

A proposal to break deadlock

The last weeks have surely been difficult. While some may disagree with the path that has been taken, most have welcomed the opportunity for change. The arguments over which Deed of Company Arrangement (**DOCA**) should have been approved, or if the sport should be handed back to the States to manage, no longer matter.

It is clear what the members want and the vote for change was compelling. Voter turn-out was remarkable for sporting and NFP organisations. Overall 77 percent of voters, with significant majorities in five out of six States, sought change. Their chosen DOCA is now a legally binding agreement.

It may not have been a perfect vote, but it was not so imperfect that the members' wishes should be ignored.

The Deed Administrators are required under the Corporations Act to oversee the DOCAs implementation without material change. If the key terms are not satisfied, then the DOCA will fail and the Equestrian Australia Limited (**EA**) will be wound up. Any solution that does not provide the power of self-determination to the membership must be unacceptable.

The choice facing the Directors of each State is “will you implement the DOCA or wind up EA?”

Winding up EA would cost members more money, further disrupt the sport, terminate the national recognition by the FEI and Sports Australia, and cause employees and creditors to be paid less than they are owed.

That choice is unnecessary, given that the conditions for continuing are not onerous:

- Every member is given a vote, not simply six State Branch representatives, as occurs in every State Constitution.
- Interests of minor States are protected in the same way as they are in the Australian Constitution, future constitutional change requiring a 75 percent overall majority and a majority in three States (double majority).
- A quorum of 50 members is required, far more than the 15 required in most States.
- Board candidates are endorsed by a Nomination Committee comprising representatives of the Directors, the Discipline Committees, and the States. The present approach, where the six State representatives often ignore the Nominations Committee, has clearly not worked.
- An Interim Board is appointed, because trust Board's and Members at all levels is simply not there to allow EA to move forward. However, three Board Members refresh every year, appointed in part by the Board, and in part by the membership, moving to a sport-chosen Board quite quickly.

The States are not being wound up. They retain influence, albeit balanced by the membership and the Disciplines. States' rights are preserved in the much the same way as they are in our national constitution. But others also gain influence, providing the necessary balance for EA to develop.

However, we do recognise that ongoing development is required, and the uncertainty provides discomfort for many of us. However ongoing debate, delay and deadlock is not going to resolve those issues. We propose that the resolutions adopting the DOCA as presented be approved with two additions:

- the Interim Board Nominations Committee comprise of three members, including the Chair, be appointed by the Deed Administrators, one member appointed by the National Discipline Committees and one member appointed by the States, and

Note: We ask that you provide us the courtesy, given that our ability to communicate with the membership has been curtailed, of sharing this letter with the membership using your social media channels.

- a resolution be passed that obligates the Interim Board to engage with the membership and other stakeholders in developing a model for EA into the future and that it be presented to an AGM within 12 months of their appointment

If you then believe the constitution requires further amendment, or you disagree with elements of any proposed model, you can put the case to the members arguing your positions on their merits and without the angst and powerplays of today. This will meet the fundamental obligation of providing self-determination to the membership, while providing the time to debate and fully consider the future structure of EA.

The decision before you is not about past rights or wrongs, but if EA should be reformed or be wound up. The proposed way forward allows everyone to be heard, and will defray the current tensions which, now, can only be destructive.

It is also very important to understand that should EA go into Liquidation, it will not be an easy task to resurrect another identity /organisation.

We ask you to make the decision recognising the memberships' wishes and now urge you to vote quickly to implement the change to rebuild EA so that we can all move forward.

Des Hughes – Chairman EA Eventing Committee

Prue Spurrett – Chair – EA Dressage Committee

Darryn Fedrick – Chairman EA Vaulting Committee

Chris Bailey – Chairman. EA Endurance Committee

Jessica Meredith – Chair – EA Driving Committee

Graeme Watts – Chairman -EA Jumping Committee