

NEWFOUNDLAND CLUB OF NEW ENGLAND, INC.

CONSTITUTION

Article I

SECTION 1. Name. The name of the club shall be Newfoundland Club of New England, Inc., which shall here after be referred to as the Club. The name may be abbreviated NCNE.

SECTION 2. Objectives. The objectives of the Club shall be:

- (a) To encourage and promote the understanding and appreciation of purebred Newfoundland Dogs and to do all possible to bring their natural qualities to perfection;
- (b) To urge members, breeders, and others to accept the standard of the breed as approved by the American Kennel Club as the only standard of excellence by which Newfoundland Dogs shall be judged;
- (c) To do all in its power to protect and advance the interests of the breed;
- (d) To encourage sportsmanlike conduct at all events in which Newfoundland Dogs participate;
- (e) To conduct sanctioned match shows, specialty shows, obedience trials, and tracking tests under the rules of the American Kennel Club if and when permission is granted by the American Kennel Club.
- (f) To promote the special qualities of the breed by sponsoring working dog activities under the rules of the Newfoundland Club of America, Inc.
- (g) To urge all members to abide by the NCNE Ethics Guide as a guideline for responsible Newfoundland ownership.

SECTION 3. Nonprofit Status. The Club shall not be conducted or operated for profit, and no Club asset or remainder of residue from dues, fundraising activities, or donations to the Club shall inure to the benefit of any member or individual.

SECTION 4. By-Laws. The members of the Club shall adopt and may from time to time revise such By-Laws as may be required to carry out these objectives.

NEWFOUNDLAND CLUB OF NEW ENGLAND, INC.

BY-LAWS

ARTICLE I

Membership

SECTION 1. Eligibility. There shall be four types of membership open to persons who are in good standing with the American Kennel Club and the Newfoundland Club of America, Inc., and who subscribe to the purposes of the Constitution of the Newfoundland Club of New England, Inc. (hereafter referred to as the Club):

- (a) Individual Membership. Open to individuals 18 years or older. Individual members (referred to hereafter as members or membership) shall enjoy all privileges described within these By-Laws and receive all Club publications.
- (b) Family Membership. Open to members of the same household. Two adult members shall have all the privileges of Individual Membership, but will receive only one newsletter.
- (c) Junior Membership. Open to individuals under the age of 18. Junior Members shall have all of the privileges of Individual Membership except for the rights to vote or hold office. Upon reaching his 18th birthday, a Junior member may convert to an Individual Membership by notifying the Membership Secretary.
- (d) Honorary Life Membership. For members or former members who have made an outstanding contribution to the Breed and/or to the Club. They shall have all the privileges of Individual Membership including the rights to vote and hold office.

SECTION 2. Dues. Membership dues for members shall be determined and set for the following fiscal year by a majority vote of the full Board of Directors. In any year in which the Board has not acted by October 1st to change the amount, dues for the ensuing year shall be at the current level. Honorary Life members are exempt from dues.

Dues are payable on or before the first day of January of each year. In November of the prior year, the Membership Secretary shall send to each member a notice of dues for the ensuing year which may be included in a Club publication. The Membership Secretary shall mail to each member whose dues have not been paid by February 1st of the current membership year a notice that his dues are in arrears. Honorary Life members shall receive a notice as a method of keeping data current.

SECTION 3. Election to Membership. Each applicant for membership shall apply on a form approved by the Board of Directors which shall provide that the applicant agrees to abide by the Club's Constitution, By-Laws and Ethics Guide and the rules of the American Kennel Club (AKC). The application shall carry the endorsement of one member in good standing. Along with the application, the prospective member shall submit the dues payment for the current year. The Board may also establish and set the amount of an initiation fee.

The applicant's name and sponsor's name shall be published in a Club publication following receipt of the completed application. Any comments received by the Executive Secretary within 30 days of publication shall be included in the material distributed to Board members prior to final consideration by the Board.

An applicant may be elected at any Board of Directors meeting or by written vote of the Board. Affirmative votes of 2/3 of the entire Board shall be required to elect an applicant. The Board may deny

membership for any reason and it is not required to give any reasons for denial of membership. An application which has been disapproved may be presented for reconsideration by the applicant's endorser at a subsequent meeting of the Club, and the members may elect such applicant by secret ballot with a favorable vote of 75% of the members present.

Any member in good standing or former member may be proposed for election to Honorary Life Membership by a Board member or by a Club member through the Executive Secretary. Election shall be by 2/3 favorable vote of the entire Board of Directors voting by secret ballot.

SECTION 4. Termination of Membership. Membership may be terminated by:

- (a) Resignation. Any member in good standing may resign from the Club upon written notice to the Membership Secretary, except that no member may resign who is in debt to the Club or a Club-sponsored function or who is in possession of Club property.
- (b) Lapsing. A membership is considered as lapsed and automatically terminated if the member's dues remain unpaid by March 1st. However, upon written notification the Board may grant an additional 60 days of grace to delinquent members in meritorious cases. In no case may a person whose dues are unpaid as of the date of that meeting be entitled to vote at any Club meeting. A person needs to reapply and be elected in order to reinstate a lapsed membership. A lapsed membership does not negate the member's obligation to resolve debt to the Club or a Club-sponsored function or to return Club property.
- (c) Expulsion. A membership may be terminated by expulsion as provided by Article VI of these By-Laws.

## ARTICLE II

### Meeting and Voting

Section 1. Annual Meeting. The Annual Meeting of the Club shall be held in May, June or July in one of the New England states at a place, date and hour designated by the Board of Directors. Written notice of the Annual Meeting shall be mailed by the Executive Secretary to each member or be included in a Club publication at least 30 days prior to the date of the meeting. The quorum for the Annual Meeting shall be 1/20 of the members in good standing.

Section 2. Special Club Meetings. A special meeting of the Club may be called by the President or by a majority vote of the members of the Board who are present at a meeting of the Board or who vote by mail. A special meeting shall be called by the Executive Secretary upon receipt of a petition signed by 20 members of the Club who are in good standing. Such meeting shall be held in one of the New England states at a place, date and hour designated by the President. Written notice of such meeting shall be mailed to all members by the Executive Secretary at least 14 days prior to the meeting. This notice shall state the purpose of the meeting, and no other Club business may be transacted. The quorum for a special meeting shall be 1/20 of the members in good standing.

SECTION 3. Voting. Each member in good standing whose dues are paid for the current year and who is 18 years of age or older shall be entitled to one vote at any meeting of the Club at which he is present. Honorary Life members in good standing shall have voting privileges. Proxy voting is not permitted. Voting by mail is permitted only for the election of Officers and Directors and upon proposed amendments to the Club's Constitution and By-Laws. In no case may a person whose dues are unpaid vote at any Club meeting.

SECTION 4. Board Meetings. Meetings of the Board of Directors shall be held in one of the New England States at a place, date, and hour designated by the person authorized herein to call the meeting. Board meetings may also be conducted by mail. A quorum for a Board meeting shall be a majority of its members. Any Club member in good standing may attend any Board meeting.

The Board may schedule its next regular meeting by majority vote before adjourning any face-to-face meeting, and any meeting so decided shall be a regular meeting at which any Board business may be transacted. A regular meeting may be canceled upon the consent of a majority of the Board members.

SECTION 5. Special Board Meetings. A special Board meeting may be called by the President or shall be called by the Executive Secretary upon receipt of a written request signed by at least three members of the Board. Written notice of such meeting shall be mailed by the Executive Secretary at least 14 days prior to the date of the meeting or telephone notice may be given at least 7 days prior to the date of the meeting. Any such notice shall state the purpose of the meeting, and no other business shall be transacted except that the election of applicants to membership is allowed in accordance with Article I, Section 3.

### Article III

#### Officers and Directors

SECTION 1. Board of Directors. General management of the Club's affairs shall be entrusted to the Board of Directors. The Board shall be composed of the President, Vice President, Executive Secretary, Membership Secretary, Working Dog Secretary, Show Liaison, Treasurer and six Directors, all of who shall be members in good standing. The President, Membership Secretary, Show Liaison, Treasurer, and three Directors shall be elected for terms of two years each in even-numbered years. The Vice President, Executive Secretary, Working Dog Secretary, and the other three Directors shall be elected for terms of two years each in odd-numbered years. Each Officer and Director shall serve until his successor is elected or until he resigns.

SECTION 2. Officers. The Club's Officers, consisting of the President, Vice President, Executive Secretary, Membership Secretary, Working Dog Secretary, Show Liaison and Treasurer shall serve in the following capacities with regard to the Club and its function and meetings and to the Board and its meetings:

- (a) President. The President shall preside at all meetings of the Club and of the Board, appoint all special committees except the Nominating Committee, and have the duties and powers normally attributable to the office in addition to those particularly specified in these By-Laws. The President is an ex-officio member of all committees except the Nominating Committee.
- (b) Vice President. The Vice President shall have the duties of and exercise the powers of the President in case of the President's absence or incapacity. The Vice President shall also serve as policy and committee liaison for the Board.
- (c) Executive Secretary. The Executive Secretary shall keep a record of all meetings of the Club and of the Board and of all matters of which a record shall be ordered by the Club and provide a report of each meeting of the Club and of the Board to the membership. Such reports may be included in a Club publication. The Executive Secretary shall also have charge of general correspondence, notify members of meetings, notify Officers and Directors of their election to office and carry out such other duties as a prescribed in these By-Laws.
- (d) Treasurer. The Treasurer shall collect and receive all moneys due or belonging to the Club and deposit the same in the name of the Club in a bank or an account approved by the Board. The Club's books shall at all times be open to inspection by the Board. The Treasurer shall report to the Board at every meeting the condition of the Club's finances and at the Annual meeting shall be able to account for every item of receipt or payment during the previous fiscal year. The Treasurer shall also prepare a proposed Club budget for the upcoming official year for consideration by the Board at its first meeting following the Annual Meeting. The Treasurer shall be bonded in such amount as the Board of Directors shall determine.
- (e) Membership Secretary. The Membership Secretary shall receive membership applications and notify applicants of their election to the membership or other action taken by the Board. The Membership Secretary shall also collect and forward to the Treasurer all dues payments and carry out such other duties as are prescribed in these By-Laws. The Membership Secretary shall be responsible for maintaining and publishing a membership list for the Club.

- (f) Working Dog Secretary. The Working Dog Secretary shall be in charge of all water, tracking, draft, carting and other working dog activities approved by the Board and shall further and promote these activities at events held by the Club. The Working Dog Secretary shall appoint chairmen for these activities and ensure compliance with Club policies and regulations governing these events.
- (g) Show Liaison. The Show Liaison shall promote and facilitate all Club hosted specialties, supported entries and other conformation, obedience and other AKC activities approved by the Board. The Show Liaison shall recommend chairmen for these activities to the Board and ensure compliance with Club policies and regulations governing these events.

The immediate past President is invited to become a non-voting member of the Board of Directors for two years.

The Board shall select one of its members other than the President or Treasurer to carry out the duties and exercise the powers of the Treasurer in case of the Treasurer's absence or incapacity. The Board member selected shall have signatory power over all Club accounts but shall not automatically succeed to a vacancy in the office of the Treasurer.

In case of the absence or incapacity of the Executive Secretary, Membership Secretary, Working Dog Secretary or Show Liaison, the President shall appoint a director to serve until the absence or incapacity ends or the position becomes vacant.

SECTION 3. Vacancies. A Board member may resign from the Board upon written notice to the Executive Secretary. Any Board member who fails to attend three face-to-face Board meetings during any term of office shall be deemed to have resigned. The Board by 2/3 affirmative vote by secret ballot has the option to invite such Board member to return to the Board of Directors for his remaining term.

A vacancy in the office of President shall be filled automatically by the Vice President. Any other vacancy occurring on the Board shall be filled for the unexpired term of office by a majority vote of all remaining members of the Board. The vacating officer shall turn over to his successor all records and properties relating to that position within 30 days after the succession. Any person who fails to do so within 90 days may be suspended from all privileges of the Club until the transfer is effected.

## ARTICLE IV

### The Club Year, Nominations, and Elections

SECTION 1. Club Year. The Club's fiscal year shall begin on January 1st and end on December 31st. The Club's official year shall begin immediately at the conclusion of the installation of Officers and Directors at the Annual Meeting and shall continue through the installation of Officers and Directors at the next Annual Meeting.

SECTION 2. Nominations. No person may be a candidate in a Club election who has not been nominated in accordance with this Section, and no person may be a candidate for more than one position.

The Board shall select, no later than 90 days after the Annual Meeting, a Nominating Committee (hereafter called the Committee) consisting of a chairman and two other members, plus a first alternate and a second alternate all of whom must be in good standing. No more than one of the five may be a Board member. No person shall serve on the committee for two consecutive years.

The Executive Secretary shall promptly notify the Committee members and alternates of their selection. If any member is unwilling or unable to serve or continue to serve on the Committee, the alternates shall succeed to the Committee in the order of their selection.

The chairman shall call a Committee meeting which shall be held at least 120 days prior to the Annual Meeting. This meeting may be conducted in person, by mail or by telephone. Electronic mail (e-mail) may be used if all Committee members have a current e-mail address.

The Committee shall nominate one candidate for each Office becoming vacant at the next Annual Meeting and three candidates for Director, from among those persons 18 years of age or older who have been members in good standing for at least the previous two years. The Committee shall not nominate two members of the same family or a member if a person in his immediate family is already an Officer or Director whose term is not expiring.

After securing the written consent of each person to accept the nomination and, if elected, to attend all Annual Meetings and Board meetings during his term of office, the Committee shall submit its slate to the Executive Secretary in writing at least 90 days prior to the Annual Meeting.

The Executive Secretary shall provide written notification, which may be included in a Club publication, of the Committee's slate of candidates to each member at least 60 days prior to the Annual Meeting. This notification shall also advise members of the procedure for making additional nominations.

Additional nominations of eligible members in good standing may be made by written petition addressed to the Executive Secretary and received at his regular address at least 40 days prior to the Annual Meeting. Each petition must be signed by 10 members in good standing and accompanied by the written acceptance of the nominee signifying his willingness to be a candidate and, if elected, to attend all Annual Meetings and Board meetings during the term. The additional nominations which are provided for herein may be made only from among those members who have not accepted a nomination of the Nominating Committee.

Nominations cannot be made at the Annual Meeting or in any manner other than as provided by this Section.

SECTION 3. Annual Election. If no additional valid nominations are received by the Executive Secretary by the due date, the Nominating Committee's slate shall be declared elected at the time of the Annual Meeting and no balloting shall be required.

If one or more valid additional nominations are received, the election for the contested Office and/or Director position(s) shall be conducted by mailed secret ballot. All Nominating Committee candidates for positions that are not contested shall be declared elected at the time of the Annual Meeting and will not be listed on the ballot. At least 30 days prior to the Annual Meeting, the Executive Secretary shall mail to each voting member in good standing a ballot listing all nominees for each contested position in alphabetical order together with a blank envelope and a return envelope addressed to the Executive Secretary and marked "Ballot Enclosed" and bearing the name of the member(s) from whom it was sent. So that the ballots remain secret, each voter, after marking his ballot, shall seal it in the blank envelope which in turn shall be placed in the return envelope.

To be considered valid, a returned ballot must be received by the Executive Secretary at least 10 days prior to the Annual Meeting, and the envelope must bear the name of each member whose ballot is enclosed. Valid ballots shall be opened and counted by the Executive Secretary in the presence of two Inspectors of Election who are members but not candidates. The two Inspectors shall be appointed by a majority vote of those Board members whose terms are not expiring and who are not on the ballot. The member receiving the largest number of votes for each contested position shall be declared elected at the time of the Annual Meeting.

The elected Officers and Directors shall take office upon installation at the Annual Meeting, and each retiring Officer and Director shall turn over to his successor all records and properties relating to that position within 30 days after the Annual Meeting. Any person who fails to do so within 90 days may be suspended from all privileges of the Club until the transfer is effected.

If any nominee is unwilling or unable to serve for any reason, such nominee shall not be elected and the resulting vacancy shall be filled by the new Board of Directors in the manner provided in Article III, Section 3 of these By-Laws.

## ARTICLE V

### Committees

SECTION 1. Appointments. The Board may appoint standing committees to advance the work of the Club in such matters as Club events, rescue and other activities which may well be served by committees. Special committees may be appointed by the President to aid in particular projects. All committees shall always be subject to final authority by the Board. A committee appointment shall remain in force as long as the member remains in good standing unless terminated as provided in Section 2 below.

SECTION 2. Termination. Any standing committee appointment may be terminated by a majority vote of the full membership of the Board upon written notice to the appointee, and the Board may appoint successors to those persons whose services have been terminated. Any special committee appointment may be terminated by the President upon written notice to the appointee, and the President may appoint successors to those whose services have been terminated. Each committee chairman or member whose services have been terminated shall turn over all records and properties relating to that committee within 30 days after the succession to his successor or, if the committee has been dissolved, to the Executive Secretary. Any person who fails to do so within 90 days may be suspended from all privileges of the Club until the transfer is effected.

## ARTICLE VI

### Discipline

SECTION 1. Suspension. Any member who is suspended from the privileges of the American Kennel Club or the Newfoundland Club of America is automatically suspended from the privileges of this Club for a like period.

SECTION 2. Charges. Any person may prefer charges against a member for conduct alleged to be prejudicial to the best interests of the Club or the Breed including failure to abide by the Constitution, By-Laws or Ethics Guide of this Club. Written charges with specifications must be filed in duplicate with the Executive Secretary together with a deposit of \$50.00 which shall be forfeited if such charges are not sustained in whole or part by the Board following a hearing. In addition, any member of the Board may prefer charges (without posting a deposit) alleging that a member's application for membership contained material misrepresentation or omission provided such action is brought within one year of that member's election to membership. The Board may elect to prefer charges after having received five written complaints against a member for conduct alleged to be prejudicial to the best interests of the Club or the Breed.

The Executive Secretary shall, within 14 days of receipt, send or present a copy of the charges to each Board member. The Board shall first consider whether the conduct alleged in the charges, if proven, would be prejudicial to the best interests of the Club or Breed.

If the Board considers that the charges do not allege conduct which would be prejudicial to the best interests of the Club or Breed, it may refuse to entertain jurisdiction in which case any deposit will be returned.

If the Board entertains jurisdiction, it shall fix a date, time and place for a hearing by the Board not less than 30 days nor more than 45 days thereafter. The Executive Secretary shall, within 3 days, send one copy

of the charges to the accused by certified mail together with a notice of the hearing and an assurance that the accused may personally appear in his own defense and may bring witnesses and counsel if he wishes.

SECTION 3. Board Hearing. After hearing the testimony and examining the evidence presented by the person preferring charges and by the accused, the Board may sustain the charges in whole or in part by a majority vote of the Board members present. If any charges are sustained, the Board may suspend the accused member from all privileges of the Club for not more than 180 days from the date of the hearing. If the Board deems that action insufficient, it may also recommend to the membership that the accused be expelled. The Board's findings and actions shall be put in written form immediately and filed with the Executive Secretary within 3 days. The Executive Secretary shall, within 3 days of receipt, send each of the parties a notification by certified mail of the Board's decision. Any disciplinary action by the Board shall not restrict the right of the accused member to appear before the membership at the next Club meeting.

SECTION 4. Expulsion. Expulsion of a member from the Club may be accomplished only at a meeting of the Club following a Board hearing and upon the Board's recommendation as provided in Section 3 of this Article. Such proceedings may occur at a regular or special meeting of the Club to be held within 60 days but not earlier than 30 days after the date of the Board's recommendation of expulsion.

The defendant shall have the privilege of appearing on his own behalf though no new evidence shall be taken at this meeting. The President shall read the charges and the Board's findings and recommendation, then invite the accused (if present) to speak on his own behalf if he wishes. The members present who are 18 years of age or older shall then vote by secret written ballot on the proposed expulsion. A 2/3 affirmative vote of those present and voting shall be necessary to effect the expulsion. If expulsion is not so voted, the Board's suspension shall stand.

## ARTICLE VII

### Amendments

SECTION 1. Proposed Amendments. Amendments to the Constitution and/or By-Laws may be proposed by the Board of Directors or by written petition addressed to the Executive Secretary signed by 1/10 of the membership in good standing. Amendments proposed by such petition shall be promptly considered by the Board of Directors, and the Executive Secretary must submit them to the membership, together with the Board's recommendations, for a ratification vote within 90 days of receipt of the petition.

SECTION 2. Ratification. The Constitution and/or By-Laws may be amended at any time upon ratification of proposed amendments as provided herein. The Executive Secretary shall mail to each member in good standing who is 18 years of age or older a copy of the proposed amendments, a ballot (Dual envelope procedures described in Article IV, Section 3 shall be followed in handling such ballots) on which the member may indicate his choice for or against the amendments, and a notice specifying a date not less than 30 days after the date of mailing by which the ballot must be received by the Executive Secretary. The Executive Secretary will only open the ballots in the presence of two Inspectors of Election. The two Inspectors shall be appointed by majority vote of the Board of Directors. The favorable vote of 2/3 of the valid ballots shall be required to ratify any proposed amendment.

No amendment to the Constitution shall become effective unless and until it has been approved by the Board of Directors of the Newfoundland Club of America, Inc.

## ARTICLE VIII

### Dissolution

SECTION 1. Dissolution. The Club may be dissolved at any time by the written consent of not less than 2/3 of the members in good standing. In the event of dissolution, whether voluntary or involuntary or by operation of law, none of the property of the Club nor any proceeds there from nor any asset of the Club shall be distributed to any member. After payment of the just debts of the Club, its property and assets shall be given to the Newfoundland Club of America, Inc. or to a non-profit organization for the benefit of dogs selected by the Board of Directors.

## ARTICLE IX

### Order of Business

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

- Roll Call
- Minutes of Last Meeting
- Report of President
- Report of Executive Secretary
- Report of Treasurer
- Report of Membership Secretary
- Report of Working Dog Secretary
- Report of the Show Liaison
- Reports of Committees
- Unfinished Business
- Installation of Officers and Directors (Annual Meeting)
- New Business
- Adjournment

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

- Roll Call
- Minutes of Last Meeting
- Report of Executive Secretary
- Report of Treasurer
- Report of Membership Secretary
- Election of New Members
- Report of Working Dog Secretary
- Report of the Show Liaison
- Reports of Committees
- Unfinished Business
- New Business
- Adjournment

## Article X

### Interpretations

SECTION 1. Gender and Number. All references to the masculine gender in these By-Laws shall be deemed to include the feminine gender. Where appropriate, references to the singular shall include the plural and vice versa.

SECTION 2. Parliamentary Procedure. Robert's Rules of Order, current edition, is adopted as the Club's parliamentary authority to supplement these By-Laws and the Club's standing rules.

## NEWFOUNDLAND CLUB OF NEW ENGLAND, INC.

### ETHICS GUIDE

Love and respect for the Newfoundland is inherent in membership in the Newfoundland Club of New England. Therefore all members agree to foster the goals set forth in the Code of Ethics.

#### I. Responsibilities of Members

- A. To provide for all dogs in their keeping
  - 1. Physical Requirements of
    - a. Appropriate food, water, and shelter.
    - b. Protection from bodily harm.
    - c. Proper health care, including sanitation, immunization, and veterinary attention as needed.
  - 2. Emotional requirements of
    - a. Attention and affection.
    - b. Appropriate training as needed.
- B. To abide by AKC and NCA rules applicable to activities in which they engage.
- C. To refuse to sell Newfoundland dogs to any pet shop, or any wholesale dealer in dogs, or knowingly to sell or aid or abet the sale of any Newfoundland to a person or agent who will sell the animal through a pet shop.

#### II. Responsibilities of Breeders

- A. To be familiar with the Standard and to be aware that the purpose of breeding is to maintain or improve the quality of the Newfoundland in accordance with the Standard.
- B. To be familiar with the AKC rules applicable to litter registration and individual registration.
- C. To use for breeding only bitches in good health.
- D. To represent accurately the health history and breeding records of the bitch when negotiating for stud service.
- E. To negotiate all terms of a breeding agreement prior to a breeding. A written contract is recommended.
- F. To produce puppies only when he/she has the time, facilities, and resources to provide attention to proper physical and emotional development.

#### III. Responsibilities of the Stud Dog Owner

- A. To be familiar with the Standard and to be aware that the purpose of breeding is to maintain or improve the quality of the Newfoundland in accordance with the Standard.
- B. To be familiar with the AKC rules applicable to litter registration.
- C. To accept for servicing only bitches who appear to be in good health.
- D. To represent accurately the health history and breeding records of the dog.
- E. To negotiate all terms of a breeding agreement prior to a breeding. A written contract is recommended.
- F. To complete the chain of registration by signing and returning the stud service certification promptly on satisfaction of the terms of the contract.

#### IV. Responsibilities of Sellers

- A. To ascertain that the prospective buyer is aware of the needs of a Newfoundland and has the knowledge and facilities to care properly for a growing or grown dog.
- B. To transfer registration papers to the buyer at the time of sale or to withhold papers only in accordance with AKC rules applying to individual registration, or by written agreement with the buyer.
- C. To advise a buyer, or prospective buyer, of any probable delay or difficulty in registration.
- D. To provide the buyer with a written Bill of Sale to include a description of the dog, the whelping date, the name of sire and dam, and the litter or individual registration number if available.

- E. To advise the buyer of any known health defects.
- F. To advise the buyer in writing of any or all health guarantees and compensations offered by the seller.

#### V. Advertising

It should be borne in mind that advertising may be read by persons having little or no knowledge of dogs. Each member is responsible to see that all advertising in his/her name does not promote his/her Newfoundlands through misleading or exaggerated statements or distortion of fact, or through stated or implied deprecation of the Newfoundlands of others.

#### VI. Contracts

Written contracts are strongly recommended for all transactions such as sales, co-ownerships, breeding rights agreements, compensation for future puppies, leasing a bitch and stud services.

#### VII. Discipline

The following are prima facie grounds for disciplinary action.

- A. Neglect or abuse of any Newfoundland in the care of a member documented by the affidavits of three witnesses or by investigation of an authorized humane organization.
- B. Suspension of privileges by the AKC or NCA for violation of its rules.
- C. Advertising found to be in violation of the Code of Ethics.
- D. Knowingly to sell, or to aid and abet the sale of a Newfoundland to or through a pet shop or its agents.
- E. Refusal to comply with the terms of a written contract involving a Newfoundland without showing just cause.
- F. Refusal to complete the chain of AKC registration without showing just cause.
- G. Refusal to transfer registration papers to a buyer without showing just cause.
- H. Refusal to honor guarantees and agreements made in writing without showing just cause.

#### VIII. Enforcement

Enforcement of the disciplinary section of the Code of Ethics will be handled in accordance with the disciplinary procedures outlined in Article VI of the By-Laws. In the case of any business transaction involving Newfoundlands, the NCNE will refuse to entertain any grievance brought against a member unless a written contract or other document signed by both parties is submitted with the grievance.