

Devil's Isle All Breed Club of Bermuda

Founded November 17, 2016

Constitution and By Laws

Amended February 19, 2017

Article I: NAME AND OBJECTIVES

Section 1. The name of the Club shall be The Devil's Isle All Breed Club.

Section 2. The objective of the Club shall be:

- a)** to further the advancement of all breeds of pure-bred dogs; (as recognized by the Bermuda Kennel Club (BKC));
- b)** to do all in its power to protect and advance the interest of all breeds of pure- bred dogs and to encourage sportsmanlike competition at dog shows, as well as other canine events;
- c)** to conduct sanctioned matches, dog shows, and other dog events under the rules of the BKC;
- d)** to educate the public about such events as well as responsible ownership.

Section 3. The club shall not be conducted or operated for profit and no part of any profits or any remainder or residue from dues or donations to the Club shall inure to the benefit of any member or individual.

Section 4. CHANGES IN THE CONSTITUTION AND BYE-LAWS

The Constitution and Bye-Laws cannot be changed or revised except by a favorable vote of two-thirds of the members present at a General Meeting, after the proposed changes verbatim shall have been mailed to each member ten days prior to such Meeting and shall not become effective until approved by the Board of Governors of The Bermuda Kennel Club

BY-LAWS

Article I: MEMBERSHIP

Section 1. Eligibility. There shall be two types of membership. Regular membership is open to all persons 18 years of age and older who are in good standing with the Bermuda Kennel Club and who subscribe to the purposes of this Club. Junior Membership is open to all persons from 8 years through 17 years of age and who subscribe to the purposes of this Club but without the right to vote or hold office. A Junior Member automatically becomes a Regular Member upon attainment of that person's 18th birthday and payment of dues.

While membership is to be unrestricted as to residence, the Club's primary purpose is to be representative of the breeders and exhibitors in its immediate area.

Section 2. Dues. The annual dues for regular members and junior members shall be determined by the Board of Directors each year, in time for a statement of dues which shall be sent by the Treasurer on or before December 15th of each year, and be payable on the first day of February; provided, however, that the dues may not exceed thirty-five \$35 dollars. No member may vote whose dues are not paid for the current year.

Section 3. Election to Membership. Each applicant for membership shall apply on a form as approved by the Board of Directors and shall provide that the applicant agrees to abide by the Constitution and By-Laws and the rules of the Bermuda Kennel Club, Inc.

a) Each applicant will need to be endorsed by an active member of the club. The endorsing member must be from a different household and may not be immediately related to the applicant. Immediately related is defined as spouse/partner, parent, son or daughter, or sibling. Accompanying the application, the prospective member shall submit the dues payment for the current year.

b) All membership applications are to be filed with the club Secretary. Applicants for membership will be emailed to existing members. A vote will be held at the next scheduled meeting and 3/4 of the members in attendance at such meeting will determine acceptance for membership. An appeal may be petitioned by the applicant if the vote is not affirmed.

Section 4. Termination of Membership. Memberships may be terminated:

a) by resignation. Any member in good standing may resign from the Club upon written notice to the Secretary; but no member may resign when in debt to the Club. Dues obligations are considered a debt to the Club and they become incurred on the first day of each fiscal year.

b) by lapsing. A membership will be considered as lapsed and automatically terminated if such member's dues remain unpaid 60 days after the first day of the fiscal year; however, the Board may grant an additional 90 days of grace to such delinquent members in meritorious cases. In no case may a person be entitled to vote at any Club meeting whose dues are unpaid as of the date of that meeting.

Article II: MEETINGS AND VOTING

Section 1. Club Meetings. Meetings of the Club shall be held in Bermuda on a date set by the Board each month (at least 8 times in a calendar year), at such hour and place as may be designated by the Board of Directors. Written notice of each such meeting shall be mailed or emailed by the Secretary at least 10 days prior to the date of the meeting. The quorum for such meetings shall be 20% of the members in good standing.

Section 2. Special Club Meetings. Special Club Meetings may be called by the President or by a majority vote of the members of the Board who are present and voting at any regular or special meeting of the Board, and shall be called by the Secretary upon receipt of a petition signed by five (5) members of the Club who are in good standing. Such special meetings shall be held within Bermuda at such place, date,

and hour as may be designated by the person or persons authorized herein to call such meetings. Written notice of such a meeting shall be mailed or emailed by the Secretary at least 5 days and not more than 15 days prior to the date of the meeting, and no other Club business may be transacted thereat. The quorum for such a meeting shall be 20% of the members in good standing.

Section 3. Board Meetings. Meetings of the Board of Directors shall be held within Bermuda each month, at such date, hour and place as may be designated by the Board. Notice of each such meeting shall be given by the Secretary at least five days prior to the date of the meeting. The quorum for such a meeting shall be a majority of the board.

Section 4. Special Board Meetings. Special meetings of the Board may be called by the President, and shall be called by the Secretary upon receipt of a written request signed by at least three (3) members of the Board. Such special meetings shall be held within Bermuda at such place, date, and hour as may be designated by the person authorized to call such a meeting. Written notice of such a meeting shall be mailed or emailed by the Secretary at least 5 days and not more than 10 days prior to the date of this meeting. Any such notice shall state the purpose of the meeting and no other business shall be transacted thereat. A quorum for such a meeting shall be a majority of the board.

Section 5. Voting. Each member in good standing whose dues are paid for the current year shall be entitled to one vote at any meeting of the Club at which he is present. Proxy voting will not be permitted at any Club meeting or election.

ARTICLE III: DIRECTORS AND OFFICERS

Section 1. Board of Directors. The Board shall be comprised of the President, Vice-President, Secretary, Treasurer, and five (5) other persons. The President and Vice-President will be elected during odd years to serve a term length of two (2) years. The Secretary, Treasurer and Board members will be elected during even years to serve a term length of two (2) years. General management of the club's affairs shall be entrusted to the Board of Directors.

Section 2. Officers. The Club's officers, consisting of the President, Vice-President, Secretary, and Treasurer shall serve in their respective capacities both with regard to the Club and its meetings and the Board and its meetings.

a) The President shall preside at all meetings of the Club and of the Board and shall have the duties and powers normally appurtenant to the office of President, in addition to those particularly specified in these By-Laws.

b) The Vice-President shall have the duties and exercise the powers of the President in case of the President's death, absence, or incapacity.

c) The Secretary shall keep a record of all meetings of the Club and the Board and of all matters of which a record shall be ordered by the Club. He or she shall have charge of the correspondence, notify members of meetings, notify new members of their election to membership, notify officers and directors of their election to office, keep a roll of the members of the Club with their addresses and carry out such duties as are prescribed in these By-Laws.

d) The Treasurer shall collect and receive all monies due or belonging to the Club. He or she shall deposit

the same in a bank designated by the Board, in the name of the Club. His or her books shall be at all times open to inspection of the Board and he or she shall report to them at every meeting the condition of the Club's finances and every item of receipt or payment not before reported, and at the annual meeting he or she shall render an account of all monies received and expended during the previous fiscal year.

e) The offices of Secretary and Treasurer may be held by the same person, in which case the Board shall be comprised of the officers and two other persons.

Section 3. Vacancies. Any vacancies occurring on the Board or among the offices during the year shall be filled until the next annual election by a majority vote of all the then members of the Board at its first regular meeting following the creation of such a vacancy, or at a Special Board Meeting called for that purpose; except that a vacancy in the office of president shall be filled automatically by the Vice-President and the resulting vacancy in the office of Vice-President shall be filled by the Board.

ARTICLE IV: THE CLUB YEAR, ANNUAL MEETING, ELECTIONS

Section 1. Club Year. The Club's fiscal year shall begin on the 1st day of February and end on the 31st of January.

Section 2. Annual Meeting. The annual meeting shall be held in the month of January at which officers and directors for the ensuing year shall be elected by secret, written ballot from among those nominated in accordance with Section 4 of this Article. They shall take office immediately upon the conclusion of the election and each retiring officer shall turn over to his or her successor in office all properties and records relating to that office within 30 days after the election.

Section 3. Elections. The nominated candidate receiving the greatest number of votes for each office shall be declared elected. The nominated candidate for the one position on the Board who received the greatest number of votes for such a position shall be declared elected.

Section 4. Nominations. No person may be a candidate in a Club election who has not been nominated. During the month of September, the Board shall select a nominating Committee consisting of three members and two alternates, no more than one of whom may be a member of the Board. The Secretary shall immediately notify the Committeemen and alternates of their selection. The Board shall name a Chairman for the Committee and it shall be his or her duty to call a committee meeting which shall be held on or before October 15th.

a) The Committee shall nominate one candidate for each office and one candidate for the position on the Board, and after securing the consent of each person so nominated, shall immediately report their nominations to the Secretary in writing. The committee shall avoid nominating 2 persons involved in any form of a domestic partnership (husband/wife, partners, parent/child etc.) to serve on the Board of Directors at the same time.

b) To allow ample time for thought and consideration of the candidates, the Secretary shall notify each member of the nominating committee's slate at least two weeks prior to the November meeting.

c) Additional nominations may be made at the November meeting by any member in attendance, provided that the person so nominated accepts when his name is proposed, and provided further that if

the proposed candidate is not in attendance at this meeting, his or her proposer shall present to the Secretary a written statement from the proposed candidate signifying his or her willingness to be a candidate. No person may be a candidate for more than one position, and the additional nominations which are provided for herein may be made only from among those members who have not accepted a nomination of the Nominating Committee.

d) Nominations cannot be made at the annual meeting or in any manner other than as provided in this Section.

ARTICLE V: COMMITTEES

Section 1. The Board may each year appoint standing committees to advance the work of the Club in such matters as shows, trophies, annual prizes, membership, and other fields which may well be served by committees. Such committees shall always be subject to the final authority of the Board. Special committees may also be appointed by the Board to aid it on particular projects.

Section 2. Any committee appointment may be terminated by a majority vote of the full membership of the Board upon written notice to the appointee; and the Board may appoint successors to those persons whose services have been terminated.

ARTICLE VI: DISCIPLINE

Section 1. Bermuda Kennel Club Suspension. Any member who is suspended from the privileges of the Bermuda Kennel Club automatically shall be suspended from the privileges of this Club for a like period.

Section 2. Charges. Any member may prefer charges against a member for alleged misconduct prejudicial to the best interest of the Club or sport. Written charges with specifications must be filed, in duplicate, with the Secretary, together with a deposit of \$10 which shall be forfeited if such charges are not sustained by the Board hearing. The Secretary shall promptly send a copy of the charges to each member of the Board or present them at a Board Meeting, and the Board shall first consider whether the actions alleged in the charges, if proven, might constitute conduct prejudicial to the best interests of the Club or the sport. If the Board considers that the charges do not allege conduct prejudicial to the best interests of the Club or the sport. If the Board considered that the charges do not allege conduct which would be prejudicial to the best interests of the Club, it may refuse to entertain jurisdiction. If the Board entertains jurisdiction or the charges, it shall fix a date of a hearing by the Board of not less than 3 weeks or more than 6 weeks thereafter. The Secretary shall promptly send one copy of the charges to the accused member by registered mail together with a notice of the hearing and an assurance that the defendant may personally appear in his/her own defense and bring witnesses if he/she wishes.

Section 3. Board Hearing. The board shall have complete authority to decide whether counsel may attend the hearing, but both complainant and defendant shall be treated uniformly in that regard. Should the charges be sustained, after hearing all evidence and testimony presented by complainant and defendant, the Board may, by a majority vote of those present, suspend the defendant from all privileges of the Club for not more than six (6) month from the date of the hearing. And, if it deems the punishment insufficient, it may also recommend to the membership that the penalty be expulsion. In

such case, the suspension shall not restrict the defendant's right to appear before his/her fellow members at the ensuing Club meeting which considers the Board's recommendation. Immediately after the Board has reached a decision, its findings shall be put in written form and filed with the Secretary. The Secretary, in turn, shall notify each of the parties of the Board's decision and penalty, if any.

Section 4. Expulsion. Expulsion of a member from the Club may be accomplished only at the meeting of the Club following a Board hearing and upon the Board's recommendation as provided in Section 3 of this Article. Such proceedings may occur at a regular or special meeting of the Club to be held within 60 days, but not earlier than 30 days, after the date of the Board's recommendation. The defendant shall have the privilege of appearing in his/her own behalf, though no evidence will be taken at this meeting. The President shall read the charges and the Board's findings and recommendations, and shall invite the defendant, if present, to speak in his/her own behalf if he/she wishes. The meeting shall then vote by secret written ballot on the proposed expulsion. A 2/3 vote of those present and voting at the meeting shall be necessary for expulsion. If expulsion is not so voted, the Board's suspension shall stand.

ARTICLE VII: AMENDMENTS

Section 1. Amendments to the Constitution and By-Laws may be proposed by the Board of Directors or by written petition addressed to the Secretary signed by 20% of the membership in good standing. Amendments proposed by such petition shall be promptly considered by the Board of Directors and must be submitted to the members with recommendations of the Board by the Secretary for a vote within 3 months of the date when petition was received by the Secretary.

Section 2. The Constitution and By-Laws may be amended by a 2/3 vote of the members present and voting at any regular or special meeting called for the purpose, provided the proposed amendments have been included in the notice of the meeting and mailed to each member at least two weeks prior to the date of the meeting.

ARTICLE VIII: DISSOLUTION

Section 1. Dissolution. The Club may be dissolved at any time by the written consent of not less than 2/3 of the members. In the event of the dissolution of the Club, other than for the purposes of reorganization, whether voluntary or involuntary, or by operation of law, none of the property of the Club nor any proceeds thereof nor any assets of the Club shall be distributed to any members of the Club. Its property and assets shall be given to a charitable organization, selected by the Board of Directors, for the benefit of dogs.

ARTICLE IX: ORDER OF BUSINESS

Section 1. At meetings of the Club, the order of business, so far as the character and nature of the meeting may permit, shall be as follows:

Roll Call

Minutes of the last meeting

Report of the President
Report of the Secretary
Report of the Treasurer
Reports of Committees
Election of Officers and Board (at annual meeting)
Election of new members*
Unfinished (old) business
New business
Adjournment

*This should come after the election of Officers and the Board if taken up at an Annual Meeting.

Section 2. At meetings of the Board, the order of business, unless otherwise directed by majority vote of those present, shall be as follows:

Reading of minutes of the last meeting
Report of Secretary
Report of Treasurer
Report of committees
Unfinished (old) business
New business
Adjournment

ARTICLE X:

All members of the Devil's Isle All Breed Club will be bound by the attached Code of Ethics. If at any time the COE is to be amended, the member calling for the amendments will notify the Secretary with their concern. At this time the Secretary will notify the Board and a special membership meeting will be called to review the COE. To vote any changes to the COE there will need to be a 3/4th in favor vote of the members present for such changes to be accepted. *Appendix 1

ARTICLE XI:

The rules contained in the current edition of "Roberts Rules of Order, Newly Revised" shall govern the Club in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and other special rules of order the club may adopt.

Revised & Approved by BKC : Add Date Here

Appendix 1: Code of Ethics

The Devil's Isle All Breed Club (DIABC) requires that all members subscribe to the following Code of Ethics to promote and foster the highest standards among breeders, owners and fanciers. DIABC is a club devoted to the continued protection, betterment, advancement and welfare of all dogs.

The following Code of Ethics is predicated upon this fundamental philosophy:

I. CANON OF ETHICS

- A. DIABC members will be expected to follow the rules and regulations set forth by BKC.
- B. DIABC members attending events such as dog shows, matches, field trials, performance events, etc. must abide by the rules and regulations set forth by the sponsoring club.
- C. DIABC members are expected to observe a high standard of conduct and good sportsmanship while encouraging sportsmanlike competition among club members and event participants.
- D. As a DIABC member you agree to promote and practice responsible canine ownership.
- E. The DIABC expects members to provide proper and routine veterinary care for all their dogs; proper feed, care, affection, exercise, training, and housing, for all their dogs.
- F. The DIABC will not tolerate the falsifying of any kind of records on your dog. This includes registration, pedigrees, certificates, show wins and titles, or health certificates.
- G. A DIABC member will not offer dogs to participate in/with dog auctions or raffles, dog wholesalers/brokers, or be involved with or breed with the intent of selling puppies to pet stores.
- H. DIABC members pledge to observe good breeding practices in connection with any purebred dogs they may own, including adherence to the BKC and Breed's Parent Club Code of Ethics, if such exists.

II. RESPONSIBILITIES OF THE BREEDER

The breeder shall:

- A. Abide by, Bermuda Laws regarding breeding of dogs to avoid producing illegal litters.
- B. Be familiar with their breed standard and breed only those specimens that conform to it.
- C. Adhere to and abide by all health testing, genetic testing and breeding guidelines as recommended by your breed's parent club.

- D. Be familiar with BKC rules concerning record keeping and sale and transfer of dogs, and abide by these rules.
- E. Use for breeding only dogs that are healthy and free from serious congenital defects characteristic of the breed(s), as detailed in the breed standard.
- F. Produce puppies only when Breeder has the time and facilities to provide adequate attention to physical and emotional development until such time as they are sold.
- G. Not breed a bitch more often than two out of three heat seasons unless the seasons occur every nine months or more; then only if she is in robust health, and never at the time of her first season, unless the season occurs after twenty four (24) months of age.
- H. Refrain from further use of a bitch or stud that has produced any serious inherited defects detrimental to the animal's wellbeing, such as blindness, deafness, lameness or impairment of any vital function, and produces like results with a different mating partner.

III. RESPONSIBILITIES OF THE SELLER

The seller shall:

- A. Keep accurate records showing dates of immunizations, types of vaccines used, dates of worming, etc.; registration and pedigree records and furnish these records with the sale of each puppy.
- B. Be willing to cover all sales by a written contract, listing registration numbers of both sire and dam and litter registration number of dog if available; conditions of sale, description of quality of dog, health certificate, and full description of the dog including a three (3) generation pedigree.
- C. Request that the buyer's veterinarian (at the buyer's expense) examine a newly purchased dog within five (5) working days of sale. If the dog is to be returned to the seller, the examining veterinarian must furnish a written health record, with reasons for return, within the five (5) working day period.
- D. A dog showing serious deviation from the standard, rendering it unsuitable for breeding can be sold only if spayed/neutered. Registration papers will be withheld until proof of surgery is furnished. Sales contract will state reasons for withholding papers.
- E. Will provide registration papers with each dog sold unless the reasons for not providing such papers are clearly stated in each sales contract.
- F. Apprise the buyer of growth potential and breed peculiarities.
- G. Will take back any puppy or dog sold, or will assist the owner with locating a suitable placement for rehoming the dog.

IV. RESPONSIBILITIES OF THE STUD OWNER:

The Stud Owner shall:

- A. Abide by Bermuda Laws regarding breeding of dogs to avoid producing illegal litters.
- B. Be familiar with their breed standard and breed only those specimens that conform to it.
- C. Adhere to and abide by all health testing, genetic testing and breeding guidelines as recommended by your breed's parent club.

- D. Not offer at stud a dog showing a serious inherited defect which is characteristic in the breed, structure or temperament. Likewise, owners of stud dogs shall not accept for breeding any bitch, the reproduction of which is likely to be detrimental to the breed.
- E. Refrain from further use of a stud that has produced any serious inherited defects detrimental to the animal's wellbeing, such as blindness, deafness, lameness or impairment of any vital function, and produces like results with a different mating partner.
- F. Not breed a bitch more often than two out of three heat seasons unless the seasons occur every nine months or more; then only if she is in robust health, and never at the time of her first season, unless the season occurs after twenty four (24) months of age.
- G. Shall refrain from breeding a bitch owned by a party known to have dealings with pet shops, wholesale dealers or lotteries/raffles.
- H. Shall make every effort to apprise the owner of the bitch of the responsibilities involved in the raising, proper care and placement of puppies resulting from the breeding.

Failure to abide by the DIABC Code of Ethics will be cause for expulsion from the DIABC.