

# Canadian Gelbvieh Association

## By-Laws

(As duly amended August 16, 2018)

### Organizational Structure

#### Article 1. NAME

The name of the Association shall be "Canadian Gelbvieh Association".

#### Article 2. OBJECTS

The Association shall have for its objects the encouragement, development, promotion and regulation of the breeding and import and export of Gelbvieh Cattle in Canada. The terms, "Gelbvieh Cattle" or "Gelbvieh Breed" wherever used herein refer to registered Gelbvieh Cattle. To facilitate the achievement of such objects, the Association shall;

- (a) Keep a record of the breeding and origin of all Gelbvieh Cattle and collect, preserve and publish data and documents relating to the same;
- (b) Provide for the registration of all Gelbvieh Cattle in Canada under the Canadian Gelbvieh Association;
- (c) Maintain selective breeding standards for traits of economic importance to beef production;
- (d) Adopt a means from time to time to protect and assist breeders engaged in propagation and breeding of Gelbvieh Cattle in compliance with the articles hereof;
- (e) Maintain effective supervision of breeders of Gelbvieh Cattle to detect, prevent, and punish fraud;
- (f) Compile statistics of the industry and furnish official authentic information thereto;
- (g) Prepare and publish a Code of Ethics respecting the conduct of its members in any one or more facets of activity affecting the reputation of the Association and/or its members;
- (h) Advertise and otherwise promote the Gelbvieh Breed and the Association in Canada and/or any other country where such promotion may be advantageous;

- (i) Enter into a joint or co-operative venture with or assist any other association with similar objectives;
- (j) Act as a liaison between the members of the Association and all other cattle breed associations and government bodies and agencies, whether federal, provincial, or foreign;
- (k) In order to implement and achieve the foregoing, to make all necessary contracts and agreements and to make, alter and repeal regulations subject to the By-Laws.

Article 3. **MEMBERS**

1. There shall be four classes of members:

- (a) Honorary Members: The Associations may appoint Honorary Members at any General Meeting by recommendation of the Board Members. The duration of such Honorary Membership will be determined by recommendation of the Board of Directors confirmed by ordinary resolution of a general Meeting. Honorary Members may not vote or hold office in the Association unless they also hold active membership.
- (b) Active Members: Member status is available to Canadian residents, either individuals, legal partnerships, firms or companies incorporated under the laws of Canada or of any Province or territory of Canada, who are actively engaged in the breeding of Gelbvieh Cattle in Canada. (12/06)
- (c) Non-Resident Members: The Board of Directors may, on recommendation of the Membership Committee, accept as Non-Resident Members, those individuals, firms, partnerships or companies not eligible for active membership, who are actively engaged in the breeding of Gelbvieh Cattle. The office and services of the Association shall be available to such members on the same basis and at the same fee as for active members. Non-Resident Members may attend and participate in meetings; however, they will not be allowed to stand for elections as Directors or other officers of the Association nor to assume any role in the management of the Association.
- (d) Canadian Junior Gelbvieh Association: All Canadian Gelbvieh Association Junior Members will be referred to as Canadian Junior Gelbvieh Association Members. The Canadian Junior Gelbvieh Association membership shall be open to those individuals who have not yet attained the age of twenty-one (21) years as of January 1<sup>st</sup>, who apply for Canadian Junior Gelbvieh Association Membership, and are accepted as Canadian Junior Gelbvieh Association Members and, pay any

prescribed fees. Canadian Junior Gelbvieh Association Members are entitled to register and transfer cattle at CGA Member rates and shall be bound by the By-laws, Rules and Regulations of the Canadian Gelbvieh Association. Canadian Junior Gelbvieh Association Members shall be granted full Canadian Gelbvieh Association voting privileges upon reaching their eighteenth birthday, but shall not hold office in the Canadian Gelbvieh Association. Canadian Junior Gelbvieh Association Members can apply to become Active Members of the Canadian Gelbvieh Association by paying the annual membership fee. (12/06)

2. Application for Membership:

- (a) Application for membership shall be in writing stating the applicant's name and address and basis for eligibility and the name of the company or partnership of which the applicant is a member, if applicable.
- (b) Each applicant whose application for membership is accepted shall agree to be bound by these By-Lays and all amendments thereto and all rules and regulations of the Association.

Any applicant for any form of membership who has been rejected under the Animal Pedigree Act, or has been rejected for membership by any other association incorporated pursuant to the Animal Pedigree Act shall not be allowed to register, or transfer as a non-member except with the approval of the Board of Directors. A member may at any time terminate his membership in the Association by giving written notice, but there shall be no refund of membership dues.

- (c) Partnerships, firms or corporations which are active members shall designate some individual partner, officer, director or member of the firm, partnership, or corporation, the rights and privileges of such membership, including the right to vote and hold office in the Association.

Article 4. **DEATH, WITHDRAWAL, SUSPENSION AND EXPULSION OF MEMBERS**

(In compliance with Clause 61 of the Animal Pedigree Act (1988).)

- (a) The Board of Directors shall have the power to suspend or expel any member who fails to observe any rule or regulation set forth in these By-Laws or whose conduct is, in the opinion of the Board, prejudicial to the interests of the Association. A member so suspended or expelled shall, after the expiration of sixty (60) days have the right to apply to the Board of Directors for reinstatement and may be reinstated at the next meeting of

the Board provided two-thirds of the members of the Board of Directors present vote in favour of such reinstatement. If the Board of Directors refuses to reinstate a person suspended or expelled from membership such person shall have the right to apply for reinstatement to the next succeeding General Meeting of the Association, but reinstatement by General Meeting shall be only by a vote of two-thirds of the members of the Association present thereat and entitled to vote. No special notice of such application need be sent to members of the Association and shall not be deemed to be special business. A member expelled or suspended from any Cattle Association in Canada or the United States of America need not be accepted into the Canadian Gelbvieh Association unless he or she are re-instated in the Association from which he or she have been expelled.

- (b) The membership of an individual member in the Association shall cease forthwith upon the member's death, but such cessation of membership shall not preclude the Executor of the Estate from registering or transferring cattle owned by the membership at member rates in order to facilitate settlement of the Estate.
- (c) A member may withdraw from the Association by lending his resignation in writing to the office of the Canadian Gelbvieh Association.
- (d) Any member who resigns, withdraws or is expelled from the Association shall forthwith forfeit all rights, claims and interests arising from or association with membership, on the Association.

Article 5. **NON-MEMBERS**

Any person not a member of this Association registering, or transferring animals on the records of the Association shall be subject to the same rules and regulations as a member except as otherwise specifically provided for.

Article 6. **OFFICERS, APPOINTEES AND COMMITTEES**

1. Board of Directors

- (a) The affairs of the Association shall be directed by a Board of Directors elected by ballot at the Annual General Meeting of the Association or in the case of a vacancy filled by the Board of directors as hereinafter provided.
- b) Seven (7) directors shall be elected from among active resident members, as per Article 3 - Members, Section 1 (b), in good standing who

are actively engaged in the breeding of Gelbvieh cattle in Canada. (12/06)

- (c) Directors elected shall hold office for three (3) years.
- (d) The Board of Directors shall have the power to fill any vacancies which may occur among their numbers but such appointments shall be terminated at the next Annual Meeting at which time an election will be held to fill the unexpired portion of the term.
- (e) Terms shall be restricted to two consecutive terms only.
- (f) Quorum - A majority of the Board of Directors shall be a quorum.
- (g) The President shall act as Chairman at all meetings of the Board. If the President should be absent, then the Vice-President shall act as Chairman. If both the President and the Vice-President are absent, then the Chairman shall be elected from the members of the Board. In the case of a tie vote, the Chairman shall have the deciding vote.
- (h) Membership on the Board of Directors shall cease forthwith upon a member's death, suspension or upon expulsion from membership in the Association or upon the member being found to be mentally incompetent.
- (i) There shall be no proxies, but a Director who at least forty-eight hours before the upcoming meeting, orally or in writing has advised the Chairman or Secretary-Manager of his inability to attend in person, and of the desire to attend by telephone, shall be entitled to attend and vote by conference telephone call.
- (j) Should a Board member be absent for any reason from two consecutive Board meetings, his or her resignation may be requested by a majority vote of the Board of Directors. (12/96)

## 2. Officers

- (a) **PRESIDENT** - The President shall be elected annually from among their number by the Board of Directors at their meeting after the Annual Meeting. He shall hold office (at the pleasure of the majority members of the Board of Directors) for one year or until his successor is elected. No President can hold office for more than three (3) consecutive years. The duties of the President shall be to preside at all meetings of the Association and of the Board of Directors and generally to do all matters, acts and things as are usually done by President of similar organization and he shall be a member ex-officio (except as provided hereafter) of all

committees.

- (b) **VICE-PRESIDENT** - The Vice-President shall be elected in a like manner as the President, hold office under the same terms and in the case that the President is unable to act due to illness or absence or submits his resignation prior to the expiration of his term in office, perform all the duties of the President. Should the Vice-President be unable to fill the vacant office of the President, the Board shall elect one of its members to fill the position.
- (c) **SECRETARY-MANAGER** - The Board of Directors shall appoint a Secretary-Manager who shall under their direction manage all the affairs of the Association and arrange for the execution of all activities normally handled by a Secretary and Treasurer.
- (d) **PAST PRESIDENT** - the immediate Past President, who is not a duly elected member of the current Canadian Gelbvieh Association Board of Directors, shall become a voting Honorary Director and shall hold office as such until the conclusion of the Annual Meeting next, following his/her replacement as President. (12/96)

### 3. Committees

- (a) **EXECUTIVE COMMITTEE:** The Executive Committee shall consist of the President, Vice-President and two Directors from time to time appointed by the Directors, and the Secretary-Manager who shall act as a advisor and as the Recording Secretary. A quorum shall consist of the President, or in his absence or incapacity, the Vice-President, and least two other elected members of the Board of Directors, each of whom must be physically present at any meeting. The primary function of the Committee shall be to consider, screen and advise the Board of Directors on various matters coming before the Board at general meetings, administer decisions made by the Board, and to make decisions between Board meetings on matters of urgency. A copy of the minutes of each Executive Committee meeting shall be mailed or delivered to the home of each Director within ten days after a meeting.
- (b) **FINANCE COMMITTEE:** The Finance Committee shall be chaired by a Director and shall include the Secretary-Manager and such other appointees as the Board of Directors sees fit. The duties of the Finance Committee shall be to prepare an annual budget.
- (c) **REGISTRATION COMMITTEE:** The Registration Committee shall

consist of the President, (or designated Director), the Secretary-Manager and the Registrar or approved alternate. The Committee shall be responsible to advise the Board of Directors for all aspects of registration and in particular shall be responsible to advise in respect to change of ownership and registration of pedigree where signatures or other information are unobtainable providing thirty days notice by single registered mail is given to all interested parties at their last known address.

- (d) **GOVERNANCE COMMITTEE:** The Governance Committee shall consist of the President, (or designated Director), the Secretary-Manager and the Registrar or approved alternate. It shall be responsible for interpretation of all By-Laws, Rules and Policies; parliamentary procedure at membership meetings; and making recommendations for changes in the By-Laws and Rules to the Board of Directors.

The Governance Committee shall be responsible for investigation and recommendation to the Board of Directors of action to be taken on all application for membership and all classes of membership. The Committee shall also be responsible for investigating complaints of unethical and other forms of conduct unbecoming a member and for investigating requests by suspended members for reinstatement and making recommendations thereof to the Board of Directors.

The Governance Committee will work with other committees to provide educational and Gelbvieh promotional information to the members and industry.

- (e) **BREED IMPROVEMENT COMMITTEE:** The Breed Improvement Committee shall be responsible for recommending policies and procedure for the genetic improvement of Gelbvieh Cattle and shall make such recommendation to the Board of Directors. In particular, the Breed Improvement Committee shall:
- i) Investigate available performance and progeny tests and recommend to the Board of Directors a list of approved tests to be recognized as official by the Association;
  - ii) May investigate factors which in their opinion would disqualify an animal for registration and in accordance make recommendation to the Board of Directors and;
  - iii) Shall make recommendations respecting requirements for registration and changes in same from time to time.

- iv) Notwithstanding above paragraph (c), the requirements for registration and shall be reviewed annually by the Breed Improvement Committee in the light of breed performance and they may, through the Board, make recommendation to the Annual General Meeting re: changes required to update the requirements. Such proposed changes must comply with the requirements for changes in the Constitution.
- v) Provide educational and Gelbvieh promotional information to the members and industry.
- (h) **NOMINATING COMMITTEE:** The Nominating Committee shall be appointed by the Board of Directors at least ninety days before the Annual Meeting. The Nominating Committee shall be chaired by a continuing Director and shall consist of at least two other active members in good standing of the Association. They shall seek nominees from eligible active members and must obtain consent to stand in writing from each nominee. The Nominating Committee shall at the Annual Meeting Nominate candidates for Directors of the Association to be voted on by the general membership, along with such other nominations as may be made from the floor where the nominee is present and consents.
- (i) **SHOW AND SALE COMMITTEE:** The Show and Sale Committee shall assist where necessary in making arrangements for the showing of the Gelbvieh cattle at various shows and shall be responsible for arranging and holding periodic sales of Gelbvieh cattle. The committee shall also be responsible for investigating all grievances with respect to the Code of Ethics and reporting and making recommendations thereof to the Board of Directors.
- (j) **LIAISON COMMITTEE:** A Liaison Committee shall foster a close working relationship between the Canadian and all other Associations.
- (k) **OTHER COMMITTEES:** The Board of Directors may from time to time appoint such committees as they deem necessary to carry out the objectives of the Association.

Article 7. **LIABILITY WAIVER**

(In conjunction with Clause 14-2 of the Animal Pedigree Act (1988).)



Notwithstanding anything herein, the Association and its Board of Directors assume no responsibility by reason of:

- (a) Financial or otherwise, for any loss or damage that may be sustained by any person which includes any individual, partnership, firm or corporation by reason of the suspension, cancellation or correction of any registration, recordation, transfer or other documents including membership or;
- (b) Of the rejection of any application for membership in the Association or;
- (c) The transaction of the normal business of the Association.

Article 8. **ANNUAL MEETING**

1. A General Meeting of the Association (to be called Annual Meeting) shall be held once in every calendar year at such time and place as the Board of Directors may from time to time designate. The first notice of the annual meeting shall be sent out ninety (90) days prior to the meeting to allow amendments to the constitution to be returned to the CGA office forty five (45) days prior to the final notice.

Special Meeting: In addition to the Annual Meeting, the Board of Directors shall call a Special Meeting at the written request of fifteen (15) members other than the Board of Directors. A special meeting shall not change the constitution which must be done at an Annual Meeting. Notice for a Special Meeting shall be forty-five (45) days in advance of the Special Meeting. Written requests filed at the Canadian Gelbvieh Association office.

The Annual meeting and a Special General Meeting may be convened by one and the same notice. Without any special notice that such business is to be dealt with, the business of an annual Meeting shall be to receive and consider the reports of the Board of Directors and officers, the accounts and balance sheets and the report of the auditors therein, and the election of Directors and to consider and if thought expedient, the approval and ratification of the acts and proceedings of the Board of Directors and officers. All other business transacted at a General Meeting shall be deemed special.

The annual meeting of the Canadian Gelbvieh Association shall be held within 90 days of the fiscal year end. (1/95)

2. Only Active Members in good standing who have been members of the Association for at least sixty (60) days, shall be entitled to vote at any meeting of the members of the Association and each such member shall have one (1) vote. A member in good standing is a member who is not in default under any of the by-laws hereof and who is not in arrears in payment of any fees or other monies to the Association and who is not under

suspension from the Association.

3. There shall be no proxies.
4. No member shall hold office as a director or officer or be entitled to attend any meeting of the Directors or of the Association if, at any time, such member is in arrears in payment of any fees or other monies to the Association.
5. **Quorum.** A quorum shall consist of nine (9) members of the Canadian Gelbvieh Association whose dues are paid and are eligible to vote. No business shall be transacted at any General Meeting unless the requisite quorum is present at the commencement of the meeting. The chairman, with the consent of any meeting at which a quorum is present, may adjourn the meeting from time to time and from place to place as the meeting shall determine. Whenever a meeting is adjourned for one month or more, notice of the adjourned meeting shall be given in the same manner as of an original meeting. Save as aforesaid, the members shall not be entitled to any notice of any adjournment or of the business to be transacted at any adjourned meeting other than the business which might have been transacted at the meeting at which the adjournment took place.
6. The order of business at all Annual Meetings shall be substantially as follows:
  - (a) identification of active members
  - (b) reading of the minutes of previous meeting
  - (c) report of officers, directors and committees, where applicable
  - (d) appointment of an auditor
  - (e) correspondence, where applicable
  - (f) unfinished business, where applicable
  - (g) approval and ratification of the actions of the Board of Directors:
  - (h) election of directors, where applicable
  - (i) new business, where applicable
  - (j) adjournment

**NOTE:** The above order of business with the exception of (a) identification of active members may be changed at the pleasure of the Board of Directors.

An ordinary resolution means a resolution passed by a majority of such active members of the Association as being entitled to do so vote in person at an Annual Meeting. An extraordinary resolution means a resolution passed by a majority of not less than TWO-THIRDS of the active voting members of the Association present at a Special Meeting of which notice specifying the intention to propose the resolution as an extraordinary resolution has been duly given.

Article 9. **FISCAL YEAR**

The fiscal year of the Association shall be from October 1<sup>st</sup> to September 30<sup>th</sup>. At each Annual or Special Meeting, auditors of the Association shall present their report for the previous fiscal year and there shall be presented at the Annual or Special Meeting the balance sheet and the statement of receipt and expenditures for the preceding fiscal year. The auditors of the Association shall be appointed at each Annual Meeting. The Board of Directors may fill any casual vacancy in the office of auditor. (12/09)

Article 10. **NOTICES**

1. Notice calling any Annual Meeting or Special General Meeting shall be given by circular letter, postage prepaid, to each of the members at his or her last known post office address appearing in the book of the Association. In the event of the Association publishing an Official Organ, the notice published therein shall be deemed to be sufficient, provided such Official Organ is circulated at least thirty (30) days in advance of such meeting.
2. Notice of meeting of the Board of Directors other than the one immediately following the Annual Meeting, shall be mailed postage prepaid, to each of the Directors at least ten days before the date of the meeting at his or her last known post office address appearing on the books of the Association or by telegram at least seven days before the date of the meeting. Notwithstanding the foregoing, a meeting of the Board of Directors may be held on shorter notice or without notice providing all the Directors have given their consent for the meeting to be held.
3. Notice of a meeting of each Committee shall be given by circular letter, postage prepaid, to each of the members of the Committee at his last known post office address appearing on the books of the association, at least three days prior to the meeting, or by oral communication either in person or by telephone, or by telex or TWX at least forty-eight hours before the time of the meeting.

Notwithstanding the forgoing, a meeting of a Committee may be held on shorter notice or without notice providing each member has given his consent for the meeting to be held.

4. Meetings of the members and the Board of Directors shall be at the call of the President, or in his absence or incapacity, the Vice-President, or upon the refusal of the President or Vice-President as the case might be, by notice signed by at least three Directors.
5. Meetings of each Committee shall be at the call of the Chairman or Secretary thereof.

Article 11. **AMENDMENTS**

This Constitution may be amended by extraordinary resolution at any Annual or Special

General Meeting of the Association by the affirmative vote of NOT LESS THAN TWO-THIRDS OF THE VOTING MEMBERS PRESENT. Notice of all proposed amendments shall be given to the Secretary in writing forty-five 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.

Article 12. **EXPENSES, INCOME AND PROPERTY**

The income and property of the Association from whatever source derived, shall be applied solely toward 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 any member, provided however that nothing herein contained shall prevent bona fide payment or remuneration to any secretary, treasurer, registrar, editor, officer, clerk, servant, or other person or persons for service actually rendered to the Association whether such are members of the Association or not, and also including contribution to a pension fund for any such services and the expenses of the Directors or their officers incurred in doing the business of the Association.

Article 13. **BORROWING**

The Board of Directors by a unanimous vote may from time to time borrow money on the credit of the Association in an amount not to exceed \$5,000,00 (Five Thousand Dollars), and may cause to be executed mortgages and pledges of the real and personal rights and property of the Association, and may cause to be signed bills, notes and contracts and other evidence of securities for money borrowed from any person, firm, corporation or bank, on such terms as the lender may be willing to advance the same; provided that debentures shall no be issued without the sanction of an extraordinary resolution of the Association.

Article 14. **OFFICES**

The head office of the Association shall be at such place in Canada as the Board of Directors may determine.

Article 15. **CORPORATE SEAL**

The seal as stamped in the margin hereof shall be the Corporate Seal of the Association.

Article 16. **ACCESS TO BY-LAWS**

A copy of the By-Laws together with any amendments thereto shall be maintained by the

Secretary of the Association and by Secretaries of Provincial organizations. These shall be available for inspection by members of the Association.

Article 17. **PROVINCIAL ASSOCIATION**

Members in good standing of the Canadian Gelbvieh Association may organize Provincial Associations under By-Laws or Constitutions approved by the Board of Directors of the Canadian Gelbvieh Association.

The activities of any such Provincial Association shall be confined solely to its own Provincial interest and shall not conflict in any way with the activities of the Canadian Gelbvieh Association. The Canadian Gelbvieh Association reserves the right to recognize no more than one (1) Association in each province unless authorized by resolution at an Annual General Meeting of the Canadian Gelbvieh Association. (1/96)

Article 18. \_\_\_\_\_

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

Article 19. **CODE OF ETHICS**

The Association shall by a majority vote taken at an Annual Meeting adopt one or more Codes of Ethics respecting any one or more facets of activity of the Association, and may amend any part of an accepted Code of Ethics in the same manner.

Article 20. **PEDIGREE ACT**

The Canadian Gelbvieh Association was incorporated under the Livestock Pedigree Act (1972) and now is under the rules and regulations of the Animal Pedigree Act (1988). All breeders of registered stock must comply with the Animal Pedigree Act (1988). It is to the advantage of every breeder of registered cattle to secure a copy of the new "Animal Pedigree Act (1988). These documents can be purchased from;

Queen's Printer  
Canadian Government Publishing Centre  
"Animal Pedigree Act" 35 - 36 - 37 Elizabeth II  
Supply and Services Ottawa  
Ottawa, Ontario K1A 0S9

Article 21. **BOOK OF RECORDS**

1. A register shall be kept at the office of the Canadian Gelbvieh Association and shall be

known as the Canadian Gelbvieh Herd Book. It shall be published by the Canadian Gelbvieh Association at such time and in such form as decided by the Directors.

2. Private Breeding Records: There shall be kept by each breeder a private record which shall contain full particulars of his breeding operations. This record shall at all times be open to inspection by the officials of this Association and the officials of the Department of Agriculture.
2. Private Breeding Records:
  - a. There shall be kept by each breeder a private record which shall contain full particulars of his breeding operations. This record shall at all times be open to inspection by the officials of this Association and the officials of the Department.
  - b. A complete breeding and production record must be kept on all breeding females registered with the Association whether their offspring will be registered or not. Details on every calf born, living or dead, must be included.
  - c. These records shall, at all times, be open to the inspection of officials of this Association or its authorized representatives and officials of the Department of Agriculture for Canada.

Article 22. **IDENTIFICATION AND REGISTRATION OF TATTOO LETTERS**

1. A breeder must apply to the Canadian Gelbvieh Association for and be allotted identification letters for his exclusive use.
2. Animals must be identified with tattoo markings in the ear which include the registered identification letters of the owner of the animal at birth and a serial number preceding or following the designated year letter to signify year of birth. The letter "A" will signify that the animal was born in 2013, ("B" 2014), ("C" 2015), ("D" 2016), ("E" 2017), ("F" 2018), ("G" 2019), ("H" 2020), ("J" 2021), ("K" 2022), ("L" 2023), ("M" 2024), etc. The letters "I", "O", "Q", and "V" shall not be used as designated year letters.
3. All calves must be identified by tattoo markings before they are weaned or are six months of age whichever is earlier and before applying for registration. No two (2) animals, regardless of sex, may be tattooed with the same identification. In the case of an animal which has been incorrectly tattooed, the animal will be re-tattooed in the opposite ear with the correct tattoo and the Canadian Gelbvieh Association must be notified in writing. The incorrect certificate must also be returned to the Canadian Gelbvieh Association for correction with the appropriate fee.

4. All animals, percentage, purebred and fullblood, imported into Canada from a country which does not tattoo their animals for permanent identification, or uses a different tattoo year letter designation, must be tattooed with the importer's registered identification letters, a serial number and the correct year letter designation for the year the animal was born.
5. After the expiration of five years, registered tattoo letters may be forfeited if they have not been used in registering animals by the registered owner during that period. Such letters may, at the discretion of the Canadian Gelbvieh Association, be allotted to another breeder. In the event of a change of name of a partnership or company, or if a member of the same family is taken into partnership the tattoo letters may, on application to the Canadian Gelbvieh Association, be re-issued to include the respective names. Application must be from the registered owner of the tattoo or his or her authorized representative. In the event that a registered owner of tattoo letters, ceases to be a breeder of Gelbvieh Cattle, he or she may on application to the Canadian Gelbvieh Association, give permission for the tattoo letters to be re-issued to another party. In all cases the fee for re-issuing the tattoo (herd letters) is in force.

Article 23. **REGISTRATION OF PREFIXES AND NAMES OF ANIMALS**

1. Registration of Names: A breeder may register for his or her exclusive use of a name to be used as a prefix in naming all animals of which he or she is the breeder. A particular name shall be allowed to one person or partnership only, and in registering such names priority in use and application for registration shall be considered.
2. Names shall not contain more than twenty-four (24) letters, spaces or characters, including numeral affix. This affix shall correspond with the herd identification number and year letter assigned to an animal in accordance with the provision of previous rules of identification. The letters "ET" shall be included in the name to identify animals propagated by Embryo Transplant.
3. No two (2) animals shall be registered with the same name.
4. With the exception of bulls from which semen has been processed, the names of animals may be changed prior to registration of progeny. A new application for registration must be completed and signed by the importer in the case of imported animals or the owner at birth in the case of Canadian-born animals, after which it shall be presented to the Canadian Gelbvieh Association with the certificate and necessary fee.
5. A registered prefix name may be transferred to another person on application of the person whose name it is registered, and in doing so the transferor relinquishes all rights to same.

6. After expiration of five years a registered name may be rescinded at the discretion of the Board of Directors if it has not been used in registering an animal by the registered owner.

Article 24. **RULES OF ELIGIBILITY FOR REGISTRATION**

1. Imported Gelbvieh Genetics:

- (a) A live Gelbvieh animal or semen from a Gelbvieh Bull, imported into Canada from another country which has been registered or recorded in the recognized book of records for Gelbvieh Cattle in the country of origin. The animal must also meet all the standards of registration, of the Canadian Gelbvieh Association.
- (b) A copy of the registration certificate from the country of origin, must accompany the application for registration in the Canadian Gelbvieh Association herd book.
- (c) When embryos are imported into Canada, official documentation must be provided by the recognized Gelbvieh Association of the country of origin verifying the importer's ownership. Such documentation must include official copies of the Blood Type reports and five (5) generation pedigrees on both the sire and donor dam. All documentation must be on file with the CGA Office before application for registration of the resultant animal or an Embryo Certificate will be processed.

Effective January 1, 2003, the donor dam and service sire of embryos imported into Canada must have a DNA Genotype on file. See also, Article 24, Section 6. Blood Typing and/or DNA Genotyping (d), (e), (f), and (g). (12/02)

- (d) All imported Gelbvieh cattle must be blood typed. see Article 24, 6 (d).
2. An imported inutero calf whose sire and dam is recorded or registered in the recognized foreign book of records and the sire and dam meet the standards for registering of the Canadian Gelbvieh Association.
  3. An animal born in Canada whose sire and dam are both Canadian registered.
  4. An animal other than a Fullblood or Purebred may be upgraded in accordance with Eligibility for Registering a Gelbvieh.
  5. Upgrading: In order to facilitate the development of the Gelbvieh Breed of Cattle in



Canada through the widest possible genetic base, the Canadian Gelbvieh Association will encourage breeders to engage in an upgrading program using established breeds.

- (a) Registered status may be attained using a fullblood, purebred or percentage Gelbvieh bull or a fullblood, purebred, or percentage Gelbvieh female. To determine the percentage of an animal for registration, the percentage of the sire is added to the percentage of the dam and the result obtained is divided by 2, provided that for the purpose of the foregoing calculation only, a purebred is considered to be 100%. The certificate for each registered percentage animal shall specify the percentage of Gelbvieh blood.
- (b) Parent stock must be registered through each phase of upgrading. For the purpose of registering calves born on or after January 1, 1992, the Canadian Gelbvieh Association will accept a purebred animal from a recognized foreign herd book as a purebred.
- (c) Bulls are accepted as purebred and registerable if they are at least 94% Gelbvieh breeding or are the progeny of a purebred Gelbvieh Dam and Purebred Gelbvieh Sire. Such bulls shall be referred to as "Purebred Gelbvieh Bulls". Applies to all calves born on or after January 1, 1992.
- (d) Heifers are accepted as purebred and registerable if they are at least 88% Gelbvieh breeding or are the progeny of a purebred Gelbvieh Dam and a purebred Gelbvieh Sire. Such females shall be referred to as "Purebred Gelbvieh Females". Applies to all calves born on or after January 1, 1992.
- (e) Each registration with respect to a Purebred animal shall be identified with a registration number.
- (f) Fullblood Gelbvieh - To be eligible for registration in the Canadian Gelbvieh Association Herdbook as a Fullblood, an animal must meet the following requirements:
  - (i) A blood type and/or DNA genotype record from a recognized Laboratory must be on file with the Canadian Gelbvieh Association office verifying parentage to a Fullblood (100%) sire and a Fullblood (100%) dam. Payment for blood typing and/or DNA Genotyping shall be made to the Association by the applicant.
  - (ii) Any Fullblood Gelbvieh animal (live or semen), or embryo imported into Canada shall have verification of the Fullblood sire and Fullblood dam by blood typing and/or DNA Genotyping by an approved laboratory and all costs shall be borne by the applicant. (Fullblood sire and Fullblood dam

must also be parent verified by blood type and/or DNA genotype).

- (iii) If there is no blood type and/or DNA genotype on file verifying parentage for a Fullblood animal, that animal is eligible to be registered in the Canadian Gelbvieh Association Herd Book as a purebred and will henceforth have the prefix “D” included in his or her Registration number.
- (iv) In order for a fullblood-qualified animal that has been registered as a purebred to be reinstated to fullblood status, every parent ancestor must either be a registered fullblood or be reinstated back to fullblood status, back to the last parentage verified animal. This requires written consent from the original owner(s) and parentage verification, as required by the Canadian Gelbvieh Association approved methodology for all non fullblood animals, back to the last parentage verified fullblood registration. Where the registered purebred animal that is being reinstated has registered fullblood parents and NO registered progeny, only parentage verification charges and duplicate registration certificate or transfer fees are charged. However, where parent ancestors and/or progeny are also required or requested to be reinstated, a \$250.00 fee is charged for each animal’s reinstatement to fullblood status. All costs are at the expense of the person requesting the reinstatement. (11/99)

6. Blood Typing and/or DNA Genotyping Regulations:

- (a) All Fullblood Gelbvieh Cattle, male or female, must have a blood type record and/or DNA genotype, verifying parentage. The blood type and/or DNA genotype shall be done at the owner's expense and the blood type and/or DNA genotype results must be on file with the Canadian Gelbvieh Association before a registration certificate will be issued.
- (b) Canadian Gelbvieh Association will require a random blood type and/or DNA genotype, verifying parentage, on approximately every 200th registered animal. The blood type and/or DNA genotype shall be done at the expense of the Canadian Gelbvieh Association and blood type and/or DNA genotype results must be on file at the Canadian Gelbvieh Association before the registration certificate will be issued. If parentage verification is no longer possible on the 200th animal due to one or more of the parents being deceased, the 201st animal (from within the same breeders herd) will be drawn for parentage verification. (11/93)

In cases where blood typing and/or DNA genotyping precludes verification of parentage as indicated on the animal’s application for registration, if the sire cannot be determined, in the case of a fullblood or purebred, the animal is the

registered as a 50%, percentage animal. The same applies if the dam cannot be determined.

In cases where blood typing and/or DNA genotyping precludes certification of parentage as indicated on the animal's application for registration, if the animal is a percentage animal, the subject animal shall be ineligible for registration. (1/95)

- (c) All sires whose semen has been collected for A.I. use must be blood typed and/or DNA genotyped and parent verified. The blood type and/or DNA genotype shall be done at the owner's expense and blood type and/or DNA genotype results must be on file at the Canadian Gelbvieh Association before the sale or use of the semen. On semen offered for sale in Canada, a blood type and/or DNA genotype of both the sire and the dam of the sire whose semen is being sold, must have blood type and/or DNA genotype records on file with the Canadian Gelbvieh Association and all must verify parentage. The Canadian Gelbvieh Association reserves the right to grant exceptions if the sire and/or the dam are no longer available for blood typing and/or DNA genotyping, for sires whose semen was drawn for sale prior to January 1, 1991.

Effective January 1, 2002, in addition to the above requirements, any semen for sale in Canada must have a DNA genotype on file. (11/01)

- (d) All imported Gelbvieh cattle must be DNA Genotyped and the DNA Genotype results must be on file with the Canadian Gelbvieh Association before a registration certificate will be issued on the imported animal. The DNA Genotype shall be done at the owner's expense. (12/02)
- (e) All offspring resulting from Embryo Transfer must be parent verified to the fullest extent possible, by a DNA Genotype, Blood Type or a combination of both, as per approved Canadian Gelbvieh Association procedures, before a certificate of registration will be issued by the Canadian Gelbvieh Association. The Blood Type and/or DNA Genotype shall be done at the owner's expense.

Effective January 1, 2003, all offspring resulting from Embryo Transfer, must have a DNA Genotype on file with the Canadian Gelbvieh Association. The DNA Genotype shall be done at the owner's expense.

The Canadian Gelbvieh Association reserves the right to request a DNA Genotype for the recipient dam that the embryo was implanted into. The recipient dam will be DNA Genotyped, at the Embryo Transfer owner's expense. The recipient dam's DNA genotype will be tested by the DNA laboratory as a possible dam of the offspring resulting from the Embryo Transfer program.

The Canadian Gelbvieh Association reserves the right to request that all potential sires to which the recipient dam was exposed to after the embryos were implanted, be DNA Genotyped, at the owner's expense (See Article 24, Section 6(k). These DNA genotypes will be tested by the DNA laboratory as possible sires of the offspring resulting from the Embryo Transfer program.

The Canadian Gelbvieh Association reserves the right to refuse or suspend the registration of offspring resulting from Embryo Transfer programs, as per Article 29, Section 1. (12/02)

- (f) All females used as donor dams in an Embryo Transplant program must be blood typed and/or DNA genotyped prior to the issuance of an Embryo Certificate or the registration of the resultant offspring. The blood type and/or DNA genotype shall be done at the owner's expense and blood type and/or DNA genotype results must be on file with the CGA office.

All females used as donor dams in Embryo Transfer programs, and flushed after January 1, 2003 must have a DNA genotype on file. (12/02)

The Canadian Gelbvieh Association Board of Directors reserves the right to grant exceptions if the sire and/or the dam are no longer available for blood typing and/or DNA genotyping.

- (g) All sires used in an Embryo Transplant program must be blood typed and/or DNA genotyped prior to the issuance of an Embryo Certificate or the registration of the resultant offspring. The blood type and/or DNA genotype shall be done at the owner's expense and blood type and/or DNA genotype results must be on file with the CGA office.

All sires used as service sires in Embryo Transfer programs after January 1, 2003 must have a DNA genotype on file. (12/02)

- (h) The Canadian Gelbvieh Association reserves the right to require a blood type and/or DNA Genotype on any registered Gelbvieh animal. In the case of a parentage dispute, the owner of the animal shall be responsible where proper parentage is not established. Where proper parentage is established, the party requesting the blood type and/or DNA Genotype shall be responsible for the cost.
- (i) Blood Typing and/or DNA Genotyping for the Canadian Gelbvieh Association will be done at a qualified laboratory as determined by the Canadian Gelbvieh Association Board of Directors. DNA Genotypes and/or Blood Type certificates from a blood (serology) laboratory processed in another country, which is recognized by the Canadian Gelbvieh Association approved laboratory, and which

accompany imported Gelbvieh genetics, will also be accepted pending approval of the laboratory and the Canadian Gelbvieh Association.

A DNA Tissue Sample, referred to in the Canadian Gelbvieh Association By-Laws, is defined as a hair root sample, a blood sample or a semen sample. DNA Tissue Samples must be taken, stored and shipped following the procedures as set out by the Canadian Gelbvieh Association and their approved laboratory. (12/02)

- (j) Blood type phenotypes and/or DNA Genotypes shall be treated as confidential information by the Canadian Gelbvieh Association and shall not be released except in cases where information is necessary for foreign exports and then only to the respective countries Serology laboratory or Gelbvieh Association.
  - (k) All animals born on or after January 1, 1997 requiring registration with the Canadian Gelbvieh Association must have a Blood Type and/or DNA Genotype of their sire on file with the CGA before registration will be accepted. (1/96)
- 7. See Article 24, section 6 (h) - Blood Typing and/or DNA Genotyping Regulations.
  - 8. Artificial Insemination: Animals produced by Artificial Insemination shall be eligible for registration provided they meet all the requirements for registration and that the semen was from a Gelbvieh Bull registered in the Canadian Gelbvieh Herd Book. The certificate of breeding must be completed and signed by the person performing the insemination or the owner of the dam at time of service.
  - 9. Semen offered for sale in Canada must be from sires registered in the Canadian Gelbvieh Association. See also, Article 24, Section 6 - Blood Typing and/or DNA Genotyping Regulations and Article 24, Section 1 - Imported Gelbvieh Genetics.
  - 10. Performance Requirements: All breeders who desire to register Gelbvieh Cattle born in Canada must provide performance data as designated by the Board of Directors. The Board shall accept data obtained through the Federal or Provincial Record Of Performance programs or other programs approved by the Board of Directors and the data obtained from the breeder's own performance records.
  - 11. EMBRYOS AND EMBRYO TRANSFERS

Canadian Gelbvieh Association Regulations Governing Embryos & Embryo Transfers.

a) GENERAL

- i) It is the responsibility of the owner of the donor dam to ensure adherence to the Canadian Gelbvieh Association's rules and regulations governing

embryos and embryo transfers. If the embryo is sold by the owner of the donor dam prior to registration, adherence becomes the purchaser's responsibility.

- ii) See article 24, section 6 - Blood Typing and/or DNA Genotyping Regulations.
- iii) The dam and sire must be permanently identified by tattoo prior to commencement of the program. The recipient cow must be identified by either tattoo or ear tag prior to commencement of the program.
- iv) Mixing of semen from different bulls to produce embryos will be permitted for the production of calves eligible for registration.

b) **EMBRYO STORAGE AND TRANSFER REPORT**

- i) If the embryos are stored, a report of storage must be completed and presented to the Canadian Gelbvieh Association.
- ii) If embryos are transferred directly from the donor dam to the recipient (host) cow, the embryo transfer report must be completed and presented to the Canadian Gelbvieh Association.
- iii) When a stored embryo has been implanted in a recipient (host) cow, a transfer report must be completed and signed by the person performing the implant and forwarded to the Canadian Gelbvieh Association.
- iv) Only embryos from the same mating may be stored together in the same storage container.

c) **SALE OF EMBRYOS**

- i) Embryos may be transferred from the owner of the donor dam to a subsequent owner using an EMBRYO CERTIFICATE which can be purchased from the Canadian Gelbvieh Association.
- ii) Certificates relating to the production and transfer of embryos and registration of resultant calves are issued on the assumption that all information presented is accurate.
- iii) EMBRYO CERTIFICATES are issued only in the name of the registered

owner of the donor dam(s).

- iv) You may apply for an EMBRYO CERTIFICATE from the Canadian Gelbvieh Association.

d) REGISTRATION OF EMBRYO TRANSFER CALVES

- i) Registration of the resultant calf may be made by submitting the Application for Registration form fully completed and signed by the owner at birth, to the Canadian Gelbvieh Association with the parentage test report officially interpreted to indicate that the sire and dam qualify as the parents.
- ii) The registered owner or lessee of the donor dam at time of conception will be known as the breeder of the resulting offspring. The owner of the resulting calf at time of birth shall be the owner of the donor dam or the last recorded owner appearing on the EMBRYO CERTIFICATE.
- iii) An EMBRYO CERTIFICATE must accompany the application for registration when the applicant is not the owner of the donor dam on the date the calf was conceived.
- iv) When semen from non-owned bulls is used for the production of embryos, a SEMEN CERTIFICATE for (A.I.) or a certificate of service for each embryo stored or transferred must accompany the Application for Registration of the embryos.
- e) IMPORTED EMBRYOS - See article 24, section 1 (c) - Imported Gelbvieh Genetics.

NOTE: A Semen Certificate (A.I.) must accompany the Embryo Certificate application if the owner of the donor dam is not the owner of the A.I. service sire.

- 12. Application for registration of an animal must be made on a form approved by the Board of Directors. Applications must be signed by the owner of the animal at the time of birth.
- 13. Imported animals or animals whose progeny have been imported into Canada another: Imported animals must be registered in the Canadian Gelbvieh Herd Book to make their offspring eligible for registration.
- 14. Multiple Sires: The Canadian Gelbvieh Association defines a multiple-sire mating as any mating where the female is exposed to two (2) or more bulls, either A.I. or natural service, during a twenty-four (24) day period. Progeny from multiple-sire matings shall

not be eligible for registration in the Canadian Gelbvieh Association herd book unless positive evidence of the actual sire is provided through parentage testing in a manner approved by the Board of Directors. Parentage verification will be done at the owner's expense (1/96)

Article 25. **APPLICATIONS FOR REGISTRATION**

1. Applications for registrations of animals born in Canada must be:
  - (a) Made to the Canadian Gelbvieh Association on forms approved by the Board of Directors of the Canadian Gelbvieh Association.
  - (b) Accompanied in the case of artificially sired calves, by a breeding receipt signed by the person performing the insemination and stating the date of service, cow identification, sire name, registration number and semen batch number or freezing date, and/or the owner of the Dam at time of service signs the CERTIFICATE OF SERVICE (Artificially Sired) section of the application for registration.
  - (c) Accompanied by the required performance data.
2. Application for registration of animals from other countries must be signed by the importer, show date of importation and be accompanied by certificates showing that they were registered or recorded in the country from which they came. If an animal is in calf, in order to register the progeny, the service information must be verified by the recording Association in which the service sire is recorded or registered.
3. Registration of Canadian born animals will be made in the name of the owner or lessee of the dam on the date the calf was born. When a change of ownership takes place before registration, the applications for registration and transfer must be presented to the Canadian Gelbvieh Association with the registration and transfer fees.
4. 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 entry of an animal twin with the same shall be accepted.
5. The breeder of an animal is the owner or lessee of the dam at the time she is served. The first owner or lessee is the owner of the dam at the time the calf was born.

Article 26. **REGISTRATION CERTIFICATES**

Certificates of registration showing performance data shall be issued according to the specifications set from time to time by the Board of Directors. The Board shall notify the



Association membership of any change in the certificates or registration and such change shall not come into effect until one month following the required notice to the membership.

The Secretary shall forward, if requested, a copy of each certificate of the registration to the transferor for a fee, each time that a registration of an animal is transferred.

Article 27. **TRANSFERS AND DUPLICATE CERTIFICATES**

1. Applications for recording a change of ownership must be made in ink or typewritten on forms supplied by the Canadian Gelbvieh Association and must give date of sale and date of delivery. In the case of females, if bred, service certificate must be completed. The application for transfer shall be presented to the Canadian Gelbvieh Association with the application for registration if the animal is not registered or the Certificate of Registration if the animal is registered. The change of ownership will then be endorsed on the certificate.
2. In the case of the sale of an animal as Gelbvieh registered, it is the responsibility of the seller to confirm that the tattoo identification is in accordance with the regulation and to provide the Certificate of Registration, showing the purchaser's ownership. Refusal to do so on any pretext, whatsoever, shall be grounds for his expulsion, if a member; further, privileges of the Association shall be refused.
3. When a registered animal is sold for slaughter, the transfer shall not be recorded on the records of the Association. A notation in ink shall be placed on the face of the certificate stating that the animal was sold for slaughter and the date. The certificate shall be forwarded to the Canadian Gelbvieh Association. Similarly, the Registration Certificates for dead animals should be so marked and forwarded to the Canadian Gelbvieh Association.
4. When a registered female is sold for use in a commercial herd and not represented as registered, the transfer shall not be recorded on the records of the Association. A notation in ink shall be placed on the face of the certificate, stating that the animal was sold for use in a commercial herd and the date. The certificate shall be forwarded to the Canadian Gelbvieh Association.
5. When an animal is leased for breeding purposes, an application for lease supplied by the Canadian Gelbvieh Association must be completed and signed by the lessor and forwarded to the Canadian Gelbvieh Association upon receipt of a statutory declaration from the last recorded owner.

Article 29. **MISTAKES, ERRORS, INACCURACIES, PENALTIES**

1. Registration, or transfer of ownership of an animal is made on the understanding that the particulars given on the application or other documents filed with the Secretary are correct. If it is subsequently discovered that the particulars are incorrect or fraudulent, the registration or transfer shall be suspended by the Board of Directors. Pedigrees, registered incorrectly, may be cancelled or RE-REGISTERED by the owner and the expense thereof may be recovered from the original applicant for registration as the case may be.
2. Notwithstanding anything herein contained, the Association assumes no responsibility, financial or otherwise, for any loss or damage that may be sustained to any individual, partnership, firm or corporation by reason of the suspension, cancellation or correction of any registration, transfer, or other documents or by reason of the suspension or expulsion of any member of the Association or by reason of the rejection of any application for membership in the Association.
3. When as a result of an inspection of the manner in which private breeding records are kept and the method of identification practised or used by any breeder, is shown that the rules and regulations of the Association in that regard are not being observed, the Board of Directors may immediately suspend or expel such breeder, if a member, and if not a member, further registration and transfers may be refused. If such inspection should reveal that the private breeding records and identifications as practised by such breeder are in such state of confusion as to raise doubt as to the identity of any number of or all the animals in the herd, the Board of Directors may suspend the pedigree of any or all animals involved.

Article 30. **HARDSHIP**

In cases of proven hardship to a member, the Board of Directors, may at their discretion, instruct the Secretary-Manager to proceed with the registration or transfer of an animal without the required signatures on the applications and in granting such relief, the Board of Directors may impose such terms and conditions as to costs, payment of fees and all other matters as the Board of Directors sees fit.

Article 31. **FEE SCHEDULE**

All fees must be paid to the Canadian Gelbvieh Association in cash or acceptable legal tender as established by the Board of Directors. All fees paid to the Association shall be deposited to the credit of the Association in a chartered bank selected by the Secretary/Manager.

The Canadian Gelbvieh Association Board of Directors shall from time to time set the fees charged to members and non-members doing business with the Association. Revised

fee schedules will be provided to the membership, thirty (30) days prior to any change taking effect, either by mail or printed in the Association's official publication. Fees and deadlines are based on the date that the applications actually arrive in the association office. Annual membership dues for voting and registration privileges become due and payable January one (1) of each year with notices sent to the membership yearly. All fees are subject to applicable taxes as legislated by the Government of Canada. All fees are required at time of application.

Revised fee schedules will be ratified by the membership at the next Annual Meeting of the Association by a majority vote of the membership present.

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Notwithstanding anything herein contained, the Association assumes no responsibility financial or otherwise, for any loss or damage that may be sustained to any individual, partnership, firm or corporation by reason of suspension, cancellation, or correction of any registration, transfer or other document or by reason of the suspension or expulsion of any member of the Association, or by reason of the rejection of any application for membership in the Association. (12/00)