

# **HEREFORD**

**CANADIAN  
HEREFORD  
ASSOCIATION**



**THE CANADIAN HEREFORD ASSOCIATION CONSTITUTION**

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## 1. Name

The organization shall be: "The Canadian Hereford Association".

## 2. Objects

The Association shall have for its objects the encouragement, development and regulation of the breeding of purebred Hereford cattle in Canada.

1. A purebred Hereford is an animal that has consistent and inherited breed characteristics that is descended 100% from animals registered in the United Kingdom Hereford Society Herdbook #13, which was implemented prior to the year 1900. A purebred Hereford shall display the breed characteristics of a red hair coat and white face. White markings on the hide are normal and acceptable as breed characteristics.
2. By keeping a record of the breeding and origin of Hereford cattle and by collecting, preserving and publishing data and documents relating to same.
3. By establishing standards of breeding and by carrying out a system of registration.
4. By adopting means from time to time to protect and assist those engaged in propagation, breeding and exhibition of purebred Hereford cattle in compliance with the Animal Pedigree Act or any regulation made thereunder.
5. By maintaining an efficient supervision of breeders of Hereford cattle to prevent, detect and punish fraud, and particularly to take all possible action to ensure the accuracy of the Registration Certificate.
6. By compiling statistics of the industry and furnishing official and authentic information in regard thereto.
7. By publishing and distributing literature devoted to the welfare of the Hereford and its owner.
8. For these purposes to have power to make all needful contracts and agreements and to make, alter and repeat regulations subject to the provisions hereinafter set forth.

## 3. Members

### 1. There shall be the following classes of members:

#### (A) Honorary Life Members:

- (i) The Board of Directors may appoint Honorary Life Members from time to time. Honorary Life Members shall receive a subscription to the Canadian Hereford Digest compliments of the Canadian Hereford Association, and their Life Membership shall be purely honorary.
- (ii) An Honorary Life Membership shall be bestowed upon all Honour Roll recipients.

#### (B) Life Members:

Life Members shall be those members who paid a life membership prior to February 1, 1979.

#### (C) Annual Members:

Annual Members shall be those persons, partnerships or companies incorporated under federal or provincial charter, resident in Canada, who pay the prescribed annual membership fee.

#### (D) Junior Members:

- (i) Junior Members shall be individuals only, twenty-two years of age and under, citizens of Canada, who have paid the prescribed membership fee.
- (ii) Junior Members shall be entitled to vote and hold office in the Canadian Hereford Association on or after their eighteenth birthday.
- (iii) A Junior Membership expires on December 31 following the junior's twenty-second birthday.

#### (E) Affiliate Members:

Affiliate Members, non-voting, shall be those persons, partnerships or companies incorporated under federal or provincial charter, resident in Canada, who pay the prescribed membership fee, set by the board of directors.

## **2. Applications for Membership:**

- (A) Applications for membership shall be made to the Canadian Hereford Association on the forms or in the format approved by the Canadian Hereford Association Board of Directors.
- (B) Each applicant on becoming a member is bound by the Constitution and amendments thereto, and all rules of the Association.
- (C) The Association may reject any application for membership.
- (D) Applications for Annual Membership of partnerships or incorporated companies shall specify the partner or shareholder, resident of Canada, authorized to vote and sign for the partnership or company and hold office in the Canadian Hereford Association.
  - (i) Furthermore, incorporated or limited companies shall file with the Canadian Hereford Association such documentary evidence of authority to the partner or partners so authorized as may be required.
  - (ii) A member of a partnership or company, other than the partner mentioned in the application, may be authorized by the partnership or company to act or vote at any meeting of the Association, provided notification in writing is given to the Association prior to the date of the meeting.

## **3. Provincial Associations:**

Each member of the Canadian Hereford Association shall automatically become a member of the Provincial Association of the province in which he resides.

## **4. Member in Good Standing:**

- (A) A member in good standing shall, as a matter of contract and except as hereinafter provided, enjoy the same rights and privileges and be subject to the same liabilities as the original incorporators of this Association.
- (B) No member who is in arrears of membership or other fees or dues shall enjoy such rights and privileges.
- (C) A member in good standing is a member who has complied with the regulations as hereinafter set forth and who is not in arrears of membership or any other financial obligation to the Association or suspended.

## **5. Rights and Privileges:**

The financial liability of a member to the Association shall be the amount due in respect to membership fees and any other fees or services due to the Association.

## **6. Rights and Privileges:**

- (A) No member shall be entitled to any of the rights and privileges of the Association during any year until the membership fee is paid.
- (B) Membership in the Association may be regained by the payment of the prescribed Membership fee.

## **7. Voting Privileges:**

- (A) In order to vote or give notice to amend this Constitution, a member must:
  - (i) Not be in arrears of membership dues or other fees; and
  - (ii) Be the owner of registered Hereford females; and
  - (iii) Have registered animals in the current and/or preceding year.
- (B) In order to hold office, a member must:
  - (i) Be a Canadian citizen; and
  - (ii) Be an owner of registered Hereford females; and
  - (iii) Be over 18 years of age at time of election; and
  - (iv) Have registered animals in the current and/or preceding year.
- (C) A person, who has not paid their membership fee at the time of the CHA Annual General Meeting and notwithstanding anything to the contrary in this Constitution, shall not have the right to vote at the annual meeting.
- (D) A member shall have but one vote, regardless of the number of memberships with which he is involved.



## 8. Membership Year:

The membership term shall correspond with the calendar year.

## 4. Suspension, Expulsion, Offences and Penalties

### 1. Expulsion and Suspension of Members:

(A) Any member who:

- (i) Is in arrears of any fees owing to the Association;
- (ii) Contravenes a by-law of the Association relating to the eligibility for registration of animals by the Association;
- (iii) Contravenes a by-law of the Association relating to the individual identification of animals;
- (iv) Contravenes a by-law of the Association relating to the keeping of private breeding records;
- (v) Contravenes any provision of the animal pedigree act or the regulations thereunder; or
- (vi) Has contravened any provisions of the Health of Animals Act or the regulations thereunder relating to the identification or testing of animals;

May be expelled or suspended and may be denied the privilege to register and transfer animals in the herd book of the Association.

(B) Any Member whose conduct is prejudicial to the interest of the Association may be expelled or suspended however such expelled or suspended Member may not be denied the privilege to register and transfer animals in the Herd Book of the Association.

(C) Upon written complaint being made against a Member or upon information reflecting upon any Member's conduct coming to the attention of the General Manager, it shall be the duty of the General Manager to investigate the same or cause the same to be investigated and to satisfy himself either that:

- (i) There has not been a breach by the Member of these By laws; or
- (ii) He has reasonable cause to believe there has been a breach of these By laws.

If the General Manager deems that there has been a breach of the bylaws of such a character that the Association should take cognisance thereof then such complaint shall be reduced to writing and shall be heard by the Pedigree Committee. The General Manager shall then cause a copy of such complaint with a notice of the time and place of hearing thereon, to be served upon such Member not less than thirty (30) days prior to the said hearing and like notice may be given to any party who may have made the complaint. Such notice shall contain a statement of the purpose and scope of the hearing and the sanctions which the Pedigree Committee has power to take regarding such Member's membership in the Association. Such notice shall further advise such Member that such Member may appear in person or be represented by counsel, produce witnesses, affidavits, documents or other evidence on such Member's behalf.



(D) At the hearing before the Pedigree Committee the Member against whom the complaint has been preferred, shall have the right to be heard in person or be represented by counsel, to produce whatever witness, affidavits, documentary or other evidence which such Member may wish to produce and cross examine any other witnesses who appear to give evidence. At the closing of the hearing or as soon thereafter as may be reasonably possible, the Pedigree Committee shall make IT'S finding and shall render its decision thereon, either exonerating or suspending the Member.

In the event that the Pedigree Committee should decide to suspend the Member the decision of the Pedigree Committee shall be automatically reviewed by the Board of Directors.

Any of those Members of the Board of Directors who sat on the Pedigree Committee shall not be eligible to sit and review the decision of the Pedigree Committee.

The General Manager shall then cause a notice of the time and place of the Board of Directors meeting regarding such Member's membership in the Association to be served upon such Member not less than thirty (30) days prior to the Board of Directors meeting and like notice may be given to any party who may have made the complaint. Such notice shall contain a statement of the purpose and scope of the hearing and the action, which the Board of Directors has, powers to take regarding such Member's membership in the Association. Such notice shall further advise such Member that such Member may appear in person or be represented by counsel but no new evidence may be presented without leave of the Board of Directors and the decision of the Board of Directors will be based upon the proceedings and evidence presented before the Pedigree Committee.

The Pedigree Committee shall transmit to the Board of Directors the evidence presented to the Pedigree Committee and the proceedings had before it, together with the decision thereon (hereinafter referred to as "the Record"). The Board of Directors shall review the Record, but no new evidence may be presented without leave of the Board of Directors and the decision of the Board of Directors will be based upon the evidence and proceedings taken before the Pedigree Committee and the submissions of the Member or his counsel. At the close of the hearing before the Board of Directors, or as soon thereafter as may be reasonably possible, the Board of Directors shall render a decision upon the complaint, affirming, reversing or modifying the decision of the Pedigree Committee, with disciplinary power in the Board of Directors to make the penalty imposed upon the Member either more severe or less severe or to order a rehearing of the complaint. The Board of Directors shall file its decision with the General Manager of the Association and shall give notice thereof to the Member involved. The decision of the Pedigree Committee shall remain in force until reversed at the time of the annual meeting.

(E) The decision of the Board of Directors may be appealed to the next general meeting of the membership of the Association by the Member by filing a notice of appeal within thirty (30) days after service of written notice of the decision of the Board of Directors. The Notice of Appeal shall set out the grounds of appeal and shall be filed with the General Manager of the Association. The decision of the Board of Directors shall stand and remain in force until reversed at the annual meeting. Such appeal would be heard at the next annual meeting of the membership, which is held at least thirty (30) days after the date the notice of appeal has been filed by the Member with the General Manager.

(F) If an appeal is taken to the annual meeting, the General Manager shall provide the members at the annual meeting with the Record together with the decision of the Board of Directors. At the time of the annual meeting a hearing shall be held upon said appeal but no new evidence may be presented and the decision of the annual meeting shall be based upon the Record and any evidence presented, with leave, to the Board of Directors. At the close of the hearing at the time of the annual meeting, the members at the annual meeting shall render a decision either to reinstate the Member or to confirm the decision of the Board of Directors provided however that reinstatement by members at the annual meeting shall be only by a vote of 2/3rds of the Members present thereat and voting in favour of reinstatement.

(G) Notwithstanding the foregoing any Member shall be at liberty after having been suspended or expelled from the Association to apply for reinstatement of his membership before the Board of Directors provided that one (1) year has elapsed after the later of:

- (i) The date of suspension or expulsion by the Board of Directors; or
- (ii) After a failed appeal to the general meeting of the Members at large.

## 2. Cancellation of Registration Certificates:

(A) If after registry of an animal in the Canadian Hereford Association Herd Book information becomes available which raises doubt as to the propriety of such registration, the General Manager shall cause the matter to be investigated and the General Manager shall have the power to temporarily suspend such registration and all offspring registered from the said animal (hereinafter referred to as "interim suspension"). The General Manager shall notify the owner (s) of the animal (s) and any other party with an interest in the matter by single registered mail immediately upon such interim suspension with a description of the grounds for the suspension and the steps proposed for investigating the suspension.

(B) Within sixty (60) days of the interim suspension of the registration certificate of any animal the General Manager must either:

- (i) Satisfy himself that the registration certificate(s) is satisfactory and thus remove the interim suspension referred to in By law 4(2)(A) above; or
- (ii) Satisfy himself that the interim suspension should continue at which time the owner (s) or any other party with an interest in the matter shall have ninety (90) days to appeal the matter to the pedigree committee. If no appeal is made within the ninety (90) days, the certificate of registration for the animal in question is cancelled. If appealed within the ninety (90) days, the matter of such suspended registration must be placed before the next Pedigree Committee meeting. The owner (s) of the animal or any other party with an interest in the matter shall be given thirty (30) days notice of the meeting together with advice that he may attend the meeting, he may be represented by counsel, he may call evidence or he may present affidavit evidence. At the conclusion of the due hearing, the Pedigree Committee may either:

- (a) Continue the suspension until certain conditions have been completed at which point the suspension would be removed; or
- (b) Cancel the registration certificate; or
- (c) Reinstate the registration certificate.

The Pedigree Committee shall have the power to adjourn any hearing to obtain further information before reaching a decision. The General Manager, at his discretion, may include more than one animal in any notice to an owner with respect to a hearing before the Pedigree Committee.

(C) The decision of the Pedigree Committee may be appealed to the Board of Directors by the owner of the said animal or by any person financially interested in maintaining its registry. An appeal shall be initiated by written notice of appeal to the General Manager of the Association, and must be received within thirty (30) days after a copy of the decision of the Pedigree Committee is mailed to the Member by single registered mail. The appeal shall be based upon the proceedings had before the Pedigree Committee, and the decision of the Board of Directors shall be based upon the evidence and proceedings taken before the Pedigree Committee and no new evidence may be presented without leave of the Board of Directors. The burden of proof shall be upon the party desiring to maintain the registry of the animal and if such party does not sustain this burden, the decision and action of the Pedigree Committee shall be confirmed. The Board of Directors shall hear the appeal at its next convenient meeting and would be at liberty to either:

- (i) Continue the suspension until certain conditions have been completed at which point the suspension would be removed; or
- (ii) Cancel the registration certificate; or
- (iii) Reinstate the registration certificate.

(D) A Member shall be at liberty to file an appeal, within thirty (30) days of receiving notice of the decision of the Board of Directors, with the next annual membership meeting. The terms and conditions of this appeal to the next annual membership and the vote required to reinstate a registration shall be the same as those contained in By law 4 (1) (E) and (F) herein with respect to an appeal of membership.

### **3. Appeals:**

In the event of an appeal by a Member regarding:

- (i) Suspension or expulsion of his membership by the Board of Directors to the next annual general meeting; or
- (ii) Cancellation or suspension of a registration certificate by either the Pedigree Committee to the Board of Directors or from the Board of Directors to the next annual meeting;

Such Member appealing shall be required to deposit with the Association the sum of ONE THOUSAND (\$1,000.00) DOLLARS with each appeal taken by that Member. No appeal shall be valid unless it is accompanied with the said \$1,000.00 deposit. In the event that the Member had more than one animal suspended within the same decision of either the Pedigree Committee or the Board of Directors, only one \$1,000.00 deposit need be deposited with the appeal. In the event that a Member is successful in his appeal all deposits paid shall be returned to the Member provided however that in the event the Member is not successful then all monies so deposited with the Association shall be forfeited to the Association. In the event of a partially successful appeal then the matter of the reimbursement of the deposit shall be left to the discretion of the Board of Directors and their decision with respect to the refunding of the deposit shall be final.

### **4. General:**

(A) Service of any notice on a Member shall be by single registered mail at the last address shown in the Association office for that Member. Service shall be deemed to be received seven (7) days after the notice was sent by single registered mail by the Association.

(B) The announcement and publication of any ruling of the Pedigree Committee or the Board of Directors shall be within the discretion of the Board of Directors.

(C) All proceedings of either the Pedigree Committee, the Board of Directors or the annual meeting with respect to proceedings contained in the within by law which are not specifically provided herein shall be determined by either the President or failing the President determining such procedures the First Vice President and shall be announced prior to the beginning of each such hearing.

### **5. Notification to the Minister of Agriculture:**

(A) Any breeder suspended or expelled from the Association shall have no claim against the Association or any interest in the property or assets of the Association.

(B) It is understood that this Association shall not be held responsible for any loss or damage that may be sustained through suspension, cancellation or correction of any registration.

### **6. Notification to the Minister of Agriculture:**

(A) The Minister of Agriculture shall be given notification of the expulsion or suspension of any Member of this Association.

(B) Notification of the reinstatement of a Member shall be given the Minister of Agriculture.

## **5. Offices**

1. The head office of the Association shall be located in the city of Calgary, Alberta.

2. The office for the registration of pedigrees shall be the office of the Canadian Hereford Association.



## 6. Fiscal Year and Auditors

1. The fiscal year of the Association shall correspond with the calendar year.
2. The Association at each annual meeting shall elect an auditor or auditors.
3. The auditor shall conduct an audit of the financial statements of the Association in accordance with Canadian generally accepted auditing standards as established by the Canadian Institute of Chartered Accountants once every third year and in the intervening years the Association auditors would prepare a Financial Review Statement for presentation at the Annual Meeting.

## 7. Directors, Officers and Committees

1. Directors: The affairs of the Association shall be conducted by a Board of twelve Directors allocated as follows:

|  |              |
|--|--------------|
| British Columbia .....                 | 1 Director   |
| Alberta .....                          | 3 Directors  |
| Saskatchewan .....                     | 3 Directors  |
| Manitoba .....                         | 1 Director   |
| Ontario .....                          | 2 Directors  |
| Quebec .....                           | 1 Director   |
| Maritime Group (NB, NS, PEI, NL) ..... | 1 Director   |
| Total .....                            | 12 Directors |

### 2. Election of Directors:

- (A) The Director or Directors of the Canadian Hereford Association for each province or group shall be nominated and elected at a General Meeting of the Provincial Association. Voting shall be confined to junior members in good standing 18 years and over and all other members in good standing of the Canadian Hereford Association resident in the province.
- (B) Upon election, the Director or Directors shall become Director-elect. On January 1st following their election as Director-elect, the new Director will assume voting rights and all Director responsibilities from the outgoing Director for a term of three (3) years. Director(s)-elect will be given access to board material and will, at their own cost, be able to attend board meetings held in combination with the Annual General Meeting. Director(s)-elect will be permitted to attend the last Board meeting of the year, at the CHA's cost.
- (C) The Director must be a resident in the province by which he is elected.
- (D) The name and mailing address of each Director shall be forwarded to the Canadian Hereford Association not more than ten days following the Provincial Annual Meeting.
- (E) The notification of the Directors elected must be certified by the signature of the President and Secretary of the Provincial Association.
- (F) In the event that a Director who holds the office of President is due for re-election in the same year, his term as Director shall be extended for a one-year period.
- (G) Should an elected Director be unable to attend a Director's meeting or continue as a Director of the Canadian Hereford Association, the Provincial Association Board may appoint a Member in good standing, from within their province, to attend the meeting or serve the balance of the term on behalf of the elected Director by advising the Canadian Hereford Association in writing.

3. The Board of Directors may delegate any of their powers to the Executive Committee.

### 4. Executive Committee:

- (A) The President shall appoint the committee chairs, except for the chair of the Pedigree Committee. The Directors shall elect one of their members to be the chair of the Pedigree Committee. The committee chairs, together with the President and Vice-President, shall constitute the Executive Committee.
- (B) A copy of the minutes of each Executive meeting shall be forwarded to each Director within ten days after a meeting.

## **5. Honorary Officers:**

- (A) Honorary President: The Board of Directors may appoint Honorary Presidents and Honorary Vice-Presidents. They shall hold office during the pleasure of the Board. Their position shall be purely honorary.
- (B) Honorary Director: The Board of Directors may appoint Honorary Directors, such appointments to be made from those members of the Canadian Hereford Association, living, who have served as a Director. Their position shall be purely honorary.

## **6. President:**

- (A) The incoming President shall be elected annually from among their number by the Directors at their first meeting after the CHA Annual General Meeting, and termed President-elect. The President-elect will assume all presidential duties on Jan 1st, following his/her election as President-elect. At this time the President shall hold office for one year or until his successor is elected.
- (B) The duties of the President shall be:
- (i) To preside at all meetings of the Association and the Board of Directors and the Executive Committee;
  - (ii) To exercise a general supervision over the affairs of the Association; and
  - (iii) To generally do all matters, acts and things as are usually done by Presidents of similar organizations.
- (C) He shall be a member of all Committees.

## **7. Vice-President:**

A Vice-President shall be elected in the same manner, hold office for a similar term and, if the President is unable to act on account of illness or absence, shall perform all duties of the President. If a director who is elected as Vice-President is due for re-election in the same year, his term as director shall be extended for a one year period.

## **8. General Manager:**

- (A) The Board of Directors shall from time to time, as occasion may require, appoint a General Manager who shall have the power of Managing Director and Secretary-Treasurer, acting under the control and with the approval of the Board of Directors.
- (B) The duties of the General Manager shall be to attend all meetings of the Association and of the Board of Directors and of the Executive Committee and to keep exact Minutes of the proceedings of the same, and to do such other things as may be delegated to him by this Constitution, the Board of Directors or the Executive Committee.
- (C) The General Manager shall deposit all monies received by the Association in a financial institution as approved by the Board of Directors to the credit of the Association.
- (D) He shall deposit for safekeeping all securities owned by this Association in a safety deposit vault as may be approved by the Board of Directors.
- (E) He shall be bonded in such amounts as may be required from time to time by the Board of Directors.
- (F) He shall keep proper financial records containing entries of all such matters or things as are usually entered in financial records and shall furnish from time to time such financial statements in detail of the affairs of the Association or such other matters as may be directed by the Board of Directors or the Executive Committee.
- (G) He shall be the custodian of the Articles of Incorporation and all amendments thereto approved by the Minister of Agriculture for Canada. He shall make the same available for examination by any Member during the regular office hours of the head office.
- (H) He shall maintain this Constitution of the Association and all amendments thereto approved by the Minister of Agriculture for Canada. He shall make copies of the same available to the members of the Association.

## **9. Registrar:**

The Canadian Hereford Association Board of Directors shall delegate a person to act as Registrar.

#### **10. Pedigree Committee:**

- (A) The President, Vice-President, Past President and one elected Director shall form the Pedigree Committee.
- (B) The Committee shall have the responsibility and authority to deal with all subjects related to maintenance of the registration and transfer of animals.
- (C) It shall also have the responsibility to consider and recommend to the Board Constitutional amendments and changes in procedure and policy.
- (D) A report of its activities shall be made to the Board as required.
- (E) The Committee, upon a unanimous decision, shall have the authority to suspend, reinstate or cancel certificates of registration and to suspend and reinstate members. Suspended owners or owners of suspended registrations may apply for reinstatement under procedures outlined in Article 4, Sections 2 and 3. If the Committee is not unanimous, the matter in question shall be submitted to the Board of Directors for decision. All decisions of the Committee shall be submitted to the Board of Directors and shall be incorporated in the minutes of the next meeting.

#### **11. Special Committees:**

- (A) The Board of Directors may appoint from their number or from the members of the Association Special Committees, but must in all cases name one of their number a member who shall be the presiding officer.
- (B) The action of any Special Committee is subject to the approval of the Board of Directors.

#### **12. Representatives:**

The Board of Directors shall elect representatives to all other organizations as required.

#### **13. Signing Officers:**

All cheques issued by the Canadian Hereford Association must bear the signatures of two officials authorized by the Board of Directors.

### **8. Provincial and Junior Associations**

#### **1. Provincial Associations:**

- (A) Members of the Canadian Hereford Association may organize a Provincial Hereford Association under a Constitution approved by the Board of Directors of the Canadian Hereford Association.
- (B) Members of the Canadian Hereford Association in the provinces of Newfoundland, Nova Scotia, New Brunswick and Prince Edward Island may organize an Association to be known as the Maritime Hereford Association. They will be recognized under this Constitution as the Maritime Group for the selection of a Director to the Canadian Hereford Association and for carrying out this Association's objects.
- (C) The activities of any such Association shall be confined solely to its own provincial interests and shall not conflict in any way with the activities of the Canadian Hereford Association.
- (D) Not more than one Provincial Association in each province or group of provinces shall be organized under this Constitution.
- (E) Provincial Associations may organize a Provincial Junior organization under a constitution approved by the Board of Directors of the Provincial Association.
- (F) Provincial Associations shall not hold their Annual General Meeting within two weeks of the week of the Annual General Meeting of the Canadian Hereford Association.

## **2. Provincial Association Financing:**

- (A) The Canadian Hereford Association shall pay to the Provincial Associations the Provincial Fee as stated in Schedule of Fees.
- (B) The amount so paid shall be used for promotion and furtherance of Hereford breeding within that Province or Group of Provinces.
- (C) Each Provincial Association shall forward to the Canadian Hereford Association head office a report of their activities for each year and a reviewed statement showing receipts and expenditures and assets and liabilities. Such reports shall be forwarded to the Association in time to be included in the report presented by the Board of Directors at the Annual Meeting of the Canadian Hereford Association.
- (D) In addition to the Annual Report as above required, each Provincial Association shall forward such other reports as may be required from time to time by the Board of Directors.

## **3. Junior Hereford Association:**

- (A) Junior members of the Canadian Hereford Association may organize a Provincial Junior Hereford Association under a Constitution approved by the Board of Directors of the respective Provincial (Canadian) Hereford Association.
- (B) Junior members in the provinces of Newfoundland, Nova Scotia, New Brunswick and Prince Edward Island may organize an association to be known as the Maritime Junior Hereford Association. They will be recognized under this Constitution as the Maritime Group for the election of two members to the National Junior Hereford Council and for carrying out this Association's objects.
- (C) The activities of any such Association shall be confined solely to its own provincial interests and shall not conflict in any way with the activities of their Provincial (Canadian) Hereford Association or the National Junior Council.
- (D) Not more than one Provincial Junior Association in each Province or Group of Provinces shall be organized under this Constitution.
- (E) Each Provincial Junior Association shall forward to their Provincial (Canadian) Hereford Association a report of their activities for each year and financial statement showing receipts and expenditures and assets and liabilities. Such reports shall be forwarded to the Association in time to be included in the report presented by the Board of Directors at the Annual Meeting of their Provincial (Canadian) Hereford Association, and copies are to be forwarded to the National Junior Hereford Council in time for their delegate meetings.
- (F) In addition to the Annual Reports as above required, each Provincial Junior Association shall forward such other reports as may be required from time to time by the Provincial Board of Directors.
- (G) Provincial Junior Associations may from time to time form local or regional clubs or zones within their Province. The purpose of the club or zone is to foster the development of the Hereford breed and the education of its membership.

## **4. Junior Hereford Council:**

- (A) Junior Members of the Canadian Hereford Association may organize a Junior Hereford Council under a Constitution approved by the Board of Directors of the Canadian Hereford Association.
- (B) The activities of any such Council shall be confined solely to its own interests and shall not conflict in any way with the activities of the Canadian Hereford Association.
- (C) Not more than one National Junior Hereford Council shall be organized under this Constitution.
- (D) All income received by the Junior Hereford Council shall be organized under this Constitution.
- (E) The Council shall forward to the Canadian Hereford Association a report of their activities for each year and financial statement showing receipts and expenditures and assets and liabilities. Such reports shall be forwarded to the Association in time to be included in the report presented by the Board of Directors to the Annual Meeting of the Canadian Hereford Association.
- (F) The National Junior Hereford Council shall consist of 14 Junior Members in good standing that are to be elected by their respective Provincial Junior Hereford Associations. Each Provincial Junior Hereford Association shall elect a maximum of two (2) representatives from their respective Provincial Junior Board of Directors.



## **9. Meetings**

### **1. Annual Meeting:**

(A) The Annual General Meeting of the Association shall be held at such time and place as decided by the Board of Directors.

(i) The Board of Directors at each Annual General Meeting shall submit a complete report of its acts and of the affairs of the Association. It shall present a detailed statement, duly audited, of receipts and expenditures of the preceding year and of the assets and liabilities of the Association.

(ii) A copy of this report and general information of the affairs of the Association shall be sent to the Minister of Agriculture for Canada within thirty days after the Annual Meeting.

(B) Other General Meetings shall be held at the time and place fixed by the Board of Directors.

(C) Notice of at least thirty days shall be given to the membership:

(i) By circular letter to the last known postal address appearing on the books of the Association, or

(ii) By publishing a Notice of Meeting in the official publication of the Canadian Hereford Association.

(D) Order of Business:

(i) The order of business at all Annual and General Meetings should be as follows:

1. Identification of Members
2. Reading minutes of previous meeting
3. Report of Officers, Directors and Committees and Provincial Associations
4. Correspondence
5. Unfinished business
6. If Annual Meeting, report of election of Directors
7. New business
8. Adjournment

(ii) The above order, with the exception of "1. Identification of Members," may be changed at the pleasure of the meeting assembled.

(E) A copy of the notice calling the Annual or General Meeting shall be forwarded to the Minister of Agriculture for Canada in a like manner as to the members of this Association.

(F) All motions from the floor passed by the membership attending the Annual General Meeting or other general meeting shall be recommendations to the Board of Directors and shall not be binding upon the Board of Directors of the Association.

## **10. Expenses, Income and Property**

1. The income and property of the Association, from whatever source derived, shall be applied solely toward the promotion and furtherance of the objects of the Association.

2. 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 claiming through any member.

3. However, nothing herein contained shall prevent the bona fide payment or remuneration to any General Manager, Registrar, Editor, Officer, Clerk, Servant or other person or persons for services actually rendered the Association, whether such are members of the Association or not, and also including contribution to a pension fund for any such, and the expenses of the Directors or their officers incurred in doing the business for the Association.

## **11. Amendments, Amalgamation and Dissolution**

1. This Constitution may be amended by consulting all eligible voting members in writing in such form prescribed by the Board of Directors in relation to the proposed amendment and provided that a simple majority (50% + 1) of eligible voting members, who responded are in favour of the proposed amendment, but no amendments shall be valid until approved by the Minister of Agriculture for Canada and filed at the Department of Agriculture for Canada.
2. Notice of all proposed amendments shall be signed by two eligible voting members in good standing and submitted to the Association.
3. Notice of all such amendments shall also be sent to the Minister of Agriculture for Canada.
4. The Articles of Incorporation of the Canadian Hereford Association (as defined in Section 8 of the Animal Pedigree Act) may be amended by consulting all eligible voting members in writing in such form as is prescribed by the Board of Directors in relation to the proposed amendment and provided that 25% or more of the eligible voting members have responded in writing to the consultation and that at least two-thirds of the eligible voting members who responded have approved the proposed amendments.
5. The Association may amalgamate with one or more other Associations created under the Animal Pedigree Act, provided that the eligible voting members have been consulted in writing in a form prescribed by the Board of Directors and that 25% or more of the eligible voting members have responded in writing to the consultation and that at least two-thirds of the eligible voting members who responded have approved the proposed amalgamation.
6. The Association may be dissolved pursuant to Section 58(1)(E) of the Animal Pedigree Act on a petition to the Minister of Agriculture for Canada provided that the petition is signed by at least two-thirds of the eligible voting members of the Association.

## **12. Corporate Seal**

The Corporate Seal of the Association shall be that retained in the head office of the Association.

## **13. Books of Record**

### **1. Books of Record:**

- (A) A register shall be kept at the office of the Canadian Hereford Association and shall be known as the Canadian Hereford Association Herd Book. It shall be published by the Association at such time and in such form as decided by the Board of Directors.
- (B) The Association shall retain on file all original applications for registration, transfer and membership for a period of at least 10 years.

### **2. Breeding Records:**

- (A) There shall be kept by each breeder a record containing full particulars of his breeding operations.
- (B) This record shall at all times be open to the inspection of officials of this Association and officials of the Department of Agriculture for Canada.

## **14. Registration of Pedigrees**

### **1. Certificates of Registration:**

- (A) A Certificate of Registration for each living animal registered shall be furnished by the Canadian Hereford Association on the form adopted by the Association.
- (B) The Certificate shall be in such form as decided on by the Board of Directors of this Association.
- (C) All Certificates of Registration shall be subject to the approval of the Minister of Agriculture for Canada.

## **2. Expelled Members:**

- (A) Any person suspended or expelled from membership shall not be allowed the privilege of recording pedigrees in the records of the Association.
- (B) Any person prohibited from recording pedigrees by any other organization incorporated under the Animal Pedigree Act shall not be allowed to record pedigrees with the Canadian Hereford Association.

## **15. Identification and Registration of Herd Tattoo Letters**

### **1. Application for Herd Tattoo Letters:**

- (A) A breeder must apply to the Canadian Hereford Association for and be allotted herd tattoo letters for his exclusive use.
- (B) These are also referred to as tattoo letters or herd letters.

### **2. Use of Herd Tattoo Letters by Others:**

- (A) A member may authorize use of his/her assigned herd tattoo letters to any other CHA member. Authority must be filed with the Association.
- (B) Breeders assigned tattoo letters for their exclusive use, who later receive permission to use another's tattoo, forfeit the tattoo originally assigned to them.

### **3. Identification of Animals:**

- (A) Animals must be identified with tattoo markings in the ear specified by the Association with the registered herd tattoo letters of the owner of the animal at birth and a number followed by a designated year letter to signify year of birth. The letter "F" will signify that the animal was born in 2018; G-2019; H-2020; J-2021; K 2022; L-2023; M-2024 and N-2025.
- (B) The letters "I", "O", "Q" and "V" will not be used as designated year letters.

### **4. Identification of Calves:**

- (A) All calves must be identified by herd tattoo letters before they are six months of age and before applying for registration.
- (B) No two animals, regardless of sex, may be tattooed with the same identification.
- (C) Calves tattooed after six months of age may, in exceptional circumstances only, be registered after approval by the Pedigree Committee.
- (D) If an animal is older than six months of age, and found without a tattoo, or with evidence of a fresh tattoo that indicates the animal was not tattooed by six months of age, the breeder will be required to perform DNA parentage to verify the parentage of the animal.

### **5. Cancellation of Herd Tattoo Letters:**

- (A) Registered herd tattoo letters that have not been used in recording animals may be cancelled after a period of five years, unless the owner has been a continuous member.
- (B) Such letters may, at the discretion of the Canadian Hereford Association, be allotted to another breeder.

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

### **1. Registration of Animal Name Prefix:**

- (A) A member may register a prefix for his exclusive use in naming animals owned by him at birth.
- (B) A prefix may be a noun or a combination of letters and/or numerals.

### **2. Priority in Use:**

- (A) In registering a prefix, priority in use shall be considered.
- (B) Any dispute between breeders as to priority right to a prefix shall be referred to the Pedigree Committee for decision.

### **3. Use of Prefix by Others:**

- (A) A prefix registered under this regulation shall not be used by any other person, partnership or corporate body in naming animals for registration except where the registered owner of the prefix gives written consent.
- (B) Breeders can be assigned a maximum of two (2) prefixes for their exclusive use.
- (C) If breeders currently have two assigned prefixes for their exclusive use and later receive permission to use another's prefix, they must forfeit one of the prefixes that was originally assigned to them.

### **4. Transfer of Prefix:**

A prefix may be transferred on application to the Canadian Hereford Association by the registered owner.

### **5. Cancellation of Prefix:**

A registered prefix that has not been used in the naming of registered animals may be cancelled after a period of five years, unless the owner has been a continuous member.

### **6. Naming Animals:**

- (A) Names of animals shall not be duplicated. The Association reserves the right to change any name when necessary, preserving as far as possible some characteristic of the name given on the application.
- (B) A name shall not contain more than thirty letter spaces or characters and shall include the numeral affix and year letter, as well as the prefix if same is being used.
- (C) Animals from other countries shall be registered with the same name as shown on the Certificate of Registration issued in the country of origin.
- (D) Notwithstanding the above, the Association reserves the right to refuse any name which may be misleading, or any name which may be misleading as to the origin or relationship of an animal.
- (E) A combination of a name and a title of a member of the royal family; or a leader of a national government of the day; or any logo or part thereof in use by the Association, shall not be used in naming animals.

### **7. Change of Name:**

- (A) The Association may approve a change in the name of an animal providing:
  - (i) That there are no registered offspring; and
  - (ii) That, in the case of a bull, no semen has been drawn, and
  - (iii) That, in the case of a female, she has not been flushed.

(B) A change of animal name request must be presented to the Association, signed by the owner at birth with the Certificate of Registration and the necessary fee.

(C) If a registered prefix was used in the original name, it must also be used as the prefix in any suggested change.



## 17. Rules of Eligibility

### 1. Admittance to Registry: The following may be admitted to registry:

- (A) An animal that is confirmed to meet the inherited breed characteristics and proof of parentage as a purebred, which is described in section #2, article #1, and which can be determined as purebred by DNA testing, by the approved designated laboratory by the Canadian Hereford Association.
- (B) An animal, born in Canada, identified by tattoo markings, whose sire and dam are recorded in the Canadian Hereford Herd Book.
- (C) An animal, imported in dam from a member country of the World Hereford Council, whose dam is recorded in the Canadian Hereford Herd Book and whose sire is recorded in the Hereford Herd Book in the country of origin.
- (D) An animal, born in a member country of the World Hereford Council, imported into Canada, who is recorded in the Hereford Herd Book in the country of origin.
- (E) Animals who are over thirty months of age and are progeny of an animal who has been suspended or cancelled by the Canadian Hereford Association shall be eligible for registration in the event that the suspended or cancelled parent is reinstated in the Canadian Hereford Association, provided that:
  - (i) Such animal's birthdate, sex, tattoo, tattoo of sire and tattoo of dam was submitted to the Canadian Hereford Association on the later of six months after approval of this provision of the constitution by the Minister of Agriculture of Canada or six months after the animal's birth date; and
  - (ii) Such animal's registration was completed within six months of the animal's parent's registration reinstatement.
  - (iii) The registration fee to be charged shall be:
    - (a) For animals born prior to the suspension or cancellation of their ancestor's registration, the fee that would apply on the date that the animal's ancestor was suspended or cancelled.
    - (b) For animals born after the suspension or cancellation of their ancestor's registration, the fee shall be that charged for an animal 0 - 6 months of age.

### 2. Pasture Bred Females:

Where females are being pasture bred, 21 days must elapse between the time one bull is removed from the herd and another is turned in.

### 3. Parentage Check:

- (A) Where there is any doubt as to the parentage of calves, written application must be made to the Canadian Hereford Association, which may approve registration subject to qualified parentage tests, costs of which will be borne by the registration applicant.
- (B) The Association may, to prove authenticity of parentage, request the DNA genotyping of sire, dam and calf. This may apply to every one-thousandth female calf registered and every five-hundredth bull calf registered.
- (C) If, at the time of making application, the animal is over the age of thirty months it must qualify to a parentage test at a lab designated by the Canadian Hereford Association Board of Directors, costs of which will be borne by the applicant.

### 4. Artificial Insemination Calf:

A calf that is a result of artificial insemination shall be eligible for registration provided the Canadian Hereford Association regulations governing artificial insemination are met.

### 5. Embryo Transplant Calf:

A calf that is a result of embryo transplant shall be eligible for registration provided the Canadian Hereford Association regulations governing Embryos and Embryo Transfer are met.

### 6. Multiple Sire Pasture Breeding:

Animals resulting from a multiple sire pasture breeding program may be eligible for registration provided the sire is qualified by DNA testing.

- (A) The Bovine DNA genotyping laboratory must confirm (based on the differences of the sires DNA profiles) as to whether progeny can be qualified by DNA testing to the sire only or whether it will be necessary to have their dams included in the DNA parentage confirmation.

## **18. Applications for Registration**

### **1. Applications for Registration of Animals Born in Canada:**

- (A) Animals born in Canada cannot be registered in a foreign country prior to being registered in Canada.
- (B) Applications for registration of animals born in Canada must be made by the owner of the dam at the time of birth of the subject animal to the Canadian Hereford Association on forms or in the format approved by the Canadian Hereford Association Board of Directors.
- (C) The dam must be registered in the Canadian Hereford Herd Book in the name of the owner certifying the service, except the calves imported in dam.
- (D) Registration of animals with the Canadian Hereford Association is made on the understanding that the particulars given on the application are correct. Where the applicant has made an error on the application for registration of animals born in Canada, such applicant must apply to amend the certificate to correct the error at the expense of the original applicant.

### **2. Applications for Registration of Animals from Other Countries:**

- (A) Applications for registration of animals from other countries must be made by the importer, showing date of importation, on forms or in the format approved by the Canadian Hereford Association Board of Directors and be accompanied by:
  - (i) The foreign Certificate of Registration showing that the animal was transferred to the Canadian importer making application;
  - (ii) A five generation extended pedigree issued by the foreign association; and
  - (iii) In the case of a bred female, a service certificate issued by the foreign association.
- (B) If an animal is in calf, in order to register the produce, the service information must be verified by the Recording Association in which the service sire is registered and said service sire must be eligible for registration in Canada.
- (C) When a bull's semen is imported into Canada for the purpose of producing offspring eligible for registration, and the bull which produced the semen is not imported into Canada, an owner of the bull must complete an application for registration and provide such documentation as required by the Canadian Hereford Association.
- (D) Animals born in Canada resulting from embryos imported into Canada from member countries of the World Hereford Council are eligible for registration in Canada provided that:
  - (i) The parents of these resulting animals are currently registered in the Herd Book of the World Hereford Council member country; and
  - (ii) The Canadian resident who imported the embryo(s) applies for registration on the forms provided by the Canadian Hereford Association; and
  - (iii) The importer provides such documentation as may be required by the Canadian Hereford Association.

### **3. Registration of Canadian Born Animals:**

- (A) 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.
- (B) When a change of ownership takes place before registration, the Application for Registration and Transfer must be presented to the Canadian Hereford Association with the registration and transfer fees.

### **4. Twins:**

- (A) Registration of a Canadian born animal will be made in the name of the owner of the dam on the date the calf was born.
- (B) Should a twin be entered upon the record without such statement, both twins will require DNA parentage validation to verify both animals as twins in order to be registered.

**5. The Breeder of an Animal:**

Is the owner or lessee of the dam at the time she was served.

**6. The First Owner:**

Is the owner of the dam at the time the calf was born.

**7. Semen/Embryos Illegally Imported:**

Any Certificate of Registration obtained for progeny, which resulted from semen/embryos illegally imported into Canada, will be cancelled by the Association.

**19. Transfers and Duplicate Certificates:**

**1. Sale of Animal as a Purebred:**

(A) 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.

(B) Refusal to do so on any pretext whatsoever shall be grounds for his expulsion if a member; if not a member, further privileges of the Association shall be refused.

**2. Application for Transfer of Ownership:**

(A) Applications for Transfer must be made by the current owner(s) to the Canadian Hereford Association on the form or in the format approved by the Canadian Hereford Association Board of Directors.

(B) When a female has been inseminated, hand bred or exposed to one or more bulls, the complete service information must be reported on the Application for Transfer.

(C) If the Application for Transfer of Ownership of a female does not indicate a service date, no calf from the female for that breeding season may be registered without the approval of the Pedigree Committee.

**3. Animals Sold for Slaughter and Dead Animals:**

When a registered animal is sold for slaughter, the transfer shall not be recorded on the records of the Association.

**4. Animals Leased for Breeding Purposes:**

(A) Application for Lease must be made to the Canadian Hereford Association by the Lessor on the form or in the format approved by the Canadian Hereford Association Board of Directors.

(B) The terms of the agreement shall be fully disclosed on the application.

(C) The Lessee will in all cases be considered the owner of the progeny of leased females for the term of the lease.

**5. Lost, Destroyed, or Unobtainable Registration Certificates:**

When a Registration Certificate is lost, destroyed or unobtainable, a Duplicate Certificate may be issued by the Canadian Hereford Association upon receipt of a declaration form as approved by the Canadian Hereford Association Board of Directors.

**6. Application from Purchaser:**

The Canadian Hereford Association shall have authority to accept an Application for Registration or Transfer from the purchaser or holder of the Certificate.

## **20. Fees**

1. All fees shall be paid in advance to the Canadian Hereford Association.
2. The fees for services provided shall be those set from time to time by the Board of Directors.
3. The provincial fees shall be collected by the Canadian Hereford Association.

## **21. Non-members**

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.

## **22. Declaration Pertaining to Content**

Wherever the context permits in this Constitution, the singular shall include the plural and the masculine the feminine and the neuter.

## **23. Incorporation**

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

## **24. Repeal**

The Constitution of this Association as heretofore in effect is hereby repealed.



Photo by: Alana Williams



## APPENDIX

The Canadian Hereford Association is incorporated under the Animal Pedigree Act (previously the Livestock Pedigree Act).

All breeders of registered stock must comply with this act.

The following excerpts from the Animal Pedigree Act are of particular interest:

### Section 63:

1. Except as authorized by this act, where an association is authorized by this act to register or identify animals of a distinct breed or evolving breed, no person shall keep pedigrees in respect of animals of that distinct breed or evolving breed or issue any document purporting to evidence that a particular animal is of that distinct breed or evolving breed or so closely resembling a certificate of registration, or certificate of identification, as the case may be, that is would likely be mistaken for such a certificate.

2. No person shall issue, in respect of any animal, any document of any kind likely to deceive the public into believing that the document is a certificate of registration or certificate of identification in respect of the animal or that the animal is registered or identified under the authority of this act.

### Section 64:

No person shall:

(A) Knowingly sign or present, or cause or procure to be signed or presented, to a recording officer of any association or of the corporation any declaration or application in relation to the registration, identification or transfer of ownership of any animal, semen or embryo that contains any material false statement or representation;

(B) Knowingly represent that a certificate of registration or certificate of identification applies to an animal other than the one in respect of which it was issued;

(C) Knowingly represent that a semen certificate or embryo certificate applies to any semen or embryo other than the semen or embryo in respect of which it was issued;

(D) Falsify or alter any certificate of registration, certificate of identification, semen certificate or embryo certificate;

(E) Without an express statement that the animal's registration or identification is from a jurisdiction other than Canada, offer to sell, contract to sell or sell, as registered or identified, or as eligible to be registered or identified, within or outside the meaning of this act, any animal that is not registered or identified, or eligible to be registered or identified;

(F) Offer to sell, contract to sell or sell, as recorded, or as eligible to be recorded, in the books of any association, or of the corporation, any semen or embryo that is not recorded or eligible to be recorded in those books;

(G) Knowingly offer to sell, contract to sell or sell any animal in a manner that is likely to create an erroneous impression that the animal is registered or eligible to be registered;

(H) Offer to sell, contract to sell or sell, as a purebred of a breed any animal that is not registered or eligible to be registered as a purebred by the association authorized to register animals of that breed or by the corporation;

(I) Without an express statement that the animal's registration, identification or status as a purebred is from a jurisdiction other than Canada, offer to sell, contract to sell or sell, as registered or identified, or as a purebred, any animal for which there is no individual identification in accordance with the by-laws of the association that has registered or identified the animal; and

(J) Without an express statement that the animal's registration, identification or status as a purebred is from a jurisdiction other than Canada and that the animal will not be registered or identified in Canada by the person, sell, as registered or identified, or as eligible to be registered or identified, or as a purebred, any animal without providing to the buyer thereof with six months after the sale the animal's duly transferred certificate of registration or certificate of identification.

### Section 65:

No person shall, without lawful authority, use the name of the corporation or the name of any association or any name so clearly resembling the name of the corporation or the name of an association in a manner that is likely to deceive the public.

## **Section 66:**

Any person who contravenes any provision of this act or the regulations:

- (A) Is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding twenty-five thousand dollars; or
- (B) Is guilty of an indictable offence and is liable to a fine not exceeding fifty thousand dollars.

## **Section 67:**

The provisions of the Criminal Code prescribing a time limit for making a complaint or laying an information in respect of offences punishable on summary conviction do not apply to proceedings in respect of an offence under this Act.

## **Section 68:**

1. The provisions of this act apply to every association to which the Livestock Pedigree Act applied immediately before the coming into force of this act.
2. The application filed with the Department of Agriculture of every association referred to in subsection (1) is deemed to constitute the association's articles of incorporation for the purposes of this act.

*Address all inquiries as to membership, registration and transfer of ownership, as well as any other matters relating to the purebred Hereford industry to:*

### **Canadian Hereford Association**

5160 Skyline Way NE  
Calgary, AB T2E 6V1  
P: 403-275-2662  
F: 403-295-1333  
info@hereford.ca  
www.hereford.ca

**HEREFORD** **CANADIAN  
HEREFORD  
ASSOCIATION**