



GOVERNANCE REFORM & RENEWAL ROADSHOW

Good Governance is about doing the business of Pony Club better

JULY 2018

Change No 4: New and improved PCV Rules aka Constitution

Constitutions, or Rules, are not your every day go-to documents; they do not make good bedtime reading.

However, they are essential to the good governance of each and every organization and need to be drafted so as to enable answers to be given before the question is asked.

The following is a summary of the main clauses, or Rules, in the Rules which affect the day to day management and administration of PCV.

Not all Rules will be summarized as the large majority are essentially pro forma, based on the requirements of the Associations Incorporation Reform Act 2012 (Vic) which regulates bodies such as PCV.

And to avoid confusion the references below are to Rules (clauses) as eg R8.1

	MEMBERSHIP
	Membership is divided into 3 categories: individuals, clubs and life members. Life membership is unchanged.
Individuals R 8.5	This Rule means that everyone who joins a club automatically joins PCV and is bound by the rules and regulations of PCV, and PCA where they apply.
	Each parent and/or guardian of a minor also automatically becomes a member when signing up on behalf of a child. The definition of parents and guardians can be found in the definitions at 7.1

	No person can be involved in PCV without being a member. This is especially important because of the Child Safe requirements mandated by the State Government for all sports.
Pony Clubs R 8.4	Pony Clubs are called Member Clubs
	Nothing has changed about the need for a pony club, wanting to apply for membership of PCV, or indeed to continue membership, to be engaged in pony club activities.
	In the definitions section at R 7.1 you will find reference to Compliance Criteria. These are the criteria set by the Board, in conjunction with management and State Council, by which applicants for membership of PCV will be assessed. Many of these criteria are set out in the PCV bylaws already.
	APPLYING FOR MEMBERSHIP
Pony Clubs R 8.6(1)(a)	Clubs need to complete an application form and comply with the compliance criteria
R 8.6(2)	The Board will ultimately approve the admission of a new pony club after the compliance process is administered by the EO.
R 8.6(3)	A proposed new pony club will be a probationary member of PCV until the Board approves its membership. If it is knocked back it can apply again at any time – see R 8.6(5).
Individuals R 8.6(1)(b)	Complete a membership application form and pay the fee which is no different from current practice.
	DISCIPLINE OF MEMBERS
R12	This Rule sets out a simpler procedure for dealing with complaints and grievances. Importantly it takes any decision-making capacity away from Board members who may have conflicts of interest (ie knowing the person involved) and who won't have first hand knowledge of the evidence against the person being disciplined.
	BOARD CONSTITUTION (OR HOW THE BOARD WORKS)
R 22.2	This Rule deals with the composition of the Board. The Board will create its own charter and code of conduct, which will be the

	documents which govern its behaviours.
Number on the board R 22.2(2)	Up to 6 people will be elected to the Board and up to 3 will be appointed by the Board to fill skills and experience gaps – see Paper 1 on The Board.
3 year terms R 22.2(4)	It is now generally accepted that 3 year terms are desirable. Anyone who has been on a board understands it takes the first year to get the hang of who's who and what's what, the second to get going and the third to start making a difference.
Maximum term 9 yrs R 22.2(8)	The rule of thumb is that 9 or 10 years on a board is sufficient. Thus it is proposed that 3 terms each of 3 years is about right.
Two hats barred R 22.2(9)	One of the greatest impediments to the making of good decisions is when a board member (or anyone in a decision-making role) has a conflict of interest by the wearing of two hats. People think they can juggle two or more but in reality they are often making choices, and not necessarily in the best interests of the organisation they're at the table for. So this rule is to ensure that any board member has only that hat only at PCV meetings.
	STATE COUNCIL
State Council R 27.2	As has been said State Council is adamant that State Council continue, more or less, in its current form though in a new guise: that of board committee or subcommittee of the board. Its role and function will remain largely unchanged.
	The insertion of State Council into the constitution, as a standing, or permanent, committee of the board means that it cannot be removed unless there is a 75% vote against its retention at an AGM or SGM.