

# **Rules of Procedure Irish Speckle Park Cattle Society**

(as approval under the EU Animal Breeding Regulations (2016/1012) by the Department of  
Agriculture, Food and the Marine)

Initially Approved by the Council of the Irish Speckle Park Cattle Society on  
18<sup>th</sup> September 2020

*(Please see schedule of amendments in Addendum at end of document.)*

## **Table Of Contents**

<b>Irish Speckle Park Committee:</b>	<b>2</b>
<b>Breeders and Membership</b>	<b>3</b>
<b>Rights &amp; Obligations of Breeder:</b>	<b>4</b>
<b>Rights &amp; Obligations of Breed Society:</b>	<b>5</b>
<b>Appeals Procedure:</b>	<b>6</b>

## **Irish Speckle Park Committee**

The Irish Speckle Park Committee will oversee the day to day running of the Society in accordance with the Rules of the Irish Speckle Park Cattle Society CLG registered with ICOS and will meet on a regular basis (as agreed by committee) to discuss any issues pertaining to the Society.

The Committee have the Authority to manage the day to day running of the society which includes the enforcing off and amending of the Society rules & breeding programme as necessary to ensure the society meet all requirements to comply with EU Animal Breeding Regulation (Regulation (EU) 2016/1012 and any other conditions imposed by the Department of Agriculture, Food, and the Marine. The committee may decide to refer any decisions relating to the Irish Speckle Park Breed or Breeding to a full society membership meeting.

## Breeders and Membership

1. All breeders wishing to participate in the Speckle Park breeding programme must be the owner of a purebred Speckle Park animal/Embryo which is located in the geographical territory covered by the breeding programme.
2. Breeders must complete an application form and the ICBF White sheet permitting the society access to their herd profile to participate in the breeding programme.
3. Breeders may also become a full member of the society by completing the appropriate section on the application form and submit payment of the annual membership fee.
4. Annual membership is Payable to the society by January 31st each year for all members.
5. The Society shall facilitate joint membership and corporate membership where the named people/company are owners of the breeding animals, and one person is nominated as the contact person with the Society. The joint membership shall only have one vote at a general meeting same as a single member and both names or company name (as relevant) will appear on the ZC as owner.
6. In becoming a member of the Society each member shall select a herd name as a prefix for all animal's that are entered by the member into the Society's breeding book. A herd name used by one member may not contemporaneously be used by another member, except when a herd is taken over by the representative of the family of the previous owner of such herd. Otherwise, no prefix may be transferred from one member to another unless special permission of the council of the Society is obtained. Breeders are not entitled to place a prefix before an animal's name unless in exceptional circumstances as deemed by the Council.
7. All breeders participating in the breeding programme shall partake in those elements of the Society's Breeding Programme that the council from time to time deems compulsory.
8. Each breeder shall cooperate with any inspections that the Society may call to do as random spot checks etc. from time to time.
9. The society have the right to maintain a computerized record of breeder's transactions with the society and reserve the right to penalize breeders found to be in breach of procedures vital to the accurate maintenance and integrity of the herd book of the society.

## **Rights & Obligations of the Breeder**

1. Irish Speckle Park Society Breeders shall have the right to participate in the Irish Speckle Park Society breeding programme provided that:
  - (a) their breeding animals are kept on holdings located within the geographical territory of the breeding programme
  - (b) their breeding animals belong, in the case of purebred breeding animals, to the breed covered by the breeding programme
  
2. Breeders participating in the breeding programme shall have the right:
  - (a) to have their purebred breeding animals entered in the main section of the breeding book
  - (b) to participate in performance testing and genetic evaluation
  - (c) to be provided with a zootechnical certificate on request.
  - (d) on request, to be provided, with up-to-date results of the performance testing and genetic evaluation for their breeding animals, where those results are available
  - (e) to have access to all the other services provided in relation to the breeding programme
  
3. As the Irish Speckle Park Society provide for membership, breeders shall also have the right:
  - (a) to become a member of that Irish Speckle Park Society.
  - (b) to participate in the defining and development of the breeding programme either with written submissions to the elected council for consideration or by bringing it forward to the AGM.
  
4. Breeders shall have the right to exercise free choice in the selection and breeding of their breeding animals and to have ownership of their breeding animals.

## **Rights & Obligations of Breed Society**

1. As regards the breeding programme approved, The Irish Speckle Park Society shall have the right to define and carry out such breeding programmes autonomously, if we comply with EU Animal Breeding Regulations and any conditions of our approval.
2. The Irish Speckle Park Society shall have the right to exclude breeders from participating in our breeding programme where those breeders fail to comply with the rules of this breeding programme or with the obligations set out in these rules of procedure.
3. The Irish Speckle Park Society shall have the right to exclude breeders from membership where those breeders fail to comply with their obligations set out in these rules of procedure.
4. The Irish Speckle Park Society shall, without prejudice to the role of the courts, have a responsibility to settle disputes that may arise between breeders, and between breeders and the breed society, in the process of carrying out their breeding programmes, in accordance with these rules of procedure. (See Appeals Procedure below)
5. The Irish Speckle Park Society shall not discriminate against any breeder and all breeders shall have equal rights and treatment by the society.

Purebred breeding animals entered in breeding books by breed societies or breeding bodies for that breed, and the offspring produced from germinal products of such breeding animals, shall be entered or eligible for entry without discrimination on account of their country of origin in the Irish Speckle Park breeding book.

6. The council may from time to time set or make changes in the fees or penalties i.e. for membership, prefix registration (homebred or Imported), late notification penalties, embryo registration, export certification and transfer and any other current fees in force.
7. The society have the right to maintain a computerized record of breeders' transactions with the society and reserve the right to penalize breeders found to be in breach of the procedures vital to the accurate maintenance and integrity of the herd book of the society.

## **Appeals Procedure**

Where within the procedures of the society, a breeder feels that he or she has been unfairly disadvantaged, they may make a special appeal to the council of the Society. Such appeals shall be dealt with in accordance with the appeals procedure below.

The objective of this procedure is to provide a breeder who has a grievance with the society an opportunity to have the grievance examined and resolved at the earliest practical moment and at the most local level possible.

While the matter is being considered under the appeals Procedure, the operation of the society cannot be interrupted. The Person(s) raising the matter shall continue to comply with the rules of the Society during the course of the examination of the matter in question. By so doing he/she will not create any precedent, nor will his/her participation or membership of the society be prejudiced in any way in relation to the matter being processed.

### **The procedure shall apply as follows.**

#### **Stage 1.**

A breeder who feels aggrieved in relation to any matter pertaining to Society business should, in the first instance, write to the chairman of the council of the society, making it clear that Stage 1 of the appeals Procedure is being invoked. The chairman will reply as soon as is reasonably practicable, but in any case, within thirty days from receipt of the letter from the appellant.

#### **Stage 2**

If the grievance is not resolved at Stage 1. Or if a reply is not forthcoming from the council Chairman within thirty days, the breeder(s) may request in writing, that at the next council meeting, the council allow the breeder(s) to attend the meeting during the period that the grievance is being considered. The breeder(s) will be allowed to make an oral submission on the grievance. The council will then consider the issue and must communicate its decision to the appellant within thirty days.

#### **Stage 3**

If the issue remains unresolved after Stage 2, the breeder(s) may request an independent hearing. The Council shall grant such a hearing. Appeals at stage 3 will be heard by an individual or group of individuals with appropriate expertise, agreed by both parties to the dispute. From the date of appointment of the person(s) hearing the appeal, the case will be heard, and the decision taken will be communicated to both parties within three months. The person(s) hearing the case will decide on the apportionment of costs, as appropriate.

#### **Stage 4**

Any dispute that remains unresolved after Stage 3 may be pursued by invoking provisions under the legal personality of the Society.

## Addendum to Rules of Procedure

The following significant changes have been incorporated into the Rules of Procedure which has been approved in accordance with Article 8 of Regulation (EU) 2016/1012

Schedule of Amendments:

<b>Version</b>	<b>Approval Date</b>	<b>Applicable date</b>	<b>Comment</b>
V1	18 <sup>th</sup> September 2020	18 <sup>th</sup> September 2020	
V2	22 <sup>nd</sup> October 2021	22 <sup>nd</sup> October 2021	Amended to facilitate members and Non Members as Breeders as instructed by Department and comply with EU regulations.