

CONSTITUTION

**BOER GOAT BREEDERS' SOCIETY
OF NAMIBIA**

2012

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DEFINITIONS

1. Words and phrases in this Constitution shall have the following meanings unless a contrary meaning clearly appears from the context-

- (a) **“Act”** means the Livestock Improvement Act, 1977 (Act 25 of 1977) and Livestock Improvement Amendment Act, 1993 (Act, 25 of 1993) as amended from time to time, or any other Act which is substituted therefore and includes the regulations;
- (b) **“animal”** means a Boer Goat which is recorded or registered in the Herd Book or which is eligible for registration or recording and the words goat/s, ram/s lamb/s and ewes, shall have the same meaning;
- (c) **“Association”** means Namibian Stud Breeders’ Association ;
- (d) **“birth”** means the birth of a Boer Goat lamb
- (e) **“birth recording”** means the procedure whereby the birth of a Boer Goat is placed on the records of the Association;
- (f) **“Breed Standards”** means the written set of phenotypic and genotypic standards of excellence as determined by the Council, and to which, according to the Council, an animal must comply, before being approved and recommended for registration;
- (g) **“breeder”** of a Boer Goat means a member of the Society, who is the owner of
 - (i) the dam at the date of birth of a Boer Goat;
 - (ii) an animal at the date of application for registration in the first section of the Appendix;
 - (iii) a recipient female at the time of birth of progeny, eligible for registration, resulting from an embryo transplant;
- (h) **“buyer”** means the person or persons to whom ownership/joint ownership of a Boer Goat animal is transferred by the seller of such animal;
- (i) **“Constitution”** means the Constitution, inclusive of the Bye-laws of the Society that may be amended and approved from time to time by the Council and Registrar;
- (j) **“Council”** means the Council of the Society, duly elected in terms of the Constitution;
- (k) **“embryo”** means a fertilized ovum of a Boer Goat

- (l) **“Herd Book”** means the Herd Book of the Society in which all details of a Boer Goat shall be inscribed;
- (m) **“inspectors”** means a person or persons appointed by the Council for the purpose referred to in Section 12.;
- (n) **“Ministry”** means the Ministry of Agriculture, Water and Forestry in the National Government, charged with the administration of the Act;
- (o) **“Minister”** means the Minister of the relevant Ministry;
- (p) **“Namibian bred Animal”** means an animal born in or whilst in transit to the Territories: Provided that an animal born from an imported ovum or embryo shall be regarded as an imported animal;
- (q) **“ovum”** means the ovum of a Boer Goat and includes an embryo;
- (r) **“owner”** of an animal means the person who-
 - (i) according to the records of the Association possesses the animal concerned, or
 - (ii) submits proof to the satisfaction of Council that the animal concerned is eligible to be birth recorded or registered in his name;
- (s) **“performance”** refers to the growth-, production- and reproduction functions of an animal;
- (t) **“phenotype cum genotype”** means the visual appearance (phenotype) of an animal that complies with the genetic combination (genotype);
- (u) **“Person”** includes a natural or legal person;
- (v) **“registering”** refers to the procedure of registering animals in the relevant sections of the Herd Book, or by which a prefix or herd destination mark is placed on the records of the Association;
- (w) **“eligible for registration”** requirements of an animal which has been birth recorded, inspected and found eligible to be registered or recorded on application;
- (x) **Registrar** means the officer designated as Registrar of Animal Improvement in terms of the Act;
- (y) **“Secretary”** means the secretary, for the time being, of the Society;

(z) “**seller**” means the person or persons being the owner/joint owner/s of an animal according to the records of the Association, or in the case of an imported animal, the owner in the country of origin, who disposes of such animal;

(aa) “**semen**” means the semen of an animal;

(bb) “**Society**” means the Boer Goat Breeders’ Society of Namibia;

(cc) “**Territories**” means Namibia and such other countries as the Society may from time to time determine

2. Other words, abbreviations and phrases in this Constitution, not defined above, shall unless a contrary meaning clearly appears from the context, have the same meaning assigned thereto in the Act.

3. In the Constitution, unless the contrary intension appears clearly from the context, words referring to persons in the masculine gender shall include females and words in the singular shall include the plural and words in the plural shall include the singular.

CONSTITUTION OF THE BOER GOAT BREEDERS' SOCIETY OF NAMIBIA

1. NAME OF THE SOCIETY

The name of the Society is the Boer Goat Breeders' Society of Namibia

2. STATUS

In accordance with the Act, the Boer Goat Breeders' Society of Namibia is registered with the Registrar as an official Breeders Society.

3. POWERS OF THE SOCIETY

Subject to the stipulations of this Constitution, the Society shall have the powers to-

3.1 as a member of the Association and being granted a juristic person in accordance with the Act, implement the functions and perform such duties as are or may be imposed upon it under the Act; and

3.2. generally take all such steps as a body corporate may by law perform, and which the Society may deem necessary for the attainment of its objectives.

4. OBJECTIVES

Subject to the provisions of the Act and of this Constitution, the objectives of the Society shall be-

4.1. To promote the breeding and genetic improvement of the production potential of animals in the Territories;

4.2. To safeguard and advance the common interests of stud breeders and producers of the Boer Goat in the Territories;

4.3. To encourage in conjunction and/or knowledge of the Society the -

4.3.1. offering of courses, to further the general knowledge concerning the breed standards of the Boer Goat;

4.3.2. organizing of promotion days to further, increase and improve the interests of the Boer Goat,

4.3.3. promoting, participation and organizing of shows and regional championships for the Boer Goat and to nominate and recommend judges to show societies;

4.3.4. furthering the buying and selling of Boer Goats through auctions under the auspices of the Society;

4.3.5. protection of the interests of breeders and members of the Society and the marketing of commercial goats in the Territories, and to act as organized mouthpiece for all those interested;

4.3.6. safeguarding the purity of the Boer Goat in the Territories and to further by all means the interests of the breed;

4.3.7. determination of and maintaining the application of breed standards, based on performance records and/or blup data, visual inspection for genetic deviation and conformation as far as this is related to functional efficiency. For this purpose all performance data shall be made available to the Council, judges, inspectors and sub-committees.

4.4. The Society shall not-

Carry on any profit making activities; or participate in any business, profession or occupation carried on by any of its members, or provide any financial assistance, premises, continuous services, or facilities to its members for the purpose of carrying on any business, profession or occupation.

5. MEMBERSHIP

5.1. Eligibility

Persons resident on a permanent basis in the Territories, who are breeders of Boer Goats, either stud or commercial, and show interest in the breed, will be eligible for Ordinary Membership of the Society.

5.2. Acceptance

Acceptance of members is subject to the approval of the Council

5.3. Classes of members

5.3.1. Ordinary Members / Commercial Members

Persons (companies, private companies, trusts, close corporations, partnerships, corporate bodies and clubs) who are engaged, directly or indirectly in the breeding of Boer Goats, shall be eligible for membership of the Society as Ordinary / Commercial Members.

5.3.2. Stud Breeders

Active stud breeders shall become members of the Association and register their animals according to the requirements of the Association and the Bye-laws of the Society.

5.3.3. Honorary Life Members

For exceptional services in the interest of the Society and the Boer Goat breed, a person may at an Annual General Meeting be elected as Honorary Life member, who shall enjoy all the rights and privileges of membership; except the right to vote at any meeting of the Society and except the right to be elected to Council: Provided that no person shall be eligible for Honorary Life membership unless recommended by Council.

5.3.4. Honorary Vice-President

As in Clause 5.3.2., a Honorary Vice-President may be elected at an Annual General Meeting, who shall enjoy all the rights and privileges of membership; except the right to vote at any meeting of the Society and the right to be elected to Council.

5.4. Company, Private Company, Close Corporation, Partnership, Trust or Body Corporate

- 5.4.1. A company, close corporation partnership, trust or body corporate, applying for Ordinary Membership, shall disclose to the Society such facts as may be necessary to determine the nature of the controlling interest therein and shall then, or at any time thereafter, in addition to the requirements imposed in respect of all applications, furnish the Society with the name and address of the person appointed by it to act as its representative at meetings of the Society. Such person shall have the right to nominate an alternative in writing, which nomination shall be handed to the Society not later than the time of the meeting at which such alternate will be present.
- 5.4.2. The principal person so appointed to represent such company, private company, Close Corporation, Partnership, Trust or Body Corporate shall be eligible for election to Council
- 5.4.3. If such Company, Private Company, Close Corporation, Partnership, Trust or Body Corporate fails to fulfill the requirements of membership as stated in Clause 5.1. and 5.3.1., its membership shall be terminated and the regulation of Clause 5.4.4. shall be *mutatis mutandis* applicable to Companies, Private Companies, Close Corporation, Partnership, Trust or Body Corporate.
- 5.4.4. The liquidation of a Company, Private Company, Close Corporation and the dissolution of a Partnership, Trust or Body Corporate shall automatically result in the termination of its membership of the Society, provided that-

- 5.4.4.1. all moneys or amounts owing to the Society as at the date of liquidation or dissolution, shall be recoverable by the Society from the liquidator of such Company, Private Company, or Close Corporation or from the members (either jointly or severally) of such Partnership, Trust or Body Corporate;

5.5. Application for Membership

- 5.5.1. Application for membership of the Society shall be made to the Secretary in writing in such form as may be prescribed by Council and shall be accompanied by the relevant subscription and/or entrance fees.
- 5.5.2. Council may admit an applicant to membership of the Society, either unconditionally or on such conditions as it may determine, or it may refuse admission to membership without disclosing any reason for such refusal.
- 5.5.3. An applicant to whom admission to membership has been refused, shall be entitled to a refund of any fees forwarded with his application for membership.

5.6. Register of Members

- 5.6.1. The Society shall keep a register of all members, reflecting the date of their admission to membership, their postal addresses, e-mail addresses, any amounts received from them and the dates of payment, and arrears, if any which may be due.
- 5.6.2. Any member shall communicate in writing to the Secretary and Association, any change of his postal addresses, e-mail addresses, and all notices or publications posted to the registered address of a member shall be considered as duly delivered to him.
- 5.6.3. Communications consigned by registered or certified mail to members by the Secretary shall be binding.

5.7. Rights and Privileges of Members

- 5.7.1. Rights and privileges of every member of the Society shall be personal to himself and shall not be transferable or transmissible.
- 5.7.2. Rights and privileges shall include the following-
 - 5.7.2.1. to receive all reports and other matters published by the Society for distribution amongst members;

- 5.7.2.2. concerning active Stud Breeders, to apply for registration of Boer Goats in accordance with the regulations of the Constitution;
- 5.7.2.3. to attend all meetings of the Society and subject to the stipulation of Clause 5.3., the right to vote at such meetings;
- 5.7.2.4. to receive, if available, expert technical advice on Boer Goat matters from the Society's inspectors and officials; with the understanding that all costs involved shall be paid by the applicant.

5.8. Subscription and Fees

- 5.8.1. The amounts payable to the Society in respect of all subscriptions, fees or any other dues and commissions shall from time to time be determined by Council and confirmed by a majority vote at the ensuing Annual General Meeting of the Society.
- 5.8.2. The annual subscriptions shall become due on 1st July of each and every financial year and shall be considered in arrear if not paid on 1st August of the same year.
- 5.8.3. The termination of membership shall be given in writing and send by registered mail.
- 5.8.4. Any member whose subscription is in arrear, or who is indebted to the Society in respect of any fees or dues, and not paid within a period as determined by Council, shall forfeit to enjoy any rights, privileges and advantages of membership until such arrears are paid to the full.
- 5.8.5. Council may cause an interest charge or fine to be levied and collected on arrear accounts at a rate determined by Council from time to time.
- 5.8.6. Any member, who, for any reason whatsoever, has ceased to be a member of the Society, shall remain liable for all amounts due to the Society, as at the date on which his membership ceases.

6. RESIGNATION, EXPULSION AND ANNULMENT OF VOTING POWERS OF MEMBERS

6.1 Resignations

Any member may at any time resign from the Society by giving written notice to the Society; Provided that-

- 6.1.1. such written mail is send by registered mail;

- 6.1.2. such member shall be hold responsible for the full subscription for the financial year in which he rendered his resignation.

6.2. **Expulsion of members**

- 6.2.1. Council may expel any member of the Society on condition that such decision is approved by not less than two-thirds of the Council members present at a Council meeting who have the right to vote. Such member will forfeit his membership and any rights and privileges attached to his membership.

Council may expel a member who-

- 6.2.1.1. fails to pay any amount owned by him to the Society within 60 days after a written claim for the payment of such amount has been mailed to him;
- 6.2.1.2. violates the Constitution or any rule of the Society, or who, in the judgment of Council, has undermined the character, or acted against the interests of the Society or Act;
- 6.2.1.3. by his actions or lack thereof has brought the Society into actual or possible disrepute or who was guilty of behavior to the real or possible disadvantages of the goals of the Society; or
- 6.2.1.4. tries to bribe an official of the Society
- 6.2.2. Council or any Committee of the Society shall be entitled to inquire properly regarding the behavior of a member and to receive such information at such a place, from such a person, firm and/or institution and to act thereon in such a manner as Council may deem fit.
- 6.2.3. Any expelled member must be informed thereof in writing by the Secretary within 7 days from the date on which the decision regarding the suspension was approved.
- 6.2.4. After such a member has been suspended, its name shall be removed from the register of members.
- 6.2.5. From the date of his expulsion, no birth notification/application for registration or transfer of any animal bred and owned by the expelled member shall be accepted. Such expelled member shall be informed accordingly.
- 6.2.6. Any member expelled shall be liable to settle his arrears with the Society to the full.

7. REINSTATEMENT OF MEMBERS

Any person who, for whatever reason, has ceased to be a member of the Society, may thereafter again be admitted to membership, upon application made in terms of Clause 5.5. and after all arrears have been settled to the full.

8. COUNCIL

8.1. Composition and election of Council

The affairs of the Society shall be controlled and administered by a Council consisting of 5 (five) members, elected by the Annual General Meeting or Special Annual Meeting called for the purpose:

- 8.1.1. a President, who also shall be the Chairman;
- 8.1.2. a vice-President, who also shall be the vice-Chairman;
- 8.1.3. three additional members;
- 8.1.4. the Council shall be representative of the three regions of the Territory i.e. Northern-, Central- and Southern region

- 8.2. Only those members entitled to vote shall take part in an election.
- 8.3. The President (Chairman) shall be elected on an annual basis by the Annual General Meeting from members of the Council.
- 8.4. Apart from the elected 5 members, the following person may also serve on the Council:

8.4.1. Secretary

The Secretary to the Society, who shall attend all meetings of the Society, shall have the right to participate in any discussion at such meeting, but shall not have the right to vote. However, if such Secretary is an elected member of Council, such person must necessarily represent a certain region and shall be eligible to vote.

8.5. Retirement of Council Members

8.5.1 After the first Annual General Meeting, Council members shall retire from office annually, as decided by lot, on a basis of two members retiring the first and second year and one member during the third year and at every Annual General Meeting thereafter, on a basis of two or one office-bearers, having completed their three-year term of office. Members retiring annually are eligible for re-election.

8.6. Term of Office for Council Members

The term of office for Council members shall be a period of three years and such members are eligible for re-election.

8.7. Executive Committee

8.7.1. The Executive Committee of Council shall consist of the President, Vice-President and Secretary of the Society. All actions or decisions of the Executive Committee must be confirmed at the ensuing Council meeting.

8.7.2. Should any member of Council be medical unfit, die, resign or cease to be a member of the Society in accordance of Clause 6.2., Council may appoint another member of the Society as his substitute, invested with full powers for the remaining term of office. Council shall be deemed to be duly constituted and shall continue exercising all powers conferred upon it, notwithstanding any vacancies in its body.

8.7.3. In the event of the office of the President (Chairman) becoming vacant before the expiration of the period for which he was elected, Council shall at its first ensuing meeting, by ballot, elect another of its members to fill the vacancy for the unexpired portion of that period.

8.7.4. A member of Council absenting himself from two consecutive meetings without leave or other satisfactory reason, shall automatically vacate his seat and cease to be a member of Council.

9. POWERS AND DUTIES OF COUNCIL

Council shall, subject to the terms of the Constitution and subject further to the directions of the general meetings of the Society as given from time to time, have power to do all such things as it may deem necessary or advisable in the interests of the Society and for the advancement and attainment of the Society's objects, and in particular shall have the power –

9.1. to appoint, dismiss or suspend such attorneys, or other legal representatives, agents, auditors, officers or officials or other employees for permanent, temporary or special services as it may deem fit; to determine their powers and duties and to fix their remuneration and conditions of service and to require such security for the due performance of their functions as it may in particular cases deem expedient;

9.2. to institute, conduct, defend, compound or abandon any legal proceedings by or against the Society or against any of its officers or officials or other

employees in connection with the affairs of the Society, and to compound or allow, or ask for time for payment or satisfaction of any debits due to or any claim or demand by or against the Society;

9.3. to open one or more banking accounts in the name of the Society, and to draw, accept, endorse, make or execute any bill of exchange, promissory note, cheque or other negotiable instrument in connection with the conduct of the affairs of the Society;

9.4. to invest or in any other manner deal with any moneys not immediately required for the purpose of the Society, upon such securities and on such terms as it may deem fit, and from time to time change or realize any such investments;

9.5. to lend or borrow money for the purposes of the Society upon security as determined by it;

9.6. to enter into indemnities, guarantees and surety ships and to secure payment hereunder in any way; to make donations; and to undertake and execute any trust; to secure the payment of moneys borrowed in any manner, including the mortgaging and pledging of property, and, without detracting from the generality thereof ;

9.7. to purchase, hire, take on lease or acquire for the purpose of the Society, buildings, land, goods, chattels and effects; to sell, mortgage, pledge, let, alienate or otherwise dispose of any movable or immovable property belonging to the Society, and to apply the consideration arising there from in such a manner as it may consider to be to the best advantage of the Society;

9.8. to manage, insure, sell, lease, mortgage, dispose of, give in exchange, work, develop, build on, improve, turn to account or any way otherwise deal with all, or any part of the Society's property and assets;

9.9. to remunerate any person or persons for services rendered; and to establish schemes for the provision of pensions, gratuities and other incentives for it office-bearers and employees;

9.10. to pay all costs and charges in connection with the administration and management of the affairs of the Society;

9.11. from time to time, subject to the provisions of Clause 5. to adjust or revise subscriptions or commitments, fees or dues, to prescribe any such additional fees or dues as it may deem necessary;

9.12. to collect and receive subscriptions, fees, donations, other dues and funds, and to devote same towards the objectives of the Society and the Boer Goat;

- 9.13. to receive and consider applications for memberships in terms of Clause 5.5. and to accept or refuse such applications at its discretion; to recommend persons for Honorary Life Membership in terms of Clause 5.3.3; and to recommend the election of a Honorary Life Vice-President in terms of Clause 5.3.4.;
- 9.14. in accordance with Clause 5.8.4., to refuse inspection, registration and other work for members whose accounts are overdue;
- 9.15. to terminate the membership of any person in accordance with Clause 6;
- 9.16. to convene a General Meeting of the Society in terms of Clause 12. or any other meeting of the Society as requested in terms of the Constitution , if it is deemed necessary;
- 9.17. to frame, alter and rescind rules and regulations for conducting the business and carrying out the objects of the Society;
- 9.18. to frame or amend any Schedule pertaining to the Constitution as may be deemed necessary from time to time;
- 9.19. to investigate disputes arising out of the application of the Constitution and to give decisions in regard thereto;
- 9.20. to impose and exact such penalties as may be deemed expedient from time to time for contravention or infringement of the Constitution, rules and regulations of the Society;
- 9.21. to grant leave of absence to any member of Council or any official or employee of the Society, for such period and upon such terms as it may in each case determine;
- 9.22. to co-opt the services of any person or member of the Society and to appoint persons to sub-committees upon such terms and with such powers as it may from time to time deem expedient: Provided that the President of the Society shall be ex officio member of all sub-committees with full rights and privileges;
- 9.23. to nominate a person or persons to represent the Society on the Annual General Meeting of the Association in terms of Clause 10, or on any committee, body or organization as may be necessary;
- 9.24. to appoint or discharge inspectors for the inspection of animals submitted for registration and for such other purposes as members of the Society may require the service of such inspectors, and to give such inspectors instructions and powers in regard to their duties for the purpose of ensuring that

the objectives of the Society are being carried out; Provided that only inspectors with the necessary requirements as determined by the Council, shall be appointed;

9.24.1. furthermore to reconsider from time to time the panel of inspectors and/or judges and to remove such persons as considered necessary.

9.25. for the better and more convenient conducting and fulfillment of the business of the Society, to appoint one or more members or officials with power and authority to sign and receive documents, papers and process, and to act, sue and be sued on behalf of the Society;

9.26. to draw up a “Breed Standards” and to lay down minimum performance and other standards by which:-

9.26.1. animals shall be inspected by inspectors for the purposes of registration;

9.26.2. applications for importation and exportation of animals, semen and ova shall be recommended in compliance with the Act;

9.26.3. semen and ovum donors shall be approved for embryo transfer purposes in compliance with the Act; and

9.26.4. males shall be recommended for approval for the sale of semen, according to the Act;

9.27. to order an investigation by inspectors or other officials of the Society in any case where records are not properly kept or where any doubt may arise as to the correctness of the identity of any animal or animals; and to take such action as it may consider advisable in the interests of the Society;

9.28. to organize judges’ courses and examinations, and in its discretion to appoint successful candidates as official Boer Goat judges; and, in accordance with Clause 4.3.3. to encourage show societies to appoint such judges to judge Boer Goats;

9.29. to organize and promote sales of animals, either by public auction or private treaty and for such purpose appoint auctioneers and agents and to charge commission on such sales; and

9.30. generally to perform all such acts as may be necessary for the welfare of the Society and the conduct of its affairs: Provided always that any actions taken or instructions given shall not be contrary to the terms of the Constitution and the Act.

9.31. notwithstanding any contradictions to the provisions included in this Constitution, to grant, on discretion of the General Meeting, exemption from

any stipulations of this Constitution or alleviation in the case of merit as decided by Council.

10. ELECTION OF REPRESENTATIVE/S TO THE GENERAL MEETING OF THE ASSOCIATION

Council shall elect a representative or representatives to the Annual General Meeting of the Association.

11. INDEMNITY

Members of Council and/or Society, being involved in matters concerning the Society and being instructed by Council, are indemnified against any claim, loss, or expense arising from such activities: Provided they acted in good faith and were not guilty of neglect of duty or dishonesty.

12. MEETINGS

12.1. Executive Committee Meetings

The Executive Committee shall meet if necessary, depending on duties and instructions. Such meetings shall be duly recorded in the minutes.

12.2. Council Meetings

12.2.1. Council shall meet at such time and place as it may from time to time determine, or as may be decided upon by the Council itself or the President: Provided that not less than two Council meetings shall be held in each financial year and that all such meetings shall be duly recorded in the minutes.

12.2.2. Not less than 21 days prior to the holding of a Council meeting, written notice or e-mail notice of the time, date and place of such meeting shall be posted or forwarded by the Secretary to each member of Council.

12.2.3. No resolution of Council in respect of any matter shall be varied or rescinded unless the resolution varying or rescinding the same be passed at a meeting in respect of which not less than 21 days' notice specifying the intention to vary or rescind has been given to all Council members: Provided that a resolution may be varied or rescinded without such notice if all members of Council are present and so decide.

12.3. General Meetings

- 12.3.1. A general meeting of the Society to be known as the Annual General Meeting, shall be held once in a financial year at such time and place as may be determined by Council.
- 12.3.2. The business of the Annual General Meeting shall be to receive and consider the annual report of the President (Chairman), together with the duly audited financial statements of the Society as at the end of the previous financial year;
- 12.3.3. A special General Meeting of the Society may, at any time upon 30 days written notice or e-mail notice to members, be called-
 - 12.3.3.1. by Council; or
 - 12.3.3.2. the President (Chairman) or in his absence by the Vice-President.
- 12.3.4. Not less than 30 days prior to the holding of any General- or Special Meeting, a notice of the time, date and place of such meeting together with the agenda of such meeting shall be posted or e-mailed to each member of the Society.
- 12.3.5. No resolution shall be taken at a General Meeting in respect of any matter unless notice thereof appears in the agenda sent to the members, with the notice calling the meeting, unless such meeting agrees by two-thirds of the members present and entitled to vote that any matter not specifically on the agenda, shall be discussed and voted upon.
- 12.3.6. No resolution taken at meetings shall be rescinded unless a two-third majority present at a General Meeting votes in favour of it.
- 12.3.7. The President, or in his absence, the Vice-President, in this order, shall preside at all meetings.
- 12.3.8. All matters submitted to any meeting shall, save as is otherwise provided, be decided by the votes of the majority of those members present and entitled to vote, and in the event of an equality of votes, the person presiding at the meeting shall have a casting vote as well as a deliberative vote.
- 12.3.9. Subject to Clause 8.2., voting at all meetings shall be by show of hands, unless voting by ballot is demanded by any member present, in which event voting shall be by secret ballot.
- 12.3.10. Any General Meeting may be adjourned by a two thirds majority of the members present thereat and entitled to vote.

12.4. Invalidation of Resolutions

No business, which is otherwise properly and constitutionally transacted at any meeting, shall be invalidated by reason only of the non-receipt by any member of the notice required to be given to such person in terms of the Constitution.

12.5. Quorums**12.5.1. Executive Committee Meetings:**

Two members, present in person at any Executive Committee Meeting, shall form a quorum for such Executive Committee Meeting.

12.5.2. Council Meetings:

Three members, present in person at any Council Meeting and entitled to vote, shall form a quorum for such Council Meeting.

12.5.3. General Meetings:

Twenty percent of the total membership of the Society, who are entitled to vote and who are present in person at the beginning of such General Meeting, shall form a quorum.

12.5.3.1. If at a General Meeting a quorum is not present, the meeting shall stand adjourned for 30 minutes, hereafter the present members can form a quorum for the disposal of such business (other than any amendment of the Constitution) as the Chairman or presiding member may declare to be of an urgent nature.

12.6. Minutes of Meetings

12.6.1. A copy of the minutes of all General Meetings shall be supplied to each member of the Society. Copies of the minutes of Council-, Executive- and Sub-committee meetings shall be supplied to all persons serving on such committees.

12.6.2. The minutes of all meetings approved at a subsequent meeting and signed by the President who may chair the subsequent meeting shall be proof thereof that all the proceedings were conducted properly and that all elections, appointments and resolutions adopted at that meeting are valid and binding.

1.3. FINANCIAL PROVISIONS

13.1. The financial year of the Society shall last from 1st July of each year until 30th June of the following year.

13.2. Council shall cause one or more banking accounts to be opened in the name of the Society, and any amounts accruing to the Society, shall

be deposited in such banking account or accounts as Council may direct.

- 13.3. All payments out of the funds of the Society shall be effected by electronic transfer or cheque, signed by the Secretary: Provided that nothing herein contained shall prevent Council from maintaining and operating a petty cash fund, or from paying in cash such ordinary and usual monthly accounts as do not in total exceed a sum determined by Council, and provided further that the total sum necessary for the payment of such accounts is drawn by cheque.
- 13.4. Council shall cause proper books of accounts of income and expenditure to be kept in respect of the Society. All accounts shall be audited by an auditor, as appointed by the Annual General Meeting, once a year.
- 13.5. All property of the Society shall be vested in Council.
- 13.6. The income and property of the Society, from wherever source derived, shall be applied solely to the promotion and furtherance of the objectives of the Society and no part thereof shall be paid or transferred, directly or indirectly by way of dividend or bonus or otherwise, to any persons who at any time are or were members of the Society: Provided that nothing herein contained shall prevent the payment in good faith of remuneration to any employee or other person/s for services rendered to the Society.

14. DISSOLUTION OF THE SOCIETY

If, upon the winding up or dissolution of the Society there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be paid to or distributed amongst the members of the Society, but shall be given or transferred to such other institution or institutions having objects similar to those of the Society as may be determined by a majority decision of a General Meeting of the Society.

15. AMENDMENTS TO THE CONSTITUTION

- 15.1. The Constitution may be added to or altered by a majority resolution, approved by not less than two-thirds of the members present, and entitled to vote at a General Meeting of the Society, of which meeting and of which proposed addition to, alteration, variation or amendment of the Constitution, not less than 30 days' written notice has been given to each member of the Society.
- 15.2. No such addition to, alteration, variation or amendment of the Constitution, notwithstanding that it has been passed in the manner prescribed in Clause 15.1, shall be of any force or effect until and except it is confirmed and approved by the Registrar.

16. AFFILIATIONS

The Society:

16.1. shall be a member of the Association and shall maintain such membership on the conditions set out in the Constitution of the Association; and

16.2. may, by a majority vote of a least two-thirds of the members personally present, voting and entitled to vote, at any General Meeting, affiliate with or incorporate any association, society or organization having aims and objects kindred to those of the Society.

17. OFFICE OF THE SOCIETY

The office of the Society shall be at any location as may be determined by Council from time to time.

18. AUTHENTIC VERSION OF THE CONSTITUTION

This Constitution having been drawn, submitted and considered in English, the English version shall be deemed to be the authentic version.

Bye-Laws

1. BOER GOAT HERD BOOK

1.1. Sections

The registration system of the Society shall consist of the Herd Book (to be known as the Namibian Boer Goat Herd Book), which shall be maintained and operated by the Association, and shall be divided into two sections i.e.-

1.1.2. the Appendix Section; and

1.1.3. the Stud Book Proper Section.

1.2. Appendix Section

1.2.1. Appendix A

Any animal which originates from a herd of which the breeder can give a satisfactory record to Council, which satisfies the conditions of minimum breed standards, and possesses the phenotypic cum genotypic characteristics of a Boer Goat, is eligible for registration in the Appendix A Section of the Herd Book.

1.2.2. Appendix B

The progeny of the mating of Appendix A females and Stud Book Proper (SP) or Appendix B males, or the mating of Appendix B females and Appendix A males, are eligible for registration in the Appendix B Section of Herd Book; Provided that they comply with the minimum breed standards and all other registration requirements in terms of the Constitution.

1.3. Stud Book Proper Section (fully registered) (SP)

The following animals are eligible for registration in the Stud Book Section of the Herd Book, if they comply with the minimum breed standards and all other registration requirements in terms of the Constitution:-

1.3.1. all progeny of Appendix B females and Stud Book Proper males; and

- 1.3.2. all progeny of Appendix B males and Stud Book Proper females; and
- 1.3.3. all progeny of Stud Book Proper animals.

2. PREFIX AND HERD DESIGNATION MARKS

- 2.1 No animal other than one imported, shall be accepted for registration unless the breeder has previously, through the Society, registered with the Association for his exclusive use, a prefix by which all animals bred by him and eligible for registration shall be designated, and a herd designation mark by which such animals shall be identified.
- 2.2 No prefix shall exceed 18 characters, and the name of a city, post office or town in the Territories shall not be accepted for registration as a prefix.
- 2.3 The herd designation mark registered with the Society and Association for a breeder's exclusive use shall not exceed four spaces and shall consist of letters, numbers or a combination of letters and numbers.
- 2.4 Application for the registration of such prefix and herd designation mark shall be made to the Association and shall be accompanied by such fee as may be prescribed from time to time by Council or by the Association.
- 2.5 No transfer of a prefix or herd designation mark from one breeder to another shall be allowed except under such conditions and to such persons as are provided for by the Association.

3. IDENTIFICATION

- 3.1 All live animals of which the births are notified and all animals offered for registration, must bear permanent identification marks which shall include a ear tag, ear tattooing or ear codes and any animal which does not bear the approved identification marks, shall not be accepted for recording or registration by the Association.
- 3.2 Identification of lambs shall consist of-
 - 3.2.1. herd designation marks, not exceeding four spaces;
 - 3.2.2. year numbers, consisting of the last two figures indicating the year of birth;
 - 3.2.3. sequence numbers not exceeding five spaces and should start yearly from number one or may be continuous.
- 3.3 In the event of a breeder making a mistake when tattooing an animal, or in the event of a mark becoming defaced or illegible, or the animal loses the ear tag, the owner of the animal shall report the fact to the Secretary in writing, and the

animal shall be re-marked in the presence of an inspector, instructed by Council, after such inspector has satisfied himself as to the correctness of the identity of the animal.

- 3.4 No animal, registered or eligible for registration, shall be transferred unless clearly marked or identified.

4. NAMES

- 4.1 No animal shall be considered for birth recording and/or registration in the Herd Book, unless it is clearly marked with a herd designation mark and sequence number. Council and/or Association shall have the right to refuse any application which in its opinion cannot be clearly identified or is misleadingly named.
- 4.2 The name shall include the prefix registered in favour of the breeder, and exclusive of the prefix, shall not exceed 20 spaces.
- 4.3 The name of any animal, once accepted for recording of its birth or registration, shall not thereafter be changed or amended, except when the name reflects an obvious error, in which event it shall be permissible to amend the name or number only to the extent of correcting the error.

5. SERVICE- AND INSEMINATION CERTIFICATES AND JOINT OWNERSHIP OF MALES

5.1. Service or Insemination Certificate

- 5.1.1. If a pregnant animal, which is registered or eligible for registration, being sold, the seller shall together with his application for transfer, furnish the Association with a service certificate (natural service) or a insemination certificate (artificial insemination) The seller shall in addition also furnish the buyer with a copy of such certificate.
- 5.1.2. Such certificate shall specify the full identification number of the male, the full identification number of the female concerned, together with the service date/s or insemination date/s.
- 5.1.3. If the precise date of service is unknown, the service certificate shall indicate the period of the relevant male/s and female/s being together. Such certificate shall confirm the unlikelihood that the relevant female/s have been served by any other male/s.

5.2. Joint ownership of males

- 5.2.1. When animal/s are transferred to joint owners, the full name and address of each joint owner shall be submitted to the Association.
- 5.2.2. If a breeder allows the use of his male/s by a co-breeder/s, such procedure shall comply with the stipulations of the Act and the Bye-laws of this Constitution.

6. RULES GOVERNING THE PRACTICE OF ARTIFICIAL INSEMINATION (A.I.)

- 6.1. All animals which have been legally begotten through A.I. (i.e. in accordance with the Act) shall be eligible for registration, provided that all requirements of the Constitution have *mutatis-mutandis* been complied with.
- 6.2. Irrespective of the provision of Bye-law 6.1., where different males are used for the supply of semen for the artificial insemination of the same female at two successive heat periods less than 17 days apart, no resultant progeny shall be eligible for registration unless the male parentage has been confirmed by a DNA test or any other proven scientific method.
- 6.3. The Society reserves the right through its officers to supervise and /or inspect the keeping of records of its breeders in connection with A.I.
- 6.4. Breeders resident outside Namibia, who enjoy the privileges of registration of animals under the provisions of the Constitution, may apply for the registration of progeny begotten by A.I.: Provided that the semen is obtained from a source approved by the Society and provided further that the collection of semen, the handling thereof, the insemination of the animals and the maintenance of records shall be effected in such a manner as may be duly approved by the Society from time to time
- 6.5. The Society confirms the right of breeders, subject to the provisions of the Act, to collect, deepfreeze and store an unlimited amount of semen of their own Boer Goat males for the use in their own herds and progeny resulting from the use of such semen shall be eligible for registration: Provided that-
 - 6.5.1. complete details of the ownership of the sire concerned and the selling of semen been submitted to the Society and Association;
 - 6.5.2. the official DNA laboratory number of the animal has been submitted to the Society and Association;
 - 6.5.3. the collection and storage of semen have been carried out in accordance with the requirements of the Act;

- 6.5.4. all requirements of the Constitution in respect of birth notifications and registrations are complied with.
- 6.6. Society and the Association reserves all rights to refuse any progeny resulting from artificial insemination, if any of the rules and regulations of this Bye-laws or the stipulations of the Act are not fully complied with.

7. RULES GOVERNING THE PRACTICE OF EMBRYO TRANSFERS (E.T.)

- 7.1 All animals which have been legally begotten as a result of E.T. (i.e. in accordance with the Act) shall be eligible for registration, provided that:-
 - 7.1.1. a breeder complies *mutatis mutandis* with all requirements as stipulated in the Constitution;
 - 7.1.2. both the male and the female Boer Goats which gave rise to the embryo concerned, were approved for the purpose by Council;
 - 7.1.3. except in the case of an animal begotten as a result of E.T. and imported in-utero, all the following documents are submitted to the Association within 90 days of each in ovulation –
 - 7.1.3.1. the duly completed in-ovulation certificate as may be prescribed by the Association;
 - 7.1.3.2. the certificates reflecting the official DNA laboratory numbers of the male and female animals that gave rise to a embryo concerned;
 - 7.1.3.3. a certificate signed by a veterinarian, an embryo transferor, or, in the case of intra-herd E.T., by the owner or his full-time employee, to the effect that the provisions of the Act have been complied with; and
 - 7.1.4 in the case of an animal begotten as a result of E.T. and imported in-utero, the following evidence and documents endorsed by the Herd Book Society (or body recognized by the Society) in the country of origin are submitted to the Society or Association within 30 days of the arrival of the recipient dam in Namibia –
 - 7.1.4.1. evidence of the service or insemination and flushing of the embryo donor;
 - 7.1.4.2. evidence of the transfer of the embryo concerned and date thereof to the relevant recipient dam;
 - 7.1.4.3. two-generation pedigrees of both donors;
 - 7.1.4.4. DNA certificates of both donors; and
 - 7.1.4.5. evidence that both donors conform to the minimum standards of excellence and other requirements as may be determined by Council.

- 7.1.5 a birth notification/application for registration in respect of an animal resulting from E.T. is submitted on the pre-printed birth notification/application for registration form referred to in Bye-Law 9.2.;
- 7.1.6 confirmation of parentage in each instance by DNA profiling or any other approved scientific method is supplied, unless otherwise determined by the Society and/or Association; and
- 7.1.7 all other requirements of the Constitution in respect of birth notifications, inspections, performance and registrations are complied with.
- 7.2 The Society reserves the right through its officers to supervise and/or inspect the keeping of records in connection with the practice of E.T. by its members.
- 7.3 The Society and the Association reserve the right to refuse to register the progeny resulting from E.T. should any of these rules, or provisions of the Act, not be fully adhered to.

8. GESTATION AND INTERLAMING PERIODS

- 8.1. The minimum gestation period recognized in respect of animals shall be 138 days and the maximum period shall be 158 days.
- 8.2. Any gestation periods outside these ranges shall not be recognized unless the parentage of the lamb concerned is confirmed by DNA tests, or any other proven scientific method.
- 8.3. The minimum acceptable interlaming period (the period between the birth dates of two consecutive lambs born from the same female), shall be 138 days, except in the case of multiple births, not born on the same day.

9. NOTIFICATION OF BIRTH AND APPLICATION FOR REGISTRATION

- 9.1. The breeder of a Boer Goat lamb, which is eligible for registration, shall notify the Association of such birth, whether it is born alive or dead or retained for registration or otherwise.
- 9.2. All birth notifications shall be made available to the Association within 90 days after the birth of a lamb, on a manner as approved by the Association
- 9.3. Irrespective of Bye-law 9.2., the Association may accept a birth notification, reaching the Association more than 90 days after birth, but not exceeding 180 days after birth, subject to a prescribed fine as determined by Council and/or Association. Birth notifications received by the Association more than 180 days after the birth of a lamb, shall only be accepted subject to the approval of the Society, provided the fine is included in such notification.

- 9.4. A birth notification/application for registration in respect of animals begotten as a result of an embryo transfer must be submitted to the Association in a manner as prescribed by the Association.
- 9.5. Records shall be kept by the Association in the name of each breeder of all animals born, whether born alive or dead, whose births have been duly notified by the relevant breeder, and of such other details as may be determined by the Association.
- 9.6. When submitting birth notifications to the Association, breeders shall take full responsibility of the correctness of the pedigree, breeding particulars and permanent identification of the animal/s referred to in such birth notifications and that all the requirements of the Constitution relating to birth notifications and application for registrations have been complied with.
- 9.7. The birth notification/application for registration shall also be accompanied, in the case of an animal imported in-utero, by the necessary documents and DNA certificates of both the sire and the dam, endorsed by the Herd Book Society (or body recognized by the Society) in the country of origin, to the effect that:-
 - 9.7.1. the identity of the sire, as indicated by the said documents, is correct; and
 - 9.7.2. the sire conforms to the registration requirements as determined by Council.

10. PROOF OF PARENTAGE

- 10.1. In order to confirm the parentage of an animal, being registered or eligible for registration, the Society shall have at any time the right to insist on DNA profiling or any other proven scientific method to proof parentage-
 - 10.1.1. as a routine procedure, on a basis to be determined by the Society from time to time; and
 - 10.1.2. in any case of doubt.
- 10.2. In the case referred to in Bye-law 10.1.1., the breeder shall, from the second test on, bear all costs of the DNA parentage tests.
- 10.3. In the case referred to in Bye-law 10.1.2., the breeder or the Society, as determined by Council, shall bear all costs of the DNA parentage tests.

11. REQUIREMENTS FOR REGISTRATION

11.1. General

- 11.1.1. Inspection shall be a pre-requisite for the registration of Namibian bred or imported animals and except by special permission of

Council, no animal shall be registered under the age of 10 months.

- 11.1.2. Except as provided for in Bye-law 11.2.1, no application for registration of a Namibian bred animal shall be considered unless-
 - 11.1.2.1. detail of its birth have been duly recorded in terms of Bye-law 9; and
 - 11.1.2.2. the sire, at the time of serving the dam, was older than 5 months, or the dam being older than 5 months at the time of serving.
- 11.1.3. Animals not satisfying the conditions of breed standards, shall not be registered.
- 11.1.4. Animals of which the particulars supplied on the birth notification form or accompanying certificates are open to question and may in the discretion of Council or Association be debarred from registration.
- 11.1.5. The procedure of application shall be laid down by the Association.

11.2. **Imported Animals**

- 11.2.1. An imported animal or one resulting from imported semen or imported embryo, shall be eligible for registration, provided the requirements of the Act and of the Constitution have *mutatis-mutandis* been complied with.
- 11.2.2. An imported animal to the Territories, shall be eligible for registration provided the application for registration is submitted within 3 months from the date of arrival and is accompanied by:-
 - 11.2.2.1. a certificate of registration or an original export certificate, including a two generation extended pedigree, issued by a Herd Book Society (or other body recognized by the Society) in the country of origin;
 - 11.2.2.2. evidence to the effect that the animal concerned, conforms to the registration- and other requirements as may be determined from time to time by the Association; and
 - 11.2.2.3. a report of the inspector confirming that the animal bears the permanent indelible identification marks as recorded on the registration or export certificate;
- 11.2.3. The Association registration certificates shall be issued in respect of imported animals.

11.3. **Imported Semen and Ova**

- 11.3.1. Progeny resulting from the in-ovulation of imported ova, in respect of which Bye-law 7 and all other provisions of the Constitution *mutatis-*

mutandis have been complied with, shall be eligible for registration, provided that:

- 11.3.1.1. such imported ova shall have been collected by a competent body in the country of origin (approved by the Registrar) from ovum donors, which complies with the minimum requirements for registration, as determined from time to time by Council; and
- 11.3.1.2. if fertilized, such ova shall have been fertilized with semen of a male which likewise complies with the requirements for registration, as determined from time to time by Council.
- 11.3.2. The birth notification shall, subject to the requirements of Bye-law 6, be accompanied by a certificate from a competent body in the land of origin, approved by Society, indicating the:
 - 11.3.2.1. name, identification- and registration numbers of the ova- and semen donors;
 - 11.3.2.2. date and place of collection; and
 - 11.3.2.3. number of viable ova from the relevant donor collected.

12. INSPECTION AND PERFORMANCE REQUIREMENTS

12.1. Minimum Standards

Minimum inspection- and performance standards as pre-requisites for registration, shall be determined from time to time by Council.

12.2. Inspections and duties of Inspectors

- 12.2.1. In terms of Clause 9.9. of the Constitution, Council shall appoint inspectors to inspect or classify all animals eligible for registration, or those considered for ordinary inspection (plate of animals) upon application by the breeder.
- 12.2.2. Inspectors shall satisfy themselves that the identification of the relevant animal, in terms of Bye-law 3, is correct. Furthermore, they shall satisfy themselves that the animal conforms in all aspects to the breed standards and to the minimum inspection and performance standards as determined from time to time by Council. Any difference or contradiction may disqualify such animal and may cause its cancellation.
- 12.2.3. Inspectors acting on the instructions of Council may at any time, without previous notice, carry out a general inspection of any herd.
- 12.2.4. Any breeder dissatisfied with an inspector's decision may lodge an

appeal to the Secretary within three weeks after the time of inspection or classification. Such appeal must be accompanied by a deposit of an amount as prescribed by Council from time to time. A Board of Appeal appointed by Council shall then re-inspect the animal or animals in question, and if the appeal is successful, the relevant deposit shall be refunded. If not, the appellant forfeits his deposit and pays all expenditure incurred by the Board of Appeal.

- 12.2.5. Except in cases referred to in Bye-law 12.2.4, timeouts notice shall be given to breeders of an intended visit by the inspectors.
- 12.2.6. Permission for special inspections or classifications shall only be granted by Council, if an inspector is available and if the applicant agrees to pay for such special inspections in respect of travel- and any other expenditure of the inspector. 1
- 12.2.7. Inspectors may in addition to the inspections referred to above, perform other duties with the approval of Council, including:-
 - 12.2.7.1. classification or grading of animals upon application by the breeder concerned, and a tariff as determined from time to time by Council.
 - 12.2.7.2. demonstrations and lectures at farmer's days or judges' courses.
- 12.2.8. No breeder shall act as an inspector of his own animals.
- 12.2.9. No animal shall be accepted for registration or inspection if it has been treated with hormonal stimulants. Such practices to stimulate growth, shall be considered prejudicial to the interests of the Boer Goat and the Society.

13. REGISTRATION CERTIFICATES

13.1. Original Certificates

Registration certificates to be issued in respect of animals, which comply to the inspection and performance requirements in terms of Bye-law 12, shall be in the format as agreed with the Society and Association. Data in respect of performance measured in an official Ministerial scheme, or other measured data as required, may appear on the registration certificate or on an accompanying performance certificate.

13.2. Alterations or Additions to Registration Certificates

Any alteration or addition to the essential information or particulars officially recorded on any registration certificate, or any unauthorized endorsement or

remark on such certificate bearing upon the essential information or particulars contained therein, shall render such certificate invalid.

13.3. **Duplicate Registration Certificates**

In the case of a registration certificate issued by the Association, which has been mislaid, mutilated or lost, written application may be made to the Association by the registered owner of the animal concerned for the issue of a duplicate or the replacement of such a certificate: Provided that such application is submitted by the present owner of the relevant animal, and that the application shall be accompanied by such fees as determined from time to time by Council or the Association

13.4. **Cancellation of Registration Certificates and Reinstatements**

13.4.1. Council may direct the Secretary and/or Association for the cancellation of the recording or registration of any animal which has:-

- 13.4.1.1. been recorded or registered by mistake;
- 13.4.1.2. been recorded or registered on the strength of false or fraudulent information supplied by the owner;
- 13.4.1.3. been recorded or registered after the owner has failed to comply with any relevant Bye-law;
- 13.4.1.4. in the case of a female, failed reproduce on the age of 36 months;
- 13.4.1.5. in the case of a female, failed to reproduce within two successive years;
- 13.4.1.6. not complied with the minimum requirements, as determined from time to time by Council.

The breeder or owner shall be notified accordingly, 30 days before implementation thereof.

13.4.2. A birth notification proof or registration certificate, issued by the Association, shall be returned to the Association for cancellation and/or endorsement within 90 days after its death, sale for slaughter, culling, castration, spaying or other circumstances requiring the Certificate's cancellation or endorsement in terms of the Constitution of the Society.

13.4.3. All documents so returned shall be suitably endorsed and kept by the Association for a period of six (6) months, hereafter they shall be destroyed.

13.4.4. In the event of the birth notification proof or registration certificate of an animal having been cancelled in terms of Bye-law 13.4.2., such animal may be reinstated in the records of the Association; provided that

the application for the reinstatement is made by the person who applied for the cancellation of such animal. The reinstatement of any such animals shall be effected upon payment of such fee as may be determined by Council or Association from time to time.

- 13.4.5. No progeny of an animal, cancelled in terms of Bye-law 13.4.1., shall be recorded or registered after the date of cancellation.

13.5. **Certificate of Extended Pedigree**

A member may apply to the Association for a certificate of extended pedigree in respect of an animal. Every such application shall be accompanied by the requisite fee as may be determined by Council or Association.

14. **TRANSFERS**

For the purpose of this Bye-law “transfer” means any transaction whereby any person acquires the right to sole ownership of an animal or to any share or additional share of the ownership of a male.

- 14.1. The change of ownership shall be considered effected, if:

- 14.1.1. an animal is sold, exchanged or made a gift;
- 14.1.2. an animal is inherited or donated;
- 14.1.3. any share in an ownership or partnership have been relinquished;
- 14.1.4. a male animal registered in the name of two or more owners and if one or more renouncing his or their share in such male animal.

- 14.2. Any seller who transfers sole ownership of an animal, or part ownership of a male, shall on the date of such transfer furnish-

- 14.2.1. the Association with the registration certificate of the animal concerned, with the details of the transfer duly completed on such certificate; and
- 14.2.2. the Association or Society with the prescribed fee as may be determined by Council or Association from time to time.

- 14.3. For the purpose of this Bye-law, the date of transfer shall be deemed to be the date on which the animal left the seller's possession.

- 14.4. If the animal to be transferred is:-

- 14.4.1. a pregnant female, the seller shall together with his application for transfer, furnish the Association with a service certificate specifying the name, identification number and registration number of the male by whom she was served together with the service date/s, or the identification number and registration number of the male with whose semen she was inseminated and the insemination date/s, whichever the

case may be. The seller shall in addition furnish the buyer with a copy of such certificate;

- 14.4.2. a recipient dam, the application for transfer shall be accompanied by the birth notification, referred to in Bye-Law 9.2., together with the other certificates in terms of Bye-law 6.
- 14.5. Should for any reason whatsoever the seller fail or refuse to take any steps to effect such transfer, including failing or refusing to deliver the original registration certificate, and should the buyer be willing to pay such fees as may be laid down by Council, Council may take such steps as it may deem fit in order to effect the transfer.
- 14.6. No alteration of an already recorded transfer date shall be effected unless an application to that effect, duly signed by the buyer and the seller concerned, is made to the Association.

15. REFUSAL OF APPLICATIONS

- 15.1 In the case of progeny begotten from a dam mated to different males or inseminated with semen from different males at consecutive estrus periods less than 17 days, the Association shall refuse such birth recording or registration, unless the parentage is confirmed by means of a DNA test or any other proven scientific method, acceptable by the Association.
- 15.2 The Society may request the Association to refuse to accept applications from any person who has intentionally supplied false, inaccurate or misleading information or who has negligently failed to supply any information or particulars which it was his duty to supply within a reasonable time.
- 15.3 Whenever the Association has refused to accept applications from any person, the Society may, in addition, requests the Association to cancel any or all previous entries made in the Herd Book on behalf of such person.
- 15.4 The Society shall not take any action under Bye-Laws 15.2 and 15.3., except after an investigation by a commission consisting of the President and two other members appointed by Council, and in accordance with the recommendation of that commission.

16. IMPORTATION AND EXPORTATION OF ANIMALS, SEMEN AND OVA

- 16.1. Applications to import or export animals, semen or ova, shall in terms of the Act, be submitted on prescribed forms, obtainable from the Registrar. Such application forms shall be completed in triplicate and one copy together with the appropriate fees shall be submitted to the Registrar. The necessary recommendation/s by the Society for such import or export shall accompany the application/s to the Registrar.

- 16.2. Council shall determine minimum performance and other requirements for the importation and exportation animals, semen and ova in terms of Clause 9.25. of the Constitution, and no such importation or exportation shall be recommended by the Society to the Registrar, unless the said requirements are complied with.
- 16.3. Imported animals and animals resulting from the importation of semen or ova, which comply with the minimum requirements referred to in Bye-Law 16.2 and the requirements of the Constitution, shall be eligible for registration.
- 16.4. The Association may, upon application and appropriate fees, issue export certificates in respect of animals, semen or ova in the form desired by the Society and approved by the Association.
- 16.5. No animal or genetic material may be imported or exported without the necessary permit issued by the Registrar.

17. DELEGATION OF POWERS

Notwithstanding anything to the contrary in the Constitution, any member may under power or attorney, duly executed and filed with the Secretary, authorize another person to sign on his behalf any birth notification/application for registration or transfer, certificate of transfer, certificate of service, returns or reports or any other document in connection with the administration of a herd. Any such signature given by such authorized person, shall be accepted by the Society as being as valid and binding as if it had been given by the member himself: Provided that nothing herein contained shall entitle such authorized person in any manner whatsoever to participate in the nomination of, or voting for, any member of Council, or voting on any matter where his principal has a vote, or to attend any meeting on his principal's behalf.

18. NON-MEMBERS

- 18.1. Such benefits of membership, as the Council may determine from time to time, may be granted to non-members: Provided that no legal or other obligations in respect of such members shall rest upon the Society and provided further that all moneys relating to any services rendered by the Society to non-members, shall be as determined by the Annual General Meeting from time to time. Such moneys shall be payable in advance.
