

THE
PORTUGUESE WATER DOG
CLUB OF GREAT BRITAIN

CONSTITUTION

And

RULES

2009

TITLE and OBJECTIVES

The Club shall be known as THE PORTUGUESE WATER DOG CLUB OF GREAT BRITAIN.

The Club shall promote the welfare of the Portuguese Water Dog supporting shows and doing all in its power to protect and advance the interests of the breed.

CONSTITUTION:

- 1 The Club shall conduct and manage its affairs generally in accordance with these rules.
- 2 The financial year of the Club shall run from the 1st January to the 31st December in each year.
3. The Club shall comprise of (a) Members (b) a Committee of Management and (c) Officers. These are defined as:

(a) MEMBERS:

No election to membership shall be necessary and shall be open to all except any person banned by the Kennel Club for any reason and or having been convicted by any court of cruelty or any other abuse of animals of any kind.

Membership may be held individually or jointly by not more than two people. Any person under the age of 16 years may join the Club as a Junior Member either jointly or individually but as such shall not be entitled to any voting rights in the Club. Likewise any Member 18 years or under shall not be entitled to voting rights. The number of Members shall be unlimited. The word 'Member' used herein includes Committee Members and Officers.

The Society must make a list of members and their addresses available for inspection if so requested by the members of the Society or by the Kennel Club.

(b) COMMITTEE MANAGEMENT:

The Members shall elect a committee of six of their number who thereafter shall undertake to manage the Club affairs. Any member hereinafter shall be eligible for nomination to the committee and appointment shall be by election as herein provided.

(c) OFFICERS:

The members shall appoint as Officers of the Club: Patrons, President, Chairman, Secretary, Treasurer all in a manner as herein provided and all of whom shall engage in and assist in the management of the Club as necessary and within the terms and provisions hereafter detailed.

4. The property of the Club shall be vested in the Committee. In the event of the Club ceasing to exist, the Committee shall call a General Meeting, as herein defined, to decide upon disposal of the assets and resolution of all the matters relating to the Clubs affairs at the time. A final statement of accounts with a record of the disposal of the property of the Club shall be forwarded to the Kennel Club within six months of the dissolution of the Club. It should be acknowledged at this time that those people named as Officers and Committee of the Club will be held responsible by the Kennel Club for the adoption of the correct procedure to dissolve the Club.

5. An account or accounts with any Clearing Bank or Building Society shall be opened in the name of the Club and thereafter conducted on behalf of the Club. All revenues shall be paid into such accounts. Any Funds withdrawn shall only be drawn by those appointed as Authorised Signatories of the account by the Committee. The signatories shall comprise the Treasurer and any two Committee members or Officers with full voting rights. Any two of the three Authorised Signatories may sign for and obtain withdrawals on behalf of the Club, provided always one of them is the Treasurer.

6. All accounts of the Club shall be kept and maintained by the Treasurer on behalf of the Committee and Officers and the Committee and Officers shall be responsible to the Club therefore.

7. An independent auditor shall be appointed by the Club at its Annual General Meeting each year. If the auditor is not a Chartered or Certified Accountant or otherwise properly qualified for the duty of audit then a second Honorary Auditor must also be appointed to act in conjunction with him/her in that

capacity. The Audit for the year ended shall be effected and completed before the accounts are presented at the ensuing A.G.M. The Auditor need not attend the A.G.M. The Committee shall be empowered by these rules to fix the remuneration of the Auditor/s as appropriate.

APPOINTMENTS, ELECTIONS and GENERAL PROVISIONS

OFFICERS and COMMITTEE

(1) OFFICERS:

(a) Patrons: Patrons of the Club shall be retiring former Presidents of the Club. The appointment to Patron shall be automatic on retirement of any President and need not otherwise be ratified. No person shall however be compelled to accept such appointment and need not accept should they so choose.

(b) Presidents: Chairman. Secretary and Treasurer: Any member in good standing and aged 18 or over may seek or accept nomination for any of these positions, at any one time and in the manner herein provided.

(c) Committee: The committee of management shall comprise of any six members of the Club, all in good standing and aged 18 or over and elected in accordance with the provisions hereinafter detailed.

(ii) ELECTIONS:

(a) FREQUENCY and EXTENT:

1. All elections shall be conducted by a POSTAL BALLOT of all the members eligible to vote as described herein, all appointments will be by simple majority and become effective at the A.G.M.

1. Elective terms shall be for a maximum of three years with the exception of Patron and President.

2. All other Officers and Committee shall be elected triennially and elections shall be held in strict rotation to ensure better continuity as follows:

(a) Election of Chairman shall be held at the A.G.M. of 1993 and every three years thereafter. (b) Election of Secretary shall be held at the A.G.M. of 1992 and every three years thereafter. (c) Election of Treasurer shall be held at the A.G.M. of 1991 and every three years thereafter.

(d) Two Committee Members, or pro-rata such number as shall represent in total one third of the actual standing number of the committee at that time. shall retire annually. Such retirements shall begin at the A.G.M. of 1991 and shall be repeated in 1992 and 1993 A.G.M's and shall be those persons whose tenure of office shall under the previous rules of the Club, expire in accordance naturally. From 1991 onwards Committee Members shall be eligible for re-election, provided they are not excluded therefrom as may be ascertained from these rules or otherwise.

(iii) NOMINATIONS:

1. All vacancies arising in the Constitution of the Club. whether by the effluxion of time. as provided above, or by any other reason, may be filled at the next ensuing A.G.M. All vacancies for such posts shall be advertised in the Club journal or by another circular to all members, published not later than the 14th December in the year prior to the vacancy arising and the reasons for the vacancy described. Vacancies occurring during the course of the year for any reason shall only create a vacancy for the balance of the term originally elected.

2. Nominations will be sought from the membership to fill the vacancy and such nominations must be submitted in writing to be received by the Secretary by the date specified in the advertisement of the vacancy.

3. Nomination shall define the position being sought and the name and address of the nominee. All nominations shall be signed by a Proposer and a Seconder, both of whom must be fully paid up members of the Club.

(iv) VOTING:

1. Each Committee Member shall be entitled to exercise one vote at Committee Meetings. This limit shall not be exceeded even where a Committee Member holds more than one post on the Committee. For the purpose of this rule the Secretary and Treasurer shall be deemed full Committee Members and accordingly be entitled to the exercise of one vote at Committee Meetings.

2. Patrons and the President may attend Committee Meetings if they choose and may act in an advisory capacity but shall not be entitled, nor seek to exercise a vote at such meetings in any way whatsoever.

3. The Chairman of any meeting shall not be entitled to the exercise of any vote, other than a casting vote, which may be only in the event of an otherwise tied Committee vote on any matter.
4. Any Committee Member or Officer having an interest in any particular matter the subject of a vote must declare an interest in the debate before the vote is taken. In such an event the declaring member or Officer will abstain from the vote though not the debate.

v) CO-OPTION:

During the continuance of any year, should vacancies properly arise on the Committee, then a member or members may be co-opted by the Committee to fill such vacancies. In addition should the Committee deem it necessary and the number of Committee Members is less than six, it may co-opt any other of the Club as a temporary Committee Member. Co-option shall be only effected in such instances where it is perceived that the need has arisen for a particular duty or purpose not otherwise capable of being undertaken by an existing Committee Member or Officer. The Committee must not so act unless they have already by vote established that such a need has arisen and cannot be accommodated or stood over until the next A.G.M. when the normal election can be pursued. Any person co-opted in accordance with this rule shall serve only until the next ensuing A.G.M. in any event, but shall thereafter be eligible for nomination and election in the normal way, but only for such term as may be properly coincide with the triennial rotations previously described. No co-option however, for whatever cause, shall be effected should this cause the number of the Committee to exceed six plus Officials.

(vi) COMMITTEE MEETINGS:

These shall be held periodically and as often as necessary for the proper conduct of the affairs of the Club. They shall be convened by agreement of the Committee at a previous Committee Meeting and at a time and place agreed to where necessary by a majority of the Committee present at the time. A quorum for a Committee Meeting shall not be less than four including Officer, or pro-rata according to the number of standing Committee at the time. In addition to its normal meetings, meetings of a special nature or for special need may be called. Any such meeting may be convened where deemed necessary by any two of the Officers, or at the request of three or more of the Committee Members. Where half or more of the Committee request such a meeting, the Chairman shall in any event call such a meeting in exercise of this rule, by notice from the Secretary to the full Committee and Officers.

The Committee may if it so wishes appoint from its then current members one or more Sub-Committees to deal with, act or advise upon any particular matter as the full Committee consider more appropriate to be so dealt with. All or any such Sub-Committee shall have no powers other than that to Report to the full Committee who may or may not act upon such a report as it sees fit.

(vii) ATTENDANCE and CONDUCT at a COMMITTEE MEETING:

a.) Conduct of the Committee Meetings shall be in the hands of a Chairman. In the normal course this shall be the Chairman of the Club or in his/her absence an appointed deputy can be elected by the Committee Members present at the meeting concerned and this person shall act in this role for that particular meeting only. In such an event the appointed chairman shall not exercise any vote other than a Chairman's casting vote as previously described.

b.) The Chairman, Secretary, Treasurer and all the Committee Members shall attend at all Committee Meetings. In circumstances where an Officer or Committee Member cannot attend any particular meeting, he/she must, by tender of apology, advise the Secretary of his/her absence. Any Officer, other than the Club Patron or Club President, or any Committee Member who fails to attend three Committee Meetings of whatever kind in any one year shall automatically cease to be an Officer or Committee Member and shall forthwith resign, or may have deemed to have done so. For the purpose of this rule a Committee Meeting may be deemed by the Committee to be other functions and Meetings of the Club including its Shows and Events in addition to any normal Committee Meetings.

c. To take into account all of the circumstances however, the Committee reserve the right nevertheless to hear all explanations for absence as aforesaid which may be tendered formally to it at a Committee Meeting and review the situation in the light thereof. This provision however may not be taken by any

person to create a natural or automatic indulgence for any party who may be subject to the foregoing and in any case of dispute or doubt in the provisions as to resignations hereinbefore set out shall prevail.

d.) All Officers and Committee Members undertake to the Club that they will act acceptably and responsibly at all times, in the Meetings, at Shows and Events held by the Club and at all times, whilst associated with the Club. Any Committee Member or Officer acting improperly on any such occasion or occasions will be asked by the Chairman to correct forthwith any such unacceptable behaviour and if he/she then fails to do so may be named by the Chairman to all other Committee Members present at the time and with the concurrence of the then present Committee shall require the defaulting Committee Member to leave the current 'Meeting' forthwith and take no further part therein. In the event of failure by such a defaulting member to comply with this requirement he/she may be required by the Committee to resign, but subject always to the reservations set out in (c) above.

(viii) No Committee Member or Officer, except as herein provided, shall hold more than one duty at any one time, except in special need or emergency as defined as such by the full Committee and as may arise from time to time.

(ix) Any Committee duty which may become vacant at any time for any reason shall be filled by one of the standing Committee Members until such time as a formal replacement is made by full Committee by ballot. Such a ballot to be effected as soon as possible after the vacancy arises.

MEMBERSHIP

(a) A Member shall be in good standing with the Club by payment of an annual subscription fee. The rate of subscription shall be not less than £7.00p for an individual member and £10.00p for joint membership with junior members (under 16 years of age on January 1st) at £1.00p. for members resident in the U.K. The rate of subscription for overseas members shall be not less than £14.00 for either a single or joint membership.

Payment of subscriptions falls due on the 1st January each year and must be paid to the Treasurer not later than 31st January in that year to allow the member voting rights for that year and by the last day of February in that year to maintain the good standing of the member. If payment is not made by any member by that date his/her/their membership shall cease forthwith and such former members shall have no further right or interest of any kind in the affairs of the Club.

(b) Any Member convicted by any Court of cruelty to animals of any kind shall thereon automatically cease to be a Member of the Club.

c) Any Member who shall be suspended under Kennel Club Rule A42j(4) and/or any Member whose dog/s is/are disqualified under Kennel Club Rule 42(8) shall ipso facto cease to be a Member of the Club. If the conduct of any Member shall in the opinion of the Committee be injurious or likely to be injurious to the interests or character of the Club then it may, at a Meeting, the notice convening which includes as an object the consideration of the conduct of the member, determine that a Special General Meeting shall be called for the purpose of passing a resolution to expel him/her. Notice of complaint and advising the place, date and hour of that Meeting that he/she may attend and offer an explanation. If at that Meeting, a resolution to expel is passed by a two-thirds majority of Members present and voting, his/her name shall be erased from the list of Members forthwith and he/she shall thereupon cease to be a Member of the Club for all purposes, except that within two calendar months from the date of such a Meeting, appeal to the Kennel Club upon and subject to such conditions as the Kennel Club may impose.

d) In the event of cessation of membership as decreed in (b) & (c) above all or any unexpired subscriptions previously paid by the former Member shall be forfeited and he/she shall not be entitled to the return of any donation of any kind previously made or given to the Club by them.

GENERAL MEETINGS:

- (a) An Annual General Meeting shall be held prior to the end of April for the following purposes.
- (i) To receive the report of the Committee and Sub-Committees, if any and to receive the Accounts and the Balance Sheet of the Club.
 - (ii) To elect and/or re-elect Members of the Committee and its Officers in the manner set out in these rules as necessary.
 - (iii) To discuss any resolution placed on the Agenda of the Meeting but provided only that prior notice thereof has been given to the Secretary in the manner hereinafter specified.
 - (iv) To elect and appoint an Auditor or Auditors as herein set out.
- (b) No other business of the Club shall be transacted at the A.G.M. unless notice has been given and such business appears on the Agenda as aforesaid, except matters of a routine nature or those which, in the opinion of the Chairman of the Meeting, shall deem to be of sufficient merit to warrant discussion by and/or action by the Committee. All elections of Officers and Committee as may be necessary shall be conducted as previously set out herein.
- (c) All items of business for an Agenda and all nominations for Committee and/or Officers of the Club must be delivered to the Secretary at least 14 days prior to the Meeting to which they relate and any such items or nominations as aforesaid shall not be accepted otherwise. It shall be the sole responsibility of the person intending to deliver such item or nomination as aforesaid to ensure its receipt and the Secretary, Officers and Committee shall not be responsible for any loss or non-delivery thereof
- (d) Members of the Club shall be entitled to receive at least four weeks notice of a General Meeting and the Committee shall have discretion to give such notice by advertisement in the weekly Dog Publications 'Our Dogs' and/or 'Dog World' or by post. A written Agenda for any Meeting notified as aforesaid shall be circulated by the Secretary to the Members by normal post at least seven days prior to the Meeting to which it relates.
- (e) Where necessary the Committee may call a Special General Meeting. Such Special General Meeting may only be called where at least twenty-five (25) Members of the Club in good standing deliver a signed requisition to the Secretary specifying the business to be discussed. It shall be the responsibility of the requisitioning Members to ensure delivery of such requisition to the Secretary who may thereafter call a Special General Meeting in the manner hereinbefore set out, except that no business other than that causing the Special General Meeting to be called may be discussed at such a Special General Meeting.
- (f) The rules of the Club shall not be altered or amended except by a General Meeting, Annual or Special, properly called and held in accordance hereof and not amendment or alteration to the rules caused by such General Meetings shall be enforced until such time as the Kennel Club has been advised of. and has approved such amendments or alterations.

GENERAL RULES

- (1) The Kennel Club shall be the Final Court of Appeal in all matters of dispute.
- (2) The Club shall not join any Federation of Societies or Clubs.
- (3) The Officers acknowledge that during the month of January each year Maintenance of Title Fees will be forwarded to the Kennel Club by standing order for the continuance of registration and that by the end of the month following that in which the Annual General Meeting is held, other returns, as stipulated in the Kennel Club regulations for the Registration and Maintenance of Title or Registered Societies, Branches of Registered Societies and breed Councils, be forwarded to the Kennel Club.
- (4) The Officers acknowledge their duty to inform the Kennel Club of the month in which the Club's Annual General Meeting is to be held and to notify the Kennel Club of any subsequent amendment to that date.
- (5) No person whilst an undischarged bankrupt may serve on the Committee or hold any other office or appointment within a Kennel Club Registered Society.

QUALIFICATIONS and ELECTION of JUDGES

Members of the Portuguese Water Dog Club have the right to propose any individual for inclusion onto the Judges Lists, subject to the following criteria. All proposals must be received by the Secretary, and will be presented at the next committee meeting regarding the judging lists for acceptance.

(The Portuguese Water Dog Club of Great Britain) GENERAL CODE OF ETHICS

All members of the Portuguese Water Dog Club of Great Britain undertake to abide by its general Code of Ethics.

- 1 **Club members:** Will properly house, feed, water and exercise all dogs under their care and arrange for appropriate veterinary attention if and when required.
- 2 Will agree without reservation that any veterinary surgeon performing an operation on any of their dogs which alters the natural conformation of the animal, or who carries out a caesarean section on a bitch may report such operation to the Kennel Club.
- 3 Will agree that no healthy puppy will be culled. Puppies which may not conform to the Breed Standard should be placed in suitable homes.
- 4 Will abide by all aspects of the Animal Welfare Act.
- 5 Will not create demand for, nor supply, puppies that have been docked illegally.
- 6 Will agree not to breed from a dog or bitch which could be in any way harmful to the dog or to the breed.
- 7 Will not allow any of their dogs to roam at large or to cause a nuisance to neighbours or those carrying out official duties.
- 8 Will ensure that their dogs wear properly tagged collars and will be kept leashed or under effective control when away from home.
- 9 Will clean up after their dogs in public places or anywhere their dogs are being exhibited.
- 10 Will only sell dogs where there is a reasonable expectation of a happy and healthy life and will help with the re-homing of a dog if the initial circumstances change.
- 11 Will supply written details of all dietary requirements and give guidance concerning responsible ownership when placing dogs in a new home.
- 12 Will ensure that all relevant Kennel Club documents are provided to the new owner when selling or transferring a dog, and will agree, in writing, to forward any relevant documents at the earliest opportunity, if not immediately available.
- 13 Will not sell any dog to commercial dog wholesalers, retail pet dealers or directly or indirectly allow dogs to be given as a prize or donation in a competition of any kind. Will not sell by sale or auction Kennel Club registration certificates as stand alone items (not accompanying a dog).
- 14 Will not knowingly misrepresent the characteristics of the breed nor falsely advertise dogs nor mislead any person regarding the health or quality of a dog.
- 15 Breach of these provisions may result in expulsion from club membership, and/or disciplinary action by the Kennel Club and/or reporting to the relevant authorities for legal action, as appropriate.

KC/GJ February 2011

