

C O N S T I T U T I O N

CANADIAN BELGIAN HORSE ASSOCIATION

As Amended to August 4, 2018

CANADIAN BELGIAN HORSE ASSOCIATION

Incorporated October 3, 1907
Constitution Approved January 23, 1951
Affiliated January 23, 1951

AMENDMENTS

Amended Article 23	February 15, 1934
Amended Article 23	February 27, 1963
Amended Article 23	January 26, 1979
Amended Article 6	November 13, 1980
Amended Article 23	October 29, 1981
Amended Articles 3, & 19	February 11, 1984
Amended Articles 16, 19 & 23	June 13, 1985
Amended Articles 6, 16, 20, 23 & 26	February 4, 1987
Amended Articles 16 & 29	June 16, 1988
Amended Article 3	March 4, 1991
Amended Articles 6, 14 & 16	August 7, 1992
Amended Articles 5,6,10 & 11	October 7, 1996
Amended Articles 2, 3, 4, 6, 8 & 20	September 29, 1997
Amended Articles 6, 7, 9, 10, and 14	November 7, 1998
Amended Sections 4, 6, 7, 8, 19, 20 and 23	April 17, 2009
Amended Section 21.3	April 21, 2012
Amended Section 20.2	April 21, 2017
Amended Section 19	August 4, 2018
Amended Section 20.8	May 11, 2019

CANADIAN BELGIAN HORSE ASSOCIATION

CONSTITUTION

1. NAME

The Association shall be the "CANADIAN BELGIAN HORSE ASSOCIATION".

2. OBJECTS

The Association shall have for its object the encouragement, development and registration of the breeding of purebred Belgian horses in Canada:

1. By keeping a record of the breeding and origin of Belgian horses and by collecting, preserving and publishing data and documents relating to same.
2. By establishing standards of breeding and by designating an office for registration of certificates.
3. By adopting means from time to time to protect and assist breeders engaged in propagation and breeding of purebred Belgian Horses in compliance with the Animal Pedigree Act or any regulation made thereunder.
4. By maintaining an efficient supervision of breeders of Belgian horses to prevent, detect and punish fraud.
5. By compiling statistics of the industry of same, furnishing official and authentic information in regard thereto.
6. And for these purposes to have power to make all needful contracts and agreements and to make, alter and repeal regulations subject to the provisions hereinafter set forth.

3. MEMBERS

1. There shall be four classes of members:

a) **HONORARY MEMBERS:** The Association may appoint Honorary Life Members at a general meeting if the Board of Directors has by resolution named the proposed member or members and recommended that such appointment be made. But, such Honorary Member shall take no part in the management of the Association's affairs. Their position shall be purely Honorary.

b) **PATRONS:** Patrons shall be those individuals, partnerships or companies, incorporated under Federal or Provincial charter, resident in Canada, who have paid a patrons

membership fee, provided the board sees fit to grant the applicant such membership, and who every 5 years thereafter have paid a Patrons service fee. The Patrons membership and service fees shall be set from time to time by the board. Patrons shall be entitled to all the privileges of an annual member.

c) **ANNUAL MEMBERS:** Annual Members shall be those individuals, partnerships or companies, incorporated under Federal or Provincial charter, resident in Canada who pay the prescribed annual membership fee, due the first day of January of each year.

d) **NON-RESIDENT MEMBERSHIP:** Individuals resident outside of Canada may become annual members on the approval of the Board of Directors, but shall not hold office or be entitled to vote at any meeting.

2. Applications for annual membership shall be in writing and each applicant on becoming a member, shall agree to be bound by the constitution and amendments thereto, and all rules of the Association, but the Association shall have power to reject any application for membership. Any applicant so rejected shall not be allowed to register or transfer as a non-member.

Application for partnership or incorporated company membership shall specify the person authorized to vote, act or sign for the partnership or company. A member of a partnership or company other than the person mentioned in the application may be authorized by the partnership or company to act or vote at any meeting of the Association.

3. 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.

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 any member to the Association shall be limited to the amount due from him in respect to his membership and registration fees.

6. 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 March 31st in each year all members who paid for the preceding year but who have not paid for the then current year shall be removed from the membership roll. They may, however, elect to register or transfer at non-members rate during this three months period. They may nevertheless again become members in the manner prescribed by this constitution.

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. A person, not a member, may at an annual general meeting pay the prescribed fee but he shall not be entitled to vote unless his application for membership is accepted by a two-thirds vote of the membership present.

8. The Board of Directors shall have the power to suspend or expel any person who fails to observe any rule or regulation set forth in this constitution or whose conduct is in the opinion of the Board prejudicial to the interests of the Association. A person so suspended or expelled shall after the expiration of sixty days have the right to apply to the Board of Directors for reinstatement and shall on application be reinstated at the next meeting of the Board, provided two-thirds of the members of the Board present thereat vote in the affirmative. If the Board of Directors refuses to reinstate a person so suspended or expelled, such person shall have the right to apply for reinstatement by the next succeeding general meeting, but reinstatement by a general meeting shall be only by a vote of two-thirds of the members present thereat and voting.

A person who automatically suspends himself under any rule or regulation of this Association shall after the expiration of ten days have right to apply to the Board of Directors for reinstatement if the members of the Board present thereat, vote in the affirmative. If the Board of Directors refuses to reinstate a person automatically suspended from membership, such person shall have the right to apply for reinstatement by the next succeeding general meeting, but reinstatement by a general meeting shall be only by a vote of two-thirds of the members present thereat and voting.

9. Any person expelled from membership by any other organization incorporated under the Animal Pedigree Act shall not be eligible for membership in this Association and if he is a member of this Association at the time of such expulsion, his membership shall thereupon forthwith terminate automatically.

Any person so suspended or expelled shall have no claim against this Association or any interest in the property or assets of this Association.

10. The membership of the Association shall correspond with the calendar year.

4. OFFICES

The Head Office and the office for the registration of certificates shall be a place in Canada as determined by the board of directors and passed at any Annual or General Meeting of the Association by the affirmative vote of two-thirds of the members voting. The office for the registration of certificates shall be under the supervision of the Directors of the Canadian Belgian Horse Association. Notice of all proposed changes shall be given to the Secretary forty days in advance of a General or Annual Meeting and they shall be included in the Notice calling such meeting, otherwise they shall have no power to deal with same.

5. FISCAL YEAR

The fiscal year of the Association shall commence on the first day of January and end upon the thirty first day of December next following.

6. OFFICERS

1. **DIRECTORS:** The affairs of the Association shall be managed by a Board of nine Directors who shall be elected every third year prior to the annual general meeting of this Association, by ballot of the members in good standing in each respective province, in the manner hereinafter mentioned and shall hold office for a period of 3 years or until their successors are elected. Of the nine Directors there shall be elected from the members of the Association resident in each province as follows:

Officers - Total 9 Directors

Quebec.....2

Ontario.....2

Manitoba.....1

Saskatchewan.....1

Alberta.....1

British Columbia....1

Maritimes.....1 (Nova Scotia, New Brunswick,
Prince Edward Island, Newfoundland)

A Canadian Belgian Horse Association Director's nomination form to be published to the membership 6 months prior to the election. The nomination form must be submitted to the Canadian Belgian Horse Association office by a specified date. The Director's nomination form will include the nominee's signature of agreement to stand for election plus 6 signatures of support; by members of the electoral area or province whom are in good standing of the Canadian Belgian Horse Association in the current year. The procedure for the mailing of the ballots to each member in good standing will remain as outlined in the Canadian Belgian Horse Association Constitution.

VOTING PAPER

CANADIAN BELGIAN HORSE ASSOCIATION

I vote for.....as (a) Director
(a) for the following three years.

.....

You are entitled to vote for.....Director or Directors for the province
of.....

This voting paper must be properly filled in and returned to the Secretary so as to be received by him not later than November 1st, 20.....

Each voting paper shall be endorsed on the back thereof by the seal of the Association before being sent out.

A member desiring to vote shall upon receipt of a voting paper properly fill in the name or name of the member or members resident in his province for whom he votes and return the same to the Secretary. Only those voting papers bearing the seal of the Association as aforesaid, and which shall be received by the Secretary at his post office on or before the first day of November next after the mailing of the same by him to the members, shall be counted. If through mistakes, inadvertence, accident or other cause the voting papers are not sent by the Secretary on or before the first day of October in any year, he shall send the same as aforesaid as soon as possible thereafter, and the time for receiving the same shall be extended so that twenty-one days shall elapse between the day on which they are sent out and the time for receiving same. If a member votes for more than the number of Directors to which he is entitled to vote, this shall not spoil his vote, but his vote shall be counted by the one or those first named in the voting paper, as the case may be.

The Secretary shall forthwith after the last day for receiving voting papers, in the presence of a notary public, open the same and proceed to count the votes, and the notary public shall give his certificate, authenticated by his signature and official seal declaring the result of the election which shall also be signed by the Secretary, and shall be final and conclusive.

In the case of an equality of votes the candidate with the longest continuous membership in the Canadian belgian Horse Association shall be declared elected. The Secretary shall forthwith after the receipt by him of the said certificate notify by post prepaid each member of the Board elected of his election. He shall also at the same time notify those Directors for the preceding year who have been retired.

The Board shall have the power to fill any vacancies which may occur among their number, officers or committees, providing, however, that any Director so appointed shall hold office only until the next election of officers and shall be eligible for re-election. The Board of Directors may delegate any of their powers to the Executive Committee.

2. **EXECUTIVE COMMITTEE:** The Directors may, at their first meeting after each Annual General Meeting, elect by ballot one of their number to act on the Executive Committee, who, together with the President, Vice-President and Secretary shall constitute the Executive Committee. A copy of the minutes of each executive meeting shall be forwarded to each Director and to the office for the registration of certificates within 30 days after a meeting.

3. **SPECIAL COMMITTEES:** The Board of Directors may appoint from their number or from the other members of the Association special committees, but must in all cases name one of their numbers a member who shall be the presiding officer. The action of any special committee is subject to the approval of the Board of Directors.

Any committee except the Executive Committee shall have power to add to its number.

4. **HONORARY PRESIDENT:** The Board of Directors may appoint honorary presidents and honorary vice-presidents. They shall hold office during pleasure of the Board.

5. **PRESIDENT:** The President shall be elected annually from among their number by the Board of Directors at their first meeting after the annual general meeting. He shall hold office for

one year or until his successor is elected and shall be eligible for re-election. The duties of the President shall be to preside at all meetings of the Association and the Board of Directors and of the Executive Committee, to exercise a general supervision over the affairs of the Association and generally to do all matters, acts and things as are usually done by Presidents of similar organizations, and he shall be a member of all committees.

6. **VICE-PRESIDENT:** A Vice-President shall be elected in a like manner to and at the same time as the election of the President, hold office for a similar term, and in case the President is unable to act on account of illness or absence, perform all the duties of the President.

7. **SECRETARY-TREASURER:** The Board of Directors shall, from time to time, as occasion may require, appoint a Secretary and a Treasurer, or a Secretary-Treasurer, who shall act under the control and with the approval of the Board of Directors. The duties of the Secretary shall be to attend all meetings of the Association and the Board of Directors and of the Executive Committee and to keep exact Minutes of the Proceedings of same, keeping of the article of incorporation and to do such other things as may be delegated to him by this Constitution, the Board of Directors or the Executive Committee. The Treasurer shall deposit all monies received by him in a chartered bank to the credit of this Association, and shall pay same out again by cheque only, countersigned by the President or other officer appointed for that purpose by the Board of Directors or forward the same to the Accountant of the office for the registration of certificates as hereinafter provided. He shall deposit for safekeeping all securities owned by this Association in a safety deposit vault as may be approved by the Board of Directors and shall withdraw the same only on the order of the President or other officer named by the Board of Directors. He shall be bonded in such amount as may be required from time to time by the Board of Directors. He shall keep proper books of account, and shall furnish from time to time, such statements in detail of the affairs of the Association or such other matters as may be directed by the Board of Directors or the Executive Committee.

8. **REGISTRAR:** The registrar shall be appointed by the Directors of the Canadian Belgian Horse Association to carry out the duties as required for the office for the registration of certificates.

9. **PEDIGREE COMMITTEE:** The Secretary & the Registrar, plus Directors, as appointed by the Board of Directors of the Canadian Belgian Horse Association, shall be a committee with 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 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.

10. **AUDITOR:** The Association at each annual general meeting shall appoint an Auditor or Auditors, and fix their remuneration. His duty shall be to examine the books of account of the Association, vouchers for all payments and certify the usual statements of receipt and expenditures and assets and liabilities for the year, for presentation to the next annual general

meeting.

11. **REPRESENTATIVES:** Representatives to organizations asking that such appointed shall be appointed at the Annual General Meeting, but if for any reason any of these are not so appointed the Board of Directors shall have power to appoint the same.

12. **PROVINCIAL CLUBS:** Members of this Association in good standing may organize Provincial Clubs under a constitution approved by the Board of Directors. The activities of any such Provincial Club shall be confined solely to its own provincial interests and shall not conflict in any way with the activities of this Association. Not more than one Provincial Club in each province shall be organized.

7. MEETINGS

The Annual General Meeting of the Association shall be held at such time and place as decided upon by the Executive Committee of the Association. Other general meetings shall be held at the time and place fixed by the Board of Directors. A notice of at least 30 days in advance shall be given by post, indicating the time and place of meeting. This notice shall be given by a circular letter postage prepaid to each of the members at his last known post office address appearing on the books of the Association. In the event of the Association publishing an official organ a notice published therein shall be deemed to be sufficient.

1. A copy of the notice calling an Annual or General Meeting shall be forwarded to the Minister of Agriculture for Canada and to the office for the registration of certificates in a like manner as to members of the Association.
2. Notice of meetings of the Board of Directors other than the one immediately following the Annual General Meeting shall be mailed postage prepaid to each one of them 15 days at least before the date of meeting to his last known post office address appearing on the books of the Association, or **by email** at least 7 meeting days before the date of the meeting
3. A meeting of the Board of Directors may be held on shorter notice or without written notice providing all Directors have given their consent to the meeting being held. A minute of such consent shall be entered in the Minutes.
4. Notice of the meetings of the Executive Committee shall be mailed postage prepaid to each member thereof 3 days at least before the date of the meeting to his last known post office address appearing on the books of the Association.
5. Meetings of the Executive Committee may be held on shorter notice or without written notice providing all have given their consent to the meeting being held. A minute of such consent shall be entered in the Minutes.
6. For the transaction of the business of the Association at an Annual or other General Meeting a quorum shall be 5; at a meeting of the Board of Directors a quorum shall be 4; at a meeting of the

Executive Committee a quorum shall be 3.

7. At the written request of twenty members the Secretary shall call a special general meeting of the Association this meeting shall have the same status as if it had been called in the regular way by the Board of Directors of this Association but such meeting shall have no power to amend this constitution.

8. A copy of the Minutes of all meetings of the Board of Directors and of the Executive Committee shall be mailed within thirty days following such meeting, to each Director and to the office for the registration of certificates.

8. ORDER OF BUSINESS

The order of business at all Annual and General Meetings shall be as follows:

1. Identification of Members.
2. Reading Minutes of previous meeting unless preprinted and distributed to the members.
3. Presentation and acceptance of the latest financial statement.
4. Reports of Officers, Directors and Committees.
5. Correspondence.
6. Unfinished Business.
7. If annual meeting, report of election of directors and other officers and appointment of representatives.
8. New business.
9. Adjournment.

The above order with the exception of 1. Identification of Members, may be changed at the pleasure of the meeting assembled.

9. AUDIT AND ANNUAL REPORT

The Board of Directors at each Annual General Meeting shall submit a complete report of its acts and of the affairs of the Association. It shall present a detailed statement, conducted from a "Review Engagement", of the receipts and expenditures of the preceding year and of the assets and liabilities of the Registry. A copy of, this report, a list of the officers elected, the representatives to the office for the registration of certificates, also general information on the affairs of the Association shall be sent to the Minister of Agriculture for Canada and to the office for the registration of certificates within twenty days after the annual meeting. A copy of the Annual Report shall be mailed to each member in good standing.

10. EXPENSES, INCOME AND PROPERTY

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 members, provided however that nothing herein contained shall prevent the bonafide payment of remuneration to any Secretary, Treasurer, Registrar, Officer, Clerk or Servant or other person or

persons for services actually rendered the Association, whether such are members of the Registry or not, and the expenses of the Directors or other Officers incurred in doing the business of the Registry.

Directors may be reimbursed for his or her actual traveling expenses for attending the annual general meeting and/or directors' meetings.

11. BOOKS

1. A register shall be kept at the office for the registration of certificates. This register shall be known as the Canadian Belgian Stud Book. A copy of the Canadian Belgian Stud Book may be printed and distributed at such time and in such form as directed by the Board of Directors of the Canadian Belgian Horse Association.

2. A copy of the Canadian Belgian Stud Book published during any year shall be supplied to the members of the Association in good standing at the time the volume was issued free of charge or at a price set by the Board of Directors.

12. AMENDMENTS

This constitution may be amended at any Annual or General Meeting of the Registry, with the exception of a meeting called under Article 7, section 7, of this constitution, by the affirmative vote of two thirds of the members present, but no amendments shall be valid until approved by the Minister of Agriculture for Canada, and filed at the Department of Agriculture for Canada. Notice of all proposed amendments shall be given to the Secretary forty days in advance of a General meeting and they shall be included in the Notice calling such meeting, otherwise they shall have no power to deal with same.

13. CORPORATE SEAL

The seal as stamped in the margin hereof, shall be the corporate seal of the Registry

14. REGISTRATION OF PEDIGREES

1. There shall be furnished by the office for the registration of certificates: for all living animals registered, a certificate of registration. The pedigree shall be in such form as decided on by the Board of Directors.

3. Any person suspended or expelled from membership shall not be allowed the privilege of recording pedigrees in the record of the Association.

4. Any person prohibited from recording pedigrees by any other organization incorporated under the Animal Pedigree Act shall not be allowed to record pedigrees in the Canadian Belgian Stud Book.

5. The Pedigree Committee of the office for the registration of certificates shall have power, for any cause which in the opinion of the Committee seems proper to suspend any member or refuse application 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 Directors or a general meeting of this Association.

15. IDENTIFICATION

The Board of Directors shall make regulations for a practical and effective system of identification of all horses to be registered.

16. REGISTRATION OF NAMES (PREFIX)

An owner must register for his exclusive use a name to be used as a prefix in naming his animals. A particular name will be allowed to one person or partnership only, and in registering such names, priority in use and in application for registration shall be considered. Letter(s) may be used as a prefix to a name of a registered Belgian. Names shall not contain more than thirty letter spaces or characters, including numeral affix. It shall not be permissible to change the name of an animal after it has been registered thirty days. In the event of a change in the name of a partnership or company, or if any party is taken into partnership, the name may be transferred upon application to the office for the registration of certificates by the registered owner or his authorized representative. Likewise the transfer may be made from a deceased owner to his heir.

A registered name may be transferred to another person or persons on application of the person in whose name it is registered. After the expiration of five years a registered name will be forfeited if it has not been used in registering an animal by the registered owner.

Directors of the Canadian Belgian Horse Association have the authority to cancel or disallow the use of a particular prefix or registered name at any time.

A prefix may be used by an immediate family member (son or daughter and/or spouses) providing written permission accompanies the application.

17. PRIVATE BREEDING RECORDS

There shall be kept by each breeder a private breeding record which shall contain names of every animal, registration number, sex, date of birth, an accurate record of all services, with name and number of sire used. All deaths or removals of animals for any cause shall also be recorded and if sold, name and address of the purchaser with date of sale and delivery. 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 office for the registration of certificates.

18. STANDARDS FOR REGISTRATION

Standards for registration may from time to time, and as occasion may require be made in a manner determined by the Board of Directors of this Association.

19. RULES OF ELIGIBILITY

1. (a) An animal conceived and born in Canada from progeny of animals registered in the Canadian Belgian Stud Book

(b) An animal conceived by artificial breeding born in Canada may be registered under the regulations approved by this association.

(c) An animal born in Canada the result of embryo transplant may be registered under the regulations approved by this association.

(d) As of January 1, 2019 The Association will only accept for registry Belgian Horses that are recorded in the Belgian Draft Horse Corporation of America registry.

(e) The applicant must comply with all rules and guidelines for registry and transfer along with the fee set by this association.

2. DNA Requirements

(a) All females born after Jan 1, 2019 must be DNA documented prior to registration.

(b) As of June 1, 1986 all sires must have their DNA documented, prior to the registration of their offspring. A Belgian offspring will not be registered unless the sire's DNA is on file at the CBHA office.

(c) Canadian owned horses must be tested through the CBHA office with all fees paid in advance. The results of Horses DNA tested and documented at the Belgian Draft Horse Corporation of America are accepted in the Canadian registry.

(d) Belgian Horses to which a registration number is issued, at the discretion of the CBHA, will be subject to verification of parentage and DNA profiling

3. JEB is an abbreviation for (Junctional Epidermolysis Bullosa) All sires entering into service after December 1, 2002 must be JEB tested and results printed on the certificate of registry or be "parentage verified JEB non-carrier". "Parentage Verified JEB Non-Carrier" will be documented on the certificate of registration provided the foal is DNA tested and one of the following conditions is met:

(1) Both parents are JEB tested Non-Carriers.

(2) One parent is a JEB tested Non-Carrier and one parent is a Parentage Verified JEB Non-Carrier.

(3) Both parents are Parentage Verified JEB Non-Carriers.

(4) Canadian owned horses must be tested through the CBHA office with all fees paid in advance. The results of Horses JEB (Junctional Epidermolysis Bullosa) tested and documented at the Belgian Draft Horse Corporation of America are accepted in the Canadian registry.

(5) The fees for DNA and JEB (Junctional Epidermolysis Bullosa) kits shall be determined by the Board of Directors and incorporated into the fee schedule that is periodically updated and provided to any member or non-member that so requests.

20. APPLICATION FOR REGISTRATION

1. Applications for registration of animals, from countries other than Canada must be signed by the importer, show date of importation and be accompanied by certificate of registration showing that they were registered in the record of the country from which they come, in the name of the Canadian importer, and if an animal is in foal in order to register the produce, a certificate must be furnished signed by the owner of the service sire and certified by the stud book authorities in which he is registered.

2. Application for registration of all animals born in Canada must be made by the person who owned it at the time of birth. All blank spaces must be filled in in ink, and the form must be signed by the owner of the animal at the time of birth, by the breeder (owner of the dam at the time of service) of the animal and by the owner of the sire or owner of frozen semen; at the time the dam was serviced.

3. 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 the entry of an animal twin with the same shall be accepted.

4. The breeder of an animal is the owner of the dam at the time she was served. The first owner is the owner of the dam at the time the foal was born.

5. Duplicate names must be avoided. The right is reserved to change any name when necessary, preserving, however, as far as possible, some characteristic of the name given in the application.

6. A name of an animal will not be accepted for registration if it contains more than thirty letters or characters, including number affix.

7. In order to register or transfer a Belgian horse in Canada, one must be a paid up member of the Canadian Belgian Horse Association or double the set fee.

8. The Association and its Officers shall use diligence in securing true information in connection with the registration of any and all animals recorded by it. Neither the CBHA nor its Officers shall be answerable in damages for the issuance of any certificate of registry made, in conformance to information furnished by the applicant for entry. The fees for registering Belgian horses, providing duplicate registrations, corrected registrations, rush fees, name changes or any other fees be set and published by the Board from time to time and those fees are incorporated herein as if fully rewritten. The filing of an application for registry or any other documents accompanied by the proper fees, shall not constitute a liability on the part of the CBHA. The CBHA has the right to investigate the application and make a determination about its truthfulness

and authenticity. The acceptance of the application and the receipt of the proper fees that later proves to be inaccurate or improper does not impose a legal liability or responsibility upon the Association. Likewise, the rejection of the application and the accompanying fee because the CBHA believed that the application was improper or inaccurate, but later proves to be accurate and proper does not impose a legal liability upon the CBHA.

21. TRANSFERS AND DUPLICATE CERTIFICATES

1. In case of the sale of an animal, the seller must furnish a certificate of registration in the Canadian Belgian Stud Book showing the purchaser's ownership. Refusal to do so on any pretext whatsoever, except under written contract, shall be ground for his expulsion if a member, from the Registry; if not a member, further applications for registration or transfers shall be refused.

2. Applications for registration of change of ownership must be made on forms supplied by the office for the registration of certificates and must give date of sale and date of delivery, and in case of a female, if bred, service certificate must be completed. Change of ownership will be endorsed on the back of the original certificate of registration which must be forwarded to the office for the registration of certificates with the application for transfer.

3. In case a male or female is recorded by an individual with signing authority for breeding purposes the form supplied by the office for the registration of certificates must be filled in and signed by the individual with signing authority and forwarded together with the certificate of registration to the office for the registration of certificates to be placed on record. The individual with signing authority will in all cases be considered the breeder of the progeny of females.

4. A duplicate certificate may be issued if the registered owner or his authorized agent files a statutory declaration on a form supplied by the office for the registration of certificates, showing in a satisfactory manner that the original is lost, destroyed or unobtainable.

22. REGISTRATION AND MEMBERSHIP FEES

1. All fees should be paid to the Accountant of the office for the registration of certificates, and may be sent by postal note, postal money order, express money order, bank money order or certified cheque at par in Ottawa, Ontario, and they shall forthwith be deposited by him to the credit of the Registry in a chartered bank selected by the Record Committee of the office for the registration of certificates.

2. In case membership fees to the Association is received by the Treasurer of this Association, they shall immediately be forwarded to the Accountant of the office for the registration, for deposit.

23. FEES

The fees will be determined from time to time by the Directors of the Canadian Belgian Horse

Association and shall be passed by the membership of the Canadian Belgian Horse Association at any Annual or General Meeting of the Association by the affirmative vote of two-thirds of the members voting. Notice of all proposed changes in fees shall be given to the Secretary forty days in advance of a General or Annual Meeting and they shall be included in the Notice calling such meeting, otherwise they shall have no power to deal with same.

24. SUSPENSIONS - DEFINITIONS

a) **SUSPENDED MEMBERS:** A suspended member is one who has been deprived of the privileges of the Association automatically or by decision of the Board of Directors for a stated period or until such time as the requirements of the Board of Directors have been complied with or who has been placed on probation by the Record Committee.

b) **SUSPENDED REGISTRATION:** A suspended registration is a registration of pedigree or transfer that has been placed under suspension by the Board of Directors or by the office for the registration of certificates on account of some irregularity; such suspension to remain until same has been lifted by a resolution of the Directors of this Association.

25. EXPULSION - DEFINITION

Expulsion means depriving a person of the privileges of the Association indefinitely or for such period of time as may be determined by the Animal Pedigree Act.

26. OFFENCES AND PENALTIES

1. Any member who violates any rule or regulation of the Registry automatically suspends himself from making further registrations or transfers.

2. Registration or transfer of ownership of an animal is made on the understanding that the particulars given on the application are correct. If it is subsequently discovered that the particulars given were incorrect or fraudulent, the registration or transfer shall be suspended by the office for the registration of certificates and canceled by this Registry. Pedigrees recorded incorrectly may be canceled and re-recorded by the owner at the office for the registration of certificates at the expense of the original applicant for registration or transfer, but it is understood that neither this Registry nor the office for the registration of certificates shall be held responsible for any loss or damage that may be sustained through suspension, cancellation or correction of any registration or transfer.

3. When as a result of an inspection of the manner in which private records are being kept and identification practiced by any breeder, it is shown that the regulations in that regard as laid down herein are not being observed, the Board of Directors may immediately suspend or expel such breeder, if a member, and if not a member, further registrations and transfers may be refused, and if such inspection should indicate that the private records and identification system as practiced by such breeder are in such state of confusion as to raise a doubt as to the identity of

any number or all of the animals in the stud, the Board of Directors may suspend the pedigrees of any or all animals standing in the name of such breeder.

4. The following are extracts from the Animal Pedigree Act to which all breeders are subject:

Section 17

"Every person who

(a) knowingly and with intent to deceive, signs or presents or causes or procures to be signed or presented to the recording officer of an association, or to the person in charge of the the office for the registration of certificates, any declaration or any application for registration or any transfer of ownership respecting any animal or bird containing any material false statement or representation, or

(b) falsely holds out any certificate of registration as applying to an animal or bird other than the one in respect of which it was issued, or

(c) willfully commits any act in contravention of the rules promulgated by any association or the office for the registration of certificates.

is guilty of an offence and liable to a fine not exceeding five hundred dollars and costs and not less than one hundred dollars and costs, and in default of payment to imprisonment for any term not exceeding two months".

Section 18

When by the constitution, by-laws or rules of an association incorporated in accordance with this Act, provision has been made for the registration of any class or breed, and export from Canada, or transport from province within Canada, or the sale or contract to sell of any animal or bid of such class or breed as pure without furnishing the actual buyer a certificate of pedigree registration issued by such association, is prohibited, every person who

(a) exports from Canada or transports from one province in Canada to another province in Canada any animal or bird of such class or breed as purebred without furnishing to the actual buyer in connection therewith a certificate of pedigree registration as issued by such association, or

(b) as owner sells or contracts to sell any animal or bird of such class or breed as purebred without furnishing or agreeing as an integral part of the contract of sale to furnish the certificate of pedigree registration together with the duly recorded transfer of ownership thereof to the actual buyer, is guilty of an offence and liable to a fine not exceeding five hundred dollars and costs and not less than one hundred dollars and costs, and in default of payment to imprisonment for any term not exceeding two months.

2. The Animal Pedigree Act provided that 1142 of the Criminal Code is not operative in connection with the time limit for laying information for any violation of the Act.

27.

Wherever the context permits in this constitution the singular shall include the plural and the masculine the feminine and the neuter.

28.

The constitution of this Association and amendments thereto as hereinbefore **in effect**, (Amendment approval received April 20, 2010) is hereby repealed.

29. PERSONAL LIABILITY

No director, officer or employee of an association, or other person acting on behalf of an association, is personally liable for any act done in good faith in the exercise of any of that person's powers or the performance of that person's duties and functions or for any default or neglect in good faith in the exercise of any of the person's powers or the performance of that person's duties and functions.

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