

13th March 2016

PROPOSED RESOLUTION NO. 4

In accordance with Rule 36e, 37b and 40a. I submit the following resolution to be considered and voted upon at the forthcoming Annual General Meeting.

	Existing Rule	Proposed Amendment to Rule	Comments
1	<p>Rule 49 - Exclusion of Liabilities</p> <p>a. Neither the Club nor any officer, employee or servant thereof shall be liable to any Member or Guest of a Member for any loss of and/or damage to any property due to and/or arising out of any cause whatsoever whilst entering into, being upon, or leaving the Club's premises nor for any death or injury sustained from whatsoever cause by any Member or Guest of a Member whilst entering into, being upon, or leaving the Club's premises or whilst riding into, upon, about or away from the Club's premises any horse or pony kept upon or about the premises of the Club or admitted to the Club's premises on a temporary basis notwithstanding that such horse or pony may be owned by the Club or privately owned and further notwithstanding such loss and/or damage in property and or such death or injury is sustained or occurs by reason of any negligence and/or default on the part of the Club or any Member, Officer or servant thereof.</p> <p>b. An application for membership of any category or for Guest facilities shall be an undertaking on the part of the applicant to refrain in the event of membership etc., being</p>	<p>Rule 49 - Exclusion of Liabilities</p> <p>a. Neither the Club nor any officer, employee or servant thereof shall be liable to any Member or Guest of a Member for any injury, compensation or damage or loss of and/or damage to any property due to and/or arising out of any cause whatsoever whilst entering into, being upon, or leaving the Club's premises nor for any death or injury sustained from whatsoever cause by any Member or Guest of a Member whilst entering into, being upon, or leaving the Club's premises or whilst riding into, upon, about or away from the Club's premises any horse or pony kept upon or about the premises of the Club or admitted to the Club's premises on a temporary basis notwithstanding that such horse or pony may be owned by the Club or privately owned and further notwithstanding such loss and/or damage in property and or such death or injury is sustained or occurs by reason of any negligence and/or default on the part of the Club or any Member, Officer or servant thereof.</p> <p>b. An application for membership of any category or for application as a Guest facilities shall be an undertaking on the part of the applicant to refrain in the event of membership etc., being granted or rejected from taking action against the Club for any compensation or damages.</p> <p>c. Every member of Committee or Sub-Committee shall be indemnified out of the assets of the Club against all losses or liabilities which may be sustained or occur in or about the carrying out of hi/hers duties as a Committee or Sub-Committee member or otherwise in relation thereto, and no such member shall be liable</p>	<p>Rule 49 is changed to provide for indemnity.</p> <p>Every member of Committee or Sub-Committee gives his time, energy, expertise and experience voluntarily for the good of the Club.</p> <p>Unfortunately there may be outcomes from genuine honest contributions made in the interest of the Club that are detrimental to the Club or place a liability on the Club.</p> <p>This proposed amendment is to protect the Committee and Sub-Committee members except for instances where there is fraud, dishonesty or when one exceeded his authority.</p> <p>Committee and Sub-Committee members deserve and may need the protection of the Club therefore this amendment is proposed.</p>

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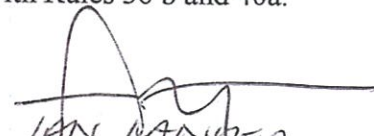
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<p>granted or rejected from taking action against the Club for any compensation or damages.</p>	<p>for any loss, damage or misfortune which may happen and or be incurred by the Club in the execution of his duty or in relation thereto. The indemnity shall not apply to such member :</p> <ul style="list-style-type: none"> (i) where it is determined that the member had acted fraudulently, dishonestly or in excess of his authority and or contrary to or in defiance to the Constitution. (ii) in respect to any dispute in the relation to the interpretation or application of the Constitution. (iii) in opposing his removal from Committee or Sub-Committee whether by Committee or by a General Meeting. (iv) where the member refuses, without reasonable grounds to be represented by solicitors approved by the Club. (v) where the member refuses settlement or compensation of any action to which indemnity has been given and where the Club is prepared to accept liability. <p>d All disputes, controversies or differences arising out of or in connection with the Constitution or any matters or decisions of the Committee or Sub-Committee or any differences or disputes between members, shall be, in the first instance, submitted to the Singapore Mediation Centre for resolution by mediation in accordance with the Mediation Procedure for the time being in force. The parties agree to participate in the mediation in good faith and undertake to abide by the terms of any settlement reached.</p> <p>e If after mediation, any member who sues the Club and / or any individual Committee and/or Sub-Committee Member shall be automatically removed form any position on Committee and / or Sub-Committee and disqualified from nomination for any position on Committee and remain so removed or disqualified for the duration of the court proceedings, including the duration of all interlocutory proceedings, until the matter is determined.</p>	<p>Further, to deter a culture of members threatening one another or the Club or Committee Members, etc. with litigation, it is proposed that any and all disputes should in the first instance be resolved at mediation.</p> <p>In the case of a dispute with the Club, Committee, Committee Member or Sub-Committee Member, if after mediation, a member persists to civil court proceedings he/she shall be removed form any position on Committee and / or Sub-Committee and disqualified from nomination for any position on Committee.</p> <p>On the question as to whether on the occasion where a member after having sought mediation, continues to litigation and the case is then found in favour of the plaintiff (the member bringing the suit) he/she may then sue the Club for being wrongful removed or disqualified, there can not be any "<i>wrongful removal etc.</i>" as the member agreed to these conditions under contract by submitting to the Constitution.</p>
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I request you to send, as soon as possible, to each member eligible to vote, a copy of this resolution and post a copy on the Club Notice Board all in accordance with Rules 36 b and 40a.

Thank you.

Proposer:


Member No.
L1348

Seconder:

 - Lee Kim Pheng
Member No. L0093