

CONSTITUTION

OF THE

WELSH PONY AND COB SOCIETY

OF SOUTH AFRICA



Amended: 30 April 2007

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DEFINITIONS

A. Words and phrases in this Constitution have the following meaning unless a contrary meaning clearly appears in the context -

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| 1) Act | means the Animal Improvement Act, 1998 (Act 62 of 1998) as amended from time to time, and includes the regulations; |
| 2) ASSOCIATION | means the South African Stud Book and Animal Improvement Association; |
| 3) Birth | means the birth of a Welsh Purebred or Partbred foal; |
| 4) Breeder (of a Welsh Pony, Cob or Partbred) | means a member of the Society who is the owner of: <ol style="list-style-type: none"> i. the dam at the date of birth of a Welsh Pony, Cob or Partbred, ii. the recipient dam at date of birth of a Welsh Pony, Cob or Partbred as a result of an inovulation or insemination; |
| 5) Breeder or person resident in the Territories | means that the stud/s of such breeder is/are domiciled in the Territories and not necessarily that the breeder/person himself is resident in the Territories; |
| 6) Buyer | means the person or persons to whom ownership/joint ownership of a Welsh Pony, Cob or Partbred is transferred by the seller of such animal; |
| 7) Constitution | means the Constitution (inclusive of the Bye-Laws) of the Society; |
| 8) Council | means the Council of the Society; |
| 9) Department | means the Department or Departments responsible for the administration of the Act; |
| 10) Embryo | means a fertilized ovum of a Welsh Pony, Cob or Partbred; |
| 11) Foal Book | means the Foal Book of the Society in which shall be inscribed the details of all Welsh Pony, Cob and Partbred foals; |
| 12) Genealogical Register | means a record of animals in the Society written in the register or supplementary register and where the particulars of all Welsh Ponies, Cobs and Partbreds are entered; |
| 13) Inspector/s | means a person/s appointed by Council for the purposes referred to in Clauses 10.5 and 10.6; |
| 14) Members in good standing | refers to a member whose subscription fees and dues are up to date and who is not subject to any disciplinary action by Council; |

- 15) Minister means the Minister of Agriculture;
- 16) Owner (of a Welsh Pony, Cob or Partbred) means the person who
- (i) according to the records of Association, possesses the Welsh Pony, Cob or Partbred concerned,
- (ii) submits proof to the satisfaction of Council that the animal concerned is eligible to be registered in his name,
- (iii) is entitled in accordance with the regulation of the recognised Stud Book Society in the country of origin of the animal to be so regarded;
- 17) Partbred means a pony or horse containing at least 25% of pure Welsh Pony or Cob (Sections A, B, C or D) blood;
- 18) Recording refers to the procedure of inscribing Partbreds into the Partbred Section of the Stud Book;
- 19) Regional Administrator refers to a member who is elected by the Region to administer the affairs of the Region, with or without the assistance of a Regional Committee;
- 20) Regional Councillor refers to the Council Members who are elected to represent their respective Regions on Council;
- 21) Regions refer to the Western Cape, Eastern Cape, Free State (including the Northern Cape), Natal and the Northern Region. The Northern Region shall include the Provinces of Gauteng, Mpumalanga, Limpopo and North Western Province.
- 22) Registering refers to the procedure by which the Association inscribes Welsh Ponies and Cobs in the Stud Book, or by which a prefix or herd designation mark is placed on the records of the Association;
- 23) Registrar means the officer designated as Registrar of Animal Improvement in terms of the Act;
- 24) RSA means the Republic of South Africa;
- 25) Secretary means the person presently appointed to administer the office of the Society;
- 26) Seller means the person or persons being the owner/ joint owner/s of a Welsh Pony, Cob or Partbred 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;
- 27) Semen means the semen of a Welsh Pony, Cob or Partbred;
- 28) SOCIETY means the Welsh Pony and Cob Society of South Africa;
- 29) South African Bred Welsh Pony, Cob or Partbred means a Welsh Pony, Cob or Partbred born in or whilst in transit to the Territories: Provided that a pony born from an imported ovum or embryo shall be regarded as

- an imported animal;
- 30) Stud Book means the Stud book of the Society in which shall be inscribed the details of all Welsh Ponies, Cobs and Partbreds;
- 31) Territories means the RSA and such other countries as the Council may from time to time determine and approved by the Association;
- 32) Welsh Ponies Welsh Ponies and Cobs which shall not exceed the height limits laid down in the breed standards (Sections A, B, C and D) and which shall resemble the phenotype and characteristics laid down in the breed standards as closely as possible.
- B. Other words, abbreviations and phrases in this Constitution, not defined above, shall, unless contrary meaning clearly appears in the context, have the same meaning assigned thereto in the Act.
- C. In the Constitution, unless the contrary intention 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.
- D. If and to the extent that any provisions of this Constitution are in contravention to any provision of the Act, such provision shall (to the extent of such contravention) be *pro non scripto* (regarded as never written).

CONSTITUTION

1. NAME OF THE SOCIETY

The name of the Society is THE WELSH PONY AND COB SOCIETY OF SOUTH AFRICA.

2. OBJECTIVES

2.1 Subject to the provisions of the Act and this Constitution the objectives of the Society shall be:

2.1.1 To encourage the improvement of Welsh Ponies, Cobs and Partbreds, and to promote them to the Regions and Territories.

2.1.2 To preserve the bloodlines of the Purebred Welsh Ponies and Cobs in the Regions and Territories and to promote interest in the breed by all available means.

2.1.3 To encourage the use of Welsh ponies and Cobs in the breeding of Partbreds.

2.1.4 To compile and maintain an accurate record of the pedigree particulars of all Welsh Ponies, Cobs and Partbreds duly registered or recorded through the Society by the Association.

2.1.5 To encourage the registration of Welsh Ponies and Cobs and recording of Partbreds.

2.1.6 To organise classes at shows for registered Welsh ponies and Cobs and recorded Partbreds.

2.1.7 To promote the well-being of Welsh Ponies, Cobs and Partbreds and to safeguard their welfare and dignity.

2.1.8 To encourage show-holding bodies to appoint judges who are recommended by the Society and to convince them of the necessity of employing such qualified judges.

2.1.9 To encourage and promote the sale of Welsh Ponies, Cobs and Partbreds which are registered or recorded or eligible for registration or recording.

2.1.10 To hold judges' courses and examinations from time to time to qualify members and other interested persons as official judges of the Society.

2.2 The Society will not –

(i) 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 or occupation by them; and

(ii) have the power to carry on any business, including *inter alia*, ordinary trading operations in the commercial sense, speculative transactions, dividend stripping activities as well as the letting of property on a systematic or regular basis.

3. POWERS OF THE SOCIETY

Subject to the terms of the Constitution, the Society shall have the power:

3.1 to carry out such functions and perform such duties as are or may be

imposed upon it by virtue of its incorporation in terms of the Act and its membership of the Association; and

- 3.2 generally to do all such acts as a body corporate may by law perform and which the Society may deem necessary for the attainment of its objectives.

4. MEMBERSHIP

4.1 ELIGIBILITY FOR MEMBERSHIP

Membership of the Society shall be open to persons who, except in the case of Special Honorary Members, are resident in the Territories: Provided that any members who, prior to the date of approval of this clause shall have been admitted to membership of the Society shall, subject to the provisions of this Constitution, continue to be a Member and enjoy the privileges of a Member.

4.2 There are:

4.2.1 *Ordinary Members.* Persons who are 18 years and over, and who are engaged directly or indirectly in the breeding, training or showing of Welsh Ponies, Cobs and Partbreds resident in the Territories, excluding the BLNS countries, shall be eligible for Ordinary Membership of the Society. For the purpose of this sub-clause a company, close corporation, partnership or body corporate shall be deemed to be a person and eligible for Ordinary Membership of the Society.

4.2.2 *Life Members.* Any Ordinary Member in his or her personal capacity, may, with the approval of Council, become a Life member, and pay such Membership Fees as Council may decide.

4.2.3 *Honorary Life Members.* Council may recommend that a member be made an Honorary Life Member in recognition of special services to the Society. The decision shall rest with the Annual General Meeting. Honorary Life Members shall enjoy all the privileges of membership including voting at meetings and shall be eligible for election to Council. 4.2.4 *Special Honorary Members.* Persons who are not actively concerned with the breeding of Welsh Ponies, Cobs or Partbreds may be elected as Special Honorary Members on such conditions as may be laid down by Council. Special Honorary Members shall have no vote at meetings of the Society and may not be elected to Council.

4.2.5 *Junior Members.* Persons under the age of 18 years may become Junior Members, subject to their parents or guardians countersigning the application and accepting full responsibility for the financial and other commitments towards the Society on behalf of such Junior Members. Junior Members may not vote at meetings of the Society and are not eligible for election to Council. Upon payment of the scheduled fees, they may partake in the other activities of the Society.

4.2.6 *Associate Members.* Associate Members may be accepted on such conditions as may be laid down by Council and shall only have the rights specified in Clause 4.6.1.

4.3 COMPANY, CLOSE CORPORATION, PARTNERSHIP OR BODY CORPORATE

- 4.3.1 Any company, close corporation, partnership or body corporate applying for Ordinary Membership shall disclose to the Society such facts or data 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.
- 4.3.2 All communication addressed to the authorised representative referred to in Clause 4.3.1 shall be deemed to be served upon the company, close corporation, partnership or body corporate, and, at all meetings at which such authorised representative is in attendance on behalf of the company, close corporation, partnership or body corporate, such company, close corporation, partnership or body corporate, shall be deemed to be duly represented.
- 4.3.3 The principal person so appointed to represent such company, close corporation, partnership or body corporate, shall be eligible for election to Council.
- 4.3.4 Should any such company, close corporation, partnership or body corporate, cease to comply with the requisites for Ordinary Membership as laid down in Clause 4.3.1, its membership of the Society shall automatically be terminated and the provisions of the following Clause 4.3.5. shall *mutatis mutandis* apply in respect of such company, close corporation, partnership or body corporate.
- 4.3.5 The liquidation of a company or close corporation and the dissolution of a partnership or body corporate shall automatically terminate its membership of the Society provided that:
- 4.3.5.1 all fees or dues owing to the Society as at the date of liquidation or dissolution shall be recoverable from the liquidator of such company or close corporation or from the members (either jointly or severally) of such partnership or body corporate.
- 4.3.5.2 the liquidator of such company or close corporation and the members of such partnership or body corporate shall be obliged to discharge all the obligations of such company, close corporation, partnership or body corporate in respect of registrations, recordings, transfers and whatever obligations the company, close corporation, partnership or body corporate would have had to discharge as a member of the Society, and
- 4.3.5.3 whatever fees may become due and payable shall be raised on the scale payable by an Ordinary member.

4.4 NON-RESIDENT BREEDERS

- 4.4.1 Any person, including a company, close corporation, partnership or body corporate not resident in the Territories in terms of Clause 4.1 and who is directly engaged in the breeding of Welsh Ponies or Cobs

or Partbreds shall be eligible to register with the Society as a Non-Resident Breeder.

4.4.2 With the exception of the following rights:

4.4.2.1 to vote at any meeting of the Society, and

4.4.2.2 to be eligible for election to Council,

all the provisions of the Constitution in respect of persons applying to be admitted, or already admitted as Ordinary Members of the Society and all the rights, privileges and obligations of such members as set out in the Constitution shall *mutatis mutandis* apply to all persons applying for registration or already registered with the Society as Non-Resident Breeders.

4.5 APPLICATION FOR MEMBERSHIP

4.5.1 A person applying for membership must do so one month before the annual General Meeting to qualify for a vote at the meeting. The application must be made in writing to the Secretary and must take the form which Council may determine. The application must be accompanied by the subscription and entrance fee.

4.5.2 Council may admit any applicant to Membership of the Society either unconditionally or on such condition as Council may determine or they may refuse without giving reasons.

4.5.3 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.

4.6 RIGHTS AND PRIVILEGES OF MEMBERS IN GOOD STANDING

Save for executors of deceased estates, trustees of insolvent estates and liquidators of companies or closed corporations, the rights and privileges of every member of the Society shall be personal to himself and shall not be transferable or transmissible either by his own act or by operation of law. They shall include the following rights:

4.6.1 To receive all reports and publications that is produced by the Society for distribution to Members.

4.6.2 To have Welsh Ponies and Cobs registered and Partbreds recorded in accordance with the Constitution.

4.6.3 To attend all general meetings of the Society and to vote at such meetings.

4.6.4 To receive the services of the appointed officers of the Society and participate in all the benefits provided by the Society.

4.6.5 To have access to their records in the office of the Society during normal business hours.

4.6.6 Subject to the provisions of Clause 4.2 to be elected as a member of Council.

5. SUBSCRIPTIONS AND FEES

5.1 All subscriptions, fees and any other dues and commissions payable to the Society shall from time to time be determined by Council and ratified by majority vote at the ensuing Annual General Meeting of the Society.

- 5.2 The annual subscriptions shall become due and payable in advance on 1st January each year, and shall be deemed to be in arrear if unpaid by the last day of February of the same year.
- 5.3 Membership of the Society of any member who has not paid his annual subscription by the last day of February, in the year in which it is due, may be terminated by Council, upon written notice to the said member. Council may cause an interest charge, at a rate determined by Council from time to time, to be levied on all overdue accounts.
- 5.4 Any member whose subscription is in arrear, or who shall be indebted to the Society in respect of any fees or dues for a period longer than 30 days after a demand by registered post for payment thereof has been addressed to him by the Secretary, shall cease to enjoy any of the rights and privileges of membership until such indebtedness has been liquidated.
- 5.5 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 ceased.
- 5.6 Should the account of a member be in arrear as determined by Council, or outstanding on the termination of his membership, such member shall, if and when his account is handed over to a firm of attorneys or solicitors for collection, be liable to the Society for payment of all legal charges, collection, attorney and client costs entailed in addition to the principal amount, fines and penalties owing by him.
- 5.7 All services to members will only be rendered on a cash basis and then only to members whose annual subscriptions have been paid, unless other arrangements have been confirmed by the Secretary in writing.
- 5.8 Irrespective of any other provisions of Clause 5, any member who has failed to pay his current annual subscription before the closing date of entries for any show shall be barred from showing.

6. RESIGNATION AND EXPULSION OF MEMBERS

- 6.1 Any member may resign from the Society by giving not less than one month's written notice to the Secretary: Provided that all monies owing to the Society by such member will be paid and that such member will discharge all his obligations in respect of registrations, recordings, transfers or any other obligations in respect of his membership.
- 6.2 Council shall by resolution to that effect, passed by at least two-thirds of the members of Council, present and entitled to vote, at a meeting of Council, take disciplinary action against any member who:
 - 6.2.1 has infringed the Constitution or disobeyed any rule of the Society, or who has, in the opinion of Council, acted in any way derogatory to the character or prejudicial to the interest of the Society.
 - 6.2.2 has by his acts or omission, brought actual or potential dishonour upon the Society, or who has been guilty of conduct to the actual or potential prejudice of the objectives of the Society.
 - 6.2.3 has wilfully or for personal gain or advantage, given incorrect information to the Society or any official of the Society or to judges or officials at shows, or is guilty of an offence under the Act.

PROVIDED that no proceedings for expulsion shall be initiated against a member of the Society unless the Secretary has, at least 30 days prior to the

date of the Council Meeting at which such expulsion will be dealt with, addressed a registered letter to such member notifying him of his proposed expulsion, and calling upon him, if he so wishes, to present, either personally or through his duly authorised representative, his side of the case to such meeting.

- 6.3 Any member who has been expelled shall be notified by the Secretary in writing within a period of three days from the date upon which the resolution to expel him was passed.
- 6.4 After the cancellation of membership of a member, he shall cease to be a member of the Society. His name shall be removed from the Stud Book and Council may, at their discretion, instruct the Secretary to apply to the Association for the cancellation of records and registrations of animals which were bred and are in the possession of the member whose membership has been cancelled at the time of such cancellation of membership. Council may require that such member hand to the Society all records and registration certificates in his possession at the time of cancellation of membership. After such date, no transfer of animals of such member shall be recorded without the approval of Council; no birth notifications, recordings or registrations of animals bred by him shall be recorded or registered without the approval of Council; no birth notifications shall be accepted from such member and he shall be notified accordingly.
- 6.5 Any member who has been expelled shall pay all monies owed by him to the society and he shall be required to fulfil his obligations in respect of registration and transfers or any other obligations in connection with his membership.
- 6.6 Any person who has for whatever reason, ceased to be a member of the Society, may re-apply for membership in accordance with the regulations of Clause 4.2.1.

7. REGISTER OF MEMBERS

- 7.1 The Society shall keep a register of all members stating the date of their admission to membership, their postal address, the amounts received from them with the date of payment, and arrears, if any, which may be due.
- 7.2 Every member shall communicate in writing to the Secretary any change of his postal address, and all notices or publications posted to the registered address of a member shall be considered as duly delivered to such member.
- 7.3 Communications consigned under registered cover to any member by the Secretary shall be binding.

8. REGIONAL COMMITTEES

- 8.1 Members in each Region may form Regional Committees which shall be subject to the Constitution, Rules and Regulations of the Society.
- 8.2 The objectives of these Committees shall be to further the aims of the Society by promoting Welsh Ponies, Cobs and Partbreds by *inter alia* the holding of shows, seminars and clinics, the establishment of contact with other organizations, etc.
- 8.3 Prior to the National Annual General Meeting, each Region shall hold a Regional Annual General Meeting, of which at least 30 days written notice shall be posted to all members of the Society resident in the Region.

- 8.4 At the Regional Annual General Meeting, members of the Society resident in the Region may elect a Regional Committee with a minimum of three members and a maximum of nine members and shall also elect their representative on Council. The members of this Committee may elect a chairman and such other officers as may be required, one of whom shall be the Regional Administrator. No proxy votes may be utilized at any Regional meeting unless a member has medical proof that he is unable to attend such meeting.
- 8.5 The Regional Committee shall keep minutes of any meeting held.
- 8.6 The Regional Committee shall keep proper financial records and shall submit a Balance Sheet and an Income and Expenditure account to Council before the Society's Annual General Meeting.
- 8.7 If there is no Regional Committee the Regional Councillor shall be required to meet the requirements of Clause 8.6.
- 8.8 Regional Committee members who do not attend two consecutive Committee Meetings without good cause shall forfeit their office.

9. ESTABLISHMENT OF COUNCIL

- 9.1 The affairs of the Society shall be controlled and administered by Council consisting of seven members of the Society.
 - 9.1.1 The (5) five Regions shall each elect one member. Each Region shall send an extract of the minutes of their Regional Meeting, stating the date, place and member elected at the Meeting, supported by the signature of the Regional Administrator of that Region, to reach the Society before the Annual General Meeting.
 - 9.1.2 Where a Region fails to elect a representative, Council shall nominate a Council member from that Region and such person shall be duly elected.
 - 9.1.2.1 Nomination for one General Councillor shall be done in writing on the prescribed form and delivered to the Secretary of the Society no later than 21 days prior to the Annual General Meeting of the Society.
 - 9.1.2.2 Election of such General Council Member will take place by closed ballot by everyone present at the Annual General meeting and entitled to vote.
 - 9.1.2.3 No proxy votes will be accepted for the election of such General Council member.
 - 9.1.2.4 Any person accepting nomination as a General Councillor must be present at the Annual General Meeting at which the voting will take place.
- 9.2 Council shall meet at the conclusion of the Annual General Meeting to elect one additional member and thereafter a President and a Vice-President from within their ranks.
- 9.3 The representing Regional members of Council shall hold office for two years. The three or two members as the case may be, who have completed a two year term in office shall retire by rotation. Retiring members shall be eligible for re- election. The additional two members shall be re-elected annually.

- 9.4 Members of Council who do not attend two consecutive Council Meetings without good cause shall forfeit their office.
- 9.5 Should a Regional Council member die, resign or cease to be a member of the Society, Council may appoint another member, preferably from the same Region, to fill the vacancy until the next election: Provided that the posts of President and Vice-President are filled by an existing Council member. No interim appointment needs to be made to fill the vacant post of a General Council Member prior to the next Annual General Meeting of the Society. Notwithstanding any vacancy on Council, Council shall be considered fully constituted and shall continue to exercise all the powers conferred upon it.
- 9.6 In addition to the members elected or nominated to Council by the Society, the Minister shall have the right to nominate an Officer of his Department to represent him on Council, and such representative of the Minister shall have the right to attend and participate in all discussions at all meetings of the Society, but shall not be entitled to vote on any question or resolution at such meetings.
- 9.7 There shall be a Secretary to the Society, appointed by Council, who shall attend all meetings of the Society and have the right to participate in any discussions at such meetings, but shall not have the right to vote.

10. 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 objectives without cause or prejudice and in particular have the power:

- 10.1 To convene general or Council Meetings of the Society either in compliance with a special request thereto made in accordance with the provisions of the Constitution, or otherwise if it is deemed necessary.
- 10.2 To appoint, remove or suspend such attorneys, or other legal representatives, agents, auditors, officials or other employees for or from permanent, temporary or special services as it may deem fit; to determine their powers and duties, and from time to time fix their remuneration and conditions of service, and to require security to its satisfaction for the due performance of their functions, if in any case it so deems expedient. All appointments made by Council in terms of this clause shall be subject to at least an annual review.
- 10.3 To institute, conduct, defend, compound or abandon any legal proceedings by or against the Society or against any of its office-bearers, 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 debts to, or any claim or demand by or against the Society,
- 10.4 To take out and maintain any insurance policies which may be deemed necessary, in the interests of the Society.
- 10.5 To appoint inspectors to inspect Welsh Ponies, Cobs and Partbreds wherever necessary and to do all the work for which members of the Society may need their services and to give instructions and power to such inspectors with reference to their duties to ensure that the purpose of the Society is carried out; also to discharge such inspectors.

- 10.6 To give instructions to the inspectors of the Society to investigate cases where no proper records are kept or where there may be doubt in connection with the identity of an animal or animals and to take steps in the interests of the Society where deemed necessary.
- 10.7 To co-opt without voting rights the services of any member of the Society and to appoint subcommittees on such conditions and to give such power to such subcommittees as is necessary from time to time. The President and Vice-President are *ex officio* members of all such subcommittees.
- 10.8 To draw up such rules and conditions in connection with the qualifications and appointment of judges of Welsh Ponies, Cobs and Partbreds, as may be regarded necessary, with the understanding that no person who is appointed to judge Welsh Ponies, Cobs and Partbreds will be appointed before he satisfies all such rules and conditions. Further to reassess the panel of judges from time to time and to remove from it such names as warrant removal.
- 10.9 To grant leave of absence to any member of Council, official or employee of the Society for any period or on any such conditions as may be determined.
- 10.10 To impose or to enforce such sanction which may be laid down from time to time, on members of the Society for the infringement or violation of the Constitution, or rules and regulations of the Society.
- 10.11 From time to time, subject to the provisions of Clause 5, to adjust or revise subscriptions, fees or dues and to prescribe such additional fees or dues as it may deem necessary.
- 10.12 To open bank accounts on behalf 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.
- 10.13 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 manner as it may consider to the best advantage of the Society.
- 10.14 In any dispute as to the interpretation of the Constitution or the Bye-laws of the Society, the decision of Council shall be final and binding on all parties to the dispute.
- 10.15 To invest, or in any other manner deal with any monies 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: Provided that funds available for investment may only be invested with registered financial institutions as defined in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984, and in securities listed on a licensed stock exchange as defined in the Stock Exchanges Control Act, 1985 (Act No. 1 of 1985);
- 10.16 To pay all costs and charges in connection with the administration and management of the affairs of the Society.
- 10.17 To collect and receive subscriptions, fees and donations and other dues and funds and to devote same to the objectives of the Society.
- 10.18 To organize and promote the sale of Welsh Ponies either by public auction or private treaty and for such purposes to appoint auctioneers and agents.
- 10.19 For the better and more convenient fulfilment 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.
- 10.20 To elect a representative/s to the Annual General Meeting of the Association.
 - 10.21 To approve or reject applications for membership at its own discretion.
 - 10.22 To frame, alter and rescind rules and regulations in connection with the management of the affairs, and the execution of the objectives of the Society or to change or to repeal them.
 - 10.23 To recommend changes or modifications to any annexure, fixed to the Constitution, as may be necessary from time to time, to the Annual General Meeting.
 - 10.24 On the security of any property of the Society, borrow money for the Society.
 - 10.25 To cancel the membership of any person in accordance with Clause 6.
 - 10.26 To refuse to accept records of registration and to refuse to provide other administrative services for members, if their accounts are in arrears.
 - 10.27 To take such steps as it may deem necessary to ensure a high standard of discipline amongst members of the Society in their behaviour to each other, officials of the Society and members of the public. To protect Welsh Ponies, Cobs and Partbreds and generally to deal with unbecoming conduct towards persons and animals.
 - 10.28 Generally to do all such things as are necessary for the welfare of the Society and to the conduct of its affairs, provided always that any action taken, or instructions given shall not be contradictory to the terms of the Constitution.
 - 10.29 No Council member may act unilaterally on any matter without a resolution from Council.

11. MEETINGS OF THE SOCIETY

11.1 COUNCIL MEETINGS

- 11.1.1 Council shall meet at such time and place as it may from time to time determine, or may be decided upon by the President, or in his absence, the Vice- President: Provided that not less than three Council Meetings shall be held in each financial year.
- 11.1.2 A Special Council Meeting**
 - 11.1.2.1 may be called by the President (or in his absence by the Vice-President) at such time and place as such office-bearer may decide, or
 - 11.1.2.2 shall be called upon a request signed and addressed to the Secretary by not less than three Council members, stating the reasons for such meeting.
- 11.1.3 Not less than 21 days prior to the holding of a Council Meeting, written notice of the time, date and place of such meeting shall be posted by the Secretary to each member of Council.
- 11.1.4 If the President and Vice-President are absent from a Council Meeting, the members present shall elect a Chairman to preside.
- 11.1.5 All matters submitted to Council Meeting shall be decided by the votes of those present and entitled to vote. In the event of an equality of votes, the person presiding over the meeting shall have a casting vote in addition to his deliberative vote. Each member has one vote and

voting shall be by a show of hands or by ballot as determined by the person presiding over the meeting.

- 11.1.6 At least once a year all Regional Administrators and Council members shall have a joint meeting.
- 11.1.7 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 the 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 member of Council are present and so decide.

11.2 GENERAL MEETINGS

- 11.2.1 A General Meeting of the Society, which is know as the Annual General Meeting, shall be held once a year not later than nine months after the end of the financial year, at such time and place as Council may decide.
- 11.2.2 At such an Annual General Meeting, Council shall submit its annual report together with a duly audited balance sheet.
- 11.2.3 A Special General meeting of the Society:
 - 11.2.3.1 may be called at any time by the Council, or
 - 11.2.3.2 shall be called by the President (or in his absence the Vice-President), if a written application was submitted to the Secretary and was signed by not less than 20 members of the Society. Such an application must clearly show the objectives of the meeting, and during such a meeting, only the said business may be discussed.
- 11.2.4 Not less than 60 days prior to the holding of the Annual General Meeting, a preliminary notice of the time, date and place of the meeting shall be posted by the Secretary to every member. Any member intending to put forward any matter for discussion at the Annual General Meeting shall give written notice thereof to reach the Secretary no less than 40 days prior to the holding of the meeting. No subject put forward by any member shall be placed on the agenda of the Annual General Meeting unless the requisite notice of motion in terms of this subclause has been given. No proposal put forward by any member shall be placed on the agenda if it appeared on the Agenda of the previous Annual General meeting.
- 11.2.5 A notice of time, date and place at which a General Meeting will be held, together with the agenda for the meeting, must be posted to every member of the Society at least 30 days before the meeting.
- 11.2.6 No resolution shall be taken at a General Meeting, unless notice thereof is given on the agenda which appears with the notice of the meeting sent to members.
- 11.2.7 Any meeting may be postponed by a two-thirds majority vote of the members present and entitled to vote.
- 11.3 The President or in his absence, the Vice-President, shall preside over every meeting of the Society. Whenever both the President and the Vice-President are absent from the meeting, the members present and entitled to vote, may

elect any other member to preside over the meeting, and any person so elected shall, in relation to the meeting, have all the power and duties of the President. The person presiding over the meeting shall enforce observance of the Constitution and bye-laws of the Society and sign the minutes of the previous meeting after confirmation.

- 11.4 Any business matters laid before any meeting, unless otherwise provided, must be settled by the majority vote of the members present and entitled to vote. In the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

11.5 VOTING

11.5.1 Members in good standing shall have the right to vote by proxy on all matters submitted to a General Meeting of the Society or Special Meeting, including amendments to the Constitution referred to in Clause 15.

11.5.2 No one member of the Society shall be allowed to use more than five proxy votes. If a member should hold more than five proxy votes, such member shall be entitled to distribute the excess votes to other members of their choice before any matters are voted on at the General Meeting.

11.5.3 No proxy shall be valid unless it is received by the Secretary in proper order, in a form approved by the Society, at least one hour before the meeting.

11.5.4 Voting at all meetings shall be by a show of hands, unless voting by ballot is demanded by the majority of the members present, in which event voting shall be by ballot.

- 11.6 No matter which was concluded in a proper and constitutional way at any meeting, may be declared invalid because any member did not receive notice according to the requirements of the Constitution.

11.7 QUORUMS

11.7.1 20 Members of the Society personally present at the commencement of any General Meeting and entitled to vote, shall form a quorum for such a Meeting, and four Council members personally present at any Council Meeting and entitled to vote, shall form a quorum for such Council Meeting.

11.7.2 If at any meeting a quorum is not present, the meeting shall stand adjourned to a time (not less than 21 days and not more than 30 days thereafter) and place determined by the members actually present, and at such an adjourned meeting the members present shall form a quorum: Provided that any meeting at which the President or Vice-President is present shall, if there is no quorum, stand adjourned for half an hour. The members then present shall form a quorum for the disposal of such business (other than any amendment to the Constitution) as the presiding member may declare to be of an urgent nature and such adjournment for half an hour shall be without prejudice to the rights of the meeting, after dealing with such urgent business, to adjourn to a time, date and place as herein provided. When a meeting has been thus adjourned, a notice shall be sent to all

members within 14 days after the adjournment in which shall be stated the time, date and place to which the meeting has been adjourned and the reason for the adjournment.

11.8 MINUTES OF MEETINGS

11.8.1 A copy of the minutes of all general meetings shall be supplied to each member of the Society. Copies of the minutes of the Council and Executive Committees and other subcommittees shall be supplied to all persons serving on the committee concerned. Approved copies of Council meeting minutes shall be supplied to Regional Committees.

11.8.2 The minutes of all meetings approved at a subsequent meeting and signed by the President or the person 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 the meeting are valid and binding.

12. FINANCIAL REGULATIONS

12.1 Council shall ensure that one or more banking accounts are opened in which all monies received shall be deposited.

12.2 All payments out of the funds of the Society shall be effected by cheque signed by the Secretary or a person appointed by Council and countersigned by such person or persons as Council may authorize in terms of Clause 18: Provided that nothing herein contained shall prevent Council from maintaining and operating a petty cash fund. Such regular and ordinary accounts which are not larger than an amount decided by Council may be paid in cash, on condition that the total amount necessary for paying such account is drawn by cheque.

12.3 The Secretary must keep proper record of the Society's accounts and financial affairs and these books must be audited by a qualified auditor at least once a year. Council shall submit a duly audited balance sheet and statement of the financial position of the Society as at 31 December of the year to which the report relates, as set out in Clause 11.2.2 to the Annual General Meeting of the Society.

12.4 All assets of the Society are vested in Council.

12.5 The income and assets of the Society from whatever source derived, including profits and gains, shall be applied solely for the furthering of the objectives of the Society, and no portion thereof shall be directly or indirectly paid out as dividend or bonus or in any way transferred to any person who at any time was or is a member of the Society, on condition that nothing contained herein can prevent payment in good faith to any employee or other person for services rendered to the Society.

12.6 The financial year of the Society shall be from 1 January to 31 December in each and every year.

12.7 Interim un-audited financial reports shall be presented at each Council Meeting for approval.

13. AFFILIATIONS

The Society may, in accordance with the Act, be a member of the Association and shall maintain such membership on the conditions set in the constitution of the

Association; and may further by a majority vote of at 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 objectives kindred to those of the Society.

14. AMENDMENTS TO THE CONSTITUTION

14.1 Additions, amendments and changes to the Constitution may only be made by a majority vote of not less than two-thirds of the members present and entitled to vote at an Annual General Meeting of the Society. Written notices must be given to each member of the Society of any proposed alterations or additions to the Constitution not less than 30 days before the meeting.

14.2 No such additions or amendments to the Constitution approved as in Clause 14.1 shall be effective without ratification or before it has been ratified or approved by the Registrar, in terms of the Act and shall comply with and be submitted to the Registrar in the manner set out in this Constitution.

14.3 Any amendment to the Constitution will be submitted to the Commissioner for the South African Revenue Service.

15. OFFICE OF THE SOCIETY

The Office of the Society shall be at a place as may be determined by Council from time to time.

16. 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 be distributed amongst the members of the Society, but shall be given or transferred to such other institution or institutions having objectives similar to those of the Society as may be determined by a majority decision of a general meeting of the Society and which is in itself exempt from income tax in terms of section 10(1)(cB)(i)(ff) of the Income Tax Act.

17. 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.

18. INDEMNITY

Subject to the provisions of Section 22 of the Act, every office-bearer and employee of the Society shall be indemnified by the Society for all costs, losses and expenses which any such office-bearer or employee may incur or become liable for by reason of any contract into such or in any way in the discharge of his duties, save where negligence is established.

19. EMPLOYEES OF THE SOCIETY

No employee of the Society shall, except in the performance of his duties as such an employee, render any service or be connected with any business concerned with the purchase or sale of Welsh Ponies, Cobs or Partbreds.

20. DELEGATION OF POWERS

Notwithstanding anything to the contrary in the Constitution, any member may under power of attorney, duly executed and filed with the Secretary, authorize another person to sign on his behalf any birth notification, application for recording/registration or transfer, certificate of transfer, certificate of service, returns or reports or any other document in connection with the administration of a Welsh Pony, Cob or Partbred stud. 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.

21. NON-MEMBERS

Such privileges of membership as the Council may determine, may be conferred on non-members: Provided that there shall be no legal or other obligation on the Society to such non-member, and provided further that all fees payable in respect of any services rendered by the Society to non-members shall be determined by Council and payable in advance.

BYE-LAWS

1. STUD BOOK

The registration system of the Society shall consist of the Stud Book (to be known as the Welsh Pony and Cob Stud Book of South Africa) which shall be divided into the following Sections:

- a) Section A: Welsh Mountain Pony, not more than 1.22m
- b) Section B: Welsh Pony, not more than 1.37m
- c) Section C: Welsh Pony of the Cob Type, not more than 1.37m
- d) Section D: Welsh Cob, exceeding 1,37m
- e) Partbred: Horses or Ponies with a minimum of 25% Purebred Welsh

blood

and which shall be maintained and operated by the Association in terms of the Act.

2 PREFIX

- 2.1 No Welsh Pony, Cob or Partbred shall be accepted for registration or recording unless the breeder has previously, through the Society, registered with the Association for his exclusive use, a prefix by which all Welsh Ponies, Cob or Partbreds bred by him and eligible for registration or recording shall be designated.
- 2.2 No Prefix shall exceed 18 characters and the name of a city, post office or town in the R S A shall not be accepted for registration as a prefix.
- 2.3 Application for the registration of such prefix shall be made to the Secretary and shall be accompanied by such fee as may be prescribed from time to time by the Council or by the Association.
- 2.4 No transfer of a prefix shall be allowed from one breeder to another, except under such conditions and to such persons as are provided for in the Bye-laws to the Constitution of the Association.

3 IDENTIFICATION OF WELSH PONIES, COBS AND PARTBREDS

- 3.1 Colour and markings and whorls shall be the Society official system of identification of all animals submitted for registration or recording.
- 3.2 Tattoo markings, microchips or branding may also be used, in addition to Bye-law 3.1.
- 3.3 Every foal is to be identified by the breeder within 180 days of birth.
- 3.4 If for any reason Council has cause to question the bona fides or accuracy of any application for recording/registration it shall have the right to refuse such application. Furthermore, Council shall have the right to cancel any registration affected by the Society, on proof of false or incorrect information.

4. NAMES

- 4.1 In addition to the identification marks referred to in Bye-law 3, all live Welsh Ponies, Cobs and Partbreds of which the birth is notified, and all animals offered for registration or recording, must be explicitly named: Provided that the name may be substituted by the animal identification. Council shall have the right to refuse any application in respect of a Welsh Pony, Cob or Partbred which in its opinion cannot be clearly identified or is misleadingly or unacceptably named

- 4.2 The name shall include the prefix registered in favour of the breeder and inclusive of the prefix shall not exceed 30 characters.
- 4.3 The name of any Welsh Pony, Cob or Partbred, once accepted for registration or recording, 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 only to the extent of correcting the error.

5. NOTIFICATION OF BIRTH

- 5.1 The breeder of a Welsh Pony, Cob or Partbred eligible for registration or recording shall notify the Society within 180 days of its birth, whether it is born dead or alive, is a Purebred or Partbred. The sire and dam and breed of the sire and dam, whether recorded, registered or otherwise, shall be stated on the birth notification, except in the case of a Partbred where the sire is unknown. Births notified after such period shall be accepted subject to the approval of Council and on payment of a late notification fee as may be determined by Council.
- 5.2 All birth notifications shall be made on the birth notification form as approved by the Society, and copies thereof shall be kept by the breeder concerned for inspection and checking at all reasonable times by officers of the Society.
- 5.3 In the event of multiple births the breeder shall, in addition to the particulars ordinarily required, also record on the birth notification form the number and sex of the other foal or foals.
- 5.4 Records shall be kept by the Society in the name of each breeder of all Welsh Ponies, Cobs and Partbreds born, whether born dead or alive, whose births have been duly notified by the relevant breeder and of such other details as may be determined by the Society.
- 5.5 The application for registration/recording shall contain a declaration in the following terms:
"I declare that the pedigree, breeding particulars and identification marks of the animal described herein are correct and that all the requirements of the Constitution and the Act relating to application for registration/recording have been complied with".
- 5.6 The birth notification shall also be accompanied, in the case of a Welsh Pony, Cob or Partbred imported *in utero*, by the necessary documents endorsed by the Stud Book Society (or body recognized by the Society and the Registrar) in the country of origin:
- 5.6.1 A service or insemination certificate (depending on whether fertilization was by natural service or AI); and
- 5.6.2 Confirmation that the sire conforms to the minimum performance and other requirements as may be determined by Council.

6. RULES GOVERNING THE PRACTICE OF ARTIFICIAL INSEMINATION

(A.I.)

- 6.1 All Welsh Ponies, Cobs and Partbreds which have been legally bred 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 No birth notification of a Welsh Pony, Cob or Partbred bred by A. I. shall be accepted for the purpose of birth recording unless it is endorsed “bred by A.I.”.
- 6.3 Irrespective of the provisions of Bye-law 6.1, where different sires are used for the supply of semen for the artificial insemination of the same female at two consecutive heat periods less than 28 days apart, no resultant progeny shall be eligible for registration unless the male parentage has been confirmed by DNA profiling.
- 6.4 The Society reserves the right through its officers to supervise and/or inspect the keeping of records in connection with A. I.
- 6.5 The Society and the Association reserve the right to refuse to register the progeny resulting from A. I. should any of these rules not be fully adhered to.
- 6.6 Breeders resident in the Territories outside South Africa who enjoy the privileges of registration of Welsh Ponies, Cobs or Partbreds under the provisions of the Constitution may apply for registration of progeny by AI; Provided that the semen is obtained from a source approved by the Society and provided further that the collection of semen and the handling thereof, the insemination of the animals and the maintenance of records shall be effected in such manner as may be duly approved by the Society from time to time.
- 6.7 **Collection and storage of Welsh Pony, Cob or Partbred semen and the registration of progeny resulting from the use of such semen:**
- 6.7.1 The Society confirms the right of breeders, subject to the provisions of the Act, to collect, deep-freeze and store semen of their Welsh Pony, Cob or Partbred stallions for use in their own studs, and progeny resulting from the use of such semen shall be eligible for registration: Provided that –
- 6.7.1.1 complete details of the ownership of the stallion concerned have been submitted to the Registrar;
- 6.7.1.2 the official DNA profiling number of the stallion has been submitted to the Registrar;
- 6.7.1.3 the collection and storage of the semen have been carried out in accordance with the requirements of the Act; and
- 6.7.1.4 all requirements of the Constitution in respect of birth notifications or registrations are complied with.
- 6.7.2 In the case of a transfer of a Welsh Pony, Cob or Partbred stallion (other than one approved for the collection of semen in terms of section 10 of the Act) from which semen has been collected, frozen and stored, the application for the transfer of such a stallion must be accompanied by a certificate signed by the seller indicating the number of doses of semen stored at the date of transfer.

7. **GESTATION AND INTERFOALING PERIODS**

The gestation period recognized in respect of Welsh Pony, Cob and Partbred animals shall be 330 days. The minimum acceptable gestation period shall be 294 days, and the maximum period shall be 364 days. The minimum acceptable interfoaling period is 300 days. Any gestation or interfoaling periods outside these

ranges shall not be recognized unless the parentage of the foal concerned is confirmed by DNA profiling.

8. DNA PROFILING

- 8.1 In order to confirm the parentage of Welsh Ponies, Cobs and Partbreds, the Society shall at any time have the right to insist on DNA profiling in any case of doubt.
- 8.2 The owner or the Society as may be determined by Council shall bear the costs of the DNA profiling required in terms of this Bye-law.

9. SERVICE CERTIFICATES

- 9.1 If a foal is eligible for recording or registration, and sired by a stallion which was not owned by the breeder of the foal, the service certificate, signed by the owner of the stallion at the time of service, shall be submitted to the Secretary with the birth notice of the foal, if such service certificate has not already been submitted to the Secretary.
- 9.2 If the exact date of covering is not known, the service certificate shall mention the period during which the mare and stallion ran together and further that the mare could not have been covered by any other stallion during this time.

10. REQUIREMENTS AND APPLICATION FOR RECORDING OR REGISTRATION

- 10.1 Application for recording or registration must be made before the sale of any pony or within three years of the date of birth of the animal, whichever is sooner.
- 10.2 Any animal for which the particulars supplied on the birth notification form or accompanying certificates in terms of Bye-law 5 are open to question may, at the discretion of Council, be debarred from registration.
- 10.3 Colour and markings and whorls must be clearly shown on the diagram.
- 10.4 Any animal for which an application for Registration or Recording is submitted must be DNA profiled and have a recognized and valid DNA profile number.
- 10.5 Only animals which are the direct progeny of parents registered on both the sire and dam's side in the Welsh Pony and Cob Stud Book of South Africa are eligible for registration. Other animals having a minimum of 25% Welsh blood are eligible for recording.
- 10.6 All Welsh Pony, Cob or Partbred stallions must be entered, on the payment of a fee which shall be laid down by the Council from time to time, into the Society's register of breeding stallions. All stallions of the Society registered for breeding shall be in possession of a certificate issued by a qualified veterinarian stating that such sire is free from hereditary defects including cataract, defective genital organs, roaring, whistling, ringbone, sidebone, bone spavin, shivering, stringhalt and parrot mouth and must be DNA profiled.
- 10.7 **SOUTH AFRICAN WELSH PONIES, COBS OR PARTBREDS**
 - 10.7.1 No application for registration of a South African bred Welsh Pony or Cob shall be considered unless details of its birth have been duly registered in terms of Bye-law 5, and both of its parents, or its mother

in the case of an animal imported *in utero* or resulting from imported semen, have been registered by the Society and have been DNA profiled.

10.7.2 No application for recording of a South African bred Partbred Welsh Pony or Cob shall be considered unless details of its birth have been duly notified in terms of Bye-law 5 and it has a minimum of 25% Welsh blood and at least one of the parents has been DNA profiled and registered or recorded by the Welsh Pony and Cob Society.

10.7.3 The form of application shall:

10.7.3.1 be laid down by the Registering Authority;

10.7.3.2 be endorsed by the Society to the effect that all the requirements of the Constitution in respect of registration have been met.

10.7.4 IMPORTED WELSH PONIES, COBS AND PARTBREDS

10.7.4.1 An imported Welsh Pony or Cob, or one resulting from imported semen shall be eligible for registration provided that requirements of the Constitution have *mutatis mutandis* been complied with.

10.7.4.2 An imported Welsh Pony or Cob shall be eligible for registration provided that application for registration is accompanied by:

10.7.4.2.1 a certificate of registration or an export certificate issued by a Stud Book Society (or other body recognized by the Society and the Registrar) in the country of origin; and

10.7.4.2.2 evidence to the effect that the animal concerned conforms to the accepted breed standards as specified in the Constitution and approved by the Registrar.

10.7.4.3 South African Stud Book registration certificates shall be issued in respect of imported animals.

11. INSPECTORS

Inspectors, appointed by the Council and acting on the written instructions of Council, may at any time, without previous notice, carry out a general inspection of any member's Welsh Stud, or individual ponies. They shall submit a written Report of their findings to the Council, with a copy to the stud owner.

12. BIRTH NOTIFICATION AND REGISTRATION/ RECORDING CERTIFICATES

12.1 Registration and recording certificates to be issued in respect of Welsh Ponies and Cobs may, with the consent of the Association, be in the form desired by the Society.

12.2 ALTERATIONS OR ADDITIONS TO BIRTH NOTIFICATION OR RECORDING/ REGISTRATION CERTIFICATES

Any alteration or addition to the essential information or particulars officially recorded on any Welsh Pony, Cob or Partbred birth notification, registration or recording certificate which has not been initialled by the General Manager of the Association, or any unauthorized endorsement or remark on such certificate bearing upon the essential information or particulars contained therein, shall render such certificate invalid.

12.3 DUPLICATE OR REPLACEMENT RECORDING/ REGISTRATION CERTIFICATES

In the case of a registration or recording certificate issued by the Association which has been mislaid, mutilated or lost, written application may be made to the Association, through the Society, by the owner of the animal concerned for the issue of a duplicate or replacement in a statement by the applicant setting out all the relevant circumstances.

12.4 CANCELLATION OF RECORDING/ REGISTRATION CERTIFICATES AND REINSTATEMENT OF WELSH PONIES, COBS AND PARTBREDS

12.4.1 Council may direct the Secretary to apply to the Association for the cancellation of the registration or recording of any Welsh Pony, Cob or Partbred which has:

12.4.1.1 been registered or recorded by mistake;

12.4.1.2 been registered or recorded on the strength of false or fraudulent information supplied by the owner; or been registered or recorded after the owner has failed to comply with any relevant Bye-law;

and to notify the breeder or owner accordingly.

12.4.2 A registration/recording certificate of a Welsh Pony, Cob or Partbred issued by the Association shall be returned to the Association, through the Society, for cancellation within 30 days of its death, or for endorsement within 30 days of gelding or reclassification.

12.4.3 All documents so returned shall be suitably endorsed and kept by the Association for as long as it takes to complete the cancellation of the certificate in the case of death, endorsement where a change of Section is required after measuring or notification of gelding is required, whereafter they shall be returned to the Society.

12.4.4 In the event of the registration or recording of a Welsh Pony, Cob or Partbred having been cancelled, 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 the registration or recording certificate. The reinstatement of any such Welsh Pony, Cob or Partbred shall be effected upon payment of such fee as may be determined by Council from time to time.

12.5 CERTIFICATES OF EXTENDED PEDIGREE

A member may apply to the Secretary for a certificate of extended pedigree in respect of a Welsh Pony or Cob and the Secretary shall apply to the Association to issue such certificate. Every such application shall be

accompanied by the requisite fee as may be determined by Council from time to time.

13. JOINT OWNERSHIP OF WELSH PONY, COB OR PARTBRED STALLIONS

13.1 When a Welsh Pony, Cob or Partbred stallion is transferred to joint ownership the full name and address of each joint owner shall be submitted to the Association.

13.2 The joint ownership and use of a Welsh Pony, Cob or Partbred stallion is subject to the provisions of section 7(5) of the Act.

14. TRANSFER OF WELSH PONIES, COBS AND PARTBREDS

14.1 For the purpose of this Bye-law “transfer” means any transaction whereby any person acquires the right to sole ownership of a Welsh Pony, Cob or Partbred, or to any share or additional share of the ownership of a Welsh Pony, Cob or Partbred, and shall include the sale, exchange, inheritance or donation of whole or part ownership or the relinquishment of any share in the ownership of such Welsh Pony, Cob or Partbred .

14.2 Any seller who transfers sole or part ownership of a Welsh Pony, Cob or Partbred shall within 30 days of the day of such transfer, furnish:

14.2.1 the Association, through the Society, with the registration or recording certificate of the Welsh Pony, Cob or Partbred concerned, with the details of the transfer duly completed on such certificate; and

14.2.2 the Society with the prescribed fee as may be determined by Council from time to time.

14.3 In the case of sole ownership the date of transfer shall be deemed to be the date on which the application for transfer is completed.

14.4 If the animal to be transferred is a pregnant Welsh Pony, Cob or Partbred female, the seller shall, together with his application for transfer, furnish the Society with a certificate specifying the name, identification number and registration number of the stallion by whom she was served together with the service date/s, or of the stallion 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.

14.5 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 or recording 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 deems fit in order to effect the transfer.

14.6 No alteration to 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 Welsh Pony, Cob or Partbred progeny bred from a mare mated to different males or inseminated with semen from different stallions at consecutive oestrus periods within 26 days, the Society shall request the Association to refuse birth recording or registration unless the male parentage is confirmed by means of DNA profiling.

- 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 of 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, request the Association to cancel any or all previous entries made in the Stud 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 Vice-President and two other members appointed by Council, and in accordance with the recommendation of the commission.

16. IMPORTATION AND EXPORTATION OF WELSH PONIES, COBS OR SEMEN

- 16.1 Applications to import or export Welsh Ponies and Cobs or semen, shall in terms of the Act, be submitted in triplicate to the Registrar of Livestock Improvement.
- 16.2 Every application for the importation of a Welsh Pony or Cob, or embryos or semen of Welsh Ponies or Cobs shall be considered by the Council on its own merits in accordance with the accepted breed standards as specified in the Constitution. Recommendations to the Registrar shall be made accordingly.
- 16.3 Imported Welsh Ponies and Cobs and Welsh Ponies and Cobs resulting from the importation of semen shall, following the recommendation of the Council referred to in Bye-law 16.2, be eligible for registration.
- 16.4 The Association may, upon application, issue export certificates in respect of Welsh Ponies and Cobs and semen in the form desired by the Society and approved by the Association.