

**CANADIAN HAFLINGER  
ASSOCIATION**

*By-Laws*

**CANADIAN HAFLINGER**  
**ASSOCIATION** Affiliated July 9, 1983 Approved  
October 18, 1983 AMENDMENTS

Article 19 March 4, 1986

Articles 3, 6, & 19 July 9, 1987

Articles 2, 6, 7, 8 & 19 May 10, 1988

Constitution Revised March 13, 1990

Articles 7.02, 8.05, 10 & 11.01 of the Bylaws & Sections 1.04 & 2.03 of the  
Regulations December 12, 1991

Articles 9, 10.01, 10.04, 10.05, 11.01 and 4.03 of the Regulations July 7, 1992

Articles 8 & 10 July 16, 1993

Article 6 & Section 1 of the Regulations July 4, 1994

Articles 6.05(c), 8.05, 10.04 & 10.5(3) Sections 1.05(1), 2.01 & 2.02 of the  
Regulations June 4, 1996

Article 10.05 Section 1.04 of the Regulations April 6, 2000

Article 10 and Section 1 of the Regulations August 1, 2000

Constitution completely revised and renumbered as By-Laws May 13, 2006

By Law changes for 10.2.6, 10.6.2, 10.6.3, 10.6.5.2 July 28, 2016

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# CANADIAN HAFLINGER ASSOCIATION

## By-Laws

### Article

#### 1. NAME

The Association shall be called the "CANADIAN HAFLINGER ASSOCIATION."

#### 2. INTERPRETATION

2.1. In the By-laws and regulations of the Canadian Haflinger Association unless the context otherwise specified or requires:

2.1.1. "Association" means the Canadian Haflinger Association as a National organization incorporated under the Animal Pedigree Act. In addition to such other powers given herein to achieve its purposes the Association is authorized to register *eligible* Haflingers.

2.1.2. "Act" means the Canadian Legislation known as -Animal Pedigree Act 1988.

2.1.3. "Minister" means the Minister of Agriculture and Agri-Food;

2.1.4. "Board" means the Board of Directors of the Association.

2.1.5. "Haflinger" means a registered animal of the Haflinger breed.

2.1.6. "Immature" means a Haflinger under three (3) years of age.

These By-Laws, given Ministerial approval under the Animal Pedigree Act, bind every member of the Association.

#### 3. OBJECTS AND PURPOSES OF THE ASSOCIATION

3.1. To register, establish standards of breeding, keep pedigrees, other records and statistics for the Haflinger Breed.

3.2. To ensure the purposes and intent of the Act are respected.

3.3. To assist members by providing information, services, goods and any activities of interest and benefit to the members or which promotes Haflinger Breed improvement.

3.4. To maintain effective supervision of the breeders of Haflingers to ensure that appropriate records and practices are maintained. To take supportive actions on behalf of members to ensure that the needs of all Breeders are met.

#### **4. ASSOCIATION**

##### **4.1. HEAD OFFICE**

The head office of the Association shall be the residence of the Secretary. The office for the registration of pedigrees shall be the office of the Canadian Livestock Records Corporation.

4.2. **FISCAL YEAR** The fiscal year of the Association shall be concurrent to the calendar year.

##### **4.3. INSPECTION OF RECORDS**

Minutes of the Board and Annual or General meetings shall be sent to the representatives of Agriculture & Agri-Food Canada and the General Manager of the Corporation. They shall be presented annually to members. All financial records shall be audited annually and a financial statement presented to Agriculture Canada, the Corporation and the members at each Annual General Meeting.

#### **5. MEMBERSHIP PROCEDURES**

##### **5.1. ELIGIBLE MEMBERS**

Members in good standing are those who are not in arrears of any financial obligation to the Association or the Corporation and abide by the Act, the By-laws and Regulations, and such rules set by the Association. One who is not expelled or under suspension.

##### **5.2. DISCIPLINE OF MEMBERS**

Members who are found guilty of an infraction under the By-laws and Regulations of the Association may have their membership revoked for a period of time commensurate with the seriousness of the infraction. The decision to revoke a membership is the responsibility of the Board of Directors.

##### **5.3. CLASSIFICATION**

5.3.1. No member shall hold office or be entitled to vote or to give notice to amend these By-laws and regulations, unless he or she is a Canadian resident and owns a Canadian registered Haflinger and is not in arrears of any fees.

5.3.2. Honorary Members: The membership may appoint Honorary Members at a General Meeting or the Board may name the individual. Honorary Members shall not be eligible to vote, hold office or make transactions unless as designated by the Board.

5.3.3. Annual Members: Are those individuals, partnerships or Companies incorporated under a Federal or Provincial Charter. Annual Members must be residents of Canada, who pay their prescribed annual dues, owned a registered Haflinger in the past 12 months and are in good standing. Application for Partnership or incorporated company membership shall specify the person authorized to vote, act, or sign for the partnership or company. Each member shall have only one vote.

Ownership in a company, partnership or a corporation is limited to one (1) vote.

5.3.4. Associate Annual Members: Are those individuals, non-residents of Canada, who pay the annual dues and are in good standing. They shall enjoy the privileges annual members but are not eligible to vote or hold office.

5.3.5. Affiliate Members: Are those organizations that pay the prescribed dues, unless exempted by the Board. Affiliate Member Organizations purposes must be compatible with the Association. Affiliate Member Organizations are not eligible to vote or hold office.

5.3.6. Life Members: Are those individuals who have made application, paid the prescribed one time fee, be a resident of Canada and qualify for eligibility. Upon acceptance of these by-laws no new life memberships shall be issued.

5.3.7. Junior Members: Are any youth eighteen (18) years and under who pay the set dues, but shall not be eligible to vote or hold office.

5.3.8. Dues are payable January 1 and must be received by January 31 of each year for a member to be in good standing. The membership year of the Association shall correspond with the calendar year.

Any new members after the 31st of January must produce their membership cards in order to have a vote at the Annual Meeting.

#### 5.4. APPLICATION FOR MEMBERSHIP

Application for membership shall be made on member application forms approved by the Board of Directors and submitted to Canadian Livestock Records Corporation. Members are bound by the By-laws and Regulations, and the Act.

## 5.5. FINANCIAL LIABILITY

The financial liability of the member to the Association shall be limited to the amount due in membership dues, registration and other established fees and costs incurred due to the Association for services provided.

## 6. ORGANIZATIONAL STRUCTURE

### 6.1. DIRECTORS

The affairs of the Association shall be managed by a Board, which is composed of five Directors.

6.2. ELECTION OF DIRECTORS Directors shall be elected for a three-year period. Elections shall take place at the Annual meeting by written ballot by eligible voting members in good standing.

6.3. OFFICERS The officers of the Association shall be President and Vice-President who shall be chosen from amongst the elected Directors, by the Board. The Secretary and Treasurer of the Association will be officers appointed by the board who may be selected from the elected directors or from amongst the general membership.

6.4. REMOVAL OF OFFICERS Officers remain while they have the confidence of the Board. Officers may be removed by a majority vote of the Board.

6.5. VACANCY OF OFFICE In the case of death, resignation or loss of good standing of a Director of the Board, the remaining members shall appoint a member to fill the vacancy and shall hold office only until the next election of directors.

### 6.6. GENERAL EXPECTATIONS OF BOARD OF DIRECTORS

#### 6.6.1. President

The President may serve for a maximum of three (3) consecutive years. It shall be the duty of the President to:

- 6.6.1.1. Preside as Chairperson of all meetings.
- 6.6.1.2. Sit as a member of any Special Committees.
- 6.6.1.3. Supervise the affairs of the Association.

#### 6.6.2. Vice-President

It shall be the duty of the Vice-President to:

- 6.6.2.1. Perform Presidential duties in the event of the President's absence or inability.
- 6.6.2.2. Perform such duties as the President may from time to time delegate, or such as the Board may prescribe.

#### 6.6.3. Board of Directors

It shall be the duties of the Directors to:

- 6.6.3.1. Attend all Board meetings.
- 6.6.3.2. Keep the membership informed of important and significant new material pertaining to the horse industry.
- 6.6.3.3. Appoint members to serve on committees or to act as special representatives. Such an appointee shall hold office only until the next election of directors.
- 6.6.3.4. Designate a person to supervise the keeping of pedigrees, breeding records and identification of individual animals.
- 6.6.3.5. Promote the improvement of the Haflingers.
- 6.6.3.6. Establish ad hoc committees, as needed, to address special issues.
- 6.6.3.7. Set the policies for the efficient and effective functioning of the Association.
- 6.6.3.8. Represent the best interests of the members of the Association.
- 6.6.3.9. Take such actions as are necessary to fulfill the purposes of the Association and meet the requirements of the Act. The Board may amend the regulations when necessary but will bring such amendments to the next annual meeting for approval.
- 6.6.3.10. Re-assess the fee schedule when necessary.
- 6.6.3.11. Develop and approve forms, applications, and other documents used by the Association.
- 6.6.3.12. Work with Provincial Clubs for the promotion and breed improvement of Haflingers.
- 6.6.3.13. Monitor the actions of a member who fails knowingly to obey the rules of the Association or the Act and for taking disciplinary action.
- 6.6.3.14. Implement a system of individual identification.
- 6.6.3.15. Formulate standards for registrations.
- 6.6.3.16. Supervise private breeding records.
- 6.6.3.17. Develop and maintain a Policies and Procedures Manual.
- 6.6.3.18. Develop and maintain a Code of Ethics.

#### 6.6.4. Secretary

The Secretary of the Association shall be an Officer appointed by the Board. It shall be the duties of the Secretary to:

- 6.6.4.1. Attend all meetings of the Directors and keep minutes of all proceedings at such meetings.
- 6.6.4.2. Enter all minutes into the appropriate books.



- 6.6.4.3. Act as custodian of all books, papers, records, documents and other instruments belonging to the Association.
- 6.6.4.4. Give all necessary notices to the Directors and the Membership.
- 6.6.4.5. Prepare the necessary Annual Reports as requested by the Act.

#### 6.6.5. Treasurer

The Treasurer of the Association shall be an Officer appointed by the Board. It shall be the duties of the Treasurer to:

- 6.6.5.1. Keep full and accurate books of accounts in which all receipts and disbursements of the Association are recorded.
- 6.6.5.2. Deposit all monies in the Association's accounts at an appropriate Financial Institution.
- 6.6.5.3. Furnish an account of all transactions and provide an audited Annual Statement of Finances.
- 6.6.5.4. Perform such other duties as may from time to time be prescribed by the Board.

### 6.6. COMMITTEES

6.6.1. PUBLIC RELATIONS AND PROMOTIONS COMMITTEE The Chairperson of the Public Relations and Promotions Committee shall be appointed by the Board and shall report to the Board to fulfill the following duties:

- 6.6.1.1. To set up a Network Committee, which must include a member of the Board.
- 6.6.1.2. To encourage a network of communications to provide information on the Haflinger globally and from across Canada to monitor the needs of the members and provide information thereto.
- 6.6.1.3. To promote the Haflinger Breed and provide liaison with members, nonmembers, media events, other organizations and the Government.

### 6.7. RECORDING CORPORATION

6.7.1. Canadian Livestock Records Corporation shall provide services as Registering Agent for the Association. The Corporation shall assign to the Association a person to act as Registrar, to fulfill the specifications outlined by the Act.

6.7.2. Pedigree Committee The Pedigree Committee shall consist of the Registrar, General Manager of the Corporation, the Association Secretary and the Representative. The Representative shall be chosen, from amongst the membership of the Association, by the Board. It shall be the duties of the Pedigree Committee to:

- 6.7.2.1. Authorize changes to official documents where pertinent information requires or is otherwise unobtainable.

6.7.2.2. Amend or cancel official documents if their accuracy is questionable.  
6.7.2.3. Unanimous decisions of the Committee are final. If they are not unanimous the matter shall be submitted to the Board for a decision. All decisions of the Committee shall be incorporated in the minutes of the next Board meeting.

6.7.2.4. The Pedigree Committee or the Board shall not authorize the registration of any animal unless it complies with the rules of eligibility as they are stipulated in the By-laws and Regulations.

## 6.8. PROVINCIAL CLUBS

Members of this Association in good standing may organize Provincial Clubs under a By-laws approved by the Board of Directors. The activities of any such Provincial Clubs shall be confined solely to its own Provincial interest. They must be compatible with the objects and purposes of the Association and provide the Provincial link with the Association. Only one club per province will be recognized.

## 7. PROTECTION OF DIRECTORS AND OFFICERS

### 7.1. LIMITATION OF LIABILITY

7.1.1. No Director or Officer of the Association shall be liable for the acts, receipts, neglects or defaults of any other Director, Officer or employee. (Note: The Animal Pedigree Act (section 14-2) sets out the limited liability, which shall apply.)

7.1.2. All profits or accretions of value to the property of the Association shall be used in furtherance of the purposes of the Association and no part of the property or profits of the Association may be distributed directly or indirectly to any member of the Association.

### 7.2. INSPECTION OF RECORDS

7.2.1. The Directors may from time to time, subject to the rights conferred by the Act, determine whether and to what extent and at what time and place and under what conditions or regulations the documents, books and registers and accounting records of the Association shall be made available for public inspection.

7.2.2. All cheques, drafts or orders for payment of money and all notes and acceptances and bills of exchange may be signed by any two of the President, Treasurer, and a designated Director or in such manner as the Board may designate.

### 7.3. CONTRACTS, DOCUMENTS AND OTHER INSTRUMENTS

The President, Vice-President, Secretary and the Treasurer may sign contracts, documents or instruments in writing requiring the signature of the Association. All of the above so signed shall be binding upon the Association without any further authorization of formality. The Board shall have the power from time to time by resolution to appoint any officer or officers or any person or persons on behalf of the Association to sign contracts, documents and instruments in writing generally.

## 8. MEETINGS

### 8.1. ANNUAL GENERAL MEETING

The Annual and/or General Meetings of the Association shall be held at such date, time and place as decided by the Board. Notice of at least thirty days (30) in advance shall be given by post. Notice may appear in the Association Newsletter or other media. Notice of Annual General Meeting shall be sent in like manner to the Minister of Agriculture and the General Manager of the Corporation.

### 8.2. ORDER OF BUSINESS

The following is a pro forma order of business for use at all Annual and General Meetings:

- 8.2.1. Identification of Members.
- 8.2.2. Reading minutes of previous meeting.
- 8.2.3. Report of officers, directors and committees.
- 8.2.4. Correspondence.
- 8.2.5. Unfinished business.
- 8.2.6. Delegations.
- 8.2.7. If Annual Meeting, report of election of directors and other officers and appointment of representative.
- 8.2.8. New business.
- 8.2.9. Adjournment.

The above order with the exception of "1" (Identification of Members) may be changed at the pleasure of the meeting assembled.

### 8.3. QUORUM

A quorum for the Annual and/or General Meeting shall be 10 voting members or 10% of eligible voting members, which ever is greater.

#### 8.4. PROXY

A member who is unable to attend may send a proxy, signed and dated, on a proxy form developed and approved by the Board of Directors. Such proxy must have been given to the Secretary seven (7) days prior to the meeting for validation. The proxy form will clearly state the name of the member who shall vote the proxy. A member may hold a maximum of two (2) proxy votes.

#### 8.5. MEETINGS OF THE BOARD

Notice of the meeting other than the one immediately following the Annual General Meeting may be sent in writing to each Director and Officer or on shorter notice if all have given their consent. With consent of all Directors a conference telephone meeting may be held. Quorum for the Board shall be four (4).

#### 8.6. PROCEDURES FOR VOTING

For any decisions that must be taken by the Association, with the exceptions as noted below in section 9, shall be decided by one of three methods described in Sections 8.5.1 to 8.5.3. The selection of voting procedure shall be at the discretion of the Board. The outcome of a vote will be determined by a majority of the ballots unless otherwise stated in these by-laws.

8.6.1. Mail-In Voting Issues requiring ratification by the general membership may be decided through a mail-in ballot. All members will be provided related information, the question and the deadline for the return of ballots. Mail-in votes, received by the Secretary by the deadline, shall be counted by the recording secretary and one other director and recorded by recording secretary.

8.6.2. Show of Hands Show of hands votes made at general membership meeting shall be counted by the recording secretary and one other director and recorded by recording secretary. Votes of the Board shall be counted and recorded by the recording secretary.

8.6.3. Secret Ballots At the discretion of the chair, votes of the board or general membership may be made by secret ballot. Secret ballot votes shall be counted by the recording secretary and one other director and recorded by the recording secretary.

## **9. PROCESS OF AMENDMENT, AMALGAMATION & DISSOLUTION**

### **9.1. BY-LAW AMENDMENTS**

These By-laws may be amended by majority vote of 2/3 of those members voting. No amendment shall be valid until approved by the Minister of Agriculture and filed with the Ministry. Notice of all proposed amendments shall be given to the Secretary-Treasurer forty days (40) in advance of a General Meeting. Such proposals shall be included in the notice calling the meeting otherwise, the meeting shall have no power to deal with the amendment.

The Corporation may suggest amendments to the By-laws and Regulations they consider would better serve the interests and purposes of the Association or which could achieve services more efficiently or effectively. The suggestions must be made to the Secretary in writing and will be included on the agenda of the next Board meeting.

### **9.2. REGULATION AMENDMENTS**

Regulations of the Association may be amended at a regular meeting of the Board of Directors. No amendment shall be valid until approved by the Minister of Agriculture and filed with the Ministry. Notice of all proposed amendments shall be given to the Secretary forty days (40) in advance of a meeting of the Board of Directors. Such proposals shall be included in the notice calling the meeting otherwise, the meeting shall have no power to deal with the amendment

A member who wishes to amend the Regulations must notify the Board in writing of the proposed amendment. It shall be included in the agenda of the next Board meeting. The member may request to be present. Regulation Amendments completed at meetings of the Board of Directors will be reported to the General Membership at the next Annual General Meeting.

The member may re-submit a proposed amendment in writing to the Secretary forty days (40) before the Annual General Meeting. It shall be included in the agenda for discussion and action by the membership.

The Corporation may suggest amendments to the By-laws and Regulations they consider would better serve the interests and purposes of the Association or which could achieve services more efficiently or effectively. The suggestions must be made to the Secretary in writing and will be included on the agenda of the next Board meeting.

### **9.3. AMALGAMATION AMENDMENT**

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, 25 per cent or more of the members have responded in

writing to the consultation and that at least 2/3 of the members who responded have approved the proposed amalgamation.

#### 9.4. DISSOLUTION AMENDMENT

The Minister may, by order, declare the corporate powers of any association to be terminated on petition from the association supported by a resolution, to that effect, passed by at least 2/3 of the members of the association.

## 10. REGISTRATION

The Association will encourage breed improvement by promoting the breed standards set by the World Haflinger Federation and the Tyrolean Horse Breeders Association as published from time to time.

### 10.1. Standards for Breeding Animals

**HEAD:** Should be noble and lean and should fit well with the rest of the horse. The eyes should be large and positioned forward. The nostrils should be large and wide. Should have a light poll and correctly positioned ears.

**NECK:** Should be of medium length and should become narrower towards the head. There should be sufficient freedom through the jowls.

**BODY:**

- Front-section:** Should be well pronounced withers that reach far into the back, a large sloped shoulder and a deep broad chest.
- Back:** Should be medium length, well muscled, and when in motion should combine elasticity, balance and tension.
- Mid-section:** Should be well connected to both forehand and hindquarters, with sufficient girth and curved deep ribs.
- Hindquarters:** Should be a long well muscled croup, slightly sloped and not too much split.
- Tail:** Should not be too deeply set.

**LIMBS:** Limbs should show clear, lean distinct joints, and equal stance on all four feet. Legs should be in a straight line when viewed front or back. From the side the front legs should be straight and hind legs should display an angle of 150 degrees through the hock and an angle of 45-50 degrees through the pastern and hoof to the ground. The knee should be broad and flat and the hocks wide and powerful. Pasterns should be long and well developed and the hooves should be round, distinct and hard.

**HEIGHT** 137 to 154 cm (13.2 h.h. to 15 h.h.). Animals under 137 cm (13.2 h.h.) should not be AT 3 used for breeding. The maximum size may be exceeded in the case of an excellent **YEARS:** or outstanding confirmation.

**COLOUR:** Chestnut color in all shades from light to dark with flaxen or white colored manes and tails. Flaxen or white star, blaze or stripe is permissible. White on the body or limbs, red or grey mane and tail is not desirable.

## 10.2. RULES OF ELIGIBILITY

10.2.1. Foals shall be eligible for registration provided that both the sire and dam were at least three years of age at the time of conception. A parent may be considered three years of age as of January 1st of its third year. A Certificate of Breeding Standard confirming that the sire and the dam of the foal meet the Standards for Breeding Animals in Section 10.1 must accompany the Application for Registration of a foal.

10.2.2. In order to be registered as a purebred Haflinger, an animal must be the offspring of a purebred Haflinger sire with at least 6 generations of ancestry identified and a purebred Haflinger dam with at least 6 generations of ancestry identified. In the sixth generation pedigree of either the sire and/or dam (64 animals), one animal may be non-Haflinger (1.56%) per World Haflinger Federation.

10.2.3. The Board of Directors may from time to time, approve the acceptance of foreign registries provided, these registries are recognized by the World Haflinger Federation.

10.2.4. Horses recorded with approved foreign registries can be transferred to the Association by submitting the original registration certificate, showing the ownership in the name of the applicant and the payment of the proper registration fee.

10.2.5. Only those animals, the result of purebred parents who comply with the information required on the application for registry and for which the proper fee is received may be registered.

10.2.6. A mare owned in Canada must be registered in Canada for its progeny to be eligible for registration in the Canadian Haflinger Association. Effective Jan 1, 2017.

## 10.3. REGISTRATION OF A SUFFIX

A breeder may register for his exclusive use a name to be used as a suffix in naming his animals. A particular name will be allowed to one person or partnership only. In the event of a change in the name of a partnership or company or if any party is taken into partnership, the name will be transferred by authorized representative.

A registered name may be transferred to another person or persons on application of the person in whose name it is registered.

Existing names used as a prefix in naming animals may be used until the breeder ceases use of the prefix. Upon acceptance of these by-laws no new prefix names will be registered or transferred.



#### 10.4. TRANSFER OF HAFLINGERS

Animals sold must be transferred within six (6) months by the vendor who will present the transferred Canadian Registration Certificate to the new owner. A foal must carry the prefix or suffix of the breeder. The breeder is the owner of the mare at the time of conception.

#### 10.5. PRIVATE BREEDING RECORDS

10.5.1. These records shall at all times be open for inspection by officials.

10.5.2. Each breeder shall keep private breeding records of all Haflingers.

10.5.3. Records of each Haflinger shall contain information from the Certificate of Registration (Name, Number etc.), a complete health record and proper identification.

10.5.4. A complete breeding history.

10.5.5. All deaths and removal of any Haflinger for any cause shall be recorded in private records and with the Canadian Livestock Records Corporation..

10.5.6. A stallion owner must file a breeding report yearly with the Canadian Livestock Records Corporation.

10.5.7. There will be a late filing fee if filed later than January 31st. Fees for late filing will be determined by the Board.

#### 10.6. INDIVIDUAL IDENTIFICATION

10.6.1. The official method of individual animal identification shall be by description and photograph as required in the Application for Registration Form.

10.6.2. Mares shall be DNA tested and a copy filed with the Canadian Livestock Records Corporation to register progeny. Effective Jan 1, 2017.

10.6.3. Every filly and AI conceived foal shall be DNA Parentage tested to be eligible for registration. Effective Jan 1, 2017.

10.6.4. The proper individual identification of a pure bred Haflinger is the member/owner's responsibility. The Association will supervise through the Canadian Livestock Records Corporation and the Association's representative the practices of the above. Unsatisfactory practices will be brought to the attention of the Board for appropriate action.

10.6.5. Licensed stallions must be:

- 10.6.5.1. Three years old to be licensed.
- 10.6.5.2. Sired by a licensed DNA tested stallion that is on file with Canadian Livestock Records Corporation or a registry that uses DNA and is recognized by our governing body the World Haflinger Breeding and Sport Horse Association.
- 10.6.5.3. Certified by a Doctor of Veterinary Medicine to be free of mouth defects and cryptorchidism, and;
- 10.6.5.4. Have been DNA tested.

10.7. ELIGIBILITY OF OWNER/BREEDER

Any Canadian shall not be refused the right to make transactions at non-member rates, provided he abides by the Act and Rules and Regulations of the Association.

**11. FEES**

When necessary, the Board may adjust the fee schedule. Notification of fee schedule adjustments must be circulated to the membership two weeks before its effective date.

All fees shall be payable to the Corporation in an appropriate manner and they shall be in Canadian dollars deposited to the Corporation. Fees as received by the Treasurer of this Association shall be forwarded to the Corporation monthly.