



EQUESTRIAN WESTERN AUSTRALIA INCORPORATED

Committee By-Laws (Regulations)

Date: April 2021

Committee Bylaws (Regulations)

EQUESTRIAN WESTERN AUSTRALIA INCORPORATED (Association)

Date: **approved**

These Regulations are made by EWA's Board, pursuant to clauses 24 and 41 of the Constitution.

1. DEFINITIONS AND INTERPRETATION

These Regulations will be interpreted in the same manner as the Constitution and in accordance with it. In these Regulations, all words or phrases defined in the Constitution have the corresponding definition. Further, unless the contrary intention appears:

Appointments Procedure means the procedure for Committees' appointing people to technical and management positions which is set out in Annexure A.

Board means the elected and appointed persons arising under Part III of the Constitution of EWA.

Chair means the Chairperson of EWA's Board appointed in accordance with the Constitution from time to time.

Committee means, in these Regulations, any committee of the Board created under clause 24 of the Constitution or clause 2(a) of these Regulations.

Constitution means the constitution of EWA as amended from time to time.

EA Coach means an EA accredited coach.

EA Discipline committee means any committee (Sport committee) created under the Equestrian Australia Committee Bylaws.

Elected Committee members means Committee members elected under these Regulations.

EWA means Equestrian Western Australia Incorporated.

EWA Coaching committee means the Equestrian Western Australia Coaching Committee.

EWA Sport Committee means the Sport Committees (or any one of them) established under clause 2(a) of these Regulations.

EWA Committee means any committee in addition to EWA Coaching or EWA Sport Committee established under clause 2(a) of these Regulations.

Eligibility to Vote means members eligible to vote in EWA elections as stated in the EA Membership Bylaws, EWA Constitution and these Regulations.

Responsible person means the person identified as the Responsible person for junior members of the Association.

Regulations means these regulations.

2. COMMITTEE ESTABLISHMENT

- (a) The Constitution provides authority for the Board to establish one or more Committees to pursue the objects of the Association and for the Board to delegate authority to such Committees, these include (but are not limited to) the following Committees:
 - (i) EWA Coaching Committee
 - (ii) EWA Sport Committees:
 - 1. Carriage Driving
 - 2. Dressage
 - 3. Endurance
 - 4. Eventing
 - 5. Jumping
 - 6. Show Horse
 - 7. Vaulting
 - 8. Para-equestrian
 - (iii) any other EWA Committees:
 - 1. Welfare
 - 2. Dressage Judges Taskforce
 - 3. Interschools
- (b) Subject to any specific powers, authority or procedures determined by the Board to the contrary with respect to any specific Committee, Committees shall be managed in accordance with these Regulations. Persons nominated to be elected to a Committee as a committee member must be an eligible voting member of EWA at the time of nomination and for the duration of their tenure.
- (c) Persons nominated to be appointed to a Committee as a committee member must be an eligible voting member of EWA at the time of nomination and for the duration of their tenure.
- (d) Persons nominated to be co-opted to a Committee as a committee member are not required to be an EWA member.
- (e) All appointed and co-opted members of a Committee are required to be ratified by the Board.
- (f) The Board Chair is an ex-officio member of any Committee and is entitled to vote. The CEO (or delegate employee of EWA) shall be entitled to attend any EWA Sport Committee meeting but is not entitled to vote.
- (g) EWA Committees as identified as any other EWA Committee, and set out in clause 2(a)(iii) above, of these Regulations will be governed by individual EWA Committee charters, as approved by the Board.

3. COMMITTEE TERMS OF REFERENCE

- (a) Subject to these Regulations, the business of the various Committees shall be managed, under the direction of the Board, by the respective Committees. In particular, the Committees shall be responsible for:
 - (i) Developing the respective Equestrian Sports throughout Western Australia in accordance with the EWA's objectives;
 - (ii) In conjunction with the Board, determining major strategic direction for their respective Sports;
 - (iii) Applying policies determined by the Board;
 - (iv) Reporting to and receiving direction from their respective EA Discipline Committee in all matters pertaining to their Sport;
 - (v) Advising on the day to day running of the respective Sport in the State;
 - (vi) Maintaining and training adequate numbers of officials in their respective Sport to conduct official events and maintain lists of accredited officials;

- (vii) Fundraising activities to assist the respective Sports development; such activities to be conducted in consultation with the Board who shall ensure that all Sports are given equal opportunity to conduct activities;
- (viii) Providing annual budgets for approval by the Board and to review monthly comparisons and variations of their accounts as presented to the Board. Each Committee will also provide separate budgets for any special event not included in the budget for approval of the Board prior to commencement or formal commitment as per Board policy as amended from time to time;
- (ix) Assisting in managing sponsorship of Sport Committees in accordance with any directions received from the Board from time to time, particularly with regard to conflicting sponsors;
- (x) Providing an annual report to the Annual General Meeting of Members setting out the revenue and expenditure of that Committee and a summary of its operation for the year;
- (xi) Reviewing their respective Sport's performance in achieving its pre- determined aims and objectives and compliance with policies;
- (xii) Conducting events and the like for the development and promotion of the respective Sport and supporting others in development and promotion of the Sport;
- (xiii) Presenting to the Board for consideration, and if appropriate, approval, by-laws, Rules and policies as required for the effective conduct of each respective Sport;
- (xiv) Making recommendations to the Board regarding the conduct of the respective Sports as required; and
- (xv) Providing copies of all correspondence to EA and National discipline committees to the Board.

(b) The EWA Coaching Committee is responsible for:

- (i) Bringing a wide range of skills and expertise to oversee and support the training and development of EA coaches in Western Australia through advice and guidance;
- (ii) Broad spectrum promotion of current EA Coaches;
- (iii) Encourage accreditation as an EA Coach for all equestrian coaches and assist in maintaining currency of existing coaches;
- (iv) Encourage pathways to specialisation and higher levels of accreditation and
- (v) Develop and improve EA Coach Brand awareness.

(c) For the avoidance of doubt, a Committee is an administrative representative of the Association and is not authorised, entitled or empowered to enter into contracts or to incur liabilities on behalf of the Association or independently, except for expenditure in accordance with the Committee's budget for which prior Board approval has been given in writing.

4. EWA SPORT COMMITTEE

4.1 EWA Sport Committee Structure:

(a) An EWA Sport Committee will comprise a maximum of thirteen (13) people (excluding the EWA Chair), being:

- (i) EWA Sport Committee Elected Members a maximum of six (6) people elected by eligible Members;
- (ii) EWA Sport Committee appointed Members up to and no more than five (5) people appointed by the EWA Sport Committee Elected members; one (1) appointed member must be as nominated by State Affiliated Clubs or other method approved by the Board;

(iii) EWA Sport Committee co-opted members – up to and no more than two (2) additional non-voting members.

Roles within the EWA Sport Committees';

- Chair
- Vice Chair
- Secretary
- Treasurer
- Safety, Risk and Welfare
- Organising Committees Representative, Clubs and Calendar
- Development & Training, Officials, volunteers and athlete
- High Performance, Athlete Development and pathways
- Media and Communication
- Fundraising and Sponsorship
- Athlete Representative
- Major Events Representative (where relevant)
- Young Rider Squad Member (where relevant)

(b) Each EWA Sport Committee shall seek to avoid duplication in the representatives on each Committee.

(c) Elected Members shall be elected to an EWA Sport Committee for a period of three (3) years.

(d) Appointed members shall be appointed to an EWA Sport Committee for up to twelve (12) months, or until the next election of committee members (whichever is soonest) after which time they may be reappointed for a further term should the respective Committee so decide.

(e) Co-opted member shall be appointed to an EWA Sport for up to twelve (12) months, or until the next election of committee members (whichever is soonest), after which time they may be reappointed for a further term should the respective Committee so decide.

(f) A Committee member either Elected, Appointed, Co-opted, or any combination of these may serve a maximum of nine (9) years or any part of out of any twelve (12) year or a part of period, unless otherwise set out in these Regulations or determined by the Board.

5. EWA COACHING COMMITTEE STRUCTURE

5.1 COACHING COMMITTEE TERMS OF REFERENCE

(a) Subject to these Regulations, the business of the EWA Coaching Committee shall be managed by the EWA Coaching Committee, under the direction of the Board. In particular, the EWA Coaching Committee shall be responsible for:

- (i) Incorporating good governance and ethical standards into daily activities;
- (ii) Selecting the Chair, vice Chair and other office bearers annually following annual elections;
- (iii) Managing communication with members and other stakeholders including and through EWA;
- (iv) Ensuring all risks are identified and managed appropriately;
- (v) Ensuring the development and implementation of policies and procedures to help reduce risks, and the potential for member complaints and insurance claims;
- (vi) Ensuring compliance with EA and EWA policies, bylaws and regulations;
- (vii) Developing and maintaining currency of a coaching strategic plan that aligns to EWA's Strategic Plan;
- (viii) Promoting an ongoing improvement of knowledge and expertise through the EA Coaching program;

- (ix) Incorporating the basics of sports science in all programs to enable an in-depth approach to coaching through education opportunities;
- (x) Promoting the use of safe and appropriate training techniques and take into consideration the welfare of the horse;
- (xi) Promoting safety for both coaches and athletes;
- (xii) Collaborating with EWA Horse Welfare Committee to educate coaches and athletes to protect the welfare of horses;
- (xiii) Making recommendations for EA Coaching curriculum changes to EA through EWA;
- (xiv) Increasing the enjoyment of sport for coaches and athletes and
- (xv) Administering/coordinating workshops and seminars including coaching updates for EA Coaches in WA utilising an open, fair and transparent process to recruit appropriate people to deliver the sessions.

5.2 EWA COACHING COMMITTEE APPOINTMENT PROCEDURES

- (a) The EWA Coaching Committee will consist of
 - (i) Six (6) Elected EWA Members who will contribute suitable skills.
(Desirable skills include current coach accreditation, event management, strategic management and education experience. It is desirable for members to hold a current EA Coaching accreditation (or equivalent recognised qualification) and
 - (ii) Two (2) athlete or Sports Officials representatives from nominations from each of the Sports Committees (each sports committee will nominate one person for consideration).
- (b) The EWA Coaching Committee composition should include a balance of coaches of Level 2 certification or above, Level 1 Coaches, Coach Educators, Trainee Coaches and non-coaching members with vocational training and / or education experience.
- (c) Election of EWA Coaching Committee members shall occur in conjunction with the Associations annual elections as contained in 6.2.d of these Bylaws.
- (d) EWA Coaching Committee members shall appoint the Office bearers of the EWA Coaching Committee.
- (e) EWA Coaching Committee members shall be responsible for the portfolios of Introductory Coach Education, Level 1 Coach Education, Updating Coach Education, Level Two/Level Three/Coach Educator, Coach Education and communications (both to fellow coaches and the wider EWA Membership).
- (f) Elected members shall be elected to the EWA Coaching committee for a period of three (3) years.
- (g) Sport Officials representatives shall be appointed to the EWA Coaching Committee for a twelve (12) month period.
- (h) A Committee member either elected or appointed may serve a maximum of nine (9) years (or part thereof) out of any twelve (12) year period, unless otherwise set out in these Regulations or determined by the Board.
- (i) The EWA Coaching Committee nominations shall be as contained in 6.1 of these Regulations.

6. EWA SPORT COMMITTEE ELECTION AND APPOINTMENT PROCEDURES

6.1 Elected EWA Sport Committee Members

Nominations:

- (a) Nominations for election to EWA Sport Committee shall be called for by the Chief Executive Officer at least forty-eight (48) days prior to EWA's annual elections.
- (b) When calling for nominations the Chief Executive Officer shall also provide details of the necessary qualifications and job descriptions for the positions to be elected. Qualifications and job descriptions shall be as determined by the Sports Committee and Board from time to time.
- (c) Nominations must be:
 - (i) In writing;
 - (ii) On the prescribed form (if any) provided for that purpose;
 - (iii) Signed by a nominator and a seconder, who shall be voting Members;
 - (iv) Certified by the nominee expressing their willingness to accept the position for which they have been nominated; and
 - (v) May include a resume comprising not more than two hundred (200) words which shall be distributed with the nomination to all Members entitled to receive notice under the Constitution of the annual elections of the Association.
 - (vi) The nominee is to agree to the EWA Code of Conduct for Committee members and provide sign EWA Code of Conduct for Committee members with nomination.
- (d) Receipt of Nominations must be received by the Chief Executive Officer at least forty (40) days prior to the annual elections. If insufficient nominations are received to fill vacancies the Board may approve an extension of one (1) week to enable further advertising for nominations.
- (e) Qualifications of Nominees for a Committee is open to any member who is eligible by their category of membership as contained in these regulations 2(c).

6.2 Elections

- (a) The election of members to each EWA Sport Committee shall be held annually in conjunction with the election of the Board.
- (b) Subject to these Regulations, each Individual Member shall be entitled to vote for a maximum of two (2) EWA Sport Committees only as nominated by the respective Individual Member at the time of their annual membership renewal.
- (c) Each person identified as the responsible person for a junior competitive and/or junior associate member shall be entitled to vote for a maximum of two (2) EWA Sport Committees only as nominated by the respective Individual Member at the time of their annual membership renewal.
- (d) Each eligible Individual Member shall be entitled to vote for the EWA Coaching Committee and each person identified as the responsible person for a junior competitive and/or junior associate member shall be entitled to vote.
Should an individual member not nominate up to two (2) Sport Committees at the time of renewing their annual membership, they may apply to add one Sport Committee providing they hold at least one horse competition license in their name in that sport.
- (e) The elections shall be by secret ballot on papers prepared by the Chief Executive Officer. Members eligible and wishing to cast a vote for the election of candidates to an EWA Sport Committee must do so on the designated ballot form and in the manner so prescribed by the Board from time to time. A ballot paper received at the Association's Office less than forty-eight (48) hours prior to the scheduled closing time of the annual elections will not be counted.

- (f) Candidates standing for election will be elected to an EWA Sport Committee by preferential vote in which the candidates are ranked in order of preference.
- (g) The Board may approve a procedure for electronic voting in addition to or in substitution for the use of a ballot paper.
- (h) An Individual Member eligible to vote under the Constitution, may nominate only one (1) person who is an Individual Member for election to any EWA Committee.
- (i) In order to be eligible to be nominated and elected to an EWA Sport Committee a person must be an eligible Voting Member of the Association.
- (j) Should there be no more than the required number of nominations received in respect of vacancies to be filled at the annual elections the Board may choose to extend the nomination period, any such extension will be communicated to the members.
- (k) Should there be no more than the required number of nominations received in respect of vacancies to be filled at the annual elections then such nominated candidates shall be deemed elected provided the elected members of the committee and the Board approve of such appointment.
- (l) The Board will appoint an independent scrutineer to validate the election results.

6.3 Appointed EWA Sport Committee Members

- (a) Appointed EWA Sport Committee Members shall be appointed annually by EWA Sport Committees elected members and shall have the same voting rights as elected members. Appointed members nominated by the Sport Committee require approval by the Board of such appointment.
- (b) The selection of EWA Sport Committee Appointed members shall take place after the EWA annual elections.
- (c) Any appointed member of a Sports Committee who does not nominate for election will be ineligible to be appointed in the following year.
- (d) Following the annual elections, the EWA Sport Committee will call for nominees for appointed committee members. When calling for nominations the EWA Sport Committee shall provide details of the necessary qualifications, skills and job descriptions for the positions. Qualifications, skills and job descriptions shall be as determined by the Board, in conjunction with the EWA Sport Committee, from time to time.
- (e) The nominee is to agree to the EWA Code of Conduct for Committee members and provide sign EWA Code of Conduct for Committee members with nomination.

6.4 Co-opted EWA Sport Committee Members

- (a) Co-opted EWA Sport Committee Members shall be appointed annually by the EWA Sport Committee and are non-voting members of the committee.
- (b) The appointment of EWA Sport Committee Co-opted members shall take place after the EWA annual elections.
- (c) The Co-opted nominee is to agree to the EWA Code of Conduct for Committee members and provide sign EWA Code of Conduct for Committee members prior to appointment.

6.5 Casual Vacancies

- (a) Applications to fill a casual vacancy may be called for by EWA Sport Committee. Any person filling a casual vacancy must be eligible as per an elected member and be appropriately qualified and will be elected by the remaining EWA Sport Committee members.

- (b) Such election shall be recorded in the minutes of the EWA Sport Committee and require Board approval.
- (c) A person filling a casual vacancy shall hold office until the next annual elections.
- (d) Where a casual vacancy occurs, and as a result the EWA Sport Committee no longer has a quorum, the Committee may not act without express Board approval.

6.6 Grounds for termination of Committee members

- (a) The office of a Committee member becomes vacant if that member:
 - (i) dies, or for any reason ceases to have legal capacity;
 - (ii) becomes of unsound mind or a person whose person or estate is liable to be dealt with in anyway under any law relating to mental health;
 - (iii) ceases to be a Member of EWA for any reason;
 - (iv) resigns their office in writing to EWA;
 - (v) fails to attend any Committee meeting without the previous consent of the Committee without providing prior reasonable notice in writing;
 - (vi) holds any office of employment with EWA;
 - (vii) holds any office of profit with EWA, without the prior written consent or ratification of the Members of EWA in General Meeting;
 - (viii) is directly or indirectly interested in, or benefiting from, any contract or proposed contract with EWA and fails to declare the nature of that interest;
 - (ix) in the Board's opinion, in its sole discretion:
 - (A) has acted (individually or in concert with any other Committee member) in a manner unbecoming or prejudicial to the objects and interests of EWA or EA;
 - (B) has brought EWA, EA, any EWA Member or equestrian sport into disrepute in any way;
 - (x) is removed by Special Resolution of the Members eligible to vote for membership of the Committee called to consider such a resolution;
 - (xi) in the sole discretion of the Board, breaches:
 - (A) these Regulations; or
 - (B) any Rules or By-Laws, whether established by EWA or EWA; or
 - (xii) would otherwise be prohibited from being a director of a corporation under the *Corporations Act 2001* (Cth) or be ineligible for those reasons set out in section 39 of the Act

7. EWA COMMITTEE PROCEDURES

7.1 Committee to appoint Office Bearers

- (a) Following the annual elections and the appointments made under clause 6.2 and 6.3 of these Regulations, the Elected EWA Committee members will agree to hold a meeting of the Committee within thirty (30) days or such other timing as the members of the Committee agree.
- (b) Each EWA Committee shall appoint a Committee Chair from amongst their number annually, with the Chair holding office at the pleasure of the Committee and shall be an elected, not appointed or Co-opted member. The

Chair may not be the Chair of any other Affiliate Members or other Committee where a conflict may be identified unless specifically approved by the Board.

- (c) The Committee shall also appoint annually such other positions as required for the operation of the Committee but must appoint a Vice Chair who shall be an elected, not appointed or Co-opted member, Secretary and Treasurer of the Committee.

7.2 Convening a Meeting

- (a) Subject to these Regulations, the respective EWA Committee members may meet together for the dispatch of business, adjourn and otherwise regulate their meetings and proceedings as they think fit for the transaction of business but in any event no less frequently than bi-monthly.
- (b) All EWA Committee members will be provided with at least seven (7) days' written notice of all meetings of the EWA Committee, unless all EWA Committee members agree to hold a meeting at shorter notice (which agreement shall be sufficiently evidenced in writing or by their presence). Written notice of each EWA Committee meeting, specifying the general nature of the business to be transacted, shall be served on each Committee member by:
 - (i) Delivering it to the Committee member personally; or
 - (ii) Sending it by electronic communication (subject to receiving appropriate confirmation that the notice has been effectively dispatched) in accordance with the Committee member's last notified contact details; or
 - (iii) Alternatively, Committee members may nominate another preferred method of communication.

7.3 Meeting Procedure

- (a) A quorum for the transaction of business of a meeting of a Committee will be constituted by:
 - (j) Any five (5) voting members of whom at least three (3) shall be elected members of the Committee.
- (b) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place and at the same time the following week.
- (c) At all meetings of an EWA Committee, the Committee Chair shall preside. If the Committee Chair is absent or unwilling to act, the Vice Chair shall act; if the Vice Chair is either absent or unwilling to act, the Committee shall appoint one of the other Committee members to preside at that meeting.
- (d) The Committee Chair shall be appointed annually by the Committee from amongst their number. However, a person nominating for Committee Chair must have had twelve (12) months prior experience on the Committee they are nominating to be Chair for before they can nominate.
- (e) Questions arising at a Committee meeting shall be determined on a show of hands or, if demanded by a Committee member, by a poll taken in such a manner as the person presiding at the meeting may determine.
- (f) Each Committee member present at a Committee meeting is entitled to one vote on any issue. In the event of an equality of votes on any question, there will not be a casting vote and the question will lapse. Proxy votes are not permitted.
- (g) A resolution in writing signed or assented to by email, text or other form of visible or other electronic communication by all the Committee members be valid and effectual as if it had been passed at a meeting of the Committee duly convened and held. Any such resolution may consist of several documents in like form each signed by one or more of the Committee members.
- (h) Without limiting the power of the Committee to regulate its meetings as it thinks fit, a meeting of Committee members may be held where one or more of the Committee members is not physically present at the meeting, provided that:
 - (i) Notice of the meeting has been given to all the Committee members entitled to notice in accordance with the procedures detailed in clause 7.2(b) of these Regulations;

(ii) All persons participating in the meeting are able to communicate with each other effectively, simultaneously and instantaneously, whether by means of telephone or other form of electronic communication;

(iii) in the event that a failure in communications prevents the conditions in clause 7.3 (a)(i) of these Regulations from being satisfied by that number of Committee members which constitutes a quorum, then the meeting shall be suspended until the condition is satisfied again. If such condition is not satisfied within 15 minutes from the interruption, the meeting shall be deemed to have terminated.

(i) Any meeting held where one or more of the Committee members is not physically present shall be deemed to be held at the place specified in the notice of meeting provided a Committee member is there present and if no Committee member is there, the meeting shall be deemed to be held at the place where the Chair of the meeting is located.

7.4 Record of Committee meeting

(a) The Chair shall cause to be kept minutes of each meeting of the EWA Committee which they Chair.

(b) Those draft minutes shall be furnished to the CEO within seven (7) days of the meeting by the EWA Committee Secretary to be ratified at the next Board meeting. The CEO will provide to the EWA Committee Secretary a summary of the most recent minutes of the Board meeting(s) for inclusion in the agenda of the next meeting of the EWA Committee.

ANNEXURE A

Appointment Procedure

1. Technical/sports positions

State Selectors (technical/sports positions) are appointed in accordance the Associations State Sport Selectors policy.

2. Management positions

(a) State Team Managers, Chefs d'Equipes, Coaches, Vets, Farriers, etc. (team management positions) are appointed by application, interview, and decision on merit with EWA Committee.

(i) State Team Managers, Chefs d'Equipes, are appointed per event. The appointments will be on merit – the best person for the job should be selected. An appointment process will be established, to be used routinely for chefs and other management positions.

(ii) A generic position description will be developed for all Sports. Responsibilities and requirements will be the same for all Sports, including an on-going squad management role between major competitions.

(iii) State Team Managers and Chefs d'Equipes are required to be members of the Association.

(iv) Coaches are required to be current EA Coaches, Board approval for exemption on application by a Sport committee prior to appointment is required.

(b) The State Sport Selectors will discuss all applications, decide on a short list, and, if appropriate, interview the best candidates.

3. Selection Committee

(a) The Selection Committee will make recommendations to the Board for appointment. The Selection Committee for the appointment of chef d'equipes will be:

(i) The Chair of the relevant EWA Committee (Chair of the selection panel);

(ii) A Member of the EWA Committee.

(b) Candidates for the Selection Committee will submit applications detailing their relevant skills and experience, with names and contact details of referees.

(c) The EWA Office will provide necessary administrative support for this process. The Chief Executive Officer will be involved in any interview process along with the Selection Committee.

(d) The Board must formally ratify any appointment under this process.

(e) The Chair of the Board, through the EWA office, will make any public announcements about the appointments.