

Constitution of the New Zealand Gypsy Cob Association Incorporated



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Constitution of the New Zealand Gypsy Cob Association Incorporated

1.0 Introductory rules

1.1 Name

The name of the society is New Zealand Gypsy Cob Association Inc (in this Constitution referred to as the 'Society').

1.2 Charitable status

The Society is not and does not intend to be registered as a charitable entity under the Charities Act 2005

1.3 Definitions

In this Constitution, unless the context requires otherwise, the following words and phrases have the following meanings:

'Act' means the Incorporated Societies Act 2022 or any Act which replaces it (including amendments to it from time to time), and any regulations made under the Act or under any Act which replaces it.

'Annual General Meeting' means a meeting of the Members of the Society held once per year which, among other things, will receive and consider reports on the Society's activities and finances.

‘President’ means the Officer responsible for chairing General Meetings and committee meetings, and who provides leadership for the Society.

‘Committee’ means the Society’s governing body.

‘Executive Officer’ is one of the following elected positions: Vice President, Committee Secretary, Membership Secretary, Treasurer, Registrar.

‘Constitution’ means the rules in this document.

‘Vice President’ means the Officer elected to deputise in the absence of the President.

‘General Meeting’ means either an Annual General Meeting or a Special General Meeting of the Members of the Society.

‘Interested Member’ means a Member who is interested in a matter for any of the reasons set out in section 62 of the Act.

‘Interests Register’ means the register of interests of Officers, kept under this Constitution, and as required by section 73 of the Act.

‘Matter’ means—

- the Society’s performance of its activities or exercise of its powers; or
- an arrangement, agreement, or contract (a transaction) made or entered into, or proposed to be entered into, by the Society.

‘Member’ means a person who has consented to become a Member of the Society and has been properly admitted to the Society who has not ceased to be a Member of the Society.

‘Notice’ to Members includes any notice given by email, post, or courier.

‘Officer’ means a natural person who is:

- a member of the Committee, or
- occupying a position in the Society that allows them to exercise significant influence over the management or administration of the Society, including any Chief Executive or Treasurer.

‘Register of Members’ means the register of Members kept under this Constitution as required by section 79 of the Act.

‘Secretary’ means the Officer responsible for the matters specifically noted in this Constitution.

‘Special General Meeting’ means a meeting of the Members, other than an Annual General Meeting, called for a specific purpose or purposes.

'Working Days' mean as defined in the Legislation Act 2019. Examples of days that are not Working Days include, but are not limited to, the following — a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day.

1.4 Purposes

The primary purpose for which the Association was formed is the preservation, promotion, propagation, and registration of horses of a specific breed originally and presently bred by the Romany people of the British Isles, known as the Gypsy Cob. In addition, the Association also exists for the following specific functions:

1.4.a Record keeping

- To maintain, operate, promote, and support effective registry record keeping functions.
- To provide information on their breeding, genetics, and husbandry. To do so, the Society will publish and disseminate useful information and provide activities to assist and encourage the development and maintenance of the highest quality of the New Zealand Gypsy Cob.
- To maintain, protect, and document the heritage of the Gypsy Cob in New Zealand and implement any and all necessary rules and procedures to accomplish this end.

1.4.b Breed promotion

- To aid and encourage the breeding, exhibition, and perpetuation of the Gypsy Cob in New Zealand by coordinating and encouraging the participation of Gypsy Cobs in open competition events, activities, and multiple discipline competitions, including recreation.
- To promote the Gypsy Cob in New Zealand
- To educate the public and stimulate popular interest in the outstanding qualities of the Gypsy Cob.
- To co-ordinate, encourage, assist with and conduct exhibits and demonstrations for the purpose of demonstrating and promoting the outstanding performance, beauty, and gentle demeanour of the Gypsy Cob.

1.4.c Shows

- To devise and promulgate shows and other activities.
- To set rules, regulations and standards for shows, provide for the education and licensing of judges and officials necessary for events and activities.
- To be affiliated to the Royal Agricultural Society (RAS) so the Gypsy Cob can be promoted around New Zealand at RAS affiliated shows.

1.4.d Fundraising

- To provide guidance to members and to engage in fundraising activities to further the purposes of the organisation.

1.4.e Welfare

- To advocate for and promote the welfare of Gypsy Cobs in New Zealand.
- To provide information and education to members regarding science based best management and health practices.
- To support and advise Government and/or NGO animal welfare agencies where Gypsy Cobs are identified as at risk of, or have, significantly compromised welfare

1.4.f Not for profit

The Society must not operate for the purpose of, or with the effect of—

- distributing any gain, profit, surplus, dividend, or other similar financial benefit to any of its members (whether in money or in kind); or
- having capital that is divided into shares or stock held by its members; or
- holding, property in which its members have a disposable interest (whether directly, or in the form of shares or stock in the capital of the society or otherwise).

But the Society will not operate for the financial gain of members simply if the Society—

- engages in trade,
- pays a member for matters that are incidental to the purposes of the Society, and the Member is a not-for-profit entity,
- distributes funds to a member to further the purposes of the Society, and the Member—
 - is a not-for-profit entity, and
 - is affiliated or closely related to the Society, and
 - has the same, or substantially the same, purposes as those of the Society.
- reimburses a member for reasonable expenses legitimately incurred on behalf of the Society or while pursuing the Society's purposes,
- provides benefits to members of the public or of a class of the public and those persons include Members or their families,
- provides benefits to Members or their families to alleviate hardship,
- provides educational scholarships or grants to Members or their families,
- pays a Member a salary or wages or other payments for services to the Society on arm's length terms (terms reasonable in the circumstances if the parties were connected or related only by the transaction in question, each acting independently, and each acting in its own best interests; or are terms less favourable to the Member than those terms and the payment for services, or other transaction, does not include any share of a gain,

profit, or surplus, percentage of revenue, or other reward in connection with any gain, profit, surplus, or revenue of the Society),

- provides a member with incidental benefits (for example, trophies, prizes, or discounts on products or services) in accordance with the purposes of the Society.
- on removal of the Society from the Register of Incorporated Societies having its surplus assets distributed under subpart 5 of Part 5 of the Act to a Member that is a not-for-profit entity.

1.5 Act and Regulations

Nothing in this Constitution authorises the Society to do anything which contravenes or is inconsistent with the Act, any regulations made under the Act, or any other legislation.

1.6 Registered office

The registered office of the Society shall be that of the current President.

Changes to the registered office shall be notified to the Registrar of Incorporated Societies—

- at least 5 working days before the change of address for the registered office is due to take effect, and
- in a form and as required by the Act.

1.7 Contact person

The Society shall have at least 1 but no more than 3 contact person(s) whom the Registrar can contact when needed.

The Society's contact person must be:

- At least 18 years of age, and
- Ordinarily resident in New Zealand.

A contact person can be appointed by the Committee or elected by the Members at a General Meeting.

Each contact person's name must be provided to the Registrar of Incorporated Societies, along with their contact details, including:

- a physical address or an electronic address, and
- a telephone number.

Any change in that contact person or that person's name or contact details shall be advised to the Registrar of Incorporated Societies within 20 Working Days of that change occurring, or the Society becoming aware of the change.

2.0 Members

2.1 Minimum number of members

The Society shall maintain the minimum number of Members required by the Act.

2.2 Classes of members

- Adult Member - Any person 18 years of age or over as at the 1 August in each year and having joined and being accepted by the Association as an adult member and paid the annual adult member subscription as set by the committee.
- Life Member - any person 18 years of age and over may apply to be lifetime member. The life membership fee shall be the equivalent of 10 times the annual adult membership as set by the committee in the year that the life member applies for life membership
- Family Membership - For families consisting of two or less adults and their dependent children 17 years of age (youth) or under as of 1 August in each year. A dependent child is defined as being maintained as a member of the family for which membership is applied, not financially independent and not living with another person in a marriage, civil union or de facto relationship.
- Youth membership is for those 17 years or under as of 1 August. Youth members are not entitled to hold office or to vote. A youth membership must be accompanied by an adult membership.

2.3 Becoming a member: consent

Every applicant for membership must consent in writing to becoming a member.

2.4 Becoming a member: process

- Membership shall be open to all persons who subscribe to the objectives of the New Zealand Gypsy Cob Association Incorporated, agree to abide by its rules and regulations upon their application to the Secretary, and on payment of the annual fee.
- An applicant for membership must complete and sign any application form and supply any information as may be reasonably required by the Committee regarding an

application for membership and will become a member on acceptance of that application by the Committee.

- The Committee may accept or decline an application for membership at its sole discretion based on the following:
 - Membership can be declined on the grounds of monies outstanding, maltreatment of horses, have previously been expelled as a financial member, unworthy conduct including misuse of NZGCA social media, unacceptable behaviour at competitions, abuse or unacceptable behaviour towards other members, officials or volunteers representing the New Zealand Gypsy Cob Association Incorporated at NZGCA events.
 - Unacceptable behaviour will be decided by the current committee if the committee deem the behaviour caused distress to the person the behaviour was aimed at.
 - Misleading statements regarding other members, committee members and officials at NZGCA events or on NZGCA social media will also be regarded as unacceptable behaviour.
- The decision of the committee shall be final.
- The Committee must advise the applicant of its decision.
- The signed written consent of every Member to become a Society Member shall be retained in the Society's membership records.

2.5 Members' obligations and rights

Every Member shall provide the Society in writing with that Member's name and contact details (namely, physical or email address and a telephone number) and promptly advise the Society in writing of any changes to those details.

- All Members shall promote the interests and purposes of the Society and shall do nothing to bring the Society into disrepute.
- A Member is only entitled to exercise the rights of membership (including attending and voting at General Meetings, accessing or using the Society's premises, facilities, equipment and other property, and participating in Society activities) if all subscriptions and any other fees have been paid to the Society by their respective due dates, but no Member or Life Member is liable for an obligation of the Society by reason only of being a Member.
- The Committee may decide what access or use Members may have of or to any premises, facilities, equipment, or other property owned, occupied or otherwise used by the Society, and to participate in Society activities, including any conditions of and fees for such access, use or involvement.
- No member shall conduct him/herself or be guilty of any such conduct as to bring the New Zealand Gypsy Cob Association Incorporated into discredit, or act in any way against the purposes of the Association.

- Unacceptable behaviour is deemed to include but is not limited to: bullying, abusive, discriminatory, intimidating, misleading statements, offensive behaviour or harassment towards other members, officials, Officers or volunteers.
- Unacceptable behaviour will be decided by the current committee if it caused distress to the person the behaviour was aimed at.
- Members will not engage in unacceptable behaviour at NZGCA events, or on NZGCA social media, or when communicating with officials or other members regarding NZGCA business.
- Members engaging in unacceptable behaviour may be subject to the disputes process under this constitution.

2.6 Social Media

- Members must conduct themselves appropriately on NZGCA social media. No statements made on NZGCA social media will be made that might bring the Association into disrepute, must not offend, intimidate, humiliate or bully another person, must not be misleading, false or injure the reputation of another person, and should respect and maintain the privacy of members. Offending posts will be removed and those responsible may be blocked. Offending members may also be subject to the disputes process under this constitution.
- Postings on NZGCA social media (written, photos or videos) must be family-friendly and feature positive Gypsy Cob news and events.

2.7 Subscriptions and fees

- The Committee shall recommend a schedule of fees to the Annual General Meeting.
- The annual subscription and any other fees for membership for the then current financial year shall be set by resolution of a General Meeting.
- Membership fees are valid from the 1st of August to 31st July the following year.
- Any Member failing to pay the annual subscription (including any periodic payment), any levy, or any capitation fees, within 1 calendar month of the date the same was due for payment shall be considered as unfinancial and shall (without being released from the obligation of payment) have no membership rights and shall not be entitled to participate in any Society activity or to access or use the Society's premises, facilities, equipment and other property until all the arrears are paid. If such arrears are not paid within 2 calendar months of the due date for payment of the subscription, any other fees, or levy the Committee may terminate the Member's membership (without being required to give prior notice to that Member).

2.8 Ceasing to be a member

A member ceases to be a member—

- Any member may resign from their membership by giving to the Secretary notice in writing to that effect and every such notice shall unless otherwise expressed take effect as from the date of such notice.
- on termination of a member's membership following a dispute resolution process under this Constitution, or
- on termination of a member's membership following a conviction under New Zealand Animal Welfare legislation, or
- on death (or if a body corporate on liquidation or deregistration, or if a partnership on dissolution of the partnership), or
- by resolution of the Committee where—
 - The Member has failed to pay a subscription, levy or other amount due to the Society within 2 calendar months of the due date for payment.
 - In the opinion of the Committee the Member has brought the Society into disrepute.
- with effect from (as applicable)—
- the date of receipt of the Member's notice of resignation by the Committee (or any subsequent date stated in the notice of resignation), or
- the date of termination of the Member's membership under this Constitution, or
- the date of death of the Member (or if a body corporate from the date of its liquidation or deregistration, or if a partnership from the date of its dissolution), or
- the date specified in a resolution of the Committee and when a Member's membership has been terminated the Committee shall promptly notify the former Member in writing.
- A person who ceases to become a member remains liable to pay to the Association the amount of any subscription or other accounts due and payable by the person to the Association but unpaid at the date of that cessation.
- The Association will make no refund to the resigned member for any subscription already paid.

2.9 Obligations once membership has ceased

A Member who has ceased to be a Member under this Constitution—

- remains liable to pay all subscriptions and other fees to the Society's next balance date,
- shall cease to hold himself or herself out as a Member of the Society, and
- shall return to the Society all material provided to Members by the Society (including any membership certificate, badges, handbooks, and manuals) as requested by the Society.
- shall cease to be entitled to any of the rights of a Society Member.

2.10 Becoming a member again

Any former Member may apply for re-admission in the manner prescribed for new applicants and may be re-admitted only by resolution of the Committee.

But, if a former Member's membership was terminated following a disciplinary or dispute resolution process, the applicant may be re-admitted only by a resolution passed at a General Meeting on the recommendation of the Committee.

3.0 General meetings

3.1 Procedures for all general meetings

- The Committee shall give all Members at least 28 Working Days' written notice of any General Meeting and of the business to be conducted at that General Meeting.
- The Notice will include the business to be transacted at the meeting, and in the case of a Special General Meeting, the reason for calling the meeting.
- The Notice will be addressed to all current financial Members at the contact address notified to the Society and recorded in the Society's register of members. The General Meeting and its business will not be invalidated simply because one or more Members do not receive the Notice of the General Meeting.
- Only financial Members may attend, speak, and vote at General Meetings—
- Members shall have the following votes according to their membership classification:
 - Full Adult Members - one vote.
 - Full Family Members - each adult to have one vote – maximum of 2 votes per family.
 - Junior Members - no vote.
- No General Meeting may be held unless at least 10 eligible financial Members attend throughout the meeting, and this will constitute a quorum.
- A Member is entitled to exercise one vote on any motion at a General Meeting in person, and voting at a General Meeting shall be by Votes cast in person or digitally.
- Electronic voting is confidential.
- Any decisions made when a quorum is not present are not valid.
- Written resolutions may not be passed in lieu of a General Meeting.
- General Meetings may be held at one or more venues by Members present in person and/or using any real-time audio, audio and visual, or electronic communication that gives each Member a reasonable opportunity to participate.
- All General Meetings shall be chaired by the President. If the President is absent, the Vice President shall chair that meeting.
- Any person chairing a General Meeting has a deliberative and, in the event of a tied vote, a casting vote.

- Any person chairing a General Meeting may —
 - With the consent of a simple majority of Members present at any General Meeting adjourn the General Meeting from time to time and from place to place but no business shall be transacted at any adjourned General Meeting other than the business left unfinished at the meeting from which the adjournment took place.
 - Direct that any person not entitled to be present at the General Meeting, or obstructing the business of the General Meeting, or behaving in a disorderly manner, or being abusive, or failing to abide by the directions of the President be removed from the General Meeting, and
 - In the absence of a quorum or in the case of emergency, adjourn the General Meeting or declare it closed.

3.2 Amending this constitution

- All amendments must be made in accordance with this Constitution. Any minor or technical amendments shall be notified to Members as required by section 31 of the Act.
- Any Full Member entitled to vote may lodge a remit seeking to alter, amend or add to this Constitution at an AGM or SGM. The remit/s must be seconded by two other financial members entitled to vote and must be given in writing to the Committee at least 15 Working Days before the General Meeting at which the resolution is to be considered and accompanied by a written explanation of the reasons for the proposal.
- At least 10 Working Days before the General Meeting at which any amendment is to be considered the Committee shall give to all Members notice of the proposed resolution, the reasons for the proposal, and any recommendations the Committee has.
- Voting shall be in person at the AGM/SGM or digitally prior to the AGM/SGM
- The Society may amend or replace this Constitution at a General Meeting by a resolution passed by 65% of votes cast.
- When an amendment is approved by a General Meeting it shall be notified to the Registrar of Incorporated Societies in the form and manner specified in the Act for registration.
- Any alteration, amendment or addition to this Constitution that is approved at an AGM or SGM shall come into force immediately upon filing with the Companies Office which shall be within ten working days of the AGM or SGM unless an alternative commencement date is specified.

3.3 Minutes

The Society must keep minutes of all General Meetings.

3.4 Annual General Meetings: when they will be held

An Annual General Meeting shall be held once a year on a date and at a location and/or using any electronic communication determined by the Committee and consistent with any requirements in the Act, and the Constitution relating to the procedure to be followed at General Meetings shall apply.

The Annual General Meeting must be held no later than 6 months after the balance date of the Society.

3.5 Annual General Meetings: business

The business of an Annual General Meeting shall be to—

- confirm the minutes of the last Annual General Meeting and any Special General Meeting(s) held since the last Annual General Meeting,
- adopt the annual report on the operations and affairs of the Society,
- adopt the Committee’s report on the finances of the Society, and the annual financial statements,
- set any subscriptions for the current financial year,
- consider any motions of which prior notice has been given to Members with notice of the Meeting, and
- consider any general business.
- For election of officers refer to 6.4 Election or appointment of officers.

The Committee must, at each Annual General Meeting, present the following information—

- an annual report on the operation and affairs of the Society during the most recently completed accounting period,
- the annual financial statements for that period, and
- notice of any disclosures of conflicts of interest made by Officers during that period (including a summary of the matters, or types of matters, to which those disclosures relate).

3.6 Special General Meetings

- Special General Meetings may be called at any time by the President.
- Any member may call for a Special General Meeting but must have the written support of not less than one third of the total voting members and must state the purpose for which the Meeting is required. The Secretary will give notice of a Special General Meeting no later than fourteen days after receiving the request.
- Any resolution or written request must state the business that the Special General Meeting is to deal with.

- The rules in this Constitution relating to the procedure to be followed at General Meetings shall apply to a Special General Meeting, and a Special General Meeting shall only consider and deal with the business specified in the Committee’s resolution or the written request by Members for the Meeting.

4.0 Committee

4.1 Duties of the Committee

It shall be the duty of the Committee generally to conduct the affairs of the Association and to keep usual and proper books of account and other records of the business properly posted up, and to notify members of intended meetings and the business to be transacted there at, and to prepare and submit to the Annual General Meeting a report, balance sheet and statement of accounts for the preceding year. Meetings of the Committee may be convened at such times and places as the President shall decide or in his/her absence, inability or refusal to act, an Executive Officer shall convene a meeting and five persons shall be a quorum. Sub and show Committees may be set up by the Committee.

4.2 Committee composition

- The Committee will consist of a minimum of 8 and a maximum of 12 Officers who are members of the Society.
- The Officers of the New Zealand Gypsy Cob Association Incorporated shall consist of a President, Vice President, Committee Secretary, Membership Secretary, Treasurer, Registrar, Editor and general committee members.
- One person may hold more than one position but no more than two.

4.3 Functions of the committee

From the end of each Annual General Meeting until the end of the next, the Society shall be managed by, or under the direction or supervision of, the Committee, in accordance with the Incorporated Societies Act 2022, any Regulations made under that Act, and this Constitution.

4.4 Powers of the committee

The Committee has all the powers necessary for managing — and for directing and supervising the management of — the operation and affairs of the Society, subject to such modifications, exceptions, or limitations as are contained in the Act or in this Constitution.

4.5 Sub-committees

The Committee may appoint sub-committees consisting of such persons (whether or not Members of the Society) and for such purposes as it thinks fit. Unless otherwise resolved by the Committee—

- the quorum of every sub-committee is half the members of the sub-committee but not less than 2,
- no sub-committee shall have power to co-opt additional members,
- a sub-committee must not commit the Society to any financial expenditure without express authority from the Committee, and
- a sub-committee must not further delegate any of its powers

4.6 General matters: committees

The Committee and any sub-committee may act by resolution approved during a conference call using audio and/or audio-visual technology or through a written ballot conducted by email, electronic voting system, or post, and any such resolution shall be recorded in the minutes of the next Committee or sub-committee meeting.

Other than as prescribed by the Act or this Constitution, the Committee or any sub-committee may regulate its proceedings as it thinks fit.

5.0 Committee meetings

5.1 Procedure

- The quorum for Committee meetings is at least five (5) of members of the Committee.
- A meeting of the Committee may be held either—
 - by a number of the members of the Committee who constitute a quorum, being assembled together at the place, date and time appointed for the meeting; or
 - by means of audio, or audio and visual, communication by which all members of the Committee participating and constituting a quorum can simultaneously hear each other throughout the meeting.
- A resolution of the Committee is passed at any meeting of the Committee if a majority of the votes cast on it are in favour of the resolution. Every Officer on the Committee shall have one vote.
- If at a meeting of the Committee, the President is not present, the members of the Committee present may choose one of their number to be Chairperson of the meeting. The Chairperson does have a casting vote in the event of a tied vote on any resolution of the Committee.

- Except as otherwise provided in this Constitution, the Committee may regulate its own procedure.

5.2 Frequency

The Committee shall meet at least quarterly at such times and places and in such manner (including by audio, audio and visual, or electronic communication) as it may determine and otherwise where and as convened by the President or, in the President's absence an Executive Officer of the Committee.

The Secretary, or other Committee member nominated by the Committee, shall give to all Committee members not less than 5 Working Days' notice of Committee meetings, but in cases of urgency a shorter period of notice shall suffice.

5.3 Minutes

Copies of minutes of a meeting are to be sent to all non-attending Committee members and once approved are to be made available to members on request.

6.0 Officers

6.1 Qualifications of officers

Every Officer must be a natural person who—

- has consented in writing to be an officer of the Society, and
- certifies that they are not disqualified from being elected or appointed or otherwise holding office as an Officer of the Society, and
- is a member of the Society.

Officers must not be disqualified under section 47(3) of the Act from being appointed or holding office as an Officer of the Society, namely—

- a person who is under 16 years of age
- a person who is an undischarged bankrupt
- a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, the Financial Markets Conduct Act 2013, or the Takeovers Act 1993, or any other similar legislation
- A person who is disqualified from being a member of the governing body of a charitable entity under section 16(2) of the Charities Act 2005

- a person who has been convicted of any of the following, and has been sentenced for the offence, within the last 7 years—
 - an offence under subpart 6 of Part 4 of the Act
 - a crime involving dishonesty (within the meaning of section 2(1) of the Crimes Act 1961)
 - an offence under section 143B of the Tax Administration Act 1994
 - an offence, in a country other than New Zealand, that is substantially similar to an offence specified in subparagraphs (1) to (3)
 - a money laundering offence or an offence relating to the financing of terrorism, whether in New Zealand or elsewhere
- a person subject to:
 - a banning order under subpart 7 of Part 4 of the Act, or
 - an order under section 108 of the Credit Contracts and Consumer Finance Act 2003, or
 - a forfeiture order under the Criminal Proceeds (Recovery) Act 2009, or
 - a property order made under the Protection of Personal and Property Rights Act 1988, or whose property is managed by a trustee corporation under section 32 of that Act.
- a person who is subject to an order that is substantially similar to an order referred to in paragraph (6) under a law of a country, State, or territory outside New Zealand that is a country, State, or territory prescribed by the regulations (if any) of the Act.

Prior to election or appointment as an Officer a person must—

- consent in writing to be an Officer, and
- certify in writing that they are not disqualified from being elected or appointed as an Officer either by this Constitution or the Act.
- agree to the New Zealand Gypsy Cob Association Inc. Committee Code of Conduct set by the Committee.
- certify in writing they understand the role and are competent to undertake all relevant functions of the role.

Note that only a natural person may be an Officer, and each certificate shall be retained in the Society's records.

6.2 Officers' duties

At all times each Officer:

- shall act in good faith and in what he or she believes to be the best interests of the Society,
- must exercise all powers for a proper purpose,

- must not act, or agree to the Society acting, in a manner that contravenes the Act or this Constitution,
- when exercising powers or performing duties as an Officer, must exercise the care and diligence that a reasonable person with the same responsibilities would exercise in the same circumstances considering, but without limitation:
 - the nature of the Society,
 - the nature of the decision, and
 - the position of the Officer and the nature of the responsibilities undertaken by him or her
- must not agree to the activities of the Society being carried on in a manner likely to create a substantial risk of serious loss to the Society or to the Society’s creditors, or cause or allow the activities of the Society to be carried on in a manner likely to create a substantial risk of serious loss to the Society or to the Society’s creditors, and
- must not agree to the Society incurring an obligation unless he or she believes at that time on reasonable grounds that the Society will be able to perform the obligation when it is required to do so.

6.3 Officers’ Roles

- President: shall give active direction and have control of the business and affairs of the New Zealand Gypsy Cob Association Incorporated. He or she may sign contracts or other instruments which the committee has authorised to be executed and shall perform all duties incident to the office of President. The President is entitled to one (1) vote for any matters upon sets forth for a vote at any meetings but shall have a casting vote when committee is deadlocked.
- Vice President: In the absence of the President, the Vice President shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. In addition, the Vice President shall perform such duties as from time to time may be assigned to him or her by the President or by the rest of the committee.
- Committee Secretary: Shall keep the minutes of all meetings; ensure members keep corporate records; and in general, perform all duties incident to the office of Secretary and such other duties as may be assigned by the President.
- Membership Secretary: shall maintain all membership records and be the main point of communication for members over all issues/communications. The Membership secretary shall see that all notices are duly given in accordance with the provisions of these Bylaws to members.
- Treasurer: Shall be responsible for and oversee all financial administrations. The treasurer shall ensure members properly receive and give receipts for moneys due and payable to the New Zealand Gypsy Cob Association Inc. and deposit all such moneys in the name of New Zealand Gypsy Cob Association Inc. in appropriate banks, and in

general perform all duties incident to the office of the Treasurer and such other duties as from time to time may be assigned to him or her by the president and/or committee.

- Registrar: Shall be responsible for the maintenance of an accurate and up to date database and studbook that complies with the registration rules of the Association.
- Newsletter Editor: Shall produce at least quarterly newsletters to be sent to all members.
- General Committee: Shall support the purposes of the Society in collaboration with other elected Officers.

6.4 Election or appointment of officers

The election of Officers shall be conducted as follows.

- Officers shall be elected during Annual General Meetings.
- The Committee shall have the power to appoint a member to fulfil any casual vacancy on the committee until the next annual general meeting and any members appointed shall retire at the next annual general meeting. The Committee may co-opt up to three people, who may or may not be members of the Association to assist the Committee in its work. A co-opted person may exercise the same rights as a committee member. His or her co-option will cease at the next Annual General Meeting. The Committee may at its discretion invite a Youth Member to sit in at its meetings and give input (no voting rights).
- A candidate's written nomination, accompanied by the written consent of the nominee with a certificate that the nominee is not disqualified from being appointed or holding office as an Officer (as described in the 'Qualification of Officers' rule above) shall be received by the Society at least 20 Working Days before the date of the Annual General Meeting. If there are insufficient valid nominations received, further nominations may be received from the floor at the Annual General Meeting.
- Votes shall be cast in such a manner as the person chairing the meeting determines. In the event of any vote being tied, the tie shall be resolved by the incoming Committee (excluding those in respect of whom the votes are tied).
- Two Members (who are not nominees) or non-Members appointed by the President shall act as scrutineers for the counting of the votes and destruction of any voting papers.
- The failure for any reason of any financial Member to receive such Notice of the general meeting shall not invalidate the election.
- In addition to Officers elected under the foregoing provisions of this rule, the Committee may appoint other Officers for a specific purpose, or for a limited period, or generally until the next Annual General Meeting. Unless otherwise specified by the Committee any person so appointed shall have full speaking and voting rights as an Officer of the Society. Any such appointee must, before appointment, supply a signed consent to appointment and a certificate that the nominee is not disqualified from being appointed or holding office as an Officer (as described in the 'Qualification of Officers' rule above).

- In the event that there are insufficient members available to fill committee positions the committee may continue to function until such time as recruitment to vacant positions can occur.
- The Officers shall be elected by the voting members annually, by ballot to be sent via electronic mail to the membership not less than 10 working days before the AGM. A majority of votes cast by those members eligible to vote shall constitute the action of the membership.
- Any committee member may resign at any time by giving written notice to the President and/or Secretary. Such resignations shall take place at the time specified in the notice, or if no time is specified, then immediately.

6.5 Term

- The term of office for all Officers elected to the Committee shall be 2 year(s), expiring at the end of the Annual General Meeting in the year corresponding with the last year of each Officer's term of office.

6.6 Removal of officers

An Officer shall be removed as an Officer by resolution of the Committee or the Society where in the opinion of the Committee or the Society —

- The Officer elected to the Committee has been absent from 3 committee meetings without leave of absence from the Committee.
- The Officer has brought the Society into disrepute.
- The Officer has failed to disclose a conflict of interest.
- The Committee passes a vote of no confidence in the Officer with effect from (as applicable) the date specified in a resolution of the Committee or Society.

6.7 Ceasing to hold office

- An Officer ceases to hold office when they resign (by notice in writing to the Committee), are removed, die, or otherwise vacate office in accordance with section 50(1) of the Act.
- Each Officer shall within 10 Working Days of submitting a resignation or ceasing to hold office, deliver to the Committee all books, papers and other property of the Society held by such former Officer.

6.8 Conflicts of interest

- An Officer or member of a sub-committee who is an Interested Member in respect of any Matter being considered by the Society, must disclose details of the nature and

extent of the interest (including any monetary value of the interest if it can be quantified)—

- to the Committee and or sub-committee, and
- in an Interests Register kept by the Committee.
- Disclosure must be made as soon as practicable after the Officer or member of a sub-committee becomes aware that they are interested in the Matter.
- An Officer or member of a sub-committee who is an Interested Member regarding a Matter—
 - must not vote or take part in the decision of the Committee and/or sub-committee relating to the Matter unless all members of the Committee who are not interested in the Matter consent; and
 - must not sign any document relating to the entry into a transaction or the initiation of the Matter unless all members of the Committee who are not interested in the Matter consent; but
 - must not take part in any discussion of the Committee and/or sub-committee relating to the Matter or be present at the time of the decision of the Committee and/or sub-committee (unless the Committee and/or sub-committee decides otherwise).
- However, an Officer or member of a sub-committee who is prevented from voting on a Matter may still be counted for the purpose of determining whether there is a quorum at any meeting at which the Matter is considered.
- Where 50 per cent or more of Officers are prevented from voting on a Matter because they are interested in that Matter, a Special General Meeting must be called to consider and determine the Matter, unless all non-interested Officers agree otherwise.
- Where 50 per cent or more of the members of a sub-committee are prevented from voting on a Matter because they are interested in that Matter, the Committee shall consider and determine the Matter.

7.0 Records

7.1 Register of Members

The Society shall keep an up-to-date Register of Members.

For each current Member, the information contained in the Register of Members shall include:

- Their name and category of membership, and
- The date on which they became a member (if there is no record of the date they joined, this date will be recorded as 'Unknown'), and
- Their contact details, including —
 - A physical address or an electronic address, and

- A telephone number.
- The register will also include each Member's —
 - email address (if any)
 - whether the Member is financial or unfinancial
- Every current Member shall promptly advise digitally, the Society of any change of the Member's contact details.
- The The New Zealand Gypsy Cob Association Incorporated will not sell its membership list nor will it make public that member profile information (name, address, phone number, etc.) that any member has requested not be made public.

The Society shall also keep a record of the former Members of the Society. For each Member who ceased to be a member within the previous 7 years, the Society will record:

- The former Member's name, and
- The date the former Member ceased to be a member.

7.2 Interests Register

The Committee shall at all times maintain an up-to-date register of the interests disclosed by Officers and by members of any sub-committee.

7.3 Access to information for members

A Member may at any time make a written request to the Society for information held by the Society.

The request must specify the information sought in sufficient detail to enable the information to be identified.

The Society must, within a reasonable time after receiving a request —

- provide the information, or
- agree to provide the information within a specified period, or
- agree to provide the information within a specified period if the Member pays a reasonable charge to the Society (which must be specified and explained) to meet the cost of providing the information, or
- refuse to provide the information, specifying the reasons for the refusal.

Without limiting the reasons for which the Society may refuse to provide the information, the Society may refuse to provide the information if —

- withholding the information is necessary to protect the privacy of natural persons, including that of deceased natural persons, or

- the disclosure of the information would, or would be likely to, prejudice the commercial position of the Society or of any of its members, or
- the disclosure of the information would, or would be likely to, prejudice the financial or commercial position of any other person, whether or not that person supplied the information to the Society, or
- the information is not relevant to the operation or affairs of the society, or
- withholding the information is necessary to maintain legal professional privilege, or
- the disclosure of the information would, or would be likely to, breach an enactment, or
- the burden to the Society in responding to the request is substantially disproportionate to any benefit that the Member (or any other person) will or may receive from the disclosure of the information, or
- the request for the information is frivolous or vexatious, or
- the request seeks information about a dispute or complaint which is or has been the subject of the procedures for resolving such matters under this Constitution and the Act.

If the Society requires the Member to pay a charge for the information, the Member may withdraw the request, and must be treated as having done so unless, within 10 Working Days after receiving notification of the charge, the Member informs the Society —

- that the Member will pay the charge; or
- that the Member considers the charge to be unreasonable.

Nothing in this rule limits Information Privacy Principle 6 of the Privacy Act 2020 relating to access to personal information.

8.0 Finances

8.1 Control and management

- The funds and property of the Society shall be—
 - controlled, invested, and disposed of by the Committee, subject to this Constitution, and
 - devoted solely to the promotion of the purposes of the Society.
- The Committee shall maintain bank accounts in the name of the Society.
- All money received on account of the Society shall be banked within 10 Working Days of receipt.
- All accounts paid or for payment shall be submitted to the Committee for approval of payment.
- The Committee must ensure that there are kept at all times accounting records that—
 - correctly record the transactions of the Society, and

- allow the Society to produce financial statements that comply with the requirements of the Act, and
- would enable the financial statements to be readily and properly audited (if required under any legislation or the Society's Constitution).
- The Committee must establish and maintain a satisfactory system of control of the Society's accounting records.
- The accounting records must be kept in written form or in a form or manner that is easily accessible and convertible into written form.
- The accounting records must be kept for the current accounting period and for the last 7 completed accounting periods of the Society.

8.2 Balance date

The Society's financial year shall commence on 1 April of each year and end on 31 March (the latter date being the Society's balance date).

9.0 Dispute resolution

9.1 Meanings of dispute and complaint

A dispute is a disagreement or conflict involving the Society and/or its members in relation to specific allegations set out below.

- The disagreement or conflict may be between any of the following persons—
 - 2 or more Members
 - 1 or more Members and the Society
 - 1 or more Members and 1 or more Officers
 - 2 or more Officers
 - 1 or more Officers and the Society
 - 1 or more Members or Officers and the Society.
- The disagreement or conflict relates to any of the following allegations—
 - a Member or an Officer has engaged in misconduct
 - a Member or an Officer has breached, or is likely to breach, a duty under the Society's Constitution or bylaws or the Act
 - the Society has breached, or is likely to breach, a duty under the Society's Constitution or bylaws or the Act
 - a Member's rights or interests as a Member have been damaged or Member's rights or interests generally have been damaged
 - A Member or Officer is subject to a prosecution under the current NZ Animal Welfare legislation.

- All Members (including the Committee) are obliged to cooperate to resolve disputes efficiently, fairly, and with minimum disruption to the Society's activities.
- The complainant raising a dispute, and the Committee, must consider and discuss whether a dispute may best be resolved through informal discussions, mediation, arbitration, or a tikanga-based practice. Where mediation or arbitration is agreed on, the parties will sign a suitable mediation or arbitration agreement.

9.2 How complaint is made

- A Member or an Officer may make a complaint by giving to the Committee (or a complaints subcommittee) a notice in writing that—
 - states that the Member or Officer is starting a procedure for resolving a dispute in accordance with the Society's Constitution; and
 - sets out the allegation or allegations to which the dispute relates and whom the allegation is against; and
 - sets out any other information reasonably required by the Society.
- The Society may make a complaint involving an allegation or allegations against a Member or an Officer by giving to the Member or Officer a notice in writing that—
 - states that the Society is starting a procedure for resolving a dispute in accordance with the Society's Constitution; and
 - sets out the allegation to which the dispute relates.
- The information given under subclause (9.2) must be sufficient to ensure that a person against whom an allegation is made is fairly advised of the allegation or allegations concerning them, with sufficient details given to enable that person to prepare a response.
- A complaint may be made in any other reasonable manner permitted by the Society's Constitution.

9.3 Person who makes complaint has right to be heard

- A Member or an Officer who makes a complaint has a right to be heard before the complaint is resolved or any outcome is determined.
- If the Society makes a complaint—
 - the Society has a right to be heard before the complaint is resolved or any outcome is determined; and
 - an Officer may exercise that right on behalf of the Society.
- Without limiting the manner in which the Member, Officer, or Society may be given the right to be heard, they must be taken to have been given the right if—
 - they have a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and

- an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
- an oral hearing (if any) is held before the decision maker; and
- the Member's, Officer's, or Society's written or verbal statement or submissions (if any) are considered by the decision maker.

9.4 Investigating and determining dispute

- The Society must, as soon as is reasonably practicable after receiving or becoming aware of a complaint made in accordance with its Constitution, ensure that the dispute is investigated and determined.
- Disputes must be dealt with under the Constitution in a fair, efficient, and effective manner and in accordance with the provisions of the Act.

9.5 Society may decide not to proceed further with complaint

Despite the 'Investigating and determining dispute' rule above, the Society may decide not to proceed further with a complaint if—

- the complaint is considered to be trivial; or
- the complaint does not appear to disclose or involve any allegation of the following kind:
 - that a Member or an Officer has engaged in material misconduct:
 - that a Member, an Officer, or the Society has materially breached, or is likely to materially breach, a duty under the Society's Constitution or bylaws or the Act:
 - that a Member's rights or interests or Members' rights or interests generally have been materially damaged:
- the complaint appears to be without foundation or there is no apparent evidence to support it; or
- the person who makes the complaint has an insignificant interest in the matter; or
- the conduct, incident, event, or issue giving rise to the complaint has already been investigated and dealt with under the Constitution; or
- there has been an undue delay in making the complaint.

9.6 Society may refer complaint

- The Society may refer a complaint to—
 - a subcommittee or an external person to investigate and report; or
 - a subcommittee, an arbitral tribunal, or an external person to investigate and make a decision.

- The Society may, with the consent of all parties to a complaint, refer the complaint to any type of consensual dispute resolution (for example, mediation, facilitation, or a tikanga-based practice).

9.7 Decision makers

A person may not act as a decision maker in relation to a complaint if 2 or more members of the Committee or a complaints subcommittee consider that there are reasonable grounds to believe that the person may not be—

- impartial; or
- able to consider the matter without a predetermined view.

10.0 Registry and Studbook

10.1 Establishment

- The Committee shall be responsible for the registry and stud book of the New Zealand Gypsy Cob Association Incorporated, and both shall be under the supervision of The Registrar. The Registrar is an elected member of the committee.
- All horse registration applications must include a DNA profile for each horse from a reputable laboratory and an authorisation form to the New Zealand Gypsy Cob Association Incorporated permitting use of the DNA for profiling and parent verification. Should a copy of the DNA for a horse not be provided then the horse shall be ineligible for registration.

10.2 Registry

Subject to these rules, the Studbook of the New Zealand Gypsy Cob Association Incorporated shall be open to pure and part bred Gypsy Cobs (minimum of 25% gypsy cob blood) and Drum Horses of any age as long as the following requirements are met:

10.2.a Purebred Gypsy Cobs

The intent of the purebred registry rules is that horses of gypsy blood are proven to be purebred gypsy cobs by way of DNA verification to registered purebred gypsy cob parents.

10.2.a.i New Zealand Bred

- Any New Zealand bred (horses conceived from 2 parents located in NZ at time of conception) horse to be registered as a purebred Gypsy Cob with the New Zealand Gypsy Cob Association Incorporated is to have:

- the Gypsy Cob Parents registered with the New Zealand Gypsy Cob Association Incorporated AND
- the horse must be DNA verified to both of its NZ registered Gypsy Cob parents.
- For any New Zealand bred horse conceived via imported frozen semen:
 - The dam must be registered with the NZGCA as a purebred Gypsy Cob
 - The sire must be registered as a purebred Gypsy Cob:
 - If he is born in the UK or European Union registration must be with the TCGA;
 - If he is born in any other country, he must be registered with an NZGCA accepted Gypsy Cob/Vanner Breed Society
 - the horse to be registered must be DNA parent-verified to both of its registered Gypsy Cob parents.

10.2.a.ii Imported Horses and Foals Imported in Utero

- In order to be eligible for NZGCA registration, any imported Gypsy Cob must:
 - Be PSSM1 and FIS tested, and
 - Be DNA verified to both its registered parents demonstrated by:
 - A DNA parent-verification of the horse from a reputable laboratory provided to NZGCA for this purpose, or
 - Confirmation of DNA parent-verification of the horse from an NZGCA accepted breed association.
 - Have both parents registered as purebred Gypsy Cobs:
 - Where a parent is born in the UK or European Union registration must be with the TCGA;
 - A parent born in any other country must be registered with an NZGCA accepted Gypsy Cob/Vanner Breed Society

10.2.a.iii Embryo Transplant Foals

Embryo-transplant foals are eligible for registration subject to New Zealand Gypsy Cob Association Incorporated registration requirements as above.

10.2.b Partbred Gypsy Cobs

The intent of the Partbred registry rules is that horses of gypsy blood are proven to be Partbred gypsy cobs with minimum 25% gypsy blood by way of DNA parent-verification to all of its parents containing gypsy cob blood, and that those gypsy cob parents are NZGCA registered. Progeny of unregistered gypsy cobs are not eligible for registration.

A Partbred gypsy cob may be registered subject to:

- The gypsy cob percentage must not fall below 25%, and
- The horse to be registered is DNA parent-verified to its gypsy cob parent/s.
 - All parents of a Partbred gypsy cob known to have gypsy cob blood must be NZGCA registered. Therefore, in the case of:
 - Part bred horses with one gypsy cob parent: the horse to be registered must be DNA parent-verified to the gypsy cob parent, and the gypsy cob

parent must be NZGCA registered. The non-cob parent does not have to meet breed registration requirements.

- Partbred gypsy cob horses where both parents are known to be gypsy cobs: the horse to be registered must be DNA parent-verified to both parents, and both these parents must be NZGCA registered.

In the case of imported Partbred Gypsy Cobs, rules as per the purebred requirements apply to the gypsy cob parent. The non-cob parent does not have to meet breed registration requirements.

10.2.c Drum Horses

10.2.c.i Purebred Drum Horses

The intent of the purebred registry rules is that horses of Drum Horse blood are proven to be Drum Horses by way of DNA verification to registered Drum Horse, Gypsy Cob, Shire and/or Clydesdale parents.

The Drum Horse Studbook is for those approved horses that meet all the criteria for registration as a Drum Horse.

- These horses must be proven to be a combination of any and only of the following breeds:
 - Shire, Clydesdale and Gypsy Cob, and
 - The percentage of Gypsy Cob blood is between 50 and 6.25%
- Premium Drum Horse Studbook horses must reach a minimum of 16 hands high. Horses who meet all other criteria may be entered into the Foundation Drum Horse Studbook until such time as a height certificate of 16hh or above is provided. Horses are then moved to the Premium Drum Horse Studbook.
- Horses registered on the Drum Horse Studbook may also be registered on the Gypsy Cob Partbred registry if they meet the criteria.

10.2.c.ii New Zealand Bred

- Any New Zealand bred (horses conceived from 2 parents located in NZ at time of conception) horse to be registered as a purebred Drum Horse with the New Zealand Gypsy Cob Association Incorporated is to have:
 - the Drum Horse Parents registered with the New Zealand Gypsy Cob Association Incorporated OR
 - The Gypsy Cob parent registered with the New Zealand Gypsy Cob Association AND the non-Gypsy Cob parent registered with the appropriate breed society AND
 - the horse must be DNA verified to both of its NZ registered parents.
 - DNA verification is required to the non-Gypsy Cob parent from 1st August 2023
- For any New Zealand bred horse conceived via imported frozen semen:
 - The dam must be registered with an appropriate New Zealand society
 - The sire must be registered as a Drum Horse with an NZGCA accepted Drum Horse Association OR with an appropriate breed association:

- the horse to be registered must be DNA parent-verified to both of its registered parents.

10.2.c.iii *Imported Horses and Foals Imported in Utero*

- In order to be eligible for NZGCA registration, any imported Drum Horse must:
 - Be PSSM1 and FIS tested, and
 - Be DNA verified to both its registered parents demonstrated by:
 - A DNA parent-verification of the horse from a reputable laboratory provided to NZGCA for this purpose, or
 - Confirmation of DNA parent-verification of the horse from an NZGCA accepted breed association.
 - Have both parents registered as Drum Horses with an NZGCA accepted Drum Horse Breed Society OR appropriate breed association.

10.2.c.iv *Embryo Transplant Foals*

Embryo-transplant foals are eligible for registration subject to New Zealand Gypsy Cob Association Incorporated registration requirements as above.

10.2.d *Partbred Drum Horses*

The intent of the Partbred Drum registry is to register horses with a minimum of 25% Drum Horse blood by way of DNA parent-verification to all of its parents containing Drum Horse blood, and that those Drum Horse parents are NZGCA registered. Progeny of unregistered Drum Horses are not eligible for registration.

- A horse may be registered as a Partbred Drum Horse with the New Zealand Gypsy Cob Association Incorporated if it meets the following criteria:
 - The Drum Horse Parent/s are registered in the Drum Horses registry with the New Zealand Gypsy Cob Association Incorporated
 - The horse is DNA verified to the registered Drum Horse parent/s.
 - The percentage of Drum Horse is not below 25%

10.3 Health Certificates and Genetic testing

- Genetic testing: As part of the NZGCA registration process, for progeny to be registered, all NZGCA registered breeding stock (mares and stallions) must provide PSSM1 and FIS results to NZGCA OR new registrations must provide genetic testing for PSSM1 and FIS to NZGCA. These results will be listed on the registration certificate.
- All NZ registered Purebred and Partbred Gypsy Cob and Drum Horse stallions must have completed and passed the NZGCA Stallion Breeding Health Certificate requirements prior to their foals being registered. This clause takes effect from 1 August 2023. After this time, progeny of stallions without a stallion breeding health certificate will not be eligible for registration.
- Where overseas stallions are either graded in their country of origin or of residence, or have completed alternative assessments, the Committee may consider on a case-by-case basis if these meet a similar standard as the NZGCA Stallion Breeding Health

Certificate. If it is considered that they do, then the assessments may be substituted for the NZGCA Stallion Breeding Health Certificate.

- Semen that has been frozen for NZ use before the 1st December 2022 is exempted from the health certificate and from FIS and PSSM1 testing requirements.

10.4 Branding and Prefixes

- Horses registered with the Association may be branded or/and microchipped.
- Prefixes and suffixes must be reserved and registered by request after payment of required fee to the New Zealand Gypsy Cob Association Incorporated. Prefixes or suffixes may be refused on the grounds of similarity to a historically significant or otherwise existing name.

11.0 Procedures for Denial or Cancellation of Registration

The Association may propose to deny or cancel the registration of a horse if it finds that there are reasonable grounds to believe:

- That it does not meet the requirements for registration; or
- That the subject of registration is not the same horse the certificate is issued to or requested for; or
- That any information on the applicant or registration certificate is determined to be false or incorrect. The Association will advise the recorded owner in writing of any proposal to deny or cancel the registration and the reason supporting this proposal.
- In all proceedings concerned with or affecting the registration and records of the Association the burden of resolving any doubt as to the true parentage or identification of a Cob shall be upon the applicant, owner, lessee, or other member(s) involved.

12.0 Registration procedure

Applicants must complete and submit proper New Zealand Gypsy Cob Association Incorporated registration application forms.

12.1 Responsibility

- The legal owner of the horse/foal is responsible for the registration and naming of the horse/foal.
- The name of the horse cannot be a duplication of any other name recorded on the records of the registry.
- Names may be distinguished by a prefix or suffix which has not been used by another registered stud or breeder.

- Any horse already registered with a Royal Agricultural Society Incorporated (RAS) recognised breed society shall be required to use that same name, unless that name is already used by an existing NZGCA registered horse.
- Names may be refused on the grounds of similarity to a historically significant or otherwise existing name.
- Names may be refused if considered offensive or likely to offend or excessively long.

12.2 Alteration

Registered names of horses may not be changed after registration unless an error in registration such that the registration rules have not been complied with or subject to clause 12.1 Responsibility.

12.3 Breeder

The owner of the dam at the time of breeding shall be listed as the Breeder for all records.

12.4 Registration Numbers

The Association will issue registration numbers in consecutive order, based upon the order in which applications are processed by the Association.

12.5 Joint and common ownership

Where any certificate or document is required to be signed in terms of these rules and the ownership of the subject is recorded as joint between two or more persons, all must sign all paperwork.

12.6 Registration date

The horse will be deemed to be registered on the date the registration is processed by the Registrar following the receipt of all information required and payment of the registration fee is received, and this date is the date recorded on the registration certificate.

If all registration information has not been received within 12 months of the initial application a letter/email will be sent to the owners last known address, and if completed documentation is not received within six weeks of the letter being sent, the Registrar may delete the incomplete file. No refund of monies paid will be given.

13.0 Certificates

All Gypsy Cob registration papers will have clearly marked if the Gypsy Cob is a Purebred or Partbred. The Association shall issue a Certificate of Registration based upon information submitted on the proper form attesting to the qualification for registration.

13.1 Notification of change of ownership

When the ownership of a horse changes, the Association shall be notified, and the Association will record the name of the new owner as notified on the registration certificate. The registration certificate in no way denotes legal ownership of the horse.

13.2 Replacement Certificates

To obtain a replacement for a certificate the recorded owner must submit an application for a replacement certificate to the Association for identification and pay the replacement certificate fee. A new certificate will be emailed to the owner.

13.3 Certificate Corrections

A recorded owner may request a change in the information detailed on the registration certificate. The Association may charge a fee for any requested changes unless the information was recorded incorrectly by the Association.

13.4 Gelding

After a colt or stallion has been gelded, the Association should be notified via email.

13.5 Death

The Association shall be notified via email of the death of a cob so that this can be recorded in the database.

14.0 Leases

- For a lease of a registered horse to be recorded by the Association whether for breeding or showing purposes, written notice of its existence shall be filed with Association signed by both lessor (or authorised agent) and lessee (or authorised agent) along with the fee outlined in the fee schedule.
- The notice shall provide the effective date of the lease, the name and registration number of the horse, and may provide a termination date, otherwise it may be

terminated by written notice, giving a termination date, signed by both lessor and lessee; or by a properly executed transfer report which shows a change of ownership from lessor to lessee, and which is signed by the lessor.

- No additional fee shall be charged for termination, whether automatic or by subsequent notice thereof.
- Only one lease per horse at any given time.
- In regard to the Association's procedures, recordation of notice of lease authorises a lessee to execute all documents pertaining to the recognised activities of breeding and showing regardless of any limitation in the actual lease agreement. Enforcement against the lessee of limitation on use of the horse is solely the responsibility of the lessor.

15.0 Gypsy Cob shows and Competitions

The Committee shall have the power and authority to make, amend, repeal and enforce show and competition rules and regulations.

16.0 Official Publication

- The name of the official publication of the New Zealand Gypsy Cob Association Incorporated shall be decided by the committee.
- The Editor of the official publication is a member of the Committee and shall be nominated and elected by the membership.
- The editorial polices and the policies of the official publication shall be set up by the Committee.
- Advertising rates shall be recommended by the Treasurer and the Editor and shall be approved by the committee.

17.0 Insurance

The society shall from time-to-time effect and maintain such insurance as shall be deemed necessary by the Committee.

18.0 Use of money and other assets

The Association may only use money and other assets if:

- It is for a purpose of the New Zealand Gypsy Cob Association Incorporated.
- It is not for the sole personal or individual benefit of any Member; and

- That use has been approved by either the Committee or by majority vote of the Association.

19.0 Records

Individual personal requirements - Any person subject to these rules and regulations may be required to supply such information and documents, within legal requirements, as the Society may determine to be necessary with respect to the registration of Cobs or the transfer of registration certificates

20.0 Liquidation and removal from the register

20.1 Resolving to put society into liquidation

- The Society may be liquidated in accordance with the provisions of Part 5 of the Act.
- The Committee shall give 30 Working Days written Notice to all Members of the proposed resolution to put the Society into liquidation.
- The Committee shall also give written Notice to all Members of the General Meeting at which any such proposed resolution is to be considered. The Notice shall include all information as required by section 228(4) of the Act.
- Any resolution to put the Society into liquidation must be passed by a two-thirds majority of all Members present and voting.

20.2 Resolving to apply for removal from the register

- The Society may be removed from the Register of Incorporated Societies in accordance with the provisions of Part 5 of the Act.
- The Committee shall give 30 Working Days written Notice to all Members of the proposed resolution to remove the Society from the Register of Incorporated Societies.
- The Committee shall also give written Notice to all Members of the General Meeting at which any such proposed resolution is to be considered. The Notice shall include all information as required by section 228(4) of the Act.
- Any resolution to remove the Society from the Register of Incorporated Societies must be passed by a two-thirds majority of all Members present and voting.

20.3 Surplus assets

- If the Society is liquidated or removed from the Register of Incorporated Societies, no distribution shall be made to any Member.

- On the liquidation or removal from the Register of Incorporated Societies of the Society, its surplus assets — after payment of all debts, costs and liabilities — shall be vested in New Zealand Riding for the Disabled Association.
- However, in any resolution under this rule, the Society may approve a different distribution to a different not-for-profit entity from that specified above, so long as the Society complies with this Constitution and the Act in all other respects.

21.0 Other

21.1 Common seal

- The Society will have a common seal that must be kept in the custody of an Officer.
- The common seal may be affixed to any document:
 - by resolution of the Committee, and must be countersigned by 2 Officers or
 - by such other means as the Committee may resolve from time to time.

21.2 Bylaws

The Committee from time to time may make and amend bylaws, and policies for the conduct and control of Society activities and codes of conduct applicable to Members, but no such bylaws, policies, or codes of conduct applicable to Members shall be inconsistent with this Constitution, the Act, regulations made under the Act, or any other legislation.


 Sarah Carter-Hall (Jan 5, 2025 16:08 GMT+13)

05/01/2025

President


 Tracy Wilde (Jan 5, 2025 14:02 GMT+13)

05/01/2025

Secretary


 Annika Jackson (Jan 5, 2025 14:02 GMT+13)

05/01/2025

Treasurer