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# CONSTITUTION

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1st August 2020

## DEFINITIONS

In this Constitution, except in a context indicating that some other meaning is applicable:

**Affiliate Member** means all Equestrian Sports Clubs in Namibia as provided for in the Namibia Sports Act, involved in the FEI sport disciplines of Eventing, Dressage, Jumping and Endurance or any other discipline affiliated to or under the control of the FEI as incorporated by NAMEF from time to time.

**Associate Member means such equestrian associations as provided for in the Rules** involved in the development of the FEI sport disciplines and the observance and enforcement of rules and regulations at FEI sport disciplines and/or events and such other associations or bodies involved in the FEI sport disciplines as provided for in the Rules and subject to the provisions for registration and qualification as set out in the Rules from time to time.

**Athlete** means any human participant in the Equestrian Sport and registered with an affiliated Member.

**Club** means any sports club as defined in the Namibia Sports Act, practicing, or partaking in any discipline which is affiliated to the FEI.

**Closely Related** means immediate family limited to husband and wife or child and parent/guardian or brother and sister or employer and employee, unless approved at an AGM by the members.

**Constitution** means the Constitution of NAMEF and all schedules (containing the Rules) thereto.

**DCT** means Doping Control Test.

**DICIPLINARY CODE** means the system as specified in the NAMEF rules

**Event** means a show or tournament.

**Equestrian Sport** means any discipline Affiliate to or under the control of the FEI.

**FEI** means the Federation Equestre Internationale.

**HORSE** means the competition partner of the Athlete which must be registered with the NAMEF as per Rules.

**IOC** means the International Olympic Committee.

**MEMBER** means paid up members of NAMEF.

**NAMEF** means the Namibian Equestrian Federation.

**NSC** means the Namibian National Sports Commission.

**NNOC** means the Namibian National Olympic Committee.

**Office Bearer** means elected Members of the Committees.

**Rules** means the Rules prescribed from time to time in terms of this constitution for the promotion, protection and administration of the Equestrian Sport in Namibia and shall include the regulations and codes set out in the Rules.

Any reference to any singular shall include the plural, and vice versa.

Any reference to any gender shall include the other gender.

## **I. GENERAL PROVISIONS**

### **ARTICLE 1: NAME AND OFFICES**

- 1.1 The Namibian Equestrian Federation (NAMEF) is a National Equestrian Sports Federation duly registered in terms of the Namibia Sports Act 12 of 2003.
- 1.2 The Head Office of NAMEF shall be determined by the Executive Committee from time to time, due regard being had to NAMEF's leasing commitments and/or immovable property holdings and shall be published in the Rules.
- 1.3 NAMEF is affiliated to the FEI and a member of the NNOC.
- 1.4 NAMEF shall remain a non-profit making organisation, responsible for development of the Equestrian Sport in Namibia.

### **ARTICLE 2: LEGAL PERSONALITY**

NAMEF is a juristic person and shall have legal personality and shall, through its authorized representatives:

- 2.1 have an independent existence from its Members and Office Bearers.
- 2.2 be entitled to acquire, encumber, hold or dispose of, bank and pledge assets, moveable and/or immovable, invest, re-invest from time to time and always to do all acts necessary to protect and further its interest and all legal processes and documents to give effect thereof, may be signed by the president or his designated deputy, which proceedings must be in the name of NAMEF;
- 2.3 incur legal obligations and liability independent of its Members, and Office Bearers.
- 2.4 have power to institute and defend legal proceedings, arbitrations and mediations in its own name.
- 2.5 be entitled to open and maintain bank accounts.
- 2.6 be entitled to employ any person, to manage or assist in the management of any of the objectives of NAMEF and to remunerate such person from funds administered by NAMEF and pay such person(s) necessary traveling and other expenses.
- 2.7 be entitled to appoint an agent or agents to represent NAMEF for any specific purpose, including the power to employ accountants, attorneys, advocates and other professional persons for any specific purpose and to remunerate such persons at the usual professional or business rates; and

2.8 generally, be entitled do all such other things as may be expedient to further the interests of NAMEF or which are incidental or conducive to the attainment of the above objectives as well as the aims and objectives of NAMEF.

### **ARTICLE 3: AIMS AND OBJECTIVES**

#### **A. MISSION STATEMENT**

NAMEF's mission is to create an enabling environment for our athletes to excel to their best ability in the Equestrian Sport.

#### **B. OBJECTIVES**

In the pursuit of NAMEF's mission the following objectives are regarded as the foundation of the program guiding the activities of NAMEF:

- 3.1 to set up friendly, professional and loyal co-operation between all Members for the benefit of the Equestrian Sport.
- 3.2 to ensure and advance efficient and effective administration for the benefit of the sports and athletes.
- 3.3 to promote harmonious coexistence and teamwork amongst Members, athletes and officials.
- 3.4 to promote the best interest of the Equestrian Sport in Namibia and internationally.
- 3.5 to co-ordinate the activities of Members.
- 3.6 to regulate and assist with the development of Equestrian Sports Clubs throughout Namibia, open to membership by all members of the public and allowing access to registration, participation, coaching and other services of NAMEF to all such Sports Clubs that wish to participate in the Equestrian Sport, and that comply with NAMEF's membership prerequisites;
- 3.7 to constantly strive to ensure that no form of discrimination, be it based on race, ethnicity, religion, politics, gender or otherwise, be allowed in the Equestrian Sport and to take all possible measures to prevent such discrimination:
- 3.8 to promote the spirit of dedication to the basic principles of fair competition in all respects, including the right of every Athlete to strive to achieve national titles and colors without being disadvantaged by administrative constraints, rulings or otherwise.
- 3.9 to promote international and national competitions and the participation thereof at all levels.
- 3.10 to provide incentives to Athletes to achieve their full potential.

- 3.11 to assist and encourage the presentation of recognized events for all disciplines in the country by Members.
- 3.12 to determine and improve the standard of judging at recognized events and to encourage individual members to become judges and other officials.
- 3.13 to represent the FEI in Namibia and to participate to the fullest extent in the affairs of the FEI.
- 3.14 to uphold the ethics, codes and rules of the FEI as well as the national Rules and Regulations, to ensure their application and to oversee compliance at all recognized events by NAMEF.
- 3.15 to obtain, through the appropriate body, the co-operation and assistance of the government or any other authority in carrying out the objectives of NAMEF.
- 3.16 to promote the development of the Equestrian Sport to the highest level of excellence.
- 3.17 to encourage and promote the standard of instruction and instructor appertaining to the disciplines.
- 3.18 to achieve all the objectives set out in this Constitution and to administer NAMEF as an organization which:
  - 3.18.1 is highly professional
  - 3.18.2 is financially sound
  - 3.18.3 is accountable to its Members and
  - 3.18.4 remains user-friendly to the Equestrian Sport family and the public at large and
  - 3.18.5 strives to honour and respect the individual.
- 3.19 to ensure horse welfare as per FEI rules in the Equestrian Sport
- 3.20 to take any such action as may, in the opinion of NAMEF, be incidental or conducive to the attainment of these objectives or any of them, or be calculated to promote the interests of NAMEF and
- 3.21 to generally, to do all such things as may be required in order to promote any of the above objectives, and to foster the interests of Equestrian Sport.

#### **ARTICLE 4: MEANS OF ACHIEVING OBJECTIVES**

The objectives of NAMEF will be achieved by, *inter alia*:

- 4.1 affiliation with FEI, NSC, NNOC, IOC, or any other relevant organisation as may become necessary.
- 4.2 the acquisition, encumbrance or disposal of such movable or immovable property as may be required to achieve NAMEF's aims and objectives.
- 4.3 enquiring and ensuring compliance with the terms of this Constitution and with the Rules issued in terms thereof from its Members.
- 4.4 providing for the keeping of an official list of records of all athletic performances.
- 4.5 co-ordinating and ratifying the selection of teams to represent Namibia nationally and internationally and to provide for visits by foreign teams.
- 4.6 raising funds for any purpose which may be deemed necessary; and
- 4.7 engaging in any other activity which may assist in achieving the aims and objectives of NAMEF.

#### **ARTICLE 5: NEUTRALITY AND NON-DISCRIMINATION**

- 5.1 NAMEF shall remain neutral in matters of politics, religion and have no social alignment to any individual or any organisation in the Republic of Namibia.
- 5.2 NAMEF shall not allow discrimination of any kind against a country, private person or group of people on account of race, skin colour, ethnic, national or social origin, gender, language, religion, political opinion or any other opinion, wealth, birth or any other status or any other reason.

#### **ARTICLE 6: PROMOTING FRIENDLY RELATIONS**

- 6.1 NAMEF shall promote friendly relations between its Members, Officials and Athletes
- 6.2 Every person and organisation involved in the Equestrian Sport under NAMEF are obliged to observe the relevant legislation, this constitution, the Rules and the principles of fairness as well as the principles of loyalty, integrity and sportsmanship.

## **ARTICLE 7: OFFICIAL LANGUAGE**

- 7.1 The official language of NAMEF shall be English.
- 7.2 All official documents and texts shall be written in the English language.
- 7.3 The official language at all shows and tournaments shall be English.
- 7.4 The official language at the AGM shall be English.

## **II. Membership**

### **ARTICLE 8: ADMISSION, SUSPENSION AND EXPULSION**

- 8.1 The Disciplinary Committee shall, after a disciplinary hearing has been held in terms of the Disciplinary Code, recommend whether to admit, suspend, or expel a Member, which decision must be either endorsed, varied, or discharged by the Executive Committee.
- 8.2 Admission may be granted if the applicant fulfils the requirements of NAMEF.
- 8.3 Members will cease to be members:
  - 8.3.1 if they resign by notice in writing.
  - 8.3.2 if they are expelled by the Disciplinary Committee.
  - 8.3.3 if they fail to pay their fine or in any other way fail to comply with the sentence of the Disciplinary Committee; and
  - 8.3.4 if they fail to pay their annual subscription for a period of sixty days (60) after it becomes due.
- 8.4 Loss of membership does not relieve a Member from its financial obligations towards NAMEF or other Members of NAMEF or to its members in the event of an Affiliate Member resigning but leads to cancellation of all rights in relation to NAMEF.

### **ARTICLE 9: CATEGORIES OF MEMBERSHIP**

Membership of NAMEF shall be divided into four broad categories:

- 9.1 Affiliate Members consisting of registered sports clubs, responsible for the administration and promotion of the Equestrian Sport, on behalf of NAMEF, within distinct territorial boundaries as prescribed by NAMEF from time to time.



9.2 Associate Members consisting of such **equestrian associations or bodies as provided for in the Rules and the definitions hereinabove** and involved in the development of the FEI sport disciplines and the observance and enforcement of rules and regulations at events of FEI sport disciplines from time to time;

9.3 Patronage Members; and

9.4 Honorary Members.

## **ARTICLE 10: PROCEDURE FOR APPLICATION**

### **A. AFFILIATE MEMBERS**

The procedure for admission shall be regulated by the Rules approved by the Executive Committee.

10.1 Application for Membership by a prospective Affiliate Member must be submitted to the Secretary General of NAMEF in writing and must be accompanied by:

10.1.1 the applicant's full name.

10.1.2 the applicant's full, physical and postal address.

10.1.3 all contact details of applicant including contact details of its Executive Committee.

10.1.4 a copy of the legally valid constitution and rules of the sports club which must comply with the requirements by NAMEF set out in the Rules to this Constitution.

10.1.5 a list of the members of the sports club.

10.1.6 a list of horses registered with the National Federation.

10.1.7 any other information NAMEF may require as provided for in the Rules from time to time.

10.1.8 a full motivation; and

10.1.9 a declaration that it will always comply with the Constitution, Rules and decisions of NAMEF and shall ensure that these are also respected by its own members.

10.2 The Secretary General must submit the application to the Executive Committee, which shall make a ruling on the application within 90 days of receipt of the application.

10.3 The Executive Committee shall register the applicant if it is satisfied that:

10.3.1 the association agreement or constitution and the rules of the applicant are consistent with the Rules prescribed by NAMEF.

10.3.2 by seeking registration, the applicant, the members and officeholders of the applicant are acting in good faith.

10.3.3 the objectives of the applicant are the same as or complementary to those of NAMEF.

- 10.3.4 the applicant and its members are prepared to abide by the rules of NAMEF and to pay any money to NAMEF that may become due and payable by it; and
- 10.3.5 the annual registration fee has been or will be paid.

**B. ASSOCIATE MEMBERS**

The procedure for admission shall be regulated by the Rules approved by the Executive Committee.

- 10.4 Application for Membership by a prospective Associate Member must be submitted to the Secretary General of NAMEF in writing and must be accompanied by:
  - 10.4.1 the applicant's full name.
  - 10.4.2 the applicant's full, physical and postal address.
  - 10.4.3 all contact details of applicant including contact details of its Executive Committee/board or management.
  - 10.4.4 a copy of the legally valid association agreement or constitution and rules of the applicant which must comply with the requirements by NAMEF set out in the Rules to this Constitution.
  - 10.4.5 a list of the members of the applicant.
  - 10.4.6 any other information NAMEF may require as provided for in the Rules from time to time.
  - 10.4.7 a full motivation; and
  - 10.4.8 a declaration that it will always comply with the Constitution, Rules and decisions of NAMEF and shall ensure that these are also respected by its own members.
- 10.5 The Secretary General must submit the application to the Executive Committee, which shall make a ruling on the application within 90 days of receipt of the application.
- 10.6 The Executive Committee shall register the applicant if it is satisfied that:
  - 10.6.1 the association agreement or constitution and the rules of the applicant are consistent with the Rules prescribed by NAMEF.
  - 10.6.2 by seeking registration, the applicant, the members and officeholders of the applicant are acting in good faith.
  - 10.6.3 the objectives of the applicant are the same as or complementary to those of NAMEF.
  - 10.6.4 the applicant and its members are prepared to abide by the rules of NAMEF and to pay any money to NAMEF that may become due and payable by it; and
  - 10.6.5 the annual registration fee has been or will be paid.

## **ARTICLE 11: RIGHTS AND DUTIES OF MEMBERS**

- 11.1 Affiliate and Associate Members must submit the following to the Executive Committee on an annual basis:
  - 11.1.1 the minutes of the Annual General Meeting or Members meeting from which a new assembly of committee members or other management resulted.
  - 11.1.2 a list of members.
  - 11.1.3 a list of horses registered with the National Federation.
  - 11.1.4 any changes to its Constitution and/or Rules or Association agreement.
  - 11.1.5 any changes to its committee.
- 11.2 Every Athlete at an official event must:
  - 11.2.1 be a member of an Affiliate Member of NAMEF; and
  - 11.2.2 be registered with NAMEF, unless otherwise authorized by NAMEF.
- 11.3 Every horse participating at an official event is to be registered in terms of the NAMEF Rules.
- 11.4 All Affiliate Members, Associate Members and Athletes as well as all Patrons and Honorary Members will be informed by mailing list of the routine notices (circulars, entry forms, etc.) of NAMEF.
- 11.5 An Affiliate Member may lose its membership and will have to re-apply for membership if it fails to comply with its obligations as set out in this Constitution and the Rules.
- 11.6 Patronage and Honorary Members will have the following rights and duties:
  - 11.6.1 they may participate at all meeting but will not have any voting power.
  - 11.6.2 they are free of Membership fees; and
  - 11.6.3 they should be involved in as many equestrian events as reasonable possible and shall be entrusted with representative tasks.

## **Article 12: SUSPENSION AND EXPULSION**

Any Member or individual members of Affiliate and Associate Members who has engaged in misconduct or has violated the provisions of this Constitution or Rules to the Constitution, or the Statutes and Rules and Regulations of the FEI, or which, by its actions, brings NAMEF or the Equestrian Sport into disrepute, may be suspended for an indefinite period until its case has been referred to NAMEF's Disciplinary Committee for investigation and further action, subject thereto that the Disciplinary Committee shall finalize the investigate and subsequent hearing (if applicable) as soon as reasonably possible.

## **ARTICLE 13: RESIGNATION**

A Member, athlete or official can tender his/its retirement/resignation from NAMEF by way of an appropriate written notice to the Secretary General after fulfilling all his responsibilities towards NAMEF and shall in such event no longer be entitled to participate in recognized equestrian events.

## **ARTICLE 14: FEES AND DUES**

14.1 Every Affiliate and Associate Member must pay the following fees/dues:

14.1.1 A once-off annual registration fee, as determined at the previous AGM which fee is due before admission to and/or registration to NAMEF.

14.1.2 An annual fee, as determined at the previous AGM, is payable as of the 1st January and before or on the 31st January of the current year.

14.2 Should the annual fee not be received by 31st January of the current year, a penalty as determined at the AGM will be levied and/or the Affiliate or Associate Member may lose its membership. Affiliate Members that have not paid their fees/dues for the current financial year do not have the right to vote and their members and horses are not eligible for registration. The Affiliate and Associate Member registration year runs concurrent with NAMEF's financial year which is from the 1st January to the 31st December. The athlete's and horse's registration fees as determined by the AGM must also be paid annually on before the 31<sup>st</sup> day of January each year or such later date as provided for by the Executive Committee by Affiliate Members. Athlete and horse registration fees are only due and necessary in respect of participation to national and international events. Athletes and horses whose fees are not paid on the closing date of an

official event may not take part at that official equestrian event. All Membership fees and registration of athletes and horses are payable, without request, as of the 1st January and before or on the 31st January failing which a re-registration fee or penalty as prescribed in the Rules may be applicable.

#### **ARTICLE 15: LIABILITY OF MEMBERS AND NAMEF**

- 15.1 Members are not liable for NAMEFs debts.
- 15.2 If, in any litigation (including review proceedings) instituted or defended or opposed by NAMEF against an Affiliate Member (and including members of such Affiliate Member), an order for costs is made against such Affiliate Member or person, then such order will be for costs on an attorney- and-own -client scale. Each Affiliate Members and in turn members of the Affiliate Member is deemed to have consented to the order of costs being made on such basis.
- 15.3 No member will have any claim for damages or compensation (including costs) against NAMEF, Affiliate Members, Organising Committees, the FEI (including the officials and members of committees of such bodies in their capacities as such) arising from or in connection with the enforcement (including the exercise and/or fulfillment of powers, rights and obligations) of this constitution (including its regulations), or the FEI Statues.

#### **ARTICLE 16: PATRONAGE AND HONORARY MEMBERS**

- 16.1 The Members may at an Annual General Meeting bestow the title of patronage member or honorary member.
- 16.2 The Executive Committee shall make these nominations.
- 16.3 The honorary/patronage member may take part in the AGM. They may join the deliberations but are not entitled to vote.
- 16.4 To be able to qualify for nomination and appointment of Patronage Member a person must be a distinguished person who takes an honorary position within the organisation to provide ongoing support in a variety of ways.
- 16.5 A Patronage Member shall be elected for 1 year.

- 16.6 To be able to qualify for nomination and appointment of Honorary Member the person must be an especially distinguished athlete or past athlete or a person who have rendered distinguished service to NAMEF or to the promotion and furtherance the Equestrian Sport.
- 16.7 An Honorary Member may be proposed and elected for such period as determined at the Annual General meeting including for life.

### **III. ORGANISATION**

#### **ARTICLE 17: BODIES AND COMPOSITION OF NAMEF**

- 17.1 The Annual General Meeting (AGM) is the supreme and legislative body of NAMEF.
- 17.2 The Executive Committee is the administrative, strategic, executive, operational and oversight body of NAMEF.
- 17.3 Standing and ad-hoc committees shall advise and assist the Executive Committee in fulfilling its duties. Their duties, composition and function are defined in this Constitution and/or the Rules.

#### **ARTICLE 18: MEETINGS OF MEMBERS**

##### **A. ANNUAL GENERAL MEETING**

- 18.1 A general meeting of Members, known as the Annual General Meeting (AGM), shall be convened every year within six months of the financial year end of NAMEF.
- 18.2 The Members shall receive six weeks written notice of the date and venue of the AGM.
- 18.3 All notices of motions to be dealt with at the AGM are to reach the Secretary General not less than four weeks before such meeting.
- 18.4 The Secretary General shall notify all Executive Committee Members, Affiliate Members, Associated Members and Honorary and Patronage Members of the agenda two weeks before the meeting.

##### **B. SPECIAL GENERAL MEETING**

- 18.5 The Executive Committee may at any time, of its own accord, or shall, upon receipt in writing of a request by at least two Affiliate Members, call a general meeting, which shall be known as a Special General Meeting (SGM).
- 18.6 This meeting must take place within six weeks after the request has been received by the Executive Committee.

18.7 The Members shall receive four weeks written notice of the date and venue of the Special General Meeting together with the agenda containing the specific request of the applicants that have requested the meeting.

#### **ARTICLE 19: REPRESENTATION AT GENERAL MEETINGS**

19.1 The General Meetings (AGM and SGM) shall consist of:

19.1.2 the Executive Committee.

19.1.3 the Sub Committees (which shall consist of the standing and ad hoc committees).

19.1.4 the Affiliate Members.

19.1.5 the Associate Members.

19.1.6 Honorary and Patronage Members.

19.2 Affiliate and Associate Members shall be entitled to participate in the business of the General Meeting only if their affiliation requirements have been complied with, and their Membership fees paid in full.

19.3 Affiliate Members shall be entitled, but not obliged, to be represented at a General Meeting by any two members of the Executive Committee of a club or if no committee members are available, any members of the club nominated by the Chairperson of the club.

#### **ARTICLE 20: VOTING AT GENERAL MEETINGS**

20.1 Voting on all recommendations/proposals/motions shall be by show of hands, or by secret ballot if two Members, unopposed, so demand. However, if the demand of two or more Members is opposed then the President, upon consultation with the Executive Committee, shall make a ruling on the mode of voting to be employed. In the case of a tie the President shall use his/her casting vote to break the deadlock. This article excludes voting for Office Bearers.

20.2 A member, entitled to vote but unable to attend a meeting, may send a delegate.

- 20.3 Any delegate may not have the votes of more than 2 members. The delegates must submit a letter of credentials from their Clubs to the Secretary General 24 hours before a meeting as well as a letter of consent.
- 20.4 Affiliate Members shall have the following cumulative voting rights:
- 20.4.1 Affiliate Members who host one or more official event annually (at which no less than 6 classes must be offered) will have one (1) vote.
- 20.4.2 Affiliate Members having equestrian facilities at which facilities active riding is practiced will have one (1) vote.
- 20.4.3 Affiliate Members with 5 or more registered Athletes will have one (1) vote subject thereto that closely related athletes shall be regarded as one member for purposes of this sub-article.
- 20.4.4 Affiliate Members at whose premises a riding school is operated will have one (1) vote.
- 20.5 Associate Members shall have one vote.
- 20.6 Honorary and Patronage Members shall not have voting rights.
- 20.7 The current members of the Executive Committee will each have 1 (one) vote.
- 20.8 All appointed positions of the NAMEF Executive Committee shall not have voting rights during the AGM.

## **ARTICLE 21: PROCEDURE AT GENERAL MEETINGS**

- 21.1 At General Meetings, the President shall preside, or in his absence the Vice-President. If both are absent, the Executive Committee shall appoint someone from their midst to chair the meeting.
- 21.2 The agenda for the AGM shall include, but shall not be limited to or in the order of the matters set out hereunder:
- 21.2.1 Acceptance of the minutes of the previous AGM.
- 21.2.2 Submission of the President's report for the previous year.
- 21.2.3 Submission of the financial report by the Treasurer.
- 21.2.4 Submission of a budget for the new financial year by the Treasurer.
- 21.2.5 Discharge of the Committee.
- 21.2.6 Determination of the Members' and other fees and dues.
- 21.2.7 Appointment of auditors for the coming year.
- 21.2.8 Elections of Office Bearers:



- 21.2.9 Deliberations on orderly submitted proposal.
- 21.2.10 Deliberations on matters put on the agenda subsequently by a majority.
- 21.2.11 Other matters.
- 21.3 The agenda of a Special General Meeting shall be disposed of in the order specified below:
  - 21.3.1 Scrutiny of delegates' credentials and proxies.
  - 21.3.2 Reading of the notice of the meeting.
  - 21.3.3 Dealing only with matters for which the meeting was called.

#### **ARTICLE 22: QUORUM**

- 22.1 The quorum at any general meeting shall be members together holding not less than 50% (fifty percent) of the total voting rights of all members.
- 22.2 If after 30 (thirty) minutes of the appointed time for the AGM or SGM, no quorum is present, that AGM or SGM will stand adjourned for 7 (seven) days. At such AGM or SGM the voting members present will form a quorum.

#### **ARTICLE 23: EFFECTIVE DATES OF DECISIONS**

Decisions passed by the AGM shall come into effect for the Members at the close of the AGM or SGM unless the Board fixes another date for a decision to take effect.

#### **IV. COMMITTEES**

##### **ARTICLE 24: COMPOSITION OF THE EXECUTIVE COMMITTEE**

The Executive Committee will consist of: -

- 24.1 President
- 24.2 Vice-President
- 24.3 Secretary General
- 24.4 Treasurer
- 24.5 Dressage Delegate
- 24.6 Jumping Delegate
- 24.7 Eventing Delegate and
- 24.8 Endurance Delegate

## **ARTICLE 25: ELECTIONS PROCESS OF THE EXECUTIVE COMMITTEE**

- 25.1 The Executive Committee will be elected at an AGM and elected Office Bearers will hold office from the date following the AGM for two (2) years.
- 25.2 Office Bearers may not serve longer than ten (10) years in total.
- 25.3 An Office Bearer can only hold one office at any given time.
- 25.4 Nominations for the voting of an Office Bearer must be submitted in writing by an Affiliate Member at least seven (7) days before the AGM together with a confirmation of acceptance by the nominated candidate in question.
- 25.5 Office Bearers should not be closely related to each other.
- 25.6 The Office Bearers shall be fully paid up members of Affiliate Members, elected at a General Meeting.
- 25.7 Office Bearers shall be citizens of Namibia.
- 25.8 Should there be more than one valid nomination for a position on the Executive Committee, a secret election will take place; for which the AGM will appoint an election officer.
- 25.9 Should nominees obtain an equal number of votes; a second election will take place. Should the nominees again obtain an equal number of votes, the election will be decided by the drawing of lots.
- 25.10 Should no nominations be received for vacant position; the newly elected Executive Committee has the right to appoint a person of choice to fill that vacancy.
- 25.11 The Secretary General and Treasurer positions are appointed by the NAMEF Executive Committee on an annual basis.

## **ARTICLE 26: APPOINTMENT OF SUB COMMITTEES**

Committees of NAMEF shall be divided into two categories, namely Ad Hoc Committees and Standing Committees.

### **A. AD HOC COMMITTEES**

- 27.1 These are special committees that will be formed on a need (as and when) basis. The number of Members in these committees will differ from committee to committee, depending on the task they must execute.

- 27.2 The procedure for the formation of Ad Hoc Committees will be determined from time to time, and may differ from committee to committee, depending on the circumstances surrounding such a specific committee.
- 27.3 Ad Hoc Committees may be formed at the request of: -
- 26.3.1 The Executive Committee; or
  - 26.3.2 Any of the other Standing Committees; or
  - 26.3.3 AGM; or
  - 26.3.4 SGM.
- 27.4 Ad Hoc Committees may be dissolved as soon as they achieved the objective for which they were formed or as any one of the Standing Committees decide.

## **B. STANDING COMMITTEES**

- 27.5 As opposed to Ad Hoc Committees, Standing Committees have a permanent existence (in principle and not in composition).
- 27.6 The following Standing Committees shall be constituted:
- 26.6.1 An Administrative Committee consisting of:
    - 26.6.1.1 President
    - 26.6.1.2 Vice President
    - 26.6.1.3 Secretary General
    - 26.6.1.4 Treasurer
  - 26.6.2 The Sports Committee consisting of:
    - 26.6.2.1 Vice President
    - 26.6.2.2 Jumping Delegate
    - 26.6.2.3 Dressage Delegate
    - 26.6.2.4 Eventing Delegate and
    - 26.6.2.5 Endurance Delegate

## **ARTICLE 27: POWERS AND DUTIES OF THE COMMITTEES**

- 27.1 In addition to the powers and duties granted to the Executive Committee in terms of any provision of this Constitution, the following further powers and duties shall vest in the Executive Committee:

- 27.1.1 To establish policy and direction in line with this Constitution and to approve the yearly business plan and financial budget.
- 27.1.2 To keep minutes of all Executive Committee meetings.
- 27.1.3 To designate, where wanted, committees or others to investigate and advise the Executive Committee in areas of specialist interest, e.g. marketing, media, and television.
- 27.1.4 To take appropriate action against any Member, athlete or Official who acts in a manner which brings the Equestrian Sport into disrepute.
- 27.1.5 To appoint delegates to various bodies to which NAMEF is affiliated to or is required to send representatives to.
- 27.1.6 To temporarily or permanently suspend any athlete, horse, or member who or which is guilty of misconduct, or to restore the status of such person, horse or member.
- 27.1.7 To refer disciplinary matters to NAMEF's Disciplinary Committee, and to act on recommendations of the Disciplinary Committee.
- 27.1.8 To co-opt any person to serve on the Executive Committee, either in general, or for a definitive purpose during a specific meeting, or when dealing with a specific matter. Anyone co-opted in terms of Article 24 shall be allowed to take part in the proceedings and the discussion of the Executive Committee but without a vote.
- 27.1.9 To make internal post changes should it in their sole discretion be decided that a person voted into a post will be more suitable in another post. Such a change must be confirmed by the forthcoming AGM.
- 27.1.10 To propose persons for Patronage and Honorary Membership, to be confirmed by the forthcoming AGM.
- 27.1.11 To meet at least six times per year.
- 27.1.12 To call an SGM meeting as provided for or if requested to do so by at least three Members thereof.
- 27.1.13 To do anything which is in the interest of NAMEF, if it is in synchronization with its mission and objectives and complies with the provision of this Constitution; and
- 27.1.14 Generally, to do all such other things as may be expedient to further the interests of NAMEF or which are incidental or conducive to the attainment of its mission and objectives.

- 27.2 The activities of the Executive Committee shall always be transparent and upon request communicated to Members and the Executive Committee will always remain accountable to the Members.
- 27.3 Members of the Executive Committee shall at all time serve in an ex officio capacity on the Executive Committees (or similar body) of the Affiliate Members of NAMEF which they are members of.

#### **ARTICLE 28: EXECUTIVE COMMITTEE MEETING PROCEDURES**

- 28.1 Members of the Executive Committee shall receive at least two weeks written notice of the meeting, followed by a copy of the agenda.
- 28.2 In the absence of the President the Vice-President will act as President of the meeting.
- 28.3 Each Member of the Executive Committee has one vote, while the President of the meeting will also have a casting vote.
- 28.4 Minutes of the meeting will be sent only to members of the Executive Committee and must be dispatched within 30 days of the meeting.
- 28.5 At least five voting members at a meeting shall form a quorum.

#### **ARTICLE 29: POWERS AND DUTIES OF THE SUB COMMITTEES**

- 29.1 The following powers shall vest in the Administrative Committee:
- 29.1.1 Control the financial affairs of NAMEF.
  - 29.1.2 Open banking accounts for NAMEF and to draw, receive and endorse bills of exchange and any other banking business in connection with the financial business of NAMEF.
  - 29.1.3 To pay out any honoraria, which have been decided by the Executive Committee.
  - 29.1.4 To agree to the settlement of travel and subsistence expenses of any person when justified by the circumstances.
  - 29.1.5 To submit to the AGM audited financial statements for the previous financial year; Generally, to do all administrative tasks of NAMEF, including the keeping of minutes and the preparation of agendas.
- 29.2 The following powers shall vest in the Sports Committee:
- 29.2.1 The Sports Committee will form a quorum if three voting members are present.
  - 29.2.2 It convenes when at least two members requested it.

- 29.2.3 The Sports Committee will nominate a member to take minutes of the meeting which will be sent to Members of the Sports Committee and must be dispatched within 30 days of the meeting.
- 29.2.4 The minutes shall be sent to all Members of the Executive Committee at least two weeks before the next Executive Committee Meeting, together with the notice of the Meeting.
- 29.2.5 It organizes all sports interest of NAMEF.
- 29.2.6 It keeps and publishes event fixtures and all Affiliate Members are obliged to notify the Sports Committee of all their event dates for the year.
- 29.2.7 Every Affiliate Member planning to host an official event shall submit for the granting of such event to the Sports Committee, before public notice thereof at least:
  - 26.2.7.1 for events on due date as determined at the AGM.
  - 26.2.7.2 for courses and clinics, two months prior to the start of the course or clinic.
- 29.2.8 It should actively promote the Equestrian Sport.
- 29.2.9 It is responsible for the upholding and enforcement of the Rules and Regulations of the FEI and NAMEF at official equestrian events and must, if necessary, in cooperation with the event hosts, clear up any misinterpretations and misunderstanding of the Rules and Regulations.
- 29.2.10 It is responsible to co-ordinate clinics and courses of all kinds. Each Affiliate Member that wishes to present such a clinic or course should obtain written consent from the Sports Committee.

### **ARTICLE 30: REMOVAL OF OFFICE BEARERS**

- 30.1 Notwithstanding anything contained elsewhere in this Constitution the Affiliated & Associate Members may by a vote of 75% of all Affiliated & Associate Members pass a resolution at an SGM to remove from office any person.
- 30.2 Prior to the above vote, and at the SGM, the person whose removal is proposed shall have the right to address the meeting.
- 30.3 Upon receiving a valid requisition for an SGM at which the resolution to remove any such person is to be submitted, the Secretary General shall give notice in writing of such resolution to the person(s) concerned and shall if required by such person(s) circulate to all Members entitled to

receive notice of the meeting, any written communication, provided it does not contain any illegal, offensive or defamatory material.

#### **ARTICLE 31: REMUNERATION OF OFFICE BEARERS**

- 31.1 Members of the Executive Committee shall not be paid or receive any remuneration for their normal services as members of the Executive Committee except a refund for traveling and out of pocket expenses.
- 31.2 This does not apply to any member of the Executive Committee who may render services which would otherwise be paid for if rendered by a person outside of NAMEF.
- 31.3 In such cases, remuneration and/or honorarium as determined by the Executive Committee may be paid to such member.

### **V. FINANCES, ADMINISTRATION AND REGULATION**

#### **ARTICLE 32: FINANCIAL MATTERS**

- 32.1 The financial year of NAMEF runs from the 1st of January to the 31<sup>st</sup> of December every year.
- 32.2 Membership Fees:
  - 32.2.1 All Fees will be proposed by the Executive Committee and must be confirmed at the next AGM.
  - 32.2.2 Fees are due from the 1st January and no later than 31<sup>st</sup> of January of the current year.
  - 32.2.3 The Administrative Committee must employ orderly accounting procedures and a precise control over all financial affairs must be maintained.

#### **ARTICLE 33: RULES TO THE CONSTITUTION**

- 33.1 In addition to the Constitution, the Executive Committee shall make/amend and/or approve such Rules as may be required for the smooth running of the affairs of NAMEF.
- 33.2 The Executive Committee shall be the interpreter of these Rules.
- 33.3 Where no provision exists in the NAMEF Rules for a matter to be dealt with, the FEI Constitution and/or rules and guidelines shall apply.
- 33.4 Decisions in matters of legislation shall become operative only after the approval of the AGM has been given.

#### **ARTICLE 34: AMENDMENTS OF THE CONSTITUTION**

- 34.1 The Constitution can be amended by a two third majority vote of all members present, at an AGM or an SGM.
- 34.2 Any proposal for the amendment of the Constitution must be submitted to the Executive Committee at least six weeks before the AGM or SGM.

#### **ARTICLE 35: CODE OF CONDUCT**

- 35.1 NAMEF expects all its members, athletes and officials to adhere to this Code of Conduct (as amplified from time to time by the Rules) and to acknowledge and accept that at all times the welfare of the horse must be paramount and must never be subordinated to competitive or commercial Influences.
- 35.2 At all stages during the preparation and training of competition horses, welfare must take precedence over all other demands. This includes good horse management, training methods, farrier and tack, as well as transportation.
- 35.3 Horses and Athletes must be fit, competent and in good health before they can compete. This encompasses medication use, surgical procedures that threaten welfare or safety, pregnancy in mares and the misuse of aids.
- 35.4 Events must not prejudice horse welfare. This involves paying careful attention to the competition areas, ground surfaces, weather conditions, stabling, site safety and fitness of the horse for travel.
- 35.5 Every effort must be made to ensure that horses receive proper attention after they have competed and that they are treated humanely when the competition careers are over. This covers proper veterinary care, competition injuries, euthanasia, and retirement.
- 35.6 No Member, Athlete or Official may do or omit to do anything which brings Equestrian Sport, the FEI, NAMEF, any Office Bearer of NAMEF, any regional or national equestrian body or any member or committee of NAMEF or the FEI into disrepute.

#### **ARTICLE 36: MALTREATMENT**

- 36.1 No Member (including member of an Affiliate or Associate Member), athlete or official will maltreat any horse at any place and at any time. Any such maltreatment will be regarded as a serious contravention of this constitution.



36.2 For the purpose hereof, maltreatment (without limiting the generality of the concept) includes causing death, injury or discomfort of a horse through abuse, neglect, malice or cruelty, failing to ensure the well-being of a horse owned by or in the care of or under the control of the person concerned, depriving any horse owned by or in the care of or under the control of the person concerned of food or water, whipping or beating a horse excessively, subjecting the horse to any kind of electric shock device, excessive use of spurs or jabbing the horse in the mouth with the bit excessively or persistently, remounting (or attempting to remount) an obviously exhausted, lame or injured horse, rapping a horse, hypersensitizing any part of a horse and leaving a horse without adequate food, drink or exercise.

#### **ARTICLE 37: DISCIPLINARY CODE**

- 37.1 The Executive Committee of NAMEF will set up and maintain disciplinary rules under the Rules of NAMEF.
- 37.2 The disciplinary committee may be nominated by the Executive Committee of NAMEF on an ad hoc basis. The president of the disciplinary committee will be either the president or vice-president of NAMEF.

#### **ARTICLE 38: DOPING**

Doping is strictly forbidden and is an offence under the Rules of the FEI and NAMEF.

#### **ARTICLE 39: DISSOLUTION OF NAMEF**

- 39.1 The dissolution of NAMEF may be affected only by a two third majority of the voting Members at an AGM or an SGM, at which at least two thirds of the Members with the rights to vote are present.
- 39.2 The assets, after payment of all debts of NAMEF, will be donated or transferred to another association or body with similar objectives as NAMEF.
- 39.3 Such association or body will be chosen by two third of the Members with the right to vote, before or on date of dissolution.

**ARTICLE 40: GENERAL**

- 40.1 Any provision in the Rules of NAMEF that conflicts with the FEI rules and regulations will be superseded by such rules, as amended from time to time.
- 40.2 Difficulties concerning situations not provided for in the Constitution and Rules shall be submitted in writing to the Executive Committee and the Executive Committee shall have the power to make interim determinations that should be confirmed at the next AGM. The decision of the AGM shall be final and binding.
- 40.3 Every FEI discipline offered in Namibia will be responsible for all the FEI charges, as charged from time to time by the FEI, pertaining to their disciplines.