

**RULES and REGULATIONS**  
**of the**  
***ByDefault* Pony Club**  
**Branch**  
Of the  
**CANADIAN PONY CLUB INC.**



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**1.0 INTRODUCTION**

- 1.1 The Canadian Pony Club Inc. through its Central Ontario Region (hereinafter referred to as "the Region") has granted permission to operate a Pony Club Branch to be called the *ByDefault* Pony Club (hereinafter referred to as "the Branch").
- 1.2 The Branch shall operate in or near [REDACTED].
- 1.3 The Branch may not become incorporated.
- 1.4 The bylaws of Canadian Pony Club Inc. and the Rules and Regulations of the Region contain various provisions relating to the operation of Branches and Branch Executive Committees, all of which are applicable to the Branch and all of which are incorporated herein by reference. If there is a conflict between these Rules and Regulations and the bylaws of Canadian Pony Club Inc., or the Rules and Regulations of the Region, those bylaws or Regional Rules and Regulations shall supersede these Rules and Regulations.
- 1.5 The Branch operates only by permission of its Region and the Canadian Pony Club, either of which has the authority to restrict or suspend Branch operations.

**2.0 BRANCH EXECUTIVE COMMITTEE**

- 2.1 The management and administration of the Branch shall be vested in a Branch Executive Committee which under the supervision of their District Commissioner shall have overall control and management of all matters falling under the jurisdiction of the Branch. The Branch Executive Committee is the final decision making authority within the Branch.
- 2.2 The Branch Executive Committee, in exercising control and management of the Branch shall have the following powers:
  - a) to establish, enforce, and change Branch Policies and Procedures as well as Branch Rules and Regulations within the limits granted by the Canadian Pony Club and the Region and subject to the requirements of section 11.1;
  - b) to create or eliminate positions (except those positions required by the CPC Bylaws) and subcommittees and to delegate to them such tasks and responsibilities as the Branch Executive Committee deems appropriate PROVIDED that in all cases, the Branch Executive Committee shall remain solely responsible for making decisions;
  - c) to create and enforce Branch Policies in keeping with Canadian Pony Club Inc. bylaws and policies.
- 2.3 Although the Branch Executive Committee is the final decision making authority within the Branch, the Committee must follow all Regional and National policies and bylaws. In particular, Canadian Pony Club policy is that the Branch Executive Committee must always act in the best interests of the Canadian Pony Club and in so doing must consider the wishes and opinions of their Members. It is expected that the wishes of the Members will have a large impact on decisions and that those wishes will usually be followed unless there are strong reasons, such as but not limited to safety issues, for not doing so. Decisions of the Branch Executive Committee may be appealed to the Region if requested in writing by 50% or more of the Branch Members.

**2.4** The following positions constitute the Branch Executive Committee and shall have the following duties plus such other duties as the Branch Executive Committee or Region may find necessary:

**2.4.1 District Commissioner** who shall:

- i) represent the Region and Canadian Pony Club at all Branch activities;
- ii) be responsible to the Region and Canadian Pony Club for his or her Branch's activities;
- iii) supervise all aspects of the Branch operations;
- iv) sign all documents, application forms, entry forms, etc. as the official Branch approval;
- v) represent his or her Branch on the Regional Committee;
- vi) ensure either directly or through delegation that all Branch members and their parents have access at all times to the information and support which they may require to understand and carry out all responsibilities or obligations they may have within the Branch;
- vii) encourage and assist members to progress in the Pony Club education, testing, and competition programs.

(see section 9.0 for discussion and details)

**2.4.2 Assistant District Commissioner**, who shall:

- i) act in absence of the District Commissioner as required and, in such, shall exercise all the powers and duties of the District Commissioner EXCEPT the right to suspend Branch Executive Committee decisions and the right to sign documents for official Branch approval (also see section 9).

**2.4.3 Secretary**, who shall:

- i) give notice of all meetings of the Branch Executive Committee;
- ii) take minutes at all meetings of the Branch Executive Committee including arranging for a substitute to record minutes if the secretary cannot attend a meeting;
- iii) circulate the minutes of the Branch Executive Committee meetings to all members of the Branch Executive Committee;
- iv) maintain appropriate minute books, which shall be open to inspection by members of the Branch at such time and in such locations as is reasonable. A paper copy must be kept to guard against computer failures.

**2.4.4 Treasurer**, who shall:

- i) be charged with all financial responsibilities of the Branch;
- ii) be responsible for books of account to be maintained and available for inspection by members of the Branch at such time and in such place as is reasonable;
- iii) ensure that such books of account are reviewed on a schedule and in a manner as may be required from time to time by the Region or the Branch;
- iv) be responsible for filing a Financial Report consisting of an Income Statement and a Balance Sheet with the Region at least once per year in the form and on the dates set by the Region in the Regional Rules and Regulations or in regional policies;
- v) ensure that an inventory of all Branch assets is properly maintained.

**2.4.5 Members At Large** (up to 6), who shall have such responsibilities as may be decided by the Branch Executive Committee, usually the responsibility for a specific activity such as testing, rally, dressage, etc.

NOTE: The number of allowable Members At Large shall be one for each five Active Members who are registered in the branch as of the date of the Annual General Meeting and shall not change during the year regardless of changes in registration.

**3.0 ELECTING MEMBERS OF THE BRANCH EXECUTIVE COMMITTEE**

**3.1** All members of the Branch Executive Committee shall be elected at the Branch

Annual General Meeting or a Branch General Meeting called for the purpose of elections by a majority of those who are present and entitled to vote. Note that this means no proxies or other means of absentee voting is allowed.

- 3.2** If a Branch Executive Committee member is unable for any reason to complete his or her term in office, the remaining members of the Branch Executive Committee may select a replacement to serve the unexpired portion of the term.
- 3.3** The District Commissioner and Assistant District Commissioner must meet all requirements as set down in the CPC Bylaws including in part; being at least 21 years of age at the time of election, not having a significant income from owning, leasing or selling horses or from instructing, and not being an Affiliate Member of the Pony Club.
- 3.4** Other members of the Branch Executive Committee may be of any age but may not vote on any issue until they reach their 18<sup>th</sup> birthday.
- 3.5** The voting members present at a meeting where there are to be elections for the Branch Executive Committee may choose to elect some or all candidates to specific positions such as District Commissioner or they may choose to elect the required number of members "at large" without specifying who has which position. If "at large" members are elected or if required positions are not filled, the Branch Executive Committee will decide who is to fill each position.
- 3.6** Voting at Branch General Meetings is limited to Branch Associate Members in Good Standing and Active or Affiliate Members in Good Standing who are 18 years of age or older.
- 3.7** Each Active Member under the age of 18 may be represented by an adult member of his or her family who shall be an Associate Member and may exercise one vote for each under 18 Active Member in his or her family. An Associate Member may not represent Active Members in other families.
- 3.8** Each member of the Branch Executive Committee shall be an Associate Member and shall have the right to one vote in addition to any he or she may hold as a representative of under 18 Active Members in his or her family.
- 3.9** Voting for elections should be by secret ballot and follow the guidelines set out in the Canadian Pony Club Election Procedures Policy (part of the Operations Manual).
- 3.10** The Region or the Canadian Pony Club has the authority to refuse recognition of any person elected to the Branch Executive Committee.

#### **4.0 TERMS OF OFFICE**

- 4.1** The term of office for a District Commissioner shall be 2 years.
- 4.2** The term of office for all other members of the Branch Executive Committee shall be 1 year.
- 4.3** All terms begin immediately upon election.
- 4.4** There is no limit on the number of consecutive terms of office for any person.

**5.0 REMOVAL FROM OFFICE**

- 5.1** Any Branch Officer including the District Commissioner may be removed from office by a vote of at least two thirds of the total eligible Branch Associate Members plus those Branch Active Members who are 18 years of age or older or by a vote of at least two thirds of the total eligible voting members of the Regional Committee in the Region in which his or her Branch is located.
- 5.2** Associate Members may vote for under 18 members of their families as in voting for elections (3.7). Branch Executive Committee members may have an additional vote as in 3.8
- 5.3** Proxy votes ARE permitted for a vote on removal from office. If used, there must be a formal written and signed proxy note.
- 5.4** A supervised vote may be requested by either the office holder or the Branch Executive Committee. Supervised votes shall follow procedures which shall be established from time to time by the Board of Directors.

**6.0 MEETINGS OF THE BRANCH EXECUTIVE COMMITTEE**

- 6.1** The Branch Executive Committee shall meet at the call of the District Commissioner or any 3 members of the Branch Executive Committee.
- 6.2** Although no-one other than the Branch Executive Committee members has an inherent right to attend any Branch Executive Committee meeting without an invitation, the Branch Executive Committee shall attempt to allow interested members or parents to attend the meetings as observers. Observers are not expected to participate in the meeting but may speak if the majority of the Branch Executive Committee agrees. The Branch Executive Committee may hold private meetings or may ask observers to leave if confidential or sensitive matters are to be discussed.
- 6.3** A quorum for any meeting of the Branch Executive Committee is 50% of the Committee members. The number required is always rounded up, that is a Committee of 5 members has a quorum of 3. Any meeting once duly called to order may continue to conduct business at the pleasure of the remaining members if it happens that some members leave the meeting thereby reducing the number present to less than a quorum.

**7.0 REQUIRED BRANCH CONTACTS**

- 7.1** Contacts or "representatives" may be needed for competitive disciplines, fundraising, etc., depending on which activities the Branch is involved in from time to time. The Branch Executive Committee will fill those positions as required, preferably but not necessarily with persons on the Branch Executive Committee. Certain duties are basic to Branch operations and contact names are required by the Region and the CPC at all times in the 2 areas noted as 7.2 and 7.3. If no other person is named, the District Commissioner shall assume the responsibilities of these basic positions.

**7.2 Branch Testing/Education Representative, who shall:**

- i) assist the members to prepare for upgrading their test levels by providing advice and/or providing access to educational materials;
- ii) provide opportunities for such lectures, demonstrations, or clinics which may be suitable from time to time to assist members in upgrading their knowledge;
- iii) provide the opportunity for all qualified members to be tested at the appropriate level;
- iv) maintain accurate and complete records of all test results;
- v) forward test results to Region or National as required.

**7.3 Safety/Insurance Officer**, who shall:

- i) become familiar with safety requirements and recommendations as set out in the CPC Risk Management Guide;
- ii) become familiar with the requirements set out in the CPC Insurance Kit for the current year;
- iii) educate all Branch members as to their obligations under the CPC insurance policy and CPC safety policies;
- iv) take reasonable steps to insure that all safety and insurance requirements are followed.

**8.0 FINANCIAL**

- 8.1** The fiscal year of the Branch shall be from January 1 to December 31.
- 8.2** Branch Membership fees shall be established by the Branch Executive Committee prior to September 1 for the following year.
- 8.3** Branch Executive Committee shall collect from individuals the appropriate National and Regional fees due and payable in each year and shall remit all National and Regional fees to the Regional Treasurer.
- 8.4** Banking resolutions, as appropriate, shall be passed by the Branch Executive Committee, provided that the Branch may not borrow or raise money by loan at any time
- 8.5** No member of the Branch Executive Committee shall receive remuneration for services to participate in meetings of the Branch Executive Committee or for carrying out the normal duties of his or her office. Reimbursement for reasonable out of pocket expenses incurred in the performance of duties or functions may be allowed, upon presentation of receipts, at the discretion of the Branch Executive Committee.
- 8.6** Branch cheques or bank withdrawals are to be signed by 2 persons from different families. The Treasurer, the District Commissioner and one other person selected by the Branch Executive Committee shall be authorized signers with any 2 of the 3 required. Any authorized signer who feels unduly pressured to sign any particular cheque may appeal to the Branch Executive Committee before signing.
- 8.7** All Branch finances must remain under the control of the Branch Treasurer. Separate accounts with other authorized signers for particular activities or events are not permitted.
- 8.8** The Branch Executive Committee must inform Branch Members of the approximate amounts of all expenditures exceeding \$500 or 10% of the Branch annual budget, whichever is less, at least 2 weeks prior to spending the money. Notification for planned items such as membership fees paid to the Region, entries to regional events, and other items may be through an annual budget. Notification for unplanned expenditures may be through minutes of Branch Executive Committee meetings if they are circulated to all members, verbally at a regular Branch Members meeting or by other means such as email or telephone.
- 8.9** If the Branch becomes "Inactive" or is "Disbanding" the following applies:
  - a) An inventory of assets and funds shall be delivered to the Region within ninety days and will be held on record by the Treasurer. Inactive Branches will be reviewed annually by the Region.
  - b) The Regional Committee has the right to declare an Inactive Branch "Disbanded" if it has been inactive for 2 years. It shall be the duty of the last District Commissioner to compile or arrange for all assets of the Branch to be delivered to the Region within six months of its being disbanded.
  - c) The Branch has the right to request inactive or disbanded status from the Region at any time. If that is done, the Branch must forward all Branch assets to the Region within six months.

**9.0 SPECIAL RESPONSIBILITIES AND AUTHORITY OF THE DISTRICT COMMISSIONER**

- 9.1** The District Commissioner is the representative of the Region and of the Canadian Pony Club within the Branch. As such, the District Commissioner is responsible to the Region and the CPC for insuring that CPC and Regional rules and policies are followed.
- 9.2** In order to carry out this responsibility, the District Commissioner and no-one else in the Branch has the authority to suspend any decision of the Branch Executive Committee and refer the decision to the Regional Committee for a final decision if the DC believes that the decision is against any CPC or Regional policy or is not in the best interests of the Branch or the Pony Club. No action can be taken on the decision until it is reviewed by the Regional Committee or their authorized representative. If the District Commissioner suspends any Branch decision, he or she **MUST IMMEDIATELY** inform the Regional Committee, the Regional Chair, Regional Director, or Regional Secretary so that prompt action can be taken to resolve the issue.
- Although this is considerable authority, it is not a veto, only a delay to allow proper review at a higher level.
- 9.3** The District Commissioner is also the official authority of the Branch in regard to signing documents, particularly such items as Membership Application forms, applications to test, and applications to enter regional or national competitions. This authority may only be delegated to another member of the Branch Executive Committee, must be in writing, must be for a specific purpose, and for a specific duration not to exceed 3 months. Such delegation does not relieve the District Commissioner of his or her responsibility to insure that all documents are fully and accurately completed before they are signed.
- 9.4** When a DC or his/her delegate signs applications which include a statement about members being able to compete at a certain level or stating that they meet certain qualifications, the signature does not indicate that they have first hand knowledge of all the factors involved. Before signing, it is the DC's duty to be sure that the member does meet all requirements; but, they may depend on judgment of other qualified people such as instructors. The signature signifies that a proper evaluation of the member's qualifications has been done, not that the DC has necessarily been present at or involved in the evaluation.

**10.0 MEETINGS OF PARENTS AND ACTIVE/AFFILIATE MEMBERS**

- 10.1** Meetings of parents and other Branch members are very useful for exchanging information, for instruction purposes, or to discuss suggestions and opinions.
- 10.2** There are no established rules for voting at such meetings, however informal votes may be organized and used to find the general opinions of those present.
- 10.3** Votes taken by any group other than the Branch Executive Committee are not binding except for Branch elections or decisions to remove someone from office (see sections 3 and 5). The Branch Executive Committee is the only group in the Branch which is authorized to make binding decisions related to all other operations of the Branch.



**11.0 BRANCH GENERAL MEETINGS**

- 11.1** The Branch shall hold at least one Branch General Meeting per year which shall be the Branch Annual General Meeting. The main items of business at the Branch Annual General Meeting shall be reports to the Branch by the incumbent Branch Executive Committee and the election of the incoming Branch Executive Committee as per section 3.0.
- 11.2** Branch General Meetings are called by the District Commissioner. If requested by 3 or more Branch Associate Members or Active Members over the age of 18, the District Commissioner **MUST** call a Branch General Meeting.

**12.0 MISCELLANEOUS**

- 12.1** These Rules and Regulations shall not be rescinded, altered or added to except at a Branch General Meeting to which not less than two weeks notice specifying the intention has been given. The resolution must be passed by not less than two-thirds of the members present. All changes must be approved by a majority of the Branch Executive Committee before presentation to the Branch General Meeting. Any changes to these Rules and Regulations shall not be acted upon until approved by the Regional Committee.
- 12.2** All meetings of the Branch Executive Committee shall be conducted in accordance with "Call to Order – Meeting Rules and Procedures for Non-Profit Organizations" when not in conflict with these Rules and Regulations
- 12.3** All members of the Branch Executive Committee and all adults who wish to cast votes for under 18 Active members in their families must be Branch Associate Members.
- 12.4** The Branch Executive Committee may have a list of Honourary Branch Members. Honourary Branch Membership shall be permanent and shall be agreed to in advance at a Branch General Meeting. There shall be no fee for Branch Honourary members.