

**THE CANADIAN MORGAN HORSE ASSOCIATION INC.**

**CONSTITUTION**

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## **ARTICLE I - PREAMBLE**

1. This by-law shall be deemed to be the constitution of the Canadian Morgan Horse Association Inc.

## **ARTICLE II - NAME**

1. The name of this Association shall be the “Canadian Morgan Horse Association, Inc.”

## **ARTICLE III – SEAL**

1. The seal of this Association shall consist of a flat faced circular die with the following words in a circular direction to the right, “Canadian Morgan Horse Association”, and in the centre of the circle, “Incorporated 1968”. (2000)

## **ARTICLE IV - OBJECTS**

1. The objects of this Association shall be:
  - (a) to promote the understanding and appreciation of the Morgan as the ideal family horse, but at the same time preserving the romance and tradition of the breed;
  - (b) to encourage improvement in quality of Canadian Morgan stock through good breeding programs and introduction of recognized bloodlines;
  - (c) to establish standards of breeding and carry out a system of registration under the Canadian Livestock Records Corp. system;
  - (d) to establish a respected public image of the Morgan as the versatile breed as demonstrated by member participation in all types of shows and classes and by utilization of their Morgans for family enjoyment. In this behalf to foster friendship and goodwill between Morgan owners and to establish a friendly accord between Association members and the public and similar Morgan associations particularly;
  - (e) to co-operate with other breed associations and agricultural groups to develop the interests of the light horse industry in Canada;
  - (f) to establish and keep a Part Morgan Registry with the object of encouraging Morgan Horse ownership in Canada and the promotion of the breed in Canada; (2007)
  - (g) to found and maintain a national magazine or periodical devoted directly and indirectly to the Morgan Horse;
  - (h) in order to accomplish the objects of the Association to make all needful contracts and agreements and adopt aims from time to time to protect and assist breeders engaged in

propagation and breeding of purebred Morgan Horses in compliance with the Animal Pedigree Act or any regulations made thereunder;

- (i) to make, alter and repeal regulations subject to the provision hereinafter set forth.

## **ARTICLE V - DEFINITIONS AND INTERPRETATION**

1. In this Constitution and every regulation, rule or schedule made pursuant to this Constitution, unless there is something in the subject or context inconsistent therewith:
  - (a) “Act” means Animal Pedigree Act, its predecessors such as “Livestock Pedigree Act, R.S.C., c. 168”, and its successors, as amended from time to time; (1991)
  - (b) “American Morgan Horse Association, Inc.” or “A.M.H.A.” means the said association, its predecessors, such as “The Morgan Horse Club Incorporated of the United States”, and its successors, and where required by the context, “The Morgan Horse Club Incorporated of the United States” may be used in place of the “American Morgan Horse Association, Inc.,” but it is intended that both terms mean the same organization;
  - (c) “Board of Directors” or “Board” means all Directors and Officers of the Canadian Morgan Horse Association, Inc.;
  - (d) “Association” or “C.M.H.A.” means the Canadian Morgan Horse Association, Inc.;
  - (e) “CLRC” means Canadian Livestock Records Corp. as set out in the Animal Pedigree Act;
  - (f) “Directors” or “Zone Directors” means Zone Directors of the Association and in the absence of any Zone Director, the Vice-Director or Director-Elect for that zone;
  - (g) “Owner” includes:
    - (i) an individual, solely or jointly, or
    - (ii) a partner in a partnership, or
    - (iii) a substantial shareholder of voting shares in a corporation, named on a Certificate of Registration issued pursuant to this Constitution and the Animal Pedigree Act, for a living purebred Morgan Horse.
2. Headings, sub-headings, and any index are for convenience only and do not form a part of this Constitution. The Board of Directors in printing or publishing this Constitution may add such headings, sub-headings and index as they deem appropriate.
3. This constitution and every regulation, rule and schedule made pursuant to it shall be read with the appropriate changes of number or gender required by the context.

## ARTICLE VI - MEMBERSHIP

The rules and regulations hereinafter set forth shall be administered and enforced by the Board of Directors or by an Executive Committee appointed by the Board of Directors.

### A. Types of Members

The following shall be the types of memberships:

1. Honorary Members. The Association may appoint honorary life members at a general meeting if the Board of Directors have by resolution named the proposed member or members and recommended that such appointment be made, but such honorary members shall take no part in the management of the Association's affairs; their positions shall be purely honorary.
2. Annual Members. Annual members shall be those individuals who are eighteen (18) years of age or more, and are Canadian citizens ordinarily resident in Canada or a permanent resident within the meaning of the Immigration Act, 1976; partnerships or corporations resident in Canada who pay the prescribed annual membership fee due on the first of January each year. An annual member may be comprised of: (1991)
  - (a) individuals;
  - (b) a partnership or a corporation;
  - (c) affiliated association membership shall be open to those local or regional Morgan Horse clubs which meet the criteria for affiliation and pay the prescribed annual membership fee.
3. Life Members. Life members shall be those individuals who are eighteen (18) years of age or more, and are Canadian citizens ordinarily resident in Canada or a permanent resident within the meaning of the Immigration Act, 1976; who have paid a life membership fee and shall be a member for his lifetime. Where the context requires, in this Constitution, a life member shall be deemed to have paid his annual fee or his membership fee for each year. (1991)
4. Associate Members. Any person, wherever resident outside of Canada who desires to promote interest in the Morgan breed may become a non-voting member of the Association upon written application, accompanied by the annual membership fee due the first day of January each year and shall be designated as an "associate member". No associate member shall hold an elected office in the Association. Those eighteen years and under are designated as junior associate members and will pay the same fee as that of regular junior members. (2002)
5. Junior Members. Junior members shall be those individuals who have not reached their eighteenth (18<sup>th</sup>) birthday before January 1<sup>st</sup> of the year for which the junior membership applies, are a resident of Canada and pay the prescribed junior membership fee due on the first day of January each year. Junior members shall be non-voting members and shall not be entitled to hold elected office in the Association.

## **B. Application**

1. Application for all types of membership, except honorary, shall be in writing and payment of fees thereof may be accepted by Canadian Livestock Records Corp., but does not become effective until approved by the Board of Directors of the Association. Each applicant on becoming a member shall ipso facto be deemed to agree and be bound by this constitution and amendments thereto and all the rules of the Association, but the Association shall have the power to reject any application for membership.
2. Application for partnership or an incorporated company membership shall specify the person authorized to vote, act, or sign for the partnership or corporation. A member of a partnership or corporation other than the person mentioned in the application may be authorized by the partnership or corporation to act or vote at any meeting of the Association.

## **C. Affiliated Clubs**

1. Any local or regional Morgan Horse club consisting of at least ten Morgan owning members may become an "Affiliate" member of the Association:
  - (a) upon written application accompanied by
    - (i) the annual membership fee, as determined and fixed from time to time by the Affiliation Committee, due the first day of January each year;
    - (ii) a complete membership list as of December 1<sup>st</sup> of the previous year;
    - (iii) a properly constituted set of By-Laws for the purpose of governing the activities of the organization which must hold at least one general meeting a year, and forward a copy of the minutes of the annual meeting;
    - (iv) an affidavit signed by the president and secretary that the club does support and/or agrees with the principles of the Canadian Morgan Horse Association.
  - (b) the president and secretary and 50% of the membership must be members of the Canadian Morgan Horse Association, Inc.; provisions will be made for awards to those clubs having a specified high percentage of members who also belong to the Canadian Morgan Horse Association, Inc.
2. Members of an affiliate club shall have no voting rights; however, the group as a whole shall have one vote. The individual to vote is to be designated on the application. No member of an affiliate group shall hold an elected office, receive discount rates for transactions with CMHA, or enter the CMHA awards unless and until he or she becomes a voting member of the Association in his or her own right. Membership in an affiliate club shall no way limit the right of the individual affiliate club members who are also CMHA members to vote in their own name.
3. Affiliated clubs shall specify their boundaries. In cases where any individual member belongs to two or more affiliate clubs, the individual is responsible to notify in writing the Affiliation

Committee Chairman or such other person designated by the Board of Directors on which membership list he or she is to be counted. Failure to state as above will result in omission of the individual's name from any and all applying club membership lists for the purpose of determining affiliation fee or Red Ribbon club status. In cases of dispute the Canadian Morgan Horse Association, Inc. will not act as referee in any circumstances.

4. Any person suspended by the Board of Directors of the CMHA or CLRC will be omitted from the membership lists of any applying club.
5. The Directors may, at their sole discretion, cancel the affiliate membership of any local club not meeting the criteria.

#### **D. Terms of Membership**

1. The membership year shall be the calendar year with all memberships, except honorary and life, terminating on December 31<sup>st</sup> each year.
2. All members in good standing shall, as a matter of contract and except as hereinafter provided, enjoy the same rights and privileges and be subject to the same liabilities as the original incorporators of this Association. No member who is in arrears of membership or other fees or dues shall enjoy such rights and privileges.
3. Every member shall be entitled to a certificate of membership in the Association in such form as may be prescribed by the Board of Directors. In the case of the loss, mutilation or destruction of a certificate of membership, a duplicate certificate may be issued upon such terms as the Board of Directors shall prescribe.
4. A member in good standing is a member who has complied with the regulations as hereinafter set forth and who is not in arrears of membership or other fees or dues or suspended.
5. The financial liability of the member to the Association shall be limited to the amount due from him in respect to his membership and registration fees.
6. A member may, provided he is not in arrears for membership or other fees or dues, at any time resign from membership in the Association by giving notice in writing to the CMHA office of his intention to do so, but membership shall not terminate until the end of the then current membership year. (1993, 2002)
7. No member shall hold office or be entitled to vote at a meeting or to give notice to amend this constitution if at the time in arrears of membership or other fees or dues, and no applicant shall be entitled to vote until his application for membership has been accepted.
8. No member shall be entitled to any of the rights and privileges of the Association during any year until his annual fee for that year is paid. On December 31<sup>st</sup> in each year all members who paid for the preceding Association year, but who have not paid for the then current year, shall be removed from the membership roll. They may nevertheless again become members in the manner prescribed by this constitution.

## **ARTICLE VII - FISCAL YEAR**

1. The fiscal year of the Association shall be from January 1<sup>st</sup> of any year to December 31<sup>st</sup> of the same year.

## **ARTICLE VIII - ASSOCIATION OFFICES**

1. The Head Office of the Association shall be at such place as the Board of Directors may from time to time determine.
2. The office for the registration of pedigrees for purebred and partbred Morgans shall be the office of The Canadian Livestock Records Corp. in the City of Ottawa, Ontario, and under the supervision of the officials and boards constituted under the Animal Pedigree Act. (2002)

## **ARTICLE IX - BOOKS AND RECORDS**

1. Books and records of the Association may be kept at such place in Canada as the Board of Directors may from time to time approve.

## **ARTICLE X – VOTING**

1. Each member who has paid the annual membership fee due on January 1<sup>st</sup> each year and each life member shall be entitled to one vote, providing such member is over eighteen (18) years of age and is in good standing.
2. An affiliate group, which has paid the annual membership fee due on the first of January each year and is otherwise in good standing, shall be entitled to one vote.
3. Such members may vote at any members' or Zone meeting either in person or by proxy in writing, provided however, that such proxy shall be filed with the Secretary or Secretary-Treasurer before the chairman calls the meeting to order. At a zone meeting, the secretary would normally be the person taking the minutes and the chairman would be the zone director. Proxy forms are to be available on the CMHA website as well as from the CHA office. Such proxies shall entitle the holders thereof to vote at any adjournment of such meeting but shall not be valid after the final adjournment thereof. No proxy shall be valid after the expiration of 12 months from the date of its execution unless the member executing it shall have specified therein the length of time it is to continue in force, which shall be for some limited period. (1993, 1999, 2008)

## **ARTICLE XI - QUORUM**

1. Board of Directors Meetings. Two-thirds of the Zone Directors and a majority of the members of the Board of Directors as constituted for the time being shall constitute a quorum for the transaction of business at a meeting of the Board of Directors, but a fewer number may



adjourn any meeting from time to time and the meeting may be held as adjourned without further notice. When a quorum is present at any meeting a majority of the members present thereat shall decide any questions brought before such meeting; it shall be necessary, however, for proper notice in accordance with this constitution to have been sent to all members of the Board of Directors before any meeting of the Board of Directors may take place. Proof of such notice shall be presented to the meeting of the Board of Directors by the Secretary or other Officer producing for the meeting a photostatic or certified copy of the notice and a written statement that the notice requirements of this Constitution had been complied with by the Officer making the statement. (1993, 1999)

2. Members Meetings. Providing notice has been given to the members, a quorum at any annual or special meeting of members shall be ten members present personally or by proxy.

## **ARTICLE XII - OFFICERS AND DIRECTORS**

### **A. Officers**

1. The Officers of the Association shall be a President, an Eastern Vice-President, a Western Vice-President, a Secretary and a Treasurer. (1993, 1999)
2. The Officers shall be elected by the Board of Directors. Such elections to be held in any year only for the Officers whose term of office has expired, and a meeting shall be held without notice for this purpose, immediately after the annual meeting of the members or any meeting held in lieu thereof and at the same place.
3. No person shall be an Officer of the Association unless he is the owner of a purebred Morgan registered under the Animal Pedigree Act and is a voting member in good standing who is an individual who is eighteen (18) years of age or more, and is a Canadian citizen ordinarily a resident in Canada or a permanent resident within the meaning of the Immigration Act, 1976. (1991)
4. The President must be a resident of Canada but may reside anywhere in Canada. The Eastern Vice-President must reside east of the Ontario-Manitoba border. The Western Vice-President must reside west of the Ontario-Manitoba border.
5. Officers, once appointed by the Board, shall immediately become members of the Board of Directors with full voting and other rights.
6. No Officer of the Association may hold more than one office except the offices of Secretary and Treasurer which may be held by the same person who will then be designated Secretary-Treasurer. (1999)
7. The Board of Directors at its discretion may appoint such clerks, executives, employees or agents to assist in the objects of the Association or to assist any Officer in carrying out his duties as it may deem from time to time advisable. The clerks, executives, employees or agents so appointed need not be members of the Association or Morgan Horse owners. (1999)

8. At the discretion of the Board of Directors, any or all of the duties of the Secretary may be delegated to the Office Administrator or such other employee or agents as the Board deems appropriate. Such Office Administrator, other employee or agent, at the discretion of the Board may attend Board meetings but shall not be an Officer of the Association or Member of the Board of Directors and shall not have any rights to vote thereat or any rights of a member of the Board of Directors. (1999)
9. The Board may designate as Director Emeritus any Officer or Director who has served as such for at least fifteen (15) years and is no longer an Officer or Director. It may also name as Director Emeritus any member it deems to have provided service of exceptional merit, longevity and importance to the Board and the CMHA membership. Directors Emeritus may attend and participate in discussions at any meeting of the Board but shall have no right to vote and shall not be deemed to be members of the Board of Directors for any purpose. (1991, 2008)

## **B. Zone Directors**

1. For the purpose of the election of Directors, the Zone boundaries of the Canadian Morgan Horse Association, Inc. shall be designated in the following manner:
  - (a) Quebec
  - (b) Ontario
  - (c) Alberta, Northwest Territories (2007)
  - (d) Atlantic Zone -Prince Edward Island, Nova Scotia, New Brunswick, Newfoundland and Labrador
  - (e) British Columbia, Yukon
  - (f) Saskatchewan
  - (g) Manitoba, Nunavut (2002) (2007)
2. There shall be a Director for each Zone, elected by the voting members in that Zone. To be eligible for election, a nominee for Zone Director must be a member in good standing, resident in that Zone, who is an individual who is eighteen (18) years of age or more, and is a Canadian citizen ordinarily resident in Canada or a permanent resident within the meaning of the Immigration Act, 1976. (1991)
3. The procedure for election of a Director in each Zone shall be as follows:
  - (a) A written notice from the Secretary to all members in the Zone, which said notice shall contain: (1993, 1999, 2008)
    - (i) the date of expiration of the term of the outgoing Zone Director;
    - (ii) the call for nominations;
    - (iii) the date by which nominations must be received;
    - (iv) the procedure for filing a nomination; and
    - (v) the election procedure following nomination and dates applicable thereto.
  - (b) To constitute a valid nomination for the position of Zone Director:
    - (i) the nomination must be in writing, signed by one voting member of that Zone and seconded by another voting member of that Zone.
    - (ii) the nominee must be a voting member in good standing;

- (iii) the nominee must file a written statement signed by him that he agrees to stand for the position; and
  - (iv) the nomination and statement must be filed with the CMHA office by the nomination date of November 30th. (1993, 1999, 2008)
  - (v) If the said statement of nominee is not filed as provided herein, it shall be deemed that the nominee has declined the nomination. An individual validly nominated becomes a candidate.
- (c) If there is only one valid nomination, the Secretary shall declare that candidate elected by acclamation. (1993, 1999)
- (d) If there is more than one valid nomination, there shall be an election held as follows:
- (i) the election shall be conducted by the Election Officer, who shall be the Secretary, unless a candidate, the Secretary or the Board requests otherwise, in which case the Board shall appoint some other person, firm or organization to act as the Election Officer either solely or jointly with the Secretary, or the Board may divide the conduct of the election between the Secretary and any Election Officer so appointed; (1993, 1999)
  - (ii) Voting shall be by ballot;
  - (iii) the Election Officer shall, not later than twenty-one (21) days after the nomination date, mail a ballot containing the names of all candidates, together with any candidate resumes, to each voting member in good standing in the Zone;
  - (iv) it is the responsibility of the candidate to provide the Election Officer with a resume;
  - (v) the Board shall prescribe the form of the ballot and may prescribe the form of the resume as well as set guidelines for the conduct of the election and rule upon any inquiry brought by any nominee, candidate or member within that Zone.
- (e) In order to be counted in the election, a ballot must be marked for one candidate only for each office thereon and received by the Election Officer by the election date. The election date shall be not less than twenty-one (21) days after the date on which ballots were mailed by the Election Officer. The day following the election date the Election Officer shall count the ballots and declare elected the candidate receiving the greatest number of votes. (2008)
- (f) Within seven (7) days of declaring a nominee elected, whether by acclamation or by vote, the Election Officer shall notify, by mail the President, the Regional Vice-President in whose region the Zone is located, the Secretary, all candidates and the retiring Director of the name of the newly elected Zone Director and in the case of an election, of the election results as prescribed by the Board. The Secretary shall publish the name of the newly elected Director and the election results in the next issue of the magazine, for which the advertising deadline has not passed. Election results shall include total number of ballots received by the Election Officer, number of spoiled ballots and the number of ballots cast for each candidate. (1993, 1999, 2008)
4. No person shall be a Director of the Association, unless he is an owner of a registered purebred Morgan horse, registered pursuant to this Constitution and the Animal Pedigree Act. (1991)

5. The newly elected Director shall take office immediately upon the close of the first annual meeting of members subsequent to his election. Between his election and his taking office each such newly elected Director shall be designated as “Director-Elect” for the Zone which he will represent. The Director-Elect may attend any meeting of the Board of Directors held while he is Director-Elect but shall not vote thereat unless the Director for that Zone is unable to attend or unable or unwilling to vote, in which event the Director-Elect, not the Vice-Director, shall have the same rights as the Director for that Zone.
  
6. (a) Each Zone Director shall promote the interests and objects of the Association within that Zone and perform all the duties set out in this Constitution, commonly incident to the office and such other duties as the Board of Directors may designate from time to time.
  
- (b) Each Zone Director shall be responsible to the Regional Vice-President in whose region the Zone is located.
  
- (c) The Board of Directors may prescribe guidelines and/or make rules and regulations for the carrying out of the duties of Zone Director.
  
7. (a) A Vice-Director shall be elected for each Zone by the voting members in that Zone.
  
- (b) Should a Director be unable or unwilling to participate at any meeting, the Vice-Director for that Zone may attend and shall have the same rights, including the right to vote, as the Director.
  
- (c) Vice-Directors shall be subject to the same qualifications as a Director and shall be elected under the same procedure, at the same time and for the same term as the Director for that Zone.
  
- (d) Should the office of Vice Director remain vacant, the members of a Zone at any meeting called specifically for that purpose may elect a new Vice Director by a majority vote of ballots cast by those present either personally or by proxy. (2008)
  
- (e) The members of any Zone at a Zone meeting called specifically for that purpose may remove the Vice-Director for that Zone by a majority vote of ballots cast by members of that Zone. (2008)

### **C. Board of Directors**

1. To provide continuity of knowledge, decisions, etc., the immediate Past President shall be the ex-officio non-voting member of the Board of Directors. (2018)
  
2. (a) The Board of Directors shall have the entire management of the business and objects of the Association.
  
- (b) In the management and control of the property, business, and affairs of the Association, the Board of Directors is hereby vested with all powers possessed by the Association itself. Without limiting the generality of the foregoing the Board of Directors:

- (i) shall be the only body empowered to deal with matters arising under the Animal Pedigree Act and any authority or person constituted thereunder; (1991)
  - (ii) shall have the control and operations of the Part Morgan Registry and shall have the authority to make rules and regulations relating thereto; (2007)
  - (iii) shall have the right to fill vacancies which may occur among the Officers through resignation, removal, disqualification or otherwise;
  - (iv) shall have the right to set up such committees and appoint members thereto as the Board deems necessary to carry out the objects of the Association and the provisions of this Constitution and the Board may delegate such powers and authority to such Committees as the Board deems appropriate;
  - (v) shall have the power to make, amend and repeal regulations, rules or schedules necessary to exercise the powers given the Board and to carry out the provisions of this Constitution and the Act.
3. (a) Any Director or Officer of this Association may resign during his term of office by giving written notice to the Secretary of the Association. (1993, 1999)
- (b) Any Director who ceases to reside within the Zone shall be deemed to have resigned upon the expiration of 90 days of that Director ceasing to reside within that Zone, provided that Director does not then reside within that Zone.
- (c) Any Director who ceases to be a member in good standing shall be deemed to have resigned upon the expiration of 90 days of that Director ceasing to be a member in good standing, provided that Director does not then become a member in good standing.
- (d) The members of a Zone at any meeting called specifically for that purpose may remove from office the Director for that Zone by a vote of the majority of ballots cast by members of that Zone. The Board of Directors may remove from office any Officer, agent or member of any committee elected or appointed by the Board, by a vote of a majority of the entire Board. (2008)
- (e) Any such vacancy, whether the result of resignation, removal by the members of the Association, removal by the Board of Directors, or otherwise, shall be filled, in the case of an Officer or other appointee of the Board forthwith by appointment by the Board of Directors for the unexpired term of the vacating Officer or appointee and in the case of a Director, as provided in this Constitution.
4. (a) Should any Zone, upon the expiration of the term of the Zone Director, fail to elect a Director or should a Zone Director resign, retire, be removed, disqualified or otherwise vacate his office, the Vice-Director for that Zone shall immediately fill the vacancy for the unexpired term of the vacating Director, or in the case of the Zone not electing a Director, for the regular term of directorship for that Zone. If there is no Vice-Director for that Zone, or the Vice-Director is unable, unwilling or does not qualify to act as Director, the members of that Zone may by a majority vote of ballots cast either personally or by proxy at a Zone meeting called by the vacating Director, the Secretary, the Regional Vice-President or such other

person so authorized by the Board of Directors, for that purpose choose a successor Director for that Zone who shall hold office for the unexpired term. Should the Zone members fail to elect such a successor Director, the Board of Directors, though less than a quorum, may meet for such purposes and choose by majority vote of those present a successor Director for the unexpired term. (1991, 1993, 1999, 2008)

- (b) In the special instance of the individual having taken office after November 30 and their term expiring at the upcoming CMHA AGM, the members of their zone must determine at their zone meeting if this sitting director should continue for the next full term. If no such agreement is reached, an election at that zone meeting must take place so that there is a director-elect chosen for the next full term of office. (2012)
  - (c) The Secretary shall forthwith upon the vacancy being filled so notify, in writing the new Director, the President and the Regional Vice-President in whose region the Zone is located, including in such notice the Zone which the new Director represents and the term for which the new Director is to hold office. Such notice shall be published as soon as possible in the Association magazine. (1993, 1999)
5. Each member of the Board of Directors shall be of the full age of eighteen (18) years and shall be a Canadian Citizen ordinarily resident in Canada or a permanent resident within the meaning of the Immigration Act, 1976. (1991)
6. (a) In the event that during the term of office of any Director, Vice-Director, Director-Elect or Officer, he should cease to meet the qualification of being the owner of a purebred Morgan horse registered pursuant to this Constitution and the Act, for any reason, such Director, Vice-Director, Director-Elect or Officer shall have six (6) months from the date of ceasing to meet this qualification, to become an owner of a purebred Morgan horse, registered pursuant to this Constitution and the Act. Should any Director, Vice-Director, Director-Elect or Officer not become an owner as required then upon the expiration of the six (6) month period, the Director, Vice-Director, Director-Elect or Officer shall be disqualified and his Office declared vacant.
- (b) A Director, Vice-Director, Director-Elect, or Officer who becomes a member of the Board midterm, or as the result of a Board vacancy, or whose purebred Morgan horse dies, may be allowed at the Board's discretion to lease a purebred Morgan horse until the expiration of their term of office. Such lease must be registered with the CMHA and CLRC and its cost is the responsibility of the individual involved (2011, 2012)
7. Members of the Board of Directors may be interested directly or indirectly in any contract relating to the operations conducted by the Association and in any contract of furnishing supplies thereto.

### **ARTICLE XIII - DUTIES OF OFFICERS**

1. **President**. The President shall be the chief co-ordinating officer of the Association and when present shall preside at all meetings of the members and of the Board of Directors. Unless

some other person is thereunto specifically authorized so to do by vote of the Board of Directors, the President with the Secretary or Treasurer shall sign all certificates of membership, bonds, deeds, and contracts of the Association. He shall perform all the duties commonly incident to his office and shall perform such other duties as the Board of Directors shall designate from time to time. (1993, 1999)

2. Vice-Presidents. The Regional Vice-Presidents shall promote the interest of the Morgan Horse breed in their respective areas. In the event of absence of the President, a Regional Vice-President designated by the Board of Directors shall perform the duties and have the powers of the President. Each Regional Vice-President shall perform such other duties and have such other powers as the Board of Directors shall designate from time to time. In lieu of the President, a Vice-President together with the Secretary or Treasurer may sign a certificate of membership. Each Regional Vice-President shall require the respective Zone Directors and Committee Chairpersons, within the region, to report to the Vice-President from time to time, as may be necessary or required. (1993, 1999)
3. Secretary. The Secretary shall keep accurate minutes of all meetings of the members and the Board of Directors and shall perform all the duties commonly incident to his office and shall perform such other duties and have such other powers as the Board of Directors shall designate from time to time. The Secretary shall have power together with the President or a Vice-President to sign certificates of membership in the Association. He shall be responsible for the proper filing of all Association correspondence and for the maintenance of statistical records of the Association. He shall carry on and have the power to sign general correspondence on behalf of the Association. (1993, 1999)
4. Treasurer. The Treasurer subject to the order of the Board of Directors shall have the care and custody of the money, funds, valuable papers, and documents of the Association (other than his own Bond which shall be in the custody of the President) and shall have exercise under the supervision of the Board of Directors all the powers and duties commonly incident to his office and shall give Bond, if required by the Board of Directors, in such form and with such sureties as it shall require. He shall be the direct liaison officer with the authorities designated under the Animal Pedigree Act and shall be responsible to fulfill the accounting requirements under such Act. He shall deposit all funds of the Association in such bank or banks, trust company or trust companies, or with such firm or firms doing a banking business as the Directors shall designate. He may endorse for deposit or collection all cheques and notes payable to the Association or to its order, may accept drafts on behalf of the Association and may together with the President or a Vice-President sign certificates of membership. He shall keep accurate books of account of the Association's transactions which shall be the property of the Association, and together with all its property in his possession shall be subject at all times to the inspection and control of the Board of Directors. The Treasurer shall hold his office during the pleasure of the Board of Directors and shall be subject in every way to its orders and shall render an account of the Association's funds at each annual meeting of the members. All cheques, drafts, notes or other obligations for the payment of money shall be signed by the Treasurer (except as the Board of Directors shall otherwise especially order). Notes and bonds shall be countersigned or registered as the condition of their validity by the President or such other officer as the Board of Directors shall by resolution direct. The Board of Directors may appoint an Assistant Treasurer or an accountant with such powers and duties as it shall deem best.

#### **ARTICLE XIV - TERMS OF OFFICE**

1. The term of the first incorporators of the Association shall be for three years from the date of incorporation, and thereafter the term of office for all Directors and Officers of this Association shall be three years except for the office of the President to be on an annual election basis after the completion of the first term of three years.
2. At the first annual meeting of members for the election of directors, one-third of the directors shall be elected for a term of three years, one-third shall be elected for a period of four years and one-third shall be elected for a term of five years. Thereafter directors shall be elected as their respective terms expire but all for a three year period. Retiring directors shall be eligible for re-election for one consecutive three year term only. (1994)
3. The term of office for Officers and Directors shall be determined by the calendar year, although each shall hold office until his successor takes office at the subsequent annual general meeting of the CMHA, ie. The spring of the new year. (2012)
4. The Secretary shall publish in the Association magazine at least once every calendar year the names, addresses and year of expiration of the term of office of each Officer and Director. (1993, 1999, 2012))

#### **ARTICLE XV - EXPENSES, INCOME AND PROPERTY**

1. The income and property of the Association from whatever source derived shall be applied solely towards the promotion and furtherance of the objects of the Association, and no part thereof shall be paid or transferred directly or indirectly by way of bonus or otherwise as profit or gain to members of the Association past, present or future, or to any person claiming through any member; provided, however, that nothing herein contained shall prevent the bona fide payment of remuneration to any secretary-treasurer, registrar, officer, clerk or servant, or other person or persons for services actually rendered to the Association whether such are members of the Association or not, and the expenses of the directors and other officers incurred in doing the business of the Association, if such payment shall have approval of the Board of Directors. Provided, further, that it shall be deemed a promotion and furtherance of the objects of the Association to encourage and promote the distribution of a national magazine.
2. The Association shall, with other organizations comprising the Canadian Livestock Records Corp., pay to the Records Committee of the CLRC a proportionate amount of the expenses in conducting CLRC office as may be determined under the Animal Pedigree Act and the rules and regulations made pursuant thereto from time to time. (1991)
3. All fees shall be paid to the Account, CLRC and may be sent by postal note, post office money order, express money order, bank money order, personal cheque, credit card or certified cheque, payable at par in Ottawa, Ontario, Canada, and they shall forthwith be deposited by him to the credit of the Association, in a chartered bank selected by the Records Committee of the CLRC Board. (1991, 2012)



4. In case membership fees in the Association are received by the Treasurer of the Association they shall immediately be forwarded to the Account of the CLRC, Ottawa, for deposit. (1991)
5. That any and all funds raised solely by fundraising efforts of a Zone of the Canadian Morgan Horse Association, Inc., shall be deposited in a bank account within the Zone, provided that the expenditure of such funds shall be applied solely toward the promotion and furtherance of the objects of the Canadian Morgan Horse Association, Inc. Any such Zone bank account shall have the Zone Director and either the Vice-Director or another duly authorized Zone member as signing authorities. The Zone books of account shall be open for inspection by the Board at any time and by the Zone members at the annual Zone meeting, but need not be audited unless the Zone so requires by vote at a Zone meeting. Transfer of any of the said funds to the Canadian Morgan Horse Association General Account shall require approval by 60% of the Zone members. The Zone Director shall provide a copy of the financial statement to the annual Zone meeting. (2002)

#### **ARTICLE XVI - AUDIT AND ANNUAL REPORT**

1. The Board of Directors at each annual general meeting shall submit a complete record of its acts and of the affairs of the Association. It shall present a detailed statement duly audited of the records and expenditures of the preceding year and of the assets and liabilities of the Association. A copy of this report, a list of the Officers elected and the representatives to the Canadian Livestock Records Corp. Board, also general information on the affairs of the Association will be sent to the Minister of Agriculture of Canada, and to the Director of the CLRC within twenty days after the annual meeting. A copy of the annual report shall be mailed to each member on request, provided that such member is in good standing. (1991)

#### **ARTICLE XVII - BOOKS OF RECORD**

1. The Association shall cause a book to be kept by the CMHA Office which shall contain a copy of the constitution and amendments thereto as well as maintain an electronic copy on the CMHA website linked to the CLRC website. Every person upon becoming a member of the Association shall be offered a copy and/or be directed to the electronic version of the constitution together with all amendments thereto to date. (1993, 2002, 2008)
2. The Board of Directors shall cause a book to be kept by the CMHA office which shall contain all regulations, rules and schedules enacted by the Board of Directors and any amendments thereto, and every person upon becoming a member of the Association shall receive a copy of all such regulations, rules and schedules, together with all amendments thereto to date, if requested. New members will be directed to the CMHA website and the CLRC website for further information and resources. (1993, 2002, 2012)
3. Books of Account shall be kept by the Treasurer at a place convenient to him or where directed by the Board of Directors from time to time, and shall be available to all members

in good standing for inspection at all reasonable times.

## **ARTICLE XVIII - MEETINGS**

1. Zone Meetings. Each Zone shall hold a minimum of one meeting per year called at a time and place most convenient for the majority of members, as determined by the Zone Director. Minutes of such meetings shall be duly recorded and submitted to the Association Secretary within 30 days of the date of meeting. (1993, 1999)
2. Board Meetings. Regular meetings of the Board of Directors shall be held at such places within Canada and at such times as the Board may by vote determine from time to time. Special meetings of the Board of Directors may be held at any time or place whenever called by the President, a Vice-President, the Secretary, or three or more Directors, in which case notice thereof must be given to each member of the Board of Directors by the Secretary or the person calling the meeting. Such special and regular business as deemed appropriate by the Board of Directors may be conducted at such a special meeting. Meetings may also take place at any time without formal notice provided that all the members of the Board of Directors are present or those not present have waived notice thereof. Board meetings may also take the form of teleconferences arranged by the president in consultation with the Board of Directors at such times as deemed necessary to conduct the business of the Association (1993, 1999, 2012)
3. Annual Meeting. An annual meeting of the Association shall be called at such date, time and place within Canada as decided by the Board of Directors but in any event such meeting must take place before August 31<sup>st</sup> of each year.
4. Special Meetings. Special meetings may take place at any time upon the call of the President, a Vice-President, the Secretary, or three or more Directors. (1993, 1999)
5. Notice of all meetings stating the time and place thereof shall be published in the CMHA magazine at least one issue prior to the date of both Zone and CMHA members' meetings; by mail either standard or electronic to each member of the Board of Directors in the case of Directors' meetings. At least fourteen clear days shall elapse between the time notice is mailed as aforesaid and the date of the meeting. (2008)
6. The order of business at all meetings shall be:
  - (a) Identification of members
  - (b) Reading minutes of previous meeting
  - (c) Reports of Officers, Directors and Committees
  - (d) Correspondence
  - (e) Unfinished business
  - (f) New Business
  - (g) Adjournment
7. In case of a dispute of procedure, the PRESIDENT's ruling shall be final.
8. A copy of the minutes of all meetings of the Board of Directors and of the Association shall be

mailed within thirty days following such meetings to each member of the Board of Directors and to the Director of the Canadian Livestock Records Corp. Such minutes shall stand approved if no objection is raised within thirty days by anyone who was in attendance at such meeting.

9. The Secretary shall publish the minutes or a summary thereof of all meetings of the Association and such meetings of the Board as the Board in its absolute discretion deems appropriate, in the magazine as soon after such meetings as feasible. Members may obtain copies of minutes of such meetings, except for any Board meetings or parts thereof the Board deems confidential, in the manner prescribed by the Board upon payment of the cost of supplying such minutes. (1993, 1999)

### **ARTICLE XIX - VOTING OF STOCK HELD**

1. Unless otherwise provided by resolution of the Board of Directors, the President or a Vice-President may from time to time be appointed an attorney or attorneys or agent or agents of this Association in the name and on behalf of this Association, to cast the votes which this Association may be entitled to cast as a stockholder or otherwise in any other organization or corporation, any of whose stock or securities may be held by this Association at the meeting of the holders of the stock or other securities of such other organizations or corporations, or to consent in writing to any action by any such other corporation or organization and may instruct the person or persons so appointed as to the manner of casting such votes or giving such consent and may execute or cause to be executed on behalf of this Association and under its corporate seal or otherwise, such written proxies, consents, waivers or other instruments as he may deem necessary or proper in the premises; or either the President, or a Vice-President, may himself attend any meeting of the holders of stock or other security of such other corporation or organization and thereat vote or exercise any or all other powers of this Association as a holder of such stock or other securities of such other organization or corporation.

### **ARTICLE XX - REGISTRATION OF PEDIGREES**

1. A register shall be kept at the office of the Canadian Livestock Records Corp. This register shall be called The Canadian Morgan Horse Registry and shall be published by CLRC at such time as decided by the Board of Directors and in such form as it may decide.
2. There shall be furnished by the Canadian Livestock Records Corp. for all living animals registered, a certificate of registration on the form adopted by the CLRC Committee. The pedigree shall be in such form as decided by the Board of Directors.
3. All certificates of registration shall be submitted for the approval of the Officer appointed for that purpose by the Minister of Agriculture for Canada.
4. Any person suspended or expelled from membership shall not be allowed the privilege of

registering pedigrees in The Canadian Morgan Horse Registry.

5. Any person prohibited from registering pedigrees by any other organization incorporated under the Animal Pedigree Act shall not be allowed to register pedigrees in The Canadian Morgan Horse Registry. Persons prohibited from registering pedigrees by the AMHA and any other recognized foreign registry will also not be allowed to register pedigrees in the Canadian Morgan Horse Registry. (1991, 2008)
6. A Record Committee of the CLRC Book shall have power for any cause which in the opinion of the Committee seems proper to refuse applications for registration or transfer from any person whether a member or not. Any such action taken by the Record Committee under this provision shall be immediately reported to this Association. The Record Committee may refuse to accept the signature of any person on an application for registration or transfer whether a member or not pending action of the Board of Directors of the Association.
7. It is the responsibility of the Board of Directors to protect the integrity of the Registry.
8. Except for foals or imported horses which are eligible for registration and for which registration has been applied or horses originating immediately from and owned by a resident of a foreign country which are registered with the registry of the American Morgan Horse Association, Inc., only horses registered in the Canadian Morgan Horse Registry shall be considered, designated or called "Morgans" for show, sale or any other purpose.

#### **ARTICLE XXI - REGISTRATION OF PART PEDIGREES**

1. A Registry shall be kept at the office of the Canadian Livestock Records Corp. This registry shall be called The Canadian Part Morgan Registry. Publication of this registry shall be at the discretion of the Board of Directors. (2002)
2. Only animals with one parent registered in the Canadian Morgan Horse Registry or when the purebred Morgan parent is located outside Canada, that purebred Morgan parent is registered in a foreign registry recognized by the Canadian Morgan Horse Association, Inc. and no others may be eligible for registration in the Canadian Part Morgan Registry. (2002)
3. The Canadian Livestock Records Corp. shall issue a certificate of registration on a form to be adopted from time to time by the Board of Directors. (2002)
4. Any person suspended or expelled from membership shall not be allowed the privilege of registering part Morgan pedigrees in the Canadian Part Morgan Registry. (2002)
5. The Board of Directors shall appoint a committee called the Part Morgan Committee which shall:
  - (a) make recommendations to the Board regarding rules and regulations for eligibility for registration in the Canadian Part Morgan Registry;
  - (b) have such other powers and authority as determined by the Board of Directors from

time to time. (2002)

6. Any decision or refusal to accept an application for registration or transfer or signature may be appealed by any interested party to the Board. (2002)
7. The Board of Directors shall make, amend or repeal the rules, regulations and fees for the Canadian Part Morgan Registry, but such rules and regulations, amendments or repeal thereof shall not be effective unless consultation has occurred with the Part Morgan Committee. (2002)

## **ARTICLE XXII - IDENTIFICATION & INSPECTION**

1. The Board of Directors shall make regulations for a practical and effective system of identification of all horses for registration. (2007)
2. The Board of Directors may from time to time make regulations regarding inspection of all purebred or part bred Morgan Horses. The manner in which inspections shall be carried out and the purpose of such inspection shall be consistent with the provisions, intent and aims of this Constitution.

## **ARTICLE XXIII - NAMES AND PREFIXES**

1. The Board of Directors has the right to refuse to accept for registration any name it deems inappropriate, improper or likely to adversely affect the Registry or the Association, or which may be misleading or confusing as to the origin or relationship of an animal or otherwise.
2. The Board of Directors may make rules and regulations regarding names for registration.
3. Notwithstanding anything in the foregoing, regulations relating to the number of letters which may be used shall not be inconsistent with those of the American Morgan Horse Association, Inc.
4. The Board of Directors may allow the name of an animal to be changed and may prescribe rules, regulations and fees for the change of name of an animal.
5. Animals from a foreign country shall be registered with the same name they had in the country from which they came. In the event of the same name having already been assigned in the Canadian Morgan Horse Registry, the animal will have the abbreviated letters of the foreign registry (eg US, GB) added in parentheses, to the end of their name. (2008)
6. The following names shall not be used:
  - (a) names of members of the Royal Family or leaders of national governments of the day.
  - (b) names of animals in the Canadian Morgan Horse Registry or the Canadian Part Morgan Registry. (2007, 2008)

- (c) names of which the spelling or pronunciation is similar to names already in use.
  - (d) names of famous horses.
  - (e) No two animals shall have the same name, except as described in 5. (2011)
7. A breeder may register for his exclusive use a name to be used as a prefix in naming his animals.
  8. A particular prefix will be allowed to one person or partnership or corporation only and in registering such prefix priority in use and in application for registration shall be considered.
  9. Such registered prefix may be transferred to another person, partnership or corporation upon application:
    - (a) by the person in whose name it is registered,
    - (b) by the authorized representative of a partnership or corporation in whose name it is registered, or
    - (c) by the legal representative of a deceased owner, a bankrupt or other legally incompetent party in whose name it is registered.
  10. After the expiration of five (5) years the registered prefix will be forfeited if it has not been used in registering an animal or has not been renewed by the registered owner, provided that no registered prefix shall be forfeited until ninety (90) days after notice of such forfeiture has been forwarded by ordinary mail to the registered owner at his address last known to the Association.
  11. No forfeited prefix shall be used by any person for a period of three (3) years following forfeiture except by the former registered owner upon re-registration of the prefix or by a person with the consent of the former registered owner upon registration of the prefix.

#### **ARTICLE XXIV - PRIVATE BREEDING RECORDS**

1. There shall be kept by each breeder a private record which shall contain full particulars of his breeding operations. This record shall at all times be open to the inspection of officials of this Association, officials of the Department of Agriculture for Canada and officials of the Canadian Livestock Records Corp.

#### **ARTICLE XXV - STANDARDS FOR REGISTRATION**

1. Standards for registration and rules and regulations appropriate thereto may from time to time

and as occasion may require be made in a manner determined by the Board of Directors of this Association.

## **ARTICLE XXVI - RULES OF ELIGIBILITY**

1. The following classifications of Morgan Horses are eligible for registration when approved by the Board of Directors:
  - (a) To and including January 1<sup>st</sup>, 1969, all Morgan Horses registered by the Morgan Horse Club Incorporated of the United States, provided such horses shall have a minimum of three generations of registered ancestors in the books and records of The Morgan Horse Association Incorporated of the United States.
  - (b) After January 1<sup>st</sup>, 1969, all Morgan Horses will be accepted for registration which pass and conform to rules and regulations set up by the members of this Association. It is the intent that such rules and regulations shall conform to those set up by The Morgan Horse Association Incorporated of the United States as may be amended and adopted from time to time.
  - (c) The designation “The Morgan Horse Club Incorporated of the United States” shall mean the said Club and successors thereof, for example the “American Morgan Horse Association, Inc.”.
  
2. Registration of horses in the Canadian Morgan Horse Registry shall be limited to those Morgan Horses which are:
  - (a) animals born in Canada, the sires and dams of which are registered in the Canadian Morgan Horse Registry; or
  - (b) animals imported from a foreign country and which are registered in the registry of the American Morgan Horse Association, Inc., (herein referred to as the “American Morgan Horse Registry”), British Morgan Horse Registry; or (2008)
  - (c) animals imported in dam, whose dam is registered in the Canadian Morgan Horse Registry and whose sire is registered in the American Morgan Horse Registry.
  - (d) Animals born as a result of artificial insemination where the sire is registered in the registry of the Canadian Morgan Horse Registry, or the American Morgan Horse Registry, or the British Morgan Horse Registry

## **ARTICLE XXVII - APPLICATIONS FOR REGISTRATION**

1. Effective January 1<sup>st</sup>, 1969, every application for registration must be executed with the personal signature of the owner of the dam at the time of foaling, subsequent to which each and every transfer of ownership must be registered with the Canadian Livestock Records Corp. authorities for registration in the Canadian Morgan Horse Registry. If the sire is owned by a resident of, and is in a foreign country, the sire must be registered in the American Morgan

Horse Registry. In such cases, the certification of the Secretary or Registrar of the American Morgan Horse Registry will be required to the effect that the stallion is registered in said Registry. (2011)

2. All blank spaces must be completed, in ink or may be typewritten, and the form must be signed in ink by the breeder and owner. (2012)
3. Application for registration of an animal previously registered in the American Morgan Horse Registry must be accompanied by the certificate of registration issued by that Registry, showing a minimum of three generations of registered ancestors, duly transferred to the name of the applicant.
4. When an animal is a twin, it shall be so stated when applying for registration and the sex given of the animal with which it is a twin. Should a twin be entered upon the record without such statement, no subsequent application for entry of animal twinned with same shall be accepted.
5. The breeder of an animal is the owner or lessee of the dam at the time she was served. A copy of the lease agreement must accompany the application for registration.
6. Applications for registration shall only be considered if all applicable provisions of the Act, this Constitution, the rules and regulations made pursuant to this Constitution have been complied with and the appropriate fees submitted.
7. Applications for registration will only be approved if it is determined from the application and such other inspection, documentation or verification as may be required by the Board of Directors or the Canadian Livestock Records Corp. that the animal for which the application is made, is eligible for registration and complies with all rules, regulations and standards for registration.
8. Correctness of pedigree and particulars on the application for registration are the absolute and sole responsibility of the person making the application for registration.
9. Should any animal be registered or transferred through misrepresentation or fraud, the registration or transfer thereof shall be void. The registration of animal that is void shall automatically void the registration of any lineal descendant of that animal.
10. The Canadian Morgan Horse Association, or any Director, Officer, executive, clerk, employee, agent or appointee of the Association while acting in such capacity, shall not be responsible for any erroneous statement made upon the application for registration.
11. This Article shall apply to applications for registration under the Canadian Part Morgan Registry. (2007)

#### **ARTICLE XXVIII - TRANSFERS AND DUPLICATE CERTIFICATES**

1. In case of the sale of an animal, the seller must furnish a Certificate of Registration in the



Canadian Morgan Horse Registry, showing the purchaser's ownership. Refusal to do so on any pretext whatever, except under written agreement to the contrary, shall be grounds for his expulsion, if a member, from the Association; if not a member, further applications for registrations or transfers shall be refused.

2. Applications for registration of transfers of ownership must be made in ink or typewritten on forms supplied by the Canadian Livestock Records Corp. and must give date of sale and date of delivery, and in the case of a female, if bred. The application for transfer of ownership must be forwarded with the Certificate of Registration to the Canadian Livestock Records Corp. by the registered owner or his authorized agent. (2011)
3. A duplicate certificate may be issued if the registered owner or his authorized agent files a statutory declaration on a form supplied by the Canadian Livestock Records Corp. showing in a satisfactory manner that the original is lost, destroyed or unobtainable.
4. This Article shall also apply to the Canadian Part Morgan Registry. (2007)

#### **ARTICLE XXIX - AUTHORIZATION COMMITTEE**

1. The Secretary, the Registrar, provided that if there be no Registrar the Chairman of the Registry Committee, and the Director, The Canadian Livestock Records Corp. shall be a committee with the authority to authorize change of ownership and registration of pedigree where signatures or other information are for any reason unobtainable. The decision of the committee shall if unanimous be final. If the committee is not unanimous the matter in question shall be submitted to the Board of Directors for a decision. This committee or the Board of Directors shall have no power to authorize the registration of any animal unless the pedigree of breeding submitted complies in all particulars, with the rules of eligibility for registration as outlined elsewhere in this Constitution. All decisions of the committee shall be submitted to the Board of Directors and shall be incorporated in the minutes of their next meeting. (1993, 1999)

#### **ARTICLE XXX – FEES**

1. The fees to be charged for membership, registrations, transfers and other services of the Association shall be set from time to time by the Board of Directors and an up-to-date schedule of fees will be provided to all members or published in the Association Magazine at least once each year and upon every change to the schedule of fees.

#### **ARTICLE XXXI - NON-MEMBERS**

1. Any person not a member of this Association registering and transferring animals on the records of the Association shall be subject to the same rules and regulations as a member except

as otherwise specifically provided for.

## **ARTICLE XXXII - ASSOCIATION MAGAZINE**

1. In order to achieve one of the objectives of this Association, the Board of Directors shall ensure that a national magazine or periodical is available for subscription by the members.
2. If the Board of Directors in its discretion deems at any time there is not any available magazine or periodical suitable for subscription by the members, the Board of Directors may authorize the publication or production of such magazine or periodical.
3. In addition to any available magazine or periodical deemed suitable by the Board of Directors for subscription by the members, the Board of Directors may authorize the publication of such other periodical or newsletter as the Board of Directors deems appropriate.
4. Until otherwise determined by the Board of Directors the national magazine of the Association shall be the “Canadian Morgan Magazine”. (2002)
5. It shall be the duty of each Director to promote the interests of any said national magazine or periodical in that Director’s zone, encouraging of submission of items of news to, subscriptions to and of advertising in the said magazine or periodical.

## **ARTICLE XXXIII – SUSPENSIONS, OFFENSES AND PENALTIES**

### **A. Suspension or Expulsion of a Member**

1. Any member who violates any rule or regulation of the Association automatically suspends himself.
2. The Board of Directors shall have the power to suspend or expel any member who fails to observe any provision of the Act or any provision set forth in this Constitution or any rule, regulation or schedule made pursuant to this Constitution, or whose conduct is, in the opinion of the Board, prejudicial to the interests of the Association.
3. A suspended member, whether he was suspended by the Board of Directors, automatically suspended himself or has been placed on probation by the Records Committee of the Canadian Livestock Records Corp. shall lose all rights of membership, the right to do business with the Association and shall not be allowed to make registrations or transfers during his suspension or probation. (2007)
4. An expelled member shall have his membership automatically terminated and shall not be allowed to do business with the Association or make any registrations or transfers until such rights are re-instated by the Board. (2007)

5. The Board of Directors may set up an Executive Committee to hear charges laid against members. On report to the Executive Committee of a charge against any member which may result in suspension or expulsion, the charge shall be laid before a meeting of the Executive Committee and the member so charged shall have fifteen (15) days notice in writing of such meeting and shall have the right to be heard. The Executive Committee shall make its recommendations with reasons, in writing to the Board.
6. A person who has been suspended or expelled from membership shall, after the expiration of sixty (60) days from the date of suspension or expulsion, have the right to apply to the Board of Directors for re-instatement. On such application the Board at its next meeting may by a vote of two-thirds (2/3) of the members of the Board present re-instate the person.
7. If the board refuses to re-instate a person suspended or expelled from membership, such person shall the right to apply for re-instatement by the next succeeding general meeting of members. Re-instatement by a general meeting shall be only by a vote of two-thirds (2/3) of the members present thereat and voting.
8. Any person expelled from membership by any other association incorporated under the Animal Pedigree Act shall not be eligible for membership in this Association and if he is already a member at the time of such expulsion, his membership shall thereupon forthwith automatically terminate. Such member shall not be eligible for membership in this Association for so long as he remains expelled by the other association. (1991)

#### **B. Suspension of Registration or Pedigree**

1. Each registration or transfer of ownership of an animal is made upon the applicant's or transferor's declaration that the particulars on the application are correct. If it is subsequently found that the particulars given were incorrect or fraudulent, the registration or transfer shall be suspended by the Canadian Livestock Records Corp. suspended by the Association and in the case where the particulars were fraudulently misrepresented, the Association shall forthwith cancel the registration or transfer. In the case where the particulars were innocently misrepresented, the Association shall only cancel the registration or transfer where the original applicant or any other interested party is unable or unwilling to correct the misrepresentation within a reasonable time, as determined by the Board of Directors, or if the misrepresentation when corrected would make the animal ineligible for the registration or transfer. (2007)
2. Pedigrees registered incorrectly may be corrected and re-registered by the owner or by the Canadian Livestock Records Corp. at the expense of the original applicant for registration or transfer. (2007)
3. Each suspension of a registration shall remain in effect until such suspension has been lifted by the Board of Directors of the Association.
4. Suspension, either of a member or of a registration, shall not in any way derogate from the liability incurred by the member or person. (2007)

### **C. Offenses and Penalties**

1. If it is brought to the attention of the Board of Directors that as a result of an inspection of the manner in which private records are kept and identification practised by any breeder, it is shown that the rules and regulations in that regard as laid down by the Association are not being observed, the Board of Directors may immediately suspend or expel such breeder, if a member; if not a member, further registration and transfer may be refused, and if such inspection should indicate that the private records and identification systems as practised by such breeder are inaccurate, confusing or in such a state as to raise doubt as to the identity of any number or all of the animals in the stud, the Board of Directors may suspend the pedigree of any number or all horses standing in the name of such breeder. (2007)
2. If any person knowingly makes a misleading, false or fraudulent statement in order to register or transfer an animal, that registration or transfer shall be expunged from the registry and that person shall be debarred from making further registrations or transfers. (2007)
3. If any person knowingly commits any act or omits or fails to perform any act the result of which may harm, diminish or call into question the integrity of the Canadian Morgan Horse Registry or the Canadian Part-Morgan Registry or any registration or transfer registered therein, such person, if a member shall be suspended or expelled and whether a member or not shall be refused further registrations and transfers. (2007)
4. The Board of Directors may re-instate any member or the rights of any person upon such terms as the Board deems appropriate.
5. The Board of Directors, the Association or the Canadian Livestock Records Corp. shall not be held responsible or be liable in any way for any loss or damage that may be sustained through suspension, cancellation or correction of any registration or transfer, or through suspension or expulsion of any member.
6. The Offenses and Penalties set out in the Animal Pedigree Act and amendments thereto are applicable to all acts which are contrary to the provisions of this Constitution or any regulation, rule or schedule made pursuant to this Constitution. (1991)

### **ARTICLE XXXIV - AMENDMENTS**

1. This constitution shall be subject to alteration or repeal but no alteration, amendment or repeal shall have any force or effect unless it receives the affirmative vote of two-thirds of all members of the Association present in person or by proxy at an annual meeting or any special meeting called for that purpose. The Board may choose to enclose proposed amendments with a ballot in the national magazine for mail out and return to the CMHA office within sixty (60) days in those instances when simple changes and/or swift action is required. An affirmative vote of two-thirds of the returned ballots would be required to implement the proposed amendments. (2002, 2011)
2. No amendments shall be valid until approved by the Minister of Agriculture for Canada and filed at the Department of Agriculture for Canada.

3. Notice of all proposed amendments shall be signed by two members in good standing and given to the Secretary at least sixty days in advance of a general meeting and they shall be included in the Notice calling such a meeting, otherwise the meeting shall have no power to deal with same. Notice of all approved amendments shall be sent to the Minister of Agriculture for Canada, and once approved there, sent on to the Director, The Canadian Livestock Records Corp. (1993, 1999, 2008, 2011)