission brought actual or potential dishonour upon the Society,
  - V. or who has been guilty of conduct to the actual or potential prejudice of the objects of the society;
  - VI. has wilfully or for personal gain or advantage, given incorrect information to the Society, any official of the Society, or to judges or to officials at shows; or who has misrepresented the Committee and or the Society, or is guilty of an offence under the act;
3. Provided that no proceedings for expulsion shall be initiated against a member of

the Society unless the Secretary has at least 30 days prior to such date of the Committee Meeting at which such expulsion has to be dealt with, addressed a registered letter to such member notifying him of his proposed expulsion, and calling upon him if he so wishes, to present, either personally or through his duly authorised representative, his side of the case at such meeting.

4. Any member who has been expelled shall be notified by the Secretary in writing within a period of five working days from the date upon which the resolution affecting his expulsion was passed.
5. After the cancellation of membership of a member, he shall cease to be a member of the Society. His name shall be removed from the Stud Book and Committee may, at their discretion instruct the Secretary to apply to the Association for the cancellation of records and registrations of animals which were bred and are in the possession of the member whose membership has been cancelled, at the time of such cancellation of membership. Committee may require that such member hand to the Society all records and registration certificates in his possession at the time of cancellation of membership. After such date, no transfer of animals of such member, bred by him, shall be recorded or registered without the approval of Committee; no birth notifications shall be accepted from such member and he shall be notified accordingly.
6. Any member who has been expelled shall pay all monies owed by him to the society and he shall be required to fulfil his obligations in respect of registrations in connection with his membership.
7. Any person who has for whatever reason, ceased to be a member of the society, may re-apply for membership in accordance with the regulations.

### 3.3 REGISTER OF MEMBERS

1. The Society shall keep a register of all members stating the date of their admission to membership, their full contact details, the amounts received from them with the date of payment and arrears, if any, which may be due.
2. Every member shall communicate in writing to the Secretary any change of his contact details and postal address, and all notices or publications posted to the registered address of a member shall be considered as duly delivered to such member.
3. Communications consigned under registered cover to members by the Secretary shall be binding.

### 4 REGISTRATION OF PEDIGREES

1. A pedigree registry shall be kept by the Society at the office of the South African Connemara Society. This registry shall be known as the South African Connemara Society and shall be published at such time as decided by the Society.
2. There shall be furnished by the South African Connemara Society a certificate of registration on the form approved by the Society, the certificate shall be in such a form as decided on by the Society.

## **5. SUBSCRIPTIONS AND FEES:**

1. All subscriptions, fees and any other dues and commissions payable to the Society shall from time to time be determined by the committee, and ratified by majority vote at the ensuing Annual General Meeting of the Society.
2. The annual subscriptions and fees shall become due and payable in advance on 1 February of each year, and shall be deemed to be in arrears if unpaid by the last day of July of the same year.
3. Any member whose subscription is in arrear, or who shall be indebted to the Society in respect of any fees or dues for a period longer than 30 days after a demand, shall cease to enjoy any of the rights and privileges of membership until such time as such indebtedness has been liquidated.
4. Committee may cause an interest charge, at a rate determined by Committee from time to time, to be levied on all overdue accounts.
5. Any member, who, for any reason whatsoever, has ceased to be a member of the Society, shall remain liable £4 all amounts due to the Society, as at the date on which his membership ceases.
6. Should the account of a member be in arrear as determined by Committee, or outstanding on the termination of his membership, such member shall, if and when his account is handed over to a firm of attorneys or solicitors for collection, be liable to the Society for payment of all legal charges, collection and attorney and client costs entailed in addition to the principle amount, fines and penalties owing by him.
7. All services to members will only be rendered on receipt of payment, in full, and then only to members whose annual subscriptions have been paid unless the Secretary in writing has confirmed other arrangements.
8. Irrespective of any other provisions of Claus 5, any member who failed to pay his current annual subscription before the closing date of entries for any show shall be barred from showing.

## **5. ESTABLISHMENT OF A COMMITTEE**

1. The affairs of the Society shall be controlled and administered by a Committee consisting of six members of the Society.
2. Committee shall meet at the conclusion of the Annual General Meeting to elect two additional members, should they wish to do so and thereafter a Chairperson, Secretary, Treasurer, Show Liaison Officer and Newsletter Editor from their ranks, as required.
3. The representing members of the Committee should hold office for one year. The three members as the case may be who have completed a one-year term in office shall retire by rotation. Retiring members shall be eligible for re-election for a further two years. No Members or committee members can act in any way that is in conflict of interest to the Connemara Society.
4. Should a Committee member die, resign or cease to be a member of the Society, the Committee may appoint another member to fill the vacancy until the next

election; provided that the posts of Chairman be filled by an existing Committee Member. Notwithstanding any vacancy on the Committee, the Committee shall be considered fully constituted and shall continue to exercise all the powers conferred upon it.

### **5.1 POWERS AND DUTIES OF THE COMMITTEE**

The Committee shall, subject to the terms of the Constitution, and subject further to the directions of the general meetings of the Society as given from time to time, have power to do all such things as it may deem necessary or advisable in the interests of the Society and for the advancement and attainment of the Society's objects without cause or prejudice and in particular have the power;

1. to appoint, remove or suspend such attorneys, or other legal representatives, agents, auditors, officials or their employees for or from permanent, temporary or special services as it may deem fit; to determine their powers and duties, and from time to time fix their remuneration and conditions of service, and to require security to its satisfaction for the due performance of their functions, if in any case it so deems expedient;
2. to institute, conduct, defend, compound, abandon any legal proceedings by or against the Society or against any of its office-bearers, officials or other employees in connection with the affairs of the Society; and to compound or allow, (or ask for) time for payment or satisfaction of any debts to, or any claim or demand by or against the Society;
3. to take out and maintain any insurance policies which may be deemed necessary, in the interests of the Society;
4. to appoint and or approve inspectors to inspect Connemara Ponies wherever necessary and to do all the work for which members of the Society may need their services and to give instructions and power to such inspectors, with reference to their duties, to ensure that the purpose of the Society is carried out; also, to is charge such inspectors; where ever possible.
5. to give instructions to the Inspectors of the Society to investigate cases where no proper records are kept or where there may be doubt in connection with the identity of any animal or animals and to take steps in the interests of the Society where regarded necessary;
6. To co-opt without voting rights the services of any member of the Society and to appoint subcommittees on such conditions and to give such power to such subcommittees as is necessary from time to time. The Chairperson is ex officio member of all such subcommittees;
7. To draw up such rules and conditions in connection with the qualifications and appointment of judges of Connemara ponies, at Connemara Shows; as may be regarded necessary, with the understanding that no person who is appointed to judge Connemara Ponies will be appointed before he satisfies all such rules and conditions.

- Further to reassess the panel of judges from time to time and to remove from it such names as warrant removal;
8. to grant leave of absence to any member of the Committee, official or employee of the Society for any period or on any such conditions as may be determined;
  9. to impose or to enforce such sanction which may be laid down from time to time, on members of the Society for the infringement or violation of the Constitution, or rules and regulations of the Society;
  10. to open bank accounts on behalf of the Society and to draw, accept, endorse, make or execute any bill of exchange, promissory note, cheque or other negotiable instrument in connection with the conduct of the affairs of the Society;
  11. in any dispute, as to the interpretation of the Constitution or the bye-Laws of the Society, the decision of the Committee shall be final and binding on all parties to the dispute;
  12. to invest, or in any other manner deal with any monies not immediately required for the purpose of the Society, upon such securities and on such terms as it may deem fit, and from time to time change or realize any such investments;
  13. to pay all costs and charges in connection with the administration and management of the affairs of the Society;
  14. to collect and receive subscriptions, fees and donations and other dues and funds and to devote same towards the objects of the Society;
  15. for the better and more convenient fulfilment of the business of the Society, to appoint one or more members or officials with power and authority to sign and receive documents and papers and process on behalf of the Society;
  16. to approve or reject applications for membership at its own discretion;
  17. to frame, alter and rescind rules and regulations in connection with the management of the affairs, and the execution of the objectives of the Society or to change or to repeal them,
  18. to recommend changes or modifications to any annexure, fixed to the Constitution, as may be necessary from time to time, to the Annual General Meeting;
  19. to cancel the membership of any person;
  20. to refuse to inspect records of registration and to refuse to provide other administrative services for members. If their accounts are in arrears; or if they are in bad standing;
  21. to take such steps as it may deem necessary to ensure a high standard of discipline amongst members of the Society in their behaviour towards each other, officials of the Society and members of the public. To protect Connemara Ponies in general and to deal with unbecoming conduct towards persons and animals; and
  22. Generally, to do all such things as are necessary for the welfare of the Society and to the conduct its affairs, provided always that any action taken, or instructions given shall not be contradictory to the terms of the Constitution.

## **6. MEETINGS OF THE SOCIETY**

## 6.1 COMMITTEE MEETINGS

1. The Committee shall meet at such time and place as it may from time to time determine, or may be decided upon by the Chairperson, provided that not less than one Committee Meeting shall be held in each financial year.
2. A special Committee meeting may be called by the Chairperson (or in his absence by the Secretary) at such time and place as such office bearer may decide, or
3. Shall be called upon a requisition signed and addressed to the Secretary by not less than three Committee members, stating the reasons for such meeting.
4. Not less than 21 days prior to the holding of Committee meeting, written notice of the time, date, and place of such meeting shall be circulated by the Secretary to each member of the Committee.
5. If the Chairperson is absent from Committee meeting the members present shall elect a Chairperson to preside.
6. All matters submitted to the Committee meeting should be decided by the votes of those present and entitled to vote. In the event of an equality of votes, the person presiding over the meeting shall have a casting vote in addition to his deliberative vote. Each member has one vote and voting shall be by a show of hands or by ballot as determined by the person presiding over the meeting.

## 6.2 GENERAL MEETINGS

1. A General Meeting of the Society, which is known as the Annual General Meeting, shall be held once a year at such time and place as the Committee may decide.
2. At such an Annual General Meeting, the Committee shall submit its annual report together with a balance sheet.
3. A Special General Meeting of the Society
  - I. may be called at any time by the Committee, or
  - II. Shall be called by the Chairperson, if a written application was submitted to the Secretary and was signed by not less than 8 members of the Society. Such an application must clearly show the objectives of the meeting, and during such a meeting, only the said business may be discussed.
4. Not less than 21 days prior to the holding of the Annual General Meeting, a preliminary notice of the time, date, and place of the meeting shall be circulated by the Secretary to every member. Any member intending to put forward any matter for discussion at the Annual General Meeting shall give written notice thereof to reach the Secretary no less than 10 days prior to the holding of the meeting. No subject put forward by any member shall be placed on the agenda of the Annual General Meeting unless the requisite notice of motion in terms of this sub clause has been given.
5. Any meeting may be postponed by two-third majority vote of the members present and entitled to vote.
6. The Chairman, or in his absence, the Secretary, shall preside over every meeting of the society. Whenever both the Chairperson and the Secretary are absent from the

meeting, the members present and entitled to vote, may elect any other member to preside over the meeting, and any person so elected shall, in relation to the meeting,

have all the powers and duties of the concerns of the Constitution and bye-laws of the Society, sign the minutes of he previous meeting after confirmation.

7. Any business matters laid before any meeting, unless otherwise provided must be settled by the majority vote of the members present and entitled deliberative vote. In the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

8. Voting

- I. Members in good standing shall have the right to vote by proxy on all matters connected to an Annual General Meeting of the society or special meeting, including amendments to the constitution.
- II. No one member of the Society shall be allowed to use more than 3 proxy votes. If a member should hold more than 3 proxy votes, such members shall be entitled to distribute the excess votes to other members of their choice before any matters are voted on at the Annual General Meeting.
- III. No proxy shall be valid unless it is received by the Secretary in proper order, in a form approve by the Society, at least 24 hours before the meeting.
- IV. Voting at all meetings shall be by show of hands, unless voting by ballot is demanded by the majority of the members present, in which event voting shall be by ballot.

9. Quorums

- I. A minimum of 4 members of the Society personally present at the commencement of any general meeting and entitled to vote, shall form a quorum for such a meting, and three committee members personally present at any committee meeting and entitled to vote, shall form a quorum for such committee meeting.
- II. If at any meeting a quorum is not resent, the meeting shall stand adjourned to a time (not less than 21 days and not more than 30 days thereafter) and place determined by the members actually present, and at such an adjourned meeting the members actually present shall form a quorum; provided that the meeting at which the Chairperson or Secretary is present shall, if there is no quorum, stand adjourned for half an hour. The members present shall form a quorum for the disposal of such business (other than any amendments to the constitution) as the presiding member may declare to be of an urgent nature and such adjournment for half an hour shall be without prejudice to the rights of the meeting after dealing with such urgent business to adjourn to a time, date and place as herein provided.
- III. When a meeting has been thus adjourned, a notice shall be sent to all members within 7 days after the adjournment, in which shall be stated the time date and place to which the meeting has been adjourned and the

reason for the adjournment.

10. Minutes of Meetings

- I. A copy of the minutes of all AGM meetings shall be supplied to each member of the Society. Copies of the minutes of the Committee Meetings shall be supplied to all persons serving on the committees concerned.
- II. The minutes of all meetings approved at a subsequent meeting and signed by the Chairperson or the person who may chair the subsequent meeting shall be proof thereof that all the proceedings were conducted properly and that all elections, appointments, and resolutions adopted at the meeting are valid and binding.

11. Financial regulations

- i. Committee shall ensure that one or more banking accounts are opened into which all monies received shall be deposited.
  - ii. All payments out of the Society shall be signed by the Secretary or a person appointed by committee and countersigned by such person or persons as the committee may authorise: provided that nothing herein contained shall prevent the committee from maintaining and operating a petty cash fund. Such regular and ordinary accounts, which are not larger than an amount decided by committee, may be paid on condition that the total amount necessary for paying such accounts is drawn by cheque.
  - iii. The Treasurer or Secretary must keep proper books of the society accounts and a qualified auditor must audit financial affairs and these books at least once a year, or as required. The Committee shall submit balance sheets and statement of the financial position on the Society, as at the Year end, of the year to which the report relates as set out in the annual general meeting on the society.
  - iv. All assets of the society are vested in the Committee.
  - v. The income and assets of the Society received from whatever source, shall be used solely for the furthering of the objectives on the society, and no portion thereof shall be directly or indirectly paid out as dividend or bonus or in any way transferred to any person who at any time was or is a member of the Society, on condition that nothing containing herein can prevent payment in good faith to any employee or other person for services rendered to the society.
  - vi. The financial year of the society shall be from 1 March to 28 February in each and every year.
  - vii. Interim unaudited financial reports shall be presented at each Committee meeting for approval, or as required.
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# THE CONNEMARA PONY SOCIETY OF SOUTHERN AFRICA



## BYE-LAWS

Amended - 4 January 2016

Approved – 18 February 2017

Previous amendments:

Section x Part x - Day month year

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#### 1. Membership

- 1.1 Types of Membership
- 1.2 Rights and Privileges of Members in Good Standing
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#### 2. Show Rules

#### 3. Breeding

### DEFINITIONS:

- a) Chairperson – means the Chairperson of the corporation elected by the members.
- b) Committee – means the elected managing members of the Connemara Pony Society of Southern Africa
- c) Connemara Ponies – means all registered and non registered pure and part bred Connemara ponies.
- d) Member – means a person approved by the committee, and duly paid up fees, with voting privileges.

### GENDER:

Words importing the masculine gender shall include the feminine and neuter genders; words importing persons shall include bodies corporate.

### 1. MEMBERSHIP

#### TYPES OF MEMBERSHIP:

1. ORDINARY MEMBER: Persons who are 8 years and over, and who are engaged directly or indirectly in the breeding, training or showing of Connemara ponies pure and part breds shall be eligible for Ordinary membership of the Society. For the purpose of this sub-clause, a company, close corporation, partnership, or body corporate shall be deemed to be a person an eligible for Ordinary Membership of the Society.
2. FAMILY MEMBERS: All the Members of family, being father, mother, sons and daughters.
3. LIFE MEMBERS: Any Ordinary Member ay with the approval of Committee becomes a Life Member.
4. HONORARY MEMBERS: The Committee may recommend that a member be made an Honorary Life Member in recognition of special services to the Society. The decision shall rest with the Annual General Meeting. Honorary Life Members shall enjoy all the privileges of membership including voting at meetings and shall be eligible for election to the Committee,
5. JUNIOR MEMBERS: Persons under the age of 18 years may become junior members, subject to their parents or guardians countersigning the application and accepting full responsibility for the financial and other commitments towards the Society on behalf of such junior members. Junior members may not vote at meetings of the Society and are not eligible for election to the committee. Upon payment of the scheduled fees, they may partake in the other activities of the Society.
6. ASSOCIATE MEMBERS: May be accepted on such conditions as may be laid down by Committee and shall only have the rights as specified in 1.

#### RIGHTS AND PRIVILEGES OF MEMBERS IN GOOD STANDING:

Save for executors of deceased estates, trustees of insolvent estates and liquidators of companies or closed corporations, the rights and privilege of every member of the Society shall be personal to himself and shall not be transferable or transmissible either by his own act or by operation of law. They shall include the following rights:

- I. To receive all reports and publications that are produced by the Society for distribution amongst member.
- II. To have Connemara Ponies and Part bred registered in accordance with the Constitution.
- III. To attend all general meetings of the Society and to vote at such meetings.
- IV. To receive the services of the appointed officers of the Society and to participate in all the benefits provided by the Society.
- V. To have access to their records held by the Society, by written application.
- VI. Subject to the provisions of Clause 1 above, to be elected as a Member

of Council.

**RIGHTS OF MEMBERSHIP IN BAD STANDING:**

1. Whenever a member's subscription remains unpaid eight months after the date of renewal, he shall ipso facto cease to be a member of the Connemara Society of South Africa.
2. Whenever a member has been suspended, or disqualified under any Schedule, Rule, Regulation, or By-Law of the Connemara Society, his membership shall be suspended for the duration of such suspension or disqualification or for such longer period as the Society may decide upon.

**3.SHOW RULES**

As updated from time to time by the committee as per the guidelines of SASA

**4. BREEDING**

- a) As updated from time to time by the committee as per the guidelines of SASA
  - b) For registration and birth notification purposes will need official paper work and for A.I. breeding an official certification from the fertility vet.
  - c) DNA profiling, in order to confirm the parentage of Connemara purebreds and partbreds, the society shall at any time have the right to insist on DNA profiling in any case of doubt. The breeder/owner shall bear the costs of the DNA profiling in terms of this by-law.
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