

## BYLAWS OF THE N.S.D.T.R. CLUB OF CANADA

### I. EXECUTIVE

The management of the Club shall be vested in the Executive as described in the Club's Constitution, Article 3. Other Club officers will perform such duties as specified in the By-laws.

1. The Executive and other Club Officers shall hold office for a period of two years.

[A] All Officers shall be elected on even numbered years.

[B] All terms of office shall begin on January 1 of the odd numbered year following the election.

[C] No Member shall hold more than one office at a time. No Member shall be a candidate for more than one office during any election.

[D] Election to office shall require a plurality [ greatest number ] of valid votes cast in an election.

2. Election of the Executive and other Club Officers.

#### [A] NOMINATIONS

[1] The Secretary shall call for nominations, either through Toller Talk or by mail, no sooner than nine [ 9 ] months, nor later than six [ 6 ] months before the expiration of the term of office.

[a] All nominations must be made by Club Members who are eligible to vote.

[b] All nominations must be seconded by another Club Member who is eligible to vote.

[c] All nominations must be made in writing and submitted to the Secretary within sixty [ 60 ] days of the call for nominations.

[2] The Secretary will assemble a list identifying the persons nominated for each position. Prior to the publication of the list, the Secretary will determine:

[a] that the individual nominated for the Executive or other Club Office is eligible to vote;

[b] that the nominee is a citizen or legal resident of Canada;

[c] that the person nominated agrees in writing, and before their name is placed on the ballot;

[i] to run for the position for which they have been nominated;

[ii] to supply a short biographical statement [ not to exceed three hundred [ 300 ] words ] to be published in Toller Talk, or otherwise distributed to all Members who will be eligible to vote, prior to the election, giving the candidates qualifications and reasons for seeking the position they have been nominated to fill;

[iii] that this statement will be the only written solicitation for votes permitted themselves and their supporters.

[3] In the event that there is a position for which there is no valid candidate, the Executive shall appoint a nominating committee to seek one or more

nominees for said position. This committee shall consist of three Members of the Club, all of whom are eligible to vote. No member of the Executive may serve on this committee.

[a] individuals nominated by the nominating committee shall meet the requirements for nomination as outlined previously.

[b] the chairperson of the nominating committee shall report all nominations made by the committee to the Secretary within thirty [ 30 ] days of the establishment of the committee.

[c] In the event that the nominating committee is unsuccessful, the position shall be declared vacant. The Secretary shall advise the Club Members through a notice in Toller Talk or by mail. Upon receipt of the first set of valid nomination papers from an eligible Club Member, that Member shall be acclaimed to the vacant position, as if an election or by-election had occurred.

[d] In the event of a position being declared vacant, the current Officer may continue to act, on a temporary basis, until the vacancy is filled.

[e] Nominations for Regional Directors may be made only by Members of the relevant region. Only Members in a specific region may vote for the Director of the region.

## **[B]      BALLOTS**

[1] The Secretary shall be responsible for the preparation and distribution of ballots to all Club Members who are eligible to vote.

[a] To facilitate the printing of the ballots, all candidates for the position of Regional Director may be placed on all ballots. However, each ballot must clearly indicate to the recipient, which candidates for Regional Director are eligible for election in the recipients' geographical zone. Those names not eligible must be clearly marked " Void " by writing, rubber stamp, or other legible means, superimposed over the ineligible candidates names and the spaces reserved for the voters mark for the ineligible candidates. All elections must be conducted by secret ballot.

[2] The Secretary shall be responsible for the soliciting the services of a member of his/her community, such as a clergyman, to receive, count, and tabulate the results of the ballot. This individual shall indicate by his/her signature that he/she has received and tabulated the results of the ballot, and forwarded the results to the Secretary. This individual will retain the ballots for a period of sixty [ 60 ] days after submitting the results to the Secretary. The ballots shall then be destroyed.

[3] The Secretary shall provide the results of the election to each candidate for office. The Secretary shall also provide the results of the election to the Members as a whole through a report to be published in the following issue of Toller Talk.

## **[C]      GEOGRAPHICAL DISTRIBUTION OF OFFICERS**

In keeping with the C.K.C.'s Policy Book for National Clubs, no more than two [ 2 ] elected officers plus one [ 1 ] Regional Director may come from one geographic zone.

[1] These zones are defined as:

[a] B.C. - the province of British Columbia.

[b] Prairies - the provinces of Alberta, Saskatchewan, and Manitoba.

[c] Ontario - the province of Ontario

[d] Quebec - the province of Quebec

[e] Atlantic - the provinces of New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland.

[f] Yukon and Northwest Territories

### 3. Duties of Office

[A] The **President** shall:

[1] uphold and defend the Constitution and By-laws of the Club

[2] chair all meetings of the Executive and the Club when present.

[3] have the power to call special meetings or referenda.

[4] coordinate the activities of the Club in meeting its objectives.

[5] appoint, but not serve on, ad hoc committees to aid or advise the Executive in responding to various issues not specifically set forth in the Club Constitution or By-laws as they arise.

[6] exercise general, but not specific, supervision of the affairs of the Club, as control and management of the Club is vested in the Executive as a whole.

[B] The **Vice-President** shall:

[1] in the absence of the President assume the duties of that office.

[C] The **Secretary** shall:

[1] keep an accurate record [ the minutes ] of all Executive and General meetings of the Club and distribute this record to all Club Members either directly or through Toller Talk. In the case of General meetings the minutes may be distributed before being adopted as correct, but must be so labeled.

[2] prepare an agenda for all General and Executive meetings, showing all matters known in advance that are due to come up. Any member of the Executive may request that a matter be placed on the agenda for an Executive meeting. Any Club Member, eligible to vote, may request that a matter be placed on the agenda of any General meeting. Every agenda must be circulated to those concerned to provide a generous period for discussion.

[3] receive all resignations of Club Officers.

[4] handle the preparation, distribution, and reporting of results of Club ballots.

[5] receive all suggestions and complaints regarding the Club, maintain the original in a file, and forward copies to the Executive within fourteen [ 14 ] days.

[6] receive and respond to all requests for information on the Club and the Breed, or forward same to the appropriate committee or appointed position.

[7] maintain such records and contact with the C.K.C. as are necessary to maintain official C.K.C. recognition of the Club.

[8] receive and respond to all official Club correspondence or forward the correspondence to the appropriate member of the Executive within fourteen [ 14 ] days.

**[D] The Treasurer shall:**

[1] collect all monies due the Club, which shall be deposited in a bank in the name of the Nova Scotia Duck Tolling Retriever Club of Canada.

[2] issue an annual financial status report to the Club which summarizes Club assets and Club debits within sixty [ 60 ] days of the close of the Club fiscal year as defined on Tax documents.

[3] issue all Club cheques, each of which must bear the Treasurer's signature and the signature of either the President, or Vice President, or the Secretary. If the Treasurer is unable to act, for whatever reason, then any two of the named Officers shall sign all Club cheques.

[4] present a statement of current finances and expenditures for the previous quarter to each meeting of the Executive. This information may be distributed to the Members through Toller Talk or by Mail.

[5] may be bonded, with normal and reasonable costs for bonding being paid by the Club.

[6] to issue receipts and annual Club membership cards.

**[E] The Membership Director shall:**

[1] mail a copy of the following documents to all new Members:

- [a] Constitution
- [b] By-laws
- [c] Code of Ethics
- [d] Toller Breed Standard

[2] notify Club Members when membership dues are to be paid and the amount of said dues. Notification may be direct or through a notice published in the Fall issue of Toller Talk.

[3] compile and maintain an accurate current Club Membership list, to include names, addresses, phone numbers, and voting status [ eligible or not eligible ] of all Club Members. An address and telephone number list of all Members shall be made available for distribution to, and use by, the Executive, the Editor of Toller Talk, and the Clubs' Members.

[4] receive the resignations of all general Members.

**[F] The Regional Directors shall:**

- [1] coordinate activities between the Club and persons and/or clubs in their area.
- [2] act as spokespersons for the Club Members they represent and report on meetings held in their area.
- [3] encourage and help organize membership drives in their area.
- [4] promote the interest of the Toller wherever possible.
- [5] supply the Editor of Toller Talk, on a quarterly basis, information on the activities of Toller owners and dogs, as well as other matters of general interest pertaining to their respective region.

[G] The **Editor of Toller Talk** who is an elected Officer of the Club, shall:

- [1] keep a current list of the Members and their addresses.
- [2] be responsible for the preparation and distribution of Toller Talk to Club Members, not less than quarterly [ four times per year ].
- [3] distribute copies of Toller Talk to the C.K.C. Library.
- [4] maintain archive copies of Toller Talk for future Club use.
- [5] upon request of the Membership Director, and while supplies permit, mail back issues of Toller Talk to new Members.

#### 4. Vacancies in Office

In the event that an Executive or other Club office becomes vacant, the remaining members of the Executive will assume the duties of the position until such time as a special election can be held. The election must be held within sixty [ 60 ] days, and follow the form outlined in 1. 2 [B] of the By-laws.

## II. MEETINGS

### Executive Meetings

- [1] Shall be held four times per year with nearly equal intervals between meetings.
- [2] Special Meetings may be called by the President or on the written request of three [ 3 ] members of the Executive. The purpose of the meeting shall be stated in the call and shall be the only business dealt with at that meeting.
- [3] may be held by mail, by telephone, by computer conferencing, or in person. A diligent effort must be made to ensure that all members of the Executive can participate in the method chosen. Telephone conference calls are to be reserved for matters of great and/or dire emergency.
- [4] shall require that Members receive a Notice of the Meeting and an Agenda at least seven [7] days before the Meeting, except in cases of emergency when the Notice and Agenda requirements may be waived by a majority vote of those Members in attendance.
- [5] shall require a quorum of five [ 5 ] members.
- [6] will not require a seconder to any motion presented.

[7] shall recognize that all Members of the Executive have the right to vote, make motions, and take part in debate, except in cases of conflict of interest or where expressly forbidden by these By-laws.

### **III. ANNUAL GENERAL MEETINGS**

1. Annual General Meetings of the Club shall take place once each years The date,time and place shall designated by the Executive. Any resolutions passed at an Annual General Meeting shall be submitted to the membership of the Club by referendum ballot for ratification.
2. A quorum shall be any five [ 5 ] members of the Executive, or any three members of the Executive, plus ten other Members of the Club who shall not all be from the same region.
3. All Club Members are to be notified of the time and place of the Annual General Meeting at least sixty [ 60 ] days prior to the meeting. The Secretary may notify the Members directly by mail or through a notice published in Toller Talk.

### **IV. MEMBERSHIP**

1. Membership fees shall be set by the Executive. Notice of a change in fees will be published in Toller Talk at least sixty [ 60 ] days prior to the date the change takes effect.
2. The term of membership shall be for one [1] year, commencing on January 1, and ending on December 31.
3. Membership dues are payable on the first day of January, each year. A renewal notice shall be included in the Winter issue of Toller Talk or Members may be notified directly. Failure to pay dues within sixty [ 60 ] days shall result in the loss of membership.
4. The tendering of a cheque for any Club fees, including but not limited to membership dues and Toller Talk advertising, that is returned as " Not Sufficient Funds " [ NSF ] may be grounds for disciplinary action including, but not limited to, censure or expulsion. The Executive will seek remuneration for any and all losses arising from the tendering of such a cheque.
5. All Members will abide by the Official Club Code of Ethics.

### **V. COMMITTEES**

1. The Board may each year appoint standing committees to advance the work of the Club in such matters as Conformation shows, (field trials), (obedience trials), trophies, annual prizes, membership and other fields which may well be served by committees. Such committees shall always be subject to tile final authority of the Board. Ad hoc committees may from time to time be appointed by the Board to aid the Board with specific projects. Nominating Committees shall be struck in accordance to Article I, Section 2 [A} [3 of these by-laws.
2. Any committee appointment may be terminated by a majority vote of the Board upon written notice being sent to the appointee, and the Board may appoint a successor to the person whose services have been terminated.

### **VI. DISCIPLINE**

1. The Club shall have the right to reprimand, censure, or revoke membership privileges of any member whose actions have, or are likely to, endanger the reputation or welfare of

the Club or the Breed. Such actions include, but are not limited to, flagrant or intentional violations of the Clubs' Constitution or By-laws or Code of Ethics.

## 2. Definitions

[A] "reprimand" - an official statement of rebuke issued by the Club.

[B] "censure" - the loss of some or all privileges associated with Club membership, specifically :

[1] suspension of participation in the Breeders Directory, or

[2] suspension of the right to place personal or kennel advertising in Toller Talk, or

[3] suspension of all Membership privileges for a specific period of time.

[C] " administrative censure " - censure that involves a suspension of six [6] months or less.

[D] " formal censure " - censure that involves a suspension of greater than [6] months.

[E] " expulsion " - revoking membership, and the right to obtain membership for a minimum of three [ 3 ] years.

## 3. Any Member in good standing may recommend in writing that another Member be considered for reprimand, censure, or expulsion.

[A] such recommendation shall be made in writing, signed by the Member, seconded in writing by at least one other Member, and delivered to the Secretary. The Secretary shall immediately report to the accused Member the receipt of the recommendation. Such recommendation shall be accompanied by a \$50.00 [ fifty dollars ] cheque refunded only if the recommendation for the reprimand, censure or expulsion is valid. The funds passed to the NSDTRC Treasurer if not valid. When a Member of the Club has been cited for disciplinary action, he/she shall not be permitted to initiate disciplinary action concerning any other Member of the Club until his/her case has been completed.

[B] Immediately, upon receipt of such recommendation, the Secretary shall refer it to the entire Executive for immediate consideration.

[C] Within thirty [ 30 ] days, if the Executive determines that insufficient grounds exist for action by the Club, the matter may be referred back to the original Club Member for further supporting evidence, or the recommendation may be rejected.

[D] If the Executive determine that sufficient grounds exist for action by the Club, the accused Member shall be notified of the complaint and allowed to present his/her case to the Executive.

[E] Upon hearing the accused Member's case the Executive may:

[1] take no action

[2] advise and admonish the accused Member to affect certain recommended changes in behaviors.

[3] proceed with administrative censure through a notice in Toller Talk.

[4] recommend formal censure

[5] recommend expulsion.

[F] If the accused Member and a majority of the Executive agree, then an Administrative Censure shall be imposed without Club referendum. If however either a majority of the Executive or the accused Member wish, then the Administrative Censure will follow the same procedure as a Formal Censure.

[G] Any recommendations for formal censure or expulsion will be published in Toller Talk prior to any referendum being started. Following the publication of such a recommendation, the accused Member will have reasonable space in the two [ 2 ] following issues of Toller Talk to present his/her case. The Editor will be restricted in editing to:

[1] spelling and grammatical errors

Editorial comment relating to the accused's case, or response, specifically or generally, is prohibited in these issues of Toller Talk.

[H] In the Toller Talk issue immediately following those allowed for responding by the accused Member, the referendum ballot will take place as outlined in the Constitution.

[I] A Member who has been expelled is denied the rights and privileges of membership in the Club for a period of not less than three [ 3 ] years. At the end of this period the expelled Member may petition the Executive for re-admission. A majority of the Executive must agree to re-admit the expelled Member; if it fails to re-admit the expelled Member he/she may either request a Club referendum [ with the expelled Member paying ALL the costs of the referendum ] or he/she may re-petition the Executive yearly.

[J] A second Expulsion of the same Member will be for Life and without the right of re-admission.

[K] The Executive will report all censure and expulsions to the C.K.C.

[L] In the event that the recommendation is rejected, the accusing Member shall withdraw the original statement of accusation, in writing, to the Secretary and the named Member. The Executive may impose a penalty for a frivolous, vexatious or unsubstantiated accusation.

[M] Any member of the Club who is suspended, debarred, deprived, expelled, or whose membership has been terminated by The Canadian Kennel Club's Discipline Committee, shall be suspended from privileges of the Club for a like period.

## **VII. RESIGNATION OF CLUB MEMBER**

Members shall give written notice of resignation to the Membership Director. Any Member who resigns does so with the understanding that they have no claim on Club property or its effects; nor are they entitled to a refund in any membership fees, in whole or in part, that have been paid to the Club.

## **VIII. ANNUAL REPORT**

1. All reports, financial and otherwise, shall be presented, as submitted, annually in Toller Talk.
2. Such reports shall include, but not be limited to, The President's Annual Message, and the Treasurer's Annual Report, and the progress of any standing committee.

## **IX. DISSOLUTION OF THE CLUB**

The Club may be dissolved any time by providing to The Canadian Kennel Club written documentation signed by at least two-thirds (2/3) of the members of that 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, its property and assets shall be given to a charitable organization for the benefit of dogs as selected by the Board.

#### **X. ELECTION TABULATION**

1. The Secretary will be responsible for preparing all referendum ballots and the distribution of the ballots to all Members eligible to vote on its contents.
2. Referendum ballots applicable to Article VI of the Constitution [ i.e. Amending the Breed Standard ] shall be sent separately from any other referendum ballot.
3. Referendum ballots submitted for proposed changes to the Breed Standard, or to the Constitution shall be accompanied by a detailed explanation in support of the proposal.
4. All elections must be conducted by secret ballot. Voting by proxy shall not be permitted.

#### **XI. AMENDING THE BY-LAWS**

1. The By-laws presented herein shall be amended by a two thirds [2/3 ] majority of all eligible members in a referendum vote.
2. Referendum ballots submitted for proposed changes to the By-laws shall be accompanied by a detailed explanation in support of the proposal.

#### **XII. RULES OF ORDER**

The rules contained in the current edition of " Roberts Rules of Order Newly Revised" shall govern the Club in all cases to which they are applicable and in which they are not inconsistent with the Constitution, these By-laws, the Club Code of Ethics and any special rules of order the Club may adopt.