



## **REGULATIONS**

### **PART X**

### **AFFILIATED BODIES**

*Reference to “Dogs Australia” herein is a reference to the Australian National Kennel Council Limited (ABN 77 151 544 679) trading as Dogs Australia*

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**July 2018 – to amend Dogs NSW to DOGS NSW**

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## REGULATIONS

### PART X - AFFILIATED BODIES

#### SECTION 1 - Admission of Affiliated Bodies

1.1 The Board of Directors may admit as:

(a) An Affiliate of DOGS NSW, a canine club, canine society or canine association or other body established for the purpose of conducting exhibitions of and of promoting interest in pure bred dogs or in a particular breed or breeds of pure bred dogs irrespective of whether the said club, society, association or body is incorporated or unincorporated PROVIDED THAT the Board of Directors shall be satisfied that such affiliation is warranted having regard to:- **(11/86)**

- (i) the membership and pure bred dog population within the area to be serviced by the applicant body;
- (ii) the existence of any general dog club established within such area which might better serve the interests of the members of the applicant body;
- (iii) the present or future viability of an existing Affiliate if an application for a affiliation is granted;

(b) an Associate Affiliate of DOGS NSW

- (i) an agricultural society or other like body which has constituted a dog section show committee for the purpose of conducting a dog show for exhibition of pure bred dogs at its annual show;
- (ii) an organisation, other than a dog club or agricultural society or association constituted for the purpose of conducting dog shows for exhibition of pure bred dogs;

irrespective of whether the said society, body or organisation is incorporated or unincorporated, PROVIDED THAT the Board of Directors is satisfied that:

- (A) its secretary is experienced in the organisation and running of a show; and
- (B) such organisation or dog section committee has members thereof who are experienced in the conduct of dog shows; and
- (C) it will provide sufficient show rings for the conduct of its dog show which will meet the requirements and standard approved by the Board of Directors from time to time; and
- (D) it will provide facilities for exhibitors of the standards required by and approved of by the Board of Directors.

- 1.2 The Board of Directors may charge such entrance fee and such annual subscription for affiliation as the Board of Directors may from time to time determine and pending and subject to such determination an Affiliate or an Associate Affiliate shall pay such annual subscription in advance in respect of the Financial Year. The annual subscription shall be payable on the first day in July each year, and if an Affiliate or an Associate Affiliate shall fail to pay such subscriptions prior to the first day of August each year it shall not be entitled until otherwise determined by the Board of Directors to any of the privileges to which an Affiliate or an Associate Affiliate is entitled under the Constitution and the Regulations, but shall be subject to all obligations imposed upon an Affiliate or an Associate Affiliate provided that when affiliation commences during the currency of a Financial Year the Affiliate or Associate Affiliate shall pay the subscription in respect of that year upon admission as such Affiliate.
- 1.3 An applicant for Affiliation or Associate Affiliation shall not be admitted as an Affiliate or an Associate Affiliate unless:-
- (a) being an agricultural society or other like body or organisation as aforesaid it complies with the provisions of Section 1.1(b); **(07/16)**
  - (b) being a club:
    - (i) that has in its Constitution the provisions set out in this sub-rule and appearing immediately hereunder:

#### OBJECTS

The objects of the Club are: **(11/24)**

- (a) to affiliate with DOGS NSW;
- (b) to promote and encourage the breeding of pure bred dogs; to promote and raise the standards and exhibiting of pure bred dogs; and/or to encourage the training and or competitive trialling and participation in dogs sports of pure bred dogs and those on the Associate or Sporting Registers.
- (c) to promote and encourage the holding and conduct of canine exhibitions, shows and/or competitive trials and dog sports;
- (d) to foster, promote and protect the interests of exhibitors of dogs at exhibitions and shows; and/or competitive trials and dog sports;
- (e) to collect, verify and publish information relating to dogs and the breeding and exhibition of dogs; and/or competitive trials and dog sports;
- (f) to educate and encourage members, to abide by the requirements and standards approved by DOGS NSW for the conduct of exhibitions and shows; and/or competitive trials and dog sports; and the laws and regulations of the State relating to the ownership and care of dogs, and the responsibility of owners for the conduct and actions of their dogs; and to promote the health and welfare of dogs.

- (g) to promote good fellowship and sportsmanship amongst members and those participating in or attending at exhibitions and shows; and/or competitive trials and dog sports;
- (h) to hold functions and lectures, exhibitions and/or trials relating to dogs and to the objects of the Association generally;
- (i) to make awards and donate prizes for competition at exhibitions and shows and for the competition by breeders and exhibitors of dogs; and/or competitive trials and dog sports;
- (j) to foster relations with other kindred Associations and bodies;
- (k) to promote and assist and to make contributions to canine veterinary research and other worthy canine causes;
- (l) to invest the funds of the Association not immediately required in such manner as the Members shall determine;
- (m) to carry on such other activities to promote and encourage interest in the breeding, upkeep, general well-being, improvement and/or training of dogs and to do all such other things as may be necessary or conducive to carrying out the objects of the Association.

#### AFFILIATION WITH DOGS NSW

- (a) The Members by a resolution passed in General Meeting by a majority of not less than three-fourths of the Members voting in person thereat may direct the Committee to apply for affiliation with DOGS NSW;
  - (b) So long as the Club is an Affiliate of DOGS NSW, every member whether a member of DOGS NSW or not, shall be deemed to have agreed with DOGS NSW to be bound by the Rules and Regulations of DOGS NSW for the time being in force and at all times to submit to and carry out every determination, finding, decision, requirement or direction of DOGS NSW so far as the same shall relate to him; and
- (ii) In respect of an All Breeds Club or General Dog Club, has at least 10 financial members of which **(02/19)**:-
- (a) those 10 members are financial members of DOGS NSW and **(02/19)**
  - (b) those 10 financial members of DOGS NSW own a dog registered on an ANKC Ltd National Register. **(02/19)**
- (iii) Deleted. **(06/05)**

(c) its application is in writing signed by its Secretary for the time being addressed to and lodged with the DOGS NSW Secretary and is accompanied by:-

- (i) such entrance fee and annual subscription as may be prescribed by the Board of Directors from time to time;

and in the case of a club as aforesaid by:-

- (ii) a copy of the constitution of the applicant;
- (iii) a certificate signed by its President and Secretary stating that the applicant has, in the case of:-

- (A) a specialist club or semi group club, at least ten (10) financial members each of whom is **(11/18)**:-

- (i) a financial member of DOGS NSW or another State member Body and

- (ii) the owner of a specimen of the breed registered on an ANKC Ltd National Register in respect of which the club is a specialist or semi group club. **(07/16)**

- (B) an all breeds or general dog club, at least ten (10) financial members each of whom is **(04/20)**:-

- (i) a financial member of DOGS NSW and **(04/20)**

- (ii) the owner of a dog registered on an ANKC Ltd National Register. **(04/20)**

or such other number as may be determined from time to time by the Board of Directors either generally or specifically for any particular area, who are entitled to vote at a general meeting of such club listing the names and addresses of such members; **(10/03)**

- (C) a group club, at least ten (10) financial members each of whom is:-

- (i) a financial member of DOGS NSW or another State member Body and

- (ii) the owner of a specimen of a breed, registered on an ANKC Ltd National Register, from the group which the club represents. **(11/18)**

- (iv) an undertaking in writing signed by its President and Secretary that upon its admission as affiliate it will annually thereafter furnish to DOGS NSW a certificate that the membership of the club complies with Section 1.3(c)(iii). **(07/18)**

(d) the Board of Directors is satisfied **11/91**

(i) in the case of a new specialist club, that the Club has held a Meeting, open to all members of DOGS NSW, fanciers of the breed/s in question, of which no less than 21 days' notice has been given at which at least the following business has been conducted:

A. consideration of the extent to which the Club represents the interests of the fanciers of the breed/s in question

B. election of office bearers;

(ii) in the case of a Club other than a new Club, that Membership of the Club is reasonably available to fanciers of the breed/s in question and that the Club is, or is likely to become, reasonably representative of the interests of the fanciers of the breed/s in question.

"New Club" means an applicant for Affiliation that has been formed or in existence for a period of no more than six consecutive calendar months;

(e) being a specialist club or semi group club there is included in its name either the words 'New South Wales' or the letters 'NSW' and it has at least ten (10) financial members and such membership complies with Section 1.3(c)(iii)(A). **(07/16)**

(f) being a specialist or group club that is admitted as an Affiliate after 1st October, 1997 there is included in its name the name of the applicable region (as described in Regulations Part IX - Electoral Regions). **10/97**

(g) being a specialist club there is included in its name the full name of the Breed concerned as it is recognised by the ANKC, the Fédération Cynologique Internationale (F.C.I.) or the Breed Standard in the Country of Origin, but without necessarily referring to any varieties of the breed. **(06/05)**

#### 1.4 Subject as aforesaid DOGS NSW.:

(a) may admit as an Affiliate a specialist club within the Metropolitan Region.

(b) may admit as an Affiliate a specialist club within the Hunter and Illawarra Regions when breed registrations (being of the breed in respect of which the club is a specialist club) in the area served by the club are no less than 3% of the total annual registrations with DOGS NSW for all breeds in the immediately preceding two year period.

## **SECTION 2 - Administration.**

### **2.1 An Affiliate:**

- (a) must conduct a recognised show during the 12 month period next following its admission as an Affiliate; **(10/97), (1/10)**
- (b) where applicable, must ensure that the first Championship Show conducted by it, after affiliation is granted, is observed by a Show Representative appointed by the Board as per Regulations Part II, Section 2, Regulation 2.9 (in addition to the Show Representative required to be appointed by the Show Committee pursuant to Regulations Part II, Section 2, Regulation 2.8). **(10/97), (1/10)**
- (c) must not affiliate with any other body that conducts or endorses Dog Sports that train a dog to attack. **(10/24)**
- (d) shall comply with such other requirements and conditions as the Board of Directors may from time to time impose.
- (e) where applicable, must throughout its full period of Affiliation maintain its name in conformity with Section 1.3(b)(g) of this Part. **(07/16)**

### **2.2 An Affiliate shall:-**

- (a) within two (2) months of its Annual General Meeting in each year, but in any case, not later than the 31<sup>st</sup> day of October, forward to the DOGS NSW Secretary a copy of its Balance Sheet and Financial Statements as adopted and duly prepared by a member of one of the following professional accounting bodies:

Association of Chartered Certified Accountants Australia and New Zealand

CPA Australia

Institute of Public Accountants

National Tax Agents' Association Ltd

The Tax Institute (TTI)

Australian Bookkeepers Association Ltd

Chartered Accountants Australia and New Zealand

Institute of Certified Bookkeepers

Institute of Chartered Accountants in England and Wales (ICAEW)

National Tax Agents' Association Ltd (NTAA+)

Chartered Accountants Australia & New Zealand (CA ANZ)

**(09/25)**

TAI Practitioners & Advisers Limited

**(03/16)**

together with a copy of the Accountant's Audit, or Compilation Report (prepared in accordance with Accounting Standard APES 315), duly signed by the Accountant stating whether such Balance Sheet and Financial Statements give a true and fair view of the activities of the Affiliate for the preceding twelve (12) months and at Balance Date and, if qualified, details of the reasons for the qualification, and **(4/95), (1/11)**



(b) Provide **(06/19)**:-

- (i) A complete list, signed by either the President and/or Secretary, showing the names, addresses, DOGS NSW Membership Numbers, and the respective category of DOGS NSW Membership of all members of the Affiliate as at the date of the applicable Annual General Meeting.
- (ii) Reports as listed below, both completed and signed in accordance with the instructions, as determined by the Board of Directors from time to time, applicable for the Financial Year being reported:-
  - a. Annual Report Form 1 – Cover sheet
  - b. Annual Report Form 2 – Profit and Loss Statement
  - c. Annual Report Form 3 – Balance Sheet
  - d. Annual Report Form 4 – Asset Register
- (c) where its financial year end is after 31 August in any year, notwithstanding the foregoing Section 2.2(a) & (b), lodge the documents required by this Part within two (2) months of its Annual General Meeting. **(07/16)**
- (d) forthwith upon admission as an Affiliate, forward to the DOGS NSW Secretary a copy of its Constitution and shall, within 21 days of any amendment to such Constitution being made, advise the DOGS NSW Secretary in writing of particulars thereof; and **(9/86)**
- (e) be subject to and strictly comply with such directions, or conditions of continued affiliation, as the Board of Directors may from time to time impose.

2.3 (a) This Regulation applies to Affiliates that are Specialist Clubs. **(4/91)**

- (b) No less frequently than once every calendar year, an Affiliate shall conduct, or cause to be conducted, a lecture on the Breed Standard applicable to that Affiliate ('the Annual Lecture').
- (c) The Annual Lecture shall:
  - (i) be open to all members and to members of the public;
  - (ii) be designed to provide informative and educative material for the benefit of those attending;
  - (iii) include such informative and educative material as the Board of Directors may from time to time require.
- (d) An Affiliate shall give DOGS NSW. no less than six (6) months notice in writing of the date, venue and speaker(s) at the Annual Lecture for publication in the Journal.

2.4 An Affiliate may admit as a Junior Member a person under the age of sixteen (16) years but such member shall not be entitled to hold office nor to vote at a meeting of the members of such Affiliate.

2.5 (a) An Affiliate shall be bound by the Rules and Regulations and shall observe the provisions thereof and give effect thereto.

(b) An Affiliate, which has failed to observe or to comply with the Articles and Regulations, shall be liable to such fine or penalty as the Board of Directors may in its absolute discretion determine. **(7/04)**

2.6 Office Bearers of an Affiliate must be:

(a) a Member or Associate Member of DOGS NSW, and **(1/93), (6/09)**

(b) a resident of the State of New South Wales. **(9/02), (1/04)**

(c) Notwithstanding Section 2.6(b) above, in those areas adjacent to interstate boundaries, or in the case of minority rare breed Specialist Clubs, individuals who do not reside in NSW, but are members of both DOGS NSW and the Canine Control Body in their State of residence, may be appointed as an Office Bearer of that Affiliate, subject to the approval of the Board of Directors of DOGS NSW. **(10/17)**

2.6A No Committee or General meeting of an Affiliate may be conducted in a private or domestic residence. **(6/02)**

2.6B It is the duty of all office bearers of an affiliate to recognise that all books, records, registers, documents and information concerning the affiliate and in the possession, control or knowledge of such office bearers by virtue of their office (or former office) are the property of the affiliate and to ensure that upon ceasing to hold any office within the affiliate, all such material is promptly conveyed to the incoming office bearer(s).

A failure to meet the requirements of this regulation is deemed to be misconduct. **(4/95)**

2.6C If an affiliate receives written notice from its bankers that a cheque drawn by a member of that affiliate or any member of DOGS NSW or of an interstate canine controlling body in respect of show entry fees has not been met on presentation, or has been dishonoured, the affiliate must: **(8/96)**

(a) write to the member, enclosing a copy of the banker's advice, and give notice that unless the amount of the cheque plus any applicable bank charges is paid to the affiliate by cash, bank cheque or money order, within 14 days, the member will be deemed to have committed misconduct and the matter will be referred to DOGS NSW,

(b) if the drawer of the cheque fails to comply with (a) within the 14 day period, immediately thereafter notify in writing the DOGS NSW Secretary of that fact, supplying also a copy of all documentation relating to the matter.

DOGS NSW will maintain an outstanding payment register of Members of DOGS NSW and interstate controlling bodies who have any amount owing to DOGS NSW or any Affiliate as a consequence of a cheque. not having being met on presentation or having been dishonoured, for entry fees in recognised shows previously conducted and/or any associated bank charges and having failed to comply with a request for payment of such amount made by DOGS NSW, or by the Affiliate in accordance with Section 2.6C(a) of this Part. **(07/16)**

Upon entry into that register, DOGS NSW shall inform the Member concerned of the fact and remind them of the requirements of Show Regulation 13.4(xi). **05/06**

Any affiliate which directly receives a relevant payment subsequent to having notified DOGS NSW in accordance with Section 2.6C(b) is required to also report that payment to DOGS NSW in order that the payment be reflected in the outstanding payment register. **07/16)**

A failure by the member to comply with a notice from the affiliate as referred to in Section 2.6C(a) is deemed to be misconduct. **(07/16)**

2.6D (a) If an Affiliate becomes aware of, or has reason to believe that it has suffered, a loss of any money or property, to a value of not less than \$250.00, in circumstances that appear to amount to a wilful failure to account for such money or property, the Affiliate must within the next 30 days provide to DOGS NSW all information available to the Affiliate in respect of the loss.

(b) It is the duty of all office bearers of an Affiliate to ensure the Affiliate's compliance with Section 2.6D(a). **(07/16)**

2.6(E) It is the duty of all Committee Members of an Affiliate to keep proper financial records of the Affiliate as required by law including, as a minimum:-

- 1) receipt books
- 2) records of payments - with supporting documents, vouchers and approvals
- 3) invoices
- 4) bank statements
- 5) bank deposit books (if used)
- 6) cheque books

**(12/19)**

### SECTION 3 - Termination of Affiliation

- 3.1 (a) The Board of Directors may at any time and without assigning any reason therefore terminate and affiliation of an Affiliate without any obligation to refund the whole or any part of the affiliation fee paid by such Affiliate.
- (b) Notwithstanding the foregoing, an Affiliate which:
- (i) amends that part of its constitution appearing in Section 1, Clause 1.3(b), hereof without the prior consent in writing of the Board of Directors; **(07/16)**  
or
  - (ii) fails to observe or perform its obligations or undertakings as imposed by the rules or regulations or fails to notify the Board of Directors that it has complied with a direction of or has given effect to a determination of the Board of Directors within the time required by the Board of Directors;
- shall ipso facto cease to be an affiliate.
- (c) Notice of such termination shall be given to the Affiliate concerned by DOGS NSW Secretary.
- (d) An Affiliate, which for any reason ceases to be affiliated may re-apply for affiliation and may be admitted at the discretion of the Board of Directors as an Affiliate upon such terms and conditions and upon payment of such fee in addition to the entrance fee payable pursuant to Section 1.2 as the Board of Directors from time to time at its sole discretion either generally or specifically may determine (but Section 2.1 of this Regulation shall not apply to any such Affiliate). **(07/16)**
- (e) In respect of an affiliate to which Section 1.4(b) applies, affiliation shall ipso facto cease in the event that for a continuous period of two years breed registrations (being of the breed in respect of which the club is a breed specialist club) in the area serviced by the club are less than 1% of total annual registrations of DOGS NSW for all breeds.

## **SECTION 4 - Licensees**

- 4.1 Notwithstanding that a body is not a member or an Affiliate of DOGS NSW, the Board of Directors may grant such body a licence in the name of the DOGS NSW and signed by DOGS NSW Secretary, licensing such body to conduct within a period specified in such licence a show or shows, the conduct of which shall be governed by the Show Regulations PROVIDED THAT the licensee shall undertake during the period of the licence to conform in all respects with and be bound by the Show Regulations and that it will not conduct a Show during the period of such licence other than in strict accordance with such Regulations.
- 4.2 During the period of the licence the licensee shall enjoy the privileges to which an Affiliate is entitled and it shall be bound by the Rules and Regulations so far as they relate to an Affiliate.
- 4.3 Such licence may be terminated by the Board of Directors at any time without assigning any reason and shall be terminated forthwith if the Management Committee shall have reason to believe that the licensee has done or omitted to do any act, matter or thing contrary to the Show Regulations or to the Rules and Regulations affecting an Affiliate.

## **SECTION 5 - Winding Up of Affiliates**

- 5.1 (a) An Affiliate or licensee, not being a body corporate, on deciding to wind up its affairs shall cause to be convened a general meeting of its members.

Notice shall be given on the notice convening the meeting stating that the Affiliate or licensee proposes to wind up its affairs and cease functioning as an Affiliate or licensee. Surplus funds shall not be disbursed unless with the approval of the Board of Directors and an undertaking shall be given by the Affiliate or licensee that all of its known debts have been paid in full.

- (b) Where an Affiliate or licensee is a body corporate, the law relating to the winding up of such a body corporate shall apply.

## **SECTION 6 - Disciplinary Matters**

### **6.1 Despite anything in the constitution, rules or regulations of an affiliate**

- (a) a member in respect of whom an inquiry may be initiated as described in regulations part XI, regulation 3.1, in respect of certain circumstances, shall not be the subject of any inquiry or disciplinary proceeding within the affiliate unless the Investigative Panel or, in appropriate cases, the Board of Directors decides not to initiate an inquiry in respect of those circumstances, **(08/10)**
- (b) a member who is or has been the subject of an inquiry initiated under regulations part XI may not be the subject of any inquiry or disciplinary proceeding within the affiliate in respect of the same circumstances.**9/97**

### **6.2 Any inquiry or disciplinary proceeding within an affiliate that is in breach of Section 6.1 shall be: **(07/16)****

- (a) terminated immediately upon the DOGS NSW Secretary giving to the affiliate written notice to do so,
- (b) regarded for all purposes as of no force or effect.**9/97**