

# THE AMERICAN COCKER SPANIEL CLUB OF CANADA

## CONSTITUTION

### **Article I**     **Name**

The name of this club shall be the American Cocker Spaniel Club of Canada hereinafter referred to as the Club

### **Article II**     **Objective**

The object of the Club shall be the promotion, and improvement of the Breeding, of American Cocker Spaniels

### **Article III**     **Area of Operation**

The area of operation shall be Canada

### **Article IV**     **Amendments**

Proposed changes, amendments or alterations in this constitution must be sent to all members a minimum of 30 days prior to a regular meeting. These changes can be made only after they have been raised for debate at two (2) regular meetings of the Club.

A two-thirds (2/3) vote of all Ordinary members may bring about changes in this Constitution.

### **Article V**     **Authority**

The parliamentary authority for this club shall be Roberts Rules of Order, newly revised edition.

# AMERICAN COCKER SPANIEL CLUB OF CANADA

## **BY-LAWS**

### **Article I MEMBERSHIP**

- Section 1 Candidates for membership must breed or own or have owned an American Cocker Spaniel. They must adhere to the Club's Code of Ethics and the Code of Ethics of the CKC. They must be an Ordinary Voting Member in good standing of the CKC
- Section 2 Candidates for membership must be sponsored by one Ordinary member in good standing. Each candidate for membership shall apply on an application form as approved by the Board of Directors, and which shall provide that the candidate agrees to abide by the American Cocker Spaniel Club of Canada's Constitution, By-Laws and Code of Ethics and rules of the Canadian Kennel Club. This application is forwarded to the Regional Director for their recommendation and then forwarded to the Membership Secretary for posting in the ACSCC Newsletter. Members may write their comments, concerns or objections about proposed new members to the Membership Office within 30 days of publication. If objections are received, it will be referred to the Executive for investigation. Any individual rejected for membership must be provided with a written explanation. On acceptance of membership, new members will have 30 days to submit the appropriate membership fee to the Membership Secretary.
- Termination of membership may occur as a result of resignation, failure to Renew, expulsion by the club, or as a result of deprivation, suspension, debarment, expulsion or termination of Canadian Kennel Club membership as imposed by the Canadian Kennel Club's Discipline Committee
- Section 3 Final acceptance to membership shall be on a non-secret ballot and shall rest with the members present at any regular meeting of the Club and based on a simple majority
- Section 4 The membership shall be the calendar year.
- Section 5 Ordinary (voting) members shall be those members who have renewed their membership for the current year and who are members in good standing of the Canadian Kennel Club.
- Section 6 Associate (non voting) members shall be those in their first year of membership. Such persons shall become ordinary members upon their first renewal of membership. They shall have all privileges of an Ordinary member, except an election vote or a vote on monetary matters.

Section 7 Membership dues shall be due on the 1<sup>st</sup> of January each year for the ensuing year. If they are not paid by March 31, the membership shall be deemed to have terminated. It shall be the duty of the Membership Secretary to prepare and send out a notice of annual renewal or arrange for such notice to be published in the Club's publication.

Membership fees shall be decided by a majority vote at a regular meeting. Any proposed changes to membership fees shall be sent to all members prior to the regular meeting.

New membership fees shall commence upon acceptance into the club. Those becoming members after October 1 of any year shall pay a full year's dues. Such dues will run until December of the following year.

Section 8 **Complaints**

All accusation, complaints or charges against any club member that allege non-compliance with the Code of Ethics must be submitted in writing and by Registered Mail to the Board of Directors, in care of the Club Secretary.

Complaints or charges against any Club member will only be considered if accompanied by a detailed affidavit, including the name of the individual or kennel accused in the complaint, an accurate chronological description of the alleged offence, a list of substantiating witnesses to the alleged offence, and a deposit of \$25.00. The deposit will be returned if the complaint or charge is sustained. When such a complaint or charge fails to be substantiated, the deposit is forfeited and placed into the club funds.

Section 9 **Discipline/Appeal Committee**

Three (3) ordinary members will be selected for each committee for a 2 year term commencing after the Annual meeting coinciding with the elections of Officers. Members will be requested to submit resumes to the Executive to serve on these two committees. Each committee may only have a maximum of one (1) Executive member. Should there not be a sufficient response, it will be the responsibility of the Executive to select the required members to serve the term.

Section 10 **Discipline:** Any member who is suspended from the privileges of the Canadian Kennel Club shall be automatically suspended from the privileges of the club for a like period.

Upon receipt of the complaint, charges or accusations, the Secretary shall promptly send a copy of the charges to the Discipline Committee for their investigation.

The Discipline Committee shall first consider whether the actions alleged in the charges, if proven, might constitute conduct prejudicial to the best interests of the Club.

If the Discipline Committee considers the charges do not allege conduct which would be prejudicial to the best interests of the club and breed, it may refuse to entertain jurisdiction.

If the Discipline Committee entertains jurisdiction of the charges, it shall fix a date of hearing by the committee, not less than three (3) weeks, nor more than six (6) weeks thereafter,

The Secretary shall promptly send one (1) copy of the charges to the accused member by Registered Mail, together with a notice of the hearing and an assurance that the defendant may personally appear in their own defense and bring witnesses.

Section 11 Discipline Committee Hearing: should the charge be sustained after hearing all of evidence and testimony presented by the complainant and the defendant, the Committee may, by a majority vote, penalize the defendant by reprimand or a fine or suspend the defendant from all privileges of the club for not more than six (6) months from the date of the hearing, or until the next Annual meeting, if that will occur after six months.

If it deems that punishment insufficient, it may also recommend to the membership that the member be expelled.

Immediately after the Committee has reached a decision, its findings shall be put in written form and filed with the Secretary. The Secretary, in turn, shall notify each of the parties of the decision and the penalty, if any. Any person reprimanded, fined, suspended or expelled shall have the right to appeal within 30 days of the Secretary's letter. Final decision will be published in the Club's newsletter.

Section 12 Expulsion, when imposed, shall terminate membership permanently. Suspension, when imposed, deprives the member of the privileges of the club for the period ordered.

## **Article 2 ORGANIZATION**

Section 1 Officers – The officers of the club shall consist of a President, Vice President, Secretary and Treasurer.

Section 2 There should be a provincial director for British Columbia, Alberta, Saskatchewan, Manitoba, Northern Ontario, Southern Ontario, Quebec, New Brunswick and PEI (1), Nova Scotia, Newfoundland. Directors must reside in the area they represent.

Section 3 Committees – the Board may appoint Committees as required. The appointees will serve the committee until the next election.

Section 4 Duties of the Officers

**President** – The President shall be chair at all club meetings. The President shall be an ex-officio (non voting) member of all club committees but shall have full voting privileges as an ordinary member at all club meetings.

The President shall call a minimum of four (4) general meetings per year

-One meeting shall be held in January each year.

-One meeting shall be held in conjunction with the Annual Specialty Show.

-One meeting shall be held in conjunction with the Summer Specialty

**Vice President** – Shall act as President in the event that the President is unable to fulfill his/her duties

**Secretary** – The Secretary shall keep records of all club meetings and have charge of all club records, standing resolutions and papers.

The Secretary shall arrange for publication of all meeting dates a minimum of 15 days before such meetings.

The Secretary shall relay all correspondence and record the minutes of all regular, special and executive meetings.

The Secretary will maintain a list of those members who are entitled to club privileges and keep a record of attendance at all meetings.

**Treasurer** – The Treasurer will have charge of all financial records and all monies belonging to the club.

The Treasurer (or designate) shall present a report on the club's finances at each regular meeting.

There shall be three signing officers: the President, Secretary and Treasurer. All cheques shall be signed by two of the three signing officers.

Section 5 **Board of Directors** – Shall consist of the officers of the club plus the immediate Past President. The Chairman of any standing or ad hoc committee may also be elected to the Board of the Executive. No more than three (3) Directors may be elected from any one region.

Section 6 **Regional Directors** – Provincial directors are responsible for promoting the American Cocker Spaniel breed and the club within their region. This includes but is not limited to providing information to the general public on the breed, referrals for puppies and ensuring the dissemination of

accurate information about the breed in public forums (newspaper, radio, television, etc).

Provincial Directors are responsible for coordinating and disseminating information about to all members in the region. To this end, provincial directors will notify their members and will hold at least 4 meeting with their members each year; these can be held in conjunction with local or regional dog shows or in an informal setting. Issues of concern should be raised at these meetings and forwarded to the Club Executive with recommendations for consideration. In additional they should provide to the Club's newsletter local happenings on a regular basis.

Reasonable costs incurred in carrying out these responsibilities shall be reimbursed by the National Club provided a detailed accounting and receipts are provided. These expenses shall include, among other things, postage, faxes and telephone calls. Expenses totaling more than \$50.00 a year must receive prior approval from a member of the Executive.

Expenses incurred in organizing or fundraising for a booster or specialty show (National or Regional) shall not be charged to the national Club but to the committee set up to organize the event in the region.

Where there is a disagreement concerning expenses, a director can request, in writing, a review by a committee of the Executive. The committee will consist of the President, Treasurer and one other provincial Director. The committee shall review the matter as quickly as possible with the director and rule accordingly. The review can be done by conference call if necessary.

## Section 7

### **Order of Business**

At meetings of the Club, the Order of Business shall be as follows:

- Attendance
- Minutes of the Last Meeting
- Report of the President
- Report of the Secretary
- Report of the Treasurer
- Reports of Committees
- Election of Officers and Board (at Annual meeting)
- Unfinished Business
- New Business
- Adjournment

At meetings of the Board, the order of business, unless otherwise directed by a majority of those present, shall be as follows:

- Reading of the Minutes of the last meeting
- Report of the Secretary
- Report of the Treasurer
- Report of the Committees
- Unfinished Business

Election of New Members  
New Business  
Adjournment

Board Business may be conducted by mail through the Secretary.

**Article 3**      **GENERAL MEETINGS**

Section 1      There shall be a minimum of four (4) regular meetings per year, which shall include one in January, one at the National Specialty and one at the Summer Specialty.

Special meetings may be called by the Executive committee any time or on the written application of six (6) ordinary members. Such meetings shall be held within 25 days of that written application. At all meetings, four (4) Ordinary members shall constitute a quorum.

Section 2      Election Meeting

The election meeting shall be the regular January meeting of every second year.

Section 3      Annual Meeting

The annual meeting shall be the meeting held in the last quarter of the year.

**Article 4**      **Nominations & Elections**

Section 1      The board shall select a National Nominating Committee consisting of three members, only one of whom can be a member of the Executive. The committee will appoint a chair and an election officer.

The names of the Nominating Committee shall be sent to all members four months prior to the election. Members are invited to send nominations to the chair of the Nominating committee.

Section 2      Nominations shall be in writing and filed with the chair of the Nominating Committee at least 45 days prior to election day.

Nominees may send resumes and information to all members.

Section 3      Eligibility

Only Ordinary members will be eligible to hold an elected office. Ordinary members shall be paid up ordinary members in good standing. The office of President and Vice President may not be held by the same officer for more than two (2) consecutive terms. Nothing here in shall deem an officer ineligible to seek election to another office.

Section 4 The Vote

Voting shall be conducted by mail. Ballots shall be mailed to all eligible members at least 30 days prior to election day. Only members of a region may vote on the election of their Regional Director. Voting by proxy shall not be permitted.

Section 5 Tabulation

All ballots will be sent to the appointed election officer. Ballots will remain sealed until the January election meeting, where they will be counted by three Ordinary members who are not on the ballot.

Section 6 Replacement of Elected Officials

If the Presidency is vacated during the club year, then the Vice President will take over for the remainder of the year. If any other office is vacated, or not filled at election time, it shall be filled by appointees selected by the Board. All officials shall serve until the following election.

**Article 5** **FINANCE**

Section 1 **Financial year:** The financial year of the Club shall commence on the first day of January and shall conclude on the thirty first day of December next

Section 2 **Banking:** The funds of the club shall be placed in a branch of a Canadian chartered bank.

Section 3 **Auditor:** An external auditor shall be appointed at the biennial election. That auditor shall conduct an annual review to ascertain the accuracy of the balance sheet. The auditor shall also review all financial records of all committees and regional directors.

Section 4 **Committees:** All committees must keep records of all expenditures backed by receipts. A report must be submitted to the Treasurer after each function to which they pertain. All committee financial records are to be kept on file by the committee chair as reference for future committees. Any committee budgets must have prior approval by the Executive.

Section 5 **Regional Directors:** All Regional Directors must keep records of expenditures backed by receipts. Reports of income expenditures must be submitted to the Treasurer within 30 days of the function to which they pertain. All regional financial records are to be kept on file by the regional director as reference for future regional directors. Regional directors are responsible for overseeing and reporting twice a year to the Treasurer on all monies raised and expended in their region in the name of the club.

Section 6 The Club may be dissolved at any time by providing to The Canadian Kennel Club written documentation signed by at least two-thirds (2/3) of the members of the Club who are in favour of this decision, proxies are not permitted. In the event of the dissolution of the Club, other than for

purposes of reorganization, whether voluntary or involuntary or by operation of law, none of the property of the Club, nor any proceeds thereof, nor any assets of the Club shall be distributed to any members of the Club. After payment of the debts of the Club, it's property and assets shall be given to a charitable organization for the benefit of dogs as selected by the Board of Directors.

**Article 6 Alteration of By-Laws and Breed Standard**

Section 1 Amendments to the By-Laws and the Breed Standard may be proposed by the Executive or by a written petition addressed to the Secretary and signed by 20 percent of the Ordinary members in good standing.

Section 2 Amendments to the By-Laws or Breed Standard must be published in the Club newsletter and sent to all members for comment.

Section 3 Any written comments to the proposed amendments shall be sent to the Secretary no later than 60 days after being sent out in the Club newsletter.

Section 4 Amendments to the By-Laws and Breed Standard that have been brought forward and published shall be raised for debate at least two (2) meetings, one of which is a regular meeting.

Section 5 A ballot outlining the proposed amendments to the By-Laws or Breed Standard shall be mailed by the Secretary to each Ordinary member in good standing. Ballots must be returned within 30 days of the date of mailing.

Section 6 A two-thirds (2/3) vote of all Ordinary members shall bring about an amendment to the By-Laws or Breed Standard.