



S.H.M.A.A.
National Executive
A.R.B.N. 163101906
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Constitution



1. Name:

The name of the Association shall be the Saddlers' and Harness Makers' Association of Australia Inc. A.R.B.N. 163101906, hereinafter referred to as the 'Association.'

2. Address:

The address of the Association shall be at such place as may be decided at General Meeting from time to time.

3. Objectives:

The objectives of the Association shall be:

- (a) To promote makers of Australian saddles, harness and associated equestrian products.
- (b) To preserve and develop Australian saddle and harness making skills.
- (c) To promote goodwill between members.
- (d) To promote both the industry and its image with the public in general.
- (e) To assist with the development of satisfactory industrial relations within the industry.
- (f) To guide and counsel members in all aspects beneficial to the development of the industry within Australia.

4. Membership:

4.1 Membership Obligations:

All members shall comply with the provisions of this Constitution and the Code of Ethics (Schedule 1)

4.2 Full Membership:

Any person may be eligible to apply for full membership provided that,

- (a) The applicant possesses the necessary qualifications as provided for in Section 4.3 – *Qualifications for Full Membership*
- (b) The application is made on the prescribed form, 'Application for Membership'.



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- (c) The applicant shall participate in an interview with a representative of the National Executive Committee either in person or by electronic device.
- (d) In order to be accepted as a full member the applicant shall require a two third majority vote by the National Executive Committee.
- (e) The prescribed membership fee is paid.

4.3 Qualifications for full Membership:

- (a) Any person, who has completed a recognised Saddle or Harness Making apprenticeship or traineeship, either in Australia or internationally.
- (b) Where there is no state recognised apprenticeship scheme or in cases where individuals have worked for an equivalent time in the saddlery industry, a person may be recognised as being qualified.

4.4 Associate Membership:

May be available:

- (a) To those persons, firms or companies engaged in supplying, distributing or selling Australian made saddlery or associated products within Australia.
- (b) To any person wishing to support the objectives of the Association.
- (c) The application must be made on the prescribed form, 'Application for Membership.'
- (d) The applicant shall participate in an interview with a representative of the National Executive Committee either in person or by way of electronic device.
- (e) In order to be accepted as an associate member the applicant shall require a two third majority vote by the National Executive Committee.



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(f) The prescribed membership fee is paid.

4.5 Associate Membership -non entitlements

Associate members shall not be eligible to vote or hold a position on the National Executive Committee. Associate members may attend all General Meetings and serve on any Sub- Committee. Associate Membership fee is two thirds of the Full Membership fee.

4.6 Life Membership:

(a) Life Membership may be granted by the National Executive Committee in recognition of services rendered to the Association. Life Membership is reserved for those whose contribution goes beyond the ordinary or even the excellent for an extended period of time, not just a few years.

(b) The nominator is to provide a written submission addressing why the nominee should be awarded this honour. The nomination must be considered on it's merits. The granting of a Life Membership and the recipient's services to the Association shall be published in the Association's Newsletter.

5. Logo:

(a) Upon successful application for Full or Associate membership and the required fee is paid, the new member shall receive a SHMAA Logo corflute logo with a personal membership number and a current year sticker. The sticker is to be placed on the logo under the current year of membership portion.

(b) The logo is to be displayed in a prominent position in the member's place of business. The logo remains the property of the SHMAA and shall be returned to the Secretary within one month of notification of leaving the Association.

6. Register of Members:

The President of the National Executive Committee shall cause a Register of Member's Record to be kept and maintained in an up to date manner. The Register of Members is to be kept in written and electronic form. Custody of the Register will be detailed to a member of the National Executive Committee for maintaining.



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7. Fees- Annual Subscription:

There shall be due and payable by every member on the first day of July of each year an annual membership fee. The amount of the fee shall be determined by the members present and entitled to vote at each Annual General Meeting for the ensuing year.

7.1 Fees- Levies:

(a) The Association, on a recommendation made by the National Executive Committee, may, by resolution at a General Meeting, agreed to by a two thirds majority vote of those members present and entitled to vote make levies on members. The purpose of the levies being for the defraying of general or special costs incurred in implementing the objectives of the Association.

(b) Levies, if any, according to the provision of the Voting Powers shall be met by the members specially concerned, but right of appeal against any levy shall rest with any member and any such appeal shall be considered on its merits by the Association in General Meeting at which a decision by a two- thirds majority vote of these members present and entitled to vote shall be final.

8. Indemnification:

The Association shall at all times maintain a policy of insurance that fully indemnifies the Association and its' members from all acts and conduct performed in the course of the activities of the Association.



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9. Disciplining of Members:

9.1 Complaint Process:

- (a) The manner in which a complaint is to be made shall be in writing and addressed to the Secretary, National Executive Committee.
- (b) The Secretary shall bring the complaint to the attention of the President and Committee upon receipt.
- (c) Should the Committee, upon examining the complaint, determine that a member may have breached the Constitution or Code of Ethics (see Schedule 1) shall cause a notice of the complaint to be served on the member concerned.

9.2 Hearing of the Complaint:

- (a) The Committee may dismiss the complaint if it is considered to be trivial or vexatious in nature.
- (b) A period of at least fourteen (14) days must be afforded to the member complained of in order for him or her to prepare a submission in response to the complaint. The submission may be given orally or in writing to the Committee.
- (c) The Committee upon hearing all of the information relevant to the complaint can either, dismiss or uphold the complaint.
- (d) Upon determining a suitable penalty, the Committee may hand down such penalty as it deems necessary and fair. Consideration of Sub Section 9.3 shall also be applied.
- (e) Should the Committee determine expulsion is appropriate the Secretary must within seven (7) days provide written notice to the member concerned advising of the decision.
- (f) Expulsion from the Association shall be affected by the National Executive Committee at either the General or extraordinary meeting and agreed to by a three-fourths majority vote of those present and entitled to vote.
- (g) Notice of the resolution for expulsion of any member shall be included in the Notice of Meeting at which the resolution is to be



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proposed and the member concerned shall be entitled to be heard at such meeting.

(h) Any SHMAA logo obtained by a member must be returned to the Secretary within one month of notification of expulsion.

9.3 Expulsion shall be considered if a member:

(a) Becomes bankrupt, insolvent or makes an assignment to the benefit of his creditors.

(b) Commits any act whatsoever found to be an offence against the Constitution of the Association or the Code of Ethics (See Schedule 1).

(c) Fails to pay any monies due to the Association for more than a reasonable time.

(d) Refuses to pay, within a reasonable time, any levies made by the Association.

9.4 Right of Appeal:

(a) Any member who has been suspended or removed may appeal the decision of the National Executive Council. The member must provide a written Notice of Appeal to the Secretary within 14 days after the date of the decision of the National Executive Committee.

(b) The hearing of such an appeal must be heard at a General or Extraordinary General Meeting. It shall be the duty of the National Executive Committee at that meeting to hear and either uphold or dismiss the appeal. The decision of the National Executive Committee will be final and no further appeal will be permitted.



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10: Representation of Members:

Each person who is a Full Member, shall be entitled to one vote. Such person may be represented at meetings by a nominated representative.

11. Resignation:

11.1 Leaving the Association:

(a) Membership of the Association may be terminated by a member giving not less than one month's written notice to the Secretary advising of his/her desire to terminate their membership. On the expiry of one month from receipt of such notice, the Secretary will cause the member's name to be removed from the Register, provided all dues, subscriptions, levies or other monies then due and owing to the Association are fully paid.

(b) Immediately after the person's name has been removed from the Register, the Secretary will forward written notice of that fact to the person or firm concerned.

(c) The provisions of Section 5 (b) will apply.



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12. National Executive Committee

12.1 Terms of Office National Executive Committee-Members

- (a) The period for a Term of Office will be twelve (12) Months.
- (b) There is no maximum number of consecutive terms of office of any Office Bearer or Ordinary Committee member applicable.

12.2 Election:

- (a) The Office Bearers of the National Executive Committee shall consist of the President, Vice President, Treasurer and Secretary.
- (b) The National Executive Committee shall consist of the Office Bearers and three (3) Ordinary Committee members.
- (c) A Returning Officer shall be appointed by the National Executive Committee prior to the Annual General Meeting (AGM) for the purpose of supervising the election of N.E.C. members. The Returning Officer will forward by letter to all members, eligible to vote, calling for nominations for the N.E.C. positions. Nominations to be received by a specified closing date.
- (d) Once nominations have been received there will be no other nominations accepted after the specified date, except, in the event there have been no nominations received for a particular position a nomination may be received and accepted on the day of the relevant AGM.
- (e) Should there be more than one nomination for any of the Office Bearer positions then a ballot shall be conducted to determine the election of a nominee to that position.
- (f) Should nominations for the three (3) Ordinary Committee members exceed three (3), a ballot shall be conducted to determine the election of members to fill those three (3) positions.
- (g) If a request is made for a secret ballot the Returning Officer will forward the nominees list to all members entitled to vote as well as a self addressed envelope, instructions as to how to vote and the necessary return by date.
- (h) The Returning Officer will present all returned envelopes in a sealed state to the temporary Chairperson at the AGM for opening and counting.



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12.3 Electronic Voting- Meeting by Electronic Device

(a) The National Executive Committee may determine the means for voting where the meeting is being conducted by electronic device. In the event a member has requested a secret ballot then the provisions of Section 13(2) will prevail. Where there is no request for a secret ballot then the vote may be held either orally with the Secretary recording the ballot results or by electronic mail.

12.4 Powers of the National Executive Committee

The National Executive Committee may exercise all such powers of the Association as are not by these rules required to be exercised by the members in General Meeting, and without derogation from the generality of the foregoing shall have the following specific powers in addition to such others as are specified elsewhere in these rules:

- (a) To adopt such measures as from time to time it appears proper for the purpose of giving effect to the purposes or objectives of the Association.
- (b) To consider and where necessary, authorise investment of Association funds, expenditure and payment of accounts properly incurred by the Association.
- (c) To compromise, settle and resolve claims and demands made on the Association.
- (d) To have power to fill a casual vacancy occurring on the National Executive Committee and/or Office Bearers during its year of office.
- (e) To have the power to create and dissolve Sub Committees in States and Territories where there are sufficient members to justify the existence of such Sub Committees. The purpose of such Sub Committees being to carry out instructions of the National Executive Committee for achievement of the Association's Objectives.
- (f) To have the power to create and dissolve Sub Committees in order to deal with specific matters as may arise from time to time.



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12.5 National Executive Committee meetings to be held by Electronic Device.

(a) All National Executive Committee meetings will be held by Electronic device unless otherwise determined. Voting on Committee issues may also be carried out orally or by electronic mail.

13. Annual/Special/Extraordinary - General Meetings.

13.1 Calling of Annual/ Special/ Extraordinary -General Meetings

(a) The National Executive Committee will be responsible for the calling of any form of General Meeting. Should the general membership request a General Meeting be held then the request must be acceded to if the request is made by five (5) or more members. Should the request be made by less than this number the N.E.C. shall consider the application.

(b) Any such request shall be addressed to the Secretary, in writing, signed by the applicant/s and shall state the reason/s for the request.

(c) The National Executive Committee shall determine if the relevant meeting is to be conducted in person or by electronic device, which ever provides the most opportunity for members to participate shall prevail.

13.2 Notice of Annual/Special/Extraordinary-General Meeting

(a) Once the National Executive Committee has determined a General Meeting is to be held it will be the responsibility of the Secretary to provide notice of such meeting to the membership. Notice will be provided at least four (4) weeks prior to the meeting and will contain matters for motion on the notice.

(b) Information shall be included in the Notice if the meeting is to proceed by means of electronic device and if so, will contain specific joining instructions for the meeting.

(c) At all meetings, other than Sub Committee Meetings, the President shall preside. Should the President be absent the Chair shall be taken by the Vice President and in the absence of the President and the Vice President the Chairperson shall be elected from those present.

(d) Sub Committee members shall elect their own Chairperson from amongst their own number.



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13.3 Quorum.

- (a) A quorum for a General Meeting shall be five (5) and for a National Executive Committee meeting shall be three (3).
- (b) Should a meeting be requested by the members and if within half an hour of the time appointed for the meeting a quorum is not present the meeting shall be dissolved.
- (c) In any other case the meeting shall stand adjourned to the same day the following week at the same time and place. If at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members present shall be a quorum.

13.4 Voting- Meeting held in Person

- (a) On a show of hands every member represented in person and permitted to vote shall have one vote.
- (b) Any member entitled to vote has the right to demand a secret ballot of any vote taken at a General Meeting.
- (c) At all meetings the Chairperson shall have a casting vote.
- (d) A member unable to be present and entitled to vote on any matter on the agenda may communicate his vote in writing such vote to be in the Secretary's hands prior to the starting time of the meeting.
- (e) A member may appoint another member or his deputy to act as his proxy provided notice in writing is given to the Secretary at the commencement of the meeting.

13.5 Electronic Voting- Meeting held by Electronic Device

- (a) The National Executive committee may determine the means for voting where the meeting is being conducted by electronic device. In the event a member has requested a secret ballot then the provisions of Section 13(2) will prevail. Where there is no request for a secret ballot then the vote may be held orally with the Secretary recording the ballot results or by electronic mail.



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14. Finance.

(a) The financial year shall terminate on the last day of June each year.

(b) All accounts shall be presented and passed for payment at National Executive Committee meetings and the Minutes in relation thereto shall be included in the Minute Book.

(c) The funds of the Association shall be banked in the name of the Association at a place as may from time to time be decided by the National Executive Meetings.

(d) Signatories of the Association cheques shall be any two of the following four:

- (i) President
- (ii) Vice President
- (iii) Secretary
- (iv) Treasurer

(e) Periodic Statements of accounts shall be presented to each National Executive Committee Meeting for approval and a duly audited statement of account for the year ended 30 June immediately preceding shall be submitted to members at the Annual General Meeting.

(f) The income and property of the Association wheresoever derived shall be applied solely towards the promotion of the objectives of the Association. No portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the members of the Association provided that nothing herein shall prevent the payment in good faith or remuneration to any officer or servant of the Association or any member of the Association in return for services actually rendered to the Association and proper rent for premises let to any member of the Association.

15. Auditor.

The Auditor for the Association shall be appointed at the inaugural Meeting and thereafter at each A.G.M.

16. Custody of Records.

The President will detail custody of the Association's books and records to a member/s of the N.E.C. The Secretary will cause a record to be made of all records of the Association and who has relevant custody.



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17. Inspection of Books.

A member may request to inspect a book or record of the Association. Such request to view is to be made in writing to the Secretary and in turn the Secretary will bring the matter before the National Executive Committee for consideration. Once the request is considered the Secretary will advise the applicant of the outcome. Should permission be granted arrangements will be made for the inspection to occur.

18. Alteration of Constitution.

(a) The members of the Association shall have the power to alter or amend the Constitution and the same shall be binding and effectual on all members as if they were inserted and contained in the original rules.

(b) Provided that no such alteration, amendment or addition to the Constitution shall be made, except the same had been approved by a General Meeting of members. Notice of intention to propose such alteration, amendment or addition shall be given in writing to the Secretary at least fourteen (14) days before the meeting and shall be Communicated by him in the notice of the meeting to members at least seven (7) days prior to the meeting. All resolutions carried shall be carried on a two-thirds majority vote of members, (including proxies) present and entitled to vote.

19. Dissolution.

(a) The Association may be dissolved by a resolution to that effect, passed at a Special Meeting of the Association duly convened after seven (7) days notice of that Special Meeting for that purpose by a majority of two-thirds of the members present and entitled to vote.

(b) In the event of the Association being wound up at a Special Meeting, any funds or assets, beyond such as are sufficient to meet the liabilities of the Association shall not be paid to , nor distributed amongst members of the Association, but shall be paid and applied by the N.E.C. in accordance with their powers to any fund, institution or authority which is exempt from Income Tax under Section 23 of the Income Tax Assessment Act 1936.

(c) Should the funds or assets be insufficient to cover liabilities of the Association, the necessary funds shall be raised by a levy on members decided at the Special Meeting which resolved to wind- up the Association.



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Schedule 1

Code of Ethics

- (a). A member shall not engage in any conduct including Social Media that could be damaging to the Association or to the General Public, or that could discredit the Association.
- (b). A member shall use only appropriate materials of the highest quality when manufacturing and repairing Saddlery and Tack.
- (c). A member shall specify the services to be performed and conditions of sale, including product information, quotations, warranties and guarantees.
- (d). A member shall guarantee that all goods advertised and sold are as stated.