

New Zealand Miniature Horse Association Inc



2010 AGM Constitutional Remits

REMIT 1: ARTICLE 5

Currently reads: The Secretary shall on behalf of the Society keep and maintain the register of members in accordance with Section 22 of the Act and that register shall be kept and maintained at his residence.

Change to read: The Registrar under the supervision of the Secretary shall on behalf of the Society keep and maintain the register of members in accordance with Section 22 of the Act and that register shall be kept at the work place of the Registrar.

Rationale:

The Registrar has for many years received member's subscriptions and maintained the register of members. This change only sanctions this. It also removes the assumption that the Secretary is always male.

Moved: A R Tonner Seconded: Carol Tonner

REMIT 2: ARTICLE 25.1 REGISTRY AND STUD BOOK

Currently reads: Establishment – The Council shall be responsible for the registry and stud book of the New Zealand Miniature Horse Association Incorporated, and both shall be under the supervision of the Registrar, whom Council shall appoint, or Secretary as dictated by Council.

Change to read: Establishment – The Council shall be responsible for the registry and stud book on the New Zealand Miniature Horse Association Incorporated, and both shall be under the supervision of the Registrar, and whom Council shall appoint, or Secretary or as dictated by the Council. The Registrar shall not at any time be a member of Council.

Rationale:

It is considered to be in the member's best interests that the Registrar be independent from Council.

Moved: A R Tonner Seconded: Carol Tonner

REMIT 3: ARTICLE 19.5

Currently Reads: Where an election or vote in terms of these Constitution and Rules is to take place by way of a postal ballot, the votes cast shall be checked and counted by an independent returning officer, who shall be a Justice of the Peace and shall not be a member of the Association or be related to a member of the Association and shall not own / lease a registered miniature horse. Where a vote is in respect of the election of officers, the returning officer shall report to the members in the general meeting as to votes cast. In any other case the returning officer shall report to the Secretary as to votes cast in respect of the issue or election to be decided.

Change to read: Where an election or vote in terms of these Constitution and Rules is to take place by way of a postal ballot, the Registrar, who shall not be a member of Council nor be a member seeking election to Council, shall provide a list of Regular members directly to an independent returning officer, who shall be a Justice of the Peace, residing in the area of the forthcoming general meeting, and who shall not be a member of the Association or be related to a member of the Association and shall not own/lease a registered miniature horse. The votes cast shall be checked and counted by the independent Returning Officer. The Returning Officer or if necessary his nominee, who shall also not be a member of the Association or related to a member of the Association and shall not own/lease a registered miniature horse, shall attend the General meeting and report to the members in the general meeting as to votes cast.

Rationale:

By requiring the Registrar to provide the list of Regular Members directly to the returning officer and also requiring the returning officer to attend the meeting to announce the results of election it removes all elected members of the Association and those seeking re-election from the election process. This will make the election process transparent.

Moved: A R Tonner

Seconded: Carol Tonner

REMIT 4: ARTICLE 29. PAGE 17. MINIATURE HORSE SHOWS

ADD: Rules of the New Zealand Miniature Horse Show.

The New Zealand Miniature Horse Show shall be run under the New Zealand Miniature Horse Association Inc Show Rules.

Rationale:

At the present the NZ Miniature Horse Show is run by no rules which became very clear at the 2010 show when the Reserve Champion horses were denied the opportunity of being shown for Runner -Up Supreme.

Moved: Imelda Skinner

Seconded: Carol Tonner

REMIT 5: ARTICLE 29. MINIATURE HORSE SHOWS

Amend the current rule to read: The general meeting shall set the criteria for approving and the policies and show rules for the approved Miniature Horse Shows. These shall be part of these Articles and Rules and shall be published in the "Official Rule Book of the New Zealand Miniature Horse Association Incorporated". When deemed necessary, the Council may exercise their power upon any of the rules and policies as per Article 30.

Rationale:

Currently the Council can prevent the members having a say on any suggested show rule change. This amendment will ensure that the members can vote on any suggested change and should ensure that there is more stability in the rules

Moved: Imelda Skinner

Seconded: Carol Tonner

REMIT 6: ARTICLE 27. Page 16

ADD:

5. Subscriptions and advertising rates are to be published in every issue of Tinytales.

Rationale:

Advertising in Tinytales should be easy and advertising rates should be readily available.

Moved: Imelda Skinner

Seconded: Carol Tonner

REMIT 7: ARTICLE 10.3

Change Article 10.3 from: Nomination of Council members, being all Council Members, with the exception of Regional Delegates, shall be made by written nomination and shall be seconded provided such written nomination and seconding is received by the Secretary at least 31 days prior to the Annual General Meeting in which case the Secretary shall give to all members not less than 21 days notice prior to the Annual General Meeting. Provided further that ballots shall be lodged not less than 7 days prior to the Annual General Meeting.

Change To: Nomination of Council members, shall be made by written nomination and shall be seconded provided such written nomination and seconding is received by **an independent returning officer, who shall be a Justice of the Peace and shall not be a member of the Association or be related to a member of the Association and shall not own/lease a registered miniature horse by 5 pm** at least 31 days prior to the Annual General Meeting.

Nominators and Seconders for Regional Delegates must be NZMHA members who reside in the Region for which the Regional Delegate is being nominated.

The Secretary shall give to all members not less than 21 days notice prior to the Annual General Meeting **as to the nominations received**. Provided further that ballots shall be lodged not less than 7 days prior to the Annual General Meeting.

Rationale:

The intent of this remit is to remove any risk of the secretary being able to be accused of "fixing" nominations and therefore protect the Secretary.

Moved: D Crow

Seconded: C Crow

REMIT 8: ARTICLE 29

Change Article 29 from: The general meeting shall set the criteria for approving the policies for approved Miniature Horse Shows, and the Council shall approve show rules, of which shall not be made part of these Articles and Rules, but shall be published in the “Official Rule Book of the New Zealand Miniature Horse Association Incorporated”. When deemed necessary, the Council shall exercise their power upon any of the rules and policies, as per Article 30.

Change To: The general meeting shall set the criteria for approving the policies for approved Miniature Horse Shows **including the show rules which make up the “Official Show Rule Booklet of the New Zealand Miniature Horse Association Incorporated” and which shall form a part of** these Articles and Rules and be published in the “Official Rule Book of the New Zealand Miniature Horse Association Incorporated.”

Rationale:

NZMHA and MZNHA Council spend a large amount of time revisiting show rules, show schedules and the NZMHA competitions such as Gelding Incentive, Hi Points and the Futurity. We now have

in place a set of robust show rules that have been shown to work. Therefore we should protect these from change without approval from a majority of the membership.

Additionally this will free up NZMHA Council and NZMHA funds (Council meetings are a significant cost to our Association) and allow Council to concentrate on issues that are of more benefit to NZMHA, its membership, the Miniature Horse as a breed and the Miniature Horse industry as a whole including promotions.

Moved: D Crow

Seconded: C Crow

REMIT 9: ARTICLE 17.7 (b)

Change Article 17.7(b) from: (b) ‘a special resolution put to the vote shall be decided by a three-fourths majority of votes cast’

Change To: (b) “a special resolution put to the vote shall be decided by a **three-fifths** majority of votes cast.”

Rationale:

While it makes sense to require more than a simple majority in order for changes to be made to the Constitution, a threshold of 75% is difficult to achieve. A threshold of 60% is more achievable.

Moved: D Crow

Seconded: C Crow

REMIT 10: ARTICLE 25.3. REGISTRY TRANSFERS

Change Article 25.3.a from: Any imported miniature horse registered with an approved closed overseas registry may transfer to the NZMHA registry upon payment of the usual fees and compliance with the usual conditions for registration as set forth in the NZMHA Constitution and Rules. "Approved closed overseas registries" shall be determined from time to time by the Council of the NZMHA and shall be published at least annually in the official publication of the Association.

Change To: Registry Transfers 25.3.a Any imported miniature horse registered with an approved overseas registry may transfer to the NZMHA registry upon payment of the usual fees and compliance with the usual conditions for registration as set forth in the NZMHA Constitution and Rules. "Approved Overseas Registries" shall be determined from time to time by the Council of the NZMHA and shall be published at least annually in the official publication of the Association.

Rationale:

There are Miniature Horse registries other than AMHA and AMHR that have horses with bloodlines that could compliment horses on the NZMHA Registry. Some of these registries, such as MHAA, are not closed. NZMHA Council still has the authority to decide whether the integrity of an overseas registry is such that NZMHA should allow registry transfers from it.

Moved: S Mollison

Seconded: C Kelly

REMIT 11: ARTICLE 4. 2 (d)

Add new clause: (viii) If an Affiliated Club/Society changes their Constitution in any way, an update of the amended Constitution needs to be furnished to NZMHA for approval.

Rationale:

Clubs need to have their Constitutions approved before affiliation is approved therefore any following alterations also need to be approved.

Moved: J Coppel

Seconded: L Faulkner

REMIT 12: ARTICLE 4. 2 (d)

Add new clause: (ix) No affiliated club can change its name without NZMHA approval.

Rationale: Self explanatory.

Moved: J Coppel

Seconded: L Faulkner

REMIT 13: ARTICLE 4.2 (d)

Add new clause: (x) Any merges of clubs will result in a new application for affiliation.

Rationale: No explanation needed.

Moved: J Coppel

Seconded: L Faulkner

REMIT 14: ARTICLE 4 # 2 (d)

Add new clause: (xii) Before a club/society is considered for affiliation to NZMHA they need to function as a group holding regular meetings, which must run along the general rules of NZMHA for 12 months. In that time at least one club show must be held.

Rationale:

This gives the club time to settle in as a group and proves to NZMHA that they are able to run a successful club.

Moved: J Coppel

Seconded: L Faulkner

REMIT 15: ARTICLE 10.11

Effective from the 2010 NZMHA AGM all elected Council members shall submit to NZMHA Council a copy of any personal history/information held with the Justice Dept. Should this information result in the disclosure of any information that the majority of NZMHA Council members deems to be of concern to the membership of NZMHA in relation to the elected Council member fulfilling the duties of an NZMHA Council member the elected Council member will be asked to resign from NZMHA Council. Should any elected Council member either refuses to submit the information or refuse to resign then NZMHA Council has the authority to remove the elected Council member from NZMHA Council. Any and all information will be treated in confidence and physically destroyed by the NZMHA secretary as soon as the NZMHA Council has considered it. Under no circumstances will any NZMHA member who is provided access to any information disclose any of the said information to any other party. Likewise no NZMHA member will discuss the resignation or removal of any elected Council member with any other Party.

Rationale:

This brings NZMHA into line with many other organizations that now ask for this process

Moved: J Coppel

Seconded: L Faulkner

REMIT 16: ARTICLE 4. MEMBERSHIP OF THE SOCIETY

Change to:

1. d. Affiliated Clubs/Societies - A miniature horse club or society (whether incorporated or not) may apply in writing on the prescribed form for affiliation to the New Zealand Miniature Horse Assoc. Inc under the following criteria:

i. The applicant club or society must be incorporated with the New Zealand Register of Incorporated Societies and provide a copy of the Certificate of Incorporation with the application.

Rationale:

This change is being suggested as incorporation comes with rules and legalities that all clubs must follow. It gives protection to both the officers and the members. Currently if for instance an un-incorporated club burnt down the building they were hiring, all club members are equally and jointly financially responsible for paying for the cost of repair. However for an incorporated club, the responsibility only goes as far as any outstanding membership fees any one member might have. An incorporated club must have 15 members and a fee of \$100 is payable so any club going down this path is showing they are serious

Moved: Bronwyn van Roon

Seconded: Chole van Roon

REMIT 17: ARTICLE 16 - GENERAL MEETING

Add to Article 16: "That the Membership be advised of the date and venue of the following years AGM a minimum of 90 days before that AGM"

Rationale:

This is not an unreasonable request and the notice will in fact promote the AGM as being something that all members should attend - a meet 'n' greet so to speak, a chance to get to know other members from around the country, but members must have a chance to plan in advance.

Moved: Bronwyn van Roon

Seconded: Chole van Roon

REMIT 18:

"That Electronic Mail is considered an acceptable form of communication.

That a notice sent by electronic mail shall be deemed to be effective when after a period of seven (7) days there has been no notice of non-delivery. Should a notice of non-delivery be received, a notice must then be sent by post. That the sending of notices with Electronic mail be limited to NZMHA business only which might include notices, the sending of forms and show schedules. That neither the council nor membership be allowed to use these addresses for the sending of unsolicited and blatant advertising. That members be requested to supply an email address (where available) as part of their membership application or renewal form with proviso that it be used only for NZMHA business."

Rationale:

Postage and stationary costs for every mail-out the council sends are a major cost to NMHA every year. This remit will see these costs reduced while at the same time a better flow of information between council and the members. The proviso that it be used only for Council or NZMHA business prevents unwanted and unsolicited emails (advertising, horse and gear sales etc that often contain huge files) from filling our letterboxes.

Moved: Bronwyn van Roon

Seconded: Chole van Roon