



MINUTES of the Annual General Meeting of Members held Wednesday 3 November 2021 at 7.30pm in the Amenities Building, The Bill Spilstead Complex for Canine Affairs, 44 Luddenham Road, Orchard Hills and via Zoom Conferencing.

1. PRESENT	Dr K Hedberg BVSc	President
	Mrs L Brown	Senior Vice President (by Zoom)
	Mrs L Brand	Vice President
	Mr M Arthur	Vice President
	Mrs C Rafton	Director
	Mrs N Keck	Director
	Miss V Etherington OAM	Director
	Mr R Britten	Director
	Mr G Spagnolo	Director
	Mr E Pickering	Director
	Mr P Cutler	Director
	Mr R Harbin	Director
	Director Elect	
	Mrs V Gagan-Wilson	Company Secretary
	Mr A Khamis	Operations Manager
	Mr N DeSilva	Finance Team Lead
	Mrs L Hadley	Committee Sec/Exam Administrator
	Mrs B Tutill	Disputes Assessment Panel Secretary

A total of 51 Members present and 149 Members participating by Zoom, a list of whom appears in the Minute Book and which includes the above Directors.

2. APOLOGIES

Director J Seary	2000672490
Director J Sheppard	2100030574
Mr K Hammond	2100054231
Mrs N Hammond	2100054230
Mr K Keck	2000580160
Mrs K Cannon	2000668470

MOVED Mrs P Cutler

SECONDED R Duffy

THAT apologies be received.

CARRIED

3. CONFIRMATION OF THE MINUTES

MOVED Mr P Cutler

SECONDED V Etherington OAM

THAT the Minutes of the Annual General Meeting of Members held 30 November 2020, published in the April 2021 Gazette, be confirmed.

CARRIED



4. CHAIRMAN'S REPORT

The President welcomed the Directors and Members to the meeting and thanked the Retiring Directors for their support and hard work over their years of service and introduced and welcomed the incoming Directors.

An invitation will be extended to the Retiring Directors to attend a Board meeting in the near future so that the Board can formally farewell them and show its appreciation to them.

The President reported to the meeting as follows:-

This has been a difficult year for many in the Dog world with prolonged lockdown periods from July through to October in 2020. While shows and trials resumed after this first lockdown, we were reasonably limited for several months with extra care to cover all the pandemic requirements. 2021 started out fairly well, but the gradual spread of the COVID Delta variant again caused issues in late April and June resulting in more prolonged lockdowns that still continue. The lifting of lockdown restrictions is promised in October/November, however, the final format of how we will be able to train, trial and show will need some detailed and ongoing considerations.

Government Liaison

On the political side, the Government does not do much in lockdown, and works are restricted to essential matters. With the potential lifting of lockdowns in October/November, we have been told the long delayed fencing of the Complex will begin in November and we should have, hopefully, finalised details of the lease and rental agreements with the Government at this time.

Further, on the political issues, the DPI has finally released its updated Codes of Practice. While these were only minimally altered, the problem areas have been attended to and fence heights, vaccinations and paperwork issues have all been successfully addressed. While Breeder Compliance Audits will continue after the lifting of lockdowns, the changes should make this easier on our breeders. The fence heights that we recommended have largely been adopted and are sensible. As soon as new paperwork regarding these audits are available, they will be published and available to members.

With the Animal Welfare Reform discussion paper, this is an ongoing issue that we all need to be aware of as this is a relatively lengthy process with ongoing consultation at various stages of this Law's progress into legislation. This affects POCTA, the Exhibition and Research of Animal Acts, trying to combine these Acts with similar basic ethics and looking to establish a minimal standard of care as the basis across all three Acts into a new Animal Welfare Act.

With regard to the Government and its issues, I would like to commend the DOGS NSW Media & Government Legislation Committee, ably headed by Brian Crump, and thank all the Committee members for their ongoing efforts, input and support.



The RNSWCC Health & Welfare Charity has been active this year and has put funds into supporting AMRRIC (Animal Management in Rural & Remote Indigenous Communities) to help prevent the spread of Ehrlichia disease into New South Wales. Ehrlichia is a tick borne disease that can have fatal outcomes in canines and is now widespread throughout the Northern Territory and the far north of Western Australia. This disease is spread by the brown dog tick and would have a devastating effect on our dog populations if it becomes widespread in this State. More on Ehrlichiosis can be found on the ANKC website. Again, many thanks to the RNSWCC Health & Welfare Charity for its hard work and efforts on our behalf.

The Office

During these various lockdowns, the staff have continued to work hard and have kept up to date with registrations and other matters. Both the Company Secretary, Virginia Gagan-Wilson, and Operations Manager, Anthony Khamis, need a big round of applause for all their behind the scenes efforts that keep DOGSNSW running, the grounds looking immaculate (even if we are not currently using them) and promptly fixing all those myriad little things that keep going wrong.

The Chair of the Finance Committee, Lynette Brown, and the Finance Team Lead, Nuwan de Silva, have done an excellent job on DOGS NSW finances, with a record profit for the year. With careful management over the past few years, we have been able to update most of our equipment both in the office and around the grounds as well as tend to long overdue maintenance in some areas such as lighting and electrical works. Solar power panels have been placed on the main block resulting in our electricity bills being considerably lower than previously.

I would personally like to thank Virginia, Anthony, Lynette and Nuwan for all their hard work and very effective efforts on behalf of DOGS NSW.

Judges Education & Training Program

These Training Programs have been put on hold until such time as we can hold practical examinations. We have been using distance training methods, where possible, and, hopefully, we should be able to examine Trainees before the end of the year.

The Board

In closing, I would like to thank the Board of Directors for their support and assistance in another difficult year. While we still have had Board meetings, seeing each other outside of Zoom meetings would be a nice change.

To the outgoing Board members, my profound thanks for all the work you have put into DOGS NSW, in many different areas. Many of these Board members have served faithfully for years and will be sorely missed. My sincere thanks to Russell Britten, Jan Seary, Myron Arthur, Alan Lee and, in particular, to the former President Lynette Brown, for all their help both individually and collectively.



This coming year will welcome some new faces to the Board - Angus McIlrath, Kyle Charnock, Glen Vernon, Simon Mills and Rosemary Privett. I wish all these new Directors well and hope we can all work together effectively for the benefit of DOGS NSW.

MOVED E Gunter

SECONDED E Pickering

THAT the report of the Chairman, as published in the 2020/2021 RNSWCC Ltd Annual Report, be received.

CARRIED

5. **CONSIDERATION OF SECRETARY'S REPORT**

The Company Secretary drew to the attention of the members corrections to the Committee Listing in the RNSWCC 2020/2021 Annual Report as follows:-

Obedience & Tracking Committee:

S Hutchins	Number of meetings attended	3
S Turner	Number of meetings attended	6

Scent Work Working Party:

Held 1 meeting

Members are:

S Turner
P Clarke
T Kernahan
P Mead
N Neppi
C Stani

Show Committee:

M Wheeler	Number of meetings attended	5
-----------	-----------------------------	---

The Company Secretary reported to the meeting as follows:-

Australian National Kennel Council Ltd

The RNSWCC Representative at the Annual General Meeting held on 17 October 2020 via Zoom Conferencing was Dr K Hedberg BVSc.

The Directors appointed by RNSWCC who attended the Board Meeting held on 17 October 2020 were Dr K Hedberg BVSc and Mrs L Brown.

Dr K Hedberg BVSc and Mrs L Brown attended the Special Board Meetings held on 13 February & 19 June 2021.

Dr K Hedberg BVSc and Mrs L Brown were Directors for the whole of the year, ie, June 2020 to June 2021.



New Affiliates

There following new Affiliates were approved for the year ended 30 June 2020:-

- Northern United Cocker Club of NSW – July 2020

Inquiries, Investigations and Appeals

During the period 1 July 2020 to 30 June 2021, the RNSWCC received 31 new complaints which proceeded to the Chair of the DOGS NSW Disputes Assessment Panel, with the following outcomes:

- 3 Declined
- 17 Proceeded to Inquiry
- NIL Appeals
- 2 Still Under Investigation
- NIL Proceed to Mediation
- 3 Withdrawn
- 6 Dismissed

Judges Training Schemes

Judges Training Schemes were conducted/are in progress for the following disciplines:

- Conformation (continuation 2019/2020 Program)
- Obedience & Tracking
- Retrieving & Field Trial
- Scent Work

Company Secretary

The name, qualifications and experience of the person who has occupied the position of Secretary of the Company during the year are:

- Mrs Virginia Gagan-Wilson: Company Secretary RNSWCC (trading as DOGS NSW) from July 2019 to present. DOGS NSW CEO from 2014 to 2019. Commenced employment with DOGS NSW in October 2001. Previous experience in high level PA/Executive Assistant and Secretarial positions with State & Local Governments.

MOVED V Etherington OAM

SECONDED P Cutler

THAT the report of the Company Secretary, as published in the 2020/2021 RNSWCC Ltd Annual Report, be received.

CARRIED

6. CONSIDERATION OF DIRECTORS' REPORTS

MOVED D Harbin

SECONDED K Griffin

THAT the reports of the Directors, as published in the 2020/2021 RNSWCC Ltd Annual Report, be received.

CARRIED



7. CONSIDERATION OF FINANCIAL REPORT – FOR THE YEAR-END 30 JUNE 2021

The Financial Report for the year end 30 June 2021, as published in the 2020/2021 RNSWCC Ltd Annual Report, was considered by the meeting.

Members raised the following issues in respect of the Financial Report:-

- Excellent profit but many areas of concern
- Disappointing that traditional reporting has changed, ie, the new Auditors have vastly the information, causing a lack of expenditure details in the report, eg, Other Expenditure, ANKC expenses, Acquisition of Property
- Employment Costs, decreased from last year and although the Company received COVID relief, which was to retain employees, staff cost has reduced by \$0.5M which is hard to understand
- Large amount of Cash at Bank but no Term Deposits – what has happened to the Term Deposits that the Company used to have
- Members expressed particular concern as to why the engagement of Auditors has not been put to tender and to the inability to question the Auditor during the meeting. It should be noted that the Auditor did participate in the meeting via Zoom Conferencing.

The Finance Team Lead advised the members as follows:-

- All ANKC expenses have been amalgamated into one account
- Term deposits matured prior to end of the financial year, however, were reinvested a few days later which reduced the amount showing in the account

The Chair of the Finance Committee addressed the members by stating that the current Finance Team Lead is a highly credentialed, professional person who works extremely hard and is very conscientious. In addressing the Finance Report, the Chair of the Finance Committee stated:-

- Employment costs were reduced as some staff were still on part time hours since the reduction in hours due to COVID
- Following the implementation of restrictions, staff were very concerned for the viability of the company with some staff who had small children choosing to move to the COVID part time hours permanently which allowed for a reduction in salaries
- Although there has been a reduction in staff numbers, the Office has managed to improve member services and productivity, in fact, are returning application very promptly to the envy of the country with unprecedented turnarounds
- Several acquisitions of fixed/capital assets were achieved throughout the year which resulted in an increase in those areas
- Auditors conducted the audit in accordance with Australian Auditing Standards.
- Depreciation expenses were reduced to \$251K being a \$90K reduction on last year.



- Some expenses were reduced from last year due to renegotiating contracts such as: photocopiers, insurance, electronic journal, including the Auditors, etc
- The changing of Auditors was a cost saving exercise. The current Auditors are the same as those used by the ANKC and were considerably cheaper than the previous Auditors, ie, Vincents and, particularly, Kelly & Partners.
- A donation of \$88,000 was received from the German Shepherd Dog League to finance the new night lighting in the GSDL area
- Registration income increased significantly possibly due to members in lockdown and having the time to produce and care for litters
- Income derived from membership also improved and perhaps could be attributed, in part, to improvements to the website which now presents DOGS NSW as an organisation in a far more professional light.
- We also received stimulus package income of \$257K and \$57K increase on last year.

Director C Rafton noted that the Auditors had operated under the minimum disclosure requirements, which they also do for the ANKC, and that in the 2018/2019 year the then Auditors, Vincents, had asked if DOGS NSW required standard reporting or committee detail. Director Rafton had asked the Board for P&Ls, particularly for the Spring Fair, however, that has not yet been done and the Board will need to bring that back into line.

The Chair of the Finance Committee brought it to the attention of the meeting that no Spring Fair Dog Show took place in 2020, or 2021, hence there was nothing to report.

MOVED G Spagnolo

SECONDED R Privett

THAT the Financial Report for the year end 30 June 2021, as published in the 2020/2021 RNSWCC Ltd Annual Report, be received.

CARRIED

8. NOTICES OF MOTION

In relation to the Special Resolution at Item 8.1, the Mover has WITHDRAWN this Special Resolution.

In accordance with advice received from the DOGS NSW Solicitor, in their present form, the wording of the following Special Resolutions/Motions are not considered to be appropriate for adoption by a general meeting:-

- **8.4**
- **8.5**
- **8.6**
- **8.7**



8.1 T Couchman (2000722430) to move by Special Resolution:-

THAT in accordance with Article 32(a) of the Constitution of the Royal New South Wales Canine Council Limited, the Members of DOGS NSW agree by Special Resolution that the boundaries of the Northern Region and the Hunter Region as set out in Regulations Part IX – Electoral Regions, be varied in accordance with the detail set out below:-

THAT the part of the Mid Coast Council Local Government Area that was formerly known as Greater Taree City Council, be moved from the DOGS NSW Northern Region into the DOGS NSW Hunter Region.

RATIONALE:

The Electoral Regions, as currently set out in the Regulations, are based entirely on Local Government Areas. The Company's Constitution in Article 32 requires that any attempt to change the Region boundaries be approved by the Members in General Meeting which is the reason for this motion.

Although Council mergers which have occurred in recent years have not yet been corrected by the Board of Directors in Regulations Part IX, all current Region boundaries in those Regulations continue to contain whole LGA areas with the one exception that what is now the Mid Coast Council area is divided between the two Regions of Northern & Hunter with what was Greater Taree Council area being in the Northern Region and what was Gloucester and Great Lakes Shire areas being in the Hunter Region.

It is appropriate that this anomaly be corrected so that all individual LGA's are correctly allocated to a single Electoral Region.

As the Hunter Region has a lower per member Director representation than the Northern Region, it is appropriate that the shift be made from the Northern to the Hunter, rather than the reverse.

The President read to the meeting a statement from Mr T Couchman providing a rationale as to why he withdrew his Special Resolution as follows:-

I, Tom Couchman, speak against Motion 8.1.

As the author of this motion, it was written academically for the sole purpose of rectifying a situation when the merged LGA of Mid Coast Council straddled two Dogs NSW Regions which is a situation that has not previously been tolerated by the members. Normally all single LGA's are regulated into one Region only.

I have to admit that I was absolutely not thinking about Members or Affiliates when I did it, but just focussing on getting it into one region.



Since submitting the motion, I have been reminded by the Members of the Mid Coast Canine Club that they are in fact the only ordinary Affiliate in the area and more particularly that they have been part of the Northern Region since its inception, a relationship which they value extremely highly.

Those submissions convinced me that I have in fact proposed the motion in the wrong direction heading the LGA to the Hunter Region when I am now convinced that the more correct direction would be to move it all to the Northern Region which, if this motion fails tonight, I will propose next year.

The Special Resolution, therefore,

LAPSED

For want of a Mover and Seconder

8.2 C Rafton (2000121100) to move by Special Resolution:-

MOVED C Rafton

SECONDED P Cutler

THAT the RNSWCC Articles of Association, Part III – The Board of Directors: Election of Board of Directors, Article 32(b), and Powers of the Board of Directors, Article 28(b), which currently read:-

PART III - THE BOARD OF DIRECTORS

Election of Board of Directors

32(b) *The regions, the component parts of which appear in the Regulations and their entitlement to representation on the Board of Directors shall be:*

<i>Metropolitan Region</i>	<i>8 Representatives</i>
<i>Illawarra and South Eastern Region</i>	<i>2 Representatives</i>
<i>Hunter Region</i>	<i>2 Representatives</i>
<i>Western Region</i>	<i>1 Representative</i>
<i>Northern Region</i>	<i>1 Representative</i>
<i>Southern Region</i>	<i>1 Representative</i>

AND

PART III - THE BOARD OF DIRECTORS

Powers of the Board of Directors

28(b) *The Board of Directors shall consist of not less than 3 persons and not more than 15 persons.*



Be amended to read:-

PART III - THE BOARD OF DIRECTORS

Election of Board of Directors

32(b) The regions, the component parts of which appear in the Regulations and their entitlement to representation on the Board of Directors shall be:

Metropolitan Region	5 6 Representatives (11/21)
Illawarra and South Eastern Region	2 Representatives
Hunter Region	2 Representatives
Western Region	1 Representative
Northern Region	1 Representative
Southern Region	1 Representative

AND

PART III - THE BOARD OF DIRECTORS

Powers of the Board of Directors

28(b) The Board of Directors shall consist of not less than 3 persons and not more than ~~15~~ 13 persons. (11/21)

RATIONALE:

The intent of this motion affects two (2) Articles:-

- *the first: to reduce the number of Representatives as Directors of the Company by two (2) for the Metropolitan area; and*
- *the second: to reduce the number of maximum Representatives that can be Directors by that same number of the two (2) Metropolitan Representatives.*

At the moment, every annual election for the Board of Directors has a total of five (5) Directors for a three (3) year term. The specifics of the Regions and the number of Director/s each particular year is not stated in the Articles, therefore, not mandatory and as it is now, 2022 has all five (5) for the Metropolitan Region alone.

Regional representation on the Board has been discussed at AGMs, and elsewhere, over the years and it could be argued that we need an actual determination of the number of members for all Regions to get the correct totals. Regardless, there is not over 50% of the total membership resident in the Metropolitan Region, as it was decades ago. The reduction of the total number from 15 to 13 could also be argued to be not only more manageable as a total number of Directors but, more so, far more proportionately fair.



Consequently, Article 28(b) also needs to be amended in line with the reduction to the now reduced total number of Directors.

	<u>LOST</u>
FOR	148
AGAINST	105
ABSTAINED	20
TOTAL	273/54.21%

8.3 C Rafton (2000121100) to move by Special Resolution:-

THAT the RNSWCC Articles of Association, Part III – The Board of Directors: Meetings and Quorum, Article 45(e), which currently reads:-

**PART III - THE BOARD OF DIRECTORS
Meetings and Quorum**

45(e) *Any 10 Directors shall constitute a quorum for the transaction of business at a meeting of the Board of Directors. If, in the event of casual vacancies, the number of Directors is not sufficient to constitute a quorum, the remaining Directors may act but only for the purpose of increasing the number of Directors to a number sufficient to constitute such quorum.*

Be amended to read:-

**PART III - THE BOARD OF DIRECTORS
Meetings and Quorum**

45(e) *Any ~~10~~ 8 Directors shall constitute a quorum for the transaction of business at a meeting of the Board of Directors. If, in the event of casual vacancies, the number of Directors is not sufficient to constitute a quorum, the remaining Directors may act but only for the purpose of increasing the number of Directors to a number sufficient to constitute such quorum. (11/21)*

OVER RUN

8.4 L Brand (2000230000) to move by Special Resolution:-

THAT the RNSWCC Articles of Association, Part III - The Board of Directors: Chairman and Deputy Chairmen, Article 39, be amended to include a new Article, numbered 39A to read:-

39A At the conclusion of the annual general meeting, or a soon thereafter as may be practicable, the Board of Directors shall, subject to Article 39, elect from amongst their number or the membership or other suitably qualified person as Chairman for each Committee but no one person shall hold more than one position as the Chair of a Committee at any one time. (11/21)



RATIONALE:

Few Directors hold too many Chair positions. This new Article allows for full attention to the one area of concern and, further, allows more individual and specialist attention to each Committee's needs. It shares the responsibility more evenly and more inclusively of not only members of the Board but also opening up for more diversity of using our membership base of knowledge/specialised areas of experience. It alleviates the work load of one person being responsible for too many areas.

In accordance with advice received from the DOGS NSW Solicitor, in its present form, the wording of the above Special Resolution is not considered to be appropriate for adoption by a general meeting and, therefore, was not considered at the meeting.

8.5 A Khamis (2100041311) to move by Special Resolution:-

THAT the RNSWCC Articles of Association, Part II-Membership: Cessation of Membership, Clause 10(d) which currently reads as follows:-

10. *A person shall cease ipso facto to be a member of RNSWCC:*
(d) *If the annual subscription for the forthcoming membership year payable pursuant to Article 14 has not been paid within 30 days of the end of the previous membership year; (11/17)*

Be amended to read:-

10. *A person shall cease ipso facto to be a member of RNSWCC:*
(d) *If the annual subscription for the forthcoming membership year payable pursuant to Article 14 has not been paid **by 30 June of each year** ~~within 30 days of the end of the previous membership year;~~ (11/21)*

RATIONALE:

RNSWCC Articles of Association, Article 10(d) currently allows 30 days from 1 July each year for a member to renew their membership. As the Office now allows three (3) months' notice for renewals, it is considered this is sufficient notice to allow members to renew and would allow for a more precise calculation of members eligible to vote in elections. Further, it should be noted that, as a consequence of the above amendment to the Articles, if the membership rolls to unfinancial on 1 July, the member will be required to take out new membership with DOGS NSW.

In accordance with advice received from the DOGS NSW Solicitor, in its present form, the wording of the above Special Resolution is not considered to be appropriate for adoption by a general meeting and, therefore, was not considered at the meeting.



8.6 N Hammond (2100054230) to move:-

THAT DOGS NSW Regulations Part I-The Register & Registration, Clause 2.15, which currently reads:-

2.15 DOGS NSW may defer its processing of any transaction concerning a dog or prefix owned or part-owned by a Member who is the subject of an Inquiry or Investigation instituted or carried out pursuant to the Regulations, or who is the Defendant in any court proceedings the subject matter of which relates to the keeping of animals, pending the outcome and conclusion of such inquiry or investigation and the service or payment of any penalty imposed as a consequence of it. The date of the deferral to commence from the date of the incident. **(03/15)**

Be amended to read:-

2.15 DOGS NSW may defer its processing of any transaction concerning a dog or prefix owned or part-owned by a Member who ~~is the subject of an inquiry or investigation instituted or carried out pursuant to the Regulations, or who is the Defendant in any court proceedings the subject matter of which relates to the keeping of animals, pending the outcome and conclusion of such inquiry or investigation and the service or payment of any penalty imposed as a consequence of it.~~ **has been found guilty of a breach of the RNSWCC Rules and Regulations, or any breach by a court of law relating to the keeping of animals.** The date of the deferral to commence from the date of the ~~incident~~ **guilty verdict.** **(11/21)**

RATIONALE:

Regulations of DOGS NSW Part I, Clause 2.15 Direct violation of ANKC Section 3 Misconduct

3.2 Where a complaint or report is lodged alleging that an offence has been committed, the member body under whose jurisdiction the alleged offence occurs, shall have the matter dealt with under that member body's disciplinary procedure that provide for investigation, hearing, penalty and appeals. Such procedures shall ensure that the alleged offender is dealt with fairly and given the opportunity to present their case in person or teleconference.

Regulations of DOGS NSW Part I, Clause 2.15 Direct violation of RNSWCC Inquiries, Investigations and Appeals Section 5

5.2 The member concerned shall be informed in writing of any complaint and be provided with a copy of all documents in the possession of the committee necessary to enable the member to understand the nature of the complaint and of any case that he may have to answer.



Regulations of DOGS NSW Part I, Clause 2.15 Direct violation of the law of Natural Justice

Requires that a person receive a fair and unbiased hearing before a decision is made that will negatively affect them. The three main requirements of natural justice that must be met in every case are: adequate notice, fair hearing and no bias. The notice requirement means that the people affected by the decision must be told about the important issues and be given enough information to be able to participate meaningfully in the decision-making process. The fair hearing requirement means that the people affected are given a reasonable opportunity to present their point of view and to respond to facts presented by others, and that the decision-maker will genuinely consider what each person has told them when making the decision.

The no bias requirement means that the person making the decision must act impartially when considering the matter and must not have any relationships with anyone that could lead someone to reasonably doubt their impartiality.

As a member I do not wish to have this illegal violation of natural justice and human rights to ever happen to another member.

In accordance with advice received from the DOGS NSW Solicitor, in its present form, the wording of the above Motion is not considered to be appropriate for adoption by a general meeting and, therefore, was not considered at the meeting.

**8.7 N Hammond (2100054230) to move:-
THAT the following COMPLAINTS PROCEDURE to be implemented by DOGS NSW to ensure an effective complaints resolution process:-**

DOGS NSW will not deal with:-

- (a) anonymous complaints, whether by telephone, email or in writing.
 - (b) complaints that do not substantially comply with paragraph 5 below; or
 - (c) complaints that are frivolous or vexatious, manifestly ill-founded or which use deliberately false or misleading information, unnecessarily biased, lodged maliciously or contain abusive or inappropriate language.
2. DOGS NSW will not become involved in disputes between members in relation to the sale of dogs. These are usually private matters to be determined by the contractual agreements between parties. Disputes regarding contractual agreements should be resolved in the Courts and not by DOGS NSW.
 3. Complaints must be submitted directly by the complainant to DOGS NSW (not via a third party).
 4. The complainant must, in the first instance make all attempts to resolve the problem with the member who is the subject of their complaint, for example a breeder, ie,, discuss options of refund, partial refund or replacement, DNA testing, etc.



5. If unable to come to an agreement, the complaint must:
- (a) be in writing and utilise the Complaint Lodgement Form which, at a minimum, contains:
 - (i) the date the Statutory Declaration is made.
 - (ii) the complainant's name and contact details.
 - (iii) the name of the other person(s) the complaint is being made about.
 - (iv) a factual description of the incident(s)/decision and/or alleged conduct in also any witness statements.
 - (v) the time and date of the incident(s).
 - (vi) a factual description of the complainant's attempt at resolving the matter; and
 - (vii) the complainant's signature.
 - (b) be written in a manner that is simple, concise and direct and describes the issues in the clearest possible terms.
 - (c) include reference to the specific DOGS NSW Regulation(s) which are alleged to have been breached (DOGS NSW Rules and Regulations can be viewed on the DOGS NSW website at the following website address: <http://www.dogsnew.org.au>)
 - (d) be supported by directly relevant materials and documentary evidence including proof that the complainant has attempted to resolve the matter and, where the breeder/seller has refused, proof of the breeder's/seller's refusal, receipt/proof of purchase, veterinary report, photographic evidence, etc. The evidence should state relevant facts and support the complaint.
 - (e) contain an acknowledgement that DOGS NSW has permission to forward a copy of the complaint to the member provided personal details are removed.
 - (f) be delivered in a calm and reasonable manner; and
 - (g) contain an actual copy of the post (ie, Screen shot) if it relates to the Social Media Policy.

In addition, and for the complaint to progress, a lodgement fee of \$250.00 plus GST is required. This fee will not be required for any complaint by anyone lodging a complaint who is not a member of an ANKC Member Body. This fee will only be refunded if the complaint is referred to the Disputes Assessment Panel and thus deemed non-frivolous. The Company Secretary has the discretion to waive this fee in certain circumstances, which are:-

- Cases of alleged animal cruelty
- Cases of criminal conviction
- Cases of genuine financial hardship



Upon receipt of all the above requirements and confirmation that the respondent (defendant) is a current financial member of DOGS NSW, DOGS NSW must notify the member of the charge against them, and any evidence submitted must be affixed to the notification. The member must be given the opportunity to present any evidence in their support within 14 days of receiving any notification. This must also be provided in the form of a Statutory Declaration (such Statutory Declaration to comply with paragraphs 5(b) and 5(f) above).

Once the respondent (defendant) has provided their comments, which in turn will be provided to the complainant, the complainant is entitled to a single right of rebuttal (such rebuttal to also be provided in the form of a Statutory Declaration which complies with paragraphs 5(b) and 5(f) above). The complainant must reply within 14 days of days of date of correspondence.

A response from a respondent (defendant) or the complainant's rebuttal to any such response will not be considered by DOGS NSW to the extent that it contains material that is frivolous or vexatious, manifestly ill-founded or which uses deliberately false or misleading information, unnecessarily biased, lodged maliciously or contains abusive or inappropriate language.

All correspondence will be forwarded to a DOGS NSW Disputes Liaison Officer and the Disputes Assessment Panel Chair, who in turn independently review and decide upon the outcome of the complaint, which includes referring the matter to Inquiry if deemed necessary.

In accordance with advice received from the DOGS NSW Solicitor, in its present form, the wording of the above Motion is not considered to be appropriate for adoption by a general meeting and, therefore, was not considered at the meeting.

At the conclusion of the meeting, members requested that the Board give consideration to the time frame for submission of Special Resolutions for the Annual General Meeting Agenda in light of the effect on Proxy Votes.

9. MEETING CLOSED 8.58pm
