BYLAWS OF THE NATIONAL CARTING SUB-COMMITTEE OF THE FEDERAL COUNCIL OF THE KENNEL UNION OF SOUTHERN AFRICA

In terms of Article 6.1 of the Constitution of the Kennel Union of Southern Africa, the Federal Council has issued the following Bylaws for its National Carting Sub-Committee. These Bylaws may be amended or varied by the Federal Council from time to time at its sole discretion.

1. NAME

1.1. The name of the Sub-Committee shall be the "National Carting Sub-Committee of the Federal Council of the Kennel Union of Southern Africa", hereinafter referred to as the "NCSC".

2. AREA OF OPERATION AND JURISDICTION

2.1. The NCSC, established in terms of Article 6.1 of the Constitution of the Kennel Union of Southern Africa, shall operate nationally under the Constitution of the Kennel Union of Southern Africa, inclusive of its Schedules and Appendices, in matters relative to the Dogsport of Dog Carting.

3. INTERPRETATION OF TERMS

3.1. Throughout these Bylaws, words importing the singular shall include the plural; words importing the masculine gender shall include the feminine and neuter genders and vice versa, unless such interpretation is inconsistent with the context thereof.

3.2. The terms below supplement those in Article 2 of the KUSA Constitution. When used in these Bylaws, the following words, phrases, acronyms and initialisms shall have the meaning ascribed to them unless the context clearly commands a different meaning:

3.2.1. "Bylaws" mean these bylaws, being the standing rules and regulations issued by the Federal Council for its National Sub-Committees of various branches of Dogsport, in this case Carting.

3.2.2. "Convener" means the elected Convener of the NCSC, who shall be a qualified Judge at the highest level in the Dogsport of Dog Carting in South Africa, and preferably also a competitor at the highest level in the Dogsport of Dog Carting in South Africa.

3.2.3. "Federal Council" means the Federal Council of KUSA.

3.2.4. “KUSA” means the Kennel Union of Southern Africa.

3.2.5. “Member in Good Standing of KUSA” means a fully paid-up Member who is not under investigation for conduct alleged or considered to be harmful, prejudicial, or injurious to the objectives, interests, good order or character of KUSA, or been declared a *persona non grata.*

3.2.6. “NCSC” means the National Carting Sub-Committee of the Federal Council.

3.2.7. “NCSC Representative” means the person nominated and elected by a Carting Sub-Committee of a Provincial Council to serve on the National Carting Sub-Committee of the Federal Council as contemplated in clause 6 of these Bylaws.

3.2.8. “National Carting Sub-Committee” (NCSC) means a National Sub-Committee upon which the Federal Council has conferred powers for the representation of Dogsport of Dog Carting and, in particular, to the maintenance and amendment of the Regulations governing Carting in South Africa, subject to the approval of the Federal Council.

3.2.9. “Protection of Personal Information Act”, No. 4 of 2013, generally referred to as “POPIA”, means the law enacted to compel public and private bodies to protect the personal information entrusted to their custody and, by providing for the lawful processing and disclosure of such information, and protect the owner of the information from harm caused by the unlawful use thereof.

3.2.10. “Provincial Council Carting Sub-Committee” means a Provincial Council Sub-Committee upon which the Provincial Council has conferred powers for the administration of the Dogsport of Dog Carting in the territory under its jurisdiction.

3.2.11. “Round Robin Resolution” means a resolution obtained by email in the interest of urgency or expedience by the Convener of the NCSC, from the members of the NCSC, in the form of emailed counterparts, mimicking the required majority for the resolution in question at the meetings of the NCSC, to be ratified at the next constituted meeting of the NCSC.

3.2.12. “Secretary” means the secretary of the NCSC.

3.2.13. “Treasurer” means the treasurer of the NCSC.

4. OBJECTIVES OF THE NCSC

4.1. The objectives of the NCSC shall be:

4.1.1. to provide a single body representative of all Provincial Council Carting Sub-Committees;

4.1.2. to provide the means of closer co-operation and liaison between Provincial Council Carting Sub-Committees with particular reference to the activities promoted by such Sub-Committees and proposed amendments to the relevant Regulations and Schedules governing the Dogsport of Dog Carting;

4.1.3. to consider any proposed alterations and amendments to the said Regulations and Schedules governing the Dogsport of Dog Carting;

4.1.4. to provide a channel of communication between Provincial Council Carting Sub-Committees and the Convener;

4.1.5. to assist and represent the Federal Council in its dealings and communications with members of Provincial Council Carting Sub-Committees and to perform such other functions as may be delegated to it from time to time by the Federal Council;

4.1.6. to consider proposed amendments to the Regulations and Schedules governing the running and management of the Dogsport of Dog Carting, such amendments to be passed by a simple majority vote of NCSC Representatives for promotion to the next Agenda of the Federal Council;

4.1.7. to prepare in the required format and present to the Federal Council for approval any proposed amendments relating to the Regulations, Schedules and Appendices governing the running and management of the Dogsport of Dog Carting;

4.1.8. to provide a channel of communication to the Federal Council;

4.1.9. To qualify Judges in the Dogsport of Dog Carting through the adherence to the requirements as contemplated for this Objective in Schedule 05G and to schedule the examinations and the necessary examination papers entrusted to the NCSC's jurisdiction;

4.1.10. To cooperate and consult with the Judges Education Council (JEC) of KUSA on any matter pertaining to the examination of candidates on the Regulations contained in Schedule 3 and Schedule 9 Appendix "B";

4.1.11. To submit the results of examinations on Schedule 05G to KUSA for release to the candidates; and

4.1.12. to ensure the NCSC's compliance with the POPIA and to only permit the lawful processing and disclosure of the personal information of the NCSC's members or the personal information of other persons to which the NCSC has access in the course of its normal operations.

5. POWERS

5.1. For the better attainment of its Objectives, the NCSC shall be empowered:

5.1.1. to deal with those matters affecting the administration of the Dogsport of Dog Carting nationally which, in the view of the Federal Council, might be more efficiently dealt with by the NCSC; and

5.1.2. to do all such things as are incidental or conducive to the attainment of the NCSC's Objectives.

6. COMPOSITION OF THE NCSC

6.1. The NCSC shall be composed of one (1) NCSC Representative from a minimum of three Provincial Councils, as identified in Article 14.3 of the Constitution of KUSA, who shall all serve for a period of four (4) years, the initial four-year cycle to have commenced on 1 January 2014.

6.2. NCSC Representatives shall be elected by the members of the respective Provincial Council Carting Sub-Committees and they shall remain members of their Provincial Council Carting Sub-Committees for their entire term of service on the NCSC. If, during the period of four (4) years, the person so elected resigns from the NCSC, or is otherwise unable to continue with his duties on the NCSC, the Provincial Council Sub-Committee concerned shall be entitled to elect a replacement for the remaining term of office of the original NCSC Representative.

6.3. Whenever a new NCSC Representative is elected by his Provincial Council Carting Sub-Committee, his membership to the NCSC shall commence from the date of election and no other formality shall be required to obtain and retain membership, subject to the provisions in clauses 6.4 and 6.7 of these Bylaws. The NCSC Representative shall, upon election, declare his "domicilium citandi et executandi" to the NCSC for the purpose of receiving notices/documents and, thereafter, shall be solely responsible for advising any changes to his domicilium (see Notices, clause 12).

6.4. No elected NCSC Representative may represent more than one (1) Provincial Council Carting Sub-Committee on the NCSC.

6.5. NCSC Representatives must be eighteen (18) years or older at the time of their election to the NCSC.

6.6. At the beginning of each period as defined in clause 6.1, all NCSC Representatives shall present their credentials and satisfy the meeting of their appointment thereto.

6.7. NCSC Representatives shall remain members of their Provincial Council Carting Sub-Committees for their entire term of office on the NCSC and, should they resign from their Provincial Council Sub-Committees, or their membership of their

Provincial Council Sub-Committee be revoked or suspended, their representation on the NCSC shall automatically cease.

6.8. All NCSC Representatives shall be Members in Good Standing of KUSA and should preferably be senior Judges licensed by the Kennel Union.

7. TRADING AND INCOME

7.1. The NCSC shall not engage in any activity or transaction which has as its objective the financial gain of any person or persons or any entity, including the Provincial Council Carting Sub-Committees represented on the NCSC. The income of the NCSC shall be used solely in the pursuit of the NCSC's Objectives.

8. MANAGEMENT OF THE NCSC

8.1. All the business and affairs of the NCSC shall be managed and controlled by the NCSC Representatives elected in terms of clause 6, who shall have full power and authority to carry out all or any of the Objectives and to exercise all or any of the powers set forth in these Bylaws.

8.2. The NCSC shall hold a meeting in terms of clause 10.2 between the first day of January and the last day of March each year, designated the Annual General Meeting, at which the Convener shall report on the activities of the NCSC since the previous Annual General Meeting.

8.3. At the end of any four-year cycle (prospectively, 31 December 2025, 31 December 2029, etc.), nominations for the position of Convener, together with signed acceptances of nominees, shall be in the hands of the Secretary not less than thirty (30) days before the Annual General Meeting to be held before 31 March of the new four-year period (refer to clause 6.2 above). Nominees shall be elected from accredited members of their Provincial Council Carting Sub-Committees who shall all be Members in Good Standing of KUSA.

8.4. During the bridging period of 1 January and the Annual General Meeting in any new four-year period, the Convener whose tenure ends on 31 December of the previous year shall continue to act as Convener until the Annual General Meeting is held.

8.5. Quadrennially, at the Annual General Meeting, the NCSC Representatives shall elect by simple majority from the nominations, a Convener, who meets the criteria in clause 3.2.2, and who shall hold office for a period of four (4) years, during which time the Convener so elected shall maintain unbroken membership of the Provincial Council Carting Sub-Committee he represents.

8.6. Should no result be achieved in the election, a detailed report on the election and the reasons for failure to achieve a result shall be submitted to the Executive Committee who, upon consultation, shall appoint a Convener at the earliest opportunity. The Executive Committee's decision on such matter shall be final

and binding.

8.7. Upon his election, or appointment, the Convener shall immediately take office.

8.8. Following his election, the Convener shall continue to represent his Provincial Council Carting Sub-Committee on the NCSC.

8.9. Unless he resigns or his membership of the Provincial Council Sub-Committee is revoked or suspended during his four-year term, the Convener will retire at the close of the fourth (4th) Annual General Meeting following his election, unless re-elected for a further term. If not re-elected as Convener, he will continue to represent his Provincial Council Carting Sub-Committee on the NCSC for as long as he remains eligible to do so.

8.10. The NCSC shall appoint a suitable person to be Secretary of the NCSC who need not be a Provincial Council Representative or a member of the NCSC, but shall be a Member in Good Standing of KUSA. If the appointed Secretary is not a Provincial Council Carting Sub-Committee Representative, he shall not be eligible to vote and such Secretary shall hold appointment for such period as the NCSC may decide at its sole discretion.

8.11. The NCSC shall appoint a suitable person to be Treasurer of the NCSC who need not be a Provincial Council Representative or a member of the NCSC, but shall be a Member in Good Standing of KUSA. If the appointed Treasurer is not a Provincial Council Carting Sub-Committee Representative, he shall not be eligible to vote and only report on matters pertaining to the finances. Such Treasurer shall hold appointment for such period as the NCSC may decide at its sole discretion.

8.12. In compliance with the POPIA, appoint for the ensuing year an Information Officer and, if justified, a Deputy Information Officer, who shall be one or more of the NCSC's members customarily entrusted with the custody and processing of the personal information of the NCSC's members, or the personal information of other persons to which the NCSC has access in the course of its normal operations.

8.13. In addition to, but without derogating from its general authority, the NCSC may perform all acts and deeds and do all things which are consistent with these Bylaws.

9. ADMINISTRATIVE EXPENSES

9.1. The NCSC shall be self-funding and shall only apply to the Federal Council for funding of expenses of an extraordinary nature, the latter only to be incurred once pre-approval had been secured from the Federal Council.

10. MEETINGS

10.1. The business and all meetings of the NCSC shall be carried out through the medium of electronic mail (email) or by teleconference, or videoconference, using an online telecommunications platform of the NCSC's choice, such as Skype, Zoom, WebEx or Microsoft Teams or, only under very special circumstances (with KUSA's approval), be conducted face-to-face in combination with any form of virtual attendance.

10.2. The NCSC shall hold at least one meeting per annum, which shall be the Annual General Meeting. The NCSC may meet as often as its members deem necessary or convenient, but a meeting must be scheduled within twenty-one (21) days of receipt by the Convener of a request for a meeting from at least two (2) members of the NCSC.

10.3. Minutes of every NCSC meeting shall be recorded by the Secretary or, in his absence, by a member of the NCSC delegated to act as Secretary for that meeting and properly minuted.

10.4. The Secretary shall convene a Special General Meeting of the NCSC upon receiving a written request from at least two (2) NCSC Representatives specifying, in general terms, the business to be brought before such meeting. Notice for a Special General Meeting requisitioned in terms of this provision shall be given by the Secretary within seven (7) days of receipt of the request therefor, for the meeting to take place within twenty-one (21) days of the Notice. In the case of a Special General Meeting, assembly by teleconference or videoconference, using an online telecommunications platform of the NCSC's choice, such as Skype, Zoom, WebEx or Microsoft Teams, will suffice, provided that it is properly minuted. The Agenda for such Special General Meeting shall be limited to the business specified in the request and all discussion at such meeting shall be confined to such business.

10.5. The Convener shall act as Chairman at all meetings of the NCSC. Should the Convener not be able to be present, the members present shall appoint from amongst their number a NCSC Representative to preside over such meeting and the person so appointed shall exercise the powers and functions which could have been exercised by the Convener had he been present.

10.6. In the interest of urgency or expediency, the Convener shall be entitled to pursue a decision by Round Robin Resolution at any stage between the scheduled meetings of the NCSC, which shall be final and binding upon the declaration of a positive result by the Convener. Such decision shall be ratified at the next constituted meeting of the NCSC.

11. AGENDA AND MINUTES

11.1. The Secretary shall, at his discretion, send written notice by electronic mail, to each member's email address notified in terms of clause 6.3 hereof, giving all

members not less than twenty-one (21) days' notice of every meeting, specifying the date, time and method of assembly. Every such notice shall include a copy of the Agenda.

11.2. The unconfirmed minutes of all meetings shall be sent out by the Secretary for confirmation by all the NCSC Representatives not less than thirty (30) days after the date of the meeting. All NCSC Representatives shall confirm the adoption of said minutes to the Secretary, or advise him of any amendments required, within seven (7) days of receipt of the unconfirmed minutes.

12. NOTICES

12.1. Any notice required or permitted to be given shall be valid and effective only if given in writing, email included.

12.2. Any notice given by email shall be deemed, in the absence of proof to the contrary, to have been received by the recipient within twenty-four (24) hours of transmission on the next business day (i.e. excluding Saturdays, Sundays and Public Holidays).

13. VOTING

13.1. The NCSC Representative of each Provincial Council Carting Sub-Committee shall be required to exercise a deliberative vote, or to abstain. The Convener shall be entitled to a deliberative vote only and not a casting vote.

13.2. Voting shall be exercised openly and shall be recorded by the Secretary. The number of votes cast for and against a motion shall be recorded and the Secretary shall record the name of each NCSC Representative.

13.3. All motions which are duly proposed and seconded shall be tabled by the Convener for deliberation and, when ready, be put to the vote. In the absence of a proposer and a seconder, the motion shall fail. A simple majority of votes of the total number of NCSC Representatives shall decide any question put to the vote at any meeting of the NCSC.

13.4. In the case of the recorded votes being divided equally for and against a motion, further deliberations shall be held in order to reach a compromise. If no compromise can be reached, the motion shall be deferred to the next meeting of the NCSC with an instruction for the NCSC Representatives to debate the said motion at Provincial Council level with a view to reaching a firm conclusion.

13.5. Should no result be achieved during the second round of discussion and voting, the motion shall be submitted to the Executive Committee for placement on the Agenda for the next Executive Committee meeting. The Executive Committee's decision on such matter shall be final and binding.

13.6. The NCSC may raise any relevant issue or submit an advisory recommendation which shall, if adopted, be submitted by the Convener for tabling at a meeting of the Federal Council.

14. SPECIAL OBLIGATIONS

14.1. The NCSC shall send copies of its confirmed Minutes of all meetings, including Special General Meetings held pursuant to the provisions of clause 10.4 hereof, to KUSA. Any resolutions reached pertaining to proposed amendments or alterations to the relevant Schedules of the Constitution of KUSA, or any of its Appendices, shall be included as an attachment to such Minutes.

15. AMENDMENT OF THE BYLAWS

15.1. These Bylaws and any provision thereof may be repealed, substituted, amended or added to by the Federal Council. Any amendment approved by the Federal Council shall be directed by the Federal Council for incorporation into the Bylaws of all National Sub-Committees insofar as such amendment is universally applicable to all branches of Dogsport for which National Sub-Committees have been approved.

RECORDALS

The **First Iteration** of these Bylaws was **approved at Fedco 06-2020**

All amendments to these shall only be under a **directive from the Federal Council** as stated in clause 15.1. The dates of the meetings of the Federal Council at which amendments to this Constitution were directed and approved, shall be recorded below and only the latest iteration, inclusive of all previous amendments, shall be signed by the authorised signatory of KUSA for safekeeping by the KUSA Office. Subsequent amendments shall be recorded below the previous amendments and the KUSA General Manager, the authorised signatory of KUSA, shall sign underneath the most recently recorded amendments, thereby attesting to the most recent and current iteration of the Bylaws.

Signed …… Date…….

Pascale Midgley
General Manager
For and on behalf of the Kennel Union of Southern Africa

AMENDMENTS MADE TO THESE BYLAWS AS SUBSEQUENTLY DIRECTED BY THE FEDERAL COUNCIL