



**CONSTITUTION**

**EQUESTRIAN ASSOCIATION OF MALAYSIA**

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## **CONSTITUTION**

### **EQUESTRIAN ASSOCIATION OF MALAYSIA**

#### **1. NAME**

The Association shall be known as the "PERSATUAN EKUESTRIAN MALAYSIA" (EQUESTRIAN ASSOCIATION OF MALAYSIA), which is hereinafter referred to as "the EAM".

#### **2. OFFICE**

The EAM shall have its registered place of business at Selangor Polo & Riding Club, lot 1314, Off Jalan Ampang Hilir, 55000 Kuala Lumpur.

#### **3. EMBLEM**

The Emblem of the EAM shall be made up of as below:

- 3.1 The name of the association, EQUESTRIAN ASSOCIATION OF MALAYSIA, forming a circular border.
- 3.2 A stylized representation of a Kuda Kepang and its adornments to symbolize the significance of the horse in the history and culture of the nation.
- 3.3 An artistic representation of the national Flag to indicate that the EAM is the national and controlling body in the country.
- 3.4 The emblem bears the national colors, red, white and blue.

#### **4. OBJECTS**

The objects of the EAM are:-

- 4.1 To promote and develop equestrian sport in Malaysia.
- 4.2 To establish and set up rules relating to all matters concerning equestrian sport in Malaysia.
- 4.3 To make the EAM the national representative of equestrian sport in Malaysia at both national and international levels.
- 4.4 To seek affiliation with international equestrian bodies especially the Federation Equestre International (FEI).

- 4.5 To conduct research and development collate information and disseminate knowledge relating to equestrian sport.
- 4.6 To make or to receive contributions of money or property calculated to further of the EAM or to borrow or raise money in such manner and on such terms as to the EAM Executive Committee may seem expedient and to secure the repayment of any money borrowed or raised together with any interest, payable thereon.
- 4.7 To acquire by purchase or lease assets to be held by Trustees.
- 4.8 To lend and advance moneys up to maximum sum RM 250,000.00 to its members or any other person for such purpose as the EAM Executive Committee may deem fit to further the objects of EAM (including but not limited to the purchase of all equipments, apparatus and horses used in the connection with the equestrian sports) and to take and accept security for the repayment of moneys lent and advanced and any interest or other sum owing in the relation there to in such manner and upon such terms as the EAM Executive Committee may deem fit.

## **5. MEMBERSHIP**

The membership of the EAM shall comprise the following categories:-

- 5.1 Affiliate Members:-  
Restricted to all constituted clubs and organizations which promote Equestrian sports.
- 5.2 Associate Members:-  
  
Associate members shall comprise:-
  - 5.2.1 Individual Associate Members
  - 5.2.2 Junior Associate Members:  
Restricted to persons under 18 years of age.
  - 5.2.3 Corporate Members
- 5.3 Honorary Members:-  
  
A person may become an Honorary Member of the EAM at the discretion of the EAM Executive Committee.

## **6. APPLICATION FOR MEMBERSHIP**

- 6.1 Every application for membership shall be made in writing in a form prescribed by the EAM to the EAM Executive Committee for consideration and the EAM Executive Committee may at its discretion reject any application without any reason therefore.
- 6.2 Every applicant whose application has been approved shall, upon payment of the prescribed entrance fee and first annual subscription, be admitted as a member of the EAM and shall be entitled to their respective privileges of membership.

## **7. RIGHTS OF MEMBERS**

- 7.1 Affiliate Members shall enjoy all the powers and privileges of membership as set out in this Constitution.
- 7.2 Individual Associate Members, Junior Associate Members and Honorary Members shall enjoy such privileges of membership as stipulated from time to time by the EAM Executive Committee.

## **8. ENTRANCE FEES AND MEMBERS SUBSCRIPTION**

- 8.1 The entrance fees and membership subscription shall be
- 8.1.1 Affiliate Members:-
- (a) Entrance Fees RM 5,000.00
  - (b) Annual Membership Subscription RM 1,000.00
- 8.1.2 Individual Associate Members:-
- (a) Entrance Fees RM 500.00
  - (b) Annual Membership Subscription RM 100.00
- 8.1.3 Junior Associate Members:-
- (a) Entrance Fees RM 100.00
  - (b) Annual Membership Subscription RM 50.00
- 8.1.4 Corporate Members:-
- (a) Entrance Fees RM 3,000.00
  - (b) Annual Membership Subscription RM1,000.00

The membership subscription shall be due on the 1<sup>st</sup> day of January of each calendar year.

## **9. RESIGNATION AND TERMINATION OF MEMBERSHIP**

- 9.1 Any member who wishes to resign from the EAM shall notify in writing to the EAM Executive Committee.
- 9.2 The EAM Executive Committee may terminate any membership which in its opinion the member has failed or omitted to observe or perform any of the provisions of the constitution or for any other reason whatsoever. Provided that the member shall be informed the grounds for such termination or suspension in writing and be given an opportunity to defend himself in person. Such termination of membership shall be enforced unless otherwise reversed by a general meeting upon appeal by the member.
- 9.3 Any member who allows his arrears to fall later than ninety (90) days from the date it becomes due shall automatically cease to be a member of the EAM.

### **9A DISCIPLINARY COMMITTEE**

- 9A.1 The EAM Executive Committee shall refer any written complaint against a member of the EAM who is alleged to have failed or omitted to observe or perform any of the provisions of the Constitution or for any other reason whatsoever to the Disciplinary Committee which shall conduct an inquiry into the complaint.
- 9A.2 The Disciplinary Committee shall comprise five individual associate or honorary members of the EAM who are nominated by the EAM Executive Committee, and three of such members shall form a quorum.

### **9B DISCIPLINARY PROCEDURE**

- 9B.1 Upon receiving the complaint, the Disciplinary Committee shall:-
- 9B.1.1 Inform the member of the facts of the complaint, and
- 9B.1.2 Give the member an opportunity to make a written representation within a period of thirty (30) days from the date he is informed of the complaint.
- 9B.2 If, after considering the member's representation, if any, the Disciplinary Committee finds that:-
- 9B.2.1 There is no merit in the complaint, the Disciplinary Committee shall dismiss the complaint and notify the EAM Executive Committee, the complainant and the member of its decision; or
- 9B.2.2 There is merit in the complaint, invite the member to appear before the Disciplinary Committee to be heard, if he so desires.

9B.2.3 If, after the consideration of the representation made by the member whether in person or in writing, the Disciplinary Committee is satisfied that the complaint is proven, the Disciplinary Committee shall impose any one of the sanctions under Rule 9.7.1 and notify the EAM Executive Committee, the complainant and the member of its decision and supply them together with the notes of inquiry.

## 9C CONFIRMATION OF THE DECISION

9C.1 Upon receiving the decision and the notes of the inquiry of the Disciplinary Committee, the EAM Executive Committee shall, before confirming the decision, satisfy itself that the decision is justifiable and fair. The EAM Executive Committee shall have power to substitute the sanction imposed by the Disciplinary Committee if the facts warrant it to do so.

## 9D TYPES OF SANCTION

9D.1 Only one of the sanctions may be imposed on the member on proof of the complaint:-

9D.1.1 The recording of a censure to the member; or

9D.1.2 The suspension of the EAM's membership for such period not exceeding three (3) years; or

9D.1.3 The termination of the EAM's membership.

9D.2 The decision of the EAM Executive Committee to confirm or to substitute any one of the sanctions under Rule 9D.1 shall be final and enforced unless otherwise reversed or substituted with sanction under sub-Rule 9D.1.1 or 9D.1.2 by a general meeting upon appeal by the member who was imposed by sanction of termination under sub-Rule 9D.1.3.

## 9E DISCIPLINARY ACTION AGAINST EVENT OFFICIALS AND ATHLETES

9E.1 **Definitions:**

**Abuse of horses:** An action or omission which causes or is likely to cause pain or unnecessary discomfort to a horse, including, but not limited to, any of the following:-

- To whip or beat a horse excessively;
- To subject a horse to any kind of electric shock device;
- To use spurs excessively or persistently;
- To jab the horse in the mouth with the bit or any other device;
- To compete using an exhausted, lame or injured horse;

- To rap a horse;
- To abnormally sensitize or desensitize any part of a horse;
- To leave a horse without adequate food, drink or exercise;
- To use any device or equipment which causes excessive pain to the horse upon the horse had knocked down an obstacle.

**Athlete:** Any person taking part in an EAM event, including but not limited to, a rider, a lunger, or a vaulter.

**Event:** A complete meeting, show, championship or games. Events may be organized for one or more than one discipline.

**Discipline:** Any equestrian discipline approved by the EAM such as dressage, jumping, eventing, driving, endurance, vaulting, reining, and para-equestrian.

**Official:** A person appointed by the EAM to perform a specifically defined officiating duty at an EAM event or discipline.

- 9E.2 Before taking any disciplinary action against an event official or an athlete, the EAM Executive Committee shall refer any written complaint against such official or athlete who is alleged to have failed or omitted to observe or perform any of the directions of the EAM or abused a horse or for any other reason whatsoever, the Disciplinary Committee shall conduct an inquiry into the complaint.

#### **9F APPLICATION OF RULES 9.4.2, 9.5 AND 9.6**

- 9F.1 The provisions of Rules 9A.2, 9B and 9C (with regard to members of the Disciplinary Committee, disciplinary procedure and confirmation of the decision respectively) which are applicable to a member of the EAM shall be equally applicable *mutatis mutandis* to the official and the athlete which are defined under Rule 9E.1.

#### **9G COMMENCEMENT OF EVENT**

- 9G.1 For purposes of disciplinary actions against the official or the athlete, an event is said to have commenced the moment the first competing horse has been brought or registered at the place where the event is to take place and said to have lapsed when the last competing horse has vacated the stable where the event took place.



## **9H TYPES OF SANCTION**

- 9H.1 Only one of the sanctions may be imposed on the official or the athlete on proof of the complaint:-
- 9H.1.1 The recording of a censure to the official or the athlete; or
  - 9H.1.2 The suspension of the official or the athlete from the event or the discipline for such period not exceeding three (3) years; or
  - 9H.1.3 The disqualification of the official or the athlete in future events or disciplines.
- 9H.2 The decision of the EAM Executive Committee to confirm or to substitute any one of the sanctions under Rule 9.11.1 shall be final and shall not be reversed or appealed against.

## **10. ANNUAL GENERAL MEETINGS**

- 10.1 The Annual General Meeting of the EAM shall be held each calendar year not less than ten (10) months and not more than fourteen (14) months following the preceding Annual General Meeting at a time and place to be determined by the EAM Executive Committee of which at least fourteen (14) days notice shall be given to each Affiliate Member.
- 10.2 At the Annual General Meeting, the ordinary business shall be:-
- 10.2.1 To receive and approve minutes of last meeting;
  - 10.2.2 To table matters arising;
  - 10.2.3 To table the annual report of activities of the EAM;
  - 10.2.4 To table the annual statement of account;
  - 10.2.5 Any other matters.
- 10.3 Election of office bearers including two (2) certified auditors and three (3) trustees, if necessary; shall be carried out biennially at an Annual General Meeting.
- 10.4 Nominations for the election of officers and notice of motions must be sent to and received by the Honorary Secretary not later than seven (7) days before the date of the alternate Annual General Meeting.
- 10.5 At least one half of the total Affiliate Members shall constitute a quorum.

- 10.6 If half an hour after the time appointed for the meeting a quorum is not present, the meeting shall be postponed to a date not exceeding 14 days to be decided by the EAM Executive Committee; and if a quorum is not present half an hour after the time appointed for the postponed meeting, the members present shall have power to proceed with the business of the day.

## **11. EXTRAORDINARY GENERAL MEETING**

- 11.1 An extraordinary general meeting of the EAM shall be convened to consider a specific issue at the request of:-
- 11.1.1 The President;
- 11.1.2 The EAM Executive Committee; or
- 11.1.3 At least one-third of the Affiliate Members.
- 11.2 An extraordinary general meeting requisitioned by Affiliate Members shall be convened for a date within thirty (30) days from the receipt of such requisition.
- 11.3 Notice and agenda for an extraordinary general meeting shall be forwarded by the Honorary Secretary to all Affiliate Members at least fifteen (15) days before the date fixed for the meeting.
- 11.4 Rules 10.4 and 10.5 regarding the quorum and, the postponement of an annual general meeting shall apply also to an extraordinary general meeting, but with the proviso that if no quorum is present after half an hour from the time appointed for a postponed extraordinary general meeting requisitioned by Affiliate Members, the meeting shall be canceled, and no extraordinary general meeting shall be requisitioned for the same purpose until after the lapse of at least six (6) months from the date thereof.

## **12. VOTING**

Each Affiliate Member is entitled to five (5), votes at the general meeting which shall be cast by five officially named representatives appointed by the Affiliate Member.

### **13. THE EAM EXECUTIVE COMMITTEE**

- 13.1 An executive committee ("the EAM Executive Committee") consisting of the following shall be elected biennially at an Annual General Meeting:-

**PRESIDENT**

**DEPUTY PRESIDENT**

**THREE (3) VICE PRESIDENT**

**HONORARY SECRETARY**

**HONORARY ASSISTANT SECRETARY**

**HONORARY TREASURER**

**HONORARY ASSISTANT TREASURER**

**FOUR (4) ORDINARY COMMITTEE MEMBERS**

The office-bearers of the EAM and every officer performing executive function in the EAM shall be Malaysian Citizens.

- 13.2 The EAM Executive Committee shall meet at least once every three months, and 7 days notice of each meeting shall be given to the members. The President acting alone, or not less than three of its members acting together may call for a meeting of the EAM Executive Committee to be held at any time. At least one half of the EAM Executive Committee members must be present for its proceedings to be valid and to constitute a quorum.
- 13.3 Any member of the EAM Committee who fails to attend three consecutive meetings of the EAM Executive Committee without satisfactory explanation shall be deemed to have resigned from the EAM Executive Committee.
- 13.4 Where any urgent matter requiring the approval of the EAM Executive Committee arises and it is not possible to convene a meeting, such approval may be obtained by circular.
- 13.5 In the event a vacancy of the EAM Executive Committee exists the candidate who received the next highest number of votes at the previous election for the post effected shall be invited to fill the vacancy. If there is no such candidate or if such candidate declines to accept office, the EAM Executive Committee shall have the power to co-opt any other representative of an Affiliate Member to fill the vacancy until the next Annual General Meeting.
- 13.6 Between annual general meetings the EAM Executive Committee shall interpret this Constitution and, when necessary, determine any point on which this Constitution is silent.
- 13.7 The EAM Executive Committee shall draw up the rules and regulations of the EAM.

- 13.8 Except where they are contrary to or inconsistent with the policy previously laid down by the general meeting the decisions of the EAM Executive Committee shall be binding on all members of the EAM unless and until countermanded by a resolution of a general meeting.

#### **14. DUTIES OF OFFICE - BEARERS**

- 14.1 The President shall be responsible for the overall and proper administration of the EAM.
- 14.2 The president shall preside at all general meetings and ail meetings of the EAM Executive Committee and shall be responsible for the proper conduct of all such meetings. He shall have the casting vote and shall sign the minutes of each meeting at the time they are approved.
- 14.3 The Vice-President shall assist the President and deputes for the President during the latter's absence.
- 14.4 The Honorary Secretary shall conduct the business of the EAM and shall carry out instructions of the general meeting and of the EAM Executive Committee. He shall be responsible for conducting all correspondence and keeping all records except those pertaining to accounts and finance. He shall attend all meetings, and record the proceedings.
- 14.5 The Honorary Secretary shall forward to all Affiliate Members a copy of the draft minutes of each annual and extraordinary general meeting as soon as possible after its conclusion.
- 14.6 The Honorary Assistant Secretary shall assist the Honorary Secretary in carrying out his duties and shall act for him in his absence.
- 14.7 The Honorary Treasurer shall be responsible for the finances of the EAM. He shall keep accounts of all its financial transactions. He shall be responsible to table the Annual Statement of Accounts at each Annual General Meeting.
- 14.8 The Honorary Assistant Treasurer shall assist the Honorary Treasurer in carrying out his duties and shall act for him in his absence.
- 14.9 The Ordinary Committee Members shall carry out such duties as directed by the Executive Committee.

## **15. FINANCIAL PROVISIONS**

- 15.1 The funds of the EAM may be expended for any purpose necessary for the carrying out of its objects, including the expenses of administration, the payment of salaries, allowances and expenses to its office-bearers and paid staff, and the audit of its accounts.
- 15.2 All cheque or withdrawal notices on the EAM's account shall be signed by the Honorary Treasurer and any two of the following:
- 15.2.1 The President or in his absence, the Vice-President;
- 15.2.2 The Honorary Secretary or in his absence, the Assistant Honorary Secretary.
- 15.3 The EAM Executive Committee shall be the sole authority to approve any expenditure on behalf of the EAM.
- 15.4 As soon as possible after the end of each financial year, a statement of income and expenditure and a balance sheet for the year shall be prepared and audited by the Auditor(s) appointed under Rule 16 and to be tabled by the Honorary Treasurer at the Annual General Meeting under Rule 14.7.
- 15.5 Any capital expenditure of any one item exceeding two hundred and fifty thousand **RM250,000.00** shall be approved by a general meeting.
- 15.6 The financial year of the EAM shall commence on 1<sup>st</sup> January of each calendar year to 31<sup>st</sup> December of the same year.

### **LENDING POWERS**

- 15.7 The EAM Executive Committee may not lend or advance any money save by a resolution passed at a general meeting by a majority of at least two thirds of the members voting on it.
- 15.8 If at any time the EAM in general meeting passes a resolution authorizing the EAM Executive Committee to lend or advance moneys:-
- 15.8.1 The EAM Executive Committee may lend the amount of moneys (either at one time or from time to time) and at the rate of interest, in the form and manner and upon the security specified in the resolution;
- 15.8.2 The trustees must at the direction of the EAM Executive Committee make any disposition of the moneys or any part of it in accordance with the resolution passed and enter into any agreement in relation to the moneys to

be lent or advanced or to receive and hold security in such from and manner as the EAM Executive Committee may think proper to secure the repayment of the moneys lent or advanced and any interest or other sum owing a relation thereto.

- 15.9 Every member of EAM, whether he votes on a resolution authorizing lending or not, and everyone becoming a member of the EAM after the passing of such a resolution, is deemed to have assented to the resolution as if he had voted in favor of it.

## **16. AUDIT**

- 16.1 The Auditors shall be required to audit the accounts of the EAM for the year, and to prepare a report or certificate for the annual general meeting. They may also be required by the President to audit the accounts of the EAM for any period within their tenure of office at any date, and to make a report to the EAM Executive Committee.

## **17. AMENDMENT TO THE CONSTITUTION**

- 17.1 This Constitution or any part thereof may not be altered or amended except by resolution of a general meeting. Such alteration or amendments shall be submitted to the Commissioner of Sports within 28 days of being passed by the general meeting and shall take effect from the date of their approval by the Commissioner of Sports.

## **18. DISSOLUTION**

- 18.1 The EAM may be voluntarily dissolved by a resolution at a general meeting of not less than two-thirds of the total Affiliate Membership.
- 18.2 In the event of the EAM being dissolved as provided above, all debts and liabilities legally incurred on its behalf shall be fully discharged, and the remaining funds shall be disposed of in such manner as may be decided upon by a general meeting.
- 18.3 Notice of dissolution shall be given to the Commissioner of Sports within fourteen (14) days of the date of dissolution.