

BY-LAW FOR THE ADMINISTRATION OF ESNZ EVENTING



1. INTRODUCTION

- 1.1. ESNZ Eventing is a discipline of Equestrian Sports New Zealand Incorporated (ESNZ). ESNZ is the National Federation (NF) recognised by the Federation Equestre Internationale (FEI).
- 1.2. ESNZ Eventing is governed by a Board as described in Article 16 of the ESNZ Constitution 1st June 2007.

2. ADMINISTRATION

- 2.1. The national administration functions of ESNZ Eventing shall be supervised by the ESNZ Eventing Board according to Article 16 of the ESNZ Constitution (1st June 2007) and in accordance with any memorandum of understanding entered into with ESNZ.
- 2.2. Regional administration functions are delegated to Area Discipline Committees as per Article 17 of the ESNZ Constitution 1st June 2007.
- 2.3. In supervising these administrative functions, the ESNZ Eventing Board will ensure that the discipline is compliant with the ESNZ Constitution and ESNZ General & Veterinary Regulations.
- 2.4. ESNZ Eventing will maintain rules for the conduct of the discipline's competitive activity, ensuring their currency with international regulations.

3. PURPOSE AND OBJECTS

- 3.1. The purpose of ESNZ Eventing is to operate as the Regulatory Agency of ESNZ Eventing to maintain fair and equal competition and encourage the observance of the principles and spirit of Equestrian Sports by both horse and rider.
- 3.2. The mission of ESNZ Eventing is to organise and promote the growth of the sport of Eventing in New Zealand. This will be achieved through developing pathways and opportunities for participation in local, regional, national and international competition.
- 3.3. The objects of ESNZ Eventing are:
 - 3.3.1. To promote, develop, enhance and protect the sport of Eventing in New Zealand.
 - 3.3.2. To develop opportunities, programmes and facilities to enable, encourage and enhance the participation, enjoyment and performance of people and horses in the sport of Eventing.
 - 3.3.3. To promote the safety and welfare of all participants and horses in the sport of Eventing.
- 3.4. The members of ESNZ Eventing are described in the ESNZ constitution.

4. CONDUCT OF AREA COMMITTEES AND ORGANISING COMMITTEES

- 4.1. Area Committees are recognised sub-committees of the ESNZ Eventing Board.
- 4.2. The ESNZ Eventing Board will determine Area Committee regional boundaries in accordance with the ESNZ constitution and regional map.
- 4.3. Organising Committees must be officially recognised by the ESNZ Eventing Board by holding a minimum of one official Equestrian Sports NZ Eventing competition within the ESNZ Eventing official calendar annually, the competition year running from 1st August to 1st June.
- 4.4. At all times the conduct of Area Committees and Organising Committees must meet all standards of membership described in the Equestrian Sports NZ constitution.
- 4.5. Organising Committees must abide by all Equestrian Sports NZ General Rules and Regulations and the technical rules for Eventing.

- 4.6. Area Committees must hold an annual meeting of their members prior to the AGM of ESNZ Eventing and they must submit a summary of their financial transactions and financial position to the ESNZ Eventing Sport Manager prior to 30th June annually.
- 4.7. Area Committees and Organising Committees must immediately contact the Chair of ESNZ Eventing if they have any cause for concern that any action of their committee or any action of any individual belonging to their committee could:
 - 4.7.1. Be fraudulent.
 - 4.7.2. Contradict the constitution and/or rules of Equestrian Sports NZ or ESNZ Eventing.
 - 4.7.3. Bring the sport of Equestrian or Eventing into disrepute.
 - 4.7.4. Result in any claim being made against Equestrian Sports NZ or ESNZ Eventing.
- 4.8. Area Committees and Organising Committees must act consistently in a manner that supports the objects of Equestrian Sports NZ and ESNZ Eventing.

5. ANNUAL GENERAL MEETING

5.1. **AGM - Nature and Purpose**

5.1.1. The AGM will be open to all financial members of ESNZ and shall be held not later than the 31st day of July annually or a date determined by the Board for the purpose of:

- Receiving the Board's Report and the Annual Financial Statements for the past year.
- Receiving reports from the Board Committees and affiliated bodies.
- Receiving the Annual Plan and Budget for the ensuing financial year.
- Electing the Board Members.
- Setting the remuneration for Board Members for the ensuing year.
- Considering remits affecting the Constitutional and General Rules and Regulations of the Sport.
- Transacting general business.

5.2. **Notification of AGM**

5.2.1. Not less than thirty (30) days notice of the date of the AGM shall be given by the Eventing Sports Manager by sending written notice to the Eventing Area Committees, the North and South Island Riders Representatives, the two Organising Committee Representatives and by notification in an NF publication and/or the NF website.

5.3. **Business of Meeting**

5.3.1. No business other than that stated in the official agenda of the meeting shall be transacted unless notice of motion thereof shall have been received in writing by the Eventing Sport Manager at least twenty one (21) days prior to the meeting.

5.4. **Notification of Business**

5.4.1. A copy of the Order Paper, Reports and the Annual Plan for the ensuing financial year, referred to in 5.1, shall be forwarded by the Eventing Sport Manager to Eventing Area Committees, Riders Representatives and Organising Committee Representatives, Eventing Board Members and ESNZ at least ten (10) days before the date of the AGM.

5.5. Voting Members able to cast a vote at the ESNZ Eventing AGM are:

- The duly appointed voting delegates of Eventing Area Committees
- The members of the ESNZ Eventing Board
- One duly appointed North Island Riders Representative
- One duly appointed South Island Riders Representative
- Two duly appointed Organising Committee Representatives

5.6. All Voting Members must be current financial members of the NF.

5.7. Each Eventing Area Committee shall appoint one voting delegate to exercise its vote on any matter to be voted on at an AGM or SGM of ESNZ Eventing.

- 5.8. Riders Representatives shall be appointed by:
- 5.8.1. Vote taken from all current riding Ordinary Members present at the National Three Day Eventing Championship, or alternate agreed venue. This election is to take place at the Riders Meeting of this event. A simple majority vote will determine the North Island Riders Representative. The representative must be a permanent resident of the North Island.
 - 5.8.2. Vote taken from all current riding Ordinary Members present at the South Island Three Day Eventing Championship, or alternate agreed venue. This election is to take place at the Riders Meeting of this event. A simple majority vote will determine the South Island Riders Representative. The representative must be a permanent resident of the South Island.
 - 5.8.3. Riders Representatives must be notified to the Sport Manager by 1st June annually. Their contact details will be posted on the ESNZ Website under Eventing.
- 5.9. Organising Committee Representatives shall be appointed by:
- 5.9.1. Before 1st May nominations for the Organising Committee Representatives must be notified in writing to the Eventing Sport Manager.
 - 5.9.2. The nominations received will be posted on the ESNZ Website under Eventing.
 - 5.9.3. Organising Committees will have until the 1st June to submit written notification to the Sport Manager of the two nominations they vote for.
 - 5.9.4. A simple majority will determine the Organising Committees Representatives.
 - 5.9.5. The Organising Committee Representatives will be notified by the Sport Manager or ESNZ Eventing Board representative and upon their acceptance their contact details will be posted on the ESNZ Website under Eventing.
 - 5.9.6. To vote for the Organising Committee Representative an Organising Committee must have held one event on the official ESNZ Eventing Calendar in the year from 1st August to 1st June.
 - 5.9.7. Term of Office for Elected Organising Committee Representatives will be for the period of 2 years from the date of the first AGM following their election.
- 5.10. Five days prior to any vote (AGM or SGM) written notice of the voting delegates from Area Committees must be delivered in writing to the Eventing Sport Manager. In the absence of contrary notice from the appointers (Area Committees) such notification shall be deemed current for any SGM which occurs before the next AGM.
- 5.11. **Quorum**
- 5.11.1. The quorum shall consist of not less than two thirds of voting delegates including proxies.
 - 5.11.2. All financial members of ESNZ and Members of the ESNZ Board shall be entitled to attend and speak at the AGM.
- 5.12. If due to circumstances outside the control of the discipline board it is not possible taking all reasonable steps to comply with any time-frames relevant to the holding of the AGM then the discipline board may adopt alternative time frames that come as close as is reasonably practicable to the time frames set out in this by-law and those time frames;
- 5.12.1. Ensure that all members are given adequate prior warning of the time and place of the AGM; and
 - 5.12.2. Ensure that all members have adequate opportunity to submit material to be produced at the AGM; and
 - 5.12.3. Advise the ESNZ board of the alternative arrangements at the first reasonable opportunity.

6. SPECIAL GENERAL MEETING

6.1. Requisition Procedure

- 6.1.1. A SGM may be convened by the Chairperson of ESNZ Eventing at any time and shall be so convened after receipt of a requisition:
 - signed by not less than one third of voting delegates (rule 4.1.2).
 - authorised by the ESNZ Eventing Board
- 6.1.2. A requisition must state the business for which the meeting is called.

6.2. Notification of Business

6.2.1. Not less than twenty one (21) days notice of the date of a SGM and the business for which the meeting is called shall be given by the Eventing Sport Manager by sending notice to the Eventing Area Committees, the Riders Representatives and the Organising Committee Representatives and by advertisement on the ESNZ Website and in at least two "Ten Minute Box" publications.

6.2.2. No business other than that stated in the notice shall be transacted at such a meeting.

6.3. All other conditions for the administration and procedure of the SGM shall be the same as the AGM.

7. MEETING PROCEDURE

7.1. Role of the Chairperson

7.1.1. The Chairperson of the Eventing Board shall take the Chair at all AGM and SGM meetings and any Annual Conferences of ESNZ Eventing. In the absence of the Chairperson the Chair shall be taken by the Deputy Chairperson. In the absence of both the Chairperson and the Deputy Chairperson the Meeting shall elect another Board Member of ESNZ Eventing to take the Chair.

7.2. Conduct at Meetings

7.2.1. At all AGM and SGM meetings the following provisions shall apply:

- The Chairperson of ESNZ Eventing shall have a casting vote if one is required.
- Voting shall only be undertaken by named Voting Delegates (Rule 4.2.1) or their proxies.
- Voting on all matters shall be taken by a show of hands unless a motion to take a ballot shall be proposed and carried or unless the Chairperson decides upon a ballot.
- In respect of any ballot to elect Officers of ESNZ Eventing the successful candidate shall be that candidate who receives the most formal votes. In the event of a tie there shall be a second ballot. If there is still a tie the successful candidate shall be decided by a toss of the coin.
- No debate shall be permitted on a motion to take a ballot.
- In any ballot for election, every vote cast shall be for not more than the full number to be elected, otherwise their vote shall be deemed informal.
- Every question shall be decided by a simple majority of formal votes cast unless otherwise provided herein.
- Before any ballot is taken the Chairperson shall appoint two (2) non-voting members to count the vote.

8. THE BOARD

8.1 Composition of the Board

8.1.1 The Board shall comprise no less than seven (7) and no more than nine (9) Board Members as follows:

- Four (4) nominated and duly elected financial members of the NF elected under Rule 9
- Up to three (3) members appointed under Rule 10
- One Organising Committee Representative – both Organising Committee Representatives may attend Board Meetings but together they represent one member for all Board decision-making processes.
- One Riders Representative – both riders representatives may attend Board Meetings but together they represent one member for all Board decision-making processes.

8.1.2 The President and CEO of the NF have a standing invitation to attend and contribute to ESNZ Eventing Board meetings.

8.2 Remuneration of Board Members

8.2.2 The Board Members may be paid for their time and responsibility in such sum or sums as the AGM shall each year be decided for the ensuing year.

8.3 Election of Chairperson of Board

8.3.2 At the first meeting of the Board after the AGM the Board shall elect from their number a Chairperson and a Deputy Chairperson.

8.3.3 The Chairperson shall be the Chairperson of ESNZ Eventing and be entitled to speak and act as such.

8.4 Conduct of Meeting

8.4.2 At all meetings of the Board each Board Member shall have one vote.

8.4.3 The voting at all meetings of the Board shall be taken on a show of hands unless a motion to take a ballot is carried.

8.4.4 No debate shall be permitted on a motion to take a ballot.

8.4.5 The Chairperson of the Board shall have a casting vote as well as a deliberative vote.

8.5 Calling of Meetings

8.5.2 A meeting of the Board may be summoned by the Chairperson at any time and must be summoned by him/her on receipt of a written requisition signed by two Board Members specifying the object of the meeting.

8.5.3 At any meeting of the Board four (4) Board Members shall form a quorum.

9 ELECTED BOARD MEMBERS

9.1 Nomination of Candidates

9.1.2 Not less than thirty (30) days prior to the AGM any Eventing Area Committee seeking to nominate a Member (Rule 4.1.1) to fill any position provided for in Rule 8 shall forward such nomination to the Eventing Sport Manager in writing, in the form prescribed by the Board and under the signature of the Secretary or other proper Officer of the Eventing Area Committee, together with a supporting Resume of the Candidate.

9.1.3 If a nominated Board Member is a retiring Board member then a supporting Resume is not a compulsory requirement.

9.2 Notification to Members

9.2.2 Not less than twenty one (21) days prior to the AGM the Eventing Sport Manager shall circulate to Eventing Area Committees, the Riders Representatives, the Organising Committee Representatives and the Eventing Board Members a list of nominees for positions under Rule 8.1.

9.2.3 A copy of each candidates resume shall be available to Eventing Area Committees, Riders Representatives, Organising Committee Representatives and the Eventing Board.

9.3 Term of Office for Elected Board Members

9.3.2 The four (4) Board Members elected to the Eventing Board shall have a term of office of three (3) years.

9.3.3 Retiring Board Members are eligible for nomination and re-election.

9.4 Vacancy

9.4.2 Any vacancy in the Board occurring between successive AGMs may be filled by the Board.

9.4.3 Any Board Member so appointed shall retire at the next AGM following appointment but shall be eligible for re-election.

9.4.4 The successful candidate voted as their replacement shall be deemed to have been in office since the last election of the Board Member whom they replace.

9.4.5 The office of a Board Member is vacated if the person holding that office:

9.4.5.1 Dies

- 9.4.5.2 Resigns by notice in writing
- 9.4.5.3 Is removed from office by a Resolution of the Board passed by a majority of not less than two thirds of the members of the Board excluding the Board Member under consideration.

9.5 Order of Retirement

- 9.5.2 At every AGM of ESNZ Eventing up to two elected Board Members shall retire from office. A retiring Board Member shall hold office until the dissolution of the meeting at which their successor is elected. The Members to retire at each AGM of ESNZ Eventing shall be selected as follows:
 - 9.5.2.1 First any Board Member who wishes to retire and does not offer to stand for re-election.
 - 9.5.2.2 Second those Board Members who have been longest in office since their last election having regard to the provisions of Rule 9.4.3.
 - 9.5.2.3 For persons who were last elected as Board Members on the same day those to retire shall be determined by lot at a Board Meeting in the March/April preceding the AGM.
 - 9.5.2.4 A retiring Board Member shall be eligible for re-election.

9.6 Replacement of Retiring Board Members

- 9.6.2 Board Members shall be elected at the AGM to replace Board Members retiring pursuant to Rule 9.3 and 9.5 and to replace any casual vacancy in the Board not filled by the Board pursuant to Rule 9.4.

10 APPOINTED BOARD MEMBERS

10.1 Board Appointments

- 10.1.2 The Board may appoint up to three (3) members using any procedure they decide on.
- 10.1.3 When the Board makes an appointment the Board must inform the Eventing Area Committees of the procedure used to make that appointment.
- 10.1.4 In appointing Board Members under these provisions, the Board shall use its best endeavours to appoint persons who have specific and relevant skills, qualifications and experience that is likely to add value and benefit to the activities and decisions of the elected Board Members and the Discipline.

10.2 Term of Office for Appointed Board Members

- 10.2.2 The three (3) Board Members appointed to the Eventing Board shall have a term of office of three (3) years.
- 10.2.3 At the conclusion of their term appointed Members may be re-appointed by the Board in accordance with Rule 10.1.
- 10.2.4 At the AGM following the appointment of a Board Member by the Appointments Committee the AGM will be given the opportunity to ratify the appointment made. If the AGM disagrees with the appointment, with a 75% majority of the area voting delegates, the person appointed shall be required to step down from the ESNZ Eventing Board.

10.3 Vacating Office

- 10.3.2 The office of an appointed Board Member shall be vacated if the person holding that office:
 - 10.3.2.1 Dies
 - 10.3.2.2 Resigns by notice in writing
 - 10.3.2.3 Is removed from office by a Resolution of the Board passed by a majority of not less than two-thirds of the Members of the Board excluding the Board Member under consideration.

11 POWERS AND DUTIES OF THE BOARD

11.1 General Powers and Duties

- 11.1.2 The affairs of ESNZ Eventing shall be managed by the Board. The Board shall be bound by the ESNZ Constitution and General Rules and Regulations and any Regulations, By-Laws or directions made by ESNZ Eventing in AGM or in SGM which are not inconsistent therewith.
- 11.1.3 The Board may exercise all powers of ESNZ Eventing other than those powers required by these Rules to be exercised by ESNZ Eventing in AGM or SGM.
- 11.1.4 The Board may delegate to the NF, or such other appropriate person such powers and authorities as may be deemed necessary and advisable and from time to time may extend, limit, amend or revoke such delegated powers and authorities.

11.2 Specific Powers and Duties

Without limiting the generality of the powers conferred by Rule 11.1 the Board shall have the following specific powers:

11.2.2 Stewardship of Assets

To provide stewardship of the finances and assets of ESNZ Eventing.

11.2.3 Formation of Committees

To appoint from its own Board Members or otherwise such Committees as it may deem necessary from time to time to assist in carrying out its duties, and to fix and limit the powers, authorities and terms of appointment of those Committees including delegating to them such of the Board's powers as the Board sees fit which may include but are not restricted to the following:

- 11.2.3.1 Technical
- 11.2.3.2 Performance
- 11.2.3.3 Selection
- 11.2.3.4 Promotion and Marketing
- 11.2.3.5 Publicity
- 11.2.3.6 Finances and Planning

The Board shall be represented on the Committee by a Member of the Board, with the exception of the Selection Committee. The Board will inform the Eventing Area Committees of the procedure for appointments to the Committee and the Terms of Reference for any Committee formed, either standing or ad hoc. This information will be provided through the NF website.

11.2.4 Appointment of Personnel

To appoint, using any procedure deemed appropriate by the Board, personnel to complete specific roles and duties as may be necessary from time to time and to delegate to them such of the Board's powers as the Board sees fit which may include but are not restricted to the following:

- 11.2.4.1 Sports Manager
- 11.2.4.2 Performance Leader
- 11.2.4.3 Team Manager or Chef d'Equipe
- 11.2.4.4 Team Equine Health specialists
- 11.2.4.5 Media liaison
- 11.2.4.6 Sponsorship and Funding liaison
- 11.2.4.7 Selectors

The Board will make available to Eventing Area Committees the procedure for any appointment made. This information will be provided through the NF website.

11.2.5 Contracted Services

The Board may contract for such services as it may require from time to time.

11.2.6 Extent of Powers

To make decisions on any matters concerning ESNZ Eventing which are, in the opinion of the Board, not provided for by these Rules or by any By-Laws of ESNZ Eventing or the Constitution and General Rules and Regulations of the NF.

11.2.7 Regulations and Policies

To make, alter, revoke Regulations, By-Laws, Competition Rules and Policies affecting any matters concerning in or in relation to the administration and control of the sport of Eventing in New Zealand provided that such alterations or evocations shall not be inconsistent with the Constitution and the General Rules and Regulations of the NF. Any changes to the regulations will be published in the NF Bulletin magazine and on the NF website and sent to the Eventing Area Committees.

11.2.8 Resolution of Disputes

To hold or institute enquiries into all matters that deem appropriate at its absolute discretion and on its own motion.

11.2.9 Standing Orders

To make standing orders for the conduct of its affairs provided however such standing orders are not inconsistent with these Rules.

12 FINANCE

The finances of the Discipline shall be the responsibility of the Board.

- 12.1 The Financial Year of ESNZ Eventing shall close on the 31st day of May in each year, or as such a date is consistent with the NF.
- 12.2 Annual financial statements shall be prepared in accordance with the requirements of the Financial Reporting Act 1993 or any Act in substitution for it and in so far as they are appropriate for ESNZ Eventing.
- 12.3 The Annual financial statements shall be prepared to be available to each Voting Member (Rule 4.1.2) 10 days prior to the AGM and shall be submitted to the AGM.
- 12.4 The Board shall ensure that the financial records and Annual Financial Statements of ESNZ Eventing are made available, in a timely and tidy manner, to the Auditor appointed by the Board of the NF in order to enable an audit of the consolidated financial records of all the disciplines of the NF.
- 12.5 Inclusion of substantially the same information and result as that presented to the ESNZ Eventing AGM, in the summary of ESNZ Eventing Financial Activities in the Audited Annual Report of the NF shall be deemed to be confirmation of contents of the ESNZ Eventing Annual Financial Report. Any material difference shall be notified to all those entitled to receive notice pursuant to Rule 5.2.