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## 1.0 NAME

The Association will be named the "Newfoundland Pony Breed Assoc." (NPBA)

For the purposes of this document it will be referred to as the Association.

## 2.0 INTERPRETATION

In the By-Laws and Regulations of the Newfoundland Pony Breed Assoc. unless the context otherwise specified or requires:

- i) "Association" means the Newfoundland Pony Breed Assoc. as a National organization incorporated under the Animal Pedigree Act 1988.
- ii) "Act" means the Canadian Legislation known as "Animal Pedigree Act 1988".
- iii) "Board" means the Board of Directors of the Association.
- iv) "Officer" means an Officer of the Association.
- v) "Member" shall mean any person who has met all the eligibility requirements, has a paid up membership and is in good standing.
- vi) "Newfoundland Pony" means a registered purebred unless otherwise stipulated.
- vii) "Breed" means maintenance of designated standards and unique characteristics of significant value as an Equine species registered purebred unless otherwise stipulated.
- viii) "Immature" means a Newfoundland Pony under three (3) years of age.
- ix) "Interpretation and Application" means these By-Laws and Regulations and decisions of the Newfoundland Pony Breed Assoc. shall be final and binding on all persons associated with the Breed Association.
- x) "Breeder" means the owner of a Newfoundland pony mare (dam) at the time she was serviced. The first owner is the owner of the dam at the time the foal is born.
- xi) "Corporation" means Canadian Livestock Records Corporation. (CLRC)

### 3.0 OBJECTIVES OF THE ASSOCIATION

The objectives of the Association will include the following:

- i) To register, establish standards of breeding; keep pedigrees, other records and statistics of Newfoundland ponies.
- ii) To be responsible to the best of our ability to fulfill the purposes of the Act and the requirements of Incorporation.
- iii) To assist members by providing information, services, goods and any project of interest and benefit to the members or which promotes Breed improvement and stability.
- iv) To establish effective supervision of the breeders of Newfoundland Ponies to assure that appropriate records and practices are maintained. To take supportive actions on behalf of members to assure that the needs of all Newfoundland pony owners/breeders are met.

### 4.0 ASSOCIATION

#### 1. CORPORATE SEAL

The seal as stamped in the margin herein shall be the corporate seal of the Association.

#### 2. HEAD OFFICE

The Head Office of the Association shall be the residence of the President. The office for the registration of pedigrees shall be the office of the Canadian Livestock Records Corporation.

#### 3. FISCAL YEAR

The fiscal year of the Association shall coincide with the calendar year. Inspection of Records, Minutes of the Board, Annual or General Meetings shall be sent to the representative of Agriculture Canada and the General Manager of the Corporation.

#### 4. ANNUAL OR GENERAL MEETING MINUTES

The Annual or General meeting minutes shall be presented annually to members.

#### 5. FINANCIAL RECORDS

All financial records shall be audited annually and a financial statement prepared and presented to Agriculture Canada, the Corporation and the members within a prescribed time period.

### 5.0 MEMBERSHIP PROCEDURES

#### 1. GOOD STANDING

Members in good standing are those who are not in arrears of any financial obligation to the Association or the Corporation and abide by the Act, the By-Laws and Regulations, and such rules set by the Association who are not expelled or under suspension.

#### 2. DISCIPLINE OF MEMBERS

Members who are found guilty of an infraction under the By-Laws and/or Regulations of the Association may have their membership revoked for a period of time commensurate with the seriousness of the infraction. The decision to revoke a membership is the responsibility of the Board of Directors.

### 3. CLASSIFICATION

No member shall hold office or be entitled to vote or to give notice to amend these By-Laws and Regulations, unless he or she is a Canadian resident and owns, hosts or leases a Canadian Registered Newfoundland Pony and is not in arrears of any fees.

### 4. HONORARY MEMBERS:

The membership may appoint Honorary Members at an Annual meeting or the Board may name the individual. Honorary Members shall not be eligible to vote, hold office or make transactions unless designated by the Board.

### 5. ANNUAL MEMBER:

Are those individuals, partnerships or Companies incorporated under a Federal or Provincial Charter, Residents of Canada, who pay their prescribed annual fee, due the first day of January and are in good standing.

### 6. ASSOCIATE ANNUAL MEMBERS:

Are those individuals as well as non-residents of Canada, who pay the annual fee and are in good standing. They shall enjoy all privileges excluding voting and elected office.

### 7. AFFILIATE MEMBERS:

Are those organizations that pay the prescribed fees, unless exempted by the Board Affiliate Member Organization's purpose must be compatible with the Association.

### 8. JUNIOR MEMBERS:

Are any youth eighteen (18) years and under who pay the set fee, but shall not be eligible to vote or hold elected office, but may participate on Committees.

### 9. MEMBERSHIP DUES

Dues are payable January 1st and must be paid by January 31st of each year for a member to be in good standing. The membership year of the Association shall correspond with the calendar year.

### 10. APPLICATION FOR MEMBERSHIP

Application for membership shall be made in the prescribed form in writing. Members are bound by the Association's By-Laws, Regulations and the Act.

## 6.0 FINANCIAL LIABILITY

The financial liability of the member to the Association shall be limited to the amount due in membership dues, registration and other established fees and costs incurred due to the Association for services rendered

## 7.0 ORGANIZATIONAL STRUCTURE

### 1. DIRECTORS

The affairs of the Association will be governed by a Board, which is composed of nine (9) Directors.

### 2. ELECTION OF DIRECTORS

Directors shall be elected for a three (3) year term. Initially and one time only – three (3) Directors a one year term, three (3) Directors a two year term and three (3) Directors a three year term. Elections shall take place at the Annual meetings by secret written ballot by members in good standing. After this initial period all subsequent elections shall be for a three (3) year term.

### 3. OFFICERS

The officers of the Association shall be President, Vice-President who shall be chosen from amongst the elected Directors, by the Board. The Secretary and Treasurer of the Association will be Officers appointed by the Board who may be selected from the elected directors or from amongst the general membership.

### 4. REMOVAL OF OFFICERS

Officers remain while they have confidence of the Board. Officers may be removed by a majority vote of the Board.

### 5. VACANCY OF OFFICE

In the case of a death or resignation or loss of good standing of a Director of the Board, the remaining Board members shall appoint a member to fill the vacancy and shall hold office until the end of their appointed term. The appointed member shall be eligible for election at the end of their appointed term.

## 8.0 ELECTION, TERM OF OFFICE FOR FIRST TERM OF THE ASSOCIATION

In the first term of the Association, initially and one time only the following terms of office will be created:

- i) Three (3) Directors are elected for a one (1) year term, three (3) Directors are elected for a two (2) year term, and three (3) Directors elected for a three (3) year term.
- ii) This method will create staggered expiry of terms of office and will maintain continuity and therefore stability on the Board.

## 9.0 GENERAL EXPECTATIONS OF THE BOARD OF DIRECTORS AND OFFICERS

### 1. PRESIDENT

It shall be the duty of the President to:

- i) Reside as Chairperson of all meetings.
- ii) Sit as a member of any Special Committee.
- iii) Supervise and direct the affairs of the Association.
- iv) Be official spokesperson for the Association.

### 2. VICE-PRESIDENT

It shall be the duty of the Vice-President to:

- i) Perform Presidential duties in the event of the President's absence or inability.
- ii) Perform such duties as the President may from time to time delegate, or
- iii) Such as the Board may prescribe.

## 10.0 BOARD OF DIRECTORS

1. IT SHALL BE THE DUTIES OF THE DIRECTORS TO:

- i) Attend all meetings.
- ii) Keep the membership informed of important and significant new material pertaining to the Association and the horse industry.
- iii) Appoint members to serve on committees or act as special representatives. Such an appointee shall hold office only for the term specified.
- iv) Designate a person to supervise the keeping of Pedigrees, breeding records and identification of individual animals for the Association.
- v) Promote good care and the improvement of the Newfoundland Pony.
- vi) Establish ad hoc committees, as needed, to address special issues.
- vii) Set the policies for the efficient and effective functioning of the Association.
- viii) Represent the best interests of the members of the Association.
- ix) Take such actions as are necessary to fulfill the purposes of the Association and meet the requirements of the Act. The Board may amend the Regulations when necessary but will bring such amendments to the next Annual General Meeting for ratification.
- x) Reassess the fee schedule when necessary.
- xi) Develop and approve forms, applications, and other documents used by the Association.
- xii) Work with Provincial Clubs for the promotion and breed improvement of the Newfoundland pony.
- xiii) Monitor the actions of any member who knowingly fails to obey the rules of the Association or the Act and for taking disciplinary action.
- xiv) Implement a system of individual pony identification.
- xv) Formulate standards for registrations.
- xvi) Supervise private breeding records.
- xvii) Develop and maintain a Policy and Procedures Manual.
- xviii) Develop and maintain a Code of Ethics.
- xix) Perform such other duties as may from time to time be prescribed by the Board.

## 2. SECRETARY

The Secretary of the Association shall be an Officer appointed by the Board.

It shall be the duties of the Secretary to:

- i) Attend all meetings of the Directors and keep minutes of all proceedings at such times.
- ii) Enter all minutes into appropriate books.
- iii) Act as custodian of all books, papers, records, documents and other instruments belonging to the Association.
- iv) Give all necessary notices to the Directors and the Membership.
- v) Prepare the necessary Annual Reports as requested by the Act.
- vi) Perform such other duties as may from time to time be prescribed by the Board.

## 3. TREASURER

The Treasurer of the Association shall be an Officer appointed by the Board. It shall be the duties of the Treasurer to:

- i) Keep full and accurate books of accounts in which all receipts and disbursements of the Association are recorded.
- ii) Deposit all monies in the Association's accounts at an appropriate Financial Institution.
- iii) Furnish an account of all transactions and provide an audited Annual Statement of Finances.
- iv) Perform such other duties as may from time to time be prescribed by the Board.

## 11.0 COMMITTEES

### 1. NOMINATIONS COMMITTEE

Each year the Association's Nominations Committee has the responsibility of presenting a slate of Candidates to the membership for the election of Directors.

### 2. PUBLIC RELATIONS AND PROMOTIONS COMMITTEE

The Chairperson of the Public Relations and Promotions Committee shall be appointed by the Board and shall report to the Board to fulfill the following duties:

- i) Set up a Network Committee, which shall include a member of the Board.
- ii) Encourage a network of communications to provide information on the Newfoundland pony globally and from across Canada to monitor the needs of the members and provide information thereto.
- iii) Promote the Newfoundland Pony Breed and provide liaison with members, non-members, media, events, other organizations and Government.

### 3. RECORDING CORPORATION

Canadian Livestock Records Corporation shall be retained as registering agent for the Association. The Corporation shall assign to the Association a person to act as Register, to fulfill the specifications outlined by the Act.

- i) The Pedigree Committee shall consist of the Register, General Manager of the Corporation, the Association Registrar and the Representative. The Representative shall be chosen, from amongst the membership of the Association, by the Board. It shall be the duties of the Pedigree Committee to:
  - ii) Authorize changes to official documents where pertinent information requires or is otherwise unobtainable.
  - iii) Amend or cancel official documents if their accuracy is questionable.
  - iv) Unanimous decisions of the Committee are final. If they are not unanimous the matter shall be submitted to the Board for a decision. All decisions of the Committee shall be incorporated in the minutes of the next Board meeting.
  - v) The Pedigree Committee or the Board shall not authorize the registration of any animal unless it complies with the rules of eligibility as they are stipulated in the By-Laws and Regulations.

## 12.0 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 interest and shall not conflict in any way with the activities of this Association. They must be compatible with the objects and purposes of the Association and provide the Provincial link with the Association. Only one club per Province, with Chapters when necessary due to distance will be recognized.

## 13.0 REPRESENTATIVES TO OTHER ORGANIZATIONS

Appointments to other organizations shall be made by the Board as appropriate.

## 14.0 PROTECTION OF DIRECTORS AND OFFICERS

### 1. LIMITATION OF LIABILITY

No Director or Officer of the Association shall be liable for the acts, receipts, neglects or defaults of any other Director, Officer or employee. (Note: The Animal Pedigree Act (section 14-2) sets out the limited liability, which shall apply.)

All profits or accretions of value of the property of the Association shall be used in furtherance of the purpose of the Association and no part of the property or profits of the Association may be distributed directly or indirectly to any member of the Association.

### 2. INSPECTION OF RECORDS

The Directors may from time to time, subject to the rights conferred by the Act, determine whether and what extent and at what time and place and under what conditions or regulations the documents, books and registers and accounting records of the Association shall be made available for the public for inspection.

All cheques, drafts or orders for payment of money and all notes and acceptances and bills of exchange may be signed by two including the Treasurer and the President, the Secretary, or the Administrative Assistant of the Association or in such manner as the Board designates.

### 3. CONTRACTS, DOCUMENTS AND OTHER INSTRUMENTS

Contracts, documents or instruments in writing require Board approval of the signature of the Association then may be signed by the President or Vice-President and the Treasurer. All of the above so signed shall be binding upon the Association without any further authorization of formality. The Board shall have the power from time to time by resolution to appoint any officer or officers or any person or persons on behalf of the Association to sign contracts, documents and instruments in writing generally.

## 15.0 MEETINGS

### 1. ANNUAL GENERAL MEETING

The Annual and/or General Meetings of the Association shall be held at such a date, time and place as decided by the Board. Notice of at least thirty (30) days in advance shall be given by post. Notice may also appear in the Association Newsletter and or other media. Notice of the Annual General Meeting shall be sent in like manner to the Minister of Agriculture and the General Manager of the Corporation.

General Meetings will be announced in the same manner as Annual General Meetings but only deal with the reasons for which they were called.

### 2. ORDER OF BUSINESS

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

- i) Identification of Members,
- ii) Call to Order read and accept agenda.
- iii) Reading minutes of previous annual meeting and acceptance or corrections.
- iv) Report of Officers, Directors and committees.
- v) Correspondence.
- vi) Unfinished business.
- vii) Delegations.
- viii) Annual Meeting Election of Directors and other officers and appointment of representatives.
- ix) New business.
- x) Adjournment.

The new Board shall convene immediately after adjournment.

The above order with the exception of "1" (Identification of Members) may be Changed at the pleasure of the meeting assembled.

### 3. THE ORDER OF BUSINESS AT ALL GENERAL MEETINGS SHALL BE AS FOLLOWS:

- i) Identification of Members and call to Order.
- ii) Review reason brought forward for calling meeting.

iii) Any correspondence regarding reason for calling meeting.

iv) Only discussion on this matter/or these matters to be discussed and resolved or referred to the next Annual General meeting.

### 16.0 MEETING RULES

Simplified Robert's Rules of Parliamentary Procedure shall apply to all meetings.

### 17.0 QUORUM

A quorum for the Annual and/or General Meetings shall be one fifth (1/5th) of full members being present. A member who is unable to attend may send a written proxy signed and dated. Such proxy must have been given to the Secretary seven (7) days prior to the meeting for validation. The Proxy form will clearly state the name of the member who shall vote the Proxy. A member may hold a maximum of two (2) proxy votes. A proxy, properly validated, will be considered as a member present.

A simple majority of members present is required to pass or amend any motion other than a regulation or by-law requiring two-thirds (2/3) of members present.

### 18.0 MEETINGS OF THE BOARD

Notice of the meeting, other than the one immediately following the Annual General Meeting, may be sent in writing to each Director and Officer or on shorter notice if all have given their consent.

With the consent of all Directors a conference telephone call meeting may be convened. A Quorum for the Board shall be considered a majority of the Board.

### 19.0 VOTING

i) Only members who are a Canadian resident and owns, hosts or leases a Registered Newfoundland Pony and is not in arrears of any fees are entitled to hold office, to vote or to give notice to amend these By Laws and Regulations.

ii) Application for Partnership or incorporated company membership shall specify the one (1) person authorized to vote, act, or sign for the partnership or company.

iii) Ownership in a company, partnership or a corporation is limited to one (1) vote. Memberships must be paid by January 1st and not later than January 31st. This applies to members of the previous year.

iv) Any new members after the 31st of January must produce their membership cards in order to have a vote at the Annual or General Meetings within the membership year and having been a member for at least 30 days.

## 20.0 PROCESS OF AMENDMENT, AMALGAMATION & DISSOLUTION

- i) These By-Laws and Regulations may be amended at any General Meeting of the Association by two thirds (2/3) majority votes of those members present. No amendment shall be valid until approved by the Minister of Agriculture and filed with the Ministry.
- ii) Notice of all proposed amendments shall be given to the Secretary forty (40) days in advance of a General meeting. Such proposals shall be included in the notice calling the meeting otherwise, the meeting shall have no power to deal with same.

## 21.0 AMENDMENT OF REGULATIONS

- i) The Board shall have included in its notice any proposed amendments to the regulations prior to the Board meeting. It shall be included and acted upon in the usual manner.
- ii) A member who wishes to amend the Regulations must notify the Board in writing of the proposed amendment. It shall be included in the agenda of the next Board meeting. The member may request to be present. The Board shall act upon it in the usual manner.
- iii) The member may re-submit a proposed amendment in writing to the Secretary forty (40) days before the Annual General Meeting. It shall be included on the agenda for discussion and action by the membership.
- iv) No amendment shall be valid until approved by the Minister of Agriculture and filed with the Ministry.
- v) The Corporation may suggest amendments to the By-law and Regulations they consider would better serve the interests and purposes of the Association or which could achieve services more efficiently or effectively. The suggestions must be made to the Secretary in writing and will be included on the agenda of the next Board meeting.

## 22.0 AMALGAMATION AMENDMENT

Articles of Amalgamation must contain a statutory declaration attesting that the members of each of the Associations that desire to amalgamate have been consulted in writing in the prescribed manner in relation to the proposed amalgamation and that, with respect to each association, 25 per cent or more of the members have responded in writing to the consultation and that at least 2/3 of the members who respond have approved the proposed amalgamation.

## 23.0 DISSOLUTION AMENDMENT

The ministry may, by order, declare the corporation power of any association to be terminated in the following circumstance:

On petition therefore by the Association, supported by a resolution to that effect, passed by at least 2/3 of the members of the association.

## 24.0 STANDARDS

**HEAD:** Short thick fur lined ears, broad forehead, wide set eyes, straight profile, narrow muzzle with small nostrils and deep jowls.

**NECK:** Strong, well positioned and rather short, suitable for both riding and driving.

**BODY:** Narrow Breast for sure footedness, deep barreled chest and body rather short coupled with low set tail.

**LIMBS:** Short cannon bone, increased power to the front quarters. Fetlocks extend below fetlock points.

**HEIGHT at 3 YEARS:** Between 11 hh and 14.2 hh.

**COLOUR:** Bay, Brown, Black, Roans, Chestnut, Grey and Dun, no Piebalds, Skewbalds (pintos) or Wall-eyes.

White stockings not allowed.

**MANE & TAIL:** Typical dark points, mane and tail. White or light on limbs acceptable. Sometimes mane and tail are lighter than the body colour also acceptable.

## 25.0 RULES OF ELIGIBILITY

i) Foals shall be eligible for registration provided that both the sire and dam were at least three years of age at time of conception. A parent may be considered three years of age as of January 1st of its third year.

ii) The Board of Directors may from time to time approve the acceptance of Newfoundland ponies born outside of Canada of Canadian registered Newfoundland ponies, both sire and dam. At minimum, the Board must conduct a review to ensure that animals accepted in the registry are of common genetic origin and history to Canadian registered animals, governed by our enforceable By-Laws, animals are individually identified in a manner acceptable to the Association, the rules of eligibility are deemed equivalent to the Association. DNA testing shall be required at the owner's expense.

iii) Only those animals, the result of purebred parents who comply with the information required on the application for registry and for which the proper fee is received may be registered.

iv) A sire owned in Canada must be registered in Canada for its progeny to be eligible for registration.

## 26.0 REGISTRATION OF A PREFIX

A breeder may 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. In the event of a change in the name of a partnership or company or if any party is taken into partnership, the name will be transferred by an authorized representative.

### 27.0 TRANSFER OF OWNERSHIP OF NEWFOUNDLAND PONIES

Ponies sold must be transferred within three (3) months by the vendor who will send in to the Association the Certificate to have the transfer recorded and present the transferred Newfoundland Pony Certificate to the new owner. Notice of all transfers of ownership must be filed with the Association

### 28.0 PRIVATE BREEDING RECORDS

- i) These records shall at all times be open for inspection by officials.
- ii) Each breeder shall keep private breeding records of all Newfoundland ponies.
- iii) Records of each Newfoundland pony shall contain information from the certificate of registration (Name, Number etc.), a complete health record, proper identification and photographs.
- iv) A complete breeding history.
- v) All deaths and subsequent removal of any Newfoundland ponies for any cause shall be recorded in private records and with the Association breed office.
- vi) Stallion reports must be filed annually with the breed office by December 31<sup>st</sup> of each year.
- vii) There will be a late filing fee if filed later than January 1st. This fee will be determined by the Board.

### 29.0 INDIVIDUAL IDENTIFICATION

- i) Pony's will have written description and diagrams with 5 (five) photo views of the pony's markings with the registration application.
- ii) Stallions shall have a DNA record and a copy filed with the Corporation. Every twenty-fifth filly registration will require a DNA record. The Association pays for the DNA record, the owner pays for any veterinarian fees.
- iii) DNA samples can be pulled by a veterinarian or owner who will fill out a form after identifying the said pony does match its existing registration or application for same.
- iv) The proper individual identification of a pure-bred Newfoundland pony is the member/owner's responsibility. The Association will supervise through Corporation and the Association's representative the practices of the above. Unsatisfactory practices will be brought to the attention of the Board and the Corporation, for appropriate action.
- v) Foals born in order to be registered must be sired by a listed stallion that is on file with the Corporation a signed certificate from a veterinarian confirming absence of mouth defects and cryptorchidism, and hair samples submitted for DNA.

### 30.0 ELIGIBILITY OF OWNER/BREEDER

Any Canadian shall not be refused the right to make transactions at non-member rates, provided he abides by the Act and By-Laws and Regulations of the Association.

### 31.0 FEES

- i) The fee schedule may be adjusted when necessary by the Board, to be circulated to the membership at least one month before its effective date.
- ii) The registration fees shall be payable to the Corporation in an appropriate manner and they shall be in Canadian dollars deposited to the Corporation. Fees as received by a Representative of this Association shall be forwarded to the Corporation monthly.
- iii) Periodically, the Newfoundland Pony Assoc. will pay the cost of random DNA testing for member ponies.

## 1.0 APPLICATION FOR REGISTRATION

## 2.0 ARTIFICIAL INSEMINATION AND EMBRYO TRANSFERS

### 1. INTERPRETATION

The interpretation and application of these regulations shall be made by the Association and shall be final and binding on all persons associated with these practices of artificial insemination and embryo transfer concerning registered Newfoundland Ponies. The Association shall not be responsible for any contracts or agreements made between breeders and/or inseminating or transferring organizations or parties.

### 2. ARTIFICIAL INSEMINATION

i) In order to register ponies conceived in Canada by artificial insemination, the sire and the dam must be Canadian registered except when semen is imported. A DNA record for both must be filed with the Association. All other regulations pertaining to eligibility shall apply.

ii) In the case of imported semen for the production of ponies eligible for registration. A copy of the official DNA report shall accompany the other documents required for registration of a pony. A copy of the import permit issued by the Health of Animals, Agriculture Canada must also be on file with the Association.

### 3. INSEMINATION WITHIN A HERD

i) When a breeder inseminates or supervises the insemination of mares with semen from a stallion owned by him, no special permit is required. However, such inseminations shall be noted on the application of registration of the offspring or the application for transfer of a mare sold which has been inseminated.

### 4. INSEMINATION BETWEEN HERDS

i) A copy of the Official DNA report of the sire, dam and progeny must be filed with the Association and the Corporation prior to registration.

ii) Fresh or chilled semen shall not require a transfer.

iii) Semen must be identified and labeled upon stallion collection.

iv) Stallion owners must keep records of each collection and number of doses, etc.

v) Copies of these records to be sent to the Association office.

### 5. EXPORTATION OF SEMEN

When semen is shipped for export the health regulations of the importing country shall be adhered to and the regulation of the registry offices of the countries shall apply.

### 6. EMBRYO TRANSFER

Anyone intending to register a Newfoundland pony foal, the result of embryo transfer, must submit the following information to the Association:

i) Notification of intent to transfer.

ii) Name, registration and DNA report of sire and dam in Canada. DNA records must be done prior to service and embryo recovery.

- iii) Colour, markings, size and any other identification of recipient female.
- iv) Application for registration of the off-spring must indicate that this is the result of embryo transfer and an official DNA report must accompany the application.
- v) If required, a DNA record of the recipient mare must be available. Transfer applications for embryos must have been completed and returned to the Corporation with the prescribed fee.

#### 7. NAMING

Duplicate names must be avoided. Within a herd a farm prefix may serve as differentiation. When an application is received which indicates a duplicate name, the owner will be requested to choose another.

#### 8. TRANSFERS OF OWNERSHIP

- i) In the case of the sale of a pony the seller must furnish a certificate of registration in the ASSOCIATION Herd Book showing the purchaser's ownership. Refusal to do so will be grounds for expulsion from the Association; if not a member, further applications for registration or transfer may be refused. Applications must give date of sale and date of delivery, and in the case of a female if bred, service certificates must be completed.
- ii) Frozen semen must be clearly labeled and identified in storage. If the semen is sold and not used for immediate mare service, a transfer of ownership shall be required.
- iii) The same will apply for frozen embryos.
- iv) A registered prefix can only be used by the recorded owner of a prefix. The recorded owner of a prefix may grant permission, in writing and on file with the Registrar, to designated person(s) to allow use of that prefix.

### 3.0 CERTIFICATES

- i) All certificates, forms, etc. shall be in a format designated by the Association and the Corporation.
- ii) A certificate of registration shall be issued for each Newfoundland pony providing the application and information complies with the rules of eligibility. Information as required by the Act shall be the minimum.
- iii) The Association may adopt a system of inspecting ponies for Breed improvement or other valid reasons. A person may be designated and a set criteria adopted. A certificate may be issued including a diagram of mature markings, written description and other identification including size and required photos.
- iv) A duplicate certificate may be issued if the registered owner or his authorized agent files a statutory declaration on a form supplied by the Corporation showing in a satisfactory manner that the original is lost, destroyed or unobtainable.

#### 4.0 MEMBERSHIP

- i) Classification - see 5. MEMBERSHIP in By-laws
- ii) Suspended Member One who has been deprived of the privileges of the Association for a stated period.
- iii) Suspended Registration A transfer or other certificate which has been suspended pending investigation on a possible irregularity. Suspension will remain until lifted by the Board or the document is revoked.
- iv) Expulsion Expulsion means depriving a person of privileges of the Association.
- v) Privileges of the Association Different types of membership definition, members may vote, hold office and make transactions according to the fee schedule at a preferred rate. These privileges include all services provided by the Association in accordance with its objects and purposes including registration services.
- vi) Responsibilities Of Members To act according to the provisions in the Act, the By-laws and Regulations in the best interests of the purposes of same. To keep current, private breeding and ownership records and positively identify all ponies. To pay fees for membership according to the calendar year and the schedule of transactions in effect.

#### 5.0 INFRACTIONS

The Board shall have the power to suspend or expel any person who fails to observe the Act, By-laws or Regulations of the Association. The individual must be notified in writing of:

- i) REASON for, and length of suspension.
- ii) 'PERSON' shall include member, non member, partnership, club, association or corporation.
- iii) 'EXPULSION' when imposed terminates membership in the association and deprives the person expelled, from all privileges of the association.
- iv) 'SUSPENSION' when imposed deprives a member, for the period ordered, of all the privileges of the association.
- v) 'DEPRIVATION OF PRIVILEGES' when imposed, deprives a non-member of all privileges accorded non-members of the association; including use of the recording office.
- vi) 'TERMINATION OF MEMBERSHIP' when imposed, deprives a member of the privileges accorded to members only but does not deprive the person of privileges accorded to non-members.
- vii) 'DEBARMENT' when imposed prohibits any person participating in any competition or other activities directed, sanctioned, sponsored or authorized by the association, to the extent and subject to the terms imposed by the board in any particular case.
- viii) 'REINSTATEMENT' An individual may request reinstatement in writing after 60 days if the length of suspension is longer. If the Board refuses reinstatement the individual may apply for same by vote at the next General Meeting. Any person expelled from membership by any other Breed Association incorporated under the Act may be eligible for membership at the discretion of the Board.

## 6.0 TRANSACTIONS

- i) Transactions are made on the understanding that the particulars given on the application are correct. If it is subsequently discovered that the particulars given on the application are incorrect or fraudulent, the registration or transfer shall be suspended by the Corporation and cancelled by this Association until corrections are forthcoming.
- ii) Pedigrees recorded incorrectly may be cancelled and re-recorded by the owner or by the Corporation at the expense of the original applicant for registration or transfer and it is understood that neither the Association nor the Corporation shall be held liable or responsible for any loss or damage that may be sustained through suspension, cancellation or correction of any registration or transfer.
- iii) When as a result of an inspection of the manner in which private records are being kept, and identification practiced by any member, 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, identification systems practiced by such breeder are in such a state of confusion as to raise a doubt as to the identity of any pony or ponies, the Board of Directors may suspend the pedigree of any or all ponies standing in the name of such breeder.
- iv) The offences and penalties as given in the Act apply to all breeders and all breeders are subject to the provisions as stated in the Act.