

**CANADIAN SIMMENTAL ASSOCIATION**  
**- BYLAWS -**

*Revised July 2006*  
*(Reflecting approved by-law changes up to and including July 2004)*

## TABLE OF CONTENTS

1. NAME.....	4
2. OBJECTIVES.....	4
3. MEMBERS.....	4
i) ACTIVE MEMBERS.....	4
ii) YOUNG CANADIAN SIMMENTAL ASSOCIATION.....	4
4. GENERAL MEETING.....	5
5. BOARD OF DIRECTORS.....	6
6. OFFICERS.....	8
7. COMMITTEES.....	8
i) PROMOTION COMMITTEE.....	9
ii) BREED IMPROVEMENT COMMITTEE.....	9
iii) MEMBERSHIP COMMITTEE.....	9
iv) YOUNG CANADIAN SIMMENTAL ASSOCIATION (YCSA) COMMITTEE.....	9
v) NOMINATING COMMITTEE.....	9
vi) FINANCE COMMITTEE.....	9
vii) COMMERCIAL CATTLE COMMITTEE.....	9
8. PROVINCIAL ASSOCIATIONS.....	9
9. OFFICES.....	9
10. FISCAL YEAR.....	10
11. NOTICES.....	10
12. AMENDMENTS.....	10
13. EXPENSES, INCOME AND PROPERTY.....	11
14. CORPORATE SEAL.....	11

15. BOOKS OF RECORD.....	11
16. REGISTRATION OF PEDIGREES.....	11
17. LETTER DESIGNATIONS.....	12
18. IDENTIFICATION AND REGISTRATION OF TATTOO LETTERS.....	12
19. REGISTRATION OF PREFIXES AND NAMING ANIMALS.....	13
20. TOTAL HERD ENROLLMENT.....	14
21. APPLICATION FOR REGISTRATION AND ENROLLMENT.....	14
22. TRANSFER OR OWNERSHIP AND DUPLICATE CERTIFICATES.....	15
23. FEES.....	16
24. RULES FOR IDENTIFICATION AND REGISTRATION.....	16
25. STANDARDS FOR IDENTIFICATION OR REGISTRATION.....	18
26. PROVINCIAL LEVY.....	19
27. NON-MEMBERS.....	19
28. GENDER.....	19
29. REPEAL.....	19
30. BYLAWS - LOCATION AND USE.....	21
31. HARDSHIP CASES.....	21
<b>APPENDICES</b> .....	
TABLE 1. DETERMINATION OF SIMMENTAL FRACTIONS.....	22

**CANADIAN SIMMENTAL ASSOCIATION  
BYLAWS**

1. **NAME:**

The name of the Association shall be CANADIAN SIMMENTAL ASSOCIATION.

2. **OBJECTIVES:**

The Association shall have as its objective the encouragement, development and regulation of the breeding of Simmental cattle in Canada. The terms "Simmental Cattle" and "Simmental Breed", wherever used herein, refer to registered or percentage Simmental cattle. To facilitate the achievement of this objective, the Association may:

- i) Keep a record of the breeding and origin of all Simmental Cattle, and collect, preserve and publish data and documents relating to same.
- ii) Maintain selective breeding standards for traits of economic importance to beef production.
- iii) Adopt a means to periodically protect and assist breeders engaged in the propagation and breeding of Simmental Cattle in compliance with Articles hereof.
- iv) Maintain efficient supervision of breeders of Simmental Cattle to detect, prevent and punish fraud.
- v) Compile statistics of the industry and furnish official and authentic information thereto.
- vi) Do all things necessary to effect the efficient promotion of the Simmental breed.
- vii) In order to implement and achieve the foregoing, make all necessary contracts and agreements, and to make, alter and repeal regulations subject to the provisions of the Bylaws.
- viii) The Canadian Simmental Association will encourage its members to emphasize the economic productivity of the breed rather than specific types or models.

3. **MEMBERS:**

There shall be TWO classes of Members: Active and YCSA Members

- i) **ACTIVE MEMBERS:** Active life or annual members shall be those individuals partnerships, firms or companies which are actively engaged in the breeding of registered Simmental cattle and have registered at least one Simmental animal in the twenty four (24) months preceding the annual meeting, or have transferred into their membership at least one animal in the twenty four (24) months preceding the annual meeting and have paid this membership and all prescribed fees to the Association.
- ii) **YOUNG CANADIAN SIMMENTAL ASSOCIATON:** All Canadian Simmental Association Junior Members will be referred to as the *Young Canadian Simmental Association*. The *Young Canadian Simmental Association* membership will extend until the age of twenty-five (25) years and be granted full Canadian Simmental Association voting privileges upon reaching the age of eighteen (18) years. The *Young Canadian Simmental Association* membership allows all members to register and transfer cattle. A \$26.50 (one-time) membership fee will be charged for *Young Canadian Simmental Association* members - but

this \$26.75 will be applied against a Canadian Simmental Association Life Membership at such time as the *Young Canadian Simmental Association* member so decides. Any previously existing Canadian Simmental Association Junior memberships would be transferred to the *Young Canadian Simmental Association*. Life or Annual memberships, held by anyone under the age of twenty-five (25) years, can be transferred to the *Young Canadian Simmental Association* membership at no charge.

- iii) Application for Active, Associate and *Young Canadian Simmental Association* Membership will be made in writing to the Canadian Simmental Association and each applicant whose application is accepted by the Association shall agree to be bound by the Bylaws and all amendments thereto and all rules and regulations of the Association, provided that the Board of Directors shall at all times have the power to reject or defer any application for membership. Any applicant for any form of membership which has been rejected by the Board of Directors shall not be allowed to register, or transfer as a non-member, except with the approval of the Board of Directors. A member at any time may terminate his membership with the Association by giving written notice to the General Manager; but there shall be no refund of membership dues.
- iv) Partnerships, firms or corporations which are Active members shall each designate to the General Manager some individual partner, officer, director, or member of the partnership, firm or corporation who shall exercise on behalf of the partnership, firm or corporation, the rights and privileges of such membership, including the right to vote and hold office in the Association.

#### 4. **GENERAL MEETING:**

- i) A General Meeting of the Association (to be called "Annual Meeting") shall be held once in every calendar year at such time and place as the Board of Directors may from time to time designate. In addition to the Annual Meeting, the Board of Directors may, whenever they think fit, call a general meeting of the Association (to be called a "Special Meeting"), at such time and place as the Board of Directors may designate. Not less than thirty (30) days written notice shall be given to members of the Association, specifying the place, the day and the hour of the meeting and in case of special business, the general nature of such business; the non-receipt by any member of such notice shall not invalidate the proceedings of any general meeting. The Annual Meeting and a Special Meeting may be convened by one and the same notice without any special notice that other business is to be considered. The business of an Annual Meeting shall be to receive and consider the report or reports of the Board of Directors and Officers, the accounts, balance sheet and report of the auditors thereon, the election of the Directors and to consider, and if thought expedient, the approval and ratification of acts and proceedings of the Board of Directors and Officers.
- ii) Only active members in good standing shall be entitled to vote at any meeting of the members of the Association and each such Active member or his proxy shall have one vote. Only Active members in good standing, and who are Canadian citizens, shall be entitled to hold office in the Association. A member in good standing is a member who is not in default under any of the Bylaws hereof, who is not in arrears in payment of any fees or other monies to the Association and who is not under suspension from the Association.

Only an Active member in good standing may act as a proxy for a member, and no member shall vote as proxy for more than three other members. Notwithstanding anything contained herein, no individual shall be at liberty to cast more than four votes (including all proxies and all designations by partnership, firm or companies) on any matter coming before a general meeting. A member may vote by proxy by signing the CSA prescribed "Form of Proxy" and their account must be in good standing at time of the AGM. Faxed proxies are accepted provided they are received 10 days in advance of the AGM at the CSA office.

At the Annual Meeting of the Canadian Simmental Association, there shall be three calls for nominations of Directors from the floor. At the close of nominations, a scrutineer shall be appointed by the President. A ballot shall consist of three (3) names for it to be valid.

- iii) No member shall hold office as a Director or Officer or be entitled to attend any meeting of the Directors of the Association if, at any time, such a member is in arrears in payment of any fees or other monies to the Association.
- iv) For all purposes, the quorum for a General Meeting shall be fifty (50) Active members in good standing. No business shall be transacted at any General Meeting unless the requisite quorum be present at the commencement of the meeting. The Chairman, with the consent of any meeting at which a quorum is present, may adjourn the meeting from time to time and from place to place, as the meeting shall determine. Whenever a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting shall be given in the same manner as of an original meeting. Save as aforesaid, the members shall not be entitled to any notice of any adjournment or of the business to be transacted at any adjourned meeting other than the business which might have been transacted at the meeting at which the adjournment took place.
- v) At the written request filed with the President or General Manager of any one hundred (100) active members of the Association, the President or General Manager shall forthwith call a Special Meeting of the Association.
- vi) The Order of Business at all General Meetings shall be substantially as follows:
  - a) Identification of Active members.
  - b) Reading the minutes of the previous meeting.
  - c) Report of Officers, Directors and committees, where applicable.
  - d) Correspondence, where applicable.
  - e) Unfinished business, where applicable.
  - f) Election of Directors, where applicable.
  - g) New business, where applicable.
  - h) Adjournment.
- vii) An ordinary resolution means a resolution passed by a majority of the Active members of the Association which are entitled vote in person or by proxy, at a general meeting. An extraordinary resolution means a resolution passed by a majority of not less than two-thirds (2/3) of the Active members of the Association which are entitled to vote in person or by proxy at a Special Meeting of which notice specifying the intention to propose the resolution as an extraordinary resolution has been duly given.

5. **BOARD OF DIRECTORS:**

- i) The affairs of the Association shall be managed and conducted by a nine (9) member Board of Directors, who shall be Canadian citizens and who shall be elected by ballot at the Annual meeting of the Association as follows:

Three (3) Directors shall be elected at each Annual Meeting for a term of three (3) years.
- ii) The Board of Directors shall have the power to fill vacancies which may occur among their number, providing however, that any Director so appointed shall hold office only until the next Annual Meeting of the Association but shall then be eligible for re-election.
- iii) The Board of Directors may delegate any of their powers to the Executive Committee.

- iv) The quorum of any Director's meeting shall be five (5) voting Directors.
- v) The Board of Directors shall meet at the Head Office of the Association or such place as the Board shall determine.
- vi) The Executive Committee shall consist of the President, First Vice-President, Second Vice-President and such other officer or officers as the Board of Directors may determine.
- vii) The Executive Committee shall do such things and execute such matters and carry out such instructions as the Board of Directors may from time to time direct.
- viii) The Board of Directors shall have complete power to admit applicants to membership in the Association and the decision of the Board of Directors in this regard shall be final (subject to the provisions herein before set forth with respect to Honorary Members.)
- ix)
  - a) The Board of Directors shall have the power to suspend or expel any member who fails to observe any rule or regulation set forth in these Bylaws or whose conduct is, in the opinion of the Board, prejudicial to the interests of the Association. A member so suspended or expelled shall, after the expiration of sixty (60) days, have the right to apply to the Board of Directors for reinstatement and may be reinstated at the next meeting of the Board, provided two-thirds of the members of the Board of Directors present thereat vote in favour of such reinstatement. If the Board of Directors refuses to reinstate a person suspended or expelled from membership, such person shall have the right to apply for reinstatement to the next succeeding General Meeting of the Association, but reinstatement by General Meeting shall be only by a vote of two-thirds of the members of the Association present thereat and entitled to vote. No special notice of such an application need be sent to members of the Association and it shall not be deemed to be special business.
  - b) A member who automatically suspends himself/herself under any rule or regulation of this Association shall after the expiration of ten (10) days have the right to apply to the Board of Directors for reinstatement and shall, on application be reinstated at the next meeting of the Board, provided that two-thirds of the members of the Board of Directors present thereat vote in the affirmative.
- x) Any person expelled from membership in any Association incorporated under the Animal Pedigree Act of Canada shall not be eligible for membership in this Association, and if he is a member of the Association at the time of such expulsion, his membership in this Association shall be deemed to be terminated immediately and automatically.
- xi) The office of director shall be automatically vacated:
  - a) if a director resigns his office by delivering a written resignation to the general manager or to the President of the CSA;
  - b) if a director misses two or more consecutive meetings of the board of directors without providing just cause reasonably satisfactory to the board of directors; or,
  - c) if a director is on long term disability and is unable to fulfill their normal functions as a Director.

6. **OFFICERS:**

- i) The Board of Directors may appoint an Honorary President who shall hold office during the pleasure of the Board.
- ii) There shall be a President, who shall be the Chief Executive Officer of the Association. He/she shall preside at all General Meetings and shall be Chairman of the Board of Directors and do all such matters and things in addition thereto as the Board of Directors from time to time request. He/she shall present at each Annual Meeting a report of the activities of the Association. He/she shall call Meetings of the Directors when required, and in any event, upon the request of any two Directors.
- iii) There shall be a First Vice-President and a Second Vice-President who will assist the President in the exercise of his/her duties and will perform the duties and have the powers of the President in the absence of the President, or upon the Presidency becoming vacant.
- iv) The Board of Directors shall, from time to time as occasion may require, appoint a General Manager who shall act under the control and with the approval of the Board of Directors. The duties of the General Manager shall be to attend all meetings of the Association and the Board of Directors and of the Executive Committee, and shall cause exact minutes of the proceedings of same to be kept and to do such things as may be delegated to him/her by this Constitution and the Board of Directors or the Executive Committee.

The General Manager or his/her designate, shall deposit all monies received by him/her in a chartered bank to the credit of the Association and shall pay same out again by cheque only. He/she shall keep proper books of account containing entries of all such matters or things as are usually entered in the books of account, and shall furnish, from time to time, such statements in detail of the affairs of the Association or such other matters as may be directed by the Board of Directors or the Executive Committee. He/she shall be bonded in such amount as may be required from time to time by the Board of Directors.

- v) The President, and the Vice-Presidents shall be elected and the General Manager shall be appointed by the Board of Directors. The Board of Directors may appoint such additional or other officers as they may see fit. The President and the Vice-Presidents shall be members of the Board of Directors. Any vacancy in any of the above offices, occurring in a casual manner, shall be filled by the Board of Directors for the remainder of the year, provided that, in any event the First Vice-President shall succeed the President in the case of the office of the Presidency becoming vacant.
- vi) The term of office of each of the foregoing officers shall be for a period of one (1) year and to be elected immediately after the General Meeting in each calendar year, provided however, that if the General Manager is a paid employee, he/she shall hold office at the pleasure of the Board.
- vii) Past Presidents shall become nonvoting Honorary Directors for life following their term of office.

7. **COMMITTEES:**

The Board of Directors may appoint from their number and/or from other members of the Association, committees, whether special or standing but must in all cases name one of their number as Chairman of such committee. In addition to any special committees to be appointed by the Board of Directors, there may be in any event the following standing committees.

- i) **PROMOTION COMMITTEE:** The Promotion Committee shall supervise the publication of information regarding the breed of Simmental cattle and the investigation of any case of misrepresentation of the breed and shall be responsible for recommending action thereon to the Board of Directors.
- ii) **BREED IMPROVEMENT COMMITTEE:** The Breed Improvement Committee shall be responsible for supervising the activities of the Association directed towards improvement of the Simmental breed of cattle and shall make recommendations to the President, the Board of Directors, and the general membership for the improvement of the breed.
- iii) **MEMBERSHIP COMMITTEE:** The Membership Committee shall be responsible for investigation and recommendations to the Board of Directors of action to be taken on all applications for membership and all classes of membership. The committee shall also be responsible for investigating requests for the dropping of members and making recommendations thereon to the Board of Directors.
- iv) **YOUNG CANADIAN SIMMENTAL ASSOCIATION (YCSA) COMMITTEE:** The YCSA Committee shall be composed of active members and shall be responsible for supervision of the activities of the YCSA members of the Association, arranging for shows, sales of cattle bred or raised by YCSA members, and for the promotion of the breed of Simmental cattle among the junior groups of various farm and ranch organizations.
- v) **NOMINATING COMMITTEE:** The Nominating Committee shall be appointed at least ninety (90) days before the Annual Meeting and shall at the Annual Meeting nominate candidates for Directors of the Association to be voted on by the general membership, along with such other nominations as may be made from the floor.
- vi) **FINANCE COMMITTEE:** The Finance Committee shall be responsible for supervision of the finances of the Association and shall have appointed auditors prepare and submit audited financial statements at the end of each fiscal year. The Committee will approve the proposed budget that is submitted at the end of each fiscal year.
- vii) **COMMERCIAL CATTLE COMMITTEE:** The Commercial Cattle Committee shall be responsible for the promotion of the breed of Simmental cattle among the commercial cattle industry.

8. **PROVINCIAL ASSOCIATIONS:**

Members of the Association in good standing may organize Provincial Associations under the Bylaws or a Constitution approved by the Board of Directors.

The activities of any such Provincial Association shall be confined solely to its own Provincial interests and shall not conflict in any way with the activities of the National Association. No more than one Provincial Association in each Province shall be organized unless authorized at an Annual Meeting.

9. **OFFICES:**

The Head Office of the Association shall be at the City of Calgary, in the Province of Alberta.

10. **FISCAL YEAR:**

The Fiscal Year of the Association shall end April 30th. There shall be presented to the Annual Meeting the balance sheet and statements of receipts and expenditures for the preceding year. The Auditors of the Association shall be appointed at each Annual Meeting. The Board of Directors may fill any casual vacancy in the office of the Auditor.

11. **NOTICES:**

- i) Notice calling any General Meeting shall be given by circular letter, postage prepaid, to each of the members at his last known post office address appearing in the books of the Association. In the event of the Association publishing an Official Organ the notice published therein shall be deemed to be sufficient, provided such Official Organ is circulated at least thirty (30) days in advance of such meeting.
- ii) Notice of a meeting of the Board of Directors, other than the one immediately following the Annual Meeting, shall be mailed, postage prepaid, to each of the Directors at least ten (10) days before the date of the meeting at his last known post office address appearing in the books of the Association or by facsimile (fax), at least seven (7) days before the date of the meeting. Notwithstanding the foregoing, a meeting of the Board of Directors may be held on shorter notice, or without notice providing all the Directors have given their consent for the meeting to be held.

12. **AMENDMENTS:**

This Constitution may be amended by extraordinary resolution at any Annual Meeting or Special Meeting of the Association by the Affirmative vote of two-thirds (2/3) of members present. Notice of all proposed amendments shall be given to the General Manager in writing sixty (60) days in advance of a General Meeting and they shall be included in the notice calling such meetings; otherwise they shall have no power to deal with same.

- i) Articles of amendment submitted pursuant to subsection (1) of the Animal Pedigree Act, must contain a statutory declaration attesting that the members of the Association have been consulted in writing in the prescribed manner in relation to the proposed amendment, that twenty-five percent (25%) or more of the members have responded in writing to the consultation and that at least two-thirds (2/3) of the members who responded have approved the proposed amendment.
- ii) Articles of Amalgamation must contain a statutory declaration attesting that the members of each of the Associations that desire to amalgamate have been consulted in writing in the prescribed manner in relation to the proposed amalgamation and that, with respect to each Association, twenty-five percent (25%) or more of the members have responded in writing to the consultation and that at least two-thirds (2/3) of the members who responded have approved the proposed amalgamation.
- iii) The Minister may, by order, declare the corporate powers of any Association to be terminated in any of the following circumstances. On petition therefore by the Association supported by a resolution to that effect passed by at least two-thirds (2/3) of the members of the Association.

13. **EXPENSES, INCOME AND PROPERTY:**

The income and property of the Association from whatever source derived, shall be applied solely toward the promotion and furtherance of the objectives of the Association and no part thereof shall be paid or transferred directly or indirectly by way of bonus or otherwise as profit or gain to members of the Association past, present or future, or to any person claiming through any member, provided however, that nothing herein contained shall prevent the *bona fide* payment or re-numeration to any General Manager, Secretary, Treasurer, Registrar, Editor, Officer, Clerk, Servant or other person or persons for services actually rendered the Association or not and also including contribution to a pension fund for any such services and the expenses of the Directors or their officers incurred in doing the business of the Association.

14. **CORPORATE SEAL:**

The seal as stamped in the margin hereof shall be the Corporate Seal of the Association.

15. **BOOKS OF RECORD:**

- i) A register shall be kept at the office of the Canadian Simmental Association and shall be known as the Canadian Simmental Association Herd Book. It shall be published by the Canadian Simmental Association at such time as decided by the Board of Directors.
- ii) **PRIVATE BREEDING RECORDS:** There shall be kept by each breeder, a private record which shall contain full particulars of his breeding operations. This record shall at all times be open to the inspection of officials of the Department of Agriculture for Canada and officials of the Canadian Simmental Association.
- iii) The Association may publish the performance records of progeny of Simmental Cattle registered in the Canadian Simmental Association Herd Book at such time and in such form as decided by the Board of Directors. In doing so the Association will rely upon the information provided by its members and makes no representation or warranty as to the accuracy of the information used in compiling the results.

16. **REGISTRATION OF PEDIGREES:**

- i) A member who enrolls animals in the "Total Herd Enrollment" program agrees to provide accurate information and adhere to program rules as established by the Canadian Simmental Association.
- ii) There shall be furnished by the Canadian Simmental Association for all living animals eligible, a Certificate of Registration or a Certificate of Identification, on the form adopted by the Canadian Simmental Association. The Certificate shall be in such form as decided on by the Board of Directors of this Association.
- iii) Any person suspended or expelled from membership shall not be allowed the privilege of recording or transferring pedigrees in the records of the Canadian Simmental Association.
- iv) Any person prohibited from recording pedigrees by any other organization incorporated under the Animal Pedigree Act, shall not be allowed to record pedigrees in the Canadian Simmental Association Herd Book.

- v) The Board of Directors shall have the power, for any cause which in the opinion of the Directors seems proper, to suspend any member or refuse applications for registration or transfer from any person whether a member or not. The Board of Directors may refuse to accept the signature of any person on an application for registration or transfer, whether a member or not, pending action of the Directors, the Executive Committee or a General Meeting of the Association.

17. **LETTER DESIGNATIONS PRECEEDING AND FOLLOWING REGISTRATION NUMBERS:**

Every animal registered shall be given a registration number together with the following designations:

- a) "NO" letter designation preceding the registration number signifies the animal is a FULL BLOOD Simmental.
- b) The letter "G" preceding the registration number signifies the animal is an UPGRADED Purebred from domestic stock.
- c) The letters "RS" preceding the registration number signifies the animal is a PERCENTAGE Simmental.
- d) The letter "T" preceding the registration number signifies the animal is the result of an EMBRYO TRANSPLANT.
- e) The letter "P" preceding the registration number signifies the animal is a POLLED Simmental.
- f) The letter "S" preceding the registration number signifies the animal is a SCURRED Simmental.
- g) The letter "V" following the registration number signifies the animal is a CALFHOOD VACCINATE.
- h) The letter "B" preceding the registration number, as declared by the breeder, signifies that the animal has black/grey pigmentation.
- i) The letter "KA" following the registration number signifies the animal has been karyotyped and tested abnormal (by a laboratory approved by the Board of Directors) for any chromosomal abnormality. The letter "KN" following the registration number signifies the animal has been karyotyped and tested normal (by a laboratory approved by the Board of Directors) for any chromosomal abnormality.

18. **IDENTIFICATION AND REGISTRATION OF TATTOO LETTERS:**

- i) A breeder must apply to the Canadian Simmental Association for allotted identification letters for his own use.
- ii) Animals must be identified with the tattoo marking in the ear specified by the Canadian Simmental Association, with the registered identification letters of the owner of the animal at birth and a serial number followed by the designated year letter to signify year of birth. The letter "Z" will signify that the animal was born in 1968. "A" - 1969, "B" - 1970, "C" - 1971 etc. The letters "I", "O", "Q", and "V" shall not be used as designating year letters.

- iii) All calves must be identified by tattoo markings before they are six (6) months of age and before applying for registration. No two (2) animals, regardless of sex, may be tattooed with the same identification.
- iv) After the expiration of ten (10) years, registered tattoo letters may be forfeited if they have not been used in registering or in identifying animals by the registered owner during that period. Such letters may, at the discretion of the Canadian Simmental Association, be allotted to another breeder.

19. **REGISTRATION OF PREFIXES AND NAMING ANIMALS:**

- i) All members joining the Canadian Simmental Association after January 1, 1989 must register a prefix (also referred to herein as a Herd Name) at the time they join the Canadian Simmental Association. Which prefix shall be for that member's exclusive use in naming animals owned by him/her at birth and there shall be no charge to such new member for registration of its prefix.

A member who joined the Canadian Simmental Association prior to January 1, 1989 may, upon paying the designated fee, register a prefix for that member's exclusive use in naming animals owned by him/her at birth.

A prefix registered under this regulation shall not be used by any other person, partnership or corporate body in naming animals for registration.

- ii) In registering a prefix, priority in use shall be considered. Any dispute between breeders as to priority right to a prefix shall be referred to the Executive Committee for decision.
- iii) A prefix may be transferred on application to the Canadian Simmental Association by the registered owner.
- iv) A registered prefix that has not been used in naming registered animals may be cancelled after a period of ten (10) years.
- v) Notwithstanding Section 19(i), a registered prefix may be used by a son, daughter, son-in-law, or daughter-in-law or spouse or a partnership of two or more of such son, daughter, son-in-law, daughter-in-law or spouse who is a member of the Canadian Simmental Association, provided written consent of the registered owner of that prefix is on file with the Canadian Simmental Association.

This shall not apply to prefixes registered in the ownership of partnerships or companies.

- vi) Names of animals should not be duplicated. The right is reserved to change any name when necessary, preserving, however, as far as possible, some characteristic of the name given on the application.
- vii) A name shall not contain more than twenty-five (25) letters, spaces or characters, including numeral affix. Letters or numerals may be used as a prefix.
- viii) Animals from other countries must be registered with the same name that is on the certificate from the country of origin. If the name of the imported animal has a prefix that is identical to one registered with the Canadian Simmental Association, the country code designation shall precede that prefix.
- ix) The Association reserves the right to refuse any name which may be misleading, or any name which may be misleading as to the origin or relationship of an animal.

- x) The name of an animal may be changed, providing there are no registered offspring. A new application for registration must be completed and signed by the owner at birth, then presented to the Canadian Simmental Association with the Certificate of Registration and the necessary fee. If a registered prefix was used in the original name, it must also be used as the prefix in any suggested change.

20. **TOTAL HERD ENROLLMENT:**

- i) As of December 15, 2003 all members will elect on annual basis to participate in the THE program by agreeing to enroll all active registered females and adhere to established rules and pay fees as identified by the CSA Board of Directors. The enrollment will be an annual event, however, for the enrollment due December 15, 2003, no previously identified penalty fees will be charged. Therefore, on an annual basis all females listed on enrollment forms each year must either be enrolled or assigned a disposal/cull code.
- ii) Two transfers per enrolled female will be allowed: one for the female if required during that enrollment year and the second transfer will follow the calf until utilized once in its lifetime.
- iii) Enrolled females calving for the first time are eligible to receive a full refund of enrollment fees prior to the second year of enrollment provided complete performance and disposal information has been filed by the member.
- iv) Embryo transplant calves will receive the same registration and transfer privileges as natural born calves for the same enrolled fee provided the donor dam or recipient dam is enrolled in the Total Herd Enrollment Program. The first calf registered to such dam will be free and an enrollment fee will be charged for each additional transplant calf registered to the donor dam during the twelve-month period.
- v) Should an enrolled female leave the Total Herd Program and then rejoin, such female will be accepted on the following terms:
  - a) All productive and performance information for resulting calves are provided for the time the female was not enrolled. The resultant calves are eligible for acceptance into the herdbook provided all other bylaws are adhered to.
  - b) \$50.00 administration fee must also be paid in addition to all other fees set by the Board of Directors.

21. **APPLICATION FOR REGISTRATION AND ENROLLMENT:**

- i) Application for Canadian registration or enrollment of Simmental animals must be:
  - a) made to the Canadian Simmental Association on enrollment or registration forms supplied by the Canadian Simmental Association in as complete a manner as required by the Canadian Simmental Association.
  - b) accompanied by, or have on file at the Canadian Simmental Association office, the minimum performance data as specified by the Canadian Simmental Association.
  - c) In the case of calves born after January 1, 1997 they must be from sires which have a blood type or DNA record on file with the Canadian Simmental Association.

- ii) Applications for registration of animals from other countries must be:
  - a) signed by the Importer, showing the date of importation.
  - b) accompanied by the certificate of registration showing four (4) generations of ancestry from the originating country.
  - c) if the animal is a bred female, be accompanied by service information acceptable to the Canadian Simmental Association, (i.e. - that used in the country of origin for certificate of service.)
  - d) All Import Simmental animals presented for entry into the CSA Herd Book, except those Simmental animals originating in the United States, must be fully parentage verified prior to their admission to the CSA Herd Book.
  - e) eligible for registration pursuant to the rules and regulations as established by the Board of Directors from time to time with respect to the registration of imported animals.
- iii) Registration of a Canadian born animal must be in the name of the owner of the dam or the lessee of the dam at the time the calf was born.

When, an animal is a twin, it shall be so stated when applying for registration, and the sex given of the animal with which it is a twin. Should a twin be entered upon the record without such statement, no subsequent application for entry of an animal twin with the same, shall be accepted.

## 22. **TRANSFER OF OWNERSHIP AND DUPLICATE CERTIFICATES:**

- i) Applications for transfer of ownership of a percentage or registered Simmental must be made in ink or be typewritten on forms supplied by the Canadian Simmental Association showing the date of sale and be accompanied by the Certificate of registration or identification.
- ii) In the case of a bred female, service information must be provided at time of transfer.
- iii) In the case of the sale of an animal, the seller must supply the buyer with a registration certificate or the means by which it may be obtained, and it shall be the responsibility of the seller to:
  - a) confirm that the tattoo identification is in accordance with the Canadian Simmental Association Section 18.
  - b) provide the buyer with an application for registration with change of ownership completed and duly signed as designated in subsection (1) above.
  - c) when an animal is leased for breeding purposes, an application for lease supplied by the Canadian Simmental Association must be completed and signed by the lessor and forwarded to the Canadian Simmental Association. The terms of the agreement shall be fully disclosed on the application. The lessee will, in all cases, be considered the owner of the progeny of leased females.
- c) where a registration certificate is lost, destroyed or unobtainable, a duplicate certificate may be issued by the Canadian Simmental Association upon receipt of a statutory declaration from the last recorded owner.

23. **FEES:**

All fees must be paid to the Canadian Simmental Association in cash or acceptable legal tender as established by the Board of Directors. Fees subject to applicable taxes as legislated by the Government of Canada will be included. All fees are required at time of application.

Notwithstanding anything herein contained, the Association assumes no responsibility (financial or otherwise) for any loss or damage that may be sustained to any individual, partnership, firm or corporation by reason of the suspension, cancellation or correction of any registration, transfer or other documents, or by reason of the suspension or expulsion of any member of the Association, or by reason of the rejection of any application for membership in the Association.

24. **RULES FOR REGISTRATION:**

- i) Animals eligible for registration are:
  - a) Those recorded in the herd book of an Association in the country of Origin and considered eligible by the Board of Directors.
  - b) Those whose parents have qualified and are registered in the Canadian Simmental Association Herd Book, and for which performance data has been provided as required in the rules specified by the Canadian Simmental Association.
  - c) Calves conceived by Artificial Insemination will be registered on the same terms as calves conceived by natural mating, provided a blood type or DNA genotype record of the sire with parentage verification to the fullest extent possible must be on file with the Canadian Simmental Association.
  - d) Calves propagated by embryo transplants will be registered on the same terms as natural born calves provided a DNA genotype and/or bloodtype of the sire and dam are on file with the Association. In the event more than one calf results from a single flush, one animal per flush must be parentage verified. If more than one sire is used, each resultant calf must be parentage verified.
    - 1) To verify parentage of embryo transplant offspring, a blood typing record or DNA record of all sires used as semen sources must be on record with a recognized laboratory prior to the time of transplanting. The required donor cow blood must be drawn no later than the time of transplanting, if blood type record or DNA record is not already on file with a recognized laboratory. This policy became effective January 1, 1980.
    - 2) It is hereby stressed that both Canadian Simmental Association members and Embryo Transplant centres be advised of the importance of being able to differentiate instances when two bulls are being used to simultaneously inseminate donor cows. In those cases where parentage verification cannot be established, the resultant offspring will not be eligible for registration or identification by the Canadian Simmental Association.
- ii) All breeders who desire to register Simmental cattle born in Canada must provide certain data. Data supplied by the breeder for registration shall be in accordance with rules specified by the Canadian Simmental Association.

- iii) **UPGRADING:** In order to facilitate the development of the Simmental breed of cattle in Canada through the widest possible genetic base, the Canadian Simmental Association will encourage breeders to engage in an upgrading program using established breeds.
  - a) Upgrading to a Purebred registered status may be accomplished by using registered Purebred or percentage bulls/females as designated in the upgrading table approved by the board of Directors from time to time. To be eligible for recordation, an animal must be at least one-half (1/2) Simmental blood and either the sire or dam must be a CSA-registered animal. The non-Simmental registered purebred sire (from a recognized breed registry as determined by the CSA) must have the pedigree entered into the CSA database.
  - b) Parent stock must be recorded through each phase of upgrading.
  - c) Bulls are accepted as Purebred and can be registered if they are at least 15/16 Simmental breeding.
  - d) Heifers are accepted as purebred and registerable if they are at least 7/8 Simmental breeding.
- iv) **PARENTAGE VERIFICATION:**
  - a) **RANDOM PARENTAGE VERIFICATION OF SIMMENTAL ANIMALS:**
    - 1) The CSA Board of Directors or their appointee shall, from time to time or at any time, require parentage verification of animals, for which application is being made for registration or for which registration has been completed. In all such cases, the Association shall be responsible for the costs of parentage verification.
    - 2) In the event that parentage verification is not completed as requested, the Board of Directors shall act as it deems necessary to enforce compliance, including the withholding of registrations or the request for additional parentage verification or suspension or expulsion.
  - b) **OTHER PARENTAGE VERIFICATION TESTS**

The Board of Directors shall undertake such parentage verification tests as it deems necessary and may assess charges to the breeder or owner in relation to the responsibility for error evident in each case.
- v) In case of parentage dispute, the breeder of the animal shall be responsible where proper parentage is not established.
- vi) All Simmental semen entering Canada from any source beyond the Canadian border must be legally admitted by Health of Animals, Agriculture Canada. No application shall be made for Canadian Simmental Association certificate of registration or identification for progeny sired by semen imported without Health of Animals approval. Any Canadian Simmental Association certificate of registration or identification obtained for progeny resulting from semen that is proven to be illegally imported into Canada is subject to Canadian Simmental Association cancellation.
- vii) All Import Simmental embryos presented for entry into the CSA Herd Book must be fully parentage verified and a copy of a Four Generation registration certificate of the Sire and Dam (certified by the Official Herd Book in the Country of Origin) must accompany the

required Application for Registration forms for Embryo Transplants, prior to their admission to the CSA Herd Books.

- ix) Letters from the original European Herd Book stating that all animals which were imported into Canada were, in fact, Fullblood Simmental must be retained on file for any imported Simmental animals for which parentage is missing in its five-generation pedigree in the CSA Herd Book as of November 3, 1990.
- x) All animals born in Canada cannot be registered in a foreign country prior to being registered in Canada.
- xi) The Board of Directors shall designate the manner of parentage verification from time to time as well as the laboratory or laboratories which will be authorized to conduct such parentage verification.
- xii) **RULES REGARDING KARYOTYPING FOR A CHROMOSOMAL ABNORMALITY**
  - a) The Board of Directors shall designate the laboratory or laboratories which will be authorized to conduct testing for any chromosomal abnormality and to certify animals free from chromosomal abnormality.
  - b) Calves conceived by artificial insemination from semen drawn **outside** of Canada or the United States after January 1, 1995 must be from sires which have been tested for all chromosomal abnormalities to be eligible for registration in the Canadian Simmental Association Herdbook.
  - c) Where an **animal** has tested positive for any chromosomal abnormalities, the registered owner of such **animal** shall be immediately notified in order that the owner may within seven (7) days of such notification have the **animal** re-tested at a laboratory designated by the Board of Directors.
  - d) Once a bull has tested positive for any chromosomal abnormality (either after the original test if the owner chooses not to have a second test, or after the second test has been done where the owner so chooses) then the Association shall advise it's membership as soon as reasonably possible in the Association's Breed Publication.
- xii) Any Animal that has black/grey pigmentation shall not be eligible for a Full Blood designation notwithstanding that both its parents have a Full Blood designation. Where an animal has black/grey pigmentation and both its parents have a Fullblood designation, then that animal, once it has had its parentage verified, may be registered as a Purebred with a G prefix. In the event of a dispute as to whether an animal has a black/grey pigmentation and therefore is ineligible for A Full Blood designation, then the Board of Directors shall in its sole discretion decide whether the animal has black/grey pigmentation.

25. **STANDARDS FOR REGISTRATION:**

- i) The Canadian Simmental Association shall maintain a list of defects known to be inherited and accepted by a two-thirds (2/3) majority vote at an Annual Meeting to be disqualifying Genetic Defects. Notwithstanding anything to the contrary in these Bylaws, animals expressing any such defect shall be ineligible for registration.
- iii) Any animals suspected of having a genetic defect must be reported to the Canadian Simmental Association as soon as possible.

26. **PROVINCIAL LEVY:**

The Board of Directors may from time to time, as requested by a Provincial Association, collect on behalf of said body, a breed improvement fee based on registrations and/or transfers in such Province for the purposes of funding projects within that province or group of provinces. Provided however, that:

- i) No request for additional levy from a Provincial Association will be considered by the Board of Directors until a motion has been passed by the Provincial Association by a two-thirds (2/3) majority at its regular Annual Meeting or a Special Meeting called for the purpose of such a vote and that notice of the meeting and special motion has been given at least thirty (30) days prior to the meeting.
- ii) The additional levy shall not exceed 25 percent (25%) of the National Basic levy as set forth in the Constitution for each registration and transfer.

27. **NON-MEMBERS:**

Any person not a member of this Association registering or transferring animals on the records of the Association shall be subject to the same rules and regulations as a member except as otherwise specifically provided for.

28. **GENDER:**

Wherever the context permits in this Constitution, the singular shall include the plural and the masculine, the feminine and the neuter.

29. **REPEAL:**

The Canadian Simmental Association is incorporated under the Animal Pedigree Act. All breeders of registered stock must comply with this Act. The following excerpts are of particular interest:

**SECTION 17:** The Bylaws of an Association bind every member of the Association.

**SECTION 63: NO PERSON SHALL KEEP RECORDS:**

- a) except as authorized by this Act, where an association is authorized by this Act to register or identify animals of a distinct breed or evolving breed, no person shall keep pedigrees in respect of animals of that distinct breed or evolving breed or issue any document purporting to evidence that a particular animal is of that distinct breed or evolving breed or so closely resembling a certificate of registration, or certificate of identification, as the case may be, that it would likely be mistaken for such a certificate.
- b) No person shall issue in respect of any animal any document of any kind likely to deceive the public into believing that the document is a certificate of registration or certificate of identification in respect of the animal or that the animal is registered or identified under the authority of this Act.

**SECTION 64: NO PERSON SHALL:**

- a) knowingly sign or present, or cause or procure to be signed or presented, to a recording officer of any association or of the Corporation any declaration or application in relation to the registration, identification or transfer of ownership of any animal, semen or embryo that contains any material false statement or representation.
- b) knowingly represent that a certificate of registration or certificate of identification applies to an animal other than the one in respect of which it was issued;
- c) knowingly represent that a semen certificate or embryo certificate applies to any semen or embryo other than the semen or embryo in respect of which it was issued;
- d) falsify or alter a certificate of registration, certificate of identification, semen certificate or embryo certificate;
- e) without an express statement that the animal's registration or identification is from a jurisdiction other than Canada, offer to sell, contract to sell or sell, as registered or identified, or as eligible to be registered or identified, within or outside the meaning of this Act, any animal that is not registered or identified, or eligible to be registered or identified;
- f) offer to sell, contract to sell or sell, as recorded, or as eligible to be recorded, in the books of any association, or of the Corporation, any semen or embryo that is not recorded or eligible to be recorded in those books;
- g) knowingly offer to sell, contract to sell or sell any animal in a manner that is likely to create an erroneous impression that the animal is registered or eligible to be registered;
- h) offer to sell, contract to sell or sell, as a Purebred of a breed, any animal that is not registered or eligible to be registered as a Purebred by the association authorized to register animals of that breed or by the Corporation;
- i) without an express statement that the animal's registration, identification or status as a Purebred is from a jurisdiction other than Canada, offer to sell, contract to sell, or sell as registered or identified, or as a Purebred, any animal for which there is no individual identification in accordance with the bylaws of the association that has registered or identified the animal; and
- j) without an express statement that the animal's registration, identification or status as a Purebred is from a jurisdiction other than Canada and that the animal will not be registered or identified in Canada by the person, sell, as registered or identified, or as eligible to be registered or identified, or as a Purebred, any animal without providing to the buyer thereof within six months after the sale the animal's duly transferred certificate of registration or certificate of identification.

**SECTION 65:**

No person shall, without lawful authorization, use the name of the Corporation or the name of any association or any name so clearly resembling the name of the Corporation or the name of an association in a manner that is likely to deceive the public.

**SECTION 66:**

- i) Any person who contravenes any provision of this Act or the regulations is:
  - a) guilty of an offence punishable on summary conviction and liable to fine not exceeding twenty-five thousand dollars (\$ 25,000.00); or
  - b) guilty of an indictable offence and liable to a fine not exceeding fifty thousand dollars (\$ 50,000.00).
- ii) In determining the fine in relation to an offence under any of sections 63 to 65, the judge making the determination shall take into account the value, or purported value, of the animal, semen or embryo to which the offence relates.

30. **BYLAWS - LOCATION AND USE:**

A copy of the Bylaws together with any amendments thereto shall be maintained by the General Manager of the Association and by Secretaries of Provincial organizations. These shall be available for inspection by members of the Association.

31. **HARDSHIP CASES:**

*In case of proven hardship to a member, the Board of Directors may at their discretion, instruct the General Manager to proceed with the registration or transfer of an animal provided the animal(s) in question meet the pedigree requirements established in these by-laws. In granting such relief the Board of Directors may impose such terms and conditions as to costs, payment of fees and all other matters as the Board of Directors deems fair.*

## Table 1. Determination of Simmental Fractions

SIRE		DAM		HEIFER CALVES		BULL CALVES	
Herdbook Status	Official Simmental Fraction	Herdbook Status	Official Simmental Fraction	Can Be Registered	Official Simmental Fraction	Can Be Registered	Official Simmental Fraction
Registered	(F/B) 32/32	NIL	0	Percentage	1/2	Percentage	1/2
Registered	(F/B) 32/32	Percentage	1/2	Percentage	3/4	Percentage	3/4
Registered	(F/B) 32/32	Percentage	3/4	Registered	(P/B) 7/8	Percentage	7/8
Registered	(F/B) 32/32	Registered	(P/B) 7/8	Registered	(P/B) 15/16	Registered	(P/B) 15/16
Registered	(F/B) 32/32	Registered	(F/B) 32/32	Registered	(F/B) 32/32	Registered	(F/B) 32/32
Registered	(P/B) 15/16	NIL	0	Percentage	1/2	Percentage	1/2
Registered	(P/B) 15/16	Percentage	1/2	Percentage	3/4	Percentage	3/4
Registered	(P/B) 15/16	Percentage	3/4	Registered	(P/B) 7/8	Percentage	7/8
Registered	(P/B) 15/16	Registered	(P/B) 7/8	Registered	(P/B) 15/16	Registered	(P/B) 15/16
Percentage	7/8	NIL	0	No	0	No	0
Percentage	7/8	Percentage	1/2	Percentage	1/2	Percentage	1/2
Percentage	7/8	Percentage	3/4	Percentage	3/4	Percentage	3/4
Percentage	7/8	Registered	(P/B) 7/8	Registered	(P/B) 7/8	Percentage	7/8
Percentage	3/4	NIL	0	No	0	No	0
Percentage	3/4	Percentage	1/2	Percentage	1/2	Percentage	1/2
Percentage	3/4	Percentage	3/4	Percentage	3/4	Percentage	3/4
Percentage	3/4	Registered	(P/B) 7/8	Percentage	3/4	Percentage	3/4
Percentage	1/2	NIL	0	No	0	No	0
Percentage	1/2	Percentage	1/2	Percentage	1/2	Percentage	1/2
Percentage	1/2	Percentage	3/4	Percentage	1/2	Percentage	1/2
Percentage	1/2	Registered	(P/B) 7/8	Percentage	1/2	Percentage	1/2
Other HB	0	NIL	0	No	0	No	0
Other HB	0	Percentage	1/2	No	0	No	0
Other HB	0	Percentage	3/4	No	0	No	0
Other HB	0	Registered	(P/B) 7/8	Percentage	1/2	Percentage	1/2

**"TABLE 1" - NOTE: Full Registrations and Percentage Registrations are conditional also on the animal meeting the performance rules and standards specified by the Canadian Simmental Association.**