

# **CONSTITUTION**

## **CANADIAN PINZGAUER ASSOCIATION**

**FEBRUARY 12, 2001**

# **Canadian Pinzgauer Association**

**Granted Ministerial Approval February 12, 2001**

## **AMENDMENTS**

# Canadian Pinzgauer Association Articles of the By-Laws

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1. **Name**

1.1 The name of the Association shall be “**Canadian Pinzgauer Association**”.

2. **Objectives**

2.1 The Association shall have for its object the encouragement, development and regulation of the breeding of Pinzgauer cattle in Canada. The terms “Pinzgauer Cattle” or “Pinzgauer Breed”, wherever used herein, refer to registered Pinzgauer cattle. To facilitate the achievement of such objects, the Association may:

2.1.1 Keep a record of the breeding and origin of all Pinzgauer cattle and collect, preserve and publish data and documents relating to same.

2.1.2 Maintain selective breeding standards for traits of economic importance to beef production.

2.1.3 Adopt a means from time to time to protect and assist breeders engaged in propagation and breeding of Pinzgauer cattle in compliance with the Articles hereof.

2.1.4 Maintain efficient supervision of breeders and Pinzgauer cattle to detect, prevent and punish fraud.

2.1.5 Compile statistics of the industry and furnish official and authentic information thereto.

2.2 In order to implement and achieve the foregoing, to make all necessary contracts and agreements and to make, alter and repeal regulations subject to the provisions of the by-laws.

3. **Members**

3.1 There shall be six classes of members:

3.1.1 **Active Annual Members**: Active Annual Members shall be those individuals, partnerships, firms or companies incorporated under the laws of Canada or any Province in Canada, which individual, partnership, firm or company is or are engaged in the breeding of Pinzgauer cattle, who apply for Active Annual Membership and are accepted as Active Annual Members, and who pay the prescribed admission fee. Each individual paying for and achieving an Active Annual Membership shall have full membership and voting privileges.

3.1.2 **Active Lifetime Members**: Life members shall be those individuals, partnerships, firms or companies incorporated under the laws of Canada or any Province in Canada, which individual, partnership, firm or company is or are engaged in the breeding of Pinzgauer cattle, who apply for Active Life Membership and are accepted as Active Life Members, and who pay the prescribed admission fee. Each individual paying for and achieving an Active Lifetime Membership shall have full membership and voting privileges.

- 3.1.3 **Associate Annual Members**: Individuals, partnerships, firms or corporations may, upon application and acceptance of the Board of Directors, and upon payment of the prescribed admission fee, become Associate Annual Members, but such Associate Annual Members shall not be entitled to vote and shall not hold office in the Association.
- 3.1.4 **Associate Life Members**: Individuals, partnerships, firms or corporations may, upon application and acceptance of the Board of Directors, and upon payment of the prescribed admission fee, become Associate Life Members, but such Associate Life Members shall not hold office in the Association.
- 3.1.5 **Junior Members**: Junior Members shall be those individuals who have not yet attained the age of twenty-one (21) years who apply for Junior Membership and are accepted as Junior Members, and who have paid the prescribed admission fee. Junior Members shall have no vote, and shall not be entitled to hold office in the Association.
- 3.1.6 **Honorary Members**: The Association, by ordinary resolution of a General Meeting may appoint Honorary Members of the Association, if the Board of Directors has, by prior resolution thereof, named the proposed member or members and recommended that such appointment be made for life, or for a term, as the case may be, but such Honorary Members shall take no part in the management of the Association's affairs, and shall have no vote, and shall not be entitled to hold office in the Association, other than the office of Honorary President. Notwithstanding anything herein contained, any Honorary Membership may at any time be revoked by recommendation of the Board of Directors, confirmed by ordinary resolution of a General Meeting.
- 3.2 **Application for Membership**: Application for Membership shall be made in writing on the form provided by the Canadian Pinzgauer Association and each applicant whose application is accepted shall agree to be bound by these by-laws and all amendments thereto, and all rules and regulations of the Association.
- 3.3 A member, at any time, may terminate his/her membership in the Association by giving written notice to the Executive Committee, but there shall be no refund of membership dues.
- 3.4 Partnerships, firms or corporations which are Active Members shall each designate to the Association Office which individual partner, officer, director, or member of the partnership, firm or corporation, shall exercise on behalf of the partnership, firm or corporation, the rights and privileges of such membership, including the right to vote or hold office in the Association. This designated voting member shall not already have achieved voting status through any other form of membership. Subsequently, each member will have a maximum of one (1) vote.

#### 4. **General Meeting**

- 4.1 An annual general meeting of the Association (to be called *Annual General Meeting*) shall be held once in every calendar year at such time and place as the Board of Directors may from time to time designate. In addition to the Annual General Meeting, the Board of Directors may, whenever they determine, call a special general meeting of the Association (to be called *Special General Meeting*) at such time and place as the Board of Directors designate. A minimum thirty (30) days prior notice must be given, specifying the place, day and hour of this meeting, and, in case of special business, the general nature of such business, to the members of the Association, but the accidental omission to give notice to any member, or the non-receipt by any member of such notice, shall not invalidate the proceedings of any Special General Meeting. The Annual General Meeting and a Special General Meeting may be convened by one and the same notice. Without any special notice that such other business is to be dealt with, the business of an Annual General Meeting shall be to receive and consider the report or reports of the Board of Directors and of the auditors thereon, and the election of and ratification of the acts and proceedings of the Board of Directors and Officers. All other business transacted at a general meeting shall be deemed special.
- 4.2 Only Active Members in good standing shall be entitled to vote at any meeting of the members of the Association and each such Active member shall have one vote. Only Active Members in good standing shall be entitled to hold office in the Association. A member in good standing is a member who is not under suspension from the Association. Only an Active Member in good standing may act as a proxy for another member. Members requesting his/her vote via a specific proxy must indicate such in writing on the approved CPA form, with signature, and present such application to the Secretary prior to commencement of voting.
- 4.3 No member shall hold an office as a Director or Officer, or be entitled to attend any meeting of the Directors or of the Association, if at the time, such member is in arrears of payment of any fees or other monies to the Association.
- 4.4 For all purposes, the quorum for a General Meeting shall be ten (10) Active Members in good standing. No business shall be transacted at any general meeting unless the requisite quorum is present at the commencement of the meeting. The Chairman, with the consent of any meeting at which a quorum is present, may adjourn the meeting from time to time and from place to place, as the meeting shall determine. Whenever a meeting is adjourned for one month or more, notice of the adjournment shall be given in the same manner as of an original meeting. Same as aforesaid, the members shall not be entitled to any notice of any adjournment of the business which might have been transacted at the meeting at which the adjournment took place.
- 4.5 At the written request (filed with the President or Secretary) of ten per cent (10%) or any twelve (12) Active Members, whichever is greater, the President or Secretary shall forthwith call a Special General Meeting of the Association. This written request will come in the form of a petition stating the justification for requesting a Special General Meeting.

- 4.6 The order of business at all General Meeting shall be substantially as follows:
- 4.6.1 Identification of Active Members.
  - 4.6.2 Reading of the Minutes of previous meeting.
  - 4.6.3 Report of Officers, Directors and Committees, where applicable.
  - 4.6.4 Correspondence, where applicable.
  - 4.6.5 Unfinished business, where applicable.
  - 4.6.6 Election of Directors, where applicable. Election of Directors shall be by secret ballot, with each membership having one vote, either in person or by proxy, for each vacant position. Chairman of the Nominating Committee will be in charge of the Election and will post names of all nominees as they are nominated. Any Director whose term expires causing his/her seat to become vacant at this election has the option of letting his/her name be added to the list of nominees without being nominated by the Membership. Two (2) non-member Scrutinizers will be selected at the Meeting to count the ballots.
  - 4.6.7 New business, where applicable
  - 4.6.8 Adjournment
  - 4.6.9 An ordinary resolution means a resolution passed by a majority of the Active Members of the Association which are entitled vote in person or by proxy, at a General Meeting. An extraordinary resolution means a resolution passed by a majority of not less than two thirds ( $\frac{2}{3}$ ) of the Active Members of the Association which are entitled to vote in person or by proxy at a Special General Meeting of which notice specifying the intention to propose the resolution as an extraordinary resolution has been duly given. Any amendment to the By-Laws requires an extraordinary resolution.

## 5. **Board of Directors**

- 5.1 The affairs of the Association shall be managed and conducted by a nine (9) member Board of Directors, who shall be Canadian citizens and who shall be elected by ballot to represent the membership of the Canadian Pinzgauer Association. Three (3) Directors shall be elected at each Annual General Meeting for a term of three (3) years.
- 5.2 The Board of Directors shall have complete power to admit applications to membership in the Association and the decision of the Board of Directors in that regard shall be final (subject to the provisions herein before set forth with respect to Honorary Members). However, a member has the same right to re-apply and appeal to the Board as the Board has the same right to reject that person's membership in the Association.

- 5.3 The Board of Directors shall have the power to suspend or expel any member who fails to observe any rule or regulation set forth in these by-laws, or whose conduct is, in the opinion of the Board, prejudicial to the interest of the Association. A member so suspended or expelled shall, after the expiration of sixty (60) days have the right to apply to the Board of Directors for re-instatement and may be re-instated at the next meeting of the Board, provided that two-thirds ( $\frac{2}{3}$ ) of the members of the Board of Directors present thereat vote in favor of such re-instatement. If the Board of Directors refuses to re-instate a person suspended or expelled from membership, such person shall have the right to apply for re-instatement to the next succeeding general meeting of the Association, but re-instatement by general meeting shall be only a vote of two-thirds ( $\frac{2}{3}$ ) of the members of the Association present thereat and entitled to vote. No special notice of such an application need be sent to members of the Association and it shall not be deemed to be special business.
- 5.4 A member who automatically suspends himself under any rule or regulation of this Association shall after the expiration of ten (10) day, have the right to apply to the Board of Directors for re-instatement and shall, on application, be re-instated at the next meeting of the Board, provided two-thirds ( $\frac{2}{3}$ ) of the members of the Board of Directors present thereat, vote in the affirmative.
- 5.5 Any person determined to not be upholding the objectives of this Association shall be expelled from membership in this Association. Such determination shall be made by the Board of Directors. In the event a person seeks to appeal the Board's decision to terminate his/her membership, he/she shall appeal in writing to the Appeals Committee, comprised of three (3) immediate Past Presidents. Upon ruling by the Appeals Committee, the Board of Directors will uphold the termination or reinstate the person. A person appealing termination of membership can do so only once in each twelve (12) month period following the original ruling of the Appeals Committee.
- 5.6 The Board of Directors shall have power to fill vacancies which may occur among their number, providing however, that any Director so appointed shall hold office only until the next Annual General Meeting of the Association, but shall then be eligible for re-election.
- 5.6.1 Any Canadian Pinzgauer Association Board Member who misses two (2) consecutive meetings of the Board without providing reasonable grounds for such absence, may have his/her seat on the Board of Directors declared vacant by a majority vote of said Board.
- 5.7 The Board of Directors may delegate any of their powers to the Executive Committee.
- 5.8 The Quorum of any Board of Director's Meeting shall be five (5) Directors.
- 5.9 The Board of Directors shall meet at the Head Office of the Association or such location as the Board shall determine
- 5.10 The Executive Committee shall consist of the President, Vice President and one (1) Director At-Large, as selected by majority vote of the Board of Directors.



- 5.11 The Executive Committee shall do such things and execute such matters and carry out such instructions as the Board of Directors, from time to time, direct.
- 5.12 The Executive Committee shall be responsible for the printing of Herd Books and other publications of the Association. The procedure of the meeting of the Executive Committee shall be fixed by the Executive Committee subject to approval by the Board of Directors.
- 5.13 The Board of Directors will meet a minimum of four (4) times each year, at approximate intervals of three (3) months apart. This schedule includes the occasion of the Annual General Meeting, which date is at the discretion of the Board. The Executive Committee shall forward to each Director a meeting schedule for each calendar year prior to the fifteenth (15<sup>th</sup>) day of the month of January in that same year. Meetings may be arranged by means of teleconferencing technology(s).
- 5.14 Responsibility for creation of the Board and General Meeting agenda(s) lies with the President or the Executive Committee, at the President's request. Distribution of said agenda is the responsibility of the Secretary, upon his/her determination of distribution means.
- 5.15 Meetings of the Board of Directors are considered open for membership and guests to observe, but non-Directors will not disrupt the proceedings of the Board Meeting. Board Meetings are a forum for decision-making, not debate. If any member has specific business they wish to address to the Board, they can apply in writing, providing justification for an audience with the Board, any time prior to a meeting in order to have his/her business included on the agenda. The Board may, from time to time, formally request specific members or other individuals to attend Board Meetings. No observing member or guest shall either actively participate in discussion (unless formally invited to participate by the Board) or vote on any issue under review during Board Meetings.
- 5.15.1 The Chairman may elect to conduct an entire meeting or part thereof in-camera. The Board will determine guidelines regarding the need of an in-camera session. In-camera sessions may be specified through written notice in the agenda or immediately during a Board Meeting.
- 5.16 The Board is responsible for the creation and maintenance of the Code of Ethics. The Board has absolute authority to modify the Code of Ethics as often as they deem necessary.

## 6. **Officers**

- 6.1 The President, Vice President, Secretary and Financial Officer shall be appointed by the Board of Directors. The Board of Directors may appoint such additional or other officers as they see fit. The President and the Vice-President must be members of the Board of Directors. Any vacancy in any of the above offices occurring in a casual manner, shall be filled by the Board of Directors for the remainder of the year provided that the Vice President shall succeed the President in the case of the office of the Presidency becoming vacant.

- 6.1.1 In the event that the Canadian Pinzgauer Association employs an individual for either the administration, promotion, financial management or registrar function of the Association, as either a General Manager, Registrar or Executive Secretary or contractor, this individual shall be an ex-officio Officer of the Association, and will be expected to attend Board and General Meetings only with the written request of the Executive Committee or the President.
- 6.1.1.1 If a General Manager, Registrar, Executive Secretary or contractor of the Canadian Pinzgauer Association, deriving an income from or volunteering for the performance of administration, promotion, financial management or registration functions of the Association, this individual will not maintain a membership in the Association, nor register livestock in this Association. All non-member officers will maintain professional objectivity, and will not compete with members for the objectives outlined in Article 2. They will be expected, at all times, to represent the Association and behave in a professional manner.
- 6.2 The term of office of each of the foregoing officers shall be for a period of one (1) year, and they are elected immediately following the Annual General Meeting, provided however, that if the General Manager, Registrar or Executive Secretary as the case may be, is a paid employee, then they shall hold office at the pleasure of the Board of Directors.
- 6.3 The duties of each of the officers shall be as follows:
- 6.3.1 **President**: The President shall be the Chief Executive Officer of the Association. They shall:
1. preside over all Board and General meetings;
  2. do all such things and handle all such matters as the Board of Directors may from time to time request;
  3. present at each Annual General Meeting, a report of the activities of the Association;
  4. inspect and co-sign with the Financial Officer each financial document of the Association;
  5. call meetings of the Directors when required, and in any event, at the request of any two (2) Directors;
  6. serve on the Executive Committee
  7. appoint such assistants and employees as deemed necessary by the Executive Committee for the effective conduct of the business of the Association;
  8. be elected to a one (1) year term by the Board of Directors.
- 6.3.2 **Vice-President**: The Vice-President shall:
1. assist the President in the exercise of his/her duties;
  2. perform the duties of the President in the absence of the President when requested by the Board of Directors;
  3. be prepared to move into the position of President upon the current President vacating the position either voluntarily or by the will of the Board;

4. serve on the Executive Committee.

6.3.3 **Secretary**: The Secretary shall:

1. record and maintain a copy of the minutes of meetings designated to be Annual General Meeting, Special General Meetings, or meetings of the Board of Directors and any other meeting as required by the Board;
2. hold office for one (1) year;
3. be subject to the control of the Board of Directors;
4. be responsible for distribution of meeting notices, agendas and minutes on the request of the President or Executive Committee.

6.3.4 **Executive Secretary**: The Executive Secretary shall be appointed by the Board of Directors to be the managing and clerical officer of the Association, and shall act as the authorized representative of the Board in hiring, discharging, directing the duties, salaries (with the exception of his/her own) and other compensation of the paid employees of the Association. The Executive Secretary, subject to the control of the Board of Directors shall:

1. be the legal custodian of all the books, papers, deeds, instruments and records of the Association, with the exception of Article 6.3.6;
2. send notices of all General and Directors meetings when and as required by these by-laws and in conformity therewith, upon request of the Secretary acting as agent of the President and Executive Committee;
3. perform all other such duties and functions properly conferred upon or required of them by the Board of Directors and the Executive Committee;
4. keep, at the office of the Association, a book containing a copy of the By-Laws and Code of Ethics of the Association with all the amendments thereof, which shall, at all times, be open for inspection of and copied distribution to the members;
5. Report directly to the Executive Committee, led by the President.

6.3.5 **Financial Officer**: The Financial Officer, subject to the control of the Board of Directors, shall:

1. have custody of and be responsible for all funds, money and securities of the Association and keep proper books of account containing entries of all such matters or things as are usually entered in the books of account;
2. supervise receipt of monies due and payable by the Association;
3. select the corporate depositories, subject to the approval of the Board of Directors;
4. sign or countersign any and all documents and instruments upon which the Financial Officer's signature is required or authorized;
5. perform all duties and functions properly conferred upon or required of them by the Board of Directors;
6. be bonded in such amount as may be required from time to time by the Board of Directors;
7. sign, with the President, all contracts, deeds, mortgages, leases and all other documents upon which the Financial Officer's signature is authorized or required;

8. assure that any two (2) of the three (3) designated financial authorities have approved each requisite financial transaction of the Association. Financial authority is designated to the following officers of the Association: President, Vice President, Financial Officer.

6.3.6 **Registrar**: Responsible for the establishment and maintenance of all herd books and records of the Association.

6.3.7 In the event the Board of Directors shall appoint one individual to act in two or more of the positions stated above, this person shall perform the functions as listed under such area of responsibility to which he has been appointed.

6.4 The Board of Directors may appoint an Honorary President who shall hold office during the pleasure of the Board.

## 7. **Committees**

7.1 The Board of Directors may appoint special or standing committees from their number and/or from other members of the Association. Chairman of these committees may be either Directors or members, but are appointed by the Board of Directors. In addition to any special committees to be appointed by the Board of Directors, there shall in any event be the following standing committees:

7.1.1 **Promotion Committee**: The promotion Committee shall supervise the publication of information regarding the breed of Pinzgauer cattle and the investigation of any case of misrepresentation of the breed and shall be responsible for recommending action thereon to the Board of Directors. There shall be four (4) members of this committee.

7.1.2 **Breed Improvement Committee**: The Breed Improvement Committee shall be responsible for supervising the activities of the Association directed towards the improvement of the Pinzgauer breed of cattle and shall make recommendations to the President, the Board of Directors, and the general membership for the improvement of the breed. There shall be three (3) members of this committee.

7.1.3 **Membership Committee**: The Membership Committee shall be responsible for investigation and recommendation to the Board of Directors of action taken on all applications for membership and all classes of membership. The Committee shall also be responsible for investigating requests for the expulsion of members and making recommendations thereon to the Board of Directors. They will also be responsible for the creation and distribution of Breeder Handbooks, as well as contacting all new breeders for orientation to the Canadian Pinzgauer Association. There shall be two (2) members of this committee.

- 7.1.4 **Junior Member Committee**: The Junior Member Committee shall be composed of Active Members and shall be responsible for supervision and encouragement of the activities of the Junior Members of the Association, and for promotion of the breed of Pinzgauer cattle among the Junior groups of various farm and ranch organizations, including but not limited to the 4-H program. There shall be two (2) members of this committee, and an additional Provincial representative for each province with recognized Junior Members.
- 7.1.5 **Advisory Committee**: The Advisory Committee shall contain among its members the Vice President of the Association and shall be responsible for advising the President on all matters concerning the promotion, breed improvement, annual review of By-laws and Code of Ethics, and the registration of Pinzgauer cattle. The Committee shall also be responsible for investigating all grievances with respect to misrepresentation or improper conduct by any member or officer and reporting and making recommendations thereon to the Board of Directors. There shall be three (3) members of this committee.
- 7.1.6 **Nominating Committee**: The Nominating Committee shall be appointed at least ninety (90) days before the Annual General Meeting and shall consist of one (1) continuing Director and two (2) Active Members of the Association. The Nominating Committee shall, at the Annual General Meeting, nominate candidates for Directors of the Association to be voted on by the general membership, along with such other nominations as may be made from the floor. Nominations from the floor must have the nominee's written, or, if in person, verbal, consent to let his/her name stand for nomination.
- 7.1.7 **Finance Committee**: The Finance Committee shall be chaired by a Director and shall include the Financial Officer and such other appointees as the Board of Directors sees fit. The duties of the Finance Committee shall be to prepare an annual budget, annual financial review for the Annual Report and to advise the Board of Directors of all financial matters relating to the Association. There shall be three (3) members of this committee.
- 7.2 The President shall participate on each committee as an ex-officio member, unless prior designated as a member of the committee within the given quota.

## 8. **Provincial Association**

- 8.1 Members of this Association in good standing may organize a Provincial Association under the by-laws or Constitution approved by the Board of Directors of this Association.
- 8.2 The activities of any such Provincial Association shall be confined solely to its own Provincial interest and shall not conflict in any way with the activities of this Association. No more than one Provincial Association in each Province shall be organized unless authorized at an Annual General Meeting.

## 9. **Offices**

9.1 The Head Office of the Association may be moved to any location decided upon by the Board of Directors. All members shall be notified of the address, or change of address, by the Association.

## 10. **Fiscal Year**

10.1 The fiscal year of the Association shall be the calendar year, closing as at December 31<sup>st</sup>. An Annual General Meeting of the general membership shall be called within the first four calendar months following the previous year-end. At each Annual General Meeting, auditors of the Association shall present their report for the previous year and there shall be presented to the Annual General Meeting the balance sheet and statements of receipts and expenditures for the preceding calendar year. The auditors of the Association shall be appointed at each Annual General Meeting. The Board of Directors may fill any casual vacancy in the office of the Auditor.

## 11. **Notices**

11.1 Notice calling any General Meeting shall be given by circular letter, postage prepaid, to each of the members at his/her last known post office address appearing in the books of the Association. In the event of the Association publishing an official breed publication, the notice published therein shall be deemed to be sufficient, provided such official breed publication is circulated at least thirty (30) days in advance of such meeting.

11.2 Notice of meetings of the Board of Directors other than the one immediately following the Annual General Meeting, shall be mailed postage prepaid, to each of the Directors at least ten (10) days before the date of the meeting at his/her last known post office address appearing on the books of the Association or by facsimile or electronic mail at least seven (7) days before the date of the meeting. Notwithstanding the foregoing, a meeting of the Board of Directors may be held on shorter notice, or without notice, providing two thirds ( $\frac{2}{3}$ ) of the Directors have given their consent to the meeting being held. Members reserve the right to determine their preferred method of meeting notification.

## 12. **Amendments, Amalgamations and Dissolution**

12.1 The By-Laws may be amended by extraordinary resolution at any Annual or Special General Meeting of the Association by the affirmative vote of two thirds ( $\frac{2}{3}$ ) of the members present and voting. Notice of all proposed amendments shall be given to the President or Secretary in writing sixty (60) days in advance of a general meeting and they shall be included in the notice calling such meeting, otherwise they shall have no power to deal with same.

- 12.2 Amendments to the Articles of Incorporation must be circulated to the membership at least thirty (30) days in advance of a General Meeting. Twenty-five per cent (25%) or more of the members must respond in writing and at least two thirds ( $\frac{2}{3}$ ) of the members who responded must approve the proposed amendment.
- 12.3 Should the Canadian Pinzgauer Association wish to amalgamate with another Association and continue as one Association, the membership must be consulted in writing at least thirty (30) days in advance of a General Meeting. Twenty-five per cent (25%) or more of the members must respond in writing and at least two thirds ( $\frac{2}{3}$ ) of the members who responded must approve the proposed amalgamation.
- 12.4 A Resolution to dissolve the Canadian Pinzgauer Association must be passed by at least two thirds ( $\frac{2}{3}$ ) of the members of the Association. Where the Association is dissolved, any property of the Association that remains after the payment of the Association's debts and liabilities shall be transferred to such other association with a similar purpose, or such charity as the Minister may specify in writing.
13. **Expenses, Income and Property**
- 13.1 The income and property of the Association from whatever source derived, shall be applied solely toward the promotion and furtherance of the objectives of the Association and no part thereof shall be paid or transferred directly or indirectly by way of bonus or otherwise as profit or gain to members of the Association, past, present or future, or to any person gaining through a member.
14. **Corporate Seal**
- 14.1 The seal as stamped in the margin herein shall be the corporate seal of the Association.
15. **Books of Record**
- 15.1 A register shall be kept at the Office of the Canadian Pinzgauer Association and shall be known as the Canadian Pinzgauer Herd Book. It shall be published by the Canadian Pinzgauer at such time and in such form as decided by the Board of Directors.
- 15.2 **Private Breeding Records**: There shall be kept by each breeder a private record which shall contain full particulars of his/her breeding operations. This record shall at all times be open to inspection of the Executive Committee of this Association and officials of Agriculture and Agri-Food Canada.
16. **Registration of Pedigrees**

- 16.1 There shall be furnished by the Canadian Pinzgauer Association for all living animals eligible, a Certificate of Registration on the form adopted by the Canadian Pinzgauer Association. The Certificate shall be in such form as decided on by the Board of Directors of this Association.
- 16.2 Any person suspended or expelled from membership shall be allowed to register and transfer pedigrees at non-member rates.
- 16.3 Any person prohibited from registering pedigrees by any other organization incorporated under the Animal Pedigree Act shall not be allowed to register pedigrees in the Canadian Pinzgauer Herd Book.
- 16.4 The Board of Directors shall have the power to suspend any member, or refuse applications for registration or transfer from any person whether a member or not, based on one or more of the following situations: non-payment of membership, registration or any other fees; violation of the Association By-Laws; violation of the Animal Pedigree Act or Health of Animals Act. The Board of Directors, represented by majority rule of the Executive Committee, may refuse to accept the signature of any person on an application for registration or transfer, whether a member or not, pending action by the Board of Directors, the Executive Committee or a General Meeting of the Association.

## **17. Identification and Registration of Tattoo Letters**

- 17.1 A breeding unit, comprised of one or more members, must apply to the Canadian Pinzgauer Association for and be allotted identification letters for its exclusive use.
- 17.2 Animals must be identified and registered with tattoo markings in the ear including the registered letters of the owner of the animal at birth and a serial number followed by the designated year letter to signify the year of birth. The letter “E” will signify that the animal was born in 1973 (“F” 1974, etc.). The letters “P”, “O”, “Q”, and “V” shall not be used as designating year letters.
- 17.3 All calves must be identified by tattoo markings before they are six months of age or have been sold before applying for registration. No two animals, regardless of sex, may be tattooed with the same identification.
- 17.4 All imported Pinzgauer animals shall be tattooed with the allotted markings, provided that the importer use their own herd prefix, and the year letter be that of the year of birth of the animal. This procedure shall be carried out in the manner as specified elsewhere in the by-laws.

## **18. Registration of Prefixes and Naming of Animals**

- 18.1 A breeding unit, comprised of one or more members, may register a prefix for its exclusive use in naming animals owned at birth. A prefix registered under this regulation shall not be used by any other person, partnership or corporate body as a breeding unit in naming animals for registration.



- 18.2 In registering a prefix, priority in use shall be considered. Any dispute between breeders as to the priority right to use a prefix shall be referred to the Executive Committee for decision.
- 18.3 A prefix may be transferred on application to the Canadian Pinzgauer Association by the registered owner.
- 18.4 A registered prefix may be used by a son, daughter, who is a member of the Canadian Pinzgauer Association, providing written consent of the registered owner of that prefix is on file with the Canadian Pinzgauer Association. This shall not apply to prefixes registered in the ownership of partnerships, committees or embryo transplant businesses.
- 18.5 Names of animals should not be duplicated. The right is reserved to change any name when necessary, preserving however, as far as possible, some characteristics of the name given on the application.
- 18.6 A name shall not contain more than twenty four (24) letter spaces or characters, including numeral affix, pending compatibility with registration technology. Letters or numerals may be used as a prefix.
- 18.7 Animals from other countries shall be registered with the same name as shown on the certificate of registration issued in the country from which they came.
- 18.8 The Association reserves the right to refuse any name which may be misleading or any other name which may be misleading as to pedigree, origin or relationship of an animal.
- 18.9 Names of members of the Royal Family or Leaders of National Governments of the day shall not be used.
- 18.10 The Executive Committee may approve a change in the name of an animal providing there are no registered offspring. A new application for registration must be completed and signed by the owner at birth, then presented to the Canadian Pinzgauer Association with the certificate and the necessary fee. If a registered prefix was used in the original name, it must be used in any suggested change.

19. **Application for Registration**

- 19.1 Applications for registration of animals born in Canada must be:
- 19.1.1 Made to the Canadian Pinzgauer Association on forms supplied by the Association, either in hard copy or electronically, with all blank spaces filled in with ink, typewritten or by computer or word processor and signed by the owner of the animal at the time of birth.
- 19.1.2 Accompanied in the case of artificially sired calves, by a breeding receipt signed by the inseminator and stating date of service, cow identification, sire name, registration number, and semen batch number and freezing date.

- 19.2 Applications for registration of animals from other countries must be signed by the Canadian importer, show date of importation and be accompanied by certificates showing that they were registered in the country from which they came. If an animal is in calf, in order to register the progeny, the service information must be verified by the recording Association in which the service sire is registered.
- 19.3 Registration of Canadian born animals will be made in the name of the owner of the dam on the date the calf was born. When a change of ownership takes place before registration, the applications for registration and transfer must be presented to the Canadian Pinzgauer Association with the registration and transfer fees.
- 19.4 When an animal is a twin, it shall be so stated when applying for registration, and the sex given of the animal with which it is a twin. Should a twin be entered upon the record without such statement, no subsequent application for entry of an animal twin with the same dam shall be accepted.
- 19.5 The breeder of an animal is the owner or lessee of the dam at the time she is served. The first owner is the owner of the natural mother at the time the calf is born.
- 19.6 Weight, not age, will be the discriminating factor in the breeding of females, and will be left to the discretion of the owner.

## 20. **Transfers and Duplicate Certificates**

- 20.1 Applications for registration of change of ownership must be made in ink, typewritten or by computer or word processor, on forms supplied by the Canadian Pinzgauer Association, either in hard copy or electronically, and must give date of sale and date of delivery. In the case of females, if bred, a service certificate must be completed and signed by the member responsible for the breeding of the female. The application for transfer shall be presented to the Canadian Pinzgauer Association with the application for registration if the animal is not registered, or the Certificate of Registration if the animal is registered. The change of ownership will then be endorsed on the certificate.
- 20.2 In the case of the sale of a Pinzgauer animal, it is the responsibility of the seller to confirm that the tattoo identification is in accordance with the regulations and to provide the Certificate of Registration showing the purchaser's ownership. Refusal to do so on any pretext whatsoever shall be grounds for the seller's expulsion, if a member. If the seller has not at any time held membership in the Canadian Pinzgauer Association, further privileges of the Association shall be refused.
- 20.3 When a registered animal is sold for slaughter, the transfer shall not be recorded on the records of the Association. A notation in ink shall be placed on the face of the Certificate by the seller stating that the animal was sold for slaughter and the date. The Certificate shall be forwarded to the Canadian Pinzgauer Association.

- 20.4 When a registered female is sold for use in a commercial herd and not represented as registered, the transfer shall not be recorded on the records of the Association. A notation in ink shall be placed on the face of the Certificate stating that the animal was sold for used in a commercial herd and the date. The Certificate shall be forwarded to the Canadian Pinzgauer Association.
- 20.5 When an animal is leased for breeding purposes, an Application for Lease form supplied by the Canadian Pinzgauer Association must be completed and signed by the Lessor and forwarded to the Canadian Pinzgauer Association. The Lessee will in all cases be considered the owner of the progeny of the leased females.
- 20.6 Where a Registration Certificate is lost, destroyed, or unobtainable, a duplicate certificate may be issued by the Canadian Pinzgauer Association upon receipt of a Statutory Declaration from the last recorded owner.
21. **Rules of Registration**
- 21.1 Animals eligible for registration:
- 21.1.1 Imported animals registered in the book of an Association in the country of origin and considered eligible by the Board of Directors.
- 21.1.2 Animals qualifying in accordance with the Table of Eligibility: with the exception of the first cross, the dam must be registered in the Canadian Pinzgauer Association Herd Book in the name of the owner at the time of the birth of the calf, provided that the calf born from the cow and sired by a non-Pinzgauer sire shall be eligible to be recorded as fifty per cent (50%) Pinzgauer blood.
- 21.1.3 Calves conceived by artificial insemination will be registered on the same terms as calves conceived by natural mating, except that a blood type or DNA genotype of their sire must be on file with the Canadian Pinzgauer Association
- 21.1.4 All Pinzgauer calves propagated by embryo transplant shall be eligible for registration provided that an application, duly completed, of Certificate of Breeding and Embryo Transplant Verification is received by the Canadian Pinzgauer Association at the time of registration, and that a blood type or DNA genotype record of the sire, donor dam and calf are on file. The blood type or DNA genotype shall verify parentage of the calf
- 21.1.5 The Board of Directors or their appointee shall, from time to time or at any time, require parentage verifications by blood typing or DNA genotyping on animals for which application has been made for registration. The Board of Directors or their appointees have the authority, at their discretion, to call for a blood sample on one or all registered animals in the owner's herd. In all such cases, the Association shall be responsible for the costs involved in drawing blood and for laboratory fees.
- 21.2 Pinzgauer cattle may be registered at any age after the required data is available.

- 21.3 All Fullblood Pinzgauer cattle must have a blood type verifying parentage, or a DNA genotype verifying parentage, on file before a registration certificate will be issued.
- 21.4 All Purebred Pinzgauer bulls must have a blood type or DNA genotype on file before a registration certificate will be issued
- 21.5 The Canadian Pinzgauer Association shall not recognize progeny resulting from multiple sire mating unless a blood type or DNA genotype is on file for each sire and the resulting calf. For the purpose of this article, multiple sire mating shall mean exposure to more than one bull at the same time.
- 21.5.1 It will be the responsibility of the breeder to positively qualify the sire, either through blood typing or DNA genotyping, for calves born to dams pasture exposed to more than one bull within a fourteen (14) day period. This applies only when an actual breeding date is not identified and forwarded with application for Certificate of Registration.
- 21.6 The Canadian Pinzgauer Association will require random blood type or DNA genotype, verifying parentage, on approximately every fiftieth (50<sup>th</sup>) registered purebred or percentage animal. The blood type or DNA genotype will be done at the expense of the Canadian Pinzgauer Association and the results must be on file at the Canadian Pinzgauer Association before a registration certificate will be issued. If parentage verification is no longer possible on the fiftieth (50<sup>th</sup>) purebred or percentage animals due to one or more of the parents being deceased, the next animal, excluding fullbloods, applied for within the same breeder's herd will be drawn for parentage verification.
- 21.7 All animals born polled or scurred shall be indicated as such on the application for Certificate of Registration. In the event that a calf is born that is scurred or polled but the parents are either both horned or one or both incorrectly registered as horned, the following must be followed in order to correct the Certificate of Registration:
- 1) If the sire and/or dam were incorrectly registered as horned, the following procedure adhered to:
    - A) The owner applying for registration must provide a letter that an error was made and the status of the dam or sire should be polled or scurred. The animals must be identified by tattoo and name. In the event that the owner applying for registration is not the original owner or breeder of the sire and/or dam of the calf, then the same letter must be obtained from the original registered owner or breeder. If the owner applying for registration is unable to contact the original owner or breeder, they must submit a letter from a veterinarian indicating their veterinary inspection of the animal, recognition of identification by tattoo and written opinion that the animal in question is, in fact, polled or scurred.
    - B) The owner will then submit the registration paper for correction, accompanied by the original owner or breeder's or veterinarian's letter addressed to the Canadian Pinzgauer Association
  - 2) If the sire and dam are horned, a genetic mutation must have occurred and the following procedure adhered to:
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- A) Parentage verification by blood type or DNA genotype of the calf, sire and dam;
- B) The calf must produce a polled or scurred offspring from a polled mating and the offspring be parentage verified by blood type or DNA genotype and confirmed as polled by veterinary visual inspection at twelve (12) months of age;
- C) With the veterinary inspection complete, and the calf confirmed as polled or scurred, the Certificate of Registration will be issued stating the animal as polled or scurred based on genetic mutation will occur.

- 21.8 Heifers and bulls are accepted as percentage and recordable if they are at least fifty per cent (50%), or one half ( $\frac{1}{2}$ ), Pinzgauer breeding and from a recorded or registered Pinzgauer sire or dam.
- 21.9 In the event that a dispute arises between the Registrar and a member, owner or breeder applying for Certificate of Registration, the Registrar will report the situation within three (3) days of receipt of incorrect or questionable information to the Advisory Committee, in the form of the Vice President or the Director on the committee. The Advisory Committee shall have five (5) days to recommend course of action to the President and the Executive Committee. In the event that a member of the Advisory Committee is involved in the situation as either the owner or breeder of the application for registration in question, the Executive Committee and the President shall be informed immediately. Full investigation and Executive Committee-rendered action will be complete within ten (10) days from receipt of the application for Certificate of Registration by the Registrar. If the owner or breeder applying for said certificate is not content with the Executive Committee decision, they can appeal in writing to the President. A Board of Directors or General Meeting will be called at the earliest possible date for discussion of the situation and the subsequent Board or membership decision.

## 22. **Fees**

- 22.1 The Board of Directors shall determine those matters for which a fee may be levied, and shall present it to the membership of the Canadian Pinzgauer Association for approval at the Annual General Meeting a Schedule of Fees to be levied upon all members and non-members.
- 22.2 **Fee Payment**: All fees shall be paid to the Canadian Pinzgauer Association by cash, cheque, money order or certified cheque, payable at par in Canadian funds at the location of the Head Office of the Association in the branch of a Chartered Bank so designated by the Board of Directors of the Canadian Pinzgauer Association.

## 23. **Waiver of Association Liability**

- 23.1 Notwithstanding anything herein contained, the Association assumes no responsibility, financial or otherwise, for any loss or damage that may be sustained by the individual, partnership, firm or corporation by reason of the suspension, cancellation or correction of any registration, transfer or other documents or by reason of the suspension or expulsion of any member of the Association or by reason of the rejection of any application for membership in the Association.

24. **Non-Members**

24.1 Any person, not a member of this Association, registering or transferring animals on the records of the Association shall be subject to the same rules and regulations as a member except as otherwise specifically provided for.

25. **Gender**

25.1 Wherever the context permits in this constitution, the singular shall include the plural and the masculine the feminine and the neutral.

26. **Repeal**

26.1 The Canadian Pinzgauer Association is incorporated under the Animal Pedigree Act. All breeders of registered stock must comply with this Act.

27. **By-Laws – Location and Use**

27.1 A copy of the by-laws together with any amendments thereto shall be maintained by the Secretary and the Executive Secretary of the Association and the Secretaries of Provincial organizations. These shall be available for inspection by members of the Association.

28. **Mistakes, Errors, Inaccuracies, Penalties**

28.1 Registration or transfer of ownership of an animal is made on the understanding that the particulars given on the application or other documents filed with the Registrar are correct. If it is subsequently discovered that the particulars are incorrect or fraudulent upon investigation by the Advisory Committee and ruling from the Executive Committee, the registration or transfer shall be suspended by the Board of Directors. Pedigrees registered incorrectly may be cancelled and re-registered by the owner and the expense thereof may be recovered from the original applicant for registration as the case may be.

28.2 Notwithstanding anything herein contained, the Association assumes no responsibility, financial or otherwise, for any loss or damage that may be sustained to any individual, partnership, firm or corporation by any reason of the suspension, cancellation or correction of any registration, transfer or other documents or by reason of the suspension, or expulsion of any member of the Association or by reason of the rejection of any application for membership in the Association.

28.3 When as a result of the inspection of the manner in which private breeding records are kept and the method of identification practiced or used by any breeder, it is shown that the rules and regulations of the Association in that regard are not being observed, the Board of Directors may immediately suspend or expel such breeder if a member and, if not a member, further registrations and transfers may be refused. If such inspection should reveal that the private breeding records and identifications as practiced by such breeder are in such a state of confusion as to raise doubt as to the identity of any number of or all the animals in the herd, the Board of Directors may suspend the registration of any number of or all animals involved.

29. **Hardship Cases**

29.1 In cases of proven hardship to a member, the Board of Directors may, at their discretion, instruct the Registrar to proceed with the registration or transfer of an animal without the required signature on the application.