



NATIONAL ROTTWEILER COUNCIL (AUSTRALIA)

CONSTITUTION

1. NAME

The name of the organisation shall be the 'National Rottweiler Council (Australia)'.

2. OBJECTS

- 2.1 To act as a forum for all Rottweiler Clubs as recognised by the ANKC.
- 2.2 To enable Member Clubs to take cooperative action on matters, which such clubs agree, are of common interest and for their mutual benefit in the promotion of the Rottweiler.
- 2.3 To compile a record for breeding, breeders and other relevant breed information, at a National level.
- 2.4 To promote the development of State/Territory breed clubs working for the advancement of the Rottweiler breed, to encourage such clubs to affiliate with the Council.
- 2.5 To improve the Rottweiler breed by the adoption of:
 1. National Code of Ethics
 2. National Breed Survey Scheme
 3. Training Scheme for Breed Surveyors
 4. National Hip Dysplasia Scheme
 5. Organise publications and conduct seminars, conventions through the sponsorship of Member Clubs.
- 2.6 To seek registration with the ANKC and agree to be bound by the Rules and Regulations and directions of the ANKC for the time being in force as amended from time to time.

- 2.7 To allocate the title of Rottweiler National Specialty Championship Show for use by Member Clubs. Subject always to the approval of both the State or Territory Controlling Body and the ANKC.
- 2.8 To collect, verify and publish information relating to Rottweilers and the breeding and exhibition of Rottweilers.
- 2.9 To legislate, to make By-laws and do other acts, matters and things, as may be necessary or expedient to promote all or any of the objects of the National Rottweiler Council (Australia).

3. POWERS

- 3.1 The National Rottweiler Council (Australia) herein after called the NRCA shall have the power to:
 - 3.1.1 Make rules and regulations with respect to qualifications for membership, the imposition or otherwise of joining and or membership fees or levies, as may be decided by the NRCA from time to time in accordance with the Constitution.
 - 3.1.2 Invest the funds, if any, of the NRCA, not immediately required, in such manner as the delegates may determine.
 - 3.1.3 Hold breed seminars, conventions and congresses through the sponsorship of the Member Clubs.
 - 3.1.4 Correspond with and become associated with overseas Rottweiler organisations, for the purpose of the exchange of viewpoints on matters affecting the welfare of the Rottweiler.
 - 3.1.5 Allocate the title of Rottweiler National Specialty Championship Show, subject always to the approval of State or Territory Controlling Body and the Australian National Kennel Council. (See By-law 1).
 - 3.1.6 Purchase, hire, lease or otherwise provide and maintain all types of personal property for the carrying out of the objects of the NRCA.
 - 3.1.7 Do all such other things, which may appear to be necessary for the purpose of carrying into effect its objects.
- 3.2 The NRCA shall NOT hold shows or any other type of exhibition. The Member Clubs shall only conduct such events.
- 3.3 Nothing in this Constitution shall affect the right or authority of an individual Member Club to control and conduct their Club business in the way usually followed by a specialist club. Nor shall the NRCA affect in any way the normal relationship between a Member Club and their State or Territory Controlling Body.

4. MEMBERSHIP

- 4.1 Any specialist Rottweiler Club affiliated with a State or Territory Controlling Body, which is in turn a member of the ANKC, is eligible for membership of the NRCA. (See By-law 2).
- 4.2 The following specialist Rottweiler Clubs and such other specialist Rottweiler Clubs, as may from time to time be admitted, shall be member bodies entitled to nominate delegates to the NRCA:
1. Rottweiler Club of New South Wales Inc.
 2. Rottweiler Club of South Australia Inc.
 3. Rottweiler Club of Victoria Inc.
 4. Rottweiler Club of Queensland Inc.
 5. Northern Districts Rottweiler Club of New South Wales Inc.
 6. West Coast Rottweiler Club of Western Australia
 7. Rottweiler Club of Tasmania Inc. (08/17)
 8. Rottweiler Club of Northern Territory (10/21)*
- 4.3 Annual subscription from member bodies shall be due and payable on 31 August each year. The membership fee shall be such an amount as determined by the NRCA from time to time. Membership fees shall relate to membership of Member Clubs. (See By-law 3).
- 4.4 Any action to terminate or suspend a member body must be in the form of a Resolution presented to the Council. The body concerned shall have 60 days before the Resolution is voted upon, to submit in writing any explanation or defense it deems fit. A majority vote of 2/3rds of the votes is required for the Motion to be passed. The body concerned will not be entitled to vote on the Resolution.

5. MEETINGS

DELEGATES

- 5.1 Each of the Member Clubs named in Clause 4.2 shall annually appoint delegates to the NRCA. Each delegate is to be a financial member of his/her Member Club and the respective State or Territory Controlling Body and be a resident in the State or Territory of the Member Club he/she represents.
- 5.1.2 Delegates shall be selected in such a manner as may be determined by each member body, from time to time. Each member body has one vote, but may be represented by up to three delegates at any meeting of the NRCA. Unlimited observers should be permitted/admitted to attend any meetings of the NRCA.

- 5.1.3 If, for any reason, it should become necessary, Member Clubs may appoint a substitute delegate who is a member of that Club and resides in that same State or Territory (ANKC directive) who shall ipso facto be deemed to be a delegate for voting and all other purposes at a meeting of the NRCA. (11/21)*

VOTING

- 5.2 At a meeting of the NRCA each Member Club shall have **one** vote, subject to its delegate being in attendance at such meeting, unless written communication from a Member Club has been received at least seven days prior to the meeting date. (See By-law 4).
- 5.3 **The Quorum** shall be more in number than 50% of the number of member bodies. Refer to By-law 4 for vote, which shall be counted as member body present.

MOTIONS

- 5.4 5.4.1 Member Clubs may bring any business before a meeting of the NRCA by giving **90 days** notices in writing of its intention to the Secretary. The Secretary shall communicate the Agenda for a meeting to each of the Member Clubs at least **60 days** prior to the date of the meeting.
- 5.4.2 The accidental omission to give notices to a member or if a member shall fail to receive a notice sent as aforesaid shall not invalidate a general meeting.
- 5.4.3 A notice emailed shall be deemed to have been received if the 'receipt' attachment is returned to the sender. **(10/01/08) Rationale:** *To bring the NRC(A) into line with current forms of communication and to speed up response times; receipt is proof notices have been received.*
- 5.5 Except with the unanimous consent of all Member Clubs, no resolution carried at a meeting of the NRCA shall be valid UNLESS notice has been given in accordance with Clause 5.4.1.
- 5.6 Notwithstanding the provisions of 5.5, the Secretary shall at the discretion of the President, or at the written request of two Member Clubs, submit any particular matter of urgency to the Member Clubs by post *or email* and the vote on any such matter shall be taken accordingly, at meetings of Member Clubs. Also, in the opinion of the President or Secretary, should the NRCA business require urgent action, this business may be conducted by conference telephone call or email, provided that a quorum takes part. Conference calls must be confined to a limited agenda or emergency decisions with prior notification by the NRCA. **(10/01/08) Rationale:** *To bring NRC(A) into line with current practices of using email to speed up communication and responses. Remove the words lettergram and telegram and replace with email.*

ANNUAL GENERAL MEETING

- 5.7 The NRCA shall manage its own affairs and hold meetings at such time as it deems fit. The Annual General Meeting shall be held between March/April each year. **(20/09/97)**

CHAIR AND MEETING CONDUCT

- 5.8 The President of the NRCA shall be Chairperson of all meetings of th NRCA. Should he/she not be present within 15 minutes of the time appointed for the holding of the Meeting, the delegates shall elect a Chairperson from among their number. The delegate appointed Chairperson may record his/her vote on any matter but shall not have a casting vote except in the event of a tied election result regarding the office of President or Secretary/Treasurer. (Refer to By-law 5)
- 5.9 Should the Secretary not be present within 15 minutes of the appointed time for holding the Meeting, the delegates shall elect a deputy Secretary for that meeting, from amongst their number. The delegate appointed deputy Secretary may record his/her vote on any matter.
- 5.10 5.10.1 Every motion submitted to the meeting, unless Member Club has previously submitted written vote, shall be decided by a show of hands, provided that each Member Club with delegate present shall have the right to record one vote. (See By-law 4). In the event of equality of votes on any matter, the chairperson shall not have the casting vote, and the motion shall be deemed to be lost.
- 5.10.2 All resolutions passed by the Council shall be binding on Member Clubs, providing nothing contained in the resolution conflicts with the ANKC or State/Territory Controlling Body Rules.
- 5.11 In all matters not covered by this Constitution, the Rules of common debate (Rentons) shall apply provided always that the best interest of the members is served, and members have the right to vote in favour or against any decision. **(26/11/94)**
- 5.12 **Dissension from the President's and/or Chairperson's procedure - Ruling - Actions - etc.**
- In the event that a dissension vote be carried by a 51% majority at any meeting of the club, the Chairperson shall be bound to adopt such ruling - procedure - actions - as decided by said vote, and further, immediately such dissension vote be moved and seconded, the Chairperson shall immediately vacate the chair to enable correct and proper discussion and voting procedures to follow. Delegates present are then entitled to elect their own choice of interim Chairperson to preside during the time that this matter only is discussed and determined whereupon the Chairperson shall resume the chair.
- 5.13 **Censure of**

1. President's and/or Chairperson's action/ruling/procedure etc.
2. Secretary's action/ruling/procedure etc.
3. A general member's action/conduct etc.

In the event that a censure motion be moved, seconded and carried by a majority of 51% majority at any meeting of Council, the person or persons against whom the vote be taken shall be considered censured and all relevant details shall be minuted. It must be understood that a censure motion does not automatically mean a loss of position from Council, or a loss to a member of his/her usual and accepted rights.

5.14 **Vote of No Confidence**

1. Against the President or Secretary
2. Against any Council member
3. Against the entire Council

In the event of a vote of 'No Confidence' being moved, seconded and carried by a 51% majority of persons present in person at the Meeting especially convened to discuss the motion, such person or persons against whom the motion was carried shall immediately forfeit his/her position as an office bearer(s) or Council member and any such person(s) shall not be allowed to accept nomination for the Council or as office bearer or for any sub-committee for a period of 12 months from the date of such motion. The members present upon such vote of 'No Confidence' being carried are then entitled, if they so desire, to select a replacement or replacements for the positions hereby rendered vacant.

- 5.15 **Notice of motion of 'No Confidence'** must be made in writing, signed by the persons moving and seconding the motion and handed to the Secretary. The Secretary shall convene a Special Meeting to be held within 60 days from the date of receipt of the Notice of Motion, and advise all Member Clubs in writing within 14 days allowing Member Clubs at least 28 clear days notice of the meeting. Proof of posting of the Notice to the member's last registered address with the Council shall be deemed sufficient proof of the member being notified.

6. **PRESIDENT**

- 6.1 The President must be a member of one of the Member Clubs and of the respective State or Territory Controlling Body but shall not be a club delegate. He/shall shall be formally appointed for a term of two years by the NRCA delegates at an Annual General Meeting from the nominations received in accordance with By-law 5. The President shall hold office until after the day following that of the Annual General Meeting at the end of the term. The President shall not be entitled to vote at any meeting.

7. SECRETARY

7.1 The Secretary must be a club member of one of the Member Clubs and of the respective State or Territory Controlling Body, but shall not be a delegate. He/she shall be appointed by the NRCA delegates at the Annual General Meeting for a term of two years, from nominations received from the Member Clubs provided such appointments are effected on alternate years to Presidential elections in accordance with By-law 5. The Secretary shall hold office until the day following that of the Annual General Meeting at the end of the term. The Secretary shall not be entitled to vote at any meeting of the NRCA.

7.2 DUTIES OF SECRETARY/TREASURER

The Secretary shall act under the direction of the NRCA. He/she shall attend all of the NRCA meetings, and any other meeting where his/her presence may be required, to keep proper Minutes of such Meetings. Generally to perform all such duties as are usually performed by such officers in like positions. The Secretary shall be responsible for the books, records and property of the NRCA and further, shall ensure the handing over of the books, records and property to the incoming Secretary within a period not exceeding 30 days of the Annual General Meeting where a change of Secretary occurs. The Secretary shall be responsible for all monies received on behalf of the NRCA and shall pay all such sums into the bank account of the NRCA within 14 days of receipt. It shall be a further duty of the Secretary to keep proper books on the accounts of the NRCA.

7.2.1 **Treasurer - Duties of a Treasurer** (Provided a Treasurer is elected).

7.3 If there is no nomination for the office of President or Secretary, or if a member nominated for such office declares at the Annual General Meeting verbally or in writing that they are unwilling to stand for that office, the members may propose, and second orally, at the Annual General Meeting sufficient members to fill such office. A casual vacancy occurring caused by the death or resignation of a member, or by a member ceasing to be a member for any reason, may be filled by the delegates at the next meeting and the member so appointed shall hold office until his/her appointment is confirmed by the members at the next General Meeting or the vacancy is otherwise filled by the members at a General Meeting.

7.4 NATIONAL BREED RECORDER

The Breed Recorder be a voted on position commencing at the Annual General Meeting of the NRCA in April 2010 for a two year term. **(01/04/10)** Rationale: *This has become an important position within the NRC(A) as the National Breed Recorder is responsible for the collating of Breed Statistics nationally.*

8. HEADQUARTERS

8.1 The headquarters of the NRCA shall be the residential address of the Secretary where the books, records and property of the NRCA shall be kept.

9. FINANCE

- 9.1 A bank account in the name of the 'National Rottweiler Council (Australia)' shall be opened with a recognised bank and kept in the name of the NRCA.
- 9.2 9.2.1 All monies payable on behalf of the NRCA shall be paid by cheque drawn upon the bank account of the NRCA. All cheques shall be signed by the Secretary and countersigned by the President of the NRCA or a NRCA delegate appointed for that purpose.
- 9.2.2 Any expenditure greater than \$500.00 shall be authorised by member bodies in writing, or by Special General Meeting.
- 9.2.3 Any two of the Executive and/or a nominated delegate to sign, draw, accept, endorse or otherwise execute all cheques, promissory notes, drafts, bills of exchange and other negotiable instruments.
- 9.3 The financial year of the NRCA shall be from 1 February to 31 January each year. **(06/10/98)**
- 9.4 9.4.1 At the Annual General Meeting in March/April each year, the NRCA shall appoint an auditor with accountancy experience, such auditor to hold office until the first meeting of the following year but shall be eligible for re-appointment.
- 9.4.2 A person shall not be appointed or act as auditor of the NRCA if he/she is an executive of the NRCA or a committee member or delegate of a Member Club. **(05/05/97)**
- 9.5 An audited statement of receipts and expenditure and balance sheet shall be presented at the NRCA Annual General Meeting and a copy made available to all Member Cubs. The auditor's report is to be tabled at the Annual General Meeting. **(05/05/97)**

10. BY-LAWS

- 10.1 Subject always to the Constitution, delegates at a Meeting by a resolution passed by a majority of not less than 51% of delegates present and voting by resolution may make By-laws and may from time to time amend such By-laws by variation, deletion or addition as they think fit in respect of:
- 10.1.1 The granting of the title 'Rottweiler National Specialty Championship Show';
- 10.1.2 The appointment of a President;
- 10.1.3 The appointment of a Secretary;
- 10.1.4 Membership Fees;
- 10.1.5 Any matter the delegates consider necessary to carry out the objects of the NRCA.

11. ALTERATION TO CONSTITUTION AND BY-LAWS

- 11.1 The Constitution and the By-laws of the NRCA shall not be altered, waived or amended, except at a meeting of the delegates at which at least 90 days notice has been given to the Secretary of such amendment and the Secretary has given 60 days notice to all Member Clubs. The amendment must be agreed to by an absolute majority vote. Absolute majority means 51% or more of all eligible votes cast from all members, whether present or not.

12. RESIGNATION

- 12.1 Any Member Club may at any time resign its membership by giving notice to the Secretary. Such resignation shall not free the club from liability to pay any subscription or levy which is due and unpaid on the date of resignation. Should any Member Club that has resigned seek re-admission as a member of the NRCA, such re-admission is to be voted on at a meeting of the NRCA called in compliance with Clause 5.4 of the Constitution. A majority of not less than 51% of the delegates present and voting in person will be required to re-admit a Member Club.

13. PROPERTY/WINDING UP

- 13.1 No club or individual shall have any proprietary right or interest in any of the funds or property of the NRCA. Such property or funds shall be devoted to the promotion of the objects of the NRCA. However, in the event of the winding up of the NRCA the property or funds shall be divided equally among the clubs which are members at the time of such winding up. An auditor's report is to be prepared and any funds be shared proportionately according to the Member Club's membership numbers at the year of winding up.

BY-LAWS

BY-LAW NO. 1

NATIONAL SPECIALTY CHAMPIONSHIP SHOW

The delegates at any meeting and in accordance with Clause 3.1.5 of the Constitution may grant the title 'Rottweiler National Specialty Championship Show' to any Member Club. The granting of the use of the word 'National' must be in compliance with the Rules and Regulations of the ANKC and/or the National Breeds Club Liaison Council. The judge must comply with the current requirements of the ANKC and be approved by the State/Territory Controlling Body.

BY-LAW NO. 2

MEMBERSHIP OF NATIONAL ROTTWEILER COUNCIL (AUSTRALIA)

Application for membership of the NRCA shall be submitted in writing to the Secretary of the NRCA on the appropriate form. Upon receiving such application, the Secretary shall advise the applicant of the due fees. Upon payment of the due fees and ratification by the NRCA, the applicant shall become a Member Body of the NRCA and be entitled to all privileges of Membership and be bound by the Constitution. **(23.09.95)**

BY-LAW NO. 3

ANNUAL SUBSCRIPTION

Annual Subscription shall be the current amount as determined by the NRCA per membership of Member Clubs. Membership is calculated at the highest membership figure for each Member Club's last complete financial year. Subscription is due and payable by 30 August each year.

BY-LAW NO. 4

WRITTEN COMMUNICATION

Written communication from Member Clubs on matters for decision (Clause 5.2) shall be considered to represent their vote on matters before the Council. Written communication on Motions, refer Clause 5.10. Where Agenda items have been correctly circulated in accordance with the Constitution, a written vote may be submitted from Member Clubs to be counted as a vote and are to be submitted to the Secretary of the NRCA at least seven days prior to the scheduled meeting date.

BY-LAW NO. 5

PRESIDENT OR SECRETARY/TREASURER

The President or Secretary/Treasurer shall be elected in accordance with Clause 6 and 7 of the Constitution and shall hold office for one term of two years, but shall be eligible for another term if re-elected. The procedure for election of President or Secretary/Treasurer shall be as follows:

- All Member Clubs shall submit a nomination for President or Secretary/Treasurer to the Secretary of the NRCA at least 90 days prior to the Annual General Meeting where Presidential or Secretarial elections are due. These nominations will be circulated to all Member Clubs at least 80 days prior to the Annual General Meeting.
- Voting can be by way of delegate voting or postal voting. In the event of a tied vote, the Chairperson shall have the casting vote. Refer Clause 5.8.
- If there is no nomination for the office of President or Secretary/Treasurer, or if a nominee for such office declares at the Annual General Meeting, verbally or in writing, that he/she is unwilling to stand for that office the members present may propose, and second orally, a nominee to fill such office.
- Where a person is elected to an executive position and that person is a delegate to their respective club at that point in time, the delegate shall immediately resign their delegation and take up office the following day. **(23/09/95)**

BY-LAW NO. 6

SECRETARY

The Secretary shall be appointed in accordance with Clause 7.

BY-LAW NO. 7

SUB-COMMITTEES

That a list of regulations be added to the constitution for sub-Committees that are also to include election requirements. **(20/9/97) To be dealt with.**

BY-LAW NO. 8

Application for hosting a National to be a NRCA By-Law. **(01/04/10)** Rationale: *To create consistency when hosting a National Event and to ensure all requirements are met by the Member Club when applying.*

(Attached Application to Host a National Event adopted 29/03/13)

Updated 3/11/21