

BOSTON TERRIER CLUB OF SCOTLAND CONSTITUTION AND RULES.

1. NAME:

The Club shall be called the 'Boston Terrier Club of Scotland' (hereinafter referred to as 'the Club')

2. OBJECTS:

The objects for which the Club is established are:

a. to promote and encourage the breeding, improvement of health, well being and responsible ownership of the Boston Terrier in Scotland

b. to further the exhibition of the Boston Terrier breed in Scotland

c. to hold such Shows, under the Rules and Regulations of the Kennel Club, as may from time to time be decided

d. to do all such things as are or seem to the Club to be in any way incidental or conducive to the objects hereto fore named

e. to conform to and accept the Standard as adopted by the Kennel Club

f. to adhere to the Code of Ethics and use all the relevant Kennel Club and B.V.A. schemes to help eliminate all hereditary defects in the Boston Terrier.

3. INTERPRETATION

For simplicity, the masculine pronoun is used throughout this Constitution and Rules but the provisions apply equally to males and females.

4. MEMBERSHIP

The Club shall consist of an unlimited number of members, whose names and addresses shall be entered in a Register to be kept by the honorary secretary. Junior Membership, without voting rights, will be available up to sixteen years of age. All applications for membership to the Club shall be proposed by one fully paid up member and seconded by another fully paid up member and shall be elected or balloted for by the Committee at its first Meeting following receipt of the application-a majority vote deciding. The decision of the Committee not to admit any candidate shall be final and it shall not be bound to give any reason for its decision.

Payment of the subscription will entitle members to enjoy every benefit and privilege of the Club with the exception of new members who will not be entitled to vote at General Meetings until a period of three months has elapsed from their admission by the Committee. Without prejudice to the foregoing, payment of the subscription will be the distinct acknowledgement by a member of his acquiescence to the Rules and Code of Ethics of the Club.

No member shall be entitled to be present or take part in any proceedings or vote at any General Meeting, whether on a Show of hands or by ballot, or to nominate or be nominated as a candidate for election to the Committee, or if nominated to be elected or if elected to take office as a member of the Committee, if and while he:

- a) is due to the Club any subscription,
- b) is due to the Club any other debt which has remained due for a period of more than three months after the same became due and payable, or
- c) is bankrupt or insolvent or of unsound mind

Should any member have failed to pay his annual subscription three months after the due date, the Committee shall have the power to erase his name from the Register of Members. However, such person shall remain liable for his subscription for the year and for any other debt to the Club.
No member shall vote with regard to any matter in which he has a financial interest and shall be under obligation to declare any such interest which he may have.

An up to date list of Members and their addresses must be maintained and if so requested made available for inspection by the Kennel Club and Members of the Club. A declaration of the number of Members of the Club must be made with Annual Returns.

5. EXPLUSION OF MEMBERS

Any member who shall be disqualified under the Kennel Club Rule A42j(5) and/or A42j(9) shall ipso facto cease to be a Member of the Club.

If the conduct of any member shall, in the opinion of the Committee of the Club, be injurious or likely to be injurious to the character or interests of the Club, the Committee 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 of the Club shall be called for the purpose of passing a resolution to expel him.
Notice of the Special General Meeting shall be sent to the accused member, giving particulars of the complaint and advising him of the place, date and hour of the meeting so that he may attend and offer an explanation. If at that meeting a resolution to expel is passed by two-thirds majority of the members present and voting, his name shall be forthwith erased from the list of members, and he shall thereupon cease for all purposes to be a member of the Club, except that he may, 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.

If the Club expels any member for discreditable conduct in connection with dogs, dog shows, trials or competitions, the Club will report the matter in writing to the Kennel Club within seven days and supply any particulars required.

6. OFFICERS

The Officers of the Club shall consist of Chairman, Vice-Chairman, Honorary Secretary and Honorary Treasurer, all of whom shall be ex-officio members of the Committee with voting rights.
They shall retire annually but be eligible for re-election at the Annual General Meeting.
The offices of Honorary Secretary and Honorary Treasurer may be co-joined.

The Chairman, Vice-Chairman, Honorary Secretary and Honorary Treasurer shall jointly have the power to deal with such matters as may require urgent or emergency action between meetings of the Committee but a full report of the decision(s) taken shall be submitted to the remaining members of the Committee as soon as it is reasonably practicable to do so.

The Club may also have a President and such number of Vice-Presidents as the Committee may from time to time determine, all of whom shall be appointed at an Annual General Meeting and thereafter shall remain in office during their pleasure.

No member shall be eligible to serve as an Officer of the Club unless he resides in Scotland.

7. DUTIES OF OFFICERS

a) PRESIDENT/VICE-PRESIDENT(S): The President and Vice-President(s) will represent and promote the interests of the Club as and when seen fit.

b) CHAIRMAN/VICE-CHAIRMAN : The Chairman or, in his absence, the Vice-Chairman shall, if willing to act as Chairman and if present within fifteen minutes after the time appointed for holding the meeting, take the chair at all meetings of the Club (which term shall include Committee Meetings), otherwise the members present shall elect a Chairman to preside at that meeting only.

The Chairman shall sign the Minutes of previous meetings and if unable to attend shall send at least twenty-four hours notice to the Honorary Secretary unless there shall be reasonable grounds for not doing so.

Throughout these Rules, if not consistent with the context, 'Chairman' shall mean the person presiding at a meeting for the time being.

c) HONORARY SECRETARY: The Honorary Secretary shall summon and attend all meetings and take Minutes of the proceedings. He shall be in charge of the Minute Book(s) and shall keep the Register of Members up-to-date.

d) HONORARY TREASURER: The Honorary Treasurer shall receive all monies payable to the Club and make all payments. He shall attend all meetings and give information as to the finances of the Club. He shall cause proper books of account to be kept with respect to:

- (i) all sums of money received and expended by the Club and the manner in which receipt or expenditure takes place,
- (ii) all sales and purchases by the Club, and
- (iii) the assets and liabilities of the Club.

The business and affairs of the Club shall be managed by a Committee which may regulate the conduct of its business in such manner as it thinks fit and may arrange the discharge of any of its functions and powers by Sub-Committee comprised from its own number. However, the Committee may at any time amend or revoke such authority. The Committee and its Sub-Committees shall have power to invite any person or persons, whether a member of the Club or not, to attend any meeting to assist in the business but such person or persons shall not be entitled to vote.

The Committee shall have power to make Bye-Laws and Regulations not consistent with the terms of the Constitution and Rules as it may from time to time deem necessary.

Club funds are held in trust for the members and the Committee have complete control over these funds for the day to day running of the Club, however instruction and permission must be sought from the membership if any of the Club funds or assets are disposed of over an amount of £500. This monetary ceiling is for any single purchase of an asset or cash expenditure.

The Committee shall comprise of Chairman, Vice Chairman, Honorary Secretary, Honorary Treasurer and in addition not more than eight other elected members, all of whom shall reside in Scotland. Six members present (including the Chairman, Vice-Chairman, Honorary Secretary and Honorary Treasurer) shall constitute a quorum and the Chairman shall, in the event of an equality of votes, have a casting vote. All members of the Committee shall retire annually but shall be eligible for re-election at the Annual General Meeting; the Term of Office will last till the next Annual General Meeting.

The committee shall have the power to fill any casual vacancies in its number, but the member or members co-opted under this rule shall only hold office until the following Annual General Meeting when he/they shall retire, but be eligible for re-election, should there be no ad interim appointment. The vacancy shall not in any event extend beyond the following Annual General Meeting.

If any member of the committee shall have been absent from three consecutive meetings of the committee without having submitted a satisfactory explanation, it shall strike his name off the list of members of the committee and may fill up the vacancy.

9. SUBSCRIPTIONS

The Annual subscription shall be such amount agreed by members in General Meeting and notified to the Kennel Club. Single membership will allow one vote in General Meeting. Joint membership for husband and wife, two members of the same family or two bona fide partners, all residing at the same address shall allow two votes in General Meeting. Persons under sixteen years of age may become junior members and shall enjoy all rights of membership except the power to vote.

10. FINANCIAL YEAR/ANNUAL RETURNS.

The financial year of the club shall be from the 1st January until 31st December

The officers acknowledge during the month of January each year, the Maintenance of Title fee will be forwarded to the Kennel Club by the Secretary for the continuance of registration and that by 31st July each year, other returns, as stipulated in Kennel Club Regulations for the Registrations and Maintenance of Title of Societies and Bred Councils and the Affiliation of Agricultural Societies and Municipal Authorities, shall be forwarded to the Kennel Club. The officers also acknowledge their duty to inform the Kennel Club of any change of Secretary of the Club which may occur during the course of the year.

11. CLUB ACCOUNTS.

A Banking Account shall be opened in the name of the Club into which all revenues of the Club shall be paid and from which withdrawals shall only be made on the signatures of two Officers. The officers permitted to withdraw funds are the Chairman, Secretary and Treasurer.

12. AUDITOR(S)

The auditor(s) will certify the Accounts and the Treasurer will present to members at Annual General Meeting the said accounts. Certification of the Accounts must be carried out by one qualified accountant or two unqualified individuals with accountancy experience and shall be elected annually at the Annual General Meeting

The Constitution and Rules of the Club shall form the basis of membership and may not be altered except at an Annual General Meeting or Special General Meeting, the notice for which contains specific proposals to amend the Rules.

Any proposed alteration to the rules may not be brought into effect until the Kennel Club has been advised and approved the alteration.
New rules or amendments introduced specifically to meet Kennel Club requirements shall be adopted immediately.

14 GENERAL MEETINGS

The Annual General Meeting of the Club shall be held not later than 31st May and shall be called after the Audited Accounts are available. At least fourteen clear day's notice shall be given of an Annual General Meeting and the purposes of the Annual General Meeting shall be:

- a) to receive the minutes of the previous Annual General Meeting
- b) to receive the report of the Committee and the Balance Sheet of the Club
- c) to elect or ballot for a Chairman, Vice-Chairman, Honorary Secretary, Honorary Treasurer, members of the Committee and Auditor(s) and, if appropriate, an Honorary President and/or Honorary Vice-President(s)
- d) to fix the Subscriptions of members
- e) to discuss any resolutions or other items placed on the agenda of which prior notice has been given. Such resolutions or other items shall be in the hands of the Honorary Secretary 28 days prior to the AGM.
- f) to receive Report from the Health Coordinator

The quorum at all General Meetings shall be seven and the Chairman shall, in the event of an equality of votes, have a casting vote.

No business shall be transacted at an Annual General Meeting unless notice thereof appears on the agenda, with the exception of routine matters or those which, in the opinion of the Chairman, are urgent.

A Special General Meeting of the Club may be called at any time by the Committee and shall be called on the requisition in writing of not less than twenty members of the Club addressed to the Honorary Secretary and stating the business to be discussed. Notice of such meetings shall state the business to be transacted and be given not less than fourteen clear days before the date of the meeting. No business other than that specifically stated in the notice shall be considered at such meetings.

A notice may be given by the Club to any member:

- (i) by intimation in the Dog Press i.e. Our Dogs or Dog World, or
- (ii) personally, or
- (iii) by sending it by post to him at his registered address, or
- (iv) if he has no registered address within the United Kingdom, to the address, if any, within the United Kingdom supplied by him to the Club. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, pre-paying and posting it and to have been effected at the expiration of seventy-two hours after it was posted.

15 CLUB PROPERTY

The property of the Club shall be vested in the Committee.

Trophies donated to the Club shall be deemed to be the sole property of the Club and shall not be accepted under any other condition.

A member who shall win one of the Club's perpetual trophies and who elects to take temporary possession of same shall sign for its receipt and shall undertake to take every reasonable care to safeguard it against loss and/or damage whilst it is in his custody or control. The holder of such a trophy shall forthwith send or deliver it to any address within the United Kingdom specified by the Honorary Secretary immediately upon receiving written intimation to that effect. Should a trophy be lost or damaged, the holder must immediately notify the fact to the Honorary Secretary.

The members of the Committee and of any Sub Committee thereof, the Officers of the Club and the Auditor(s) shall be indemnified out of the funds of the Club against all loss, costs and charges which they may respectively incur or be put to on account of any contract, deed, act, matter or thing done, entered into, executed or permitted by them respectively on behalf of the Club, and each of them shall be chargeable only for so much money as he may actually receive, and they shall not be answerable for the acts, receipts, neglects or defaults of each other, but each of them for his own acts, receipts, neglects or defaults only. Neither they nor their heirs, executors or administrators shall be liable for any loss or expense happening to the Club through the insufficiency or deficiency of title to any property acquired for or on behalf of the Club or for the insufficiency or deficiency of any obligation or security in or upon which any of the funds of the Club shall be invested or for any loss or damage arising from the bankruptcy, insolvency or wrongful act of any person with whom any monies, securities or effects shall be deposited or for any loss, damage or misfortune whatsoever which shall happen in the execution of the duties of his office or in relation thereto unless the same shall happen through his own fraud, wilful neglect, default, breach of duty, or breach of trust.

17.

LISTS OF JUDGES

A list of judges must be produced each year, which must be submitted to the Kennel Club as part of the Club's Annual Returns. The purpose of this list is to indicate to interested parties those persons a Bred Society would support at differing levels of judging. Membership of the Club is not a prerequisite for inclusion in the lists. Judges Lists should be divided into five parts namely, A1, A2, A3, B and C and must indicate the date on which the list will expire. On expiry a new list must be completed.

A1 list - Judges who have previously been approved to award CC's in Boston Terriers and have carried out the appointment.

A2 list - Judges who, if invited to judge by a Society, would in principle be approved by the Kennel Club to award CC's in Boston Terriers for that occasion.

A3 list - Judges who are recommended by the Club as being suitable to award CC's in the breed, but not yet approved by the Kennel Club for inclusion on an A2 list.

B list - Judges who have been approved by the Club to judge at Shows without CC's or Open Shows.

C list - For aspiring Judges who do not fall into any of the above categories.

The Judges Criteria is appended and this notes the method by which judges eligibility is calculated for inclusion on this list. All persons on the List of Judges have the approval of the Club

18 JUDGES BALLOT

The Committee will nominate and select judges for the Open and Championship Shows.

19. WINDING UP OR DISSOLUTION OF THE CLUB

The Club may be dissolved and wound up provided that a resolution to that effect has been passed by a majority of two-thirds of the members present at a General Meeting of which notice specifying the intention to propose the resolution has been duly given.

If, upon the winding up or dissolution of the Club there remains after the satisfaction of all its debts and liabilities any assets other than the trophies awarded to the Club, a General Meeting shall be called to dispose of such assets. With respect to the trophies, the donors shall, wherever possible, be consulted and such trophies disposed of in accordance with their wishes.

If the Club is wound up or ceases to be a Registered Club under Kennel Club Regulations, a final Statement of Audited Accounts with a record of the disposal of the property of the Club shall be forwarded to the Kennel Club within six months, and the persons named as Officers and Committee of the Club on the last Return furnished to the Kennel Club will be held responsible by the Kennel Club for the proper winding up of the Club.

20. KENNEL CLUB THE FINAL COURT OF APPEAL

The Kennel Club shall be the final Court of Appeal in interpreting the Constitution and Rules of the Club, in all matters of dispute and in all cases relative to canine or Club matters.

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The Club shall not join any Federation of Societies or Clubs

22.

No person whilst an undischarged bankrupt may serve on the Committee of or hold any other office or appointment within a Kennel Club registered Society