

Friends of Edinburgh Park Constitution

Definitions:

- a) 'Association', 'Committee', and 'FoEP' are taken to mean Friends of Edinburgh Park Incorporated.
- b) 'Notice' and 'notice' shall include post and/or email.

1) THE NAME OF THE ASSOCIATION

- a) The name of the Association shall be 'Friends of Edinburgh Park'.

2) AIMS AND DUTIES

- a) The Aim of Friends of Edinburgh Park is to maintain, develop and promote the grounds as a general Equestrian and Pony Club Ground, Community Hall and Recreation Ground. To foster communication between User Groups on a regular basis. To develop and encourage volunteers in the running, maintenance and improvement of the Grounds and Buildings.
- b) The Duties of FoEP is to manage the fair & equitable use and coordinate maintenance of the Edinburgh Park grounds and buildings. To take reasonable and practicable measures to ensure the facility is maintained in a fit and safe condition. To meet and consult with User Groups on a regular basis. To provide minutes of meetings and financial statements to User Groups and West Tamar Council. To prepare a management and maintenance plan for Edinburgh Park and facilities in conjunction with the West Tamar Council. To manage a maintenance and improvements budget and liaise with West Tamar Council to determine the maintenance budget for each forthcoming fiscal period. To set and collect fees and usage charges. To use money collected for the maintenance and improvement of Edinburgh Park. Management of non-minor maintenance activities will be agreed with West Tamar Council prior to possible delegation to User Groups and their volunteers.
- c) FoEP is set up to apply to be the license holder of Edinburgh Park from West Tamar Council, the Committee shall set up license, hire or user agreements for permanent and casual users.

3) MEMBERSHIP

- a) FoEP is a representative committee with the powers and functions responsible for the management of Edinburgh Park in line with the AIMS and DUTIES as above.
- b) Nomination of Representatives: Permanent User Groups may nominate 1 or 2 representatives, such nominations are to be minuted at a User Group meeting, or by a written letter of appointment from the User Group, or by such other means as deemed acceptable to the Committee. Such representation will be active from the time the notice is received by the Committee.
- c) FoEP shall review applications by new User Groups for membership at the AGM.
- d) User Groups may resign from the FOEP by giving notice to the Secretary.
- e) Persons co-opted by the committee shall be accepted as non-voting members of FoEP.

4) SUBSCRIPTIONS

- a) Subscriptions for membership of the Association shall be an amount decided by the Committee.
- b) A member will be deemed to be unfinancial when their subscription is three months in arrears and shall have no voting rights until such arrears are paid.

5) ACCOUNTS AND PROPERTY

- a) True accounts shall be kept of the money received and expended and of the property; credits and liabilities of the Association and these records shall be open for inspection by the members of the Association and West Tamar Council.
- b) The Treasurer or persons delegated to do so shall be responsible for the maintaining of these records.
- c) The income and property of the Association shall be applied solely towards the aims and duties of the Association and no portion shall be paid to any member of the Association except as remuneration for expenses or services rendered on behalf of the association.

6) FINANCES

- a) All monies received will be given to the Treasurer or delegated person for deposit in the Associations bank account(s)
- b) Receipts must be issued for all monies received so that accurate records can be maintained.
- c) Cheques or Electronic Transfer require two signatories.
- d) Bank Signatories are to be nominated by the Committee.

7) AUDITOR

- a) The Friends of Edinburgh Park may seek an exemption from the audit requirement if:- the association has total revenue in any financial year of \$40,000 or less; and total assets of \$40,000 or less not including 'real property' such as land and real estate.
- b) If requested at the Annual General Meeting of the Association the members present will appoint an Auditor of the Association who will hold office until the next Annual General Meeting and is eligible for re-appointment.
- c) If appointed the Auditor will be suitably qualified under the Incorporations Act and shall have no personal interest in the affairs of the Association.
- d) If appointed the accounts of the Association must be examined at least once in each financial year by the Auditor, a report from whom must then presented at the AGM.
- e) If appointed the Auditor has the right of access to all records of the Association and may require from the Committee and employees of the Association such information as may be necessary for the audit to be completed.

8) ANNUAL GENERAL MEETING

- a) The Association shall, in each year, hold an Annual General Meeting on such a day as the Committee shall decide, not less than four months after the end of the financial year. At least 30 days notice shall be given to all members and Permanent User Groups and the Public Officer shall ensure that this is done.
- b) The ordinary business of the Annual General Meeting shall;
 - (1) Confirm the minutes of the last AGM.
 - (2) Receive from the Committee and Treasurer or Auditor of the Association reports upon the transactions and activities of the Association during the last year.
 - (3) Receive from member user groups the names of representatives appointed to FoEP.
 - (4) The FoEP Committee will appoint a Chairperson, Public Officer, Secretary, Treasurer, Council Liaison, and other positions as deemed necessary by the Committee for running the grounds.
 - (5) The FoEP Committee may co-opt such persons to hold positions as it thinks fit to assist in the running of FoEP but a person so co-opted is not entitled to vote.
 - (6) If required Appoint an Auditor
 - (7) Vote on any applications for membership of FoEP by new User Groups.
 - (8) Annual Review of Club Use and Allocation.

9) CONDUCT OF MEETINGS AND VOTING

- a) Quorum of a meeting is half the current financial members of the Association.
- b) If after 30 minutes a quorum is not present the meeting will be postponed for one week. Notice is to be given to all members of the revised meeting date. Members so present at that meeting will be authorized to conduct the business of the Association.
- c) Meetings will be held not less than every three months. The Secretary shall distribute an agenda 5 days prior to the meeting.
- d) The meeting will be chaired by the Chairperson or in their absence the meeting shall appoint a Chair.
- e) Issues raised will be examined in an orderly manner with the aim of achieving a consensual resolution. If resolution cannot be achieved, the item will go to a vote. All representative members of FoEP present will be granted a vote. If the vote is tied the resolution fails for want of a majority.
- f) The Committee shall keep minutes showing the resolutions proposed and passed and all other proceedings at their meetings.
- g) The Committee has the right to fill casual vacancies until the next AGM if resignation or other events occur.

10) Special General Meetings

- (1) The committee may convene a special general meeting of the Association at any time.
- (2) The committee, on the requisition in writing from a user group representative member, may convene a special general meeting of the Association.
- (3) A requisition for a special general meeting -
 - (a) is to state the objects of the meeting; and
 - (b) is to be signed by the requisitionists; and
 - (c) is to be delivered to the public officer of the Association; and
 - (d) may consist of several documents, each signed by one or more of the requisitionists.
- (4) If the committee does not cause a special general meeting to be held within 21 days from the day on which a requisition is deposited at the office of the Association, the requisitionists, or any of them, may convene the meeting within 3 months from the day of the deposit of the requisition.

11) EXPULSION OF A MEMBER

- a) Friends of Edinburgh Park shall have the right to expel a member from the Association, if the member has been guilty of conduct, which the Committee believes is not in accordance with the stated Aims and Duties of the Association.
- b) The expelled member has the right to hear the reasons for expulsion and to be able to present a defense.
- c) If the member is expelled from the Association the Public Officer of the Association will, without undue delay, cause to be served on the member or User Group, a notice in writing to that effect.

12) ALTERATIONS TO THE CONSTITUTION

- a) The Committee will have the power to recommend proposed changes to the Constitution.
- b) The constitution will be amended only by a vote of three quarters (3/4) of the financial members present at a special meeting specifically called for that purpose.

13) CLOSING OF THE ASSOCIATION

- a) The Association shall not be dissolved or wound up without the consent of three quarters (3/4) of the financial members present at a special meeting specifically called for that purpose.
- b) In the event of the Association being wound up; members shall be liable for the payment of debts or liabilities of the Association for an amount not exceeding unpaid annual subscriptions.
- c) In the event of the Association being dissolved, the amount which remains after dissolution and the satisfaction of all debts and liabilities shall be paid to a not for profit Association which has similar objects and purposes and which has rules prohibiting the distribution of property and income to its members.

14) SEAL OF THE ASSOCIATION

- a) The seal of the Association shall be in the form of a rubber stamp inscribed with 'Friends of Edinburgh Park', encircling the word 'SEAL'. It shall remain in the custody of the Public Officer.
- b) The seal of the club shall not be affixed to any instrument except by the authority of the Committee, and the affixing shall be attested by the signature of two members of the Committee.