

THE LOWCHEN CLUB OF CANADA
CONSTITUTION AND BYLAWS
(Amended September 1, 2000)

ARTICLE I
Name

SECTION 1. The name of the club is the Lowchen Club of Canada hereinafter referred to as the club.

ARTICLE II
Purpose

SECTION 1. The purposes of the club are:

- a) to encourage and promote quality in the breeding of purebred Lowchen.
- b) to urge members and breeders to accept the standard of the breed as approved by the Canadian Kennel Club as the only standard of excellence by which the Lowchen shall be judged.
- c) to do all in its power to protect the welfare and advance the interests of the breed and to encourage sportsmanlike competition at shows and trials.
- d) to conduct sanction matches, specialty shows, and obedience trials under the rules of the Canadian Kennel Club
- e) to provide all owners with information on the proper care of Lowchen.

SECTION 2. The Club will not be conducted or operated for profit and no part or remainder or residue from dues or donations to the club will inure to the benefit of any member or individual.

SECTION 3. The members of the club shall adopt and may, from time to time, revise such bylaws as may be required to carry out these object.

SECTION 4. The use of the name or emblem in any form may be used by the club and its members.

ARTICLE III
Membership and Dues

SECTION 1. Eligibility - There are two types of membership open to those persons who subscribe to the purposes of the club, its Bylaws and Code of Ethics.

SECTION 2. Types of Membership

- a) Regular and Family Members - All persons 18 years of age or older. Family member interpreted to be a joint membership of husband and wife each entitled to a separate vote.
- b) Junior Members - Junior memberships are provided for those persons **under 18** years of age but are not entitled to vote.

SECTION 3. Payment of Dues

(a) Membership dues shall be set by the Board of Directors for Regular Members (individual), Family Members (husband and wife), and Junior Members per year, payable on or before the first day of January each year. No member may vote whose dues are not paid for the current year. During the month of November the Treasurer shall send to each member a statement of his dues for the ensuing year.

(b) Those applications for membership which are accepted during the months of October, November, and December are to be considered paid for those three months as well as for the coming year.

SECTION 4. Application for Membership - Each applicant shall be provided a copy of the Constitution and Bylaws and Code of Ethics and shall apply on a form approved by the Board of Directors. The application shall provide that the applicant agrees to abide by the Constitution and Bylaws and Code of Ethics of this club. The application shall state the name, address, and such other information as the Board of Director shall deem helpful in ascertaining the applicant's qualification for membership. The application shall carry the endorsement of a member in good standing who has held membership for at least one year, accompanied by applicable dues payment for the current year. Any individual whose membership is rejected shall be provided with a written explanation as per Canadian Kennel Club policy.

SECTION 5. Termination of Membership - Membership may be terminated:

- a) by resignation. Any member in good standing may resign from the club upon written notice to the Secretary, but no member may resign when in debt to the club. Dues obligations are considered a debt to the club and they become incurred on the first day of each fiscal year.
- b) by lapsing. A membership will be considered as lapsed and automatically terminated if such member's dues remain unpaid 90 days after the first day of the fiscal year. In no case may a person be entitled to vote whose dues are unpaid.
- c) by expulsion. A membership may be terminated by expulsion as provided in Article VIII of these Bylaws.

ARTICLE 1V Officers and Directors

SECTION 1. Board of Directors - The Board shall be comprised of the President, Vice President, Secretary, Treasurer, and one (1) Regional Director from at least four (4) of the six (6) regions across Canada, the regions being: British Columbia, the Prairie Provinces (Alberta, Saskatchewan, Manitoba), Ontario, Quebec, Atlantic Provinces (New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland), and the Yukon and Northwest Territories, all of whom shall be members in good standing with the club and the Canadian Kennel Club and be residents of Canada. Directors must reside in the region they represent. The Board of Directors shall hold office for two (2) years and shall serve until their successors are elected. General management of the club's affairs shall be entrusted to the Board of Directors.

SECTION 2. Officers - The club's officers, consisting of the President, Vice-President, Secretary and Treasurer shall serve in their respective capacities both with regard to the club meetings and the board meetings.

- a) The President shall:
 - i) be the Chief Executive Officer
 - ii) automatically be a member of all committees
 - iii) have charge of all external correspondence
 - iv) give a prevalent vote when equality is reached in any votings.
- b) The Vice-President shall:
 - i) have the duties and exercise the powers of the President in case of the President's death, absence, incapacity or resignation
 - ii) have the duty of the Specialty Show Chairman
- c) The Secretary shall:
 - i) keep record of all activities, decisions, voting's and probing of the club
 - ii) produce regular reports of the Board's decisions, activities, and voting results

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iii) have charge of all internal correspondence

iv) keep a role of all members

d) The Treasurer shall:

- i) collect and receive all monies due or belonging to the club
- ii) open a separate and independent bank account in the name of the club. All cheques drawn from the club account must have the signature of a minimum of two (2) officers and naming the office.
- iii) keep books open for inspection by the Executive at all times
- iv) give at least one annual financial report for publication in the first issue of the Lion's Roar

SECTION 3. Vacancies - Any vacancies occurring on the Board or among the officers during the year shall be filled until the next election for that position by a majority vote of all of the then members of the Board, except that a vacancy in the office of President shall be filled automatically by the Vice-President and the resulting vacancy in the office of Vice President shall be filled by the Board.

ARTICLE V Committees

SECTION 1. The Board may appoint standing committees to advance the work of the club in such matters as dog shows, trophies, annual prizes, membership and other fields which may well be served by committees. Such committees shall always be subject to the final authority of the Board.

SECTION 2. Any committee appointment may be terminated by a majority vote of the full membership of the Board upon written notice to the appointee. The Board may appoint successors to those persons whose service has been terminated.

ARTICLE V1 Meetings

SECTION 1. The Board shall take the opportunity to hold meetings (executive, members, special or general) in concordance with boosters or specialty shows, depending on the necessities.

SECTION 2. Notice of the Annual General Meeting shall be officially published by the Secretary in a previous issue of the Lion's Roar.

SECTION 3. Considering the insufferable parameters that must be surmounted in the organization of national club meetings, the Board of Directors shall be able to conduct the club's activities by means of telephone, fax and letter correspondence, by the means of the club's newsletter or any other means that the officers will determine from time to time as feasible.

SECTION 4. In the absence of any bylaw or standing rule, the practices and procedures described in the latest edition of Robert's Rules of Order shall apply at all meetings of the and its committees.

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ARTICLE VII The Club Year, Voting, Nominations, Elections

SECTION 1. Club Year - The club's fiscal year shall begin on the first day of January and end on the thirty-first day of December. The elected officers and directors shall take office immediately upon the conclusion of the election, and each retiring officer shall turn over to the successor in office all properties and records relating to that office within thirty days after the election.

SECTION 2. Voting - All fully paid up members of nine (9) months standing who reside in Canada, shall be entitled to vote at the Annual General Meeting or at a Special Meeting of the club except for the bi-annual election of officers, directors, and amendments to the Bylaws and breed standard which shall be decided by written ballot cast by mail. The Board of Directors may decide to submit other specific questions for the decision of the members by written ballot cast by mail.

SECTION 3. Nominations and Elections - In an election year, nominations and elections shall be conducted by means of the club's official publication, The Lion's Roar. A nomination form shall be published on which the name of any person who is a voting member in good standing may be placed as a candidate for a position of office. No person shall be a candidate for more than one position. Nominations will be received by the Secretary until the deadline of the second issue. The candidates' names and offices will be published in the second issue and voting time open until the deadline of the third issue. The person receiving the most number of votes for each office shall be declared elected and the voting results published in the third issue. Any vacancies occurring on the Board or among the Officers will be filled in the manner provided by Article 1V, Section 3.

ARTICLE V111

Discipline

SECTION 1. Canadian Kennel Club Suspension - Any member who is suspended from the privileges of the Canadian Kennel Club automatically shall be suspended from the privileges of this club for a like period.

SECTION 2. Charges - Any member or non-member may allege that a member has acted in a manner prejudicial to the best interests of the club or the breed or has violated the Code of Ethics, written charges with specifications must be riled in duplicate with the Secretary. The Secretary shall promptly send a copy of the charges to each member of the Board and the Board shall first consider whether the actions alleged in the charges, if proven, might constitute conduct prejudicial to the best interest of the club, the breed, or the Code of Ethics. If the Board considers the charges do not allege prejudicial conduct, it may refuse to entertain charges. If the Board entertains jurisdiction of the charges, the Secretary shall promptly send a copy of the charges to the accused member by registered mail together with a notice of hearing and an assurance that the defendant may, in defense, appear personally and bring witnesses, if desired, or the defendant way respond to the charge(s) in written form to be presented at the hearing.

SECTION 3. Board Hearing - The Board shall have complete authority to decide whether counsel may attend the hearing but both complainant and defendant shall be treated uniformly in this regard. All proceedings and findings am privileged information and are not available to other members or to the public and all parties involved are sworn to absolute secrecy concerning the charge(s) and specifications. Should the charge(s) be sustained after hearing all the evidence and testimony the Board may, by written majority vote, impose a penalty upon the defendant, to include:

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- 1) Letter of Reprimand, or
- 2) Letter of Censure, or
- 3) Suspension of membership for up to six (6) months, or
- 4) Expulsion. The findings of the Board shall be put into written form and filed with the Secretary who, in turn, shall notify each of the parties of the decision or penalty, if any.

SECTION 4. The Board members who take part in the hearing shall not have been involved or have a vested interest in the proceedings or outcome.

ARTICLE 1X Amendments

SECTION L Amendments to the Constitution, Bylaws, Code of Ethics, and Breed Standard, must have a two-thirds (W) vote of all eligible members. Voting must be by mail in ballot, proxies are not allowed. This is Canadian Kennel Club policy. Amendments may be proposed by the Board of Directors or by written petition addressed to the Secretary, signed by twenty (20) percent of the membership in good standing. Amendments proposed by such petition shall be promptly considered by the Board and must be submitted to the members with the recommendations of the Board, by the Secretary for a probing within three (3) months of the date when the petition was received.

SECTION 2. The Constitution, Bylaws, Code of Ethics or Breed Standard way be amended at any time provided the proposed amendment is previously and officially published in the club's newsletter, The Lion's Roar.

ARTICLE X Dissolution

SECTION 1. The club may be dissolved at any time by the written consent of not less than three-quarters (3/4) of the members. Voting must be by mail in ballot, proxy votes are not allowed.

SECTION 2. In the event of the dissolution of the club 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. After payment of debts of the club, its property and assets shall be given equitably to veterinary colleges across Canada selected by the Board of Directors.

ARTICLE X1 Code of Ethics

The Lowchen Club of Canada, recognizing that its responsibility to preserve and protect the breed rests solely with the breeder and owner enthusiasts has approved a Code of Ethics to be followed by its members, a copy of which follows. It further recognized that membership in the club automatically obligates individuals to this Code of Ethics. **Violations shall be reported to a Board of Officers** which shall investigate, including interviews and **correspondence both with the complainant** and the accused, and on the basis of the investigation, direct via registered mail, the member involved to rectify the situation. Any decision may be appealed to a full membership vote. Failure to comply with the directive shall result in immediate expulsion of

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the member with the subsequent publication of the expulsion to the members of the club, the Canadian Kennel Club, Dogs in Canada, and wherever else.

CODE OF ETHICS - FORMING PART OF ARTICLE XI

1. No member will knowingly sell or abet in the sale of any Lowchen to a pet shop, catalogue house, or wholesale dealer.

2. A member-breeder will be familiar with the Canadian Kennel Club rules governing record keeping, registration, and sale/transfer of dogs and will abide by those rules. Any warranties or other agreements pertaining to the sale of a Lowchen will be put in writing with a copy provided to buyer, seller, and, and if required, the Canadian Kennel Club.
 3. A member selling a puppy or adult Lowchen which he knows has a physical condition or serious deviation from the Standard which indicates that the breeding of the animal would be detrimental to the welfare of the breed will make the sale subject to a Canadian Kennel Club Non-Breeding Agreement, signed by both buyer and seller, that the dog is not to be bred. Additional agreements pertaining to spaying, neutering and/or non-breeding of the animal are encouraged.
 4. All matings will be planned and aimed at improving the breed. Member-breeders will be familiar with the Breed Standard and will do everything in their power to discourage breeding from clearly inferior specimens of the breed, or to any such specimens with their stud dog. No dog exhibiting a hereditary defect, unsound temperament or poor health shall be bred.
 5. If a dog or bitch produces off-spring with the same serious defect detrimental to the animal's well-being, such as blindness, deafness, lameness, or impairment of the vital functions, from litters of different mating partners, the member owning that dog or bitch will refrain from further use of the animal for breeding, except test breeding when absolutely necessary.
 6. No member-breeder will breed a bitch unless he/she has the time and facilities to provide proper care and attention to the physical and emotional development of puppies. No bitch shall knowingly be bred before twelve (12) months of age.
 7. Advertising by members will be as factual as possible. Misleading exaggerations or unfounded implications of superiority will not be used.
 8. Members will refrain from knowingly making unfair or untrue statements about the dogs or practices of others.
 9. No Lowchen exhibitor shall ever behave in a way which could bring the breed into disrepute. Good manners and sportsmanship should be exhibited at all times.
 10. No private disputes should be voiced at any show, nor should support be sought from other exhibitors on matters which do not concern them.
 11. The purchaser of a Lowchen puppy sold by a member shall be informed that the puppy is guaranteed to be free from disabling or congenital defects. Should a defect develop and it is confirmed by two (2) veterinarians that it is a congenital or inherited problem, the vendor guarantees to refund the purchase price and reclaim the puppy or replace it with another puppy, whichever the purchaser prefers.
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12. As hereditary and transmissible conditions are discovered in the breed, members are encouraged to have all stock tested prior to breeding.

ARTICLE XII Awards

- SECTION 1. Awards shall be given annually for the following achievements.
- a) Top Winning Lowchen

- b) Top Winning Best of Opposite Sex Lowchen
- c) Top Winning Lowchen Puppy
- d) Top Producing Lowchen Stud Dog
- e) Top Producing Lowchen Brood Bitch
- f) Top Producing Lowchen Kennel
- g) Registry of Merit (10 champions for males, 5 champions for females)

SECTION 2. All awards will be tabulated as published in Dogs in Canada and shall be given to members in good standing with the Lowchen Club of Canada, excepting Top Winning Lowchen and Top Winning Best of Opposite Sex Lowchen.

