

CHAPTER 1

CONSTITUTION

1.1 **NAME**

The organisation is known as: **NAMIBIA ENDURANCE RIDE ASSOCIATION. (NERA)**

1.2 **GLOSSARY**

Words and phrases contained in the constitution as well as the rules and regulations shall have the meaning assigned to them as set out below, unless they are used out of context and obviously have a different connotation. Depending upon word usage the singular may mean plural as masculine may mean feminine.

- 1.2.1 **Affiliation fees** Annual fees paid by an applicant to a club and /or Council.
- 1.2.2 **Official** An office bearer of the Association.
- 1.2.3 **Rulings** Decisions made by officials such as club committees or the veterinary panel etc, which are approved by Council.
- 1.2.4 **Visitor** Any member of the public which are approved by Council attending an endurance ride which has been held under Association auspices.
- 1.2.5 **Accredited and / or affiliated club** A NERA club which has been approved by Council.
- 1.2.6 **Chief Veterinarian** A veterinarian, appointed by Council, who has the overall responsibility for all veterinary activities of the Association.
- 1.2.7 **Club** An endurance riding club which functions according to the constitution and the stipulations of Council.
- 1.2.8 **Club veterinarian** A Veterinarian who has been co-opted to serve on a club committee.
- 1.2.9 **Members** Paid up members of the Association who are in possession of current annual proof of membership and approved annually by Council.
- 1.2.10 **Competitive ride** An endurance ride at which rider and horse compete against other riders and horses.
- 1.2.11 **Competitor** Any rider competing at an Association approved ride.
- 1.2.12 **National and /or International ride** An endurance ride which is presented and organised by the NERA Council.

- 1.2.13 **National veterinarian panel** A panel of veterinarians who have been appointed by the chief veterinarian and approved by Council in order to control all veterinarian aspects of the national ride.
- 1.2.14 **Pleasure ride** A non-competitive long distance ride which is presented in accordance with the Association's rules.
- 1.2.15 **Club ride** An endurance ride organised and presented by the club committee and held in accordance with the Association's rules and approved by Council.
- 1.2.16 **Organizing committee** The committee which organizes a ride and may be a NERA club or NERA Council.
- 1.2.17 **Council** Members of the Association who have been co-opted, appointed or elected according to the terms of the constitution, to serve on Council.
- 1.2.18 **Stop (running stop)** Applicable to rides with an area en-route from which horses may continue after a veterinarian examination, providing certain criteria have been met.
- 1.2.19 **Endurance ride** A competitive ride held according to the rules and under the auspices of the Association and approved by Council, over a pre-determined distance during which the fitness and stamina of horses are tested.
- 1.2.20 **Veterinary panel** A body of veterinarians (approved by the club, or Council depending on the event) who are responsible for all veterinary aspects of endurance rides in accordance with the stipulations of the constitution and rules of the association. A chief veterinarian is appointed at every ride.
- 1.2.20.1 Chief veterinarian: A chief veterinarian should be appointed at each ride.
- 1.2.20.2 Course veterinarian: A veterinarian responsible for monitoring the well being of horses en route.
- 1.2.20.3 Treatment veterinarian: A veterinarian appointed to treat horses during a ride.
- 1.2.20.4 Control veterinarian: A veterinarian appointed to ensure that Horses meet all the veterinarian criteria.

1.3 **STATUS AND LEGAL POWERS OF THE ASSOCIATION**

- 1.3.1 The Association is a voluntary non-profit organisation.
- 1.3.2 The Association was established to achieve the objectives as specified in this constitution, Rules and Guidelines.
- 1.3.3 The Association has been allocated the responsibilities and controls as specified in this constitution, Rules and Guidelines.
- 1.3.4 The Association is a body which exists in its own right, and it functions independent of its members.
- 1.3.5 The Association is empowered to handle any legal matters.
- 1.3.6 The Association is affiliated to the National Sports Council of Namibia, the Namibian National Equestrian Federation, NAMEF,

- 1.3.7 at the Federation Equestre Internationale (FEI) and any other body as approved by Council and / the Annual General Meeting. The limit of a member's legal liability to the Association entails the amount of outstanding membership fees, affiliation fees, or any other fees due to the Association.

1.4 **AUTHORITY**

- 1.4.1 The Association achieves its goals and exercises its rights within the geographic boundaries of Namibia and / or any other area as approved by Council.
- 1.4.2 the Association's members are drawn from all the affiliated clubs in Namibia and are approved as such annually by Council.

1.5 **OBJECTIVES**

- 1.5.1 To promote and control endurance riding as sport amongst all population groups in Namibia.
- 1.5.2 To co-ordinate and standardise endurance rides in Namibia Ensuring strict adherence to the terms of the Constitution, Rules and Guidelines of the association.
- 1.5.3 To present national rides which conform to the conditions within the constitution, rules and guidelines.
- 1.5.4 To promote international participation and present international rides.
- 1.5.5 To provide advice regarding endurance rides, pleasure rides and horsemanship in general, to all competitors and other interested parties by means of seminars, articles and newsletters.
- 1.5.6 To prevent exposure of endurance horses to conditions which would be detrimental to their well being.
- 1.5.7 To record data and information regarding endurance rides in order to promote research.
- 1.5.8 To generate funds for the promotion of the objectives of the Association.

1.6 **MEMBERSHIP**

- 1.6.1 The Association caters for six member categories, i.e. founder, member, senior member, junior and / young rider member child member, honorary member and institutional member.
- 1.6.2 **Founder members** Any person who founded NERA in the opinion of Council qualifies as founder members. Council will compile a name list of founder members and only these members will be Founder members for a period as decided by Council.
- 1.6.2.1 Founder members have observer status at Council meetings without the vote, but have to be invited by Council to attend a Council meeting, and are exempted from paying affiliation fees.
- 1.6.3 **Senior members**. Any person from the year in which he/she turns 18.

- 1.6.3.1 Senior members may vote.
- 1.6.3.2 Senior membership is obtained annually on completion of a annual membership application form from the club of his/her choice and if approved by Council.
- 1.6.4 **Junior members.** Any person from the year in which he/she reaches his/her 14th birthday.
- 1.6.4.1 Junior members do not have the vote and are not eligible for election to Club Management committees.
- 1.6.4.2 Junior membership is obtained annually by completion of a annual membership application form from the club of his/her choice and if approved by Council .
- 1.6.5 **Child members** Any person under the year in which he/she reaches their 14th birthday is a child.
- 1.6.5.1 Child rider members do not have the vote and are not eligible for election to committees or to officiate at rides.
- 1.6.5.2 Child riders assisted by a parent or guardian apply for annual membership by completing an annual membership application form from the club of his/her choice and if approved by Council.
- 1.6.6 **Honorary members** Council may nominate any person as a honorary member or honorary official. Honorary members are nominated for life, have observer status at Council meetings without the vote, but have to be invited by Council to attend a Council meeting, may officiate and are subject to the provisions of the constitution. Council will compile a name list of Honorary Members.
- 1.6.6.1 Honorary members are exempt from paying affiliation fees.
- 1.6.7 **Institutional members** Institutions or organisations may be approached by Council to become members in return for an annual donation as specified by Council. Council will compile the name list and determine the period of membership.
- 1.6.7.1 Institutional members have observer status at Association Meetings without the vote, but have to be invited by Council to attend a Council meeting.
- 1.6.7.2 Council may co-opt a representative of an institution to serve on Council or any other committee without the vote.
- 16.8 **Additional conditions of membership**
- 1.6.8.1 Membership is limited to riders. Horses cannot become members and have no constitutional rights.
- 1.6.8.2 Membership of more than one NERA club is not permissible. Members are strongly encouraged to take up membership of a club that is geographically situated the closest to him / her.
- 1.6.8.3 Members may not serve on more than one NERA Club committee.
- 1.6.8.4 NERA Members may only represent NERA and /or a NERA club and / or Namibia at competitions where NERA and / or a NERA club and / Namibia do compete. Any other participation is only permitted with prior Council written permission.

- 1.6.8.5 Affiliation at a reduced fee may be granted by Council.
- 1.6.8.6 Affiliation fees are determined by Council annually.
- 1.6.8.7 Completion of a membership application form and /or payment of fees at a NERA affiliated club will not result in automatic membership of the association and / or the club. Completion of a membership application document and /or payment of any fees at a NERA affiliated club will only make such a person an applicant and not a club and / or NERA member. Only once Council has approved the application will such an applicant become a member of such club and of NERA. No applicant may be a member of any NERA affiliated club without being an approved member of NERA. Approval of applicants as members are done by Council upon receipt of the application documents from the clubs and approval is based on the opinion of Council. Should Council not approve an applicant as a member all fees in respect of that unsuccessful annual application paid by such an applicant must be refunded to such applicant. Membership is approved annually for that specific year only except for honorary members who are members for life.

1.7 TERMINATION OF MEMBERSHIP & DISCIPLINARY CODE.

- 1.7.1 Resignation of members from the Association, may occur at any time.
- 1.7.2 Resignations are submitted to the member's club.
- 1.7.3 Resignations are only effective once all obligations to the club and NERA has been met.
- 1.7.4 The club secretary has the task to ascertain whether conditions in 1.7.3 have been met.
- 1.7.5 Membership may be withdrawn and / terminated by the Association via Council and/or a member's club, or disciplinary action taken under the following conditions;
 - 1.7.5.1 Failure to remit outstanding fees after thirty (30) days of of a final demand by the club and / or Council.
 - 1.7.5.2 A member who by action or non action tends to damage the Association's reputation, potentially or in fact, or by such behaviour endangers the objectives of the Association.
 - 1.7.5.3 Non- and / unconstitutional action or dishonesty in the opinion of Council by a member. Breach of any NERA and / FEI Rule and / Guideline by a member that justifies termination and / expulsion and /or disciplinary action in the opinion of Council.
 - 1.7.5.4 Intentional non factual information supplied to the Association.
 - 1.7.5.5 Intentional failure to notify an injury or disability of a horse or to hide/change the identity of a horse.
 - 1.7.5.6 Any unacceptable behaviour and / act by a member, in the opinion of Council, which may be reported to Council or to the Club by any person, member, club committee, or Council member in order to examine the complaint and initiate the termination of membership or take disciplinary action should it

- prove necessary and fair. Council may requires the club involved to resolve the matter.
- 1.7.5.7 Any applicant and / or member who acts or tends to act in any way whatsoever against NERA or anything that NERA stands for in the opinion of NERA Council and or- AGM. This will include but will not be limited to, any act to create, to join or to be part of any body and /or institution and / or an association that is in opposition with NERA or anything that NERA stands, for in the opinion of the NERA Council and / or NERA AGM
- 1.7.6 Procedure to be implemented in order to take disciplinary action against or expel a member is as follows: Written notice of the Council meeting at which an incident is to be discussed has to be dispatched by registered mail at least fourteen (14) days before said meeting to both the accuser and / or defendant if applicable. Both should be requested to be present to state their case. The plaintiff may also be a club management or Council member. Should such a member not be present after proper notice was given as in terms of this clause such a club or Council may discipline and / or expel and / terminate membership of such a member in his/her absence. The accused may call any witness(s) with knowledge about the action(s) and /or incident(s) on the condition that prior notice are given to Council at least seven days prior to such disciplinary hearing about all the details of such witness(s) and it is approved as such by Council.
- 1.7.7 Written notice of the expulsion or disciplinary action by the club, or Council is to be dispatched by the secretary of the body concerned within fourteen (14) days of such action being taken.
- 1.7.8 Appeal against discipline, termination and / or expulsion is initially directed at the relevant club committee and afterwards to Council. Written grounds for appeal by the member must reach Council within fourteen (14) days of receipt of the notice of termination and /or expulsion and /or disciplinary action. A copy of these documents are to be sent to Council. Expulsion and /or disciplinary and / termination of a member will not be suspended pending the outcome of the appeal, but will remain in force until lifted by either Council or the club.
- 1.7.9 On appeal Council may overrule the decision of a club Committee to expel or not to expel or to discipline or not to discipline a member or may refer the matter to Arbitration. Should a person and / member wish to appeal against termination and / or disciplinary and / expulsion by Council the case must first be referred to Arbitration, at the cost of the expelled and/or disciplined member, before any other action may be instituted by such a member and / person. Should such a member be able to proof in writing to Council that he/she are not in a financial position to afford such arbitration Council are authorized to approve an alternative arrangement. Should such

a member / person not accept the outcome of such arbitration then such a person / member must refer the case to the NSC, Namibian Sports Commission, before any other action may be instituted by such member or person.

1.7.10 Depending upon conditions prescribed by Council an expelled member, or any member who for any other reason is no longer a member of the Association may re-apply for membership.

1.8 **MEMBER REGISTER, ENTRY FEES, SUBSCRIPTIONS**

1.8.1 A register of the names and addresses of each member is held by the Council secretary. Annually club secretaries are to submit an updated list of paid up club applicants / and or members to the Council secretary, before 31st March annually. Any previous member and /or person and / applicant who have not paid his or her fees or who's application have not been accepted by Council for the current year may only attend a NERA ride as a day member if applied and approved as such at the Organising Committee of such a ride.

1.8.2 The club assigns a NERA club number to each of its members.

1.8.3 Should a member resign, relocate or expire the number may not be re-allocated to another member.

1.8.4 Membership lists should be regularly updated by the club Secretaries and be forwarded to the Council Secretary.

1.8.5 Membership fees are determined by clubs and are payable to Club.

1.8.6 Annual affiliation fees due to Council by clubs for the year are payable before or on 31st March and is not refundable, except in the case where Council do not approve an applicant.

1.8.7 Affiliation fees are determined annually by Council.

1.8.8 Only members whose subscriptions and club affiliation fees are paid and who's membership have been approved by Council have the right to attend and vote at Association meetings or are eligible for election to committees. (Refer 1.8.6)

1.8.9 Failure to remit subscriptions for three (3) months would lead to cancellation of membership until subscriptions plus a re-entry fee has been paid. The member could also face expulsion.

1.8.10 Council may waive payment of a members' subscription under certain circumstances.

1.9 **ORGANISATIONAL STRUCTURE OF THE ASSOCIATION**

1.9.1 The Endurance Riding Association of Namibia (NERA) consists of a National Management body known as Council plus a number of accredited and affiliated Clubs.

1.9.2 At national and international level Council controls and co-ordinates endurance riding matters where as clubs perform this function at regional and local level respectively.

1.9.3 Clubs are represented on Council in equal numbers.

1.10 **STRUCTURE OF THE COUNCIL**

Council will consist of two club management members of each and every NERA affiliated club. Currently NERA do consist of six affiliated and accredited clubs, namely in alphabetical order, Kalahari, Okanjande, Noorde, Otjivero, Windhoek and Tsumeb. Any additional club who wish in future to join NERA as an additional affiliated club have to apply to the NERA Council for affiliation and accreditation. Council will judge any new application on the merits of the application but any such application must be geographically justified and it may not harm any existing club in that area in the opinion of Council. Currently there will be the following six permanent / standing portfolios, one for each accredited and affiliated NERA club:

- 1 Secretary, PRO and Treasurer.
- 2 Head official of Otjiwarongo 160 Km Ride.
- 3 FEI and International Liason official.
- 4 Head official of Walvis Bay 160 Km Ride, National Championships and NERA Constitution, Rules & Guidelines.
- 5 Head Official Independence Ride 160 Km ride.
- 6 Walvis Bay Ride Assistant Official.

Council will consists of two (2) club management members of each and every affiliated NERA Club. These two NERA Council members will be appointed by their respective NERA clubs by their Club Management and / or Club AGM and the clubs will notify Council who these two NERA Council members will be. One (1) member will held a permanent portfolio and one (1) member will be appointed to serve for a two year period on the Council. Should the quantity of NERA clubs change the number of standing committees and two year representatives of the clubs will then change accordingly, but always in such a manner that every club will have two representatives on NERA Council of which one will be on the standing committee and one on a two year basis. Should any representative of any club for whatever reason terminates his/her representation at Council, that club will appoint another official in his/her place to serve for the remaining, initial period of such an official.

Taking the above in consideration, Council will consist of the said two club management members of each and every NERA club as in above plus the Council veterinarian and team manager(s) of the national senior and /or junior/young rider team which may be one or two of the club management members at Council or may not. Should the team veterinarian and or manager(s) of the national senior and/or junior & Young Rider teams not be one of the two club management members at Council, then such veterinarian and or manager(s) will only form part of Council as far as matters of the national teams are concerned. During such sessions such a veterinarian and manager(s) will have no voting power. The motivation for this rule is equal representation by all NERA clubs on Council. In the absence of any of the regular club representatives at a Council meeting such a club may nominate another management official from their club to represent them with full voting power. See also clause 1.22 and 1.27. A two third vote will be a majority vote for all council meetings.

At Council meetings all present members have one vote. No proxy votes are allowed. No club may have more then the said two officials at any Council

meeting, except if approved as such by Council, and then such an additional member will have no vote.

1.10.1 **Offices**

1.10.1.1 President

1.10.1.2 Vice-President

1.10.1.3 Council Secretary, PRO & Treasurer – Windhoek.

1.10.1.4 Council Veterinarian.

1.10.1.5 Head Official Independence FEI Ride – Otjivero.

1.10.1.6 Head official Otjiwarongo FEI ride – Okanjande.

1.10.1.7 Head official – Walvis Bay FEI ride & NERA Handbook-
Constitution, Rules and Guidelines.- Tsumeb.

1.10.1.8 FEI & International Liaison Official – Kalahari.

1.10.1.9 Walvis Bay ride Assitant Official - Noorde.

1.10.1.10 Four additional members

1.10.1.11 Team Veterinarian and Managers of the senior and/or junior national teams which may be one of the Council members or may be an additional member. If not a Council member no voting rights.

1.10.2 **Standing Committees**

1.10.2.1 Secretary, responsible for all secretarial work, media liaison, PRO, communication and newsletters. Treasurer responsible for marketing, sponsors and bookkeeping. NERA Rankings.

1.10.2.2 Head official of Independence Ride.

1.10.2.3 FEI Head Official, responsible for international & FEI liaison.

1.10.2.4 Head official Namibia Otjiwarongo Ride.

1.10.2.5 Head official Walvis Bay ride.

Also responsible for NERA Constitution, Rules and Guidelines.

1.10.2.6 Assistant Official Walvis Bay Ride.

1.10.3 **Ad Hoc committees of officials**

1.10.3.1 Appointed as and when necessary and for such a period as may be decided by Council but without the vote.

1.10.4 **Duties and responsibilities**

1.10.4.1 Council instructs officials, standing committees and ad hoc committees as to their portfolios, but these may be extended by the respective Head Officials should it prove necessary in order to achieve the objectives of the Association, but without the vote.

1.10.4.2 Members of standing and ad hoc committees are co-opted by the respective Head Official and serve on that standing and ad hoc committee but not on Council

1.11 **COUNCIL EXECUTIVE**

1.11.1 Council executive consists of the following:

- President

- Vice-President

- Council Secretary

- Any member or members of Council co-opted ad hoc dependent on demands and circumstances.

- 1.12 **DUTIES OF COUNCIL**
- 1.12.1 The overall responsibility for the achievement of the Association's objectives, at international, national, regional and local level as specified in this constitution, Rules and Guidelines and specifically Article 1.5 rests with Council as the upper executive authority.
- 1.12.2 In addition Council ensures that
- 1.12.2.1 all aspects pertaining to a national team regarding composition, number of members per team, fitness of horses and riders, selection guidelines, etc, are controlled and co-ordinated.
- 1.12.2.2 al information and statistical data concerning every endurance ride held in Namibia which comply with the Association's regulations are dispatched to the Council.
- 1.12.2.3 honorary and national colours are awarded to members who qualify in accordance with the stipulations of this constitution.
- 1.12.2.4 strict adherence to the terms of the Constitution, Rules and guidelines of the association.
- 1.12.2.5 Council must do everything in its power to protect and to develop the Endurance sport in Namibia, its members and clubs and to create the most and best opportunities for its members and horses.
- 1.13 **COUNCIL AND EXECUTIVE MEETINGS**
- 1.13.1 Council bears the highest executive authority accredited by the Association but is responsible to the Annual General Meeting.
- 1.13.2 The executive reports to Council.
- 1.13.3 Council meets regularly, at least once per annum in order to ensure thorough and proper administration of the Association. The President chairs all Council meetings and he determines the agenda, date, place and time of Council meetings in coordination with the chairmen of all NERA affiliated clubs. In his absence the Vice President will chair the Council meeting. Should both the president and Vice President not be present Council will elect any Council member to chair the meeting.
- 1.13.4 The executive meets as circumstances require.
- 1.13.5 Notice and minutes of previous meetings are to be circulated to members at least fourteen (14) days prior to the proposed Council or executive meeting.
Shorter notice than the said fourteen days may be given in special circumstances on the condition that at least two thirds of all Council members do agree to the shorter notice period should circumstances not allow for the normal fourteen day notice period.
- 1.13.6 Ordinary Council and Executive meetings need 50% plus 1 of the members to form a quorum.
- 1.13.7 Should those present not form a quorum the meeting will be adjourned for twenty (20) minutes, thereafter those present will be considered a quorum.
- 1.13.8 All meetings are held according to normal meeting procedures.

- 1.13.9 The chairperson may cast the deciding vote in case of a deadlock.
- 1.13.10 The minutes of every meeting, taken by the secretary will be submitted for approval at the next Council meeting.
- 1.13.11 Agenda and/ or discussion points at the Council meetings can only be tabled by either the club management via its two representatives or by the club representatives themselves.
- EXTRAORDINARY COUNCIL MEETINGS**
- 1.13.12 At the written request of at least five (5) Council members an extraordinary Council meeting must be convened.
- 1.13.13 Notice and agenda of the meeting are circulated to all members at least fourteen (14) days before the proposed meeting.
- 1.13.14 50% Plus one of the members form a quorum.
- 1.13.15 Only matters for which the meeting was convened may be discussed.
- 1.13.16 A two thirds majority vote will be a deciding vote.
- 1.13.17 Agenda and/ or discussion points at the Extra Ordinary Council meetings can only be tabled by either the club management via its two representatives or by the club representatives themselves.
- 1.13.18 The President chairs all Extra Ordinary Council Meetings and he compiles the agenda, date, place and time of the Extra Ordinary Council meetings in coordination with the Council members who requested the Extra Ordinary Council Meeting as well as the chairmen of all NERA affiliated clubs. In his absence the Vice President will chair the Extra Ordinary Council meeting. Should both the president and Vice President not be present the Extra Ordinary Council Meeting will elect any Council member to chair the meeting.
- 1.14 **COUNCIL FINANCES**
- 1.15.1 Council generates its own funds by way of club affiliation fees, institutional member fees, donations, sponsors etc.
- 1.15.2 Council funds are only utilised for the promotion of association objectives.
- 1.15.3 Council books are kept correctly and are audited annually. The auditors' report is submitted at the Annual General Meeting for approval.
- 1.15.4 Signatories for expenditure are the president or vice-president or Secretary / treasurer.
- 1.15.5 The financial year of Council stretches from 1 March to 28 February.
- 1.15.6 Authorization for expenditure vests with Council. Decisions in this regard shall be fully and accurately minuted. See also clause 1.24.
- 1.16 **ANNUAL GENERAL MEETING**
- 1.16.1 The highest authority of the Association is vested in the Annual General Meeting. Decisions taken at the Annual General Meeting are binding upon all officials and members of the

- Association at national and club level. All officials and members are responsible to the Annual General Meeting.
- 1.16.2 The Annual General Meeting is held annually to discuss topics of general interest, approve reports and decide upon matters of relevance.
- 1.16.3 Written notice of the meeting is circulated to all members by the Council secretary at least thirty (30) days prior to the date of the proposed Annual general Meeting.
- 1.16.4 The Council secretary must be in possession of any agenda Items or subjects for discussion submitted by members, 45 days prior to the Annual General Meeting.
- 1.16.4.1 Any motion(s) and / agenda point(s) intended for the Annual General Meeting may only be submitted by an affiliated NERA club and the said agenda points must be approved by a two third majority vote by the relevant club management. An individual member may only submit an agenda point via his/ her home club.
- 1.16.4.2 Should a motion not be approved by a two third majority vote by the home club management the mover may appeal to the President of NERA who may decide that the motion may be tabled on condition that proper notice was given in terms of 1.16.3 and 1.16.4 above. This implicates that the President may also approve his / hers personal agenda point under the same circumstances.
- 1.16.4.3 Motions rejected by the AGM may not be tabled at the next AGM.
- 1.16.5 Minutes of the meeting are taken by the secretary who are submitted for approval at the following meeting.
- 1.16.6 Those members present at the Annual General Meeting form a quorum. No voting by proxy is allowed. Only members present may vote. Every delegate will have one vote. The chairman will have a deciding vote in the case of equal votes.
- 1.16.7 Members should be informed of all resolutions made by the Annual General Meeting within thirty (30) days of the meeting.
- 1.16.9 The Annual General Meeting will be held at Walvis Bay annually during the Walvis Bay ride.
- 1.16.10 Every NERA club may have a maximum of four delegates at the AGM, preferable but not compulsory, their two ordinary Council members plus two additional members. All delegates must have a letter of credence from their clubs, signed by the club Chairman or club Vice Club.
- 1.16.11 Voting by ballot is to take place unless the meeting unanimously decides on a different method. A two third vote is a majority vote.
- 1.16.12. The President chairs all Annual General Meetings and he compiles the agenda, date, place and time of the Annual General Meetings in coordination with the chairmen of all NERA affiliated clubs. In his absence the Vice President will chair the Annual General Meeting.

Should both the president and Vice President not be present the Meeting will elect any Council to chair the meeting.

Agenda at the Annual General Meeting

- 1 Receipt of all letters of credence
- 2 Opening
- 3 Read and approval of minutes of previous AGM and any extraordinary general meetings that were held before the AGM
- 4 Discussion of subjects from the minutes
- 5 Discussion of president's annual report
- 6 Discussion of auditors financial statement and honoraria where applicable, and affiliation fees of new year
- 7 Discussion of agenda points and any changes in NERA Constitution, Rules and Guidelines and any motions of which correct notice in terms of the NERA constitution, were given.
- 8 There will be no "General" discussion points on the Agenda and only matters on the agenda may be discussed.
- 9 Elections of any portfolios where replacements are needed.

1.17 EXTRAORDINARY GENERAL MEETING

- 1.17.1 A written request approved by a two third majority vote of the management of three (3) or more NERA affiliated clubs submitted to the Council secretary is reason enough to convene an Extra Ordinary General Meeting.
- 1.17.2 Notice and the agenda are circulated to all members by the Council secretary within fourteen (14) days after receipt of the request and at least thirty (30) days prior to the proposed date of the extraordinary general meeting.
- 1.17.3 Council may use its own discretion to convene an extraordinary General meeting according to the terms of 1.17.1 and 1.17.2
- 1.17.4 A member may not regard a meeting invalid should he/she accidentally fail to receive notice thereof.
- 1.17.5 Every club may have a maximum of four delegates at the Extraordinary General Meeting, preferable but not compulsory, their two ordinary Council members plus two additional members. All delegates must have a letter of credence from their clubs. Twenty (20) members form a quorum for an extraordinary general meeting.
- 1.17.6 Failure to acquire a quorum shall lead to the adjournment of the meeting.
- 1.17.7 Proxy votes are not permissible at extraordinary general Meetings.
- 1.17.8 Voting by ballot is to take place unless the meeting unanimously decides on a different method.
- 1.17.9 Only matters for which the meeting was convened may be discussed.

1.17.10 The Extra Ordinary General Meeting is chaired by the President of the Association (in his absence the vice-president). The meeting will elect a chairperson in the case of both being absent.

1.17.11 A two third vote is a majority vote.

1.18 **CLUB MANAGERMENTS**

1.18.1 The achievement of association objectives at a local level rests with the club management.

1.18.2 Chapter 6 of this manual contains an example of a club constitution explaining the responsibilities and Regulations governing club managements.

1.18.3 Copies of club constitutions are to be filed by the Council Secretary.

1.19 **NATIONAL VETERINARY PANEL**

1.19.1 The national veterinary panel is the custodian of all veterinary Aspects of national rides.

1.19.2 Council annually appoints the head of the veterinary panel.

1.19.3 The chief veterinarian annually appoints veterinarians to serve on the panel and presents the list to Council for approval. To this effect each club submits the names of veterinarians willing to serve on the panel. The veterinarians need not practise within the boundaries of the club which submits their names. They must however approve of their nomination before hand.

1.19.4 Duties of the national veterinary panel include the following:

1.19.4.1 Supervision of the well-being of all horses which compete at the NERA rides.

1.19.4.2 Control of the behaviour of all riders at the NERA rides, in regard to their influence on the horses.

1.19.4.3 Any action which ensures the well-being of a horse be it the disqualification or delay of any rider.

1.19.4.4 Any action necessary should a horse go lame, become ill or be injured during a ride.

1.19.4.5 Meetings to be held at intervals to discuss veterinary aspects of endurance rides and to submit recommendations to Council.

1.19.4.6 Selection of the best conditioned horse at the national ride.

1.19.4.7 The official FEI Veterinary Regulations will be the only policy of the NERA Veterinary Panel and all veterinarian actions at NERA rides.

1.20 **AMENDMENTS TO THE CONSTITUTION AND TO RULES**

1.20.1 It is Council's responsibility to keep abreast of times and to

adapt the constitution and the rules of the Association accordingly. All amendments should carry a two thirds majority vote at Council meetings. All changes will only become effective on the date and time as approved and announced by Council.

1.20.2 Council Members and / or clubs can also amend the constitution and the rules of the Association by presenting a motion to the Annual General Meeting or to Council. Motions at the AGM should be carried by a two thirds majority vote.

1.20.3 Although Council may change the constitution and the rules with a two thirds (2/3) majority, the Annual General Meeting is still the highest authority and the Annual General Meeting or an Extra Ordinary General meeting may overrule any decision by Council.

1.20.4 Council may only amend the constitution with a two third majority as long as the Council consists of equal representation by all NERA affiliated clubs.

1.21 **LIMITATION OF PUBLIC LIABILITY OF THE ASSOCIATION AND DISPUTE RESOLUTION**

1.21.1 Any horse, vehicle or article brought to an endurance ride venue under the auspices of NERA, for whatever purpose whatsoever, is done so at the owners risk.

1.21.2 The Association or club is not responsible for any damage or injury suffered by members or visitors at an endurance ride.

1.21.3 Any member or visitor riding a horse, whether the mount be their property or not, at an endurance ride, does so at their own risk.

1.21.4 Any dispute vis-à-vis the interprétation, application or enforceability of the constitution or rules must first be referred to the Council and / AGM, then to Arbitration and thereafter to the Namibian Sports Commission before any other action may be sought by any member.

1.22 **STRUCTURE OF NERA COUNCIL SHOULD ANY CLUB PREFER NOT TO OCCUPY IT'S PERMANENT OR ANY PORTFOLIO ON THE NERA COUNCIL.**

Should a club prefer not to occupy its permanent portfolio as in 1.10 of this Constitution it is the right and privilege of any club to do so. However the following arrangements may be approved by Council if it deemed it as necessary. Fill that permanent vacancy from any other club on a permanent basis. In this case it will lead to the fact that one ore more clubs will end up with more than one permanent official on Council on the condition that all clubs will still have only two representatives on Council although they will be part of the rotating posts. Should such a club in future request Council to have its permanent portfolio reinstated it will not be granted automatically, but Council may

consider and approve it after a formal application with motivations have been lodge to Council by the club.

NERA Council will consist of two members from each of the affiliated clubs, one in a permanent portfolio, if a club wishes so and one in a rotating portfolio. Should any club wishes not to be represented at Council at all Council are authorised to decide that such a club and its members will automatically cease to be part of NERA. Individual members of such a club may become members of any other affiliated NERA club should they wish to. No other NERA club will be under any obligation however to accommodate such members and it will be solely at the discretion of any such club management to accept or not to accept these members should they wish to.

1.23 LANGUAGE POLICY

All official correspondence from Council to all Namibian Government Ministries will be in English.

Correspondence from Council to other international organisations can be either in Afrikaans or English as decided by the writer.

Correspondence from Council to clubs will be on a rotating basis, as decided by the writer, either be in Afrikaans and/ or in English.

The medium of communication from clubs to Council may be either in Afrikaans or English as decided by club management and / or the member.

Correspondence from club management to its members may either be in Afrikaans or English as decided by club management and / or the member.

1.24 COUNCIL FINANCES.

Council do receive an annual grant from the Namibian Sports Commission that has been allocated as such;

N\$	750.00	Administration
	10 000.00	Development
	5 000.00	National and international championships and tournaments.

15 750.00 Total Annual Allocation

This allocation may only be allocated as such and may only be claimed from the Sports Commission upon documentary proof of the payments.

1.25 ACCREDITATION OF NERA OFFICIALS

NERA officials will be accredited at the FEI and the responsible official will be Councils FEI & International Liaison Official.

1.26 METHOD OF COMMUNICATION.

All communication within NERA will be done electronically via mails and /or the NERA website on the condition that an original printed version will at all times be in possession of the writer.

1.27 NERA VISION

The Namibia Endurance Ride Association will be a dynamic, highly professional, internationally accredited, accepted and respected equestrian performance based endurance sporting association catering for all spheres of membership where the wellbeing of the horse will always be paramount. International standards will be the norm. NERA must create the best and most possible opportunities for all its members and horses all the time. The development of Endurance riding under all Namibians is priority. NERA will always be a family orientated structure which will cater for the entire family to participate and there must always be strived to be a strong family bond and a good relationship between members in the various clubs, between the members of the different clubs, between the various NERA affiliated clubs and with all other Endurance associations internationally that share the same principles and objectives that NERA..

1.28 Termination of permanent members on Council.

The term of office of the permanent members on Council may be terminated any time either by the permanent members own resignation, or by Council, or if the club of the permanent member give notice to Council that the club management or club AGM has voted with a two third majority to cancel the service period of the permanent member of that specific club.

**1.29 Membership of Other Endurance Clubs and /
- Associations.**

NERA members may conditionally join other National and / International Endurance Clubs and / Endurance Associations on the condition that such a member apply in writing via his / her NERA Club to the NERA Council for such permission stating the reasons and motivation for such a request. Council may on its own discretion and the merits of each case approve or disapprove such a request and it must meet the requirements of the Namibia Sports Commission. Should Council disapprove such an application and / or a NERA member do join another endurance club and / or association without applying to Council in the way described in this clause Council may at its own discretion cancel the membership of such a member and/ or impose any disciplinary action as approved by Council.

130 DISSOLUTION OF THE ASSOCIATION

- 1.30.1 Dissolution of the Association has to be carried by a two third (2/3) majority vote at the Annual General Meeting or at an Extraordinary General Meeting convened for that purpose.
- 1.30.2 Written notice of the dissolution meeting is circulated to all members, by the Council secretary at least thirty (30) days before the proposed meeting.
- 1.30.3 Those present at the meeting form a quorum.
- 1.30.4 The decision to disband the Association is to be circulated to all club secretaries in writing within seven (7) days of the meeting.
- 1.30.5 Dissolution of the Association may only become effective once all obligations, financial or otherwise towards members, clubs Council or any party legally claiming moneys from the Association, have been met.
- 1.30.6 All association assets are to be transferred to an institution, nominated by those members present, after dissolution of the Association.

1.31 ACCURATE REFLECTION OF THE CONSTITUTION

- 1.31.1 This being the second revision of the original constitution, written, compiled considered and approved in English.
- 1.31.2 The approved copy of the constitution and rules is held in book form (hard copy) by the Council secretary.

Signed on thisday ofat

for the Namibia Endurance Riding Association.

.....
PRESIDENT

.....
SECRETARY

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