

THE KENNEL UNION OF SOUTHERN AFRICA
MINUTES OF A SPECIAL MEETING OF THE FEDERAL COUNCIL
held on
THURSDAY, 15 FEBRUARY 2024
at 17h30 on MS Teams

Item	Sub-Item	Sub-Item	MINUTES
1			<p>Notice of the Meeting The Chairman opened the Special Meeting and read the Notice convening the meeting, officially given on 16 January 2024 at the Fedco Discussion Forum (FDF) held on 16 January 2024.</p>
2			<p>Attendance & Apologies To record attendance and apologies.</p> <p>Attendance: Clr JM Hubbard (Chairman of the Federal Council) – JH Clr BG Robinson (Vice-Chairman of the Federal Council & Chairman – DOGSPC) – GR Clr C Chelchinsky (Vice-Chairman – DOGSPC) – CC Clr NJ du Preez (Chairman – NAPC) – NdP Clr RB Jenkins (Chairman – Exco) – BJ Clr RD Jukes (Chairman – FS&NCPC) – RJ Clr DC Sparg (Chairman – EC&BPC) – DS Clr L Thornhill (Chairman – WCPC) – LT Clr MW Vorster (Chairman – KZNPC) – MV</p> <p>Staff in Attendance: Mrs P Midgley (General Manager) – PM Mr B Delily (Finance & HR Administrator) – BD Mrs C Patterson-Abrolat (Club Affairs Administrator) – CPA Mrs N Shortland (Shows & Judges Administrator) – NS</p> <p>The Chairman welcomed all present.</p> <p>With nine Federal Councillors present, the Chairman declared the majority for the changing of Articles and Schedules to be six (two-thirds), whereas five would constitute a simple majority as required for any other decision to carry.</p>
3			<p>Matters for discussion The Chairman confirmed that, in terms of Article 16.1, as unanimously requisitioned by the members of the Federal Council, this Special Meeting of the Federal Council is convened to consider and discuss and, where appropriate, reach decision on the following matters:</p>
***	3.1		<p>Proposed housekeeping amendment to Schedule 02 Appendix A & Appendix B</p> <p>Housekeeping amendments to give effect to the decision taken by Fedco as recorded in the Minutes of Fedco 12-2023 – Breed Standards Project – also taking into account the following Note recorded in the Minutes:</p> <p><i>[Note: The KUSA Office was requested to distribute the above information to all Members before the effective date.</i></p> <p><i>When updating:</i></p> <ul style="list-style-type: none"> • <i>Schedule 02, Appendix A, refer to Item 9.1.1 of the Minutes of Fedco 12-2023 for a further change to the nomenclature of the Italian Cane Corso.</i> • <i>In respect of the Breed Standards Protocol, refer to Item 9.1.3 of the Minutes of Fedco 12-2023 for a further change.]</i>

		<p>Amendments to Schedule 02 Appendix A</p> <p>The Chairman referred the Federal Council to the amended Schedule 02 Appendix A, attached to the Agenda, marked up with the proposed changes originally tabled at the FDF of 16 January 2024, but also with further changes identified subsequent to the FDF. Collectively, these changes were required for the identification of breeds with varieties that share a single Breed Standard but, for purposes of awards, such varieties being individually eligible for CC, CAC and CACIB.</p> <p>Amendments to Schedule 02 Appendix B</p> <p>Deletions in [struck through square brackets].</p> <p>Schedule 02 Appendix B</p> <p>BREED STANDARDS</p> <ol style="list-style-type: none"> 1. For each breed listed in Appendix A of this Schedule, there shall be a written description called a Breed Standard. [, save and except where a single Standard has been adopted for those breeds where the varieties are distinguished by coat type and/or size. The Breed Standards shall be published separately from, but form part of, this Appendix to Schedule 02.] 2. – 4. stet. <p>For ratification.</p> <p>Since the rationale behind the proposed amendments to Appendix A had been extensively discussed and debated at the FDF of 16 January 2024 prior to their approval, on a proposal from MV, seconded by LT, the amendments to Schedule 02 Appendix A, as originally tabled, were ratified, unanimously, and the supplementary amendments, made for the same reason, were approved, unanimously.</p> <p>On a proposal from MV, seconded by LT, the amendments to Schedule 02 Appendix B, as tabled at the FDF of 16 January 2024 were ratified, unanimously.</p> <p>Effective 01.05.2024, but may be implemented on publication of these Minutes.</p> <p>[Note: This Item 3.1 is linked to the consequential amendments to Schedule 03 Appendix 1 as recorded in Item 3.2 below.]</p>
	3.2	<p>Proposed amendments to Schedule 03 Appendix 1, to provide for the Order of Breed Judging, and to Schedule 03 Regulation 5.11.2 to provide for inclusion of a reference to the amended Schedule 03 Appendix 1</p> <p>Housekeeping amendment to Schedule 03 Appendix 1 and Schedule 03 Regulation 5.11.2 submitted by the KUSA Office.</p> <p>Motivation:</p> <p>For Schedule 02 Appendix A to accurately accord with the uploaded Breed Standards, as approved at Fedco 12-2023, it was requisite to no longer separate out the varieties of certain breeds that share a single Breed Standard in Appendix A, lest it created the impression that there were separate Breed Standards for these breed varieties. In the course of effecting these changes, it came to the attention of the KUSA Office that the order of Breed Judging was not appropriately regulated in Schedule 03 and that, in fact, Schedule 03 relied on Schedule 02 Appendix A to serve as a guide to the order in which all breeds and their varieties need to be judged at all KUSA-licensed events. To avoid confusion at future Championship and other Shows, the change to Schedule 02 Appendix A necessitated one, an expansion of Schedule 03 Appendix 1 to fully cover the Order of Judging of breeds and, two, an amendment to Schedule 03 Regulation 5.11.2, which contains references to the order of Breed judging with regard to the Show Schedule. Moreover, with Schedule 02 not being related to Breed Shows, it is an inappropriate Schedule to provide guidance on a Show-related matter. The expansion</p>

of Schedule 03 Appendix 1 is therefore recommended to fully provide for the Order of Judging of breeds and, where appropriate, their varieties, in addition to the section containing the definitions of Breed Classes.

Proposed amendments to Schedule 03 Appendix 1:

Insertions in **underlined bold type** and deletions in ~~[struck out square brackets]~~.

APPENDIX 1

DEFINITION OF BREED CLASSES AND ORDER OF BREED JUDGING

DEFINITION OF BREED CLASSES

The text that follows is unchanged.

New section inserted into the Schedule 03 Appendix 1:

ORDER OF BREED JUDGING

1. In the case of:
 - 1.1. a full Group allocated to a single Judge, the breeds will be judged in the order they are listed in Schedule 02 Appendix A;
 - 1.2. an alphabetically split part Group, e.g. A – M and N – Z, allocated to two different Judges, the breeds will be judged in the split order they are listed in Schedule 02 Appendix A;
 - 1.3. a randomly split part Group, whether based on numerical strength, size, function or propensity, allocated to two or more different Judges, the order of judging shall be as published in the Show Schedule; and
 - 1.4. randomly selected breeds, allocated to a Judge in addition to a full or part Group, the order of judging shall be as published in the Show Schedule, e.g.[Name(s) of Breed(s)] after/before the[Group Name] Group.
2. With regard to breeds for which KUSA has adopted FCI Breed Standards, in which more than one variety of a particular breed is identified for the awards of FCI CAC or CACIB, such varieties will also be eligible for separate KUSA CCs. In the case of breeds for which KUSA has adopted the Breed Standards of The Royal Kennel Club (UK), KUSA CCs and FCI CACs will be awarded separately to the varieties identified in the adopted KUSA Breed Standard but, at FCI International Shows, the varieties identified in the FCI Breed Standards for the same breeds will be eligible for separate FCI CACIBs.
3. In any Group where certain breeds include two or more varieties, the order of judging of those varieties shall be as follows:
 - 3.1. **Gundog Group**
 - 3.1.1. Weimaraner (2 Varieties for CC, CAC & CACIB)
 - 3.1.1.1. Weimaraner (Long-haired)
 - 3.1.1.2. Weimaraner (Short-haired)
 - 3.2. **Herding Group**
 - 3.2.1. Belgian Shepherd Dog (4 Varieties for CC, CAC & CACIB)

			<p>3.2.1.1. Belgian Shepherd Dog (Groenendael)</p> <p>3.2.1.2. Belgian Shepherd Dog (Laekenois)</p> <p>3.2.1.3. Belgian Shepherd Dog (Malinois)</p> <p>3.2.1.4. Belgian Shepherd Dog (Tervueren)</p> <p>3.2.2. Dutch Shepherd Dog (3 Varieties for CC, CAC & CACIB)</p> <p>3.2.2.1. Long-haired</p> <p>3.2.2.2. Rough-haired</p> <p>3.2.2.3. Short-haired</p> <p>3.2.3. Puli (2 Varieties for CC, CAC & CACIB)</p> <p>3.2.3.1. Black/black shaded with rust-red or grey/fawn/grey in any shade</p> <p>3.2.3.2. Pearl-white</p> <p>3.3. Hound Group</p> <p>3.3.1. Dachshund (6 Varieties for CC, CAC & CACIB)</p> <p>3.3.1.1. Dachshund (Long-haired)</p> <p>3.3.1.2. Dachshund (Miniature Long-haired)</p> <p>3.3.1.3. Dachshund (Smooth-haired)</p> <p>3.3.1.4. Dachshund (Miniature Smooth-haired)</p> <p>3.3.1.5. Dachshund (Wire-haired)</p> <p>3.3.1.6. Dachshund (Miniature Wire-haired)</p> <p>3.3.2. Ibizan Podenco (2 Varieties for CC, CAC & CACIB)</p> <p>3.3.2.1. Rough-haired</p> <p>3.3.2.2. Smooth-haired</p> <p>3.4. Toy Group</p> <p>3.4.1. Chihuahua (2 Varieties for CC, CAC & CACIB)</p> <p>3.4.1.1. Chihuahua (Long Coat)</p> <p>3.4.1.2. Chihuahua (Smooth Coat)</p> <p>3.5. Utility Group</p> <p>3.5.1. German Spitz (Mittel) (3 Varieties for CC, CAC & CACIB)</p> <p>3.5.1.1. Brown or black</p> <p>3.5.1.2. Orange, grey-shaded, other colours</p> <p>3.5.1.3. White</p> <p>3.5.2. Peruvian Hairless Dog (3 Varieties for CC, CAC & CACIB)</p> <p>3.5.2.1. Peruvian Hairless Dog (Large)</p> <p>3.5.2.2. Peruvian Hairless Dog (Medium)</p> <p>3.5.2.3. Peruvian Hairless Dog (Small)</p>
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		<p>discussed, debated and provisionally approved, subject to ratification at a duly constituted General Meeting.</p> <p>Effective 01.05.2024, but may be implemented on publication of these Minutes by those Clubs that wish to do so.</p> <p>[Note: It was important for the KUSA Office to distribute, at its earliest convenience, a Notice to all Clubs informing them of the formal regulation of the Order of Judging of breeds and, where applicable, their varieties, under Schedule 03 Appendix 1, at KUSA National Shows. Of further import is to impress upon Clubs and their Secretaries the need for attentiveness to the varieties of breeds separately eligible for CC, CAC & CACIB.]</p> <p>[Note: Alerting providers of online show administration services, such as ShowAssist, to the information contained in the revised Schedule 03 Appendix 1, was of critical importance. This would enable them to action the necessary programming changes to their systems to be accommodating of the varietal divisions of certain breeds.]</p> <p>[Note: MV undertook to bring the changes to Schedule 03 Appendix 1 to the attention of <i>The KUSA Classic 2024</i> Organising Committee, with a view to implementing them at the upcoming <i>KUSA Classic</i> in KwaZulu-Natal.]</p>
4		<p>Proposed amendments to Articles 2, 9 & 38 and to Schedule 08 in order to rectify the reporting structure and chain of command with regard to the KUSA Secretary</p> <p>Motivation: For historical reasons no longer relevant, the KUSA Secretary was given an exalted status in the KUSA Constitution, reporting directly to the Federal Council. When the General Manager position was created in the more recent past, this skewed reporting structure culminated in an untenable situation of two executives, both ostensibly on a hierarchical par, reporting to the Fedco, with no corporate chain of command. This created a number of logistical problems ranging from appraisals to remuneration levels to accountability. Such matters, insofar as they pertain to the employees of the Kennel Union, can only be the responsibility of the most senior executive in the Kennel Union, i.e. the General Manager. The Federal Council could not possibly be expected to make performance assessments of KUSA employees; that's the exclusive preserve of the General Manager, who not only has the confidence and trust of the Federal Council, but is also fully accountable to the Federal Council members designated to deal with staffing matters, currently the Chairman and the Vice-Chairman.</p> <p>Proposed amendment to Article 2 – INTERPRETATION OF TERMS:</p> <p>Insertion, alphabetically, of a definition for General Manager.</p> <p>“Federal Council” or “Fedco” means[stet]</p> <p><u>“General Manager” means the General Manager of the Kennel Union, the most senior executive employed by the Federal Council from time to time, with overall responsibility for the smooth and effective functioning of the Kennel Union on all operational levels, reporting to the Federal Council.</u></p> <p>“Group Club” (et al) means [stet] et al</p> <p>Proposed amendment to Article 9 – LOSS OF AFFILIATION:</p> <p>Insertions in <u>bold underlining</u> and deletions in [struck through square brackets].</p> <p>9.1.4.2 Schedule of Documents and Returns to be sent to the [Secretary] <u>designated departments</u> of KUSA, Schedule <u>08</u>.</p>

Amendments to Articles 38.1, 38.2 & 38.3 – SECRETARY:

Insertions in **bold underlining** and deletions in ~~[struck through square brackets]~~.

38.1 A Secretary of the Kennel Union shall be appointed by the **General Manager with the approval of** the Federal Council.

38.2 The **KUSA** Secretary's terms of appointment and remuneration shall be **in accordance with the staff procurement policy of the Kennel Union, as applied by the General Manager in consultation with the Chairman and Vice-Chairman of the** Federal Council.

38.3 The **KUSA** Secretary shall be responsible **and report** to the ~~[Federal Council]~~ **General Manager** and he shall perform all such duties as may from time to time be prescribed in accordance with instructions given by the ~~[Federal Council]~~ **General Manager** and in execution of the powers, duties, functions and responsibilities determined for this office in the Constitution of the Kennel Union.

Proposed amendment to Schedule 08:

Insertions in **bold underlining** and deletions in ~~[struck through square brackets]~~.

Heading:

SCHEDULE OF DOCUMENTS AND RETURNS TO BE SENT TO ~~[THE SECRETARY]~~ **DESIGNATED DEPARTMENTS**

Sub-headings:

CLUB AFFAIRS **DEPARTMENT**

1. **Club Affairs**

1.1 Annual Affiliation Fees in terms of Schedule 07

(Proof of payment to be sent to the Debtors Department (applications@kusa.co.za) with a copy to the Club Affairs Department (clubadmin@kusa.co.za))

1.2 Minutes of every [stet]

1.3 A signed copy of [stet]

~~[CHAMPIONSHIP]~~ SHOWS **DEPARTMENT**

Sub-sub-headings:

Championship Shows

Qualifying Shows

Non-Championship Shows

5. **Penalties**

5.1 Any Club ~~[which]~~ **that** fails to submit a Return in terms of Schedule **08** shall pay a penalty as specified in Schedule **07** Regulation 16.

5.2 Proof of payment must be sent to the Debtors Department (applications@kusa.co.za) with a copy to the Shows Department (showadmin@kusa.co.za)

For ratification.

On a proposal from JH, seconded by NdP, the amendments the Articles 2, 9 & 38 and Schedule 08 to rectify the reporting structure of the Kennel Union with regard to the Secretary and allied matters, as

		<p>extensively deliberated at the FDF on 16 January 2024, and provisionally approved, subject to ratification at a duly constituted General Meeting, were ratified, unanimously.</p> <p>In the case of the amendments to Articles 2, 9 & 38, effective on promulgation of the amended Articles, i.e. on the expiration of the two-month period for constitutional clearance for them to be put into effect, foreseen to be by no later than 01.05.2024.</p> <p>In the case of changes to Schedule 08, effective 01.05.2024, but may be implemented on publication of these Minutes.</p>
5		<p>Proposal to extend the waiver of KUSA Membership required of owners of KUSA-registered dogs, who are Namibian citizens, in order to enter and exhibit their dogs at the 2024 Championship Shows of the Namibian-based All-breeds Clubs, Hochland Dog Club and Windhoek Dog Club.</p> <p>The waiver of Article 12.2.1 in respect of Namibian citizens only, and limited to 2023, was granted by Fedco round robin on 17.08.2022 and ratified at Fedco 12-2022.</p> <p>Proposal submitted by the Free State and Northern Cape Provincial Council (FS&NCPC).</p> <p>Motivation: The FS&NCPC supports a waiver of the Article 12.2.1 in respect of Namibian citizens who wish to enter the 2024 All-breeds Championship Shows of Hochland Dog Club and Windhoek Dog Club based on the following report and further appeal received from Hochland Dog Club, the entity responsible for the two Championship Shows:</p> <p><i>For our Championship Shows in July 2023, KUSA granted dispensation to our club that would allow non-KUSA members to exhibit their dogs. Two Shows were held on the same day in 2023 and the entries were 33 and 30 respectively – 50% from SA and 50% from local residents. All the local dogs entered were owned by KUSA members; two local owners were KUSA members and their entry comprised six dogs. The rest were entered under SA breeders' names, due to breeders not allowing dogs to be transferred to new owners until they are sterilised.</i></p> <p><i>Some of our loyal SA exhibitors did a lot to encourage new exhibitors to travel to Windhoek and the Shows were a great success with a number of first-time exhibitors vowing to return next year, which we obviously hope will happen.</i></p> <p><i>In 2027, our Club would be 50 years old and that would be a most remarkable milestone for us to reach.</i></p> <p><i>Our Chairlady has unfortunately given notice that she would be resigning next year, which leaves only four of us on the committee, of which only two are KUSA members. The Club has only two other members; the interest is just not there anymore. It has been suggested that we have a membership drive and do more advertising, so maybe that would help. Nadine Shortland suggested that we should consider merging with Windhoek Dog Club, but we don't see how that would help the situation, as one Club we would only be able to obtain one Show licence.</i></p> <p>For ratification.</p> <p>On a proposal from RJ, seconded by NdP, the provisional approval at the FDF on 16 January 2024 to extend the waiver of KUSA Membership required of Namibian citizens to enter and exhibit dogs registered in their ownership at the 2024 Championship Shows of the Namibian-based All-breeds Clubs, was ratified, unanimously.</p> <p>Effective on publication of these Minutes.</p> <p>[Note: It was agreed that the above outcome may be disclosed to the Executive Committee and the Club prior the publication of the Minutes.]</p>

6		<p>Proposal to replace Article 30 in its entirety with a new heading and new wording to update and reflect the entire profile of the KUSA Classic cluster of Shows and assign the management of the Shows to the “empowered” body in terms of Article 30.1, being the Federal Council</p> <p>Submitted by the Chairman of the Federal Council.</p> <p>Motivation: Article 30 has never been updated with later additions to <i>The KUSA Classic Cluster Weekend</i>, such as the KUSA Winners Show, and the recent development to permit the hosting Provincial Council of <i>The KUSA Classic</i> first refusal to “upgrade” the KUSA Championship Show to an A2O Show where A2O CACs are awarded in addition to KUSA CCs. Since these extensive changes would necessitate a re-draft of the entire Article, it would be counter-productive to mark up the amendments on the current Article 30. For the record, Article 30 currently reads as follows:</p> <p>30. KENNEL UNION CHAMPIONSHIP SHOW & FCI SHOWS 30.1 The Federal Council shall be empowered to hold a Championship Show under the management of its Executive Committee once in each calendar year at such time and place as it shall decide, which shall be called the Kennel Union National Championship Show. 30.1.2 [Numbering error] The Federal Council shall be empowered to hold an FCI Show under the management of its Executive Committee once in each year, at such time and such place as it shall decide, in addition to the Kennel Union Championship Show. 30.2 All the provisions of Kennel Union regulations for Championship Shows shall apply to such Shows, save and except that it shall not be necessary to make a formal application and a licence fee shall not be payable.</p> <p>Proposed replacement of Article 30:</p> <p>30. KENNEL UNION NATIONAL CHAMPIONSHIP SHOW, INTERNATIONAL CHAMPIONSHIP SHOW, INTERNATIONAL AGILITY CHAMPIONSHIP SHOW & NATIONAL AWARDS</p> <p><i>3.1 Once in every calendar year, the Federal Council shall be licensed, at such time and place to be decided at its sole discretion, to hold a National Breed Championship Show, which shall be called the KUSA Championship Show and, in conjunction with it, host selected Dogsport Events. All the provisions of Schedule 03 shall apply to this National Breed Championship Show and the selected Dogsport Events, save and except that they shall be exempt from payment of Show Licence Fees, but be liable for payment of Show Entry Levies.</i></p> <p><i>At its discretion, the Federal Council shall be entitled to “upgrade” the KUSA National Championship Show to an FCI A2O Section Championship Show, licensed by the Asia, Africa and Oceania Section of the FCI, to be held in terms of Schedule 03B, at which FCI CACs shall be awarded in addition to KUSA CCs. Should this option be exercised by the Federal Council, the Show shall be exempt from payment of Show Licence Fees, but be liable for payment of Show Entry Levies and the fees charged by the A2O for every dog entered.</i></p> <p><i>3.2 Once in every calendar year, the Federal Council shall be further licensed, at such time and place to be decided at its sole discretion, to hold a National Breed Championship Show, which shall be called the KUSA Winners’ Show. All the provisions of Schedule 03 shall apply to this Championship Show, along with the provisions of Schedule 05E(23), save and except that it shall be exempt from payment of Show Licence Fees, but be liable for payment of Show Entry Levies.</i></p> <p><i>3.3 Once in every calendar year, the Federal Council shall be further licensed, at such time and place to be decided at its sole discretion, to hold an International Championship Show, which shall be called the F.C.I.-C.A.C.I.B.® International (Africa) Show and held under the provisions of Schedule 03A. All the provisions of Schedules 03A & Schedule 03 shall apply to this Championship Show, save and</i></p>

		<p>except that it shall be exempt from payment of Show Licence Fees, but be liable for payment of Show Entry Levies and, additionally, the fees charged to the FCI for every dog entered.</p> <p>3.4 Once in every calendar year, the Federal Council shall be further licensed, at such time and place to be decided at its sole discretion, to hold an International Agility Championship Show, which shall be called the F.C.I.-C.A.C.I.A.G.® International Agility Show and held under the provisions of Schedule 05L Appendix I. All the provisions of Schedule 05L Appendix I shall apply to this Championship Show, save and except that it shall be exempt from payment of Show Licence Fees, but be liable for payment of Show Entry Levies and, additionally, the fees charged by the FCI per F.C.I.-C.A.C.I.A.G.® awarded.</p> <p>3.5 Once in every calendar year, the Federal Council shall be further licensed, at such time and place to be decided at its sole discretion, to host the KUSA National Awards as per Schedule 05E(11). The KUSA National Awards shall be exempt from payment of Show Licence Fees and Show Entry Levies.</p> <p>3.6 The three (3) Dog Shows contemplated in Articles 30.1 – 30.3, the Dogsport Event contemplated in Article 30.4, and the KUSA National Awards shall form part of a cluster weekend collectively termed The KUSA Classic Weekend.</p> <p>3.7 The Federal Council shall be entitled, upon application, to award the hosting of The KUSA Classic Weekend to any of its Provincial Councils, or to any combination of its Provincial Councils, in a particular year and delegate to such Provincial Council(s) the powers as may be required for the effective hosting of the cluster weekend.</p> <p>Pursuant to Fedco's recommendation and agreement, under Item 7.2 below, to the drafting of an additional Article 3.8 to achieve parity for Judges officiating for The KUSA Classic with Judges officiating for other clusters of Shows and Dogsport Events, the following Article was drafted by GR in collaboration with NdP for urgent Fedco approval by round robin and simultaneous ratification under this Item 6:</p> <p>3.8 The cluster of Shows and Events comprising The KUSA Classic Weekend, as set out in Article 3.6, although all held under a licence issued to the Federal Council shall, for purposes of Regulations 7.10.1 and 7.10.2, be regarded as individual Shows and Events which have been separately licensed and the Federal Council shall be entitled to waive any unnecessarily restrictive provisions applicable to Judges in order to secure their services for these Shows and Events.</p> <p>For ratification.</p> <p>On a proposal from MV, seconded by LT, the replacement of Article 30 to reflect not only the current profile of The KUSA Classic, but also other relevant information, by new Articles 30.1 – 30.8, was ratified, unanimously.</p> <p>Effective on promulgation of the amended Articles, i.e. on the expiration of the two-month period for constitutional clearance for them to be put into effect, foreseen to be by no later than 01.05.2024.</p> <p>[Note: Following this Fedco Special Meeting, the Chairman secured authorisation for the addition of Article 30.8 via Fedco round robin, issued on 18 February 2024.]</p>
7	7.1	<p>Referral from Exco for Interpretation of Schedule 03 Regulations 7.10.1 & 7.10.2, read with Regulations 7.15 & 31.3.14 – requested by Breede Rivier Vallei Kennel Club</p> <p>Submitted by the Chairman of Exco on behalf of Breede Rivier Vallei Kennel Club.</p> <p>Fedco noted that this referral for interpretation of Schedule 03 Regulation 7.10.1 & 7.10.2 stems from a matter fully reported in the Minutes of Exco 11-2023 & 12-2023. In brief, it concerns an incident at the Breede Rivier Vallei Championship Show held on 14 October 2023, during which the contracted Judge, Mrs Jill Peak from the UK, declared herself unwell during the judging of the Show's Finals, and</p>

		<p>prior to the judging of the Junior Showmanship Competitions, thereby creating an emergency situation which caused the Show Manager to convince two local Judges to step in temporarily, one Judge to take over the judging of the Best Junior in Show Challenge, and the other to judge the Junior Showmanship Competitions. After her “recovery break”, Mrs Peak found herself sufficiently revived to complete the balance of the Final Challenges. Since both stand-in Judges had dogs entered and exhibited at the Show, it fell to Exco to establish whether the two Judges had breached either, or both, Schedule 03 Regulations 7.10.1 and 7.10.2, read with Schedule 03 Regulation 7.15, which provide as follows:</p> <p>7.10.1 A Judge <i>may not enter a dog registered in his ownership in the same discipline on the same day at the same venue as he is officiating</i>, save and except for Working Disciplines held under the licence of a different Club. Automatic disqualification of the dog(s) will apply and the Judge will be liable for disciplinary action under Schedule 1. [emphasis added]</p> <p>7.10.2 A Judge <i>may not handle a dog in any discipline</i>, save and except for Working Disciplines held under the licence of a different Club on the same day at the same venue, as he/she is officiating. Automatic disqualification of the dog(s) will apply and the Judge will be liable for disciplinary action under Schedule 1. [emphasis added]</p> <p>7.15 Any dog which has been exhibited contrary to these Regulations shall be liable to disqualification and cancellation of any awards gained, <i>whether, or not, an objection</i> has been lodged under Regulation 31. [emphasis added]</p> <p>After due consideration, Exco ultimately found the Judges in breach of Regulation 7.10.1 and the following is recorded in the Minutes of Exco 12-2023:</p> <p><i>The matter was reviewed under the appropriate Regulations governing such incidents, i.e. Schedule 03 Regulation 7.10.1, in which it is unambiguously stated and constitutionally prescribed that automatic disqualification [of the dogs, from receiving any awards] shall apply.</i></p> <p>This finding, and its punitive consequences of the withdrawal of all awards made to the dogs of the two Judges during the Show, was contested by Breede River Kennel Club on various grounds of circumstance and interpretation, hence Exco’s referral of the matter to Fedco in deference to Articles 43.1 & 43.2 of the KUSA Constitution.</p> <p>For interpretation and decision.</p> <p>[Note: Fedco’s powers of interpretation are derived from Articles 43.1 & 43.2, which provide as follows:</p> <p>43.1 <i>The Federal Council shall be the only authority for the interpretation and resolution of any matter in this Constitution and all the Schedules, Rules, Regulations and Bylaws made thereunder. [emphasis added]</i></p> <p>43.2 <i>The resolution of the Federal Council upon questions of interpretation in this Constitution and its Schedules, Rules, Regulations and Bylaws due to possible ambiguity shall be final and binding. [emphasis added]</i></p> <p>It should therefore be self-evident that, in matters of interpretation, Fedco’s status is “functus officio”, in other words, once its decision is made, it cannot be revoked, or varied, by the decisionmaker (Fedco). In consequence, the decision is final and binding and not subject to appeal.]</p> <p>In consideration of Schedule 03 Regulations 7.10.1 and 7.10.2, Fedco applied the doctrine of <i>in pari materia</i> (translated as “on the same subject or matter”), commonly used in the legal profession to interpret Statutes. This simply means that a Statute (Regulation) alleged to be ambiguous should be considered in tandem with other Regulations, which are substantially similar in intent, to determine the (probable) intent of the Regulator. Ergo, Fedco considered Regulation 7.10.1 in conjunction with Schedule 03 Regulation 31.3.14:</p>
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		<p>...that it has been entered and/or exhibited at a Show when it is registered or recorded as owned by an officiating Judge within a period of four (4) months prior to the Show, when said officiating Judge is scheduled to judge any Class or Competition to which the dog may gain admission through its entry, except in the case of a dog owned by the officiating Judge appointed in an emergency, in which case the disqualification of the dog will be automatic without any liability incurred by the emergency appointed Judge. [emphasis added]</p> <p>Even if one were to argue that Regulations 7.10.1 and 7.10.2, not being subject to some leniency under extraordinary circumstances, were possible lacunae, the intent of the Regulator is clear and identical in Regulations 7.10.1 and 7.10.2, i.e. automatic disqualification of the dog(s), even if read with Regulation 31.3.14, which has a corresponding outcome. The principal difference is that, in Regulation 31.3.14, the Judge is absolved from liability under Schedule 1 if appointed "in the case of an emergency". Given the clarity on the consequence of a breach of any one of these Regulations, neither Exco, nor Fedco, has the constitutional power to stay their uniform effect, i.e. automatic disqualification of the dog(s).</p> <p>In view of the above, on a proposal from BJ, seconded by NdP, Fedco concluded, unanimously, to uphold the finding of Exco that the withdrawal of the awards gained by the dogs was unavoidable under the current Regulations. Since the Judges proceeded with their assignments with no wilful intent to contravene KUSA Regulations and in the genuine, albeit mistaken, belief that there would be no adverse consequences, Fedco concurred with Exco which had, perhaps unwittingly, but nevertheless sensibly, applied the doctrine of <i>in pari materia</i> by not holding the Judges liable for disciplinary action under Schedule 1.</p> <p>[Note: The Acting Secretary was requested to inform Breede Rivier Vallei Kennel Club of Fedco's finding and to report it to Exco.]</p>
7	7.2	<p>Referral from Exco for Interpretation of Schedule 03 Regulations 7.10.1 & 7.10.2 – requested by KUSA Classic Organising Committee 2024</p> <p>Submitted by the Chairman of Exco on behalf of the KUSA Classic Organising Committee 2024.</p> <p>This referral from Exco for interpretation of Schedule 03 Regulations 7.10.1 and 7.10.2 as a pre-emptive measure, was due to some uncertainty on the part of the Organising Committee of the 2024 <i>KUSA Classic</i> cluster of Shows in KwaZulu-Natal as to whether a Judge, officiating for a Dogsport Event over <i>The KUSA Classic</i> weekend, was permitted to enter and handle a dog in his/her Registered Ownership at a Breed Show over the same weekend.</p> <p>The Regulations requisite of interpretation are the following:</p> <p>7.10.1 A Judge may not enter a dog registered in his ownership in the same discipline on the same day at the same venue as he is officiating, save and except for Working Disciplines held under the licence of a different Club. Automatic disqualification of the dog(s) will apply and the Judge will be liable for disciplinary action under Schedule 1. [emphasis added]</p> <p>7.10.2 A Judge may not handle a dog in any discipline, save and except for Working Disciplines held under the licence of a different Club on the same day at the same venue, as he/she is officiating. Automatic disqualification of the dog(s) will apply and the Judge will be liable for disciplinary action under Schedule 1. [emphasis added]</p> <p>For interpretation and decision.</p> <p>Fedco confirmed that, as in the case of the scenario addressed under Item 7.1 above, the Regulator's intention is clear with regard to the impermissibility of entering or handling a dog in the Registered Ownership of an officiating Judge at Shows held under the same licence. However, Fedco took cognisance of the fact that, despite their diversity, the Shows and Events constituting <i>The KUSA Classic</i> were collectively licensed to Fedco as an entity (not a Club). This differed for all other clusters</p>

		<p>of Shows held across the country, comprising different Clubs holding their Shows under different licences. After due deliberation, Fedco expressed the unanimous view that, in the interest of equity, <i>The KUSA Classic</i> ought to be excluded from the rigours of the above two Regulations. In further endorsement of this view, MV cited the reality that Dogsport Judges for <i>The KUSA Classic</i> were in extremely high demand and in short supply, with the inevitable result of dependence on the services of out-of-towners. Since a number of Dogsport Judges routinely exhibit their purebred dogs in Breed Classes, they were disinclined to accept appointments for Dogsport Events which precluded them from competing at Breed Shows when there was no apparent threat of conflict or unfair advantage (presumably the principal rationale behind Regulations 7.10.1 & 7.10.2).</p> <p>In amelioration of the situation, Fedco recommended that a further urgent amendment be made to the already-approved and -ratified Article 30 under Item 6 above to accommodate the uniqueness of <i>The KUSA Classic</i>. This might be achieved by relaxing the impediments posed by Regulations 7.10.1 & 7.10.2, thereby according the Dogsport Judges at <i>The KUSA Classic</i> the same liberties as Dogsport Judges officiating at Dogsport Events held as part of conventional clusters of Shows.</p> <p>On a proposal from MV, seconded by JH, Fedco agreed, unanimously that a suitable addition to Article 30 should be sanctioned by urgent Fedco round robin and, if accepted without dissent, deemed to be part of the replacement Article 30 ratified under Item 6 hereof.</p> <p>[Note: Following this Fedco Special Meeting, the Chairman secured authorisation for the addition of Article 30.8 via Fedco round robin, issued on 18 February 2024.]</p>
8 ***		<p>Proposed amendments to Schedule 03 Appendix 3 – Official Show Entry Form for Field Trials</p> <p>Submitted by the Field Trial Liaison Council.</p> <p>Motivation: At Fedco 12-2023, under Item 12.6.2, amendments to Schedule 05C(1) – Regulations for Retriever Field Trials – were approved to clarify which dogs are eligible to be registered as a Single Dog on the Dogsport Record in order to enter Field Trials.</p> <p>In consequence, the Field Trial Liaison Council recommend that amendments be made to the Official Show Entry Form as follows:</p> <ul style="list-style-type: none"> • Add under heading – Single Registration Dogs do not need to supply details in grey text boxes but must attach the relevant Breed Assessment Form • Add an additional text box – Single Dog – Dogsport Record: • Amend Breed to read Breed/ Breed Type <p>Document attached.</p> <p>On a proposal from DS, seconded by GR, the amendments to the Official Show Entry Form for Field Trials were approved, unanimously.</p> <p>[Note for the KUSA Office: The same amendments should be carried through to the Official Online Electronic Entry Form. Refer to the document attached to the Agenda for the amendments to be made to the Online Electronic Entry Form.]</p> <p>[Note: The FTLC would like to publish and circulate the updated version of the Official Show Entry Form immediately after the Fedco 02-2024 Special Meeting, as the first Field Trial is scheduled to take place on 21 March 2024.]</p> <p>Effective 01.05.2024, but may be Implemented on publication of these Minutes.</p>
9		<p>Ratification of the KUSA Secretary's appointment</p>

		<p>A discussion at the FDF on KUSA Staffing Matters on 7 February 2024, led to the unanimous decision reached by Fedco that Mr BG Robinson was the preferred candidate to be appointed as KUSA Secretary on a limited term contract basis. In verification of this decision, on a proposal from JH, seconded by MV, the appointment of Mr BG Robinson as KUSA Secretary was ratified, unanimously.</p> <p>Effective on promulgation of the amended Article 30 as per Item 6 hereof, i.e. on the expiration of the two-month period for constitutional clearance for the to be put into effect, foreseen to be by no later than 01.05.2024.</p> <p>[Note: PM informed Fedco that, in the interest of KUSA's operational efficiency, she deemed it advisable not to delay the commencement of Mr Robinson's probationary term under KUSA's employ and declared her intention to engage him on a consultancy basis as soon as practicable. During this interim period, his designation will be "Acting KUSA Secretary".]</p> <p>[Note: At the FDF on 7 February 2024, Fedco members raised questions regarding the timelines pertaining to GR's resignation from DOGSPC and his consequential resignation as Vice-Chairman of the Federal Council. JH assured Fedco that GR had put a meticulous schedule of sequential actions in place for him and CC, following the announcement of his appointment as KUSA Secretary on the KUSA website on the morning of Friday, 16 February 2024.</p> <p>JH also informed Fedco of her intention to call a further Special Meeting of Fedco on Thursday, 4 April 2024, at which the consequential vacancies of offices and portfolios created by GR's resignation, will be fully dealt with.]</p>
10		<p>Dotsure – Update from the Fedco Task Team</p> <p>The Fedco Task Team, comprising NdP, RJ, LT & CPA, tabled its preliminary report. The report was received with thanks and appreciation and, on behalf of Fedco, JH expressed her appreciation to the Task Team members for their time and effort.</p> <p>Fedco requested the Task Team to continue with its due diligence and provide a further update at the next available opportunity.</p> <p>Noted.</p>
11		<p>The Chairman closed the Special Meeting at 08h52, thanking the members of Fedco for their attendance and time.</p>