



**CONSTITUTION**

**OF**

**THE AMATEUR DIVISION**

**OF**

**THE AUSTRALIAN QUARTER HORSE ASSOCIATION**

**FEBRUARY 2008**

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OF  
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**1 DEFINITIONS AND INTERPRETATIONS**

**1.1 Definitions**

**1.1.1** Where commencing with a capital letter:

“**AQHA**” means the Australian Quarter Horse Association ACN 000 964 643;

“**Division**” means Amateur Division of the Australian Quarter Horse Association;

“**Committee of Management**” means the committee established pursuant to clause 8;

“**Committee Member**” means a member of the Committee of Management;

“**Executive Director**” means the executive director of AQHA for the time being;

“**Member**” means a person referred to in clause 4;

“**Officer**” means an officer of the Division referred to in clause 7;

“**Register**” means the register of members of AQHA;

“**Secretary**” means a person appointed to perform the duties of a secretary of the Division;

“**Year**” means a period of 12 months commencing on 1 July of each calendar year and ending on 30 June of the following calendar year.

**1.1.2** Where any word or phrase is given a defined meaning any other part of speech or grammatical form in respect of that word or phrase has a corresponding meaning.

**1.2 References to constitution**

A reference to this constitution, where amended, means this constitution as so amended.

**1.3 Presumptions of interpretation**

Unless the context otherwise requires a word which denotes:

- (a) the singular denotes the plural and vice versa;
- (b) any gender denotes the other genders; and
- (c) a person denotes an individual and a body corporate.

**1.4 Headings**

Headings must be ignored in the interpretation of this constitution.

**1.5 References to and calculations of time**

**1.5.1** Unless the context otherwise requires a reference to a time of day means that time of day in the state or territory in which the Register is situated.

**1.5.2** For the purposes of determining the length of a period a reference to:

- (a) a day means a period of time commencing at midnight and ending 24 hours later; and

- (b) a month means a calendar month which is a period commencing at the beginning of a day of one of the 12 months of the year and ending immediately before the beginning of the corresponding day of the next month or, if there is no such corresponding day, ending at the expiration of that next month.

1.5.3 Where a period of time is specified and dates from a given day or the day of an act or event it must be calculated exclusive of that day.

1.5.4 A provision of this constitution, except that specifying the time for deposit of proxies with the Division, which has the effect of requiring anything to be done on or by a date which is not a business day must be interpreted as if it required it to be done on or by the next business day.

## 1.6 **Business day**

A reference to a business day means a day other than a Saturday or Sunday during which banks are open for general banking business in the state or territory in which the Register is situated.

## 2 **THE DIVISION**

### 2.1 **Name**

The Division is a division of AQHA and is named the Amateur Division of the Australian Quarter Horse Association.

### 2.2 **Relationship to AQHA**

2.2.1 The Division must, subject to this constitution, operate in accordance with the rules, regulations and by-laws of AQHA.

2.2.2 Funding for the operation of the Division will be provided to the Division by AQHA as determined from time to time by the board of directors of AQHA.

### 2.3 **Place of operation**

The Division shall operate from AQHA's offices at Tamworth, New South Wales.

## 3 **OBJECTS**

The objects of the Division are, with the prior approval of AQHA, to encourage the development and public interest in quarter horses among Amateur Australians by:

- (a) assisting AQHA and its affiliated bodies to develop programs to encourage the use of quarter horses by Amateurs in all forms of public equine competitions;
- (b) providing regular communication between Members by means of a newsletter covering topical subjects and other issues;
- (c) liaising between Members and AQHA and assisting with any problems incurred; and
- (d) doing any other things consistent with these objects.

## 4 **MEMBERSHIP**

The Division consists of all members shown as financial Amateur members in the Register.

## 5 **RESIGNATION OF MEMBERS**

A person ceases to be a Member if he/she:

- (a) dies;
- (b) is no longer a financial Amateur member of AQHA; or
- (c) is expelled from AQHA.

## **6 DISCIPLINARY ACTION OF MEMBERS**

If at any time the conduct of a Member is considered by the Committee of Management to be derogatory or prejudicial to the interests of the Division, the Committee of Management must report full details of the conduct to AQHA. AQHA may take such disciplinary action against that Member as it considers appropriate in accordance with the provisions of its articles of association, rules, regulations and by-laws.

## **7 OFFICERS**

### **7.1 Positions**

The officers of the Division consist of:

- (a) the President;
- (b) the Deputy President;
- (c) the Vice President;
- (d) the Secretary; and
- (e) the Treasurer,

all of whom must be Members.

### **7.2 President**

The President is the Senior Executive Officer and is an ex officio member of all committees of the Division. The Deputy President, or failing him/her, the Vice President, must perform the duties of the President during his/her absence or at his/her request.

### **7.3 Secretary**

The Secretary:

- (a) must keep a record of the proceedings of the meetings of the Committee of Management and all committees of the Division;
- (b) must conduct all correspondence relating to the Division after consultation with a majority of the Committee Members and subject to the approval of the Executive Director;
- (c) is an ex officio member of all committees of the Division; and
- (d) must keep a journal and record in it full particulars of all nominations received from Members for elections as Officers and Committee Members.

## **8 COMMITTEE OF MANAGEMENT**

### **8.1 Composition**

The Committee of Management consists of:

- (a) the President;
- (b) the Deputy President;
- (c) the Vice President;
- (d) the Secretary;
- (e) the Treasurer; and
- (f) four other Committee Members or a number which may be set from time to time by AQHA.

## **8.2 Responsibilities**

- 8.2.1 The Committee of Management, with the prior approval of AQHA and subject to this constitution and to any resolution passed by the Division in general meeting:
- (a) must assist the Officers in the day to day activities of the Division;
  - (b) must control and manage the affairs of the Division;
  - (c) may exercise all such functions as may be exercised by the Division other than those functions that are required by this constitution to be exercised by a general meeting of Members; and
  - (d) has the power to perform all such acts and do all such things as appear to the Committee of Management to be necessary or desirable for the proper management of the affairs of the Division.
- 8.2.2 The Committee of Management must act at all times in accordance with the lawful directions from time to time of the Director of Amateur Activities for the time being of AQHA and the board of directors of AQHA.

## **9 ELECTION OF OFFICERS AND COMMITTEE MEMBERS**

### **9.1 At Annual General Meetings**

Except as otherwise provided in this Constitution, Officers and Committee Members are elected at each Annual General Meeting of the Division and hold office for a period of two (2) consecutive years. At each Annual General Meeting the Chairman of the meeting declares five (5) and four (4) position vacant at any one time.

### **9.2 Nominations**

- 9.2.1 Any Member who wishes to stand for election as an Officer or Committee Member must give a nomination in writing to the Secretary.
- 9.2.2 All nomination forms must be signed by the nominee and one other Member.
- 9.2.3 Nominations must be received by the Secretary at least 21 days before the date set for the annual general meeting. If no written nominations are received or insufficient nominations are received to fill all vacancies by that date, the chairman of the meeting may, with the consent of the nominee, accept verbal nominations at the Annual General Meeting.
- 9.2.4 If sufficient written nominations are received by the Secretary by that date to fill all vacancies on the Committee of Management, no verbal nominations may be accepted by the chairman at the annual general meeting unless a nominee withdraws, and there remain insufficient nominations to fill all vacancies.
- 9.2.5 A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for election to another office at the same election.
- 9.2.6 Each retiring Officer and retiring Committee Member is eligible for re-election provided that he/she is re-nominated in accordance with this constitution.

### **9.3 Election**

- 9.3.1 If the number of nominations received is equal to or less than the number of vacancies to be filled, the persons nominated are deemed to have been elected.
- 9.3.2 If the number of nominations received exceeds the number of vacancies to be filled, elections must be conducted by secret exhaustive ballot, and where voting is equal, the names of the tied candidates must be placed in a draw. The name first drawn is the successful candidate.

#### **9.4 Casual vacancies**

- 9.4.1 If a vacancy occurs in the membership for the Committee of Management, the Committee of Management may appoint a Member to fill the vacancy and the Member so appointed holds office, subject to this constitution, until the annual general meeting next following the date of the appointment.
- 9.4.2 The Committee of Management has the power at any time and from time to time to appoint any Member as an Officer to fill a vacancy occurring during the Year and any Officer so appointed holds office until the annual general meeting next following the date of the appointment.

### **10 REMUNERATION OF OFFICERS AND COMMITTEE MEMBERS**

#### **10.1 Fees**

No Officer or Committee Member may be paid any fees, remuneration or other benefit in money or money's worth by the Division except:

- (a) for the payment of out of pocket expenses incurred in carrying out the duties of an Officer or Committee Member where the payments do not exceed an amount previously approved by the Committee of Management;
- (b) for any service rendered to the Division in a professional or technical capacity where the provision of that service and the amount payable has been previously approved by the Committee of Management and the terms of provision of the service are reasonable commercial terms;
- (c) as an employee of the Division where the terms of employment have been approved by the Committee of Management;
- (d) for the payment of interest at a rate not exceeding the rate for the time being fixed for the purpose of this paragraph by the Committee of Management on money borrowed from any Officer or Committee Member; or
- (e) for the payment of reasonable and proper rent for premises let by any Officer or Committee Member to the Division.

#### **10.2 Permitted payments**

Nothing in this Constitution prohibits:

- (a) the payment in good faith of remuneration to any employees of the Division (other than payment of fees to Officers or Committee Members) or to any Member in return for any services actually rendered to the Division or of goods supplied in the ordinary and usual course of business;
- (b) the payment of interest, at a rate not exceeding the rate for the time being fixed for the purpose of this paragraph by the Committee of Management on money borrowed from any Members; or
- (c) the payment of reasonable and proper rent for premises let by any Member to the Division.

### **11 RESIGNATION, REMOVAL AND VACATION OF OFFICE**

#### **11.1 Resignation**

An Officer or a Committee Member may retire from office by giving notice in writing to the Division of his/her intention to retire. A notice of resignation takes effect at the time which is the later of:

- (a) the time of giving the notice to the Division; or
- (b) the expiration of the period, if any, specified in the notice.

## 11.2 **Removal**

11.2.1 The Division may by resolution remove any Officer or Committee Member before the expiration of his/her period of office and may by ordinary resolution appoint another person in his/her stead. The person so appointed holds office only until the following annual general meeting of the Division.

11.2.2 The board of directors of AQHA may by resolution remove any Officer or Committee Member before the expiration of his/her period of office any may appoint another person in his/her stead. The person so appointed holds office only until the following annual general meeting of the Division.

## 11.3 **Vacation**

An Officer or a Committee Member vacates his/her office if he/she:

- (a) becomes an insolvent under administration;
- (b) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
- (c) is absent without the consent of the Committee of Management from three consecutive meetings of the Committee of Management and the Committee of Management resolves that the Officer or Committee Member be removed from the Committee of Management; or
- (d) ceases to be a Member.

## 12 **COMMITTEE OF MANAGEMENT MEETINGS**

### 12.1 **Convening meetings**

12.1.1 The Committee of Management must meet together at least once during each Year and on such additional occasions as it considers necessary or desirable for the dispatch of business.

12.1.2 The President may at any time and the Secretary must on the requisition of three Committee Members summon a meeting of the Committee of Management within 14 days of receipt of such requisition and in such event the notice convening such meeting must specify the business to be dealt with.

### 12.2 **Mode of meeting**

12.2.1 The Committee of Management may adjourn and otherwise regulate its meetings as it thinks fit.

12.2.2 Committee Members are to be regarded as present together when in communication by telephone or other means of audio or audio visual communication if each Committee Member participating in the communication is able to hear each of the other participating Committee Members.

### 12.3 **Notice of meetings**

12.3.1 Subject to this clause 12.3:

- (a) notice of each meeting of the Committee of Management must be given to each Committee Member at least 21 days before the meeting or at another time determined by resolution of the Committee of Management;
- (b) the notice must include full particulars of the business to be discussed by the Committee Members; and
- (c) any business which comes to hand after the notice but prior to the meeting must, so far as possible, be notified to each Committee Member.

- 12.3.2 All Committee Members may waive in writing the required period of notice for a particular meeting.
- 12.3.3 It is not necessary to give a notice of a meeting of the Committee of Management to a Committee Member who is out of Australia or who has been given leave of absence.
- 12.3.4 If in the opinion of the chairman of a meeting of the Committee of Management a matter of urgent importance has arisen which requires immediate discussion of the Committee of Management, any Committee Member may, with the consent of three-quarters of the Committee Members present, submit any urgent motion without having given the notice required in clause 12.3.1.

#### 12.4 **Quorum**

- 12.4.1 At a meeting of the Committee of Management, a quorum is present if there are present at the meeting at least four Committee Members or such greater number as may be fixed from time to time by the Committee of Management.
- 12.4.2 The continuing Committee Members may act notwithstanding any vacancy in their number, but if and so long as their number is reduced below the number fixed by or pursuant to this constitution as the necessary quorum of Committee Members, the continuing Committee Members may act for the purpose of increasing the number of Committee Members to that number or of summoning a general meeting of the Division, but for no other purpose.

#### 12.5 **Voting**

Questions arising at a meeting of the Committee of Management must be decided by a majority of votes of Committee Members present and voting. A decision of the majority is for all purposes a decision of the Committee of Management.

#### 12.6 **Chairman**

- 12.6.1 The President must preside as chairman at every meeting of the Committee of Management, or, if there is no President or if at any meeting he/she is not present within 10 minutes after the time appointed for holding the meeting or is unwilling to act, the Deputy President must be chairman, or if the Deputy President is not present at the meeting or is unwilling to act, the Vice President must be chairman, or if the Vice President is not present at the meeting or is unwilling to act, the Committee Members must choose one of their number to be chairman of the meeting.
- 12.6.2 In case of an equality of votes the chairman of a meeting of Committee Members has a second or casting vote.
- 12.6.3 At all meetings of the Committee of Management, the chairman's ruling is final in all matters of order, procedure and practice.

#### 12.7 **Validity of acts**

- 12.7.1 All acts done by a meeting of the Committee of Management, or by any person acting as a member of the Committee of Management, are, notwithstanding that it is later discovered that there was a defect in the appointment of a person to be a Committee member or that they or any of them were disqualified, as valid as if every such person had been duly appointed and was qualified to be a Committee Member.

#### 12.8 **Minutes**

- 12.8.1 The Committee of Management must cause minutes of all proceedings of general meetings and meetings of the Committee of Management and other committees formed by the Committee of Management to be entered, within one month after the relevant meeting is held, in books kept for that purpose.
- 12.8.2 The Committee of Management must cause all minutes, except those deemed to constitute minutes by virtue of this constitution, to be signed by the chairman of the



meeting at which the proceedings took place or by the chairman of the following meeting.

#### **12.9 Resolution in writing**

12.9.1 A resolution in writing signed by at least those Committee Members sufficient to constitute a quorum of meetings of the Committee of Management constitutes a determination of the Committee of Management passed at a meeting of the Committee of Management duly convened and held.

12.9.2 A resolution in writing may consist of several documents in like form, each signed by one or more Committee Members and, if so signed, takes effect on the latest date on which a Committee Member signs one of the documents.

12.9.3 In relation to a resolution in writing:

- (a) a document generated by electronic means which purports to be a facsimile of a resolution of the Committee of Management constitutes a resolution in writing; and
- (b) a document bearing a facsimile of a signature is to be regarded as signed.

### **13 ANNUAL GENERAL MEETING**

#### **13.1 Time for holding**

An annual general meeting of Members must be held each Year at the Australian Quarter Horse National Championships but no later than 31 December in any Year. If the annual general meeting has not been called by this date, any 15 Members may request the Executive Director to convene and conduct an annual general meeting.

#### **13.2 Agenda**

The agenda for an annual general meeting shall be:

- (a) opening of meeting;
- (b) apologies;
- (c) minutes of the previous annual general meeting;
- (d) President's report;
- (e) Secretary's report;
- (f) Treasurer's report;
- (g) election of Officers and other Committee Members; and
- (h) general business.

### **14 GENERAL MEETINGS**

#### **14.1 Convening**

14.1.1 The Committee of Management may at any time call a general meeting of the Division.

14.1.2 Any 15 Members may serve a written request on the Secretary to convene a general meeting. All such requisitions must be signed by each of the 15 Members. The requisition must state the purpose for which the meeting is required. If the meeting has not been convened within 21 days after service of the requisition on the Secretary, the 15 Members may request the Executive Director to convene the meeting on behalf of the Division. The Executive Director has the power to call a general meeting on 21 days' notice or such other shorter notice period permitted by this constitution.

## 14.2 Quorum

- 14.2.1 Business may not be transacted at any general meeting unless a quorum of Members is present at the time when the meeting proceeds to business.
- 14.2.2 A quorum is present if there are present at the meeting 15 Members.
- 14.2.3 If a quorum is not present within 30 minutes from the time appointed for the meeting or a longer period allowed by the chairman:
- (a) and the meeting was convened on the requisition of Members, it is dissolved; or
  - (b) in any other case, it stands adjourned to the same day in the next week at the same time and place or to another day and at another time and place determined by the Committee of Management.
- 14.2.4 The Members present (being not less than two) at an adjourned meeting constitute a quorum and may proceed with the business specified in the notice of meeting if:
- (a) notice of the adjourned meeting is given in the same way as for an original meeting; and
  - (b) at the adjourned meeting a quorum is not present within 30 minutes after the time appointed for the meeting.
- 14.2.5 If the notice of the adjourned meeting is not given and a quorum is not present at the adjourned meeting, the meeting must be dissolved.

## 14.3 Notice

- 14.3.1 Subject to the provision of this constitution relating to agreements for shorter notice, at least 21 days' notice (exclusive of the day on which the notice is served or deemed to be served but inclusive of the day for which notice is given) must be given to Members, specifying the place, the day and the hour of meeting and, in case of special business, the general nature of that business.
- 14.3.2 All business is special that is transacted at a general meeting or, with the exception of the consideration of the reports of the Committee of Management and the election of Officers and Committee Members in the place of those retiring, is transacted at an annual general meeting.
- 14.3.3 The accidental omission to give notice of any general meeting to or the non receipt of a notice by a Member does not invalidate a resolution passed at the general meeting.
- 14.3.4 Notwithstanding the 21 days' notice provision for convening a general meeting prescribed by clause 14.3.1, if it is agreed by a majority of 75% of the Members, a resolution may be proposed and passed at a general meeting of which less than 21 days' notice has been given.

## 15 PROCEDURE AT GENERAL MEETINGS

### 15.1 Appointment of chairman

The President must preside as chairman at every general meeting of the Division or, if there is no President or if he/she is not present within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, the Deputy President must be chairman or, if the Deputy President is not present or is unwilling to act, the Vice-President must be the chairman or, if the Vice-President is not present or is unwilling to act, the Members present must elect one of their numbers to be chairman of the meeting.

### 15.2 Chairman's powers

At all general meetings, the chairman's ruling is final in all matters of order, procedure and practice.

### **15.3 Adjournment of general meetings**

- 15.3.1 The chairman may, with the consent of any meeting at which a quorum is present, and must if so directed by the meeting, adjourn the meeting to another time and to another place.
- 15.3.2 The only business that may be transacted at any adjourned meeting is the business left unfinished at the meeting from which the adjournment took place.
- 15.3.3 When a meeting is adjourned for 30 days or more, notice of the adjourned meeting must be given as in the case of an original meeting.
- 15.3.4 Except when a meeting is adjourned for 30 days or more, it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

### **15.4 Voting on show of hands**

- 15.4.1 At a general meeting a resolution put to the vote of the meeting must be decided on a show of hands unless a poll is (before or on declaration of the result of the show of hands) demanded.
- 15.4.2 If a poll is not duly demanded, a declaration by the chairman that a resolution has on a show of hands been carried or carried unanimously, or by a particular majority, or lost, and an entry to that effect in the book containing the minutes of the proceedings of the Division is conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.

### **15.5 Demand for a poll**

- 15.5.1 A poll may be demanded by:
- (a) the chairman; or
  - (b) at least three Members present in person or by proxy.
- 15.5.2 The demand for a poll may be withdrawn.
- 15.5.3 The demand for a poll does not prevent the continuance of a meeting for the transaction of business other than the question on which a poll is demanded.
- 15.5.4 If a poll is duly demanded, it must be taken in the manner and, except as to the election of a chairman or on a question of adjournment, either at once or after an interval or adjournment or otherwise as the chairman directs. The result of the poll is the resolution of the meeting at which the poll is demanded.
- 15.5.5 A poll demanded on the election of a chairman or on a question of adjournment must be taken immediately.

### **15.6 Voting rights of Members**

- 15.6.1 At general meetings of Members each Member entitled to vote may vote in person or by proxy or by attorney and on a show of hands every person present who is a Member or a representative of a Member has one vote and on a poll every Member present in person or by proxy or by attorney or other duly authorised representative has one vote.
- 15.6.2 A person attending as a proxy or as the attorney of a Member is to be treated as a Member for the purposes of:
- (a) determining whether a quorum is present; and
  - (b) demanding a poll.
- 15.6.3 No Member is entitled to vote at any general meeting if his/her annual subscriptions of AQHA are in arrears as at the date of the meeting.

## 15.7 Chairman's vote at general meetings

In the case of an equality of votes, whether on a show of hands or on a poll, the chairman of the general meeting at which the show of hands takes place or at which the poll is demanded has a second or casting vote.

## 15.8 Objections to voter qualification

- 15.8.1 No objection may be raised to the qualification of a voter except at the meeting or adjourned meeting at which the vote objected to is given or tendered.
- 15.8.2 An objection to the qualification of a voter must be referred to the chairman of the meeting, whose decision is final.
- 15.8.3 A vote not disallowed according to an objection as provided in this constitution is valid for all purposes.

## 16 PROXIES

### 16.1 Appointment of proxies

- 16.1.1 A document appointing a proxy must be in writing, signed by the appointor or the attorney of the appointor duly authorised in writing.
- 16.1.2 If the notice of the general meeting for which a proxy is appointed states that proxies may be sent to a specified facsimile number for or on behalf of the Division, a document generated from the image of a document appointing a proxy that is transmitted to that facsimile number is:
  - (a) deemed to be in writing; and
  - (b) deemed to be signed if bearing a facsimile of a signature.
- 16.1.3 A proxy need not be a Member.

### 16.2 Form of proxy

A document appointing a proxy must be in the following form or in a form that is as similar to the following form as the circumstances allow or in such other form as the Committee of Management may from time to time prescribe or approve.

#### **AMATEUR DIVISION OF THE AUSTRALIAN QUARTER HORSE ASSOCIATION**

I/We,

of

being a Member/Members of the Division, appoint

of

or, in his/her absence,

of

as my/our proxy to vote for me/us on my/our behalf at the \*annual general / \*general meeting of the Division, to be held on the        day of        20        and at any adjournment of that meeting.

\*\*This form is to be used \*in favour of / \*against the resolution.

Signed this        day of        20

\* Strike out whichever is not desired (unless otherwise instructed the proxy may vote as he/she thinks fit).

\*\* To be inserted if desired.

### **16.3 Authority of proxies**

- 16.3.1 A document appointing a proxy may specify the manner in which the proxy is to vote in respect of a particular resolution and, where the document so provides, the proxy is not entitled to vote on the resolution except as specified in the document.
- 16.3.2 A proxy may vote on a show of hands but a person holding a proxy for more than one Member has only one vote.
- 16.3.3 A document appointing a proxy confers authority to demand or join in demanding a poll.
- 16.3.4 Except as provided by the document appointing a proxy, the appointment of proxy confers authority to agree to a meeting being convened by a shorter notice than is required by this constitution and to a resolution being proposed and passed at a meeting of which less than 21 days' notice has been given.

### **16.4 Verification of proxies**

- 16.4.1 Before the time for holding the meeting or adjourned meeting at which a proxy proposed to vote, there must be deposited with the Division:
- (a) the document appointing proxy; and
  - (b) the power of attorney or other authority (if any) under which the document is signed or a notarially certified copy of that power or authority.
- 16.4.2 The documents referred to in clause 16.4.1 must be:
- (a) received by the Secretary not less than 48 hours before the time for holding the meeting or adjourned meeting or, in the case of a poll, not less than 24 hours before the time appointed for the taking of the poll; or
  - (b) produced to the chairman of the meeting or adjourned meeting before the proxy votes.

### **16.5 Validity of proxies**

A proxy document is invalid if it is not deposited or produced prior to a meeting or a vote being taken as required by this constitution.

### **16.6 Revocation of appointment of proxy**

A vote given in accordance with the terms of a document of proxy or power of attorney is valid despite the occurrence of any one or both of the following events if no intimation in writing of any of those events has been received by the Division before the commencement of the meeting or adjourned meeting at which the document is used:

- (a) the previous death or unsoundness of mind of the appointor; or
- (b) the revocation of the appointment or of the authority under which the document was executed.

## **17 NOTICES**

Any notices to be given to a Member under the provisions of this constitution are sufficiently given if addressed to the Member and sent by prepaid post to the Member's last known abode as listed in the Register. Any such notice is deemed to have been duly delivered on the business day following the date of posting.

## **18 VARIATION OF THIS CONSTITUTION**

This constitution may, with the prior approval of the board of directors of AQHA, be added to, repealed or amended by resolution at any annual or general meeting if the resolution is carried by a majority of at least two-thirds of the Members voting on it, provided that notice of the resolution is given to the Members and the AQHA at least 28 days before commencement of the meeting.