



CONSTITUTION
OF
DROUGHTMASTER SA
CATTLE BREEDERS'
SOCIETY

12 APRIL 2023

04 April 2024

16 August 2024

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Definitions and Explanations

1. Words and phrases used in this Constitution will have the following meanings unless a contrary meaning clearly appears from the context –
 - (a) “Act” means the Animal Improvement Act (Act No. 68 of 1998) of the Republic of South Africa as amended from time to time or any preceding Act or a substitution thereof including all regulations promulgated thereunder.
 - (b) “Birth” means the birth of a Droughtmaster calf.
 - (c) “Breed Standard” means a written set of phenotypic and/or genotypic standards of excellence determined in terms of this Constitution and to which any animal shall comply in the sole discretion of the Society before such an animal shall be recommended for registration or recording.
 - (d) “Breeder” means the owner of –
 - (i) the dam at date of birth of a Droughtmaster calf eligible for registration or recording.
 - (ii) a Droughtmaster at date of application for recording in the Developing Register.
 - (iii) the breeding female animal at the time of natural or artificial conception.
 - (iv) the recipient dam at date of birth of a Droughtmaster calf as a result of an embryo transfer.
 - (e) “Buyer” means the person or persons to whom ownership/joint ownership of a Droughtmaster is transferred by the seller of such an animal.
 - (f) “Calf Book” means the Calf Book of the Society in which the information of all Droughtmaster calves are recorded with regard to submitted birth notifications.
 - (g) “Constitution” means the Constitution of the Society, including the Bye-Laws that may be amended and approved at the Annual General Meeting or Special General Meeting called by the majority of the membership. Any amendment or changes to the Constitution must be submitted to the Registrar.
 - (h) “Council” means the Council of the Society duly elected in terms of the Constitution.
 - (i) “Embryo” means a fertilized ovum of a Droughtmaster.
 - (j) “End Beneficiaries” means any non-profit organization in the agricultural business to which the Council award the surplus assets/funds as a closing

dividend in respect of a distribution, including winding-up or liquidation of the Society.

- (k) “Financial Year” of the organisation ends on **28 February** each year. A report regarding the financial status of the Society is prepared and presented at the Annual General Meeting.
- (l) “Droughtmaster” means a bovine under the provisions of this Constitution and the statutory authorities, that is registered or recorded or eligible for registration or recording in the Studbook and the words “cattle”, “animals”, “heifers”, “sires”, “cows”, “bulls” and “calf/calves” will have the same meaning which are registered as a South African Droughtmaster in terms of the Regulations promulgated under the Animal Improvement Act, Act 62 of 1998 published in the Government Gazette 2894 on the 23rd of December 2022.
- (m) “Droughtmaster SA” means the Droughtmaster SA Cattle Breeders Society.
- (n) “Inspector” means a person who is appointed by the Council as an inspector of the Droughtmaster breed.
- (o) “Member” means a person who meets all the requirements for membership in terms of this Constitution and as such is admitted to the Society only by the decision of the Council.
- (p) “Ministry” or “Minister” means in context an authorized National Minister of Agriculture in South Africa in its respective Government Departments with jurisdiction over the Stud and Animal Registrations and Management including the Animal Improvement Act, Act 62 of 1998 or any amendments.
- (q) “Owner” means the person who –
 - (i) according to the records of the Society possesses the Droughtmaster animal concerned, or
 - (ii) submits proof to the satisfaction of the Council that the Droughtmaster animal concerned is eligible to be recorded and/or registered in his name.
- (r) “Ovum” means the ovum of a Droughtmaster and includes an embryo.
- (s) “Participating country or member” means any country other than South Africa, where the Droughtmaster is bred and where the breeders thereof have acquired membership of the Society, and where the animals under the provisions of the Constitution of the Droughtmaster SA Cattle Breeders’ Society are registered or recorded.
- (t) “Person or persons residing in a participating country who is a breeder or breeders” means that the herds of such a breeder or breeders are domiciled in a participating country and not necessarily mean that the person or persons or breeder or breeders reside in the participating country.

- (u) "Recording" refers to recording the information of an animal in a data base of the South African Stud Book and Animal Improvement Association.
 - (v) "Registrar" means the officer designated as Registrar of Livestock Improvement in terms of the relevant Act.
 - (w) "Registration" means the procedure of registering animals in the relevant sections of South African Stud Book, or by which a prefix or herd designation mark is placed on the records of the Society.
 - (x) "Secretary" means the Secretary of the Society who is appointed from time to time by the Council.
 - (y) "Sell", also means to donate, dispose, leave, exchange or transfer ownership of a Droughtmaster by whatever means.
 - (z) "Seller" means the person (or persons) who is, according to the records of the Society, the owner/joint owner/s of the Droughtmaster that is being sold.
 - (aa) "Semen" means the semen of the Droughtmaster.
 - (bb) "Society" means the Droughtmaster SA Cattle Breeders' Society.
 - (cc) "Stud Book Association" or "SA Stud Book" means the South African Stud Book and Animal Improvement Association registered under the Animal Improvement Act (Act 62 of 1998) of South Africa.
 - (dd) "Territory" means the Republic of South Africa and include any other countries as the Council may determine from time to time as participating countries.
2. Other words, abbreviations and terms used in this Constitution, not defined above, shall, unless a contrary meaning clearly appears from the context, have the same meaning assigned thereto in the Act.
 3. In the Constitution, unless the contrary intention appears clearly from the context, words referring to persons in the masculine gender shall include females, and words in the singular shall include the plural, and words in the plural shall include the singular.

CONSTITUTION

1. Name of Society

The name of the Society is Droughtmaster SA Cattle Breeders' Society. The Society will in all respects have independent legal personality and the Society will continue in perpetuity to exist despite changes to its membership. The assets and liabilities of the Society will be held for the society's own account and separately from those of its members and/or office bearers and continue in perpetual succession as a separate legal entity.

2. Objectives and powers

2.1. Subject to the provisions of the Act and of this Constitution, the objectives and powers of the Society shall be:

- (a) to encourage the breeding and improvement of the Droughtmaster as a unique Southern African breed by giving effect to the powers and duties granted to the Society under applicable laws regarding the recording or registration of pedigrees in the Droughtmaster SA Cattle Breeders' Society, the export of Droughtmaster semen, embryos and live animals, technical, advisory and testing services or in any other manner.
- (b) To preserve the pedigrees of the Droughtmaster in South Africa and in the participating countries and by means of available resources to promote interest in the breed.
- (c) to ensure that members, in accordance with accepted farming practice, carefully keep track of pedigrees and details of the Droughtmaster for the purpose of recording or registration by the Society.
- (d) to compile and maintain Breed Standards for the Droughtmaster in the Republic of South Africa and participating countries
- (e) to acquire, for exhibition purposes, different classes for the Droughtmaster and to appoint judges who are deemed competent to evaluate the breed, and to convince agricultural and other society's the desirability and necessity of only appointing judges recommended by the Society.
- (f) to promote sales of the Droughtmaster breed.

- (g) To regulate, control and manage sales and auctions under the auspices of the Society.
- (h) to give guidance with cooperation of the Society to members and prospective members, to improve the Droughtmaster.
- (i) to do, in general, everything in his power to promote member's interests relating to their activities concerning the Droughtmaster.
- (j) to gather and distribute information with reference to the best way in which the breeding of the Droughtmaster is best executed and the most beneficial way it is expanded and continued, and to keep members abreast of scientific and other development.
- (k) to keep current and intelligent research, the inquiry and investigation to continually broadening the breeding and selling of the Droughtmaster, and to make it a beef producing cattle judged by breed and standard, as competitive as possible.
- (l) to perform such functions and duties as imposed on the Society by the Annual General Meeting, relevant legislation and because of his membership with the Society.
- (m) to hold Ownership of all recorded data in or for the South African Droughtmaster database which shall vest in the Droughtmaster SA.
- (n) to regulate Droughtmaster Clubs and Study Groups.

2.2. The Society

- 2.1.1. may not be involved in any profit-making activities or participate in any business, professional or vocational activities of any of its office bearers or members, or provision of financial assistance, or any premises or continuous services or facilities of any of its members needed for carrying on a business, profession or occupation, and
- 2.1.2. does not have the power to conduct business outside its scope of business and registration and not for purpose of profit for distribution.
- 2.1.3. Shall to the extent possible, register as a non-profit entity with perpetual existence in South Africa.

3. Membership

3.1. Categories of Membership

3.1.1. Ordinary Member

Any person above the age of 18 years who is directly involved in the breeding of the Droughtmaster, resident in South Africa or the participating countries, shall be eligible for membership of the Society as Ordinary Member: Provided that for the purposes of this sub clause a company, close corporation, trust, association, partnership or other legal entity shall be deemed to be a person above the age of 18 years.

3.1.2. Lifelong Honorary Member

For special services in the interest of the Droughtmaster a person who is actively involved in the breeding of the Droughtmaster may at an Annual General Meeting be elected as a Lifelong Honorary Member: Provided that it is done on the recommendation of the Council and that such Lifelong Honorary Member enjoys all the rights and privileges of membership, including the right to vote at any Annual General meeting of the Society, and the right to be elected to the Council.

3.1.3. Special Honorary Member and Honorary President

Persons who are not necessarily actively engaged in the breeding of the Droughtmaster, may be honoured by Council, with the approval of the Annual General Meeting, as Special Honorary Member or Honorary President on such conditions as determined by Council: Provided that there shall not be more than four Special Honorary Members and not more than one Honorary President at any given time. A Special Honorary Member shall not vote at meetings of the Society and shall not be eligible for election to the Council. The Honorary President shall ipso facto be a member of Council in a managerial position. The Honorary President, if an active member of the Society shall have voting rights on the council. Special Honorary Members may attend any General Meeting of the Society.

3.1.4. Special Members

All persons directly or indirectly involved in the breeding of Droughtmaster cattle, but do not reside in the Territory, may be eligible for membership of the Society as special members on such conditions as the Council may determine. For the purposes of this clause, a legal person that trades under the conditions hereby stipulated may be eligible for Special Membership of the Society. Junior members, under the age of 18 years, will be regarded as Special members.

3.2. Legally recognized persons and other organizations

- 3.2.1. A company, close corporation, Trust (Inter Vivos or Testamentary) or other legally recognized person applying for Ordinary Membership shall disclose to the Society such facts or data as may be necessary to determine the nature of the controlling interest therein and shall then, or at any time thereafter, in addition to the requirements imposed in the respect of all applications, furnish the Society with the name and address of the person appointed by it to act as its representative at meetings of the Society.
- 3.2.2. In respect of a partnership and association, the full names and addresses of all partners, associates and members of the association at the time of application for membership of the Society must be given and these partners will be jointly and severally be held liable for all obligations to the Society.
- 3.2.3. All communications addressed to such an authorized representative referred to in Sub-clause 3.2.1 shall be deemed to be duly served upon the company, trust, partnership or other legally recognized person or relevant organisation and at all meetings at which such an authorized representative is in attendance on behalf of the company, trust, partnership or other legally recognized person, such a company, trust, partnership or other legally recognized person shall be deemed to be duly represented.
- 3.2.4. The representative in Sub-clause 3.2.1 shall be eligible for election to the Council of the Society.
- 3.2.5. Should such a company, trust, partnership or other legally recognized person or organisation cease to comply with the requirements of Ordinary Membership as laid down in Sub-clause 3.1.1 the membership of the Society will be terminated and the provisions of Sub-clause 3.2.6. shall mutatis mutandis apply in respect of such a company, trust, partnership or other legally recognized person or organisation.
- 3.2.6. In the case of liquidation of a company or other legally recognised person/organisation, or the dissolution of a trust or partnership, the membership of the Society shall automatically result in termination: Provided that –
- (a) all amounts owing to the Society as at the date of liquidation or dissolution shall be recoverable by the Society from the liquidator of such a company or other legally recognised person/organisation, or from the members (either jointly or severally) of such a partnership or the trustees of such trust;
 - (b) the liquidator of such a company or a company or other legally recognised person/organisation and the members of such a partnership or the trustees of such trust shall be obliged to

discharge all the obligations of such a company, trust, partnership or other legally recognised person/organisation in respect of registrations, recordings, transfers and whatever obligations the company, trust, partnership or other legally recognised person/organisation would have had to discharge as a member of the Society; and

- (c) whatever fees may become due and payable as a result of herd fees, registrations, recordings, transfers or other obligations which have of necessity to be fulfilled after such an automatic termination of membership, shall be raised on the scale payable by Ordinary Member.

3.3. Application for Membership

Membership applications shall be considered with primarily but not exclusively, the following criteria for selection: The extent to which the applicant has managed to convince Council that he will positively and constructively strive for, obey and respect the aims, sentiments, vision, etc. contained in this Constitution, and what contribution the applicant can and will deliver to effectively add value to the Society's activities and decisions.

- 3.3.1. Application for membership of the Society should be made to the Society in writing in such a form as may be prescribed from time to time by the Council.
- 3.3.2. The application must be accompanied by the appropriate subscription and/or entrance fees as set out from time to time by the Council and for acknowledgement to be presented at the next Annual General Meeting.
- 3.3.3. An application for membership must be accompanied by the necessary evidence that the required criteria have been met. It is compulsory for all active members to join SA Stud Book or any successor in title as determined by a general meeting of members.
- 3.3.4. The Council may accept the application for membership of any person, either unconditionally or upon such conditions that the Council may determine or refuse any application.
- 3.3.5. Only applicants who can prove to the satisfaction of the Council that he/she is the owner of Droughtmaster Cattle will be eligible for membership.
- 3.3.6. If an application for membership is refused, the applicant will be entitled to a refund of any fees that accompanied his application.

3.4. Clubs, Study Groups and Similar Organizations and Initiatives

Study Groups, clubs and any other entity or group of persons, whether members or not members of the Society, outside the framework of the operation and procedures of the Society, who wish to promote the interests of the Droughtmaster cattle and/or the Society as their sole or main purpose, must first consult with the Council in writing to obtain permission. At least 21 days before such activities commence, whether a presentation, lecture, workshop, exhibition and other similar activities, the club, etc. must approach the Council in writing for permission, stipulating clearly the objectives, program participants, funds and fees involved, and the time and place of the activity. The Council will then decide whether the application will be approved and supported, rejected or approved with specific conditions. The decision will only be taken with due consideration of all available facts, the objectives of the Society and related Statutory and Regulatory requirements. The Council will notify the applicant(s) in writing of its decision not later than 14 days prior to the planned initiative and activity. The Council will be entitled to monitor the activity in consultation with the applicant.

4. Register of Members

- 4.1. The Society shall keep a register of all members reflecting the date of their admission to membership and their postal addresses, other contact details, amounts received and the dates of payment, arrears that may be due, if any, should be entered.
- 4.2. Every member shall communicate in writing to the Society any change of his postal and/or residential address, and all notices or publications posted to the registered address of a member shall be considered as duly delivered to him.
- 4.3. All documents consigned under registered mail or email to officially specified addresses of members of the Society shall be binding.

5. Rights and Privileges of Members

The rights and privileges of every member of the Society shall be personal to him and shall not be transferable and shall, subject to the provisions of Clause 3, include the following:

- (a) to receive all reports, correspondence, official documents and other publications distributed amongst members by the Society;
- (b) to attend all general meetings of the Society and shall have the right to vote. All category members described in the clause shall have the right to vote at any and all meetings of the Society, if he/she is personally present and duly appointed as a member qualified under the Constitution;
- (c) to apply for the recording or registration of Droughtmaster animals in accordance with the provisions of the Constitution;

- (d) to receive technical advice on Droughtmaster matters from the Society's inspectors and officials, if available. All costs involved are to be defrayed by the applicant;
- (e) to consult and use the Society's official reports; and
- (f) to have all the rights and privileges and obligations as set out in the Constitution.

6. Membership fees and money

- 6.1. All membership fees or other fees and commissions payable to the Society, shall be determined from time to time by the Council and presented for notification at the next General Meeting.
- 6.2. The annual membership fee is payable in advance on the first day of the year and shall be deemed to be in arrears if unpaid sixty days later.
- 6.3. Any member whose subscription is in arrears or who shall be indebted to the Society in respect of any fees or dues for a period longer than thirty days after a demand for payment thereof has been addressed to him by the Council, shall cease to enjoy any of the rights and privileges of membership until such time as such indebtedness has been liquidated.
- 6.4. The Council may decide on an interest charge at a rate determined by the Council from time to time to be levied on all overdue accounts.
- 6.5. Any member who, for any reasons whatsoever, has ceased to be a member of the Society shall remain liable for all accounts due to the Society, as the date on which his membership ceases.
- 6.6. Should the account of a member be in arrears as determined by the Council, or outstanding on termination of his membership, such member shall, if and when his account is handed over to a firm of attorneys or solicitors for collection, be liable to the Society for payment of all legal charges at the scale of attorney and own client costs as well as for collection commission at 10% (percent) on each payment.

7. Resignations, Expulsions and Termination of Voting Rights of Members

- 7.1. Any member may resign from the Society and the **SA Stud Book Association** by giving not less than one (1) month's written notice to the Council: Provided that –
 - (a) such resignation is submitted before the first day of the new financial year and in failing to do so, the member shall remain fully responsible for the particular financial year's subscription;

- (b) no membership fees or part thereof shall be refunded; and
 - (c) all moneys owing to the Society have been paid in full and the member has discharged all his obligations in respect of documents, records, notes, registrations and transfers or any other obligation in respect of his membership.
- 7.2. The Council may expel or take any action (including disciplinary action) against any member who–
- (a) has failed to pay any amount due by him to the Society or the Stud Book Association within sixty days after posting a written demand signed by the Secretary to the member's given address per updated membership documents for such payment;
 - (b) a member shall be registered as a breeder with Droughtmaster SA and with SA Stud Book Association;
 - (c) termination of membership of Droughtmaster SA shall automatically cease membership of SA Stud Book Association as a Droughtmaster breeder.
 - (d) has infringed the Constitution or its Bye-laws, or who has in the opinion of the Council acted dishonorably or in any way derogatory to the character, or prejudicial to the interest of the Society;
 - (e) has, by his acts or omission, brought actual or potential dishonor upon the Society, or who has been guilty of conduct to the actual or potential prejudice of the objectives of the Society;
 - (f) has dual registration of recorded animals on the Stud Book of any other Cattle Breeders' Society other than the Droughtmaster SA Cattle Breeders` Society. Dual registration of animals is not permitted.
 - (g) has willfully, or for personal gain or advantage, given incorrect information to the Society, the Council or any of its officials at shows, or made such cosmetic changes to the body of a Droughtmaster to deceive any person regarding the true characteristics of the animal; or
 - (h) has tried to bribe a Council member, member or official of the Society: Provided that no proceedings for expulsion or disciplinary actions shall be initiated against any member of the Society unless the Council has at least thirty days prior to the date of the Council Meeting at which such expulsion or disciplinary action has been added to the agenda, addressed a registered letter to such a member notifying him/her of the proposed expulsion, and calling upon him/her to confirm in writing if he/she wishes to present, either

personally or through his/her duly authorized representative, to put his/her side of the case at such meeting of the Council. If no such letter is directed in time to the member, the Council may not discuss the expulsion or the conditions thereof. The Council meetings will be preceded by a proper hearing process and procedures. This involves the following:

- i. The Council has the inherent competence and discretion to appoint any person or persons, which the Council considers sufficiently qualified and competent to do so, to act as Chairman of such hearing;
- ii. The Council is then capable of presenting its own representative and/or prosecutor who will manage the matter on behalf and in the interest of the Society before and during the trial proceedings.
- iii. The said representative and/or prosecutor will draw up a representative charge sheet that will reflect proceedings and facts. The charge sheet along with the notification of the hearing shall be signed by the representative or his proxy and served on the offending member. Serving will be done either by personally or by way of registered mail, or by electronic mail, as deemed by management.
- iv. The hearing will be held and continued only after approval by the Council.
- v. Notice of hearing will be given at least 14 days before the effective hearing of the member occurs.
- vi. The Representative/prosecutor will agree with the Council for a suitable place to observe the hearing. They will also be responsible and authorized to decide which witnesses will speak on behalf of the Society, which documents will be submitted, and which expenses and costs will be incurred.
- vii. The elected and appointed presiding officer has the power to establish and control the order of proceedings at the hearing approved by Legal principles and direction.
- viii. The presiding officer will, within 21 days of the hearing, provide the Council with a written account of the findings and provide recommendations.
- ix. The society has the right to gain and follow legal advice on any matter in this particular Clause and the Constitution in general.

- 7.3. The Council or any of the Committees of the Council shall be entitled to inquire properly about the conduct of a member and to receive and act upon such information at such a place, person, firm and/or institution in such a way that the Council may deem fit: Provided that the ordinary rules regarding the delivery of evidence do not apply to such bona fide inquire and no member shall recourse any action, claim and/or right against the Council or his committee, with regard to any matter and/or issue arising from such inquiry or information obtained.
- 7.4. Any member who has been expelled or against whom disciplinary action has been taken shall be notified by the Council in writing within a period of three days from the date upon which the resolution effecting his expulsion or disciplinary action was taken was passed of such steps taken.
- 7.5. Upon due expulsion of a member such member shall forthwith cease to be a member of the Society and the Council may, in its discretion direct the Secretary forthwith to remove his membership of registers or records of the Society, the name of the member so expelled, and apply to the Society to cancel all recorded and/or registered Droughtmaster animals bred by the expelled member and in his possession at the time of expulsion.
- 7.6. The Council may require the suspended member to hand in all recordings/registration certificates regarding Droughtmaster animals in his possession at the time of suspension to the Society and after such date, no animal bred by him shall be registered, recorded or transferred, and no birth notice of his will be accepted, and accordingly he will be notified in writing by the Secretary.
- 7.7. Any member who has been expelled shall pay all moneys owed by him to the Society and shall discharge all his obligations in respect of records, registrations and transfers or any other obligations relating to his membership: Provided that any suspended member of the Society shall remain liable for all dues and fees owed by him to the Society at the time of such suspension
- 7.8. Any member who for a period, as determined by the Council from time to time, has not registered or recorded any Droughtmasters in his name or has not registered or recorded Droughtmaster animals purchased during such period in which the transfer is registered in his name, shall forfeit his voting rights hereafter referred to in the relevant supra: Provided that no member's voting rights shall be suspended unless he has been notified of such suspension in writing by the Secretary thirty days before the meeting in which such suspension comes into effect.

8. Readmission of Members

Any member who, for any reason whatsoever has ceased to be a member of the Society, may be considered for membership under the provisions of sub-clause 3.3: Provided that all monies owing to the Society by such member have been paid.

9. Election of the Council

- 9.1. The affairs of the Society shall be controlled and administered by a Council consisting of the Chairman and Vice-Chairman, Secretary and a minimum of three and a maximum of six additional members of the Society who are elected at the Annual General Meeting out of fully-paid voting members of the Society: Provided that the Vice-Chairman and two of the additional members (determined by the lot if no agreement is reached) shall retire after one year, but will be eligible for re-election. During the second Annual General Meeting upon acceptance of this Constitution the Chairman and two remaining additional members will retire and the two-year cycle of Council service comes into effect.
- 9.2. The Chairman shall retire after his two year term, but is eligible for a second term in office. When his second term expires he may be elected in any portfolio on the Council or perform duties on behalf of the Council and Society. Other members of the Council may be elected to the Council immediately after their two year term in office expires.
- 9.3. The nomination of candidates for the respective portfolios of the Council shall be done by secret ballot and only if a certain member is nominated by two voting members, will the nomination and secondment be considered: Provided that such persons who only receive one nomination do not participate in the election. The nomination letter will have a signature to confirm the identity of the nominee as a member of the Society.
- 9.4. The election of Council members of properly nominated candidates shall occur by secret ballot. Such ballot shall not have any number and/or signature to reveal the identity of the voter.
- 9.5. Should any member of the Council die, resign or cease to be a member of the Society, or forfeit his office under Clause 9.7, the council may appoint another member of the society as his substitute with full powers and for the unexpired period of his term of office. The council shall be deemed to duly constituted and shall continue exercising all the powers conferred upon it, notwithstanding any vacancies in its body.
- 9.6. In the event of the office of Chairman or Vice-Chairman becoming vacant before the expiration of the period for which he was elected, the Council, at its first meeting by ballot or in such a manner as the meeting may determine, shall for the unexpired portion of that period elect another of its members to fill the vacancy.
- 9.7. Members of council absenting themselves from two consecutive meetings without leave, or other satisfactory reason, shall vacate their seats.

- 9.8. In addition to the members of the Council, the Honorary President, Breed Director and Secretary will serve on the Council in an advisory capacity, but without the right to vote, except if they are active members of the society.
- 9.9. In accordance with this Constitution, the Council must elect a representative or representatives of the Society to the Annual General Meeting of the Association.
- 9.10. Members who are serving on another cattle breed's board are not electable on the board.
- 9.11. Any vacancies.
- 9.12. **Executive Committee**

The Executive Committee of the Council shall consist of the Chairman, Vice Chairman and the Secretary. All actions or decisions of the Executive Committee shall be approved and confirmed at the ensuing Council Meeting.

10. Powers and Duties of the Council

The Council shall, subject to the terms of the Constitution and subject further to the directives of the General Meetings of the Society as given from time to time, have the power to do all such things it deems necessary or advisable in the interests of the Society and for the advancement and attainment of the Society's objectives and in particular shall have the following powers –

- 10.1. to secure payment of loans, including the mortgaging and pledging of property, and, without detracting from the generality thereof, in particular by the issue of any kind of debenture or debenture stock, with or without security;
- 10.2. to borrow money to any person or company;
- 10.3. to enter into indemnities, guarantees and surety ships and to secure payment there under in any way;
- 10.4. to make donations;
- 10.5. to undertake and execute any trust;
- 10.6. to pay gratuities and pensions and to establish pension schemes and other incentives for its office-bearers and employees;
- 10.7. from time to time, subject to the provisions of clause 6, to adjust or revise membership fees or dues and to prescribe any such additional fees or dues as it may deem necessary;

- 10.8. to open one or more banking accounts in the name of the Society, and to draw, accept, endorse, make or execute any bill of exchange, promissory note, cheque or other negotiable instrument in connection with the conduct of the affairs of the Society (these rights will also be applicable to so called online banking activities);
- 10.9. to purchase, hire, take on lease or acquire for the purpose of the Society, buildings, land, goods, chattels and effects; to sell, mortgage, pledge, let, alienate or otherwise dispose of any movable or immovable property belonging to the Society, and to apply the consideration arising there from in such a manner as it may consider to be to the best advantage of the Society;
- 10.10. to invest, or in any other way deal with any monies not immediately required for the purposes of the Society, upon such securities and on such terms as it may deem fit and, from time to time, to change or realize any such investments: Provided that the funds available for investment are only invested with registered institutions.
- 10.11. To pay all costs and charges in connection with the administration and management of the affairs of the Society;
- 10.12. to collect and receive donations and other debt and funds and to devote same towards the objectives of the Society and towards promoting the Droughtmaster cattle breed;
- 10.13. to lend or borrow money for the purposes of the Society upon security as determined by it;
- 10.14. in accordance with Sub-clause 6.3, to refuse inspection, registration and other functions for members whose accounts are overdue;
- 10.15. to convene a general or any other meeting, either in compliance with a special request thereto made in accordance with the provisions of the Constitution or otherwise if it is deemed necessary;
- 10.16. to appoint, dismiss or suspend such auditors, attorneys or other legal representatives, agents, officers or officials or other employees for or from permanent, temporary or special services as it may deem fit; to determine their powers and duties and to fix their remuneration and conditions of service and to require such security for the due performance of their functions as it may in particular cases deem expedient;
- 10.17. to institute, conduct, defend, compound or abandon any legal proceedings by or against the Society or against any of its officers or officials or other employees in connection with the affairs of the Society, and to compound or allow, or ask for time for payment or satisfaction of any debts due to or any claim or demand by or against the Society;

- 10.18. to enter into contracts outside South Africa and to obtain contracts, deeds and documents in a foreign country;
- 10.19. to make recommendations and approvals granted under applicable law with respect to the recording and registration of offspring conceived from donor animals and regarding the export of genetic material of the Droughtmaster breed;
- 10.20. to appoint or discharge inspectors for the examination of animals submitted for registration or recording, and for such other purposes as members of the Society may require the service of such inspectors and to give such inspectors instructions and powers in regard to their duties for the purpose of ensuring that the objectives of the Society are being carried out;
- 10.21. to order an investigation by inspectors of the Society in any case where records are not properly kept or where any doubt should arise as to the correctness of the identity of any cattle, and to take such action as it may consider advisable in the interests of the Society;
- 10.22. to co-opt the services of any Council member of the society and to appoint subcommittees upon such terms and with such powers as it may from time to time deem expedient. The Chairman of the Society shall be an ex officio member of all subcommittees with full rights and privileges;
- 10.23. To make and formulate such rules and conditions relating to the qualifications and appointment of judges of Droughtmaster cattle as may be deemed necessary, provided that no person shall be appointed as a **inspector** of cattle until he has fulfilled such requirements as may be determined by the Council. Further, from time to time to revise the panel of judges and to remove there from such names it deems should be so removed;
- 10.24. to set a system of evaluation and testing in respect of the Droughtmaster and to formulate rules, conditions, and terms regarding such testing: Provided that if the Council repeals any such rules or changes them in any way, such rules will be presented at the next General Meeting of the Society for the Society's information;
- 10.25. to organize and promote sales of the Droughtmaster under the protection of the Society, either by public auction or private treaty and for such purposes to appoint auctioneers and agents;
- 10.26. to grant leave of absence to any member of the Council or any official or employer of the Society, for such period and upon such terms as it may in each case determine;
- 10.27. for improved and expedient execution of the business of the Society, to appoint one or more members or officials with power and authority to sign

and receive documents, papers and process, and to act, sue and be sued on behalf of the Society;

- 10.28. to elect a representative or representatives to the General Annual Meeting of the Society.
- 10.29. to receive and consider applications for membership and to accept or refuse such applications at its discretion;
- 10.30. to formulate, alter and rescind bye-laws with regard to conducting the business and carrying out the objectives of the Society;
- 10.31. in accordance with Clause 7, to end the membership of any person;
- 10.32. to impose and exact such penalties as may be prescribed from time to time for contravention or infringement of the Constitution, rules and regulations of the Society;
- 10.33. to investigate disputes arising out of the application of the Constitution and any Clubs or Study Groups and to give decisions in regard thereto;
- 10.34. generally, to perform all such acts as may be necessary for the welfare of the Society and the conduct of its affairs, provided always that any action taken, or instructions given, shall not be contrary to the terms of relevant legislation and the Constitution;
- 10.35. to revise from time to time the Standard of Excellence and to make recommendations at the General Annual Meeting;
- 10.36. in circumstances and times that justify it, the members of the Council may decide to meet per telephone, telefax, electronic mail or cell phone, rather than meet in person at a specific place and time. The members of the Council will be entitled to consult on any matter of which the Council has authority and make decisions to the advantage and in the interest of the Society. The so made decisions shall bear the same force as a decision of the Council in normal session. This unusual form of meeting will only be effective and valid on the following conditions:
 - (a) if the Society's members apply the law of Electronic Communications mutatis mutandis;
 - (b) a quorum as prescribed in the Constitution participates in the consultation and decision-making process;
 - (c) the members of the Council make the decision with a brief summary of the rising facts and reasons for the long-distance meeting, in writing and send it within 7 days to the non-involved members of the Council.

- 10.37 to dissolve any Club, Study Group or Committee within the Society by a two third majority decision of the Board.
- 10.38 to register or enlist the Society with any Stud Book Association of a participating country.
- 10.39 to litigate in any Court of Law or tribunal in any country in its own name, as Plaintiff, Defendant, Applicant, Respondent or effected party.
- 10.40 the Council shall be entitled to transfer membership of a member of the Society to any Stud Book of a participating country and specifically in accordance with the location or country of origin of the farming enterprise of the member.
- 10.41 The Council shall be authorised to amend the Bye-Laws from time to time to comply and to be in accordance of SA Stud Book requirements and the legislative requirements of South Africa or a participating country.
- 10.42 To act as a legal persona in all aspects without limitation in the management and decision and implementation thereof in the normal cause of business.
- 10.43 To determine and resolve all disputes between members, office bearers, clubs, study groups, selection panels, appeals or any issue existing as a final body of resolution.

11. Meetings

- 11.1. A meeting of the Society shall be held as determined from time to time by the Council, or as the Chairman or in his absence, the Vice-Chairman may decide: Provided that at least two Council meetings are held during each financial year.
- 11.2. A special Council meeting –
 - (a) may be convened at any time and place at the discretion of the Chairman (or in his absence, the Vice-Chairman), or
 - (b) shall be convened based on a requisition signed by no less than three Council members in which the reasons for the meeting are given. Such requisition must be addressed to the Secretary.
- 11.3. Not less than 14 days prior to the holding of any meeting, a written notice of the time, date and place of such a meeting shall be posted by the Secretary to each member of the Society (either electronically or otherwise).
- 11.4. A general meeting of the Society to be known as the Annual General Meeting shall be held once a year at such a time and place as may be determined by the Council.

- 11.5. At such an Annual General Meeting the Council shall submit its annual report, together with a duly audited balance sheet and statement of the financial affairs of the Society as at the end of the previous financial year.
- 11.6. Such a General Annual Meeting must be held –
- (a) in the case of the first General Annual Meeting, within a period of three months after membership of Droughtmaster SA Cattle Breeders' Society is accepted by the Registrar;
 - (b) not later than six months after the end of each financial year of the Society; and
 - (c) within a maximum of 15 months after the date of the last preceding General Annual Meeting of the Society.
- 11.7. A special General Meeting of the Society may at any time be convened by the Society, or the Chairman (or in his absence the Vice-Chairman), and will in the latter case convene pursuant to a written request that is directed to the Secretary and is signed by no less than seven members of the Society. Such an application must set out the purpose of the meeting very clearly and only such matters may be discussed at the meeting.
- 11.8. Not less than 60 days prior to the holding of the Annual General Meeting, a preliminary notice of the time, date and place of the meeting shall be posted by the Secretary to every member or published in the Society's official journal. Any member intending to put forward any matter for discussion at the Annual General Meeting shall give written notice thereof to reach the Secretary not less than 40 days prior to the holding of the meeting.
- 11.9. Not less than 30 days prior to the holding of any general meeting a final notice of the time, date and place of such a meeting together with the agenda of such a meeting shall be posted to each member of the Society.
- 11.10. No resolution shall be taken at a General Meeting in respect of any matter unless notice thereof appears in the agenda sent to the members, with the notice calling the meeting, unless such a meeting agrees by two-thirds of the members present and entitled to vote that any matter not specifically on the agenda, shall be discussed and voted upon.
- 11.11. Any General Meeting may be adjourned by a two-thirds majority of the members present thereat and entitled to vote.
- 11.12. For the purpose of revoking decisions made at a General Meeting, a two-thirds majority vote is required at the same or a subsequent General Meeting.
- 11.13. The Chairman, Vice-Chairman or a council member, in this order, shall preside at all meetings and should any of these office-bearers be absent

from any meeting, the members present thereat shall elect another member to preside at such a meeting, and any person so elected shall in relation to that meeting, have all the powers and fulfill all the duties of the Chairperson.

- 11.14. All matters submitted to any meeting shall, save as is otherwise provided, be decided by the votes of the majority of those members present and entitled to vote, and in the event of an equality of votes, the person presiding at the meeting shall have a casting vote as well as a deliberative vote.
- 11.15. Subject to the provisions of Clause 9.4, voting at all meetings shall be by show of hands, unless voting by ballot is demanded by two-thirds of the members present and entitled to vote in which event voting shall be by secret ballot.
- 11.16. No business otherwise properly and constitutionally transacted at any meeting shall be invalidated by reason only of the non-receipt by any member of the notice required to be given to such a person in terms of the Constitution.
- 11.17. Quorums for the holding of meetings is as follows:
 - (a) Thirty percent of the Society's members personally present at the commencement of any General Meeting;
 - (b) Three Council members personally present at any Council meeting and entitled to vote.
- 11.18. If at any meeting a quorum is not present, the meeting shall stand adjourned to a time (not being less than 14 days and not more than 30 days thereafter) and place determined by the members actually present, and at such an adjourned meeting the members present shall form a quorum: Provided that any meeting at which the Chairman or Vice-Chairman is present shall, if there is no quorum, stand adjourned for half an hour. The members then present shall form a quorum for the disposal of such business (other than any amendment to the Constitution) as the presiding member may declare to be of an urgent nature, and such an adjournment for half an hour shall be without prejudice to the rights of the meeting after dealing with such urgent business to adjourn to a time, date and place as herein provided.
- 11.19. Both the Chairman and Vice-Chairman must be present at any meeting of the Executive Committee in order to enable it to function.
- 11.20. The Breed standard and scale of points outlined in the bye-laws of the Society shall not be amended unless such amendment is approved by a majority of at least two-thirds of the members personally present, voting and entitled to vote at any general meeting of the Society of any proposed meeting and changes not less than 30 days written notice is given to all members of the Society.

12. Minutes of Meetings

- 12.1. A copy of the minutes of all General Meetings shall be provided to all Society members.
- 12.2. The minutes of all meetings, signed by the Chairman or a person who occupied the chair during the next meeting will be mindful that all proceedings are properly done and that all elections, appointments and decisions adopted during such meeting are binding and in force.

13. Financial Provisions

- 13.1. The Council shall cause one or more banking accounts to be opened in the name of the Society, and any amounts accruing to the Society, shall be deposited in such banking account or accounts as the Council may direct.
- 13.2. All payments out of the funds of the Society shall be effected by internet online banking payments in which event the Society will, to the satisfaction of their Bankers, authorize one or more of its official(s) to conduct such online banking activities. All payments shall be authorized via email by the Chairman of the Society.
- 13.3. Proper books of account shall be kept by the Society and shall be audited from time to time, but not less than once every year, by a qualified auditor appointed at the General Meeting of the Society, and a duly audited balance sheet and statement of the financial position of the Society as at the end of the financial year to which the report refers, shall be circulated to members with the agenda mentioned in Sub-clause 11.10, and submitted to the Annual General Meeting of the Society.
- 13.4. All the property of the Society shall be vested in the Society under management of the Council.
- 13.5. The income and property of the Society, from whatever source derived, including profits and gains, shall be applied solely to the promotion and furtherance of the objectives of the Society, and no part thereof shall be paid or transferred, directly or indirectly by way of dividend or bonus or otherwise, to any persons who at any time are or were members of the Society: Provided that nothing herein contained shall prevent the payment in good faith of remuneration to any employee or other person for services rendered to the Society.
- 13.6. If upon winding up or dissolution of the Society, there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be paid to or distributed amongst the members of the Society, but shall be given or transferred to such other institution or institutions having objectives similar to those of the Society as may be determined by a majority decision of a General Meeting of the Society.

14. Membership of Droughtmaster SA Cattle Breeders' Society and Affiliation

- 14.1 The Droughtmaster SA Cattle Breeders Society shall maintain such membership on the conditions set out in the Constitution of the Society. Furthermore, the Society may affiliate with or incorporate any association, society or organization having aims or objectives kindred to those of the Society on condition that such a decision is approved by a majority vote of at least two-thirds of the members personally present, voting, and entitled to vote at any General Meeting.
- 14.2 The Society and its Council are authorized to enlist and to register the Society on a National basis and to comply with all requirements for registration and recognition of the Breed within any participating country and its Stud Book Association. The Council is authorized to conclude any agreement or requirements and to bind the Society in respect of the registration thereof.

15. Amendments of Constitution

- 15.1. The Constitution may be added to or altered by the resolution approved by the majority vote and not less than two-thirds of the members present and entitled to vote at a General Meeting of the Society, of which meeting and of which proposed addition to, alternation or amendment of the Constitution, not less than thirty (30) day's written notice has been given to each member of the Society.
- 15.2. No such addition to, alteration, variation or amendment of the Clauses of the Constitution, notwithstanding that it has been passed in the manner prescribed in Sub-clause 15.1 hereof, shall be of any force or effect until and except it is confirmed and approved by the Registrar, in terms of the Act, and shall comply with and be submitted to the Registrar in the manner as set out in the Act.

16. Office of the Society

The office of the Society shall be at any center as may be determined by the Council from time to time and will be managed by the Secretary.

17. Jurisdiction

In the event of any unresolved dispute from the application of this Constitution, the jurisdiction of a court of the country of residence of the member will be recognized as competent authority and all members agree by accepting membership of the Society to the jurisdiction of the court.

18. Transfer of Powers

Not with standing any provisions in the Constitution inconsistent herewith, may by the authority of attorney, duly issued and filed by the Secretary, may allow another member to sign on behalf of him birth notices, application forms for recording/registration of transfer, transfer certificate of service, returns or reports or any other document relating to the administration of a Droughtmaster herd and any such signature by a fully authorized person shall by the Society be accepted as equally valid and binding as if it is the member's own signature: Provided that nothing contained herein, such a person duly authorized to do so will not be allowed in any way possible to participate in the nomination of voting for any member or any matter where his principal has the right to vote, or attend any meeting on behalf of his principal.

19. Non-Members

Such benefits of membership as the Executive may determine, may be given to non-members: Provided that no legal or other obligation of the Society shall rest upon it with respect to such non-members and provided further that all fees relating to any services provided by the Society to non-members will be provided from time to time by the Council.

20. Authentic Version of Constitution

This Constitution and schedules hereto having been drawn, submitted and considered in English; the English version shall be deemed to be the authentic version.

21. Selling and Purchasing Services through the Society

The Society may charge a commission or other fees calculated on a basis as determined by the Council, to a person in connection with the purchase and sale of recorded or registered animals by assisting in respect of any matter relating to the selection or breeding of such animals, advice or information provided or its agent to act in any capacity other than that of auctioneer. No officer or employee of the Society shall, except in the performance of his duties as such officer or employee in Regulation of proposed service, be involved as a producer in any business in connection with purchase or sale of recorded or registered animals.

22. Disclaimer

The Council, individual Members of the Council, inspectors and judges, any committee of the Society or clubs, or members of the Society's staff, is indemnified against any claim that may arise as a result of any decision or action which the Constitution of the Society or Clubs have taken in good faith.

23. Dissolution of Organisation

- 23.1 The organisation may close down, be liquidated, wound-up to dissolve, if at least 75 (seventy five) percent of the members present and voting at a meeting convened for the purpose of considering such matter, are in favour of closing down or winding-up.
- 23.2 The Council are authorised and entitled to appoint a Special Committee for the winding-up of the Society, with such powers as the Council award to the Special Committee.
- 23.3 Any free residual funds or assets available for distribution, after payment of all liabilities, shall be awarded to any one or more non-profit organizations in the agricultural industry registered as such in the Republic of South Africa, as end beneficiary.

BYE-LAWS

12 April 2023

1. Stud Book

- 1.1. The Society will register Droughtmaster SA with SA Stud Book Association.
- 1.2. The conditions of registration, regulations of publishing the Stud Book will be determined from time to time by the Council, in conjunction with the SA Stud Book Association.
- 1.3. Ownership of all recorded data in the South Africa Droughtmaster database shall vest in the Droughtmaster SA Cattle Breeders' Society.

1.1 Development Register

1.1.1. Basic Animals

- (a) All *Bos Indicus* x *Bos Taurus* and all *Sanga* x *Bos Taurus* female animals are admissible, providing they are structurally correct.
- (b) F3 and SP Droughtmaster bulls must be used for upgrading.
- (c) Basic animals shall be identified according to the Bye-Laws of the Constitution and must comply with the minimum Breed Standard, as determined by the Council from time to time.
- (d) No certificates or proof of recordings shall be issued for Basic animals that have been recorded.

(Basic animals at the time of the Founding Meeting 17 June 2014 will be retained as Basic animals)

1.1.2. First Generation (F1)

Only Female progeny of Basic female x F3/SP bulls as stipulated in 1.1.1. of the Bye-Laws shall be eligible for registration in the First Generation (F1) of the Development Register: Provided that such progeny comply with the Minimum Breed Standard and other recording requirements as determined by the Council from time to time.

White is admissible on the underbody, excluding the legs and hooves of F1 animals.

(F1 animals at the time of the Founding Meeting 17 June 2014 will be retained as F1)

As from 2 November 2017:

- F1 Female animals with a blaze are allowed.
- F2, F3 and SP animals with white on the forehead will not be cancelled but will be downgraded to F1. These animals will have a F1 in front of their current identification number.

With effect from 21 August 2024, Registered SP Beefmaster female animals will be eligible for inclusion as F1 Droughtmaster females provided such animals;

1. Are structurally correct and inspected by the Droughtmaster SA Breed Inspector.
2. Comply with the Droughtmaster minimum Breed Standards.
3. Comply with the minimum fertility requirements and,
4. Comply with other performance standards as determined by the Droughtmaster SA Council from time to time.

In the event that a Beefmaster cow meeting all the requirements listed in (c) above is admitted as an F1 Droughtmaster female while having a female calf at foot and that calf was Sired by a registered F3 or F4 Droughtmaster bull, with DNA (parent verified) proof, such calf, plus any future female calf of that cow, may be classified as a F2 after inspection.

With effect 8 October 2022, Registered F3/SP Brangus and F3/SP Santa Gertrudis female animals can be inspected as F1-generation.

As of 8 October 2022, F1 females may be flushed for breeding purposes only.

1.1.3 Second Generation (F2 Superior) Bulls.

As of the 1st of September 2016, no bulls will be approved as F2 Superior bulls.

- a) F2 superior bulls may not be sold to be used in the upgrading system of another breeder.
- b) Breeders in possession of semen of F2 Superior bulls must inform and register the semen in their name within 30 days from the 1st of September 2016.

c) F3 bulls without a proper Droughtmaster SA pedigree that has been admitted on the approval list at the time of the founding meeting 17 June 2014 status will change to F2 Superior bulls.

d) As of the 1st of January 2025, no F2 superior bulls may be used.

1.1.4. Second Generation (F2) Females

The progeny of F1 females x F3/SP bulls, which comply with the Minimum Breed Standards and in respect of which all other recording requirements have been met shall be eligible for registration as Second generation (F2) animals in the Development Register.

All approved F2 Droughtmaster influenced females at the time of the founding meeting 17 June 2014 will be retained as F2 females. The progeny of F2 Superior bulls out of the above mentioned F2 Droughtmaster influenced females will remain F2.

As from 8 October 2022 F2 female animals which comply with the minimum breed standards, may be flushed.

1.1.5. Third Generation (F3)

The progeny of F2 female x F3/SP bulls, which comply with the Minimum Breed Standards and in respect of which all other recording requirements have been met shall be eligible for registration as Third generation (F3) animals in the Development Register. All registered F3 Bulls may be branded with a Special Brand by the breeder.

Droughtmaster influenced females that have been approved as F3 at the time of the founding meeting 17 June 2014 status will change to F2.

1.1.6. Fourth Generation (SP)

The progeny of F3 females x F3/SP bulls registered animals, which comply with the Minimum Breed Standards and in respect of which all other recording requirements have been met shall be eligible for registration as Fourth generation (SP) animals. All SP registered bulls may be branded with a special Brand by the breeder.

1.2 All animals in all upgrading generations not complying with performance and fertility standards and structural correctness at time of inspection, will be de-registered.

2. Prefix and Herd Designation Mark

- 2.1. No animal shall be accepted for birth notification or registration unless the breeder has previously, through the Society, registered with the Society, for his exclusive use, a prefix by which all animals bred by him and eligible for birth notification or registration shall be designated, and a herd designation mark by which such animals shall be identified.
- 2.2. No prefix shall exceed 18 characters, and the name of a city, town or post office in the Republic of South Africa shall not be accepted for registration as a prefix.
- 2.3. The herd designation mark registered with the Society for the breeder's exclusive use shall not exceed four proper letters of the English alphabet.
- 2.4. Application for the registration of such a prefix and herd designation mark shall be made to the Secretary and the Society and shall be accompanied by such a fee as may be prescribed from time to time by the Council. The Society reserves the right to deny the use of any requested prefix or herd designation mark.
- 2.5. No transfer of a prefix or herd designation mark shall be allowed from one breeder to another, except under such conditions and to such persons as are provided for in the Bye-laws to the Constitution of the Society.

3. Identification

- 3.1. Branding shall be the Society's official identification, but if a member wants to tattoo for reasons regarding management or theft, it is acceptable. A Standard tattooing number of one centimetre in size must be used.
- 3.2. The identification of the animal consists of the herd designation mark in Sub-clause 2.3 consisting of a year mark and a sequence number. No year mark or sequence number may be repeated by any member and will under no circumstances be allowed if it causes any confusion regarding the identification of animals. Sequence numbers indicate the order in which calves were born.
- 3.3. Before birth notification is given, all live calves must be clearly identified in the ear, animals in South Africa or a participating country with dual tags as prescribed by the law, and all animals presented for recording or registration purposes, must also be branded in addition to the year number with the herd designation mark. An animal whose branding does not comply with Sub-clause 3.2, will not be accepted for recording or registration purposes.

- 3.4. Ear code systems is recognized by the Society and may thus be used and all members shall be obliged to comply with the National Legislation of the RSA or participating country for animal identification.
- 3.5. Any mistake that occurs whilst making identification marks, must be reported to the Secretary immediately and the animal will then be branded in the presence of an appraiser appointed by the Council after such appraiser is satisfied with the true identity of the animal.
- 3.6. No change of marks or the addition of marks may be made without obtaining permission from the Secretary.
- 3.7. If brandings are faded and illegible, the owner must inform the Secretary thereof. The particular animal may then be branded again by the owner, only after the appraiser of the Society has confirmed the identity of the animal.
- 3.8. No animal may be sold or transferred without clear identification.
- 3.9. The provisions of the Act on the Identification of Livestock must always be kept and obeyed.

4. Name

- 4.1. No animal will be eligible for entry into the Stud Book unless clearly marked and provided explicitly with a number. Names are optional. The Society has the right to refuse any application with regard to an animal that according to his opinion is not branded clearly or given a misleading name.
- 4.2. The name shall include the prefix registered in favour of the breeder and exclusive of the prefix, shall not exceed 20 characters.
- 4.3. The name of an animal, once registered, may not thereafter be changed or amended unless the name is an obvious error, in which case the name shall be changed in such a way that the error is rectified.

5. Notifications of Births

- 5.1. The breeder of an animal born from a registered dam that has been inspected and passed or a cow, for which he has received a birth notification, shall notify the Society of the birth, whether the calf is born dead or alive, a pedigree or cross breed, or retained for registration or otherwise.
- 5.2. All birth notifications shall be filled in full on prescribed forms and signed by the member, and submitted not more than ninety (90) days after the birth date of the concerned calf to the Society: Provided that the Society can accept a notification of the birth submitted to them ninety (90) days after the birth of the calf, if the notification is in order and the payment of the fees has been determined from time to time. A levy will be charged by the Society for

births registered after 90 days after birth, and a double levy for receiving after 180 days after birth.

- 5.3. In the event of multiple births, the breeder shall in addition to the particulars ordinarily required, also record on the birth notification form the number and sex of the other calf or calves, as the case may be.
- 5.4. When a breeder gives written notice of the birth of a calf, a copy of such form must be completed in such a way that the information that appears in all respects is consistent with the data on the original form or forms sent to the Society. All copies must be kept by the breeder in such a way that it is at all reasonable times available for inspection and checking. It is the responsibility of the Member to check the details of the documents received from the Society for correctness and to report any deviations to the Society for correction.
- 5.5. On receipt of a valid required notification of birth of a live or dead calf or documentation of an animal entitled to recording or registration, the Society shall issue a notice of acceptance. Such birth notice must be kept by the breeder for further submission to –
 - (a) Society for application of transfer of the animal to a new owner or if it needs to be cancelled; or
 - (b) the selector for when the specific animal is presented for inspection.
- 5.6. Records shall be kept by the Society in the name of each breeder of all animals born, whether born dead or alive, whose births have been duly notified to the Society by the relevant breeder, and of such other details as may be determined by the Society.
- 5.7. Animals whose birth notifications have been received and accepted, will be entered in the Calf Book (CB) and shall remain there until inspection, when it will be changed to registered (RE) if it has been accepted, or the recording has been cancelled.
- 5.8. Animals whose birth notifications are accepted, are recorded in the Stud Book.
- 5.9. The Stud Book shall contain the identification number, the identification numbers of the parents, the date of birth and the name of the breeder and owner of each animal contained therein.
- 5.10. On acceptance of a birth notification, a birth notice of recording/registration shall be issued by the Society. Such notice shall show the details of identification and pedigree.
- 5.11. The birth notification/application for recording/registration shall contain a declaration in the following terms –

The following birth notifications have been recorded:

Animal Id. Sex Born Gen. Reg. Name

6. Service and Insemination Certificates, and the Joint Ownership of Bulls

6.1. Service and Insemination Certificates

- 6.1.1. If pregnant cows are sold, the seller must provide the buyer with a service/insemination certificate (depending on whether fertilization is done naturally or by insemination). The certificate must give the identification and registration numbers of the bull and cow and the service date.
- 6.1.2. If the exact service date is not known, the certificates must indicate the period that the particular cow and bull were together and further that the particular animal was not serviced during this period by any other bull.

6.2. Joint Ownership of Bulls

- 6.2.1. When an animal is transferred to joint owners, the full names and addresses of each joint owner shall be submitted to the Society.
- 6.2.2. If a female served by a sire was the property of another breeder and not one of the joint owners, service certificates, as described in Sub-clause 6.1, must be signed by at least one of the joint owners.

7. Gestation and Inter-calving Periods

- 7.1. The maximum gestation period recognized for the Droughtmaster is 308 days. The minimum acceptable gestation period is 266 days.
- 7.2. Any gestation periods outside these ranges shall not be recognized unless the parentage of the calf concerned is confirmed by DNA analysis.
- 7.3. The minimum period between the dates of birth of two successive calves out of one cow (inter-calving period) shall be 271 days.

8. Requirements for Recording or Registration

- 8.1. Inspection is a prerequisite for recording and/or registration, and except by special permission of the Council, no animal under the age of seventeen months will be recorded and/or registered.
- 8.2. No animal will be accepted for recording and/or registration unless his father at the time of serving his mother is older than eight months and was typified DNA and/or his mother was at the time of service over nine months.

- 8.3. No female animal from a multiple birth of both sexes will be eligible for recording and/or registration unless its ability for breeding or calving is confirmed by DNA testing.
- 8.4. Animals that do not meet the minimum Breed Standards set and laid down by the Council will not be eligible for recording and/or registration.
- 8.5. If there is any doubt about the details appearing on the application for recording and/or registration and the service certificate accompanying the animal, such animal may according to assessment of Council be excluded for the process of recording and/or registration.
- 8.6. The provisions on the Animal Improvement Act, shall at all times be complied and reckoned with.
- 8.7. In order to confirm the parentage of an animal, registered or eligible for registration, the Council shall at any time have the right to insist on DNA analysis or any other proven scientific method of confirming parentage –
- (a) as a routine procedure, on a basis to be determined by the Society from time to time; and
 - (b) in any case of doubt.
 - (c) In the case of the test to which is referred in the Bye-Laws, the breeder shall be responsible for all costs of parentage control tests from the second test onwards.
 - (d) In the case of the test referred to in Regulation 9.1 (b), the owner or the Society, as determined by the Council, shall be responsible for the cost of parentage control test.
- 8.8 The keeping of records is compulsory and failure to comply therewith after demand shall entitle the Council to terminate the membership of the Society and de-registration of animals on such terms and conditions imposed by the Council.

9. Inspections and Duties of Inspectors

- 9.1. The Council shall appoint an inspector or inspectors to inspect all animals eligible for registration. If possible, all breeders who wish to present their animals for inspection, shall be visited at least once a year.
- 9.2. Inspectors shall inspect each animal eligible for registration upon presentation of the birth notification and or inspection list issued by the Society and shall satisfy themselves that the animal conforms in all respects to the Breed Standards and a Minimum Performance Standard as determined from time to time by the Council. Any differences or

inconsistency can disqualify such an animal for recording and/or registration in the Stud Book and will be reported to the Council.

- 9.3. It is mandatory that during the visit of the inspector, the breeder must present all unregistered Calf Book bulls above the age of 12 months but under the age of three years for inspection, as well as all unrecorded and unregistered Calf Book heifers or cows above the age of 12 months but under the age of three years. Inspectors are empowered to use their discretion in holding any particular animal over for inspection during a next visit in which case the maximum ages referred to above shall not apply.
- 9.4. Any breeder dissatisfied with an Inspector's decision may lodge an appeal to the Council within three weeks after the inspection. A deposit of R200 must accompany the appeal. A different inspection team, appointed by the Council shall then re-inspect the animal or animals in question and if the appeal is upheld the relevant deposit shall be refunded, less expenses incurred, by the Society.
- 9.5. Breeders will be given timeous notice of the time and date of the inspectors intended visit.
- 9.6. All inspection visits can occur only with the permission of the Secretary and the applicant must pay the Inspector's travel costs and any other costs incurred.
- 9.7. An Inspector may classify and grade the cattle at such tariff determined by the Council from time to time.
- 9.8. Inspectors acting on the instructions of the Council may at any time, without previous notice carry out a general inspection of any breeder's herd.
- 9.9. While on official inspections, an Inspector may not accept instructions or commission from members or non-members to negotiate the buying or selling of animals.
- 9.10. No breeder shall act as an Inspector of his own animals.

10. Artificial Insemination

- 10.1. Animals, begotten through Artificial Insemination, shall be eligible for recording and/or registration: Provided that all requirements of the Act and Constitution with regard to recording and/or registration mutatis mutandis have been complied with.
- 10.2. The Society reserves the right to refuse to record and/or register the progeny of animals begotten through Artificial Insemination unless the birth notification is endorsed "begotten through Artificial Insemination".

- 10.3. If different bulls are used to provide the semen for Artificial Insemination for the same cow, in less than 28 days from each other, the progeny will not be eligible for recording and/or registration, regardless of the provisions of sub-clause 10.1 hereof unless the parentage is confirmed by DNA typing and/or other scientifically recognized method accepted by the Society.
- 10.4. The Society reserves the right through its officers to supervise and/or carry out inspection regarding the accurate recording of the application of Artificial Insemination by its members.
- 10.5. Pursuant to the provisions of relevant legislation the Society reserves the right to refuse the recording and/or registration of the progeny begotten through Artificial Insemination if the donor animal has not been submitted previously for the Council's approval.
- 10.6. Breeders residing in participating countries who share the privileges of Droughtmaster registration may apply for registration of artificial conceived progeny: Provided that the semen is obtained from a source approved by the Society and provided further that the collection of the semen, the handling thereof, the insemination of animals and the keeping of records is done in such manner as the Society approves from time to time and is in accordance with the Act.

11. The Collection and Transfer of Embryos

- 11.1. Droughtmaster calves begotten as a result of embryo transfers shall be eligible for recording and/or registration if –
 - (a) the requirements mutatis mutandis of the Constitution and the Act is met;
 - (b) parentage of each calf generated from the embryo transfer is confirmed by DNA typing or any other scientifically recognized method and accepted by the Society; and
 - (c) the following documents are submitted 120 days after the transfer:
 - (i) the official DNA test laboratory numbers of the male and female animals that gave rise to the embryo concerned;
 - (ii) in the case of an animal begotten from an imported ovum, a certificate must be issued by a veterinarian, embryo transplanter or in the case of within-herd embryo transplantation, the owner or a person employed full-time, to the effect that the provisions of relevant legislation is complied with;
- 11.2. The Society reserves the right to refuse any progeny by embryo transfers for recording and/or registration if any of these laws are not fully adhered to.

12. Recording and/or Registration Certificates

- 12.1. Any alteration or addition to the essential information or particulars officially recorded on any registration certificate, which has not been initialled by the Manager of the Society or any unauthorized endorsement or remark on such a certificate bearing upon the essential information or particulars contained therein, shall render such a certificate invalid.
- 12.2. A duplicate recording or registration certificate of the original may, on application to the Society, be issued if evidence can be given that the original document is lost, accidentally destroyed or in the possession of a person who unlawfully refuses to hand it over to the person who is entitled to it. The application for a duplicate recording or registration certificate should be submitted with a statement by the applicant who is the owner of the animal. Such application and declaration must be addressed to the Secretary, together with such fees as the Council determines from time to time.
- 12.3. A recording and/or registration certificate of an animal that has been recorded and/or registered, issued by the Society shall be returned to the Association for cancellation and/or endorsement within 60 days after its death, castration, or if it has not yet calved before the age of 39 months, or if it has been sold for the purpose of being slaughtered, in terms of the Constitution of the Society. The Association must also be notified of the same regarding any animal that was eligible for recording and/or registration
- 12.4. The recording or registration certificates issued by the Society are certificates executed by the Society.

13. Private Herd Register

- 13.1. Each member who is a breeder and owner of animals shall keep a private herd record of all recorded or registered animals in which the name, identification number, dates of birth and details of parents are entered, including information of what has happened to these animals. Such records must match the Herd List (female and male animals) on which the Herd fees are based, and the records that the Society prepares before the date on which the Herd Lists are sent out annually to each member.
- 13.2. Accurate records must be kept of the dates when each bull and female were together (Mating Lists) in order to determine paternity of the calf.
- 13.3. The Society has the right to inspect the records kept by members who apply for recording or registration of animals and if it is deemed necessary, the Council can request that such complete records, regarding names, computer numbers and characteristics of all animals in the member's possession, be sent to the Society.

- 13.4. For the above requirements to be met, it is mandatory that members keep all official breeding records, issued by the Society, of females up to date.

14. Transfers

- 14.1. For all sales or change of ownership of recorded and/or registered animals or animals eligible for recording and/or registration, an application for transfer to the buyer or new owner must be done by the seller or transferor to who transfer fees must be paid.
- 14.2. Such application to transfer an animal must be submitted to the Society within 30 days after the transfer date of the particular animal.
- 14.3. An application for transfer of a Droughtmaster must be accompanied by the birth notification certificate or recording and/or registration certificate of the particular animal on which the full name and address of the new owner as well as the signature of the seller or transferor and the transfer date is filled in, in the spaces that have been provided on the certificate. The application for transfer must be handed in/submitted by the seller.
- 14.4. For the purpose of the previous Sub-clause 14.3, the date of transfer shall be deemed to be the date on which the animal left the seller or transferor's possession.
- 14.5. If the animal to be sold is a pregnant female, the seller shall furnish the buyer with a service/insemination certificate, depending on the manner of fertilization, whether natural or artificially inseminated. The service certificate must specify the identification marks and recording or registration numbers of the bull by which she was served together with the service date/s, or of the concerned bull and cow as well as the service date.
- 14.6. Change of ownership shall take place if –
- (a) an animal is sold;
 - (b) a partnership is dissolved; or
 - (c) a bull is registered in the name of two or more owners and any one of the owners renounces his/their share in the so registered bull or for any reason waives his/their interest in so registered bull.
- 14.7. Should the seller for any reason whatsoever fail or refuse to take any steps to effect such a transfer, including failing or refusing to deliver the original birth notification or recording/registration certificate and should the buyer be willing to pay such fees as may be laid down by the Council, the Council may with permission of the Society, take such steps as it deems fit in order to effect the transfer.

- 14.8. An application for such transfer must be mailed or delivered to the Society not more than 30 days after the transfer date and may be accepted upon payment of such fees as the Council may determine.

15. Re-instatement of Animals in the Stud Book

- 15.1. The cancelled records of an animal may be re-instated if such cancellation is done –
- (a) by the Society as a result of the recording or registration being turned down by an Inspector during inspection, provided that the animal has not been sold at the time. After re-inspection, such animal may be approved for recording or registration by the Inspector;
 - (b) by the owner of a culled animal, provided that the animal is approved for recording or registration by the Inspector after inspection; or
 - (c) by the owner as a result of a mistake that he has made, provided that an acceptable reason can be provided.
- 15.2. The conditions for the re-instatement of an animal eligible for recording or registration is that the application for re-instatement is done by the owner in whose possession the animal was at the time of cancellation.
- 15.3. No animal eligible for recording or registration that has been sold as a graded animal will be re-instated.
- 15.4. No female animal culled due to low fertility may be re-instated.

16. Notification of Events that Necessitate Cancellation of Recording or Registration Certificates

Should an animal eligible for recording or registration be culled, castrated or sold for slaughtering purposes, or not have calved within 39 months of age, the Society shall be informed thereof within 30 days of such circumstances and the recording or registration certificate of the animal issued by the Society shall be returned to the Society for cancellation.

17. Cancellation of Recording or Registration

- 17.1. The Council may ask the Society to cancel the recording and/or registration of any animal which –
- (a) has been recorded and/or registered by mistake;
 - (b) has been recorded and/or registered on the strength of false or fraudulent information supplied by the owner;

- (c) has been recorded and/or registered after the owner has failed to comply with any relevant regulation to ensure that the recording and/or registration were done without errors;
- (d) in the case of a heifer that at the age of 39 months has not yet calved; or
- (e) in the case of the cow that has not calved according to the following criteria.

Nr of calves	Age			Inter Calving Period (ICP)
	(Years)	(Months)	(Days)	
1	3.25	39	1 170	
2	5	60	1 825	655 days
3	6	72	2 190	510
4	7	84	2 555	462
5	8	96	2 920	438
6	9	108	3 285	423
7	10	120	3 650	414
8	11	132	4 015	407
9	12	144	4 380	402
10	13	156	4 745	397
11	14	168	5 110	394
12	15	180	5 475	392

- (f) Any cow with a period of more than 730 days between any two successive calves.

17.2. Before an application for the cancellation of a recording/registration certificate, the owner of the animal must be notified by the Society in writing at least thirty days in advance, to his last known active address of its intentions to do so.

17.3. Apart from the other relevant provisions of the Bye-Laws, an Inspector shall cancel, in accordance with the Bye-Laws, the recording/registration of an animal that he finds unsuitable during inspection and application will be made to the Association to cancel the recording/registration of such animal.

18. Performance Testing

Droughtmaster SA shall be compliant to SA Stud Book and Logix. Approved performance testing, birth dates and the applicable weights must be sent into the Droughtmaster SA office DNA and registered with SA Stud Book.

- Birth weight of calf (optional).
- Weaner weight of calf (compulsory).
- Mother's weight with calf weaning (compulsory).
- 12/18 months weight (optional).

19. DNA

- 19.1 As from 14 April 2016 all Registered Bulls must be DNA tested and have a DNA profile at the Droughtmaster SA Office.
- 19.2 As from 14 April 2016 all Registered Bulls that are being used for stud breeding purposes, sires must be verified using DNA testing.
- 19.3 **As from 1 January 2025 all Registered Bulls that are being used for stud breeding purposes, must be DNA tested and parentage Verified.**
- 19.4 As from 14 April 2016 all F2 females offered for sale must be DNA tested for sire verification.
- 19.5 As from 14 April 2016 all F3/SP females must be DNA tested (parentage verification).

- EMBRYO AND SEMEN -

20. Embryo flushing

- 20.1 Only females that have been inspected and passed by the breed inspector and meet the minimum standards for Droughtmaster females, may be utilised for embryo flushing.
- 20.2 F1, F2, F3 and SP registered females may be flushed by the breeder on his/her farm for in herd use only and may not be sold or redistributed in any way.
- 20.3 Only F3 and SP registered Droughtmaster Females may be presented for approval as registered embryo donors.

21. Embryo selling

- 21.1 Embryos may only be sold on auction or out of hand if:
- 21.1.1 The female is a registered embryo donor.
- 21.1.2 The embryos were flushed in a registered quarantine facility and followed the necessary health and safety protocols set by, The Animal Improvement Act 62 of 1998.
- 21.1.3 The embryos were fertilised using semen from a registered AI bull.

22. Criteria for registered embryo donors

- 22.1 The female must be a proven breeder.
- 22.2 The female's Dam's performance and her own LOGIX EBV'S will be taken into consideration.

22.3 In the event that the female is a heifer, her Dam's record will be the main consideration for her approval.

23. AI Bulls

23.1 Only F3/SP bulls will be considered as Semen Donors for AI purposes after they've been inspected by the Breed Inspector and a council member responsible for Breed improvement.

24. Criteria for AI Bulls

24.1 The bull's own Logix EBV'S will be taken into consideration as well as the fertility record of his dam according to the criteria for an Embryo donor.

25. Importation and exportation of animals, semen or embryos

25.1 Applications to import or export animals, semen or embryos, shall, in terms of the Act, be submitted in duplicate, on forms available from the Registrar, together with the prescribed fee and the required documents reflecting the details referred to in the Bye-laws, to the Society; and the Society shall in turn submit one copy, together with its recommendation, to the Association, which shall then submit the application, together with its recommendation, to the Registrar.

25.2 Council shall determine minimum performance and other requirements for the importation and exportation of animals, semen and ova in terms of the Constitution, and no such importation or exportation shall be recommended by the Society unless the said requirements are complied with.

25.3 Import requirements:

- All animals/genetics must adhere to the Constitution Of Droughtmaster SA Breeders Society.
- All animals/genetics must be inspected.
- All animals/genetics must be SP/D4 registered.
- All animals/genetics must be DNA tested (parentage verified).
- To assist with inspection quality videos/photos must be supplied to the board.

25.4 Imported animals and animals resulting from the importation of semen or ova which comply with the minimum requirements referred to in the Bye-laws and the requirements of the Constitution and the Act shall be eligible for registration/recording.

25.5 The Association may, upon application, issue export certificates in respect of animals, semen or ova in the form desired by the Society and approved by the Council.

26. Dispute Resolution

Any dispute which may arise in respect of the selection, registration, cancellation, amendment or of whatsoever nature in respect of animals or decisions made by office bearers of Council members, shall be resolved by a majority decision of the Council whose decision shall be final.