KUSA

Kennel Union of Southern Africa

THE KENNEL UNION OF SOUTHERN AFRICA ("KUSA")

SCHEDULE 01 – DISCIPLINARY RULES

Effective Date: 01.05.2026

The Federal Council ("Fedco") of KUSA has, under the provisions of Article 6 read with Articles 3.6, 3.17, 3.18, 3.19 and 3.21 of the KUSA Constitution, made the Disciplinary Rules as contained in this Schedule.

1. GENERAL PROVISIONS

1.1 These Rules must, where applicable, be read in conjunction with the Articles of, and Schedules to, the Constitution of the Kennel Union of Southern Africa ("the KUSA Constitution").

1.2 In terms of Articles 18.2 and 18.2.1 of the KUSA Constitution the Executive Committee of KUSA ("Exco") hereby establishes a standing Disciplinary Sub-Committee ("DSC") for the purpose of dealing with any complaint lodged in terms of these Rules.

1.3 Pursuant to Article 18.3, Exco may delegate powers to a Provincial Council Disciplinary Sub-Committee ("PCDSC") to deal with a specific complaint lodged in terms of these Rules in its area of jurisdiction.

1.4 In terms of Articles 18.1.1 and 18.3 of the KUSA Constitution, Exco establishes a KUSA Sub-Committee of Inquiry ("SCI") consisting of two (2) persons referred to in Rule 1.5 for the purpose of evaluating and conducting the preliminary assessment of a complaint as well as any Notice of Appeal.

1.5 The two (2) members of the SCI referred to in Rule 1.4 must be the Secretary of KUSA or his or her duly appointed deputy, and a Legal Adviser appointed by the Federal Council of KUSA ("Fedco"), as Chairman. If the Complainant is the Secretary, he or she must be replaced by the Chairman of Exco.

1.6 While serving on the SCI, a member of Exco may not serve on any Committee or Sub-Committee referred to in Rules 1.2, 1.3 or Rule 12.6.

1.7 These Rules shall apply to all parties referred to in Rule 2 and to the DSC, PCDSC, SCI and Fedco Appeals Committee ("FAC") and any Article 19 Review or Investigatory Committee conferred with disciplinary powers by Fedco.

1.8 All Committees and Sub-Committees referred to in these Rules have all the powers referred to herein and must, except for the SCI referred to in Rule 1.5, at all times consist of at least three (3) members, with one appointed Chairman.

1.9 A complaint and any evidence lodged with the Secretary or the SCI, any response thereto in terms of Rule 7 submitted by the Respondent, as well as a transcription of a hearing or investigation conducted in terms of these Rules, are privileged. Unauthorised access or distribution thereof to any party other than the Complainant, Respondent and KUSA officials for the purpose of these Rules may render a person liable to disciplinary action under these Rules. Permission to obtain access to information obtained under this Rule may only be given by Fedco on application.

1.10 No lawyer, legal representative or legal adviser or witness on behalf of a Complainant or a Respondent is permitted to attend proceedings of any DSC, FAC, PCDSC and any Review or Investigatory Committee conferred with disciplinary powers by Fedco.

1.11 Participation of any legal practitioner on behalf of the Complainant or the Respondent is permitted for the purpose of assisting in the preparation and drafting of documents,

explanations, affidavits, heads of argument and statements that are to be presented by such party, as well as for the provision of legal advice and guidance.

1.12 For the purpose of the evaluation of evidence, sworn evidence or affidavits carry more weight than unsworn evidence or statements. A solemn affirmation in front of a Commissioner of Oaths carries the same weight as an affidavit.

1.13 Unless otherwise provided for in these Rules, a clerical or accidental error or omission or other failure to comply with these Rules or any other related Article, Schedule or Regulation by the KUSA, the Secretary, the SCI, the DSC, or the FAC may not –

1.13.1 invalidate any process, proceedings or steps taken during such proceedings or thereafter, or

1.13.2 affect a document, decision or action at or during the proceedings.

1.14 The service of all documents, notifications and decisions to any member, person, Club, Committee, Sub-Committee, Breed/Liaison Council or Provincial Council in any proceedings in terms of this Schedule shall be by electronic mail to the person or entity's usual or last-known email address as timeously advised to KUSA. If sent during business hours, it will be presumed to have been received the same day. Communications sent after business hours, or on a day which is not a business day, will be deemed to have been received on the first business day following despatch.

1.15 Should any party insist on receiving documents, notifications or correspondence referred to in Rule 1.14 by any means other than electronic mail, the costs involved shall be paid in advance and the date of service shall be deemed to be five working days from the date of despatch. No latitude, extension of time or other indulgence will be allowed if an alternate means of service (besides email), is insisted upon.

1.16 The SCI or the DSC may extend any period determined in these Rules for doing any act.

1.17 All day calculations contained in these Rules are working days and exclude Saturdays, Sundays and public holidays.

1.18 Any reference to the DSC in these Rules includes a reference to the PCDSC and any Review or Investigatory Committee conferred with disciplinary powers established in terms of Article 19 of the KUSA Constitution.

1.19 Fedco may delegate and confer disciplinary powers to a Review or Investigatory Committee established in terms of Article 19 to deal with a specific matter referred to in the written scope of investigation provided by the Chairman of Fedco.

1.20 A Disciplinary Hearing conducted by the DSC is a hearing by peers and does not seek to emulate legal proceedings, but must be conducted in accordance with the provisions contained in Rule 10. Similarly, an Appeals Hearing by the FAC, must be conducted in accordance with the provisions of Rule 12. The standard of proof required by the DSC and the FAC when determining whether a Respondent or Appellant is guilty of any misconduct arising out of a complaint lodged in terms of these Rules, is one of a balance of probabilities, as determined by the members thereof, having fully acquainted themselves with the facts and circumstances germane to the complaint/appeal.

1.21 The Chairman of any DSC or FAC shall determine the procedure to be followed during the hearing in consideration of any complaint or appeal made in terms of these Rules and shall, when making such a determination, ensure procedural fairness.

1.22 The Chairman of any DSC or FAC shall, within ten (10) days of a written request lodged with the Secretary by a Respondent in any matter heard by a DSC, or on request of an Appellant who has appealed in terms of these Rules provide, in writing, reasons for any decision made by that DSC or FAC.

1.23 Any person acting in an official capacity for the Kennel Union at the time of an incident forming the foundation of a complaint, having either witnessed the incident, or having acquired material knowledge relating to the incident, is obliged to provide a sworn statement as part of the evidence to be lodged with the Secretary as contemplated in Rule 1.12.

2. SUBJECT OF A COMPLAINT

Unless the context indicates otherwise, a complaint may be lodged against:

2.1 a Provincial Council ("PC");

2.2 a KUSA affiliated Club ("Club");

2.3 a member of KUSA "(member");

2.3.1 as the subject of the complaint in his/her personal capacity, or

2.3.2 as the person responsible for agent(s), handler(s), representative(s), employee(s), guest(s) and assistant(s), attending Shows or Events in any of these capacities, and for whose conduct the KUSA member has accepted responsibility, or any minor children accompanying the member of KUSA and for whom he/she has accepted responsibility, as per the Declaration of the Registered Owner/Authorised Agent on the Official Show Entry Form.

2.4 a person making application to KUSA for the registration or transfer of a dog or the registration of an affix;

2.5 a person exhibiting or handling a dog at a show or other event held under a KUSA licence;

2.6 a person appointed to officiate or judge or evaluate at a show or event held under a KUSA licence or sanctioned by KUSA, who has violated a condition of a judge's or evaluator's other agreement or who has acted in a improper, disgraceful, or discreditable manner during the execution of his or her judging or evaluating assignment;

2.7 any person holding membership of any Club affiliated to KUSA; or

2.8 any member or person who has been elected or appointed to serve on any Club Committee, PC, or Sub-Committee established in terms of the KUSA Constitution or approved Club or PC Constitution.

3. WHO MAY LODGE A COMPLAINT

A complaint in terms of these Rules may only be lodged by -

3.1 KUSA, which includes Fedco, Exco, any KUSA official acting in his or her official capacity or an Article 19 Review or Investigatory Committee conferred with disciplinary powers, in which case the complaint must be lodged by the Secretary or her or his duly appointed deputy;

3.2 a Club or PC through its duly authorised representative who is a member of KUSA;

3.3 a member who is not under suspension or disqualified by Fedco or any Committee established in terms of Rule 1.2, 1.3 or 1.19; or

3.4 a person appointed to officiate or judge or evaluate at a show or event held under a KUSA licence or sanctioned by KUSA, and who is not a member of the KUSA but who is contractually bound to adhere to the KUSA Constitution.

4. FOUNDATION FOR A COMPLAINT

4.1 A complaint may be made in respect of -

4.1.1 any conduct which is alleged to be fraudulent improper, dishonourable, disgraceful discreditable or deceitful, or conduct which is prejudicial or

injurious to the interests of canine affairs or to members or officials of KUSA or Fedco, Exco or any PC of KUSA or persons who are concerned or connected therewith, relating to -

4.1.1.1 a KUSA registered or recorded dog;

4.1.1.2 the breeding, registration, recording, transfer of ownership, exhibition and judging or evaluating of dogs;

4.1.1.3 a Club or PC;

4.1.1.4 any matter connected with or arising out of or relating to the KUSA Constitution and the Rules, Regulations and Schedules thereof; or

4.1.1.5 failure of a KUSA-licensed Judge or Evaluator to notify the KUSA Judges' Department of every invitation received by them to judge in a foreign country, thereby deterring the KUSA Office from sending a 'Clearance to Judge' letter to the inviting foreign National Canine Organisation (NCO) as required under Schedule 10 Regulation 5.2;

4.1.1.6 the violation of the conditions of a Judge's or Evaluator's contract or other agreement with KUSA or any Club or PC;

4.1.1.7 the examinations of the JEC;

4.1.2 any person who, having made application to KUSA for registration or recording of a dog, has knowingly falsified any information supplied to KUSA or who has acted dishonestly or deceitfully in connection with such a dog or its pedigree;

4.1.3 any default or omission relating to a matter connected with the registration, recording, transfer of ownership, breeding, entry for a KUSA-licensed Show or event, or exhibition and judging or evaluating of dogs.

4.1.4 a member who has been convicted in a Court of Law -

4.1.4.1 of dishonesty, fraud, neglect or cruelty in respect of dogs or other animals, or

4.1.4.2 of offences which actions are covered under the provisions of Regulation 2 of the Code of Ethics (Schedule 9);

4.1.5 a suspension, disqualification, alternative penalty or blacklisting imposed upon a member, exhibitor or handler by a Canine Governing Body with which a reciprocal agreement with KUSA is in force;

4.1.6 any act, default or omission arising out of any one or more of the provisions contained in Schedule 3 Regulations 7.1, 7.12, 11.1, 15, 20.3, 31.3, 31.10, 31.11, 31.12, 33.3, 37 and 38, or Schedule 4 Regulations 10, 15.3, 23, 25 and 26, to the KUSA Constitution or any other Schedule or Regulation of the KUSA Constitution;

4.1.7 VOID

4.1.8 any unauthorised access to, or distribution of, any information or document referred to in Rule 1.9;

4.1.9 any members or persons or Club Committee or PC responsible for the maladministration of, or failure to properly execute the duties conferred on him, her or them after he, she or they have or has been elected or appointed to serve on any Club Committee or PC, or any other Council, Committee or Sub-Committee established in terms of the KUSA Constitution;

4.1.10 any member or person who has served or is currently serving as an elected or appointed official on a Club Committee, PC, other Council, Committee or any Sub-Committee established in terms of the KUSA Constitution or the approved Constitution of an affiliated Club or PC and who, within thirty (30) days of ceasing to function as a duly appointed or elected official of any of

the aforementioned Committees, wilfully or negligently fails on request to properly hand over to the appointed or elected Secretary of such a Committee any records, accounts, bank accounts, money, property, assets, membership lists or any article or document necessary for the proper running and administration of such a Committee, that are in his or her possession or under his or her control.

4.2 No complaint may be lodged or entertained -

4.2.1 that is based on private agreements between KUSA members or persons to which KUSA is not a party, or in respect of the sale and purchase of any dog or personal insults, defamation, libel or slander uttered or made outside the precincts of a KUSA-licensed Show or meeting or event;

4.2.2 unless it contains sworn evidence of clear prejudice to KUSA or its officials or judges or evaluators or members or a Club or a PC or as provided for in Schedule 3 Regulation 37 of the KUSA Constitution or that is prejudicial or injurious to the interests of canine affairs.

4.3 No person, other than the Secretary or his or her duly appointed deputy, or the duly authorised representative of a Club or a PC, may make a complaint about a matter in which he or she was not personally involved.

4.4 Subject to Rule 4.3, no member, person, Club or PC, through its duly authorised representative, may make a complaint on behalf of, or in the stead of, another member or person or another Club or PC.

4.5 Multiple complaints may be aggregated for the purpose of establishing and formulating individual charges by the SCI.

4.6 No complaint may be made against a judge or evaluator who officiated at a KUSA-licensed Show or event based on his or her placement of a dog or any award made to any dog during the Show.

5. PROCEDURE FOR BRINGING A COMPLAINT

5.1 A complaint made under Rule 4 or any other applicable Rule, Regulation, Schedule or Article of the KUSA Constitution must be reduced to writing and presented as follows:

5.1.1 As an affidavit which must set forth the material facts on which the complaint relies, including full particulars of the act, conduct, default or omission alleged against a member, person, judge or evaluator, official, Club or PC;

5.1.2 It must contain the time, place and circumstances the act or conduct complained of occurred, the injury to any member, person, dog, Club, PC or how the interest of canine affairs is or has been affected thereby, including all aggravating and mitigating factors that should be taken into account; and

5.1.3 It must be supported by all the applicable affidavits and supporting documents, identify the names, addresses and contact telephone numbers of supporting witnesses and include the affidavits of other persons whose evidence the Complainant relies upon in support of the complaint.

5.2 A complaint together with the applicable complaint deposit to the amount set out in Schedule 7 to the KUSA Constitution must be lodged with the Secretary within five (5) days or otherwise determined as provided for in Rule 1.16 of the occurrence of the event, act, conduct, default or omission that forms the subject thereof or, from the time when the matter which is the subject of the complaint was discovered.

5.3 A complaint lodged with the Secretary must immediately be forwarded to the SCI for consideration.

5.4 If the Secretary is the Complainant he or she must within five (5) days of becoming aware of the matter submit the complaint to the Chairman of Exco who must deal with it according to these Rules as if he or she were the Secretary. In this case no complaint deposit is required.

5.5 Should a complaint not be accompanied by a complaint deposit the Secretary must notify the Complainant immediately. Should the Complainant fail to submit the complaint deposit within the period referred to in Rule 5.2, the complaint shall be deemed lapsed and the Complainant shall be informed accordingly in writing by the SCI.

5.6 In relation to Rule 5.2, the SCI may, on application by a Complainant and proof that it was not reasonably possible to have had knowledge of the subject matter of the complaint, allow the Complainant to lodge the complaint together with the complaint deposit as determined in Rules 1.16 and 5.2.

5.7 If the issues raised by a Complainant are the subject of a pending criminal case or civil action, the SCI may stay the complaint until such time as the action or case is resolved or determined by a final court judgement or as otherwise may be determined by the SCI.

6. ADMINISTRATIVE EVALUATION OF THE COMPLAINT AND COLATION OF EVIDENCE

6.1 Following receipt of a complaint and the accompanying complaint deposit, the SCI must establish whether the complaint complies with the requirements of Rule 5, and must inform the Complainant in writing of any omissions or deficiencies pertaining to the complaint. The Complainant may, within five (5) days after notification by the SCI, re-submit such a complaint with the required rectifications.

6.2 Despite these Rules, the SCI may call for and obtain additional evidence from any person who may have information relevant to the complaint, and include it as part of the complaint, before notifying the Respondent in terms of Rule 7.

7. INITIAL NOTIFICATION PROCEDURE

7.1 If the SCI considers the complaint to be in compliance with these Rules, it must, within twenty-one days (21) days of receipt of the complaint -

7.1.1 serve, in accordance with the provisions of Rule 1.14 and 1.15, on the PC, Club, member or person, against which or against whom the complaint has been made ("the Respondent"), copies of the complaint, all the evidence, affidavits, supporting documents and information pertaining to the complaint, as well as copies of these Rules and any other applicable Schedule to the KUSA Constitution; and

7.1.2 request the Respondent within five (5) days of receipt thereof, and if he, she or it so wishes, to deny the complaint and submit an affidavit and affidavits of other persons whose evidence the Respondent relies upon in support of his, her or its defence or explanation, including all supporting documentation and other evidence.

7.2 If the Respondent admits to the complaint, he, she or it must do so to the SCI within five (5) days of receipt of the complaint, by way of an affidavit setting out the circumstances, including any extenuating circumstances and such other supporting documents as may be relied upon.

7.3 Should the Respondent fail to respond to the SCI on the complaint within the prescribed five (5) days, it will be accepted that the Respondent admits to the complaint and that he, she or it does not wish to respond to it.

7.4 Any evidence provided by the Complainant, may be used in evidence against the Respondent at any disciplinary hearing, inquiry or process, and the Secretary must inform all the Respondents accordingly during the notification process contemplated in Rule 7.1.

8. EVALUATION OF THE COMPLAINT BY THE SUB-COMMITTEE OF INQUIRY (SCI)

8.1 The Secretary must, within fourteen (14) days of receipt, or non-receipt, of the Respondent's response to the complaint, refer the complaint and the response to the SCI for evaluation and preliminary consideration.

8.2 The SCI must evaluate and consider the complaint together with the Respondent's

response and decide whether -

8.2.1 the complaint meets the requirements contemplated in Rule 4;

8.2.2 the complaint was brought within the time-limit for bringing a regular complaint in terms of Rule 5;

8.2.3 the correct complaints deposit was paid within the time-limit referred to in Rule 5;

8.2.4 sufficient evidence exists that discloses a breach of a provision of Rule 4; and

8.2.5 the Respondent has an acceptable defence to, or satisfactory explanation for, the complaint.

8.3 The SCI may conduct such further investigation into the matter as it deems necessary and may obtain the further evidence, affidavits or documents that it may require in order to consider and evaluate the complaint and reach a decision in terms of Rule 8.4.

8.4 After evaluation of the complaint in terms of Rules 8.2 and 8.3, the SCI must decide whether to -

8.4.1 dismiss the complaint if the Respondent has presented an obviously acceptable explanation for, or defence to, the complaint; or

8.4.2 dismiss the complaint if, based on the affidavits, documents and evidence before it, disciplinary proceedings should not continue for some good reason other than that referred to in Rule 8.4.1; or

8.4.3 proceed with a disciplinary hearing if sufficient grounds and evidence exist to warrant a hearing, and to list the complaint for hearing by the DSC within sixty (60) days of this decision.

8.5 In the event of the SCI having dismissed the complaint in terms of Rules 8.4.1 or 8.4 2**,** the Secretary or his or her duly appointed deputy must within fourteen (14) days of the decision of the SCI inform both the Complainant and Respondent thereof as provided in Rules 1.14 or 1.15.

9. NOTIFICATION OF THE DISCIPLINARY HEARING

9.1 If the complaint is scheduled for hearing before the DSC as contemplated in Rule 8.4.3, the Secretary must, within fourteen (14) days of the decision of the SCI, notify both the Complainant and the Respondent, by way of registered post or otherwise as provided for in Rule 1.14 or 1.15, of the date of the hearing. The hearing may be conducted anywhere within the jurisdiction of KUSA as determined by the Secretary, and either by physical appearance of the members of the DSC at the appointed venue of the hearing or by way of a pre-arranged telephone or video conference.

9.2 The Secretary must, together with the notification for hearing of the matter, provide both the Complainant and the Respondent with all the sworn statements, documents, written explanations and additional evidence in the possession of the Secretary and which has not already been served on them. The Secretary must request the Respondent to submit a written response within ten (10) days of receipt thereof, in the form of a supplementary affidavit or supporting affidavit in rebuttal to any additional statements, affidavits, documents or evidence collated by the SCI in terms of Rule 8.3.

9.3 If the Respondent does not respond in writing to the SCI in terms of Rule 9.2, the SCI may deduce that the Respondent admits the additional evidence and must instruct the Secretary to proceed with presenting the matter for hearing to the DSC.

9.4 Transfer of Ownership Pending Hearing

9.4.1.1 From the date on which the Respondent is notified of a Disciplinary Sub-Committee (DSC) hearing in terms of Rule 9.1, no dog owned, co-owned, registered or recorded in the Respondent's name, whether solely, jointly, or in the name of a nominee, may be transferred, assigned or otherwise disposed of without the approval of the Executive Committee.

9.4.1.2 Any application for transfer during this period must be submitted to the Executive Committee through the Secretary and must include full written reasons and supporting documentation. The Executive Committee may grant or refuse approval at its discretion.

9.4.1.3 Any transfer of ownership effected in contravention of Rule 9.4.1 shall be deemed invalid for all purposes of proceedings under Schedule 01, and the dog concerned shall be treated as though it remains under the Respondent's ownership for the duration of the disciplinary process, including the imposition of any penalties.

9.4.1.4 This restriction remains in force until the conclusion of all disciplinary proceedings, including the expiration of the appeal period or the final determination of an appeal, if lodged.

10. HEARING OF THE COMPLAINT

10.1 The DSC must consider any complaint laid before it on the papers and written submissions, and no oral evidence of any nature is permitted during the hearing, but the Respondent and Complainant may, on application to the DSC, be allowed to appear in person to address the members thereof subject to the provisions of Rule 11.7.

10.2 The Chairman of Exco must be the appointed Chairman of the DSC or, in his or her absence; he or she must appoint one of the three (3) members of the DSC as the Chairman of the DSC.

10.3 No member of a DSC may have a direct personal interest in the outcome of the hearing, nor there be a reasonable suspicion that a member has such an interest.

10.4 All members of the DSC must before the onset of the hearing declare their personal interests to the Chairman, and if a member is found to have a conflict of interests with the matter to be heard, the Chairman must request Exco or the PC to replace such a member.

10.5 The Chairman, after consultation with the members of the DSC, may co-opt any person to assist the DSC on any matter on which such a person may have specialised knowledge. Such a co-opted person is not regarded as a member of the DSC, and is neither permitted to partake in any decision of the DSC on issues of fact, nor to advise on the substantive outcome of the hearing.

10.6 The DSC must seek to avoid formality in its proceedings and is not bound by any rule of law relating to the admissibility of evidence in proceedings before a court of law. It must conduct the hearing in such a manner as is appropriate for the clarification of issues before it and in order to reach a decision.

10.7 The DSC may conduct such additional enquiries and obtain such additional statements, affidavits, documents or evidence as may be appropriate, but with due regard to the Rules of Natural Justice. It must provide the affected party time to respond to such evidence within a reasonable time.

10.8 The DSC may adjourn the hearing to a later date in order to give effect to Rule 10.7 or for any other purpose.

10.9 The DSC must determine the complaint before it on the basis of a balance of probabilities and, at the conclusion of the hearing, must decide whether the complaint is substantiated or not.

10.10 In the event of the DSC's deciding that the complaint is substantiated, the DSC may impose any one or more of the applicable penalties listed in Rule 11.

10.11 A decision or finding by the DSC must be determined by the vote of a majority of its members, all of whom must vote with no abstention allowed.

10.12 At the conclusion of the hearing, the DSC must record its decision and findings in writing, and if it is found that the complaint brought under Rule 4 is substantiated, it must decide and record in writing what penalty, order or condition is imposed on the Respondent.

10.13 Where the DSC has decided that the complaint is not substantiated, it must record its finding, which is final, and the matter must be dismissed.

10.14 The Chairman must, within fourteen (14) days of the conclusion of the hearing, forward the record of the proceedings to the Secretary or his or her duly appointed deputy, who must within thirty (30) days of the conclusion of the hearing and after Exco has confirmed the record of proceedings in terms of Rule 10.16, inform both the Complainant and Respondent as provided in Rules 1.14 and 1.15.

10.15 The formal notification referred to in Rule 10.14 must also include the content and effect of the penalties on the Respondent.

10.16 The Secretary must, without delay, notify Exco of the decision and recorded finding and, if applicable, any penalty, order and condition imposed by the DSC and forward the record of proceedings to Exco to consider and to correct any patent error in the penalty, order or condition as recorded by the DSC on condition that the consequence may not be less favourable to the Respondent.

10.17 Exco may refer the record of proceedings back to the DSC for any penalty, order or condition not clearly or correctly recorded or any invalid penalty, order or condition, to be clearly and correctly recorded or to impose a valid penalty, order or condition.

10.18 Where it is not reasonably practicable for Exco to refer the record back to the DSC as provided in Rule 10.17, it may itself impose a valid penalty, order or condition and record it, on condition that the consequence may not be less favourable to the Respondent.

11. PENALTIES

11.1 If the Respondent is a member of KUSA or a person making application to KUSA for the registration or transfer of a dog or registration of an affix, or a person exhibiting or handling a dog at a Show or other event held under a KUSA licence or a person holding membership of any Club affiliated to KUSA, one or more of the following penalties, where applicable, may be imposed by the DSC:

11.1.1 Permanent or periodic expulsion, or exclusion or suspension, from membership of KUSA and of any Club;

11.1.2 suspension or exclusion from taking part in, or having any connection with, or attending or participating or handling a dog at, a Show, Obedience Class, Working Trial or Field Trial or other event held under KUSA licence, or from acting as an officer of a Club;

11.1.3 disqualification from registration, recording, transfer, exhibition or competition or evaluation of a dog owned by him or her or registered or recorded in his or her name, or jointly with another or others, or in the name of a nominee, or of the progeny of such a dog;

11.1.4 removal from any of the official Registers kept by the KUSA of a dog registered or recorded by virtue of misrepresentation or false information supplied;

11.1.5 disqualification from judging at, or taking part in the management of, a Show, Obedience Class, Working Trial or Field Trial or other event held under KUSA licence or as may be determined by any agreement or affiliation referred to in Article 3.19 of the KUSA Constitution;

11.1.6 imposition of a fine;

11.1.7 a reprimand and warning; or

11.1.8 any other penalty as may be provided for in the KUSA Constitution, Schedules, Rules and Regulations.

11.2 If the Respondent is a person officiating or judging or evaluating at a Show or an event held under KUSA licence, or held in consequence of, or in accordance with, the provisions of Article 3.19 and/or Article 22 of the KUSA Constitution, or that is sanctioned by KUSA in terms of a valid judging or evaluating contract or by official

appointment, one or more of the following penalties, where applicable, may be imposed by the DSC for a complaint with regard to the execution of such an appointment or judging or evaluating contract:

11.2.1 Permanent or periodic expulsion, or exclusion or suspension, from membership of KUSA and of any Club, if such person is a member of KUSA;

11.2.2 suspension or exclusion from officiating or judging or evaluating at, or having any official connection with, or participating in an official capacity in, a Show, Obedience Class, Working Trial or Field Trial or other event held under KUSA licence, or held consequence of, or in accordance with, the provisions of Article 3.20 and/or Article 22 of the KUSA Constitution or from acting as an officer of a Club;

11.2.3 disqualification from judging or evaluating at, or taking part in the management of, a Show, Obedience Class, Working Trial or Field Trial or other event held under KUSA licence, or held consequence of, or in accordance with, the provisions of Article 3.20 and/or Article 22 of the KUSA Constitution;

11.2.4 imposition of a fine; or

11.2.5 a reprimand and warning.

11.3 If the Respondent is a Club or PC, or any member or person who has been elected or appointed to serve on any Club Committee or PC or on any other Council, Committee or Sub-Committee established in terms of the KUSA Constitution, and such Respondent is found to be responsible for any maladministration of, or failure to properly execute his or her official duties in that capacity, or found to be in violation of the Code of Conduct for Elected or Appointed Officials of KUSA, one or more of the following penalties may be imposed by the DSC:

11.3.1 In the case of a Club or PC -

11.3.1.1 suspension of all the activities of a Club or PC and in the case of a PC recommend to Fedco to withdraw the powers delegated to the PC in terms of Article 20.2 of the KUSA Constitution and, in the case of a Club, recommend to Fedco to disaffiliate it in terms of Article 9 of the KUSA Constitution;

11.3.1.2 suspension from holding a KUSA-licensed Show or event;

11.3.1.3 imposition of a fine;

11.3.1.4 a reprimand and warning.

11.3.2 In the case of a member or person who has been elected or appointed to serve on any Club Committee or PC or any other Council, Committee or Sub-Committee established in terms of the KUSA Constitution and who was found to be responsible for any maladministration of, or failure to properly execute, his or her official duties in that capacity –

11.3.2.1 despite any other provision of the Constitution, immediate removal of a Member or person as a Club Committee Member or Member of the PC or member of any other Council, Committee or Sub-Committee established in terms of the KUSA Constitution, either permanently or for a specified period, after which the Member or person may be re-elected or appointed; or

11.4 Any expulsion, suspension, exclusion or disqualification imposed under this Rule may be for life, or any shorter period as the DSC may order, and in the case of a Club or PC, for such period as the DSC may order, including an indefinite period.

11.5 If any one or more of the penalties set out in this Rule are imposed by the DSC, it may wholly or partially suspend the penalty on such conditions as are appropriate in the circumstances of the case.

11.6 Apart from imposing any penalty in terms of these Rules, the DSC may also, after proper investigation into the matter and if it is satisfied that a condition of a suspended

penalty imposed on a Respondent by a previous decision of a DSC in terms of Rules 11.5 or 12.15 has not been complied with under circumstances in which it could reasonably have been complied with, order that the suspended penalty be put into operation.

11.7 The DSC may require the applicant party to the proceedings to pay all or part of the reasonable costs incurred by KUSA as deemed appropriate arising out of an application in terms of Rule 10.1 to assemble the DSC in person for the purpose of such a party wishing to address the DSC. The applicant shall pay the reasonable cost to KUSA no later than fourteen (14) days prior to the date the DSC is to assemble for this purpose at the appointed place, time and venue. In the event that the reasonable costs are not paid by the applicant party by the prescribed date, the DSC shall accept that the applicant party no longer wishes to address the DSC and the DSC shall be at liberty to conduct the disciplinary hearing by way of the pre-arranged telephone or video conference without assembling in person.

11.8 If a Respondent fails to pay a fine imposed in terms of these Rules, his or her membership of KUSA or Affiliation as a Club must be regarded as suspended for so long as the default continues.

11.9 A Complainant's complaint deposit lodged in terms of Rule 5 may either be refunded in full or in part, or be retained by KUSA.

11.10 If imposed, a fine is payable within twenty one (21) days after the Respondent has been notified of the decision of the DSC in terms of Rules 10.14 and 10.15.

11.11 A fine payable by a PC in terms of this Rule may not be supplemented by KUSA, Fedco or Exco through additional funding and must be paid from the allocated funds of that PC for a particular year. Any default in such payment may be deducted by Exco from the approved budget amount allocated by KUSA to that PC from the following year's budget allocation.

11.12 After receipt by the Secretary of an allegation that a person, member, Club or PC whose penalty has been suspended in terms of Rules 11.5 or 12.13, has not complied with a condition of the suspension, Exco may –

11.12.1 with due regard to the Rules of Natural Justice and during the period of a suspension, cause an investigation to be made into the allegation;

11.12.2 if it is satisfied that a condition of the suspension has not been complied with under circumstances in which it could reasonably have been complied with, order that the suspended penalty be put into operation; and

11.12.3 instruct the Secretary to notify the Respondent accordingly, which notification must include the content and effect of the order and must be made as provided in Rule 10.14.

12 APPEALS PROCEDURE

12.1 Any decision and finding of the DSC where it has upheld a complaint and imposed a penalty and/or made a decision in terms of Rule 11 or any order made by Exco in terms of Rule 11.12 is subject to a right of appeal by that Respondent to the FAC under the circumstances and after following the procedures set out in this Rule, the Respondent thereafter is known as the "Appellant" and the Complainant as the "Respondent".

12.2 The Appellant must specify in full in the Notice of Appeal all the grounds of appeal which are relied upon, and must state clearly all the material allegations and contentions which are relied upon and must include copies of all documentation which the Appellant contends to be relevant to the appeal.

12.3 A Notice of Appeal must be forwarded to the SCI within fifteen (15) days of the notification to the Respondent in terms of Rule 10.14 for the SCI to decide whether such Notice of Appeal has been properly compiled and contains the following –

12.3.1 the name and address of the Appellant;

12.3.2 the decision and/or imposed penalty which is disputed, and must specify whether the appeal is in respect of the whole or in respect of any specified part of the decision and/or imposed penalty of the DSC;

12.3.3 the heads of argument that clearly set out the grounds for the appeal and all contentions which are relied upon and may include any additional evidence, which must be accompanied by all the relevant affidavits and documents in support thereof;

12.3.4 the full reasons for having omitted such additional evidence in the previous presentation to the DSC;

12.3.5 if applicable, contain an indication by the Appellant to appear in person before the FAC in terms of the provisions of Rule 12.8, together with proof of payment of the prescribed Appeal Appearance Fee as per Schedule 7 of the KUSA Constitution.

12.4 Should the SCI find that the Notice of Appeal does not comply with the provisions of Rule 12.3.1 to 12.3.5, it must inform the Appellant in writing of any omissions or deficiencies pertaining thereto. The Appellant may, within five (5) days after notification by the SCI, re-submit such a Notice of Appeal with the required rectifications.

12.5 The SCI must serve on the Respondent a copy of the Appellant's Notice of Appeal and any additional evidence submitted by the Appellant, to which the Respondent may respond if he or she so wishes, within fourteen (14) days of such a notification.

12.6 Should the SCI be satisfied with the Notice of Appeal it shall, after receipt of any response from the Respondent forward all the documents to Fedco who shall appoint a FAC in terms of the provisions of Article 16.2.3 of the KUSA Constitution to consider the appeal.

12.7 Whenever a FAC is appointed to act in terms of this Rule, no person who was a member of the DSC or SCI that had initially heard or considered the matter or the Notice of Appeal may be appointed as a member of the FAC and such member may not take part in any of its deliberations.

12.8 A FAC may meet anywhere within the jurisdiction of the KUSA as may be determined by the Chairman in liaison with the other members of the Committee and, where applicable, with the Appellant, and the consideration of the appeal may either take place by physical appearance of the Appellant, at an appointed time and venue, before the members of the FAC in the case of an Appellant having complied with the provisions of Rule 12.3.5, or by way of a pre-arranged telephone conference, video conference or as otherwise determined by the Chairman.

12.9 For the avoidance of doubt, should a Notice of Appeal not be accompanied by the proof of payment of the prescribed Appeal Appearance Fee as determined in Schedule 7 of the KUSA Constitution, the FAC shall continue with the consideration of the appeal in the absence of the Appellant in a manner determined by the Chairman.

12.10 A duly appointed FAC must consider the appeal together with all the documents and evidence presented to the DSC, including the written record of the DSC decisions, findings, penalties, orders and conditions imposed on the Appellant and, if applicable, allow the Appellant to appear in person and present argument on the issues in the appeal.

12.11 An appeal may not operate as a stay of any penalty, order or condition imposed by the DSC.

12.12 Should the Appellant fail to comply with any penalty, order or condition imposed by the DSC, which includes the payment of a fine, the appeal proceedings must be stayed pending compliance with the ruling of the DSC. Should the Appellant's non-compliance with payment of any fine persist for a period of longer than twenty one (21) days after the notification of the findings and penalties imposed by the DSC, the FAC shall dismiss the appeal summarily.

12.13 After due consideration of the appeal, a FAC may -

12.13.1 confirm, revoke or vary any finding, penalty, condition, order and/or determination imposed or made by a DSC or by Exco in terms of Rule 11.12;

12.13.2 remove, increase or modify any expulsion, suspension or period of suspension, disqualification or disaffiliation imposed on an Appellant by the DSC or by Exco;

12.13.3 increase any penalty, condition, period, determination and/or order imposed by the DSC or by Exco.

12.14 The FAC must order the refund of any fine paid or the retraction of implementation of any such other penalty, determination, order, period or condition that may be considered necessary, if such penalties or determination, order, period and/or conditions are set aside on appeal.

12.15 The FAC may at any stage during the appeals procedure order that anything contained in a Notice of Appeal or any response thereto, be struck out, or be amended, on the grounds that it is defamatory, scandalous, frivolous or vexatious.

12.16 Before the FAC makes an order in terms of Rule 12.15, it must instruct the Secretary to send a request to the Appellant or the Respondent, as the case may be, to show cause within a specified time determined by the FAC, as to why such an order should not be made.

12.17 The FAC's decision on the finding, penalties, determinations, orders period and/or conditions imposed by the DSC or Exco, and where applicable, as to what constitutes improper, disgraceful or discreditable conduct or conduct prejudicial or injurious to the interest of canine affairs or to persons or members or Clubs concerned or connected therewith, or dishonourable or disgraceful conduct, is final.

12.18 A decision or finding by the FAC must be determined by the vote of a majority of its members, all of whom must vote with no abstentions allowed.

12.19 The FAC must, after it has reached its decision on a matter under appeal, record its decision and finding in writing and inform the Secretary and Fedco thereof, and further instruct the Secretary to formally communicate the decision and finding to the Appellant and the Respondent and to immediately instruct the KUSA office and all formal structures of KUSA to enforce the finding and decision.

12.20 The communication procedure set out in Rule 10.14 with the necessary changes is applicable to notification of the decision and finding of the FAC.

12.21 If an Appellant remains in default in the payment of a fine or order imposed in terms of these Rules, his or her membership of KUSA, or affiliation as a Club or PC must be regarded as suspended for as long as the default persists.

12.22 It shall fall within the remit of the FAC to bring concerns expressed by the members in the course of the hearing to the attention of the Executive Committee, or the Federal Council, as *obiter dicta,* with a view to prompting intervention, whether regulatory or educational, to prevent a recurrence of events or circumstances which have led to the hearing over which it had presided.

13 PUBLICATION

13.1 In consequence of any complaint made under these Rules, Fedco and Exco may publish relevant details regarding any matter heard by a DSC, or any appeal heard by a FAC, in order to inform KUSA Members, KUSA-affiliated Clubs, foreign National Canine Organisations or Clubs affiliated to them, the Fédération Cynologique Internationale (FCI), Government Departments or National Sports Control Bodies, or persons associated with any of these. Such publication may be made on the official KUSA website or in any other publication or communication that is appropriate.

13.2 Fedco and Exco are empowered to publish in the same manner as referred to in Rule 13.1 separate lists of persons suspended, disqualified or expelled.

13.3 Fedco and Exco may extend publication of any lists referred to in Rule 13.2 by circulating them to KUSA-affiliated Clubs, foreign National Canine Organisations or

Clubs affiliated to them, the Fédération Cynologique Internationale (FCI), Government Departments or National Sports Control Bodies, or persons associated with any of these. Such publication may be made on the official KUSA website or in any other publication or communication deemed appropriate.

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Fedco 06-2014/NP/21.07.2014
Fedco 06-2019/SAT/31.07.2019
Fedco 12-2019/SAT/28.01.2019
Fedco 06-2021/PM/ 29.07.2021
Fedco 12-2021/CPA/12.03.2022
Fedco 12-2022/PM/09.01.2023
Fedco 12-2025CPA/20.12.2024
Fedco 08-2025/PM/13.10.2025
Fedco 12-2025/CPA/12.12.2025
Fedco 02-2026 Special Meeting/CPA/26.02.2026

The most recent changes to this Schedule have an effective date of 01.05.2026