



NOTICE OF PROPOSED SPECIAL RESOLUTIONS FOR AMENDMENTS TO THE ABHA CONSTITUTION

Notice is hereby given of proposed resolutions that are intended to be passed as special resolutions to amend the Constitution of Australian Barrel Horse Association Incorporated by electronic ballot under the NSW Department of Fair Trading temporary Covid-19 measures.

Proposed Resolutions

The material in *italics* is by way of commentary and information and does not form part of each proposed amendment to the Constitution.

1. In clause 4(1) add:

(cc) Life members

2. In clause 4 add:

(5) The Board may, by unanimous resolution, grant to a person life membership of the ABHA.

These provisions will enable the Board to expand the type of membership to include Life Members. The amendment does not affect the right to vote which is reserved to Senior members.

3. In clause 12 remove sub-clause (4) (b) and insert instead:

(b) must be delivered to the secretary of the association at least 42 days before the date fixed for the holding of the annual general meeting at which the election is to take place.

This is to allow nominations to be made in a timely manner to allow election of board members to be carried out via a postal vote or electronic means.



4. In clause 12 add:

(12) The ballot for the election of the officers and Directors of the ABHA is to be conducted at the annual general meeting in any usual and proper manner that the Board directs including by postal or electronic ballots or any combination of methods that the Board directs.

This provision clarifies that voting for the election of the board may also be carried out via a postal vote and electronic means.

5. After clause 19 add:

19A Postal or Electronic Ballots

(1) The association may hold a postal or electronic ballot (as the Board determines) to determine any issue or proposal, including special resolutions (other than an appeal under clause 12).

(2) A postal or electronic ballot is to be conducted in accordance with Schedule 3 to the *Associations Incorporation Regulation 2016*.

6. After clause 19 A add:

19B Use of technology at general meetings

(1) A general meeting may be held at 2 or more venues using any technology approved by the Board that gives each of the association's members a reasonable opportunity to participate.

(2) A member of an association who participates in a general meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

The purpose of these amendments is to allow for the ABHA to hold postal or electronic ballots and to hold a general meeting with the use of technology allowing members to participate in general meetings remotely.

7. In clause 24 remove sub-clause (2) and insert instead:

(2) All votes should be given personally (including via postal vote or electronic ballot)

The purpose of this amendment is to clarify that given personally includes a vote by postal or electronic means.

8. In clause 24 add sub-clause (8)

(8) Proxy voting must not be undertaken at or in respect of a general meeting.

The purpose of this amendment is to clarify whether proxy voting is permitted at a general meeting as required under Schedule 1 to the Associations Incorporation Act 2009. Whilst the current constitution is silent on this matter the addition of clause 19A allows for each member to participate in the voting process without the need for a proxy.



9. In clause 36 remove sub-clause (7):

The purpose of this amendment is to remove a sub-clause made redundant by the addition of clause 19A.

10. Remove Appendix 3

This Appendix is made redundant by the addition of clause 19A as the provisions relating to the conduct of postal or electronic votes are provided by schedule 3 of the Associations Incorporation Regulation 2016.

DATED: 5 September 2020

Cathy Raaen

Australian Barrel Horse Association