

**SHOW HORSE COUNCIL OF AUSTRALASIA INC.  
(RECEIVER AND MANAGER APPOINTED)**



**MEDIA RELEASE**

**For immediate release and distribution**

Sydney, 4 February 2020

**General Meeting**

A Transfer Deed (deed) executed on 7 September 2019 transferred the assets, Intellectual Property and membership list from the Show Horse Council of Australasia Inc. (Receiver & Manager Appointed) (“SHCA”) to Show Horse Australasia Limited (“SHAL”) together with a transition of SHCA to SHAL to form a limited company. Many SHCA members expressed their concern at the validity of the deed and the intentions of the parties who formulated the arrangement.

The concerned members then commenced proceedings in the Equity Division of the Supreme Court of NSW wherein SHCA member Ian Stewart, acted as plaintiff on behalf of the concerned members. The proceedings were against SHCA (named as the First Defendant) and SHAL who was named as the Second Defendant.

The proceedings commenced in September 2019 and there were a number of court hearings during the September – December 2019 period. On 10 December 2019, His Honour Justice Robb of the Supreme Court of NSW delivered an Ex Tempore Judgment which, among other things, appointed Mr. Ian Purchas of SV Partners as Receiver and Manager of SHCA (**Court Orders**).

The Court Orders ordered Mr. Purchas, amongst other things, to convene a General Meeting of the Members of Council of SHCA as at 30 June 2019 (**Meeting**) so that they could vote to either ratify or oppose the transfer of assets from SHCA to SHAL and the supplanting of SHCA by SHAL.

The Meeting was held at The Wesley Conference Centre, Sydney at 3.00pm on 30 January 2020 and was chaired by Mr. Purchas.

The Meeting was quorate consistent with the requirements of the Constitution of the SHCA (as interpreted by Mr Purchas and his legal advisors using the powers given to him by the Court in the Court Orders) and the Members of Council were asked to vote on three Resolutions:

1. "That the Members of Council ratify the Show Horse Council of Australasia Incorporated's entry into the 'Transfer of Assets and appointment, license and access Deed' dated 7 September 2019.";
2. "That the Members of Council ratify the Show Horse Council of Australasia Incorporated's transfer of assets to Show Horse Australasia Limited."; and
3. "That the Show Horse Council of Australasia Incorporated transition to a company limited by guarantee."

The result of the voting was as follows:

	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Resolutions 1 & 2	14	29	1
Resolution 3	11	33	0

The Constitution of the SHCA requires that in order for a Special Resolution to be passed it requires the approval of three quarters (75%) to vote in favor of the Special Resolution. Consequently all three Resolutions were not carried. Accordingly, pursuant to order 11(a) of the Court Orders, the deed is void ab initio.

As a consequence of the outcome of the three Resolutions and pursuant to order 11 of the Consent Orders, Mr. Purchas is required to oversee and undertake a number of activities, including:

- b. *"SHAL shall, within 7 working days of the Meeting:*
  - i. *transfer to SHCA all assets of SHCA that were previously transferred to SHAL;*
  - ii. *transfer to SHCA the balance of membership fees paid to SHAL on or since 7 September 2019 (less any outgoings including insurance);*
  - iii. *transfer to SHCA the details of the membership register of SHAL with the intent that those members become Financial Members of SHCA, provided that they consent, failing which their membership fee will be returned and they will not be a Financial Member of SHCA; and*

- iv. *transfer to SHCA the balance of all funds held by SHAL, including the nett balance of any funds received from the 2019 "NSW Horse of the Year Show", less expenses reasonably incurred in running that event; and*
- c. *the Receiver shall forthwith send out membership application forms to all organisations who were Affiliates of SHCA as at 31 August 2019, for renewal of their affiliation and shall promptly approve or reject (in accordance with the SHCA Constitution) any application returned by the Affiliates."*

SHCA is working collaboratively with Mr. Purchas' office in ensuring these Court Orders are complied with and conducted in a structured and orderly manner.

### **SHCA Executive Committee**

Given all three Resolutions did not carry, voting by Secret Ballot for the election of Office Bearers was conducted. It should be noted that prior to the Meeting, all members were given the opportunity to nominate for election of Office Bearers. The following nominations were elected unopposed given there were no alternate nominations presented:

<b>President -</b>	Les Gilleard
<b>Senior Vice President -</b>	John Paget
<b>Junior Vice President -</b>	Rhys Stones
<b>Treasurer -</b>	Helen Kirton
<b>Secretary -</b>	Natalie Currall

### **2020 Grand Nationals**

The Grand National Horse & Rider Championship is the highlight of the showing season and is the most valued asset of the SHCA. During the dispute between SHCA and SHAL over the custody of SHCA, it was agreed to continue preparations for the Grand Nationals with the event being "unbranded".

As a consequence of the Resolutions being defeated custody of the Grand Nationals reverts to SHCA. Consequently from this point forward it has been agreed the 2020 Grand Nationals will be branded under SHCA and will be known as “The Show Horse Council of Australasia 2020 Hufglocken Grand National Horse and Rider Championships.”

Due to the delays experienced by the Court case, it has been decided to ***extend the closing date for entries until 4.00pm on Friday 14 February 2020.***

### **2020 Affiliation**

Mr. Purchas will imminently issue all Affiliates and Constituent Affiliates with Affiliation Application forms. It should be noted that only SHCA affiliated clubs and certain Royal Agricultural Societies (Royal Shows) can hold competitions which provide eligibility for participation in the Grand National Championships.

End of Release

All enquiries should be directed to:

Show Horse Council of Australasia (Receiver & Manager Appointed)

Member Services

PO Box 776

Richmond NSW 2753

Phone: 02 4588 5005

Email: [Members@shca.org.au](mailto:Members@shca.org.au)