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Constitution Canadian Aberdeen Angus Association Bylaws

A. PREAMBLE

ARTICLE 1—INCORPORATION

The Canadian Aberdeen Angus Association is incorporated under the auspices of the Animal Pedigree Act of Canada.

The Bylaws of the Canadian Aberdeen Angus Association are hereby adopted.

ARTICLE 2—NAME

The name of the Association shall be the “Canadian Aberdeen Angus Association”, operating under the trade name “Canadian Angus Association.”

ARTICLE 3—MISSION

To maintain breed registry, breed purity and provide services that enhance the growth and position of the Angus breed.

B. ADMINISTRATIVE BYLAWS

ARTICLE 1—MEMBERSHIP

1.1 Classes and Conditions of Membership

(a) MEMBERS: Shall be those individuals, partnerships, or companies, incorporated under federal or provincial charter, resident in Canada, who pay the prescribed annual membership fee due the first day of January of each year.

(b) NON-RESIDENT MEMBERS: Individual residents outside of Canada may become members, but shall not hold office or be entitled to vote at any meeting.

(c) JUNIOR MEMBERS: Junior members shall be those individuals under twenty-one years of age, resident in Canada who have paid the prescribed annual membership fee due the first day of January of each year. Junior members shall not hold office, nor be entitled to a vote.

(d) LIFE MEMBERS: All those who purchased Life Memberships prior to July 1, 1980. Life memberships are held in the name of individuals and are non-transferable. Life members are entitled to vote and receive a copy of the official publication.

(e) NON-MEMBERS: Any person not a member of this Association transferring animals on the records of the Association shall be subject to the same rules and regulations as a member.

(f) HONORARY PRESIDENTS: Those persons nominated by regional associations and named by resolution of the Board of Directors. Honorary Presidents are recognized for significant contribution to the breed or the Association and do not by virtue of this designation take any part in the management of Association affairs.

1.2 Applications for Membership

(a) Application for membership shall be in writing and each applicant, on becoming a member, shall be bound by the Bylaws and amendments thereto and all rules of the Association.

(b) The Board of Directors shall have the power to reject any application for membership.

(c) Application for partnership or incorporated company membership shall specify the person authorized to vote, act, or sign, for the partnership or company.

(d) 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 other fees or dues nor is suspended.

1.3 Rights and Obligations of Members

(a) No member shall be entitled to any of the rights and privileges of the Association during any year until his annual fee for that year is paid.

(b) No member shall hold office or be entitled to vote at a meeting, or to give notice to amend these Bylaws if he is at the time in arrears of membership or other fees or dues and no member shall be entitled to vote who was not a member of the Association at the time notice was given calling such meeting.

1.4 Fees

The Board of Directors shall from time to time set the fees charged to members and non-members doing business with the Canadian Angus Association.

1.5 Annual and Other Meetings of Members

(a) The annual general meeting of this Association shall be held at such time and at such place as decided upon by the Board of Directors.

(b) Other general meetings shall be held at the time and place fixed by the Board of Directors.

(c) At the written request of twenty members, the CEO or the President shall call a special general meeting of the Association at such place as he may designate, which

meeting shall have the same status as if it had been called in the regular way by the Board of Directors of this Association, but such meeting shall have no power to amend these Bylaws.

1.6 Notice

A notice of at least 30 days in advance shall be given by mail indicating the time and place of the annual meeting or other general meetings. This notice shall be given by a circular letter, postage prepaid, to the last known address appearing on the books of the Association. In the event of the Association issuing an official publication, a notice published therein shall be deemed sufficient.

1.7 Quorum

For the transaction of the business of the Association at an annual or other general meeting a quorum shall be twenty-five.

1.8 Voting

(a) The right to vote at an annual meeting requires paid-up membership for the year that precedes and is concluded by the annual meeting.

(b) A member of a partnership or company other than the person mentioned in the application, may be authorized by the partnership, or company, to act or vote at any meeting of the Association, even though that person may have multiple memberships.

(c) There is one vote per paid membership and there shall be no proxy voting.

ARTICLE 2—BOARD OF DIRECTORS

2.1 Number of Directors

The affairs of the Association shall be conducted by a Board of Directors who shall be elected from each of the following regions:

1. British Columbia, N.W.T., Yukon
2. Alberta
3. Saskatchewan
4. Manitoba
5. Ontario
6. Quebec
7. Maritimes

Each region shall be entitled to elect at least one director. Regions whose members register over four thousand animals per year shall be entitled to elect one additional director for each additional four thousand registrations achieved over and above the initial four thousand registrations. To determine the number of registrations for each region, the three previous calendar years' registrations shall be averaged. There will be a maximum of five positions from any one region on the Board of Directors.

2.2 Terms

Directors are elected for three-year terms, and shall hold office from the day after the annual meeting.

2.3 Elections

(a) A member elected to the Board shall not be allowed to serve more than 2 full consecutive terms plus whatever term may be required if he or she serves in a protected capacity as President Elect, President, or Past President.

(b) The names to appear on the ballot for election of Directors from each area shall be all those names nominated by members in good standing at a general meeting of the respective regional association. The Secretary of the regional association shall submit the names of nominees to the CEO no later than 120 days prior to the annual meeting.

(c) When the name or names submitted equal the number of vacancies that exist that person or persons shall be declared elected and assume duties effective the day following the annual meeting of that year.

2.4 Election Voting

(a) Ballots shall be sent to all members in good standing by 90 days prior to the annual meeting. The completed ballot shall be delivered to the office of the Association or postmarked 60 days prior to the annual meeting. All ballots must be in an envelope bearing the words "voting paper".

(b) Ballots for the election of directors shall be counted 6 business days following the closing of ballots. All members in good standing resident in the region with a vacancy shall be entitled to vote for as many Directors as the region is entitled to elect. Any ballot marked for more than the number of Directors to be elected shall be deemed a spoiled ballot.

(c) The envelopes containing the voting papers shall be opened and counted on the day of the said election by the CEO (or in his absence someone designated by the President) in the presence of two scrutineers approved by the Board of Directors.

(d) If two or more members should receive the same number of votes a second mail ballot election shall be held between the tied candidates.

(e) Upon the completion of the count, the CEO shall make a statement in writing of the results to the candidates and regional secretaries. The candidates have the right to request and receive an accounting of the votes cast and the number they received.

2.5 Vacancies on the Board

In the case of resignation or loss of a Board member before expiry of their term, the Board of Directors of the respective regional association may appoint a person from that region to fill the remainder of the year. Such a person shall be eligible to run for two full subsequent terms.

2.6 Powers of the Board

- (a) The Board of Directors are hereby empowered to implement such rules and regulations and take such steps as they deem necessary for the proper enactment and enforcement of the Bylaws of the Association.
- (b) The Board of Directors shall hire a Chief Executive Officer (CEO) to be the Chief Administrative Officer of the Association to insure the competent management of the Association's affairs.
- (c) The CEO shall name an official Registrar.

2.7 Committees of the Board

- (a) Pedigree Committee: The President or his representative, the CEO and the Registrar shall be a committee with the authority to authorize change of ownership, and registration of pedigrees where signatures or other information are for any reason unobtainable. The decision of the Committee shall if unanimous, be final. If the committee is not unanimous, the matter in question shall be submitted to the Board of Directors for decision. This committee of the Board of Directors shall have no power to authorize the registration of any animal unless the pedigree of breeding submitted complies in all particulars with the rules of eligibility for registration as outlined elsewhere in these Bylaws. All decisions of the committee shall be reported to the Board of Directors, and shall be incorporated in the minutes of their next meeting.
- (b) The Board of Directors may create whatever other committees it considers necessary to assist it in fulfilling its governance accountability.

2.8 Officers of the Board

- (a) PRESIDENT: At their first meeting after each annual meeting, the Board of Directors shall be asked to ratify by simple majority the elevation of President Elect to President. Upon approval, the President Elect shall assume the office of President for the ensuing year.
- (b) The term of the President shall run from the date of election until the selection of a replacement following the next annual general meeting.
- (c) When, for any reason, the President Elect does not assume the office of President, the Board of Directors shall elect among their number, a President for the ensuing year.
- (d) The President shall preside at all Director and General Meetings of the Association, exercise a general supervision over all the affairs of the Association, and do all matters, acts and things that are usually done by Presidents of similar organizations. The President shall be an ex-officio member of all committees.
- (e) At meetings of the Directors and all committees, the Chairman shall have a vote, as long as he votes at the same time as the others of like mind when the question is put. If a tie vote results the motion shall be declared defeated.

(f) PRESIDENT ELECT: A President Elect shall be elected in the same manner to hold office for a similar term, and in case the President is unable to act on account of illness or absence, shall perform all duties of the President.

(g) The term of President Elect shall run from the date of election until the selection of a replacement following the next annual general meeting.

(h) Should the term of office of the President Elect expire the year he is elected, he shall automatically hold office until his terms as President Elect, President and Past President expire and there shall be no election in his region until his term as Past President is about to expire.

2.9 Meetings of the Board

(a) Meetings of the Board of Directors shall be held as often as the business of the Association may require and shall be called by the President or the CEO upon the request of the President or a majority of the members of either body.

(b) A meeting of the Board of Directors may be held by teleconference call providing proper notice is provided to members and a quorum be involved and regular minutes are recorded.

(c) Notice of meetings of the Board of Directors other than the one immediately following the annual general meeting shall be mailed, faxed, phoned or electronically transferred to each director at least seven (7) days before the date of meeting to his last known address appearing on the books of the Association, or by telegram at least five days before the date of meeting.

(d) A meeting of the Board of Directors may be held on shorter notice or without written notice, providing all directors have given their consent to the meeting being held. Such consent shall be entered in the minutes.

(e) A copy of the minutes of all meetings of the Board of Directors shall be mailed within fifteen working days following such meeting, to each director.

(f) At a meeting of the Board of Directors, a quorum shall be seven.

2.10 Indemnification

(a) Each director or officer holds office with protection from the Association. The Association indemnifies each director or officer against all costs and charges that result from any act done as a director or officer for the Association. The Association does not protect any director or officer for acts of fraud, dishonesty, or bad faith.

(b) No director or officer is liable for the acts of any other director, officer or employee. No director or officer is responsible for any loss or damage due to bankruptcy, insolvency, or wrongful act of any person, firm, or corporation dealing with the Association. No director or officer is liable for any loss due to an oversight or error in judgment, or by an action when acting as a director or officer of the Association, unless the act is fraud, dishonesty or bad faith.

ARTICLE 3—SUSPENSION, EXPULSION, OFFENCES AND PENALTIES

3.1 Conditions of Expulsion and Suspension of Members

(a) The Offenses and Penalties as set forth in the Animal Pedigree Act are applicable to all acts contrary to the regulations of the Association.

(b) Any member who:

- (i) Is in arrears of any fees owing to the Association;
- (ii) Contravenes a Bylaw of the Association relating to the eligibility for registration of animals by the Association;
- (iii) Contravenes a Bylaw of the Association relating to the individual identification of animals;
- (iv) Contravenes a Bylaw of the Association relating to the keeping of private breeding records;
- (v) Contravenes any provision of the Animal Pedigree Act or the regulations thereunder;
- (vi) Has contravened any provisions of the Health of Animals Act or the regulations thereunder relating to the identification or testing of animals; or
- (vii) Has participated in conduct that is prejudicial to the interests of the Association;

may be expelled or suspended and may be denied the privilege to register and transfer animals in the Herd Book of the Association.

3.2 Procedure for Expulsion and Suspension of Members

(a) On written complaint being made against a member or upon information reflecting upon any member's conduct coming to the attention of the CEO, it shall be the duty of the CEO 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 Bylaws; or
- ii) He has reasonable cause to believe there has been a breach of these Bylaws.

(b) If the CEO 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 Board of Directors. The CEO 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 Board of Directors 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.

(c) At the hearing before the Board of Directors, the member against whom the complaint has been referred, 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 Board of Directors shall make its finding and shall render its decision thereon, either exonerating or suspending the member. The Board of Directors shall file its decision with the CEO of the Association and shall give notice thereof to the member involved.

3.3 Reinstatement of Suspended or Expelled Member

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 date of suspension or expulsion by the Board of Directors.

3.4 Suspension and Cancellation of Registration Certificates

(a) Registration or transfer of ownership of an animal is made on the understanding that the particulars given on the application are correct.

(b) Pedigrees recorded incorrectly may be cancelled and re-recorded by the owner or by the Registrar at the expense of the original applicant for registration or transfer.

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

(d) Within sixty (60) days of the interim suspension of the registered certificate of any animal the CEO must either:

- (i) Satisfy himself that the registration certificate is satisfactory and thus remove the interim suspension referred to in Bylaws 3.4(c) 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 Board of Directors.

(e) If no appeal is made within the ninety (90) days following the interim suspension period, the certificate of registration for the animal in question is cancelled.

3.5 Appeal of Suspended Registration Certificates

(a) If appealed within the ninety (90) days, the matter of such suspended registration must be placed before the next Board 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.

(b) At the conclusion of the due hearing, the Board of Directors may 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.

(c) The Board of Directors shall have the power to adjourn any hearing to obtain further information before reaching a decision.

(d) The CEO, at his discretion, may include more than one animal in any notice to an owner with respect to a hearing before the Board of Directors.

3.6 Notice and Publication

(a) Service of any notice on a member shall be in writing to the last address shown in the Association for that member. Service shall be deemed to be received seven (7) days after the notice was sent by the Association.

(b) The announcement and publication of any ruling of the Board of Directors shall be within the discretion of the Board of Directors.

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

3.7 Liability

(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 neither this Association nor the Registrar shall be held responsible for any loss or damage that may be sustained through suspension, cancellation or correction of any registration.

3.8 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 to the Minister of Agriculture.

ARTICLE 4—FINANCIAL AND CONTRACTUAL OBLIGATIONS

4.1 Offices

The offices of the Association shall be in the City of Calgary, Alberta and the location of the office for the registration of pedigrees shall be determined from time to time by the Canadian Aberdeen Angus Association Board of Directors.

4.2 Fiscal Year

The fiscal year and the membership year of the Association shall correspond with the calendar year.

4.3 Regional Associations

Members of the Association in good standing may organize regional associations, clubs or societies under a constitution approved by the Board of Directors of the Canadian Angus Association. The activities of any such regional association shall be confined solely to its provincial interests and shall not conflict in any way with the activities of this Association. Not more than one association in each province shall be organized under this constitution. Two or more provinces or territories may join together to form one association. A financial statement of each regional association shall be submitted annually to the Canadian Angus Association.

4.4 Audit and Annual Report

(a) The Association at each annual general meeting shall appoint an auditor or auditors. His duty shall be to examine the book of accounts of the Association, vouchers for all payments and certify the usual statement of receipts and expenditures and assets and liabilities for the year, for presentation to the next annual general meeting.

(b) 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 the receipts and expenditures of the preceding year and of the assets and liabilities of the Association.

(c) A copy of this report, a list of members, officers elected and also general information on the affairs of the Association shall be sent to the Minister of Agriculture for Canada within twenty days after the general meeting.

4.5 Expenses, Income and Property

The income and property of the Association from whatever source derived, shall be applied solely towards the promotion and furtherance of the objects of the Association and no part thereof or otherwise as profits or gain to members of the Association, past, present or future, or any person claiming through any member providing, however, that nothing therein contained shall prevent the bona fide payment or remuneration to any manager, secretary, treasurer, registrar, officer, clerk or employee or other person for services actually rendered the Association whether such are members of the Association or not, and the expenses of the directors or other officers in doing the business of the Association.

4.6 Books

The Association shall cause a book to be kept by the staff and the secretary of each branch of the Association, if any, wherein shall be contained a copy of the Bylaws, articles of incorporation, business and books so that persons becoming members of the Association may at all reasonable times examine the same.

4.7 Registration and Membership Fees

All fees paid to the Association shall be deposited to the credit of the Association in a chartered bank selected by the CEO.

4.8 Interpretation of Meaning

Wherever the context permits in these Bylaws, the singular shall include the plural, the masculine the feminine and the neuter.

4.9 Corporate Seal

The seal as stamped in the margin hereof, shall be the corporate seal of the Association. Custody of the seal is the responsibility of the CEO and the Board of Directors shall determine its use.

4.10 Amendment of Bylaws

(a) Notice of all proposed amendments to these Bylaws shall be in writing and signed by ten members in good standing, or passed by a simple majority of the Board of Directors.

(b) Proposed amendments shall be given to the CEO so they may be published as provided for in the regulations of the Association.

(c) These Bylaws may be amended by a majority vote of those members in good standing who vote in a referendum by mail which is properly conducted under the regulations established by the Association.

(d) No amendments shall be valid until approved by the Minister of Agriculture for Canada and filed at the Department of Agriculture of Canada.

(e) Notice of all proposed amendments to these Bylaws shall be provided to the Minister of Agriculture for Canada.

(f) If the Association wishes to change its articles of incorporation, amalgamate with one or more other associations or dissolve the Association, an amendment may be presented to the general membership by mail ballot provided the amendment is authorized in writing by ten members in good standing.

4.11 Repeal of Bylaws

The constitution of this Association approved the 29th day of May, Nineteen hundred and twenty-two, and amendments thereto, is hereby repealed.

C. REGULATORY BYLAWS

ARTICLE 1—REGISTRATION

1.1 Registration of Pedigrees

- (a) An accurate copy of all records, known as the Canadian Angus Herd Book, shall be maintained at the office of the Canadian Angus Association.
- (b) There shall be furnished by the Registrar for all eligible animals a certificate of registration on the form adopted by the Board of Directors.
- (c) Any person suspended or expelled from membership shall not be allowed the privilege of recording pedigrees in the records of the Association.

1.2 Registration of Tattoo Letters

- (a) Every Angus animal for which application for registration is made shall be marked for identification by tattoo as provided herein.
- (b) The owner at the time of birth of every animal born in Canada should tattoo mark such animal.
- (c) Every animal shall be marked before it is weaned and before it is 8 months of age.
- (d) Imported cattle, if not previously marked by tattoo in the country of origin, shall be marked before application is made for registration in the Canadian Angus Records.
- (e) Each breeder or owner who desires to register Angus cattle in Canada shall apply for and shall be allotted herd designation letters from the Registrar for his exclusive use with which to tattoo mark animals born on his property.
- (f) Such tattoo letters shall be tattooed in the right ear in the manner prescribed by the Association.
- (g) In the event of a change of name of a partnership or company, or if a member of the same family is taken into partnership, the tattoo letters may be transferred on the application of the registered owner or his authorized representative. Likewise, transfer may be made from a deceased owner to his heir.

1.3 Registration of Names

All animals entered in the Canadian Angus Herd Book must be named in accordance with the following rules:

- (a) Names shall not contain more than thirty letters or characters, including numeral affix and spaces.
- (b) Where an animal is red in color the word “Red” must be included in the name as the prefix.

- (c) A breeder may register a particular herdname for his exclusive use in naming his animals, by applying to the Registrar, and paying the prescribed fee. A particular herdname will be allowed to one person or partnership only, and in registering such a herdname, priority in use and in application for registration shall be considered.
- (d) Letters may be used as a registered herdname.
- (e) No herdnames shall be issued with the word “Red”.
- (f) A registered herdname may be used by a member of the immediate family, provided written consent of the registered owner is on file with the Registrar.
- (g) The registered owner may transfer a herdname on application to the Registrar.
- (h) The Association reserves the right to refuse any name which may be misleading as to the origin or relationship of an animal. Names of members of the Royal Family or leaders of national governments of the day shall not be used.
- (i) Any dispute between breeders as to priority right to any herdname shall be referred to the Board of Directors.
- (j) Where an animal is propagated by embryo transplant, the letters ET must be included on the registration certificate following the sex of the animal.
- (k) Where an animal is propagated by cloning, the letters CL must be included on the registration certificate following the sex of the animal.
- (l) Duplication of names shall not be permitted, except in the case of clones where the clone must bear the same name and a numeric indicator.
- (m) It shall be permissible to change the name of an animal provided no descendants of such animal are yet registered in the Canadian Angus Herd Book. A new application for registration must be completed and signed by the owner at birth, then presented to the Registrar with the certificate of registration and the necessary fee.
- (n) 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.
- (o) Where an animal is a twin the letters “TW” will be used as a prefix before the registration number. Where an animal is from a multiple birth, an “M” will be used as a prefix before the registration number.

ARTICLE 2—RULES OF ELIGIBILITY

2.1 Eligible Animals

The following animals are eligible for registration and entry into the Canadian Angus Herd Book:

- (a) Animals bred and born in Canada, whose sires and dams are recorded in the Canadian Angus Herd Book.
- (b) An animal imported in utero, whose dam is recorded in the Canadian Angus Herd Book and whose sire is eligible for registration in the Canadian Angus Herd Book.
- (c) Animals imported from countries where they have been registered in the Herd Book of an association recognized by the Canadian Angus Association, provided the application for registration is accompanied by an official certificate of registration bearing three generations of individually registered ancestry, provided the animals meet the Canadian Angus Association rules of eligibility.
- (d) A calf the product of artificial insemination shall be eligible for registration, provided the requirements of the Association's "OFFICIAL REGULATIONS GOVERNING ARTIFICIAL INSEMINATION" are met.
- (e) Any animal having birth marks or white hairs on traditional black or red colored skin shall be eligible for registration.
- (f) A calf propagated by embryo transfer will be eligible for registration under the same terms as a calf propagated by natural or artificial mating provided the requirements of the Association's "OFFICIAL REGULATIONS GOVERNING EMBRYO TRANSFER" are met.

2.2 Ineligible Animals

The following animals are NOT eligible for registration and entry into the Canadian Angus Herd Book:

- (a) A natural calf born less than 275 days after the birth of the dam's last calf shall be eligible for registration, provided it meets a parentage verification requirement.
- (b) An animal with white skin above the underline, in front of the umbilical scar (navel) or on leg or legs, or which does not possess traditional black or red skin color, shall not be eligible for registration.
- (c) Animals with a horn or horns shall not be eligible for registration.
- (d) An animal with a scur or scurs shall not be eligible for registration. Scurs are defined as any cartilaginous or horny growth which may develop from natural causes through the skin or on the surface of the skin on that part of the head where horns grow on horned cattle.
- (e) In any case where the parentage of an animal that is claimed to be registerable Angus is questioned, or as a periodic parentage verification, the Association may either authorize the drawing and typing of blood or use of Deoxyribo-Nucleic Acid (DNA) analysis to determine the correctness of the parentage claim.
- (f) An animal having genetic defects, abnormalities, or non-Angus characteristics shall not be eligible for registration.

(g) An animal whose sire and dam are both known carriers of genetic defects shall not be eligible for registration.

ARTICLE 3—APPLICATION FOR REGISTRATION

(a) All applications for registration of animals under these Bylaws must be made on forms supplied or approved by the Registrar of the Canadian Angus Association and all blank spaces must be filled in, in ink or typewritten.

(b) Applications for registration of animals from other countries must be signed by the importer, show date of importation and be accompanied by Certificates of Registration showing that they were registered in the record book of the country from which they came, and in the name of the Canadian importer. If any 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.

(c) An application for registration of an animal born in Canada must be signed by the owner of the animal at the time of birth, and by the owner of the sire at the time the dam was served. The dam must be registered in the Canadian Angus Herd Book in the name of the owner signing and the sire must be registered in the Canadian Angus Herd Book in the name of the owner certifying the service.

(d) Registration of Canadian bred animals in all cases will be made in the name of the person owning or leasing the dam at the date of birth of the calf. If change of ownership has taken place after birth, the usual transfer must be filed, for which the usual fee will be charged.

(e) When an animal is a multiple birth, it shall be so stated when applying for registration, and the sex given of the animals within the multiple birth. Should a multiple birth be entered upon the record, without such statement no subsequent application for entry of an animal multiple birth with the same, shall be accepted.

(f) The breeder of an animal is the registered owner or lessee of the dam at the time of conception.

(g) The first owner is the registered owner or lessee of the dam at the time she produced the calf.

(h) When a donor cow produces embryos the breeder shall be the registered owner or lessee of the dam at the time of recovery. The registered owner of the embryo at the time of the transplant shall be the first owner.

(i) Duplicate names must be avoided. The right is reserved to change any name when necessary, preserving, however, as far as possible, some characteristic of the name given in the application.

ARTICLE 4—LEASES

4.1 Animals Leased for Breeding Purposes

- (a) Application for lease must be made to the Canadian Angus Association by the lessor on the form or in the format approved by the Canadian Angus Association.
- (b) The terms of the lease 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.

ARTICLE 5—TRANSFER CERTIFICATES

- (a) In case of the sale of an animal, the seller must furnish to the purchaser a transferred certificate of registration in the Canadian Aberdeen Angus Herd Book, showing the purchaser's ownership.
- (b) If the animal is sold to any purchaser resident in Canada or outside of Canada, refusal to do so on any grounds whatsoever, unless stated specifically in the terms of sale that the certificate of registration would not be provided, shall be grounds for his expulsion, if a member, from the Association.

If not a member further application for registration or transfer shall be refused until such time as the dispute is settled to the satisfaction of the Board of Directors of the Canadian Aberdeen Angus Association.

- (c) Unless otherwise agreed upon between the parties the Association considers an animal sold when the seller receives the full payment for the animal.
- (d) Applications for registration of change of ownership must be made in ink, or typewritten on forms supplied by the Registrar or on the back of the original certificate and must give date of sale and date of delivery, and in the case of females, if bred, service certificates must be completed.
- (e) All service sires must be DNA tested.
- (f) Change of ownership will be endorsed on the back of the original certificate of registration which must be forwarded to the Registrar with the application for transfer of ownership.
- (g) In the case of the sale of an animal for any other reason than breeding purposes, as prescribed by the regulations of this Association, the seller shall not furnish the purchaser with the certificate of registration but forward it, with full details of the sale, to the Registrar. The transfer of ownership of an animal so reported shall not be recorded on the records of this Association.
- (h) In the case of death of an animal from any cause whatever, the pedigree certificate should be sent to the Registrar with a statement of the reasons therefore.

(i) If the sale of any animal takes place, and a transfer of ownership is made on the records of the Association and if it is subsequently discovered that the animal sold or the animal registered is not the animal represented on the records, the Registrar shall on discovery of the same, declare the transfer or pedigree void together with any entry or transfer of descendants of such animal.

ARTICLE 6—DUPLICATE CERTIFICATES

(a) A duplicate certificate may be issued if the registered owner or his authorized agent files a statutory declaration on a form supplied by the Registrar showing in a satisfactory manner that the original is lost, destroyed, or unobtainable.

ARTICLE 7—PRIVATE HERD RECORDS AND AUTHORITY TO INSPECT

7.1 Private Herd Records

(a) Members shall keep a private herd record in which the name, registration number, and identification mark of each breeding female shall be entered together with such other information regarding each animal as in the opinion of the breeder may be deemed advisable.

(b) Opposite or under the name of each breeding female so entered, the date of birth, sex, identification mark, and name, and registration number of the sire of each calf produced by such female, shall be entered at the same time that each calf is marked for identification.

(c) The private herd record shall include an inventory of all semen and embryos which are the property of the breeder.

(d) The record shall include storage locations and in the case of embryos, shall include the registration number of both sire and dam.

(e) Such record shall be open to inspection, as defined herein.

7.2 Authority to Inspect

(a) The Board of Directors shall have authority to:

- (i) appoint an inspector at any time to examine on behalf of the Association the manner in which private herd records are kept and the identification system practiced by any breeder, or breeders registering cattle in the Canadian Angus Herd Book;
- (ii) and may appoint an inspector to investigate a special complaint;
- (iii) or may at the first meeting after the annual meeting each year, appoint an inspector or inspectors whose duty it shall be to investigate all complaints that are referred to him or them by the Board of Directors.

(b) Such duly appointed inspectors shall, after receiving specific instructions from the Association, have authority to enter premises of any breeder who is registering cattle in the Canadian Angus Herd Book, and examine his private herd records, and identification system.

(c) When as the result of an inspection of the manner in which private herd records are being kept, and identification practiced by any breeder, it is shown that the regulations in that regard as laid down herein are not being observed, the Board of Directors may immediately suspend or expel such breeder if a member. If not a member, further registrations and transfers may be refused.

(d) If such inspection should indicate that the private herd records, and identification system as practiced by such breeder are in such a state of confusion as to raise a doubt as to the identity of any number or all of the animals in the herd, the Board of Directors may suspend the pedigrees of any number or all cattle standing in the name of such breeder as from the date of such inspection.

(e) Authority to inspect private herd records and identification as practiced by breeders of Angus cattle, shall also extend to the Minister of Agriculture or anyone appointed by him for that purpose, but when such inspection is instituted by the said Minister, the CEO of the Canadian Aberdeen Angus Association shall be immediately notified.

D. APPENDIX

Excerpts from the Animal Pedigree Act

The Canadian Aberdeen Angus Association is incorporated under the Animal Pedigree Act (previously the Livestock Pedigree Act). The Animal Pedigree Act is federal legislation that all breeders of registered livestock must comply with. **Failure to comply with the Animal Pedigree Act is an indictable offense** and is grounds to have your membership in the Canadian Angus Association revoked.

Breeders of purebred cattle should be familiar with the following excerpts from the Animal Pedigree Act:

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 it 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 Bylaws 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 within 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:

(1) Any person who contravenes any provision of this Act or the regulations

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

- (b) is guilty of an indictable offence and 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.