

Constitution of The Driving Horse & Pony Club of Bermuda

APPROVED AT JUNE 2020 AGM

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PREAMBLE

The name of the Club shall be The Driving Horse & Pony Club of Bermuda, (hereinafter called the Club). The Club is an Approved Club under the Bermuda Equestrian Federation Limited (BEF) Bye-Laws.

The Executive Committee of the Club is the Governing Body voted in by the Club membership to ensure that the business and affairs of the Club are managed and that Rules are adhered to. All Club members agree to comply with the terms of the Constitution and Rule Book of the Club.

The Executive Committee will nominate a Club Representative to the BEF Board as a B Director to attend and speak at meetings of the BEF Board, on behalf of the Club.

The objective of the Executive Committee is to promote and develop the sport of harness pony racing. The conditions of this Constitution may be amended by a majority vote of the members present at a duly called meeting, provided a quorum is present. Members must be present in person. There will be no proxy vote.

All amendments to this Constitution shall be made by Addendum stating the effective date of such amendment and the conditions agreed.

ARTCILE ONE - MEMBERSHIPS

1) The Club shall have three types of memberships:

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| i) Adult Membership: | Individual persons 19 years or over as of June 1 st of the current race season who will have the right to vote at meetings; or |
| ii) Junior Membership: | Individual who has not reached their 19 th birthday as of June 1 st of the current race season will have no vote at meetings; or |
| iii) Non-Resident Membership: | Individual persons of any age who do not reside permanently in Bermuda and who will have no vote at meetings but does include a non-resident driver's license. |

2) The Membership Year is June 1st to May 31st of any given year.

3) No person shall be admitted as a Member unless he/she is approved by the Executive Committee. Every person who wishes to become a Member shall deliver to the Secretary or Assistant Secretary a duly completed and signed application for membership, which is available from the Secretary or Assistant Secretary. Membership forms must be duly completed and signed annually.

4) Membership Dues shall be payable to the Secretary or Treasurer in order to effect Membership

5) Any member 30 days in arrears in the payment of the Club dues, fines or miscellaneous payments shall have their membership terminated and have no further rights as a member unless reinstated.

- 6) The Executive Committee, at its discretion, has the right to refuse a member's reinstatement to the Club if a majority of the nine sees fit to do so.
- 7) Only Club members bearing a valid Club membership, Club driver's license and BEF Membership are permitted to race or warm up at the National Equestrian Centre. Non-resident drivers must have a valid harness racing driver's license issued by an ITPA rated track and a valid DHPC Non-resident driver's license.

ARTICLE TWO – MEETING OF MEMBERS

- 1) The Annual General Meeting (AGM) is to be held within 30 days of the financial year end of the Club. For conducting the business at the AGM, a minimum number of members need to be present, called the 'quorum' of the meeting. A minimum of 25% of the total number of members of the Club should be present to constitute the quorum for the AGM.
- 2) A Special General Meeting (SGM) may be called by the Executive Committee or on the requisition of 10% of the Adult Membership of the Club. For conducting the business at the SGM, a minimum number of members need to be present, called the 'quorum' of the meeting. A minimum of 25% of the total number of members of the Club should be present to constitute the quorum for the SGM.
- 3) Notice of General Meetings: The Secretary shall give the following notices in writing to the Membership with the general business to be transacted at such meeting:

- a. Annual General Meeting: no less than 10 days' notice of the time and place of meeting
- b. Special General Meeting: no less than 5 days' notice of the time and place of meeting

Notice must be given in writing and delivered to members by electronic means (including facsimile and electronic mail, but not by telephone) in accordance with the above notice periods. The notice shall also be published on the Club's website. Where there is no means of electronic communication for a particular member, a written notice should be posted via mail at the address provided at the time of the member completing the annual membership form.

- 4) Nominations of candidates for a position on the Executive Committee must be received by the Secretary at least 5 days prior to the meeting. Nomination forms will be made available by the Secretary at the time the Membership is advised of the meeting. There are two types of Nominations:
 - a. Individual Nomination whereby one individual is seeking a position on the Executive Committee; or
 - b. Slate Nomination whereby nine individuals are seeking all positions on the Executive Committee and are voted in as a group.
- 5) All adult members have one vote and can only nominate one Individual Nomination or Slate Nomination per AGM and the nomination must be seconded by another adult member. If there is more than one nomination for a position a paper ballot will take place from the floor.

6) Proceedings at General Meetings:

- a. No business shall be transacted at any general meeting unless a quorum is present when the meeting proceeds to business. A minimum of 25% of the total number of members of the Club should be present to constitute the quorum for the AGM.
- b. At any general meeting, any proposed changes will not be passed unless moved and seconded by an active adult member. If the proposal is put to a vote at the general meeting, there can be voting via a show of hands, requiring a majority vote in favour of the proposal; or there can be a silent vote conducted via ballot slips provided at the meeting.

ARTICLE THREE – EXECUTIVE COMMITTEE

- 1) The business and affairs of the Club shall be managed by nine persons to be called the Executive Committee elected by members at the AGM. These nine people must be members in good standing for their entire term and must resign should this position change. If an Executive Committee member resigns during the season their position will be refilled at the following AGM unless the Executive Committee by majority vote deems it necessary to appoint someone to fill the position.
- 2) The Executive Committee consists of a President, Vice President, Secretary, an Assistant Secretary (if needed), Treasurer and four Committee Members or a President, Vice President, Secretary, Treasurer and five Committee Members. Each Executive Committee member will serve for a one year period from July 1st to June 30th at which time the positions will re-open to nominations.
- 3) The Executive Committee is obligated to its Membership to have majority attendance at all Committee Meetings which are required to be held on a per event basis, at a minimum. Committee Meetings without a majority attendance does not constitute a forum whereby Club matters can be voted on or changed. All valid meetings must be recorded and documented evidencing matters discussed and decisions made.
- 4) The President shall chair the Executive Committee and oversee the day to day operations of the Club and ensure that all Executive Committee members are fulfilling their obligations to the Club and to its members.
- 5) The Vice President shall ensure that all the Executive Committee members are fulfilling their obligations to the Club and to its members and in the absence of the President, take on the role of the President.
- 6) The Treasurer shall have custody of all Club funds and shall maintain the funds in such financial institutions as designated by the Executive Committee. A complete record of all accounting transactions and the supporting documentation thereto must be maintained either in a hard copy format or electronic for the required seven (7) year period.
- 7) The Secretary shall maintain records of all meetings including Executive Committee meetings; AGMs, SGMs and drivers' meetings, to provide assistance to all Executive Committee members and to issue communication to the members of the Club.
- 8) The Assistant Secretary (if this option is selected) provides assistance to the Secretary.
- 9) The remaining Committee Members shall ensure that the business and affairs of the Club are managed by providing assistance to any of the Executive Committee members as needed.

ARTICLE FOUR – ACCOUNTING RECORDS

- 1) The Executive Committee shall ensure that the Treasurer keeps and maintains accounting records sufficient to give a true and fair view of the state of the Club's financial affairs and to show and explain its transactions. All records and software are the property of the Club.
- 2) Accounting records must be maintained in QuickBooks.
- 3) All supporting documentation to accounting entries must be maintained by the Club either electronically or through physical files or a combination thereto to ensure complete record keeping and retention for a minimum of seven (7) years;
- 4) The Treasurer is to have custody of all Club funds which shall be deposited and managed under the name of the Club in institutions as designated by the Executive Committee.
- 5) Financial year end of the Club is May 31st of every year.
- 6) The Club will have at all times, a Credit Card, a Savings account and a checking account in order to run efficiently. If any of these accounts or cards is to be closed a vote must take place at an AGM or SGM.

ARTICLE FIVE - LIABILITY

No claim may be entertained for an accident which may happen to competitors, onlookers, property, helpers or livestock in connection with or arising out of the events. It shall be considered a condition of entry that each contestant shall agree to indemnify the promoters against any legal action arising from such an accident.

ARTICLE SIX – REFERENCE SECTION

Approved Clubs	as provided for in the BEF Bye-Law the Club is listed as an Approved Club
Club Representative	as provided for in the BEF Bye-Laws this means the person nominated by each of the Approved Clubs to attend and speak at meetings of the Board and approved by the Board from time to time.
Committee Meetings	a meeting held by the nine Executive Committee members to discuss business and affairs of the Club.
Member	is a fully paid person that has duly completed and signed a Club membership
Rule Book	is the document that sets out explicit or understood regulations or principles governing conduct during Harness Racing and its Members
Special General Meeting	all general meetings other than Annual General Meetings shall be called Special General Meeting (SGM)