

CONSTITUTION AND BYE-LAWS OF THE NAMIBIAN BRAHMAN BREEDERS SOCIETY

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CONSTITUTION OF THE NAMIBIAN BRAHMAN BREEDERS SOCIETY

DEFINITIONS

The words and phrases in this Constitution shall have the following meanings, unless a contrary meaning clearly appears from the context:

- a) “Act” – the Livestock Improvement Act as amended from time to time, or any other Act which is substituted therefore and includes the regulations;
- b) “Appendix” – the procedure whereby unregistered phenotypical Brahman females may be inscribed in a register, and whereby provision is made for later progeny of these animals to attain fully registered status;
- c) “A.I.” – Artificial Insemination;
- d) “Association” – the Namibian Stud Breeders Association;
- e) “birth” – the birth of a Brahman calf;
- f) “birth recording” – the process whereby the birth of a Brahman calf is placed on the records of the Association;
- g) “Brahman” – means a bovine, registered or eligible for registration or recording in the Herd Book or Appendix Section, and the words “Animal/s”, “Cattle”, “Calf/Calves”, “Dam/s”, “Females”, “Bulls”, “Male/s” and “Sire/s”, shall have the same meaning;
- h) “Breeder” (of a Brahman) – a member of the Society who is the owner of:
 - i) the dam, at the time of birth of a Brahman calf, which is eligible for full registration or recording; or
 - ii) an animal at the date of application for recording in the A Section of the Appendix; or
 - iii) the recipient dam at the date of birth of her Brahman calf, as a result of embryo transfer;
- i) “buyer” – the person or persons to whom ownership/joint ownership of a Brahman animal is transferred by the seller of such an animal;
- j) “Constitution” – the Constitution of the Society (inclusive of the Bye-laws);
- k) “Council” – the Council of the Society;
- l) “embryo” – a fertilised ovum of a Brahman;

- m) “E.T.” – Embryo Transfer/s;
- n) “Herd Book” – the Herd Book of the Society in which shall be inscribed all details of registered and recorded Brahman animals;
- o) “inspector/s” – a qualified person or persons, appointed by Council for the purpose of inspecting Brahman animals, as a pre-requisite for full registration and for recording;
- p) “Ministry” – Ministry of Agriculture, Water and Forestry;
- q) “owner” (of a Brahman) – the person who:
 - i) according to the records of the Association, possesses the Brahman concerned; or
 - ii) submits proof to the satisfaction of Council that the animal concerned is eligible for birth recording or is registered in his/her name.
- r) “Performance” – the measurement of characteristics which can be objectively measured and which are applicable to a Brahman, as determined by BREEDPLAN;
- s) “recording” – the procedure by which the Association inscribes a Brahman in the Appendix section;
- t) “registering” – refers to the procedure by which the Association inscribes a Brahman in the Fully Registered Section of the Herd Book or by which a prefix or herd designation mark is placed on the records of the Association;
- u) “Registrar” – the official designated as Registrar of Livestock Improvement, in terms of the Act;
- v) “Secretary” – the Senior Administrative Official of the Society;
- w) “seller” (of a Brahman) – the person or persons, being the owner/joint owners of a Brahman animal according to the records of the Association, who dispose(s) of such animal;
- x) “Semen” – the semen of a Brahman bull;
- y) “Society” – The Namibian Brahman Breeders Society;
- z) “SP” – an abbreviation of the term “Stud Book Proper”, meaning a full registered Brahman.

NAMIBIAN BRAHMAN BREEDERS SOCIETY

CONSTITUTION AND BYE-LAWS

CONSTITUTION

1 NAME OF THE SOCIETY

- 1.1 The name of the Society is the Namibian Brahman Breeders Society.
- 1.2 The Namibian Brahman Breeders Society conducts its business on a non-profit basis.

2 OBJECTIVES (OF THE SOCIETY)

Subject to the provision of the Act and of this Constitution, the objectives of the Society shall be:

- 2.1 To promote through all possible means the breeding and improvement of the Brahman cattle and to safeguard the purity of the breed. In the execution of its activities and duties, a prime objective of the Society shall be to foster interest in Brahman breeding and to promote commercial beef cattle production in Namibia.
- 2.2 To ensure that accurate records of registered and recorded Brahman cattle and their progeny are kept and maintained.
- 2.3 To apply minimum required standards for all animals, including imported animals, semen and embryos. Such standards must be complied with before the animals, or their progeny, will be taken up in the Herd Book.
- 2.4 To ensure that application for inspection and registration in respect of all imported Brahman cattle intended for stud breeding purposes be made after their arrival in Namibia. Such inspection for registration must be effected during the first ensuing inspection visit to the farm of the applicant.
- 2.5 Subject to the stipulations of this Constitution, to obtain, to hire, to occupy or to keep property, either movable or immovable, to lease, to alienate, to bond, to mortgage such property, or otherwise to mortgage the said property for the purpose of raising loans or making loans available. To invest any assets of the Society and from time to time, to redeem or alter such investments and in general to conduct such transactions in a manner which a body corporate, in accordance with the Act, may deem necessary in the pursuance of its ideals.

- 2.6 To comply in all aspects, when or where applicable to the Society, with the laws and statutes of the Republic of Namibia.
- 2.7 To undertake and to support research pertaining to the Brahman breed and to conduct and encourage promotion of the breed at all times.
- 2.8 To conduct any affairs which the Society may consider to be in the interest and to the benefit of the Brahman breed of cattle.
- 2.9 The Society reserves copyright on all information generated from the Society's data base and provided for by its members. The ownership of this information shall be vested in the Society and availability of any data must be in accordance with a decision by Council.

3 MEMBERSHIP

The following categories of membership of the society are available.

- 3.1 Ordinary Members: A person who is engaged directly or indirectly in the breeding of Brahman cattle or who is interested in the breeding of Brahman cattle, shall be eligible for membership of the Society as an Ordinary Member. For the purposes of this sub-clause, a company, partnership or an association shall be deemed to be a person and as such be eligible for Ordinary Membership of the Society.
- 3.2 Honorary Members: For special services rendered in the interests of the Brahman breed and/or to the Society, the Council may nominate an Ordinary Member as an Honorary Member. Such a nomination however, must be confirmed by a general meeting of the Society. An Honorary Member has the right to vote at any general meeting of the Society.
- 3.3 Application for Membership:
 - 3.3.1 Application for membership as an Ordinary Member of the Society must be made on the prescribed form and submitted to the Society. The application must be accompanied by the relevant subscription and/or entrance fees, as may be determined from time to time.
 - 3.3.2 The Society may admit any applicant to membership either unconditionally or on such conditions as it may determine; admission to membership may also be refused.
 - 3.3.3 Should an admission to membership be refused, Council shall advise the applicant accordingly within **14 (fourteen)** days. The applicant will be invited to motivate the reasons for his application

and may be requested to make him/herself available for an audience with Council, should this be deemed necessary.

- 3.3.4 Should Council nevertheless decide that admission to membership should still not be granted, the matter will be considered as being closed and within **14 (fourteen)** days of the date of the meeting, the applicant will be advised by email of this resolution. This notice will be accompanied by a refund of any fees which the applicant may have forwarded to the Society with his application for membership.

4. REGISTERED BREEDERS

- 4.1 A person, including a company, partnership or association who shows interest in the breeding of Brahman cattle, will be considered for acceptance as a Registered Breeder.

5. REGISTER OF MEMBERS

- 5.1 The Society shall maintain a register of all members, reflecting the date of their admission to membership, special stipulations to membership, their postal addresses and telephone numbers.
- 5.2 Every member shall communicate in writing to the Society any change in his postal address and all notices or obligations posted to the registered address of a member shall be deemed to have been duly delivered to the member.
- 5.3 Any notice, acceptance, demand or other communication properly addressed by the Society to members or by members to the Society and sent by prepaid registered post shall be deemed to be received by the latter on the tenth (10th) business day following the date of posting thereof. This provision shall not be construed as precluding the utilisation of other means and methods (including telefacsimile and e-mail) for the transmission or delivery of notices, acceptances, demands and other communication, but no presumption of delivery shall arise if any such other means or method is used.

6 RIGHTS, PRIVILEGES AND OBLIGATIONS OF MEMBERS

The rights and privileges of every member of the Society shall be personal to him or herself and shall not be transferable.

This shall include the following:

- a) to attend all general meetings of the Society and in the cases indicated above, have the right to vote at such meetings;

- b) to apply for the registration or recording of Brahman cattle in accordance with the stipulations of the Constitution;
- c) to consult and make use of the Society's official reports;
- d) to have at their disposal all the rights, privileges and obligations as determined by the Constitution;
- e) it remains the responsibility of members to check and correct their annual per capita lists and to return them to the Society within the pre-scribed time;
- f) the Society will not accept and/or process any applications for registration, entries or transfers unless the corrected levy lists were received by the Society within the stipulated time.
- (g) within three (3) years from date of admission of membership, each member shall attain a minimum of twenty (20) registered females in his herd of which each must be twenty-four (24) months or older, failing which, the membership will be cancelled.

7 SUBSCRIPTION AND FEES

- 7.1 All amounts payable to the Society in respect of all subscriptions, fees or any other dues and commissions, shall be determined by Council from time to time, and members shall be notified at the following Annual General Meeting of the Society.
- 7.2 The annual subscriptions and per capita levy fees become due and payable within **60 (sixty)** days of the date upon which the relevant levy lists and accounts were posted to the members. Per capita levy fees are levied in respect of all fully registered animals, calfbook animals and Appendix females, in the possession of a member as at **30 (thirty) May** of a given year. Should a member neglect to return the corrected per capita list to the Society by **30 (thirty) May** of a given year, he/she will be debited according to the original levy list posted to him/her by the Society, whereafter no further credits will be considered.
- 7.3 Any member whose subscription is in arrears, or who is indebted to the Society in respect of any fees or dues for a period longer than **30 (thirty)** days after a written demand for payment date thereof has been addressed to him/her by email by the Society, shall cease to enjoy any of the rights and privileges of membership. This situation shall be maintained until such time as he/she has discharged such obligations in full.
- 7.4 Council can cause an interest charge to be levied and collected on all arrear accounts at a rate determined by Council from time to time.

- 7.5 Any member who has ceased to be a member of the Society for whatsoever reason will remain liable for all accounts due by him/her to the Society as at the date on which his/her membership ceased.
- 7.6 Should Council resolve that the account of a member is in arrears or still outstanding at the time of cessation of his/her membership, and should such an account be handed over to a firm of attorneys for collection, then the member concerned shall be liable to the Society for payment of all legal costs on the attorney-and-own client scale, collection commission, as well as any additional administration costs incurred by the Society on his/her behalf, in addition to the principal amount, interest, fines and penalties owing by him/her.

8 RESIGNATIONS, EXPULSIONS AND REVOKING OF VOTING RIGHTS OF MEMBERS

8.1 Resignations:

Any member may resign from the Society by giving not less than **30 (thirty)** days written notice per email to the Secretary: Provided that such resignation should not take effect until all monies owing to the Society by such member have been discharged in full; and provided further that such member has met all his/her obligations in respect of documentation, records, transfers as well as any other responsibilities for which he/she may be answerable for to the Society.

8.2 Expulsion of Members:

8.2.1 Council may expel and/or terminate the Society's services to any member who:

- a) has infringed any provision of the Constitution and/or its Bye-laws or any regulation of the Society, or who has acted in any manner which in the opinion of Council is or may be prejudicial to the interests of the Society or any of its members;
- b) through his/her actions or lack thereof has brought definite or possible dishonour upon the name of the Society or has made himself/herself guilty of such behaviour as can be construed as being to the detriment to the objectives of the Society;
- c) intentionally or for personal gain or advantage, has submitted false information to the Society or any of its officials or judges at shows or elsewhere, or who has brought about any fundamental alteration to the body of a

Brahman animal with the object of misleading any person or persons;

- d) when requested by the Society, or any of its officials, neglects to, or refuses to comply with such request in the execution of blood typing, or in submitting herd registers or any other information which may be required;
- e) has been declared insolvent;
- f) has neglected to defray any amount owed by him/her to the Society, within **60 (sixty)** days after a written demand for payment, duly signed by the Secretary or his/her authorised representative, has been posted to him/her per email.

8.2.2 A member will be expelled from the Society should he/she be sequestered or be found by any court of law to be unsound of mind, or in accordance with the Medical Health Act and any amendment thereto, be found to be certifiable and placed under guardianship: Provided that no steps in respect of expulsion will be instituted against a member, (excluding cases relevant to clause 8.2.1 f., where a member with regard to a purely financial matter, has received a 60 day notice per email) till such time as the Society has notified the member concerned per email, advising him/her that a Council meeting has been convened where his/her proposed expulsion will be dealt with. In this directive such member will be requested to make himself/herself available to personally put his/her side of the case before Council or alternatively to appoint a duly authorised representative to act on his/her behalf at the meeting. Such notification must be directed to the member concerned by the Society, not later than **30 (thirty)** days prior to the proposed Council meeting.

8.2.3 Any member who has forfeited his/her membership, in terms of Clause 7.3, or who has been expelled in terms of Clause 8.2, will be notified thereof in writing by the Society within a period of **14 (fourteen)** days from the date upon which the resolution effecting such forfeiture of membership, or expulsion from the Society, was passed.

8.2.4 Once such expulsion has occurred, Council will direct that the name of the member concerned be deleted from the Society's Herd Book and Registers and apply for the cancellation of all or certain entries in respect of registrations of Brahman cattle which were bred by the expelled member and which were in his/her possession at the time of expulsion. Council may further stipulate that the expelled member immediately hand over to the Society all registration certificates in respect of Brahman cattle which were in

his/her possession at the time of expulsion, and further after such date that no Brahman cattle bred by the expelled member and in his/her possession at the time of expulsion, be transferred in terms of Bye-laws; the Society shall not accept any notifications of birth or applications for registration or recording from the expelled member. The member concerned will be duly advised of these stipulations.

- 8.2.5 A member who has been expelled, must discharge in full all financial liabilities owed by him/her to the Society at the time of his/her expulsion; further the expelled member must meet all commitments to the Society in terms of entries for registration, transfers as well as any other obligations which have a bearing on his/her membership.

9 RE-INSTATEMENT OF MEMBERS

Any person who has ceased to be a member of the Society may once again be considered for membership subject to approval by Council, and in terms of the pre-requisites as set out in Clause 3.3, and after all arrear accounts have been settled.

10 ELECTION OF COUNCIL

10.1 Composition of Council

The affairs of the Society shall be controlled and administered by a Council consisting of not less than 5 (five) and not more than 8 (eight) members.

- 10.1.1 Members of Council shall be elected by means of closed ballot at an Annual General Meeting or a Special General Meeting convened for this purpose; elected Council members shall hold office for a period of two years: Provided that one year after the election of the first Council in terms of this Constitution, one half of the members will retire, this to be determined by the drawing of lots. Upon expiry of their terms of office retiring members shall be eligible for re-election.

- 10.1.2 The Secretary and/or Senior Administrative Officer of the Society shall have the right to participate in any discussions at meetings but shall not be entitled to vote on any question or resolution.

- 10.1.3 The immediate past retiring President may remain in an *ex officio* capacity as a member of Council for one year; he/she may participate in discussions and shall be entitled to vote.

10.2 Election of Office Bearers and their Responsibilities

- 10.2.1 The President shall be elected by the Annual General Meeting or Special General Meeting convened for this purpose: Provided that the President be elected from the members of the newly elected Council and provided further that the person concerned must have served on the previous Council. The term of office of the President is one year and upon the expiration of this term, shall be eligible for re-election.
- 10.2.2 The total term of office of the President may not exceed 3 (three) consecutive years.
- 10.2.3 The Vice-President shall be elected by the Annual General Meeting or a Special General Meeting convened for this purpose: Provided that the Vice-President be elected from the members of the newly elected Council and provided further that the person concerned must have served on the previous Council. The term of office of the Vice-President is one year and upon the expiration of this term, shall be eligible for re-election.
- 10.2.4 Should the office of President or Vice-President fall vacant prior to the expiration of the term of office, Council at its following meeting, shall elect one of its members to fill the vacancy for the unexpired period.
- 10.2.5 Should any member of Council pass away, resign or cease to be a member of the Society or forfeit his/her office in terms of Clause 10.2.5, Council may appoint another member of the Society as a substitute with full powers to serve for the unexpired period. Council shall be deemed to be fully constituted and shall continue exercising all the powers conferred on it, notwithstanding any vacancies in its body.
- 10.2.6 A member of Council absenting himself/herself from two consecutive meetings without leave, or other satisfactory reason tendered to the President, or in his/her absence to Vice-President, or in his/her absence to Secretary or Senior Administration Officer, shall cease to be a member of Council.
- 10.2.7 a) The President, or in his/her absence, the Vice-President shall preside at all Council meetings and in this capacity shall insist that all provisions of the Constitution are fully adhered to, sign minutes of meetings after confirmation, and in all aspects supervise the affairs of the Society. Should both these office bearers be absent from any meeting, the members present thereat, provided they form a quorum, shall elect another member to preside at such meeting.

- b) In the event of an equality of votes, the Chairman of the meeting shall have a casting vote as a deliberative vote.
- c) The President and Vice-President are office bearers and, upon instruction by Council when deemed necessary, are authorised to act as claimants and defendants on behalf of the Society.

11 POWERS AND DUTIES OF COUNCIL

Council shall, subject to the terms of the Constitution and subject further to the directions of the general meetings of the Society as given from time to time, have power to act as it may deem necessary or advisable in the interests of the Society and for the advancement and attainment of the Society's objectives, and in particular shall have the following powers and duties:

- 11.1 to ensure the payment of monies borrowed in any manner, including the mortgaging or pledging of property, and without detracting from the generality thereof, in particular by the issue of any kind of debenture or debenture stock, with or without security;
- 11.2 to establish schemes for the provision of pensions, gratuities and other incentives for its office-bearers and employees;
- 11.3 from time to time, subject to the provisions of Clause 7.1, to adjust or revise subscriptions, per capita fees or any dues from members and to prescribe any such additional fees or dues as it may deem necessary;
- 11.4 to open one or more banking accounts, savings accounts and other deposit accounts in the name of the Society and to draw, accept, endorse, make or execute any bill of exchange, promissory note, electronic funds transfer (EFT) or other negotiable instrument in connection with the affairs of the Society;
- 11.5 to purchase, hire, take on lease or acquire for the purpose of the Society, buildings, land, goods or effects: To sell, mortgage, pledge, let, alienate or otherwise dispose of any movable or immovable property belonging to the Society, and to apply the consideration arising therefrom in such a manner as it may consider to be to the best advantage of the Society;
- 11.6 to invest, or in any other manner deal with any monies not immediately required for the purpose of the Society, upon such securities and on such terms as it may deem fit, and from time to time to change or realise any such investments;
- 11.7 to pay all costs and charges in connection with the administration and management of the affairs of the Society;

- 11.8 to collect and receive monies, donations, fees, and other dues and funds and to devote same towards the benefit of the Society and/or the promotion of the Brahman breed;
- 11.9 to convene general meetings of the Society or, in consequence of a special request to that end, which has been submitted in terms of the Constitution or otherwise, should it be deemed necessary;
- 11.10 to appoint, dismiss or suspend auditors, attorneys or other legal representatives, agents, officials, officers or other employees for or from permanent, temporary or special services as it may deem fit; to determine their powers and duties, and to fix their remuneration and conditions of service and to require such security for the due performance of their functions as it may in particular cases deem expedient;
- 11.11 to institute, conduct, defend, compound or abandon any legal proceedings by or against the Society, or against any of its officials or officers or other employees in connection with the affairs of the Society, and to compound or allow, or ask for time for payment or satisfaction of any debts due to any claim or demand by or against the Society.
- 11.12 to co-opt to Council from time to time any capable person who may participate fully in all discussions, but shall not be entitled to vote;
- 11.13 to co-opt the services of any member of the Society or other person, who shall not be entitled to vote, and to appoint persons to sub-committees upon such terms and with such powers as it may from time to time deem expedient: Provided that the President and/or Vice-President of the Society shall be *ex officio* members of all subcommittees with full rights and privileges;
- 11.14 to appoint inspectors for the inspection of Brahman cattle;
- 11.15 to create a system whereby judges will receive instruction and be graded into categories of proficiency and to maintain a register of the various categories of judges. This panel of judges to be made available to show societies so that suitably qualified judges can be appointed to officiate in the judging of Brahman cattle;
- 11.16 to organise National Championship Shows for Brahman cattle from time to time;
- 11.17 to elect a representative/s and alternate/s to the Council of the Namibian Stud Breeders Association, and to nominate a person or persons to represent the Society on any committee, body or organisation as may be necessary;

- 11.18 to investigate disputes arising out of the application of the Constitution and to give rulings in regard thereto;
- 11.19 to alter or amend any schedule which may be attached to the Constitution as it may be deemed necessary from time to time; and
- 11.20 Generally to perform all acts:
- 11.20.1 as would be necessary in order to execute the powers and duties as set out in clauses 11.1 to 11.19 above;
 - 11.20.2 as may be necessary in order to achieve the objectives as set out in clause 11.1 to 11.19 above;
 - 11.20.3 that are incidental to achieving the objectives as set out in clauses 11.1 to 11.19 above;

Provided always that any action taken or instruction given shall not be contrary to the terms of the Act and the Constitution.

12 MEETINGS

12.1 Council Meetings:

Council shall meet at such time and place as it may from time to time determine, or as may be decided upon by the President, or in his/her absence the Vice-President: Provided that not less than **2 (two)** Council Meetings shall be held in each financial year.

12.2 Special Council Meetings:

- a) may be called by the President, or in his/her absence by the Vice-President, at such time and place as such office-bearer may decide; or
- b) shall be called upon a requisition signed and addressed to the Society, but not less than **5 (five)** elected members of Council stating the reasons for such meeting.

12.2.1 Not less than **21 (twenty-one)** days prior to the holding of a proposed Council meeting, written notice of the time, date and venue of such meeting shall be posted to each Council member by the Society, except in the case of a Special Council Meeting.

12.3 General Meetings:

12.3.1 A general meeting of the Society to be known as the Annual General Meeting shall be convened once every financial year.

Such Annual General Meeting must be held not later than **6 (six)** months after the close of the Society's financial year.

- 12.3.2 At such Annual General Meeting, Council shall submit its Annual report, together with a duly audited balance sheet as well as a full auditor's report pertaining to the financial affairs of the Society as at the end of the previous financial year.
- 12.3.3 A Special General Meeting of the Society may be called at any time, such Special General Meeting may be petitioned:
 - a) by Council;
 - b) by the President (or in his/her absence the Vice-President) and shall be so called in the latter case upon a written requisition signed and addressed to the Society by not less than **20 (twenty)** members of the Society, stating the business to be transacted at such meeting. Only the business stated in the requisition may be transacted at such meeting.
- 12.3.4 A final notice stating the time, date and venue of a Special General Meeting shall be posted by the Society to members, not less than **30 (thirty)** days prior to the holding of such meeting. An agenda stating the business to be transacted at the Special General Meeting must accompany the final notice of the meeting. The names and addresses of the signatories to the requisition for the meeting must also accompany the final notice.
- 12.3.5 Not less than **60 (sixty)** days prior to the holding of the Society's Annual General Meeting, a preliminary notice stating the time, date and venue of the meeting shall be posted by the Society to every member. Any member who intends to place an item on the agenda for discussion at the Annual General Meeting must advise the Society in writing thereof. Such advice must be in the Society's possession not less than **40 (forty)** days prior to the meeting.
- 12.3.6 A final notice stating the time, date and venue of the Society's Annual General Meeting together with the agenda for the meeting, shall be posted by the Society to every member not less than **30 (thirty)** days prior to such meeting.
- 12.3.7 In order to rescind a resolution taken at a general meeting, a two thirds majority of members present will be required.
- 12.3.8 The President, or in his/her absence the Vice-President shall preside at all meetings. Should both these office-bearers be

absent from the meeting, the members present thereat may elect another Council member to preside at such meeting, and any person so elected will in relation to that meeting, have all the powers to fulfil the duties of the President.

- 12.3.9 All matters submitted to any meeting shall, save as otherwise provided, be decided by the votes of the majority of those members present and entitled to vote, and in the event of an equality of votes, the person presiding at the meeting shall have a casting vote as well as a deliberative vote.
- 12.3.10 Voting at all meetings shall be by show of hands unless voting by ballot is demanded by any member present and entitled to vote, in which event voting shall be done by secret ballot.
- 12.3.11 No business, which is otherwise properly and constitutionally transacted at any meeting, shall be invalidated by reason only of the non-receipt, by any member or members, of the notice required to be given to such person or persons in terms of the Constitution.

12.4 Quorums

- 12.4.1 **20 (twenty)** percent of the members of the Society personally present at the commencement of an Annual General Meeting, and entitled to vote, shall form a quorum for such meeting.
- 12.4.2. **4 (four)** Councillors personally present at any Council meeting, and entitled to vote, shall form a quorum for such meeting.
- 12.4.3 Any meeting as defined in clauses 12.4.1 and 12.4.2, where a quorum is not present but which is attended by the President or Vice-President, will stand adjourned for half an hour, after which time the members being present shall form a quorum for the disposal of such businesses on the agenda as the presiding member may declare to be of an **urgent** nature. No constitutional amendments will be discussed or resolved.
- 12.4.4 At a Special General Meeting called by **20 (twenty)** members of the Society having submitted a written requisition for this purpose, at least **15 (fifteen)** of the signatories of the requisition requesting such meeting shall form a quorum. Should a quorum not be present, the request to hold a meeting will be abrogated. Should the President or Vice-President be present, the stipulations as defined in clauses 12.4.3 shall apply, provided that **15 (fifteen)** of the signatories of the requisition to call a Special General Meeting, are present and entitled to vote.

- 12.4.5 Should Council convene a Special General Meeting, at least **20 (twenty)** members present shall form a quorum. Should there be a quorum, the stipulations as defined in clause 12.4.3 shall apply.

13 MINUTES

- 13.1 The minutes of Council meetings shall be carefully recorded and posted to all Councillors within **30 (thirty)** days after the meeting.
- 13.2 A copy of the minutes of all general meetings will be posted to all members prior to the following general meeting.
- 13.3 The minutes of all meetings, after confirmation by the subsequent meeting, will be signed by the President or the person presiding at the subsequent meeting, with the exception of the Special General Meeting. Such signature shall serve as proof thereof that all the proceedings were conducted in a proper manner and that all elections, appointments and resolutions adopted at such a meeting are valid and binding.

14 FINANCIAL PROVISIONS

- 14.1 Council shall cause one or more banking accounts to be opened in the name of the Society, and all amounts accruing to the Society shall be deposited in such banking account or accounts.
- 14.2 All payments made out of the funds of the Society shall be effected by electronic funds transfer (EFT), authorised by the secretary or other person appointed by the Council, and counter-authorised by such person or persons as Council may authorise thereto in terms of clause 11.4: Provided that nothing herein contained shall prevent Council, in terms of clause 14.3, from maintaining and operating a petty cash fund.
- 14.3 Upon instruction by Council the secretary or his/her deputy may maintain and operate a petty cash fund and may pay in cash such ordinary and usual monthly accounts as do not in total exceed a sum determined by Council: Provided that the total sum necessary for the payment of such accounts is drawn by electronic funds transfer (EFT): and provided further that a petty cash book will be maintained and balanced regularly.
- 14.4 Council shall cause proper books of accounts of income and expenditure to be kept in respect of the Society. All accounts shall be audited from time to time but not less than **once** a year by an auditor or auditors appointed by the Annual General Meeting. A properly audited balance sheet and report on the financial position of the Society shall be prepared as at the end of the financial year to which the report has reference, as stipulated in clause 12.3.2, and shall be submitted to the Annual General Meeting.

- 14.5 All the property of the Society shall vest in Council.
- 14.6 The income and property of the Society, from whatever source derived, shall be applied solely to the promotion and furtherance of the objectives of the Society and no part thereof shall be paid or transferred, directly or indirectly by way of dividend or bonus or otherwise, to any persons who at any time are or were members of the Society: Provided that nothing herein contained shall prevent the payment in good faith of remuneration to any employee or person/s for services rendered to the Society.
- 14.7 the Society's financial year shall commence and end upon dates as determined by Council. Such dates must be approved by an Annual General Meeting of the Society.

15 AMENDMENTS TO CONSTITUTION

- 15.1 The Constitution may be added to or altered by a resolution approved by not less than two thirds of the members present and entitled to vote at a general meeting of the Society, of which meeting and of which proposed addition to, alteration, variation or amendment of the Constitution, not less than **30 (thirty)** days written notice has been given to every member of the Society.

16 MEMBERSHIP AND AFFILIATIONS

- 16.1 The Society shall maintain its membership of the Association in terms of the stipulations of the Act.
- 16.2 The Society may resolve to affiliate with any association, society or organisation having aims and objectives similar to those of the Society.

17 DISSOLUTION

- 17.1 A resolution to dissolve the Society shall be taken by a general meeting specially convened for this purpose. Dissolution shall occur if two-thirds of the members of the Society present and entitled to vote at such general meeting so resolve. Should a two-thirds majority not be obtained, members of the Society shall be advised accordingly and another general meeting convened. The dissolution of the Society shall then take effect if two-thirds of the members present and entitled to vote at such a meeting so resolve.
- 17.2 If upon the winding up or dissolution of the Society, and after all its debts and liabilities have been satisfied there remains any assets, such assets shall not be paid or distributed amongst the members of the Society but shall be given or transferred to such other institution or institutions having objectives similar to those of the Society as may be determined by a majority decision of a general meeting of the Society.

18 OFFICE OF THE SOCIETY

The office of the Society shall be at any centre as may be determined by Council.

BYE-LAWS

1 HERD BOOK

- 1.1 The registration system of the Society shall consist of a Herd Book (to be known as the Namibian Brahman Herd Book), be it computerised or in any other form, which will be divided into **2 (two)** main sections, namely the Herd Book Proper Section and the Appendix Section which will be operated by the Association in terms of the Act.

1.2 Registration Status

The Herd Book records, in respect of all registered Brahman cattle, which were bred in the former territory of South West Africa and subsequently the Republic of Namibia, and which are presently recorded in the Herd Book of the Brahman Cattle Breeders Society of South Africa, by the South African Stud Book Association will, upon the founding of the Namibian Brahman Breeders Society, be transferred by the South African Stud Book Association to a registering authority in Namibia. Such organisation to be appointed by the Namibian Brahman Breeders Association and approved by the Registrar as being qualified and equipped to conduct the recording and registration of pedigree Brahman cattle bred in Namibia.

The registration status of former South West African, and subsequently, Namibian bred pedigree Brahman cattle, recorded and registered by the South African Stud Book Association shall henceforth be recognised and accepted by the Namibian Brahman Breeders Society and the registering authority appointed in Namibia to record and register pedigree Brahman cattle.

1.3 Herd Book Proper Section (SP)

The progeny of fully registered Brahman females mated to a fully registered Brahman bull shall be eligible for registration in the Herd Book Proper Section (abbreviated as SP) as purebred Brahman cattle: Provided that they comply with all registration requirements in terms of the Constitution; and provided further that they conform to the minimum performance and reproduction requirements as may be determined by Council from time to time.

1.4 Appendix Section

- 1.4.1 The Rules and Regulations pertaining to the recording and registration of Brahman females in the Appendix Section, as defined in the Constitution of the Brahman Cattle Breeders Society of South Africa, differ from the Appendix Section Rules and

Regulations as defined in the Constitution of the Namibian Brahman Breeders Society.

Accordingly, the registration status of Namibian bred Brahman females registered in the Appendix Section of the Herd Book of the Brahman Cattle Breeders Society of South Africa shall alter upon the records being transferred from the South African Stud Book Association to the appointed registering authority in Namibia. The registration status of such animals shall henceforth be accepted and recognised by the Namibian Brahman Breeders Society and the local registering authority as follows:

Brahman Cattle Breeders Society of South Africa		Namibian Brahman Breeders Society
Appendix C	equals	Appendix A
Appendix D	equals	Appendix B
Appendix E	equals	Herd Book Proper (SP)

1.4.2 Appendix A

Unregistered Brahman females over the age of 18(eighteen) months, which show the phenotypical characteristics of the Brahman breed shall, subject to inspection by a Society Inspector, be eligible for recording in the Appendix A Section of the Herd Book.

1.4.3 Appendix B

The female progeny, sired by a fully registered Brahman bull out of an Appendix A Brahman female and complying with the Society's Standard of Excellence and all other registration requirements shall be eligible for recording in the Appendix B Section of the Herd Book.

1.4.4 Herd Book Proper (SP)

The male and female progeny out of an Appendix B female sired by a fully registered Brahman bull are eligible for registration in the Herd Book Proper Section of the Herd Book: Provided that such progeny complies with all registration requirements in terms of the Constitution; and provided further that they conform to the minimum performance and reproduction requirements as may be determined by Council from time to time.

2 PREFIX AND HERD DESIGNATION MARKS

- 2.1 No Brahman shall be accepted for birth recording or registration unless the breeder has previously, through the Society, registered with the Association for his/her exclusive use a prefix and herd designation mark by which all Brahman cattle bred by him/her and eligible for recording and registration shall be designated.
- 2.2 Application for the registration of such prefix and herd designation mark shall be made to the Society and shall be accompanied by such fee as may be prescribed by Council and/or the Association from time to time.
- 2.3 The name of the city, town or post office in Namibia shall not be accepted for registration as a prefix.
- 2.4 Herd designation marks shall not exceed **4 (four)** spaces and may consist of letters or a combination of letters and numbers.
- 2.5 No transfer of a prefix, or herd designation mark shall be allowed from one breeder to another, except under such conditions as may be determined by the Association from time to time.

3 IDENTIFICATION OF ANIMALS

- 3.1 All live Brahman calves of which births are notified and all animals offered for registration must bear **permanent identification marks**. Such marks shall include a herd designation mark, a year number and a sequence number. Any animal which does not bear the approved identification marks shall not be accepted for birth recording, inspection or registration by the Association.
- 3.2 Ear tattooing and branding shall be the Society's official system of marking for the uniform and permanent identification of all animals submitted for recording and registration.
- 3.3 Every calf must be **tattooed** by the breeder within **30 (thirty)** days of birth in terms of Bye-law 3.1.
- 3.4 Every animal eligible for registration must be **branded** by the breeder within **9 (nine)** months of birth in terms of Bye-law 3.1.
- 3.5 One of two systems of identification may be used.
 - a) Herd designation mark e.g. AA; year of birth denoted by the last two digits of the year, e.g. 1996 = 96 and the sequence number of calf 1, second calf 2, etc. The identification of the first calf born in 1996 will thus read: "AA 96 1", the second calf "AA 96 2", etc. till the last calf born in 1996. In respect of the first calf born in 1997,

the breeder reverts back to sequence number 1, e.g. “AA 97 1”, second calf “AA 97 2”, etc. till the last calf born in 1997. The year digits correspond with the respective year, while the sequence number reverts back to 1 at the beginning of each year; or

- b) the year digits correspond with the respective year while the sequence number follows on from the last calf born in the previous year, e.g. last calf born in 1996 shall be indentified “AA 96 54”, for example, and the first calf born in 1997 shall be “AA 97 55”, etc. If this system is used, sequence numbers shall continue to 9999 before reverting back to 1 again.

3.6 Tattoos and brand marks must correspond.

3.7 In the event of a breeder making a mistake when tattooing and/or branding a calf, or in the event of a mark becoming defaced or illegible, no alterations or improvement to the existing mark may be made without the written consent of the Society. Upon receiving such written consent a breeder must carry out the instructions contained therein within **14 (fourteen)** days and advise the Society accordingly.

4 NAMES OF ANIMALS

4.1 In addition to the identification marks referred to in Bye-law 3, all live Brahman animals eligible for registration and/or recording, with the exception of imported animals, must in addition to the prefix be explicitly named: Provided that the name may be substituted by the animal identification.

4.2 The name shall include the prefix registered in favour of the breeder and, exclusive of the prefix, shall not comprise more than **3 (three)** words or exceed **20 (twenty)** spaces.

5 NOTIFICATION OF BIRTHS

5.1 All births of Brahman cattle, being the progeny of recorded or registered females and registered Brahman bulls, whether they be born dead or alive, retained for registration or otherwise, must be reported to the Association within **90 (ninety)** days of birth, or within a period as may be determined by Council from time to time. Notification of such births must be submitted on the prescribed forms.

5.2 Births notified later than **90 (ninety)** days but within **180 (one hundred and eighty)** days after birth shall be accepted subject to the payment of a late birth notification fee as may be approved by Council.

- 5.3 Any calf, of which the birth is not notified within **180 (one hundred and eighty)** days of the date of birth shall **not** be eligible for registration or recording.
- 5.4 In the event of multiple births e.g. twins, triples or quadruplets, the birth of each calf must be notified separately and numbered consecutively, as stipulated in Bye-law 3.

6 ARTIFICIAL INSEMINATION (A.I.)

- 6.1 All Brahman calves which have been legally begotten through artificial insemination in accordance with the Act shall be eligible for registration: Provided that all requirements of the Constitution with regard to registration and recording have been complied with *mutatis mutandis*.
- 6.2 The birth notifications of all Brahman calves legally begotten by artificial insemination must be endorsed “begotten by A.I.”.
- 6.3. Notwithstanding the provisions of Bye-law 6.1, should different sires be used for the supply of semen for artificial insemination of the same female at two consecutive heat periods, less than **28 (twenty eight)** days apart, no resultant progeny shall be eligible for registration and recording, unless the male parentage has been confirmed by a blood typing test.
- 6.4 The Society reserves the right through its officers to supervise and/or inspect the records of a breeder in connection with his/her application of artificial insemination.
- 6.5 Progeny begotten by artificial insemination from imported semen shall be eligible for registration and/or recording: Provided that such semen is obtained from a source approved by the Society and provided further that all the requirements of the Constitution have been complied with *mutatis mutandis*.
- 6.6 The Society and the Association reserves the right to refuse the registration of a progeny resulting from artificial insemination should any of these rules not be fully adhered to.

7 EMBRYO TRANSFER (E.T.)

All Brahman calves which have been legally begotten as a result of embryo transfer in accordance with the Act shall be eligible for registration. The registration of such calves shall also be subject to any rules and regulations as may be determined by Council from time to time.

8 GESTATION PERIODS

- 8.1 The gestation period recognised by the Society in respect of Brahman animals shall be **281 (two hundred and eighty-one)** days. The minimum acceptable gestation period shall be **263 (two hundred and sixty-three)** days, and the maximum period shall be **305 (three hundred and five)** days. Any deviation outside these ranges shall be considered by Council who reserves the right to call for a blood test should it be deemed necessary to confirm the accuracy of parentage.
- 8.2 The Society accepts a standard minimum ICP between any **2 (two)** calvings of not less than **282 (two hundred and eighty-two)** days for normal births. Should a birth be registered for a live calf resulting in an ICP less than **282 (two hundred and eighty-two)** days between the said birth and the preceding birth, the breeder has to apply for special approval to the Council of the Society in writing providing motivation and proof of the circumstances giving rise to the lesser ICP. Any such birth approved by Council, shall be accepted and registered by the NSBA subject to the condition that Council cannot approve any birth resulting in an ICP of less than **262 (two hundred and sixty-two)** days between any **2 (two)** calvings, which ICP is regarded as the absolute minimum between the last **2 (two)** calvings for a live birth to be registered.
- 8.3 A recorded or registered Brahman female shall have its first calf within **42 (forty-two)** months of such female's birth.

9 DETERMINATION OF PARENTAGE

- 9.1 The Society acknowledges the DNA (deoxyribonucleic acid) test as the official method of determination of parentage of registered or Appendix Brahman cattle.
- 9.2 Irrespective of the compulsory determination of parentage of animals begotten as a result of embryo transfer, the Council reserves the right, should this be deemed necessary, to require a DNA test of any registered or Appendix animal at any time for the purpose of parentage confirmation.
- 9.3 In case of calves begotten through embryo transfer, the compulsory DNA tests required in respect of embryo donors as well as confirmation of parentage of such calves must be complied with in terms of the Act.
- 9.4 When a DNA test for the determination of parentage is requested by the Society and such test delivering proof that the recorded parentage is incorrect, the Council shall decide:
- a) whether any further DNA tests are required;

- b) on any disciplinary measures that must be imposed on the member concerned, should this be deemed necessary.
- 9.5 The registration of a Brahman animal younger than 36 months at the time a DNA test was requested by the society, shall be cancelled *per se* if the DNA test should provide proof that the recorded parentage of such animal is incorrect. In cases where the animal is 36 months and older at the time the DNA test is requested, the animal shall retain its original registration status but the pedigree of the animal shall be amended to reflect correct pedigree or the absence of one or both of the animals parents. This will also be the case for any parentage verification test that is done automatically as part of any genetic or genomic sampling or sequencing.
- 9.6 In cases where a breeder requests a DNA test for the purpose of eliminating any doubts regarding the parentage of an animal/s, and such DNA test rendering proof that the recorded parentage of the animal concerned is indeed incorrect, the breeder shall have the opportunity to try to find and verify the correct parent(s) and to have the pedigree of the animal amended likewise. Should the breeder be unable to find and verify a parent of an animal younger than 36 months at the time of the first DNA test, the registration status of the animal shall be cancelled. For animals 36 months and older at the time of the first DNA test, the registration status shall not be cancelled but the animal shall retain its original registration status but the pedigree of the animal shall be amended to reflect the absence of one or both of the animals parents.
- 9.7 When DNA tests are requested by the Society for the determination of parentage, the costs in consequence of these first tests shall be borne by the Society. However, should such tests reveal erroneously recorded parentage, the costs of all subsequent DNA tests that may arise as a result hereof shall be for the account of the member concerned.
- 9.8 Subject to what is stated hereinbefore, where DNA tests for the determination of parentage are requested by the Society and such DNA test(s) deliver proof that the recorded parentage of the animal/s concerned is indeed incorrect, the member/breeder shall have the right to submit an appeal in writing to the Society within **30 (thirty)** days of the date of such notice. The member/breeder shall thereafter have the right to rectify such DNA test result within **90 (ninety)** days of date of appeal subject to the provisions of clause 9.7 with regard to the costs thereof.
- 9.9 Council may from time to time decide upon the implementation of further genetic markers by way of DNA analysis subject to the approval of the Society.
- 9.10 The NBBS or it's Council shall not be liable for any damages or costs incurred by a breeder/member due to the change in parentage and or

registration status of a registered Brahman animal as a result of any DNA parentage verification test.

10 REQUIREMENTS FOR REGISTRATION

10.1 The only requirement for the registration of an animal shall be the acceptance of a due and valid notification of its birth: Provided that:

- a) in case of animals eligible for registration in the Herd Book Proper Section, visual inspection shall be a pre-requisite for registration;
- b) in case of female animals eligible for recording in the Appendix A and B registers of the Appendix Section, visual inspection shall be a prerequisite for recording;
- c) in the case of animals referred to in Bye-laws 10.1 a) and 10.1 b) their registration and/or recording status is confirmed by a Society Inspector;
- d) any animal not approved by a Society Inspector shall be cancelled forthwith.

10.2 Any animal of which the particulars supplied on the birth notification form or accompanying certificates in terms of Bye-law 5 are open to question may at the discretion of Council be debarred from registration and recording.

10.3 Namibian bred Brahman animals.

10.3.1 Except as provided for in Bye-law 1.4.2, (in respect of Appendix A females) no application for registration of a Namibian bred Brahman shall be considered unless details of its birth have been duly notified and accepted in terms of Bye-law 5; and

- a) both its parents; or
- b) its dam, in case of an animal imported *in utero*, or resulting from imported semen;

have been registered by the Association.

10.3.2 Except in the case of Appendix A females and imported Brahman animals, application for registration of an animal shall be made simultaneously with the notification of its birth. However, final registration is subject to the animal being approved by a Society inspector.

10.4 Imported Brahman animals.

10.4.1 A Brahman animal imported into Namibia shall be eligible for registration provided that the application for registration is accompanied by:

- a) a certificate of registration or an export certificate issued by a Herd Book Society or other body recognised by the Society and the Association in the country of origin;
- b) evidence to the effect that the animal concerned conforms to the performance and other requirements as may be determined by Council from time to time;
- c) a report by a Society Inspector confirming that the animal bears the permanent indelible identification marks as recorded on the registration or export certificates, and that the animal conforms to the inspection requirements as determined by Council from time to time.

10.4.2 The Association shall issue registration certificates in respect of imported animals.

10.5 No animal shall be accepted for registration or recording if the sire, at time of service or insemination, was less than **8 (eight)** months old, and/or the dam, at time of service or insemination, was less than **10 (ten)** months old.

11 INSPECTION

11.1 Inspection is a requirement for the registration of all Brahman animals eligible for the Herd Book Proper Section, as also for the recording of female animals in the Appendix Section and is therefore compulsory.

11.2 Inspection of animals for registration in the Herd Book Proper Section and for recording in the Appendix Section shall take place between the ages of **548 (five hundred forty-eight)** and **1460 (one thousand four hundred and sixty days)** days. There will be no maximum age for the inspection of Appendix A females and imported Brahman animals.

11.3 Animals which, in the opinion of a Society inspector, do not come up to standard on the day of inspection, may at his/her discretion stand over for a subsequent inspection, in which case the maximum age restriction may be exceeded.

11.4 Inspection of imported animals is a pre-requisite for their registration in the Herd Book Proper Section. Imported animals must be offered for inspection during the first inspection visit subsequent to their arrival on the breeder's farm.

- 11.5 The Inspector shall inspect each eligible animal upon presentation of its inspection form or birth notification receipt and will satisfy him/herself that the identification on the animal offered for inspection has been done in terms of the requirements and corresponds with the identification as notified. Furthermore, he/she must be satisfied that the size of the animal is in keeping with the age as notified, and that the animal conforms in all respects to the Society's breed standards, and the minimum standards of performance as may be laid down by Council from time to time. Any inconsistencies or discrepancies can result in the animal not being accepted for registration in the Herd Book Proper Section or for recording in the Appendix Section.
- 11.6 Should a breeder be dissatisfied with the decision of a society inspector, a written appeal may be lodged with the society within **30 (thirty)** days from the date of inspection. Upon receipt of such an appeal, council shall appoint another inspector/s to re-inspect the animal/s concerned. Should the appeal be upheld, the costs associated with the said inspection will be borne by the society and the animal/s accepted for registration or recording. Should the original inspector's decision be upheld, the costs associated with the said inspection will be borne by the appellant and the animal/s will not be accepted for registration or recording.
- 11.7 Special inspections must be sanctioned by Council and all costs related thereto will be borne by the applicant.
- 11.8 Adequate notice shall be given to breeders as to date and approximate time of intended inspection visits.
- 11.9 No breeder may conduct the inspection of his own animals for registration or recording purpose.

12 REGISTRATION CERTIFICATES

12.1 Original Certificates:

Confirmation of the maintenance of registration status of a Brahman animal shall be indicated on the registration certificate.

12.2 Alterations or Additions to Registration Certificates:

Any alteration or addition to the essential information or particulars officially recorded on any Brahman registration certificate, which has not been initialled by the General Manager of the Association, or any unauthorised endorsement or remark on such certificate bearing upon the essential information or particulars contained therein, shall render the certificate invalid.

12.3 Duplicate or Replacement Registration Certificates:

In the case of a registration certificate issued by the Association which has been mislaid, mutilated or lost, written application may be made to the Association by the owner of the animal concerned for the issue of a duplicate or the replacement of such certificate. Duplicate or replacement certificates shall be issued subject to the payment of a fee, as may be determined by Council from time to time. The application shall be accompanied by a statement by the applicant setting out all the relevant circumstances.

12.4 Cancellation of Registration Certificates:

12.4.1 Council may apply to the Association for cancellation of the birth recording or registration of any Brahman animal which has:

- a) been birth recorded or registered in error;
- b) been birth recorded or registered on the strength of false or fraudulent information supplied by the owner; or
- c) been birth recorded or registered after the owner has failed to comply with any relevant Bye-law.

12.4.2 A registration certificate of a Brahman animal issued by the Association shall be returned to the Association for cancellation and/or endorsement within **60 (sixty)** days after its death, sale for slaughter, culling, castration, spaying or other circumstances requiring the cancellation or endorsement of such certificate in terms of the Constitution of the Society and/or that of the Association.

12.5 Re-instatement of Registration Certificates:

In the event of the registration certificate of a Brahman animal having been cancelled, such animal may be re-instated in the records of the Association and a new registration certificate issued: Provided that:

- a) the application for the re-instatement is made by the person who applied for the cancellation of the registration certificate; and
- b) the re-instatement of any such Brahman animal shall be effected upon payment of such fee as may be determined by Council from time to time.

13 TRANSFERS OF BRAHMAN ANIMALS AND SERVICE CERTIFICATES

- 13.1 For the purpose of this Bye-law, “transfer” means any transaction whereby any person acquired the right to sole ownership of a Brahman animal or to any share or additional share of the ownership of a Brahman bull, and shall include the sale, exchange, inheritance or donation of whole or part ownership, and the relinquishment of any share in the ownership of such Brahman or Brahman bull, as the case may be.
- 13.2 Any transferor who transfers sole ownership of a Brahman animal or part ownership in a Brahman bull shall within **60 (sixty)** days of the date of such transfer, furnish:
- a) the Association with the registration certificates of the Brahman animal/s concerned, with the name and address of the new owner and the date of transfer duly completed and signed by the transferor on the reverse side of the certificate.
 - b) Should notice of transfer not be given within the prescribed 60 days, a late transfer fee shall be levied. Such fee shall be determined by Council from time to time.
- 13.3 In the case of transfer of sole ownership, the date of transfer shall be deemed to be the date on which the animal/s left the transferor’s possession.
- 13.4 Service Certificates:
- If the animal to be transferred is a pregnant Brahman female, the transferor shall, together with the application for transfer, furnish the Association with a certificate specifying the name and identification number of the bull by whom she was served, together with the service date/s, or period which she was exposed to this bull, or of the bull with whose semen she was inseminated and the date/s of insemination, whichever the case may be. Such certificate must also include a declaration by the transferor to the effect that upon the date of transfer, the female concerned could not have been served by or inseminated from any other bull, apart from the one stated on the service certificate. A copy of this certificate must also be forwarded by the transferor to the transferee.
- 13.5 Should for any reason whatsoever, the seller or transferor fail or refuse to take any steps to effect such transfer, including failing or refusing to deliver the original registration certificate, and should the transferee be willing to pay such fees as Council may prescribed, Council may take such steps as it deems fit in order to meet the wishes of the purchaser or transferee and transfer the animal into his/her name.

14 JOINT OWNERSHIP OF BRAHMAN BULLS

- 14.1 When a Brahman bull is transferred to a joint owner/s, the full name and address of each joint owner together with the date of transfer shall be submitted to the Association by the transferor.
- 14.2 The joint ownership and use of jointly owned Brahman bulls is subject to the provisions of the Act.

15 HERD REGISTERS

- 15.1 It is a requirement that every breeder of registered and/or recorded Brahman cattle must maintain a proper record of breeding pertaining to his/her herd. This must include a record of names, tattoos and brand marks, birth dates, sires and dams of all animals registered in his/her name and all progeny bred in his/her herd. Such register must also reflect a record of all animals sold, and to whom they were sold, cancelled or in any manner estranged from the herd.
- 15.2 The Society and/or any of its officials or inspectors have the right to examine a member's records of breeding. Such records must also be made available for submission to the Society's offices, should this be deemed necessary.

16 NON-MEMBERS

Such privileges of membership as Council may determine may be conferred on non-members: Provided that there shall be no legal or other obligation on the Society to such non-member; and provided further that all fees payable in respect of any services rendered by the Society to non-members, shall be as determined by Council and payable in advance.
