

CONSTITUTION

for

THE DARTMOOR HILL PONY ASSOCIATION

1. The name of The Association

The Association to which this constitution applies shall be known as the Dartmoor Hill Pony Association.

2. The Objectives of the Association.

The Association shall take such steps as shall be deemed fit to ensure that the keeping of ponies on Dartmoor is secured through such activities as the:

Promotion of the specific values of the Dartmoor Hill Pony to develop the market for all classes of Dartmoor Hill Pony whether they be Dartmoor Type, Shetland Type, and others regardless of colour.

Development of understanding of the Dartmoor Hill Ponies contribution to the management of the vegetation on Dartmoor and if deemed necessary find ways to secure a satisfactory reward for that contribution

Development of understanding notably within the general public of the community effort that is required to effectively and safely manage the ponies that contribute so much to the landscape of Dartmoor

Effective communication, with the help of the responsible authorities, on how the future keeping of ponies on Dartmoor might be secured for the benefit of the wider community and the economy of the area through tourism.

Provision of a range of educational and other services of value to Dartmoor Hill Pony keepers so that the market for ponies is developed and a good standard of Pony management to be maintained.

3. Administration.

Subject to the matters set out below the Association and its property shall be administered and managed in accordance with this constitution by members of its management committee, constituted in accordance with clause 5 of the constitution.

4. Membership

Membership of the Association shall be open to individuals, Corporate and other bodies who are registered Commoners with the Commoners Council or who are invited to be members or accepted in order to further the objectives of the Association. The committee shall consider application for

membership and upon approval by them the applicant shall be accepted as a member once the annual subscription has been paid.

Upon payment of the membership fee their name will be entered on a register of members, which the management committee shall maintain.

All members will sign a copy of the constitution and signal that they will abide by that constitution.

Subscriptions will be due on the 1st March annually except in the case of life members.

Every member shall have one vote at all open meetings of the Association.

The committee may with a two-thirds majority terminate the membership of a member who is deemed in any way to bring the name of the Association into disrepute. Such a member shall have the right to be heard by the committee before a final decision is made.

The Association shall be indemnified from any action taken by any member without the written agreement of the management committee

All members shall be indemnified from any actions taken by the management committee in the name of the Association.

5. Committee of Management

1: The Association shall conduct its affairs under the guidance of a president who shall be elected by the membership at its AGM and once elected the Present will serve for a 5-year term unless he or she wishes to stand down. The President will be a non-voting member of the management committee.

The detailed affairs of the Association will be administered by a management committee consisting of 8 members elected annually to represent the four quarters of the commons and the officers of the association. The elected members of the management committee may co-opt up to a further 3 members on the basis of their particular knowledge and experience. The management committee will be elected at the Associations AGM when the principle officers of the committee namely the Chairman, Vice Chairman Hon Secretary, and Hon treasurer will be appointed.

The management committee shall hold office from the conclusion of the AGM at which they were elected until the next AGM.

2. All the management committee officers shall retire together from their office at the AGM. They may then be re elected or re-appointed.

3. All committee members shall be over 18 years of age and if they are to be elected they should be on the register of members on the date of the AGM.

4. The proceedings of the committee shall not be invalidated by any vacancy among their numbers or by any failure to appoint or any defect in the appointment or qualification of a member.

5. No person shall be entitled to act as a committee member whether on a first or subsequent entry into the office until after signing in the minute book of the committee a declaration of acceptance to act in the office to which they have been elected.

6. Determination of Members of the Management Committee

A committee member shall cease to hold office if;

By reason of mental disorder illness or injury becomes incapable of managing his or her own affairs

Absent without permission of the committee from all their meetings held within a period of 6 months and the committee resolves that their office be vacated; or

Notifies the committee in writing of a wish to resign (but only if at least 5 committee members will remain in office when the notice of resignation is to take effect)

7. Personal Interest of Management Committee members

Subject to sub-clause 2 of this clause no committee member shall acquire any interest in property belonging to the Association (otherwise than as a trustee) or receive remuneration or be interested (otherwise as a committee member) in any contract entered into by the committee.

Any committee member who is engaged in any trade or profession may charge and be paid all usual charges for business done by them or by their firm provided that they are instructed by the management committee in writing and the fees agreed before work commences. Under this provision the committee member shall withdraw from any meeting at which his or her own instruction or remuneration, or that of their firm is under discussion.

8. Meetings and Proceedings of the committee of Management

The committee shall hold at least three ordinary meetings a year. A special meeting may be called at any time by the chairman or by any four committee members upon not less than 14 days notice being given to other committee members of the matters to be discussed.

The chairman of the Association shall act as chairman at the committee meetings. If the chairman or vice chairman is absent from any committee meeting the committee members present shall chose one of their number to be chairman of the meeting before any other business is transacted.

Five committee members shall form a quorum

Every matter shall be determined by a majority of votes of committee members present and voting on the question. In the case of equality of votes the chairman of the meeting shall have a second or casting vote.

The committee shall keep minutes, kept for the purpose of the proceedings at the meetings of the committee and any sub committee

The committee may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and the custody of the documents. No rule relating to the conduct of management committee meetings may be made which is inconsistent with the constitution. Any amendment to the constitution requires a majority vote by all its members.

The committee may appoint one or more sub committees consisting of three or more committee members or co-opted members for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the committee would be more conveniently carried out by a subcommittee. Any subcommittee shall be fully accountable to the committee

9. Property

The Committee shall cause title to all land held by or on behalf of the Association and all investments held by or on behalf of the Association to be vested in not less than three individuals who shall be committee members appointed by them as holding trustees. Holding trustees may be removed by the committee at their pleasure and shall act in accordance with the lawful direction of the committee. Provided they act only in accordance with the lawful direction of the committee the holding trustees shall not be liable for the acts and defaults of its members.

10. Powers

In Furtherance of the objects but not otherwise the committee may exercise the following powers;

Power to raise funds and invite and receive subscriptions and contributions

Power to buy, take or lease or exchange or dispose of any property necessary for the achievement of the objects of the Association and to maintain and equip any items for use;

Power subject to any consent required by law to sell, lease or dispose or any property of the Association

Power subject to any consent required by law to borrow money and to charge all or any part of the property of the Association with repayment of the money so borrowed;

Power to co-operate with other charities voluntary bodies and statutory authorities operating in furtherance of the objects or similar charitable purposes and to exchange information and advice with them

Power to establish or support any charitable trusts, associations or institutions formed for all or any of the Associations' objectives;

Power to appoint and constitute such advisory committees as the committee may think fit;

Power to develop and deliver services for the benefit of members; and do all such lawful things as are necessary for the achievement of the objectives of the Association including the commissioning of service providers and recruitment and management of all staff of the Association.

11. Receipt, expenditure and finance

The funds of the Association including all donations bequests and contributions shall be paid into an account operated by the committee in the name of the Association at such a bank or building Association as the committee shall from time to time decide. All cheques drawn on the account shall be signed by two of three signatories authorised by the committee

The funds of the Association shall be applied only in furtherance of the objectives of the Association.

The treasurer shall maintain proper records of all monies received and expended by the Association and shall present a report regarding the finances of the Association at each committee meeting

12. AGM

There shall be an AGM of the association in February of each year or as soon as practicable there after.

The management committee shall call every AGM. The secretary shall give 28 days notice of the AGM to all members and member organisations. All members shall be entitled to attend and vote at the meeting.

Before any other business is transacted at the Inaugural AGM the persons present should appoint a chairman of the meeting. At the subsequent AGM's the president shall act as chairman of the AGM but if not present, before any other business is transacted, the members present must appoint a chairman of the meeting. The business of the AGM shall be inter alia:

To receive report on the Association activities during the year:

To receive from the treasurer the audited accounts for the year:

To elect a president (when appropriate) a chairman a vice chairman a Hon secretary an Hon treasurer and members of the committee

To appoint an auditor

To conduct any other business

13. Procedure at AGM

The secretary or other person specifically appointed by the committee shall keep a full record of the proceeding at every general meeting.

The quorum shall be one tenth (10%) of all registered members present and voting

The notice convening an AGM or SGM shall state the date, time and place of the meeting and shall include an agenda setting out the business for consideration.

Every matter except where otherwise provided shall be determined by a majority of votes of members present and voting on the question. In the case of equality of votes the chairman of the meeting shall have a casting vote

14. Special general meeting

If at least twenty per cent of the membership requests such a meeting in writing stating the business to be considered the secretary shall call a Special General Meeting for which at least 28 days' notice must be given

15. Notices

Any notice required to be served on any member shall be in writing by the secretary or other committee member either personally or by post to such member at their last known address and any letter so sent shall be deemed to have arrived within 3 working days after posting

16. Alterations to the constitution

The constitution may (SUBJECT TO Clause 16.1) be altered by a resolution passed by not less than three quarters of all members voting at a general meeting in favour of the proposed alteration proposed

16.1 No amendment shall be permitted to

Clause 1: NAME OF THE Association

Clause 2: OBJECTIVES

16.2: No amendment shall be permitted which shall have the effect of making the Association cease to be a charity at law

16.3: The charity commission shall be notified promptly of any alteration to the constitution

(The last two clauses will only be applicable if charity status is acquired in order to further the objects of the association.)

17. Dissolution

If the committee decides that it is necessary or advisable to dissolve the Association it shall call a general meeting of members. If the proposal for dissolution is confirmed by a three quarters of its members the committee shall have the power to realise any assets held by or on behalf of the Association. Any assets remaining after the satisfaction of any due debts and liabilities shall be given or transferred to such other charitable institution or institution having the objects similar to the objects of the Association as the members of the association may determine. A copy of the accounts of the association for the final accounting period of the Association shall be supplied to the charity commissioners. (If applicable)