

# **Australian Carriage Driving Society Inc.**

ABN 28 794 114 302 – Incorporation No. A01028



## **Schedule 2 BY-LAWS**

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### Definition

For the purpose of these By-Laws, a reference to the ACDS Constitution means a reference to the Australian Carriage Driving Society Inc. Constitution registered with Access Canberra.

## 1. Branch Areas

Branch geographic areas shall be as follows:

- 1.1. The State of Victoria.
- 1.2. The State of Tasmania.
- 1.3. The State of Western Australia.
- 1.4. The State of South Australia and the Northern Territory.
- 1.5. The State of Queensland.
- 1.6. The State of New South Wales and the Australian Capital Territory.

## 2. Local Clubs

- 2.1. Members are required to pay to their local club all amounts payable pursuant to the ACDS Constitution and the rules of the local club, including the amount referred to in Clause 5.1 (c), no later than 31 August in each year.
- 2.2. The local club must remit the amount payable pursuant to Clause 5.1 (c) of the ACDS Constitution to the relevant Branch treasurer within seven (7) days of receipt, together with a full list of Members of the local club to whom the remittance refers too.
- 2.3. The Branch Treasurer must remit to the ACDS within seven (7) days of receipt the amount payable in respect of each Member pursuant to clause 10 of the ACDS Constitution and such remittance must be accompanied by a list of Members of the local clubs within that Branch to whom the remittance refers too.
- 2.4. In respect of Members joining local clubs and the ACDS after 31 August, the foregoing procedure must be adopted mutatis mutandis.
- 2.5. A local club must issue a receipt for all membership subscriptions (for the local club, state and the ACDS) for verification purposes.
- 2.6. If the Federal Council becomes aware that a local club has insufficient Members and social Members to comply with the legal requirements for the ongoing existence as an incorporated association in that local clubs State or Territory of incorporation, Federal Council may by notice in writing to the local club and Members of the local club:
  - a. advise the local club and Members of the local club that based on the information available to Federal Council that it appears that the local club has insufficient Members and social Members to comply with the legal requirements for the ongoing existence as an incorporated association;
  - b. request the local club to confirm to Federal Council that it has sufficient Members and social Members to comply with the legal requirements for the ongoing existence as an incorporated association;

- c. if the local club cannot confirm to Federal Council that it has sufficient Members and social Members to comply with the legal requirements for the ongoing existence as an incorporated association, give the local club and Members 30 days to obtain additional persons to ensure the local club has sufficient Members to comply with the legal requirements for the ongoing existence as an incorporated association; or
  - d. request written advice from the local club and Members to transfer Memberships to another local club.
- 2.7. If Federal Council does not receive the notification set out in either clauses 2.6 (b), 2.6 (c) or 2.6 (d) of these By-laws, Federal Council has the authority to transfer the Members of the local club to the nearest local club that complies with the legal requirements for the ongoing existence as an incorporated association.
- 2.8. A local club shall be acknowledged as being affiliated with the ACDS upon submission of an application for affiliation to the Federal Secretary on an annual basis. The affiliation year shall run from March to February. The form of application for affiliation shall be determined by the Federal Council as required from time to time.
- 2.9. Federal Council ratification of the formation of a new Club recognises that Club as an Affiliated Club of the ACDS.
- 2.10. The Affiliation Form is a requirement for maintaining Club affiliation with the ACDS.
- 2.11. An office bearer being either the President, Vice-President, Secretary or Treasurer of a State Branch or local club must be 18 years or older and be either a Single Member, be part of a Family Membership, be an Active (non-driving) Member or an Honorary Life Member, subject to compliance with the State Branch or local club rules.

### **3. Offences at a Show or Event**

- 3.1. It shall be the responsibility of persons conducting any show or event to establish a Jury comprising suitably experienced Members of a local club whose function it will be to hear and determine any allegation that any person at the show or event has engaged in conduct described in Clause 12.1 (a), (b), (c), (d), (e), (f), (g), (h), (i) or (j) of the ACDS Constitution.
- 3.2. If the Jury, having heard evidence from appropriate witnesses (if any) and the person concerned, forms the opinion that the person concerned has engaged in conduct referred to in By-law 3.1, the Jury may:
  - a. reprimand the person concerned;
  - b. suspend or disqualify the person concerned and/or the horse involved from all or any event;
  - c. take no action.
- 3.3. It shall be the responsibility of the Jury and of the President of the local club concerned to cause full particulars of the matter to be forwarded to the Secretary of the ACDS State Branch concerned within 28 days of the conclusion of the show or event in question, and the Branch concerned may deal with the matter as contemplated by Clause 12, notwithstanding the decision of or any action that may have been taken by the Jury.
- 3.4. Any appeal shall be forwarded by the applicant to the Federal Council within 28 days of that Branch's decision.

#### **4. Federal Conveners**

- 4.1. The Federal Conveners for Combined Driving, Driven Dressage, Historical, Pleasure and Endurance Driving and Show Driving shall be appointed by Federal Council on an annual basis, following submission of an expression of interest to the Federal Secretary at least 30 days prior to the Annual General Meeting of the ACDS. The appointment term shall run from conclusion of the Federal Council meeting at which the appointment is confirmed through to the conclusion of the corresponding Federal Council meeting 12 months hence, or as determined by Federal Council at the time.
- 4.2. A person appointed by Federal Council as Federal Convener after 1 July 2016 may hold the position for a maximum period of five (5) consecutive years; thereafter they are eligible for one (1) further year appointed to the role at the discretion of Federal Council. The person is then ineligible to hold the same appointed position for a period of two (2) consecutive years.

#### **5. Combined Driving**

- 5.1. The Federal Convener for Combined Driving shall keep up-to-date on all aspects of Combined Driving.
- 5.2. The Federal Convener shall liaise with, attend to the concerns of, and provide assistance to, the Branch Combined Driving Sub-committees.
- 5.3. The Federal Convener shall provide advice and recommendations to Federal Council on matters relating to the conduct of Combined Driving.
- 5.4. Combined Driving rules shall be formulated by the Combined Driving Sub-committee and approved by Federal Council.
- 5.5. Federal Council shall from time to time formulate and publish rules for the sport of Combined Driving, which shall be deemed to be incorporated in and comprise by-laws
- 5.6. All graded and ungraded driving events shall be conducted in accordance with the Combined Driving rules.
- 5.7. Random drug testing of horses and ponies by the Official Veterinary Surgeon may be conducted at all levels of Combined Driving events conducted in accordance with the Combined Driving rules. Warning of such action must be incorporated in the competition schedule by the organisers of the event.
- 5.8. Registration of all horses competing in ACDS CDE events is compulsory and that the horses are registered with the ACDS horse registrar.

#### **6. Dressage**

- 6.1. The Federal Convener for Driven Dressage shall keep up-to-date on all aspects of Driven Dressage. The Federal Convener for dressage must be an advanced dressage judge.
- 6.2. The Federal Convener shall liaise with, attend to the concerns of, and provide assistance to, the Branch Dressage Sub-committees.
- 6.3. The Federal Convener shall provide advice and recommendations to Federal Council on matters relating to the conduct of Driven Dressage.
- 6.4. The Federal Convener shall be a dressage assessor.

- 6.5. Graded Driven Dressage Rules shall be formulated by the Driven Dressage Sub-committee and approved by Federal Council.
- 6.6. The Federal Council shall from time to time formulate and publish rules for the sport of Graded Driven Dressage excepting the driven dressage phase of Combined Driving events, which shall be deemed to be incorporated in and comprise by-laws.

## **7. National Driving Events**

- 7.1. The ACDS shall instigate a national driving event for Combined Driving, Graded Driven Dressage and Show Driving; to be held in the year following each Annual General Meeting and to be conducted by a Branch of the ACDS.
- 7.2. Proposals for the venue for the next ensuing national driving event are to be forwarded by the Branch to the Secretary of the ACDS at least one month prior to the Annual General Meeting of the ACDS for consideration by Federal Council.
- 7.3. In the event of no suitable proposal for such a venue being received as required by by-law 6.2, Federal Council may select such a venue and invite such persons as it considers appropriate to conduct the next ensuing national driving event, but so far as possible the venue shall be in a different Branch area each year.
- 7.4. No national driving event may be conducted other than in accordance with such requirements as Federal Council may from time to time impose and, in particular, the schedule and all officials for any such event must be approved by Federal Council.
- 7.5. Full particulars of a National Driving Event, including details of the officials proposed to be involved in the event and a budget must be provided to the Federal Secretary at least six months prior to the date the event is due to commence.
- 7.6. For all National Championship events the proforma schedules contain the wording "(Club Name) presents on behalf of the Australian Carriage Driving Society, the (Year) Australian (Discipline as applicable) Championships" which is to be included on all programs and advertising material associated with that event.
- 7.7. That a One Activity Membership may be offered at Show Driving and Graded Driven Dressage State and National Championships at the discretion of the State hosting the Championships.
- 7.8. Graded Combined Driving Events (Levels 1, 2 and 3) shall not be run in opposition on the same day(s) as the National Combined Driving Event Championships.
- 7.9. International CDE Competitors who have achieved the relevant qualification criteria for a CDE Championship in their home country are regarded as being suitably qualified to compete at an ACDS National and State CDE Championship event, subject to the membership requirements of the Society being met.
- 7.10. The CDE Roster shall be arranged so that the National Championship are offered to the two large States (Vic and NSW) every second year. In alternate years the National Championships shall be rostered in small States.

2023	New South Wales
2024	South Australia
2025	Victoria
2026	Western Australia
2027	New South Wales
2028	Queensland
2029	Victoria
2030	South Australia

If a State agrees to host the championship when another State declines, the rota does not change for forthcoming years.

7.11. The National Graded Driven Dressage Rota shall be as follows:

2023	South Australia
2024	Victoria
2025	Tasmania
2026	New South Wales
2027	Queensland
2028	Western Australia
2029	South Australia
2030	Victoria

If a State agrees to host the championship when another State declines, the rota does not change for forthcoming years.

## 8. Show Driving

- 8.1. The Federal Convener for Show Driving shall keep up-to-date on all aspects of Show Driving.
- 8.2. The Federal Convener shall assist Branches in reviewing the accreditation of Show Driving officials, and make recommendations to Federal Council relating to those accreditations.
- 8.3. The National Show Driving Rota shall be:

2023	Tasmania
2024	Western Australia
2025	New South Wales
2026	South Australia
2027	Queensland
2028	Victoria
2029	Tasmania
2030	Western Australia

If a State agrees to host the championship when another State declines, the rota does not change for forthcoming years.

## 9. Pleasure and Endurance

- 9.1. The Federal Convener for Pleasure and Endurance shall keep up-to-date on all aspects of Pleasure and Endurance driving.

- 9.3. The Federal Convener shall liaise with, attend to the concerns of, and provide assistance to, the Branch P&E sub committees.
- 9.4. The Federal Convener shall provide advice and recommendations to Federal Council on matters relating to the conduct of PE.

## 10. Historical

- 10.1. The Federal Convener for Historical matters shall keep up-to-date on all aspects of Historical driving matters.
- 10.2. The Federal Convener shall liaise with, attend to the concerns of, and provide assistance to, the Branch Historical sub committees.
- 10.3. The Federal Convener shall provide advice and recommendations to Federal Council on matters relating to the conduct of Historical.

## 11. Judges and Officials

- 11.1. Federal Council shall from time to time appoint persons to the Training & Schools sub-Committee and/or examiners to teach, examine, and recommend to Federal Council, officials for inclusion, on the following national lists;
  - a. show judges (light or heavy);
  - b. dressage judges (novice or open);
  - c. presentation judges;
  - d. technical delegates (novice and advanced);
  - e. course designers;
  - f. TPR stewards;
  - g. cones judges; and
  - h. president of ground jury and ground jury members.
- 11.2. Persons on the Federal lists described above are required to be and remain fully experienced and up to date on relevant matters and for that purpose are required to attend a refresher course at least once every three years.
- 11.3. Federal Council shall annually review the Federal lists referred to above and on such review, may add to or remove from a list such persons as Federal Council considers appropriate. Any person on a list who has not attended a refresher course as required by by-law 11.2 may be removed from the list by Federal Council.
- 11.4. It shall be the responsibility of the Federal Convener of the Combined Driving, Graded Driven Dressage and Show Driving Disciplines in conjunction with the Training & Schools Coordinator to arrange at least one school in each Branch area in each calendar year for the training of potential officials and to provide a refresher course for existing officials.



- 11.5. All officials listed in By-Law 11.1 (a) to (h) excluding show judges and TPR stewards must be a Single, Family, Honorary Life or Active (non-driving) Member of the ACDS.
- 11.6. That all non ACDS Coaches/Instructors at a minuted Club/State/Federal activity be deemed to be ACDS members for the purpose of the minuted activity only.

## **12. Specialist Activity Groups**

- 12.1. Federal Council may from time to time authorise the setting up of groups to represent and deal with matters pertaining to a particular specialist activity within the ACDS, such as (by way of example only) Combined Driving, Show Driving, pleasure, dressage, endurance and heavy harness.
- 12.2. No decision of a specialist activity group shall have any force or effect until it has been approved by the Federal Council.
- 12.3. Overseas driving societies and sponsors may only be contacted by an organising committee with Federal Council approval and through the Federal Secretary if the activity is an official ACDS activity and/or supported by the ACDS.
- 12.4. Minutes taken at the Subcommittee Meetings are to be provided to the Federal Secretary as soon as possible and that those Minutes be confidential to the Federal Council.
- 12.5. Federal Council Subcommittees (not including Discipline Subcommittees) consist of a maximum of five persons including the President as ex officio unless otherwise determined.

## **13. Honorariums**

- 13.1. An honorarium of \$1,000 is offered annually to the President and subject to prior approval by the other office bearers, reasonable out of pocket expenses be reimbursed.
- 13.2. An honorarium of \$2,000 is offered annually to the Secretary and subject to prior approval by the other office bearers, reasonable out of pocket expenses be reimbursed.
- 13.3. An honorarium of \$1,000 is offered annually to the Assistant Secretary and subject to prior approval by the office bearers, reasonable out of pocket expenses be reimbursed
- 13.4. Subject to prior approval by the other office bearers, reasonable out of pocket expenses be reimbursed to the Vice President and Treasurer.
- 13.5. Federal Conveners be entitled to claim travelling expenses to the Federal Annual General Meeting

## **14. General**

- 14.1. Any five of the designated Branch Discipline Sub-Committee Conveners may make a request in writing that a meeting of the sub-committee be convened. The Federal Convener will convene the meeting either as a face to face or teleconference meeting within fourteen days of receipt of their request.
- 14.2. It shall be the responsibility of all ACDS Office Bearers and Members to protect the privacy of all Members by preventing the circulation and distribution of Members' names, addresses, phone numbers and email addresses to organisations which are not part of the Australian Carriage Driving Society.
- 14.3. The Young Driver upper age limit is set at 25 years for the purposes of the Young Driver Program.

- 14.5. The ACDS Public Officer is a deemed full Member of the ACDS.
- 14.6. Federal Council approve the formation of a new Federal Council Appointment to be known as Assistant Secretary and Federal Council authorizes the Federal Secretary to delegate such matters as thought fit to the Assistant Secretary.
- 14.7. All persons under 18 years of age driving or riding in a carriage must wear protective head gear designed for equestrian use whilst at an ACDS activity.
- 14.8. That the minimum age for driving at ACDS activities be as tabled below:

	<b>Applicable to all ACDS driving activities excluding Combined Driving Events (Level 1-4)</b>
Junior definition	a person who has not attained the age of 18 years
Youngest driving age (Single horse or pony)	A Junior driver aged 6 - 7 years inclusive must be accompanied in the vehicle by an ACDS adult Member (an experienced driving person) seated alongside at all times and holding a second pair of reins attached to the bit.
Additional restrictions	A Junior driver aged 8 - 15 years inclusive must be accompanied in the vehicle by an ACDS adult Member (an experienced driving person) who must be facing forward.
Stallions	Junior Drivers under 18 years of age are not allowed to drive stallions at ACDS events.
Multiples	Junior Multiple drivers – a Junior driver aged 16 - 17 years inclusive may drive a pair or tandem or team of ponies. They must be accompanied in the vehicle by an ACDS adult Member (an experienced driving person). A Junior driver cannot drive a horse multiple (pair, tandem, four-in-hand) until they turn 18 years of age.

- 14.9. The partner of a deceased Life Member be mailed a copy of the Journal on an honorary basis.
- 14.10. At all ACDS activities equines must be bitted and the equine driven in the conventional manner with the reins attached to that bit.
- 14.11. Where helmets are worn at ACDS activities they must comply with at least one of the following codes and its proviso(s):
- British – PAS 015: 1998 or 2011, VG1 01.040: 2014-12 – provided they are BSI Kitemarked
  - European – VGI 01.040 2014-12 with or without BSI Kitemarked
  - American – ASTM F1163: 2004a or 04a onwards provided they are SEI marked or SNELL E2001 marked
  - Australian or New Zealand – AS/NZS 3838 2006 onwards and provided they are SAI Global marked
  - Helmet Standard EN1384 will remain in place until 31<sup>st</sup> December 2016. As of 1<sup>st</sup> January 2017 helmets which are certified to EN 1384 only, will not be accepted for use at ACDS activities.
- 14.12. All Discipline Subcommittees must submit Manual and Rule changes to Federal Council for ratification.
- 14.13. That Federal Council adopts the Code of Conduct with noted amendments. (Refer Schedule C).
- 14.14. The results of ballots at a Federal Annual General Meeting or general meeting are to be recorded and then the ballot papers are to be destroyed.

- 14.15. All horses and ponies are required to be registered to compete at Dressage, Indoor and CDE competitions.
- 14.16. A horse or pony does not need to be registered for the purpose of competing at a Driven Dressage Competition if the driver is competing under a One Activity Membership. However, the horse or pony is not eligible for grading points, qualification for Championships or prizes at the event.
- 14.17. Victorian State Branch is to be responsible for the administration and development of the Australian Indoor Rules until November 2021.
- 14.18. If any disciplinary action is considered by Federal Council against any Member of the ACDS, all formal letters generated by Federal Council during the process are to be:
  - a. sent to the Member's email address; and
  - b. posted to the Member using Express Post (tracked mail) as a minimum; or Registered Mail.

Formal notifications of discipline against Members are to be sent to Club secretaries and posted in the Members' section of the ACDS Website.

#### **15. Observers at Federal Council Meetings**

- 15.1. On occasion a Member of the ACDS may wish to attend Federal Council Meetings as an observer. Attendance at a Federal Council meeting that is conducted via Zoom, or similar means, is restricted to Council members only.
- 15.2. Members should notify the Federal Secretary of their intention to attend at least 10 days prior to the scheduled Federal Council Meeting.
- 15.3. The Secretary will (for those Members notifying as above) provide information about the time and place of the Meeting, catering arrangements and costs involved (if any).
- 15.4. Seating will be provided (for those Members notifying as above) in a designated area(s).
- 15.5. Observers will not be able to contribute to the meeting. The only exception would be where a member was invited by the Federal Council to attend to provide information or answer disciplinary matters. The above conditions would apply to these Members for all parts of the Meeting other than the point of business referred to in the invitation.
- 15.6. Observers would be asked to leave the meeting room or technology if the Federal Council moved to discuss a matter "in camera" or the observer's behavior was considered inappropriate. Determination to be made by the Chair.
- 15.7. Observers may choose to take notes however these notes must not be distributed.
- 15.8. No electronic recordings are allowed.
- 15.9. Members may on request to their State Branch Secretary or the Federal Secretary, receive a copy of Federal Council Minutes.
- 15.10. A Member's attendance at the Federal Council Meeting indicates acceptance of these conditions.

#### **16. ACDS Coach Accreditation Scheme**

- 16.1. All Federal Discipline Conveners will be eligible to sit on the Federal Coaching Accreditation Panel comprising the Federal Coaching Coordinator any two of the Discipline Conveners.

## 17. ACDS Journal

- 17.1 The ACDS Journal is to be published quarterly in each year and is to be distributed to members, via mail, in:
- a) March
  - b) June
  - c) September
  - d) December
- 17.2 The following membership categories are entitled to one ACDS Journal per issue:
- a) Family membership;
  - b) Single membership;
  - c) Junior membership;
  - d) Active (non-driving) membership;
  - e) Honorary Life Member.
- 17.3 A non ACDS member may subscribe to the ACDS Journal at a cost set by a vote at the Annual General Meeting.

## 18. Non ACDS Member Grooms

- 18.1 All non ACDS Member Grooms at a sanctioned (minuted) Club/State/Federal activity are deemed to be ACDS members for the purposes of the sanctioned activity only. This membership is for insurance purposes only and does not provide the same rights and privileges of a fully paid member. A deemed Member must comply with the ACDS Constitution, By-laws, Regulations and Policies and must obey the Organising Committee and all event officials.

## 19. Member Discipline

- 19.1 If the Federal Council suspends a Member from such rights and privileges of membership of the ACDS, the following applies to that suspended Member:
- They are not to attend any sanctioned or unsanctioned ACDS events as a driver, groom, passenger, helper, assistant, official, steward, penciller or in person. This includes the use of a One Activity Membership.
  - All ACDS Insurance for that member is null and void for the term of the suspension.
  - Access to the ACDS Website and Social Media pages are denied for the period of the suspension.
  - They are not entitled to an ACDS Journal, in any format, for the period of suspension.
- 19.2 Horses/ponies registered with the ACDS under the suspended member's name, may remain registered but cannot be utilised at ACDS events by other ACDS or non ACDS members.

## **20. Third Party Documentation and Authorisation**

Business of the Federal Council is to be considered as 'In Confidence' and any information contained in reports or publications must not contain content that could be inadvertently detrimental to the Society.

Members are not to personally contact any external third party or agency to ask for any paid or unpaid information that is designated for Federal Council or nominated person/s only. To do so may contaminate any information to be used for reports or publications and in some instances may break the law.

Should there be a need to share particular information outside of Council, this information is to be authorised by the Federal President or Federal Secretary only.

## BY-LAW SCHEDULE A – CONFLICT OF INTEREST POLICY

(This is the Master Copy of a Controlled Document.).

### CONFLICTS OF INTEREST OF OFFICE BEARERS & MEMBERS OF FEDERAL COUNCIL, STATE BRANCHES, COMMITTEES & SUBCOMMITTEES OF THE AUSTRALIAN CARRIAGE DRIVING SOCIETY.

#### Intent

This policy outlines procedures for resolving conflict-of-interest issues related to ACDS Members acting in these capacities.

#### Policy Provisions

##### Overview

This policy deals with the resolution of conflict-of-interest issues so far as those issues relate to ACDS Members acting in these capacities. For the purpose of this Policy a Conflict of Interest arises where a Member of Federal Council, a State Branch, Committee or Subcommittee of the ACDS has, in relation to an issue under consideration:

- a. a Material Personal Interest, or
- b. a fiduciary obligation to a person or organisation other than the ACDS.

For the purposes of this policy, a person has a material personal interest in an issue if the person has, or should reasonably have, a realistic expectation that, whether directly or indirectly, the person or an associate stands to gain a benefit or suffer a loss, depending on the issue's outcome.

There is an expected obligation on Members of Federal Council, a State Branch, Committee or Subcommittee of the ACDS to act in the best interests of the ACDS at all times, i.e., they must act in the way that appears most likely to promote the ACDS' interests.

#### **Exclusion from Meeting of a Member of Federal Council, a State Branch, Committee or Subcommittee of the ACDS with a Conflict of Interest.**

A Member who has a Conflict of Interest in an issue to be considered at a Meeting:

- a. must disclose the interest as soon as is practicably possible; and
- b. must not be present at or take part in the meeting while the issue is being considered or voted on, subject to the discretion and direction of the meeting and any conditions for participation, which may be set down by the meeting.

For the purposes of clarity in relation to this clause, the Member concerned may not vote on a question regarding their participation.

The disclosure must be given:

- a. where the Conflict of Interest arises at a meeting, at the meeting; or
- b. otherwise, as soon as practicable after the Member becomes aware of the conflict.

Notice should be given to the Secretary of the meeting, or in the absence of the Secretary, the Chair of the meeting.

A Member who is excluded from a meeting due to a conflict of interest must not be in the place where the meeting is being conducted, including any part of that place set aside for observers and guests attending the meeting. In the case of a meeting carried out using any form of technology, including telephone conference, the Member who is excluded from the meeting must disconnect from the technology and shall not re-join the meeting until re-connected under order of the Chair of the meeting.

A Member who is excluded from a meeting due to a Conflict of Interest must not seek, directly or indirectly, to influence the outcome of any deliberations by the Members at the meeting in relation to the issue.

If a Member discloses circumstances which might (but in the Member's opinion does not) establish a Conflict of Interest; or in the absence of any such disclosure, another Member informs the meeting that it is their opinion that a Member has a Conflict of Interest which has not been disclosed; the meeting may resolve by a majority that a Conflict of Interest does exist. A resolution to that effect imposes the same obligations on the affected Member as would apply had that Member disclosed a Conflict of Interest in relation to the issue.

A Member who has declared a Conflict of Interest or been found, by resolution of the meeting, to have a Conflict of Interest in relation to an issue has no entitlement to information or materials about the Members' deliberations on and determinations about that issue, except to the extent that the information is available generally to persons who are not Members of the meeting and those who were not involved in reporting to the meeting or otherwise assisting the Members in their deliberations on the issue.

#### **Members Not to Use Information for Personal Gain or Benefit of Another Organisation.**

A Member who has received information through Membership of the Federal Council, a State Branch, Committee or Subcommittee must not seek to make use of that information to achieve personal gain or give benefit to another organisation.

#### **Assistance**

Where a Member is in doubt as to whether or not a Conflict of Interest exists, that Member should consult the Federal Secretary as soon as possible.

#### **Definitions**

**"ACDS"** – means the Australian Carriage Diving Society

**"Associate"** – means a colleague, companion, partner, immediate family Member, or business partner

**"Conflict of Interest"** – means an Interest which may potentially (or reasonably be perceived to potentially) affect or influence a decision or course of action, and which if not declared in a timely manner, may undermine the real or perceived integrity of that decision.

**"Meeting"** – means a meeting of Federal Council, a State Branch, Committee or Subcommittee of the ACDS

**"Member"** – means an Office Bearer or Member of Federal Council, a State Branch, Committee or Subcommittee of the ACDS





## BY-LAW SCHEDULE B – ACDS MEMBERS CODE OF CONDUCT

(This is the Master Copy of a Controlled Document.).

### MEMBERS CODE OF CONDUCT

#### Purpose of the Code

This Code of Conduct is intended to outline the behaviour expectations for Members of the Australian Carriage Driving Society Inc. (ACDS) and those associated with Members at ACDS activities. Federal Council recognises that the ACDS is made up of incorporated bodies and clubs in each State of Australia and that each State has laws that may be relevant to a Code of Conduct. This Code of Conduct is intended to set broad over-arching principles, which shall be incorporated into each State's/Club's Code of Conduct, subject to these principles complying with the laws applicable to the relevant State.

This Code of Conduct is to be read in conjunction with the ACDS Constitution, By-laws, Regulations and Policies as applicable from time to time.

#### Expectations

Members of the ACDS and their associates are expected to conduct themselves in a manner that reflects the best interests of the ACDS and is commensurate with the expectations of the broader Membership, community standards and the law. Members are encouraged to develop and maintain an inclusive environment that promotes participation.

Behaviour, which may be considered as discriminatory, bullying, intimidatory, violent or of a harassing (sexual or otherwise) nature will not be tolerated. Unjust or intemperate criticism of other Members or behaviour that brings the Society and/or sport into disrepute is similarly not acceptable.

**Of principle expectation for all ACDS Members and those associated with Members, is compliance with the Constitution, By-laws, Regulations and Policies of the ACDS**

#### *More Specifically:*

**Competitors/Participants and their Associates** are expected to behave in a courteous, respectful and sporting manner; comply with the rules of the relevant activity and any reasonable direction from an official. Horse Welfare considerations shall always take priority over competitive or commercial interests.

**Officials and Volunteers** are expected to conduct themselves professionally; be respectful towards participants and other officials/volunteers; take all reasonable steps to ensure activities are conducted in a safe and fair manner and comply with the ACDS's Conflict of Interest Policy.

**Office Bearers at a Club, State and Federal Level** are expected to conduct themselves in a professional manner; take all reasonable steps to ensure the Society is meeting its legal and constitutional obligations; declare any conflict of interest that may arise in the course of fulfilling their role and, in all decisions, act in the best interests of the ACDS and its Membership.

**Coaches and Trainers** are expected to adhere to and promote best-practice in Horse Welfare; at all times act in the best interests of their client, comply with the ACDS's Conflict of Interest Policy and take all reasonable steps to ensure the training process is conducted in a safe and positive environment.

**Compliance with the Constitution, By-laws, Regulations, Policies and that of the State Branch and the respective affiliated Club is a condition of Membership.**

**Failure to comply may result in disciplinary action against the Member in accordance with the relevant provisions of the Constitution.**

**Non-Members who are deemed to have breached the Code of Conduct, may be asked by a representative of the Society to leave the ACDS activity and may be refused entry to future ACDS events.**

## **BY-LAW SCHEDULE B-1 – ACDS MEMBERS CODE OF CONDUCT**

(This is the Master Copy of a Controlled Document.).

### **USE OF SOCIAL MEDIA**

The Australian Carriage Driving Society (ACDS) is sensitive to the fact that our sport is run by volunteers; all of whom are doing their very best in the interest of the sport and, without their input, the sport would not exist.

Comments and discussion on social media posts can cause distress and disruption to individuals and the ACDS as a whole.

Members must consider very carefully the consequences of their words, both online and in person. Adverse feedback or criticism of any ACDS Member on Social Media is inappropriate as it gains momentum, often fed by people who are not Members and/or who do not compete in driving activities.

Behaviour, which may be considered as discriminatory, bullying, intimidatory, violent or of a harassing (sexual or otherwise) nature will not be tolerated. Unjust or intemperate criticism of other Members or behaviour that brings the Society and/or sport into disrepute is similarly not acceptable.

Contrary behaviour may result in disciplinary action against the Member in accordance with the relevant provisions of the Constitution.

**BY-LAW SCHEDULE C – FEDERAL COUNCIL CODE OF CONDUCT**

*(This is the Master Copy of a Controlled Document.)*

**CODE OF CONDUCT FOR MEMBERS OF FEDERAL COUNCIL  
AUSTRALIAN CARRIAGE DRIVING SOCIETY Inc (ACDS)**

*(To be signed on election / appointment to Federal Council)*

**As a Member of ACDS Federal Council, I certify that:**

1. I will act honestly, in good faith and in the best interest of the ACDS as a whole.
2. I have a duty to use care and diligence in fulfilling the functions of office and exercising the powers attached to that office.
3. I will use the powers of office for a proper purpose, in the best interests of the ACDS as a whole.
4. I recognise that my primary responsibility is to ACDS Members as a whole, but where appropriate I will have due regard for the interests of all stakeholders in the organisation.
5. I will not make improper use of information acquired as a Member of Federal Council.
6. I will not take improper advantage of the position of Federal Councillor.
7. I will not allow personal interests, or the interests of any associated person, to conflict with the interests of the ACDS.
8. I have an obligation to be independent in judgement and actions, and to take all reasonable steps to be satisfied as to the soundness of all decisions taken by Federal Council.
9. Confidential information received by me in the course of the exercise of my Federal Council duties remains the property of the ACDS, and it is improper for me to disclose it, or allow it to be disclosed, unless that disclosure has been authorised by the ACDS, or the person from whom the information was provided, or is required by law.
10. I will not engage in conduct likely to bring discredit upon the ACDS.
11. I have an obligation, at all times, to comply with the spirit, as well as the letter, of the law, the principles of this Code, and the ACDS Constitution, By-laws, Regulations and Policies.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*(Adapted from AHIC Code of Conduct for Directors)*

## BY-LAW SCHEDULE D – ACDS HORSE WELFARE POLICY STATEMENT

(This is the Master Copy of a Controlled Document.).

### HORSE WELFARE POLICY STATEMENT

**The Australian Carriage Driving Society places the utmost importance on the welfare of the Horse as the primary consideration in all carriage driving activities.**

**Horse welfare must never be compromised by competitive or commercial interests and all ACDS Members are expected to accept and abide by this principle.**

ACDS Rules, Guidelines and Risk Management Policies are intended to improve Horse welfare standards. The Rules, Guidelines and Policies are regularly reviewed and updated to ensure effective promotion and implementation of best – practice Horse welfare by ACDS Members.

Regardless of the carriage driving activity or discipline, the following over-arching horse welfare principles apply:

- ***At all stages during preparation, training and use of carriage Horses & Ponies, welfare must take precedence over other demands.***

This includes ensuring good Horse management; using training methods which are appropriate to the physical and mental capabilities of the Horse and which do not result in pain or fear; use of harness and vehicles which are correctly fitted and do not cause pain or injury; a high standard of farriery and foot care; and appropriate methods of transport.

- ***Horses & Ponies must be fit, competent and capable and in good health, appropriate to the type of activity and the specific demands.***

This includes ensuring an adequate level of fitness for the activity, applying appropriate Horse-health and biosecurity practices; and allowing adequate recovery time following veterinary treatment.

- ***Activities must not prejudice Horse welfare.***

Venues, stabling / yards, courses and their components must be designed and maintained with the safety of the Horse in mind. Competitions and activities must take into consideration the best interests of the Horses involved. The effects of extreme weather must be taken into account and mitigated as appropriate.

- ***Every effort must be made to ensure Horses & Ponies receive proper and humane treatment during their lives.***

This includes provision of adequate veterinary and health care; the prompt and appropriate treatment of injury or illness; sympathetic and humane treatment during retirement; and where necessary, appropriate methods of euthanasia to minimise suffering.

**The ACDS supports the ongoing awareness and skills development of its Members in relation to Horse welfare and encourages all those involved in equestrian sport to attain the highest levels of knowledge in relation to care & management of the Horse.**

## **BY-LAW SCHEDULE D-1 – TRIMMING OF HORSES' SENSORY HAIRS**

(This is the Master Copy of a Controlled Document.).

### **TRIMMING OF HORSES' SENSORY HAIRS**

In the interest of Horse welfare, Federal Council has determined that as of 1 January 2022, the Australian Carriage Driving Society (ACDS) will ban the practice of trimming horses' sensory hairs across all disciplines.

Vibrissae, or sensory hairs/whiskers, are the long stiff hairs growing on the chin, mouth and around the eyes and are used as organs of touch by the horse.

Horses will not be permitted to compete in any ACDS activity if the horse's sensory hairs have been shaved or in any other way removed unless individual sensory hairs have been removed by a veterinarian to prevent pain or discomfort for the horse (veterinary certificate necessary).

Penalty will be disqualification.

## BY-LAW SCHEDULE E – ACDS CHILD SAFE AND VULNERABLE PERSONS CODE OF CONDUCT

(This is the Master Copy of a Controlled Document.).

### CHILD SAFE AND VULNERABLE PERSONS CODE OF CONDUCT

This Code of Conduct outlines appropriate standards of behaviour by adults towards children and vulnerable persons.

The Code of Conduct aims to protect children and vulnerable persons and reduce any opportunities for abuse or harm to occur. It also helps Members by providing them with guidance on how to best support children / vulnerable persons and how to avoid or better manage difficult situations. This Code of Conduct applies to all people involved in Australian Carriage Driving Society (ACDS) activities, including participants, coaches, officials, volunteers and parents.

**All ACDS Members** are responsible for promoting the safety and wellbeing of children and vulnerable persons by:

- Adhering to this Code of Conduct and other relevant ACDS policies.
- Taking all reasonable steps to protect children and vulnerable persons from abuse and to keep them safe from harm.
- Treating everyone with respect, including listening to and valuing their ideas and opinions.
- Welcoming all children / vulnerable persons and their families and carers and being inclusive.
- Respecting cultural, religious and political differences and acting in a culturally sensitive way, particularly when interacting with children who are Aboriginal, Torres Strait Islander or otherwise culturally or linguistically diverse and those with a disability.
- Modelling appropriate adult behaviour.
- Listening to children and vulnerable persons and responding to them appropriately.
- Reporting and acting on any breaches of this Code of Conduct, complaints or concerns appropriately and treating them seriously and with respect.
- Working with children / vulnerable persons in an open and transparent way – other adults should always know about the work you are doing in this respect.
- Respecting children / vulnerable persons and their families, and only disclosing information to people who have a need to know.

ACDS Members **MUST NOT**:

- Seek to use children / vulnerable persons in any way to meet the inappropriate needs of adults.

- Ignore or disregard any concerns, suspicions or disclosures of abuse.
- Use prejudice, oppressive behaviour or language with children / vulnerable persons.
- Discriminate on the basis of age (except as provided for in the sport's rules), gender, race, culture, vulnerability or sexuality.
- Initiate unnecessary physical contact with children / vulnerable persons or do things of a personal nature that they can do for themselves, such as toileting or changing clothes.
- Direct inappropriate attention to children or vulnerable persons.
- Have unauthorised contact with children and vulnerable persons online or by phone, or exchange personal contact details without parent / guardian consent.

**By observing these standards, you acknowledge the responsibility to immediately report any suspected instances of abuse to Police and Child Protection Authorities.**

**Compliance with this Code is a condition of Membership of the Australian Carriage Driving Society.**

**BY-LAW SCHEDULE F – FORM OF APPOINTMENT OF PROXY**

(This is the Master Copy of a Controlled Document.).

**AUSTRALIAN CARRIAGE DRIVING SOCIETY INC.  
FORM FOR APPOINTMENT OF PROXY**

**NOTE:**

- **FAMILY** Memberships are entitled to lodge **TWO** Proxy Votes – Use the first and second page of this form (*Note – only family Members over the age of 18 years can vote*).
- Providing they are over 18 years of age, a Family Member with a **STUDENT CONCESSION CARD** is entitled to lodge **ONE** Proxy Vote. (Use the third page of this form).
- **SINGLE/LIFE/ACTIVE** Memberships are entitled to lodge **ONE** Proxy Vote – **Use the front of this form.**
- **JOURNAL or JUNIOR** Memberships are **NOT** entitled to Vote.
- A Proxy Vote may not be given to a person who is not a Member of the Australian Carriage Driving Society Inc.

I (Full Name): \_\_\_\_\_

of (Address): \_\_\_\_\_

\_\_\_\_\_

Being a Member of the Australian Carriage Driving Society Inc. – Membership No: \_\_\_\_\_

Hereby appoint (Full Name): \_\_\_\_\_

of (Address) \_\_\_\_\_

\_\_\_\_\_

Being a Member of the Australian Carriage Driving Society Inc. – Membership No: \_\_\_\_\_

as my Proxy to vote for me on my behalf at the Annual General Meeting of the Australian Carriage Driving Society Inc. to be held on the \_\_\_\_\_ and at any adjournment of that meeting. I direct my Proxy vote in favour of / against (*delete as appropriate*) the following resolutions:

*(If the above space is not completed, the Proxy will be entitled to vote as they think fit).*

\_\_\_\_\_  
(Signature of Member appointing Proxy)

\_\_\_\_\_  
(Date)



**AUSTRALIAN CARRIAGE DRIVING SOCIETY INC.  
FORM FOR APPOINTMENT OF PROXY**

**This section is for use of the second Member on a Family Membership**

I (Full Name): \_\_\_\_\_

of (Address): \_\_\_\_\_

\_\_\_\_\_

Being a Member of the Australian Carriage Driving Society Inc. – Membership No: \_\_\_\_\_

Hereby appoint (Full Name): \_\_\_\_\_

of (Address) \_\_\_\_\_

\_\_\_\_\_

Being a Member of the Australian Carriage Driving Society Inc. – Membership No: \_\_\_\_\_  
as my Proxy to vote for me on my behalf at the Annual General Meeting of the Australian Carriage  
Driving Society Inc. to be held on the \_\_\_\_\_ and at any adjournment of that meeting. I  
direct my Proxy vote in favour of / against (*delete as appropriate*) the following resolutions:

*(If the above space is not completed, the Proxy will be entitled to vote as they think fit).*

\_\_\_\_\_  
(Signature of Member appointing Proxy)

\_\_\_\_\_  
(Date)

**AUSTRALIAN CARRIAGE DRIVING SOCIETY INC.  
FORM FOR APPOINTMENT OF PROXY**

**This section is for use of the Student Concession Member on a Family Membership**

I (Full Name): \_\_\_\_\_

of (Address): \_\_\_\_\_

\_\_\_\_\_

Being a Member of the Australian Carriage Driving Society Inc. – Membership No: \_\_\_\_\_

Hereby appoint (Full Name): \_\_\_\_\_

of (Address) \_\_\_\_\_

\_\_\_\_\_

Being a Member of the Australian Carriage Driving Society Inc. – Membership No: \_\_\_\_\_

as my Proxy to vote for me on my behalf at the Annual General Meeting of the Australian Carriage Driving Society Inc. to be held on the \_\_\_\_\_ and at any adjournment of that meeting. I direct my Proxy vote in favour of / against (*delete as appropriate*) the following resolutions:

*(If the above space is not completed, the Proxy will be entitled to vote as they think fit).*

\_\_\_\_\_  
(Signature of Member appointing Proxy)

\_\_\_\_\_  
(Date)

## MODIFICATION HISTORY

### Constitution and By-laws

Article	FC Meeting Date	Updated	By Whom
13.11	13.07.2012	2012	T Brand
Schedule 6	13.07.2012	2012	T Brand
13.13	08.12.2012	06.04.2016	T Brand
6.10	27.04.2013	06.04.2016	T Brand
11.4	12.07.2013	06.04.2016	T Brand
13.14 Schedule 4	12.07.2013	06.04.2016	T Brand
13.15	12.07.2013	06.04.2016	T Brand
11.5	14.07.2013	06.04.2016	T Brand
6.11	14.07.2013	06.04.2016	T Brand
6.9	26.10.2013	06.04.2016	T Brand
6.12	26.10.2013	06.04.2016	T Brand
15.1	04.07.2014	06.04.2016	T Brand
15.2	04.07.2014	06.04.2016	T Brand
13.16	04.07.2014	06.04.2016	T Brand
Schedule 3 amendment	15.02.2015	06.04.2016	T Brand
Schedule 5	15.02.2015	06.04.2016	T Brand
2.9	26.06.2015	06.04.2016	T Brand
2.10	26.06.2015	06.04.2016	T Brand
13.17	26.06.2015	06.04.2016	T Brand
13.12 rewritten	02.04.2016	06.04.2016	T Brand
20	24.06.2017	04.10.2017	T Brand
20f	24.06.2017	04.10.2017	T Brand
20g	24.06.2017	04.10.2017	T Brand
10.1a added	24.06.2017	04.10.2017	T Brand
13.12 updated	18.03.2017	27.02.2018	T Brand
Schedule E added	21.10.2017	28.02.2018	T Brand
16.10 updated	14.07.2018	14.07.2018	P Lee
By-law 7.4 included	14.07.2018	14.07.2018	P Lee
Re-write of By-Laws	12.07.2019	12.07.2019	P Lee
By-law 14.7 amended	02.07.2020	02.07.2020	P Lee
3; 5.2 – 5.5	AGM 04.8.2021	04.8.2021	P Lee
8 and 10	AGM 04.8.2021	04.8.2021	P Lee
+++++12 and 13	AGM 04.8.2021	04.8.2021	P Lee
26; 27 and 28	AGM 04.8.2021	04.8.2021	P Lee
32 and 33	AGM 04.8.2021	04.8.2021	P Lee
Reformatted	AGM 04.8.2021	04.8.2021	P Lee
By-law Schedule B1, D1 & F; 2.8; 3.1; 11.5; 14.10; 14.17 & 17	08.9.2021	09.9.2021	D. Willcoxson
By-law 17, 18 and 19	29.5.2022	30.5.22	D. Willcoxson
Rules changed to Constitution and major overhaul – 94 changes By-law Schedule B – Code of Conduct By-law Schedule B1 – Use of social media By-law Schedule C – Federal Council Code of Conduct By-law Schedule F – Form of Appointment of Proxy	Results of 2022 AGM 3.7.2022	3.7.2022	D. Willcoxson
By-law 15.1 and 20	4 August 2022	4 August 2022	D. Willcoxson
By-law 19.1 and 19.2	7 September 2022	7 September 2022	D. Willcoxson