

# The Australian Simmental Breeders Association Limited

A.B.N. 72 000 885 834



# Simmental

AUSTRALIA

The next level in performance

## BY - LAWS

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# SECTION 1

## MEMBERSHIP AND HERD ENROLMENT

To apply for membership, a person, partnership or corporate body shall complete an application for membership. This application, together with the prescribed joining fee and annual subscription, shall be submitted to the Federal Council for approval.

### 1.1 STUD MEMBERSHIP

Every stud member shall within three months of admission to membership as a stud member apply for enrolment of such member's herd and shall with such application provide the information required in relation to the herd and tender the fees payable upon enrolment of the herd.

The Council shall allot to each herd on registration a herd designation code which shall be exclusive to the registered owner of the herd. Each registered herd owner shall apply to the Council for approval of a herd prefix which shall be exclusive to the herd owner.

Once a member becomes inactive (dispersed, resigned or elapsed) the respective stud prefix and herd designation code becomes ineligible for future use at the discretion of federal council at that point of time

Only Stud and Junior members may register animals in the Society's registers. Only stud Members have a right to vote.

### 1.2 ASSOCIATE MEMBERSHIP

An individual, partnership or body corporate may apply to the Society for Associate Membership.

### 1.3 COMMERCIAL MEMBERSHIP

Any individual, partnership or body corporate may apply to the Society for Commercial Membership.

Commercial members may record the performance of their animals in Simmental Breedplan

### 1.4 JUNIOR MEMBERSHIP

Junior Membership is open to persons aged less than 21 years and to schools, agricultural colleges, universities and rural youth groups which nominate a representative within the eligible age group. A Junior Member ceases to be eligible for junior membership at the completion of the year that the junior member becomes 21 years of age

Junior Members may operate a stud herd but do not have voting rights. They are covered by the herd inventory scheme.

### 1.5 LIFE MEMBERSHIP

A Life member elected in accordance with the Articles of Association is entitled to all of the rights and privileges of the membership class that the Life Member belonged to prior to their election as a Life Member.

### 1.6 CODE OF BEHAVIOUR

Members are required to comply with the Association's Memorandum and Articles of Association and Bylaws.

Attention is drawn to Article 19 of the Articles of Association of the Society which provides as follows:

If any member shall willfully refuse or neglect to comply with the provisions of the Memorandum of Association or of these Articles or of any by-law of the Society or shall be guilty of any offensive unseemly or ungentlemanly conduct or of any conduct deemed by the Council to be detrimental to the interest of the Society such member may be requested to appear before a meeting of the Council to give an explanation of such neglect, refusal or conduct as aforesaid. Such request shall be in writing signed on behalf of the Council and shall set out brief particulars of the refusal, neglect or conduct complained of and shall be given to the member at least seven days before the date of the meeting at which he is requested to attend. Notice that a member has been so requested to attend shall also be given to each member of the Council at least seven days before the date of the meeting at which a member is requested to attend. At such meeting the chairperson thereof shall provide the member with full particulars in writing of what is alleged against him and of giving any explanation of the alleged neglect, refusal or conduct. If the Council finds the complaint proved it may expel, suspend or caution the member provided that a member shall not be expelled from the Society unless two-thirds of the Council present at such meeting vote in favour of expulsion. A member expelled under this Article shall forfeit all subscription previously paid by him, also all rights in any claim upon the Society. A member suspended under this Article shall not during the period of suspension be in or upon the premises of the society or hold himself out as representing the Society elsewhere.

## SECTION 2

# REGISTRATION OF SIMMENTAL CATTLE

All pedigree and performance data recorded on the Society's files is the property of the Society and may be released and published at the Council's discretion.

Application for registration of Simmental cattle must be made on an S1 form, Embryo Recording Certificate or computer generated form that contains all the information required on and in the same order as the S1 Form or Embryo Recording Certificate.

With the exception of Base animals, for an animal born after 1/11/2006 to be registered in any of the Society's registers, its sire must have a DNA fingerprint (or Bloodtype certificate if tested earlier than 1/10/1994), recorded in the Society database, or have a DNA profile of a minimum of eight MiP typed or ten SNP typed progeny and their dams, recorded in the Society database.

All registered sires, from 1/6/2018, are required to be 50K Low Density tested. Progeny of sires with 1 straw left and no way of obtaining a profile, may be asked to be LD tested for registration at the Board's discretion.

For any progeny to be registered with the ASBA, both the sire and dam (donor) must be, or previously have been, registered with the ASBA. In a case whereby these ASBA registered parentage animals themselves are unable to have their own blood case or MiP DNA upgraded to a LD test, the progeny are then required to be LD tested themselves to allow registration to occur.

The Simmental Register shall contain a Grading-Up section and a Purebred section

### 2.1 GRADING-UP SECTION.

Males and females may be admitted to the grading-up section.

Animals eligible for registration in this section may be subject to inspection and/or parentage verification and may be downgraded if, in the opinion of the Society, they do not conform to breed standards.

Animals registered in this section shall be given a grade code.

Application for registration of an animal in the grading-up section shall be made on a form approved by the Council before the animal is 12 months of age.

Application for registration made after 12 months but before 18 months from the date of birth of the animal may be charged at the prescribed late fee for each month overdue in addition to the prescribed registration fee.

Applications for registration made after 18 months from the date of birth are subject to approval by the Society and may require DNA parentage verification to both parents. Such animals shall be charged at the prescribed late fee for each month overdue in addition to the prescribed registration fee.

#### 2.1.1 GRADES

Animals shall be entered in the Grading-up Section according to the following grades, with Grade P animals entered in the Purebred Section:

<b>0</b>	<b>=</b>	<b>Base Animal (Any breed or cross of any breeds)</b>
<b>I</b>	<b>=</b>	<b>Half-bred (Approximately 50% Simmental)</b>
<b>2</b>	<b>=</b>	<b>Three-quarter bred (Approximately 75% Simmental)</b>
<b>3</b>	<b>=</b>	<b>Seven-eighths bred (Approximately 87.5% Simmental)</b>
<b>P</b>	<b>=</b>	<b>Fifteen-sixteenths bred (Approximately 93.75% or more Simmental)</b>
		<b>(being regarded as PUREBRED in the Simmental register)</b>

## 2.1.2 PROGENY GRADES

On payment of the prescribed fees, the progeny of valid matings of registered parents shall be eligible for the following registered grades:

### Sire Grade

Dam Grade	0	1	2	3	P
0	0	0	0	0	1
1	0	1	1	1	2
2	0	1	2	2	3
3	0	1	2	3	P
P	1	2	3	P	P

## 2.2. PUREBRED SECTION.

Animals registered in this section shall be given a grade code of "P". Animals which fall into the following categories may be admitted to the purebred section:

### 2.2.1. ANIMALS REGISTERED IN FOREIGN HERDBOOKS

Animals registered in herdbooks of recognised Simmental breed organisations, provided that the regulations governing the entry of such animals to those herdbooks comply with these by-laws governing registration as purebred and are approved by the Society.

### 2.2.2 ANIMALS BRED IN AUSTRALIA

Animals bred in Australia whose sire and dam are registered in the Simmental purebred register.

Any animal that is born in Australia must be first registered in the Australian register before its registration in a foreign register will be recognised.

### 2.2.3 INSPECTION & PARENTAGE VERIFICATION

Animals eligible for registration in this Section may be subject to inspection and/or parent verification and may be downgraded, if, in the opinion of the Society, they do not conform to a satisfactory standard or fail to satisfy a parentage verification test.

Animals must conform to these By-Laws as laid down from time to time.

### 2.2.4 APPLICATION FOR REGISTRATION

Application for registration of an animal in the purebred section shall be made on a form approved by the Council before the animal is 180 days old.

Application for registration made after 12 months, but before 18 months from the date of birth of the animal, shall be charged at the prescribed late fee for each month overdue in addition to the prescribed registration fee.

Applications for registration made after 18 months from the date of birth are subject to approval by the Society and may require DNA parentage verification to both parents. Such animals shall be charged at the prescribed late fee for each month overdue in addition to the prescribed registration fee.

## 2.3 DEHORNING

All Australian-born horned cattle, must be dehorned.

If an animal develops scurs after it has been registered as polled the scurred status must be reported to the Society.

## 2.4 COLOUR

Colour is not a bar to registration of animals in the Simmental Register.

## 2.5 GENETIC OR INHERITED FAULTS

Members are required to report to the Society the presence of any genetic or inherited faults.

The Society will consider reimbursement of veterinary expenses upon positive identification of such faults.

## 2.6 PARENTAGE VERIFICATION

The Society may require from time to time a parentage verification of any animal.

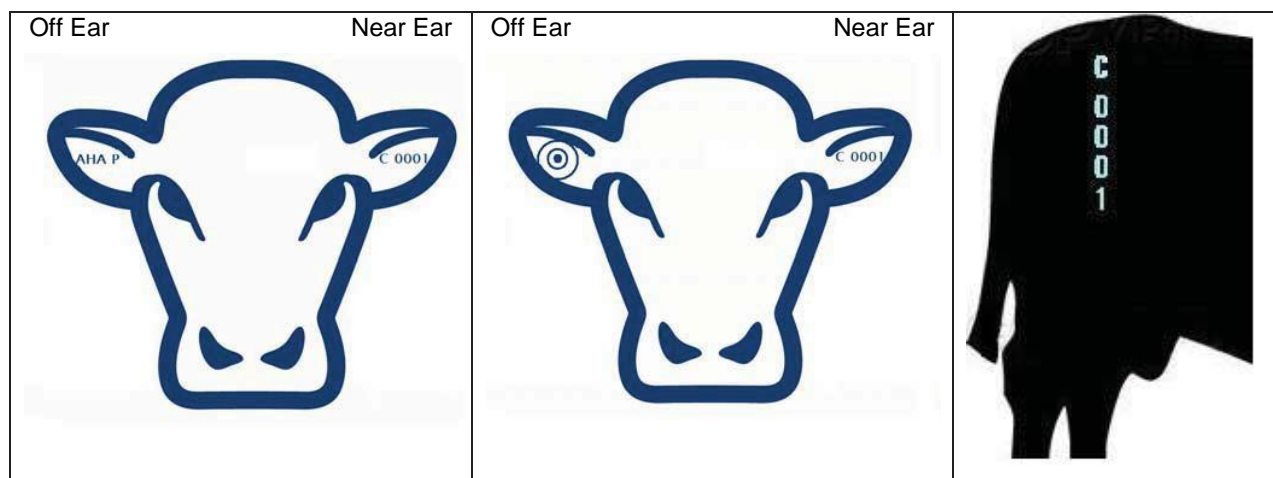
## 2.7 IDENTIFICATION OF REGISTERED SIMMENTAL CATTLE

### THE FOLLOWING SHALL APPLY TO SECTION 2 (Bylaws 2. 1 and 2.2) (GRADING-UP SECTION AND PUREBRED SECTION)

Every animal born in a registered herd and eligible for registration shall, before it is 12 months of age, be clearly, legibly and permanently marked by one of the following methods. The herd designation and grade code must be placed together and the year code and calf drop number must be placed together. The preferred tattooing method is the following:

Herd designation and the grade code shall be tattooed inside the animal's right (off) ear and the year code followed by the calf drop number inside the animal's left (near) ear. Alternately the herd designation and grade code can be tattooed into the upper left (near) ear and the year letter and calf drop number in the lower left (near) ear. In the event of there being more than four digits on the left (near) ear, it shall be permissible for the year-code letter to be placed above the calf drop number.

#### EXAMPLE



In the event of a tattoo requiring correction or alteration for any reason, an X shall be placed at the end of the tattoo being cancelled and a new, complete and correct tattoo shall be placed in the ear. The Society shall be notified of the correction.

As an alternative means for identification of registered Simmental cattle, members are able to record their unique National Livestock Identification Scheme (NLIS) Property Identification Code (PIC) with the Society in combination with the year- code letter followed by the calf drop number inside the animal's left (near) ear.

As a further alternative means of identification of registered Simmental cattle is the option of freeze branding the year-code letter and calf drop number in combination with either recording the unique NLIS, PIC with the Society or tattooing the herd designation and grade code inside the animal's right (off) ear.

True and accurate records of the breeding activities shall be kept in such form that the pedigree and grade status of any animal may be readily ascertained at any time. Such records may be inspected by the Society at any time.

## 2.8 IDENTIFICATION OF BASE ANIMALS

Base animals shall be identified with a number by branding, tattooing or ear tagging.

When recording such animals in the appropriate Society register, the identification system laid down in the definitions must be used. The grade code of base animals is 'O'.

The breed (or the apparent crossbreeds) of the base animal shall be recorded in the relevant register.

No registration or transfer fees are payable for base animals. However, if a base female is sold inseminated to a registered sire, the normal transfer procedures apply.

## 2.9 NON ELIGIBILITY FOR REGISTRATION AND DEREGISTRATION

2.9.1. Any animal may upon the written application of its registered owner be deregistered.

2.9.2. The Society may:

- 2.9.2.(i) Decline to register any animal or to record the transfer of any animal if the person applying for such registration or recording shall fail to pay upon demand any money due to the Society prescribed in these Bylaws.
- 2.9.2.(ii) Cancel or defer any registration of any animal if the person for the time being recorded as the owner of such animal shall fail to pay within 60 days after demand any moneys certified by the Society auditor to be payable to the Society on any account whatsoever and the auditor's certificate shall be sufficient evidence and be binding upon such person as to the origin and amount of such liability.
- 2.9.2.(iii) Cancel or defer the entry in the register of any animal sold, exchanged, leased or otherwise disposed of if no application for transfer of such animal be lodged with the society pursuant to these by-laws or within the time prescribed by Council on any particular case or if the prescribed fee be not paid within four months of such disposition.
- 2.9.2.(iv) It is the vendor's responsibility to have any bulls sold to a current Stud Member, DNA typed and sire verified at point of transfer

### 2.9.3 PROGENY OF DEREGISTERED ANIMAL

Subject to the proviso of Bylaw 2.9.2 hereof, deregistration of any animal shall not affect the registration or entry of any calf of which such animal is the sire or dam if the registration or entry of such calf was recorded during the prescribed period for registration of such animal nor shall deregistration alone constitute a disqualification from re-registration.

## 2.10 HERD INVENTORY FEE SYSTEM

The Association operates a Herd Inventory system, whereby an annual Herd Inventory Fee is payable for each active female in a member's herd. Active females are those which are at least 30 months of age by the end of the current inventory year and those which calve at a younger age during the current inventory year.

All relevant herd inventory fees in respect of that year must be paid prior to processing of applications for registration of that year's calves or any processing of transfers of cattle sold from the start of that inventory year.

Members may choose either:

- an Autumn Inventory Year (January 1 to December 31) or
- a Spring Inventory Year (July 1 to June 30)

The Herd Inventory Fee is payable within 90 days of invoicing. (Refer Bylaws 6.3.1).

Where the fee is not paid within 180 days of invoicing, the female will be made Inactive.

Application may be made to Reinstate an Inactive female to Active status by payment of the Reinstatement Fee. (Refer Bylaws 6.3.2).

## 2.11 TRANSFERS

- 2.11.1. Transfers shall be applied for on an application for transfer form supplied by the society or written instructions from the owner..
- 2.11.2. Where a registered animal is sold by a member to another member the vendor shall transfer the animal within 60 days of sale.
- 2.11.3. An animal shall be registered and the applicable fees paid by its owner before it is eligible for transfer. Transfer fees shall be paid by the vendor.
- 2.11.4. In the case of calves, application for registration on an S1 Form must accompany the transfer application form for that animal, as well as the documentation relevant to the dam.
- 2.11.5. In the case of mated females, the mating details are to be submitted with the transfer application.
- 2.11.6. Base dams: The above regulations also apply to registered base dams. Full mating details must be entered on the transfer application form. No transfer fee is applicable.
- 2.11.7. Ownership transfer of an embryo shall be effected upon payment of applicable fees and submission of the application for transfer on the Embryo Recording Certificate.
- 2.11.8. Ownership transfer of other genetic interests, (e.g. shares in an animal and semen shares), shall be effected in accordance with By-Law 2.11.1 as if the interest is an "animal".
- 2.11.9. Any application for transfer not in accordance with the above must be submitted to the Society.
- 2.11.10 Commercial Transfers. A transfer may be effected to a Commercial Member or a non-member on submission of a signed application for transfer form and payment of the transfer fee for females. There is no fee for the transfer of bulls to Commercial Members.

- 2.11.11 It is the vendor's responsibility to have any bulls sold to a current Stud Member, DNA typed and sire verified at point of transfer
- 2.11.12 Where the sale of stud animal/s is accompanied by the sale/ transfer of the stud prefix, transfer fees for each animal shall apply, with the exception being only applied if the transfer is to an immediate family member.

## 2.12 LEASING

The Society recognizes the existence of cattle leasing arrangements and such lessees are deemed to be owners for all purposes of these by laws. Both lessors and lessees are required to be stud members, except in the case of leasing finance arrangements, in which circumstances the lessee only is required to be such a member.

## 2.13 MATINGS - ARTIFICIAL INSEMINATION OR NATURAL SERVICE

A member may register progeny from a mating provided the member has a registered, or "approved affiliation" interest in both the sire and the dam at the time of mating.

The owner of a registered bull, or share in a registered bull, may apply to the Society for an "Approved Affiliation", to enable the use by another member of that bull or share. The recipient of the "Approved Affiliation" may then apply on an S1 Form to register progeny sired by that bull.

The applying member may subsequently apply to cancel this approval. If approved by the Society, the date of cancellation by the Society will be the last date the recipient may use the bull or share for a mating.

All registered sires, from 1/6/2018, are required to be 50K Low Density tested.

### 2.13.1 UNRESTRICTED USE OF SIRES

2.13.1 (i) A member may use semen from an Accredited Sire in the member's herd without restriction. Transfer fees and levies do not apply to ownership transfers of Accredited Sire semen.

2.13.1 (ii) Licensed semen from sires not designated Accredited Sires must be transferred to the member before the member shall use it in a mating to produce registerable progeny. There is no restriction on the number of transferable shares of such sires.

### 2.13.2 RESTRICTED USE OF SIRES

For all sires other than those specified in 2.13.1, the following restrictions apply.

#### Multiple Ownership

2.13.2.(i) The Society shall recognize shares in a registered bull. One of these shares shall be deemed the primary share. New secondary shares can only be negotiated and transferred by the current owner of the primary share.

2.13.2.(ii) When a sire becomes the subject of multiple share ownership, the Society must be notified in writing before the sire is registered or, if the sire is already registered, by transfer of the share, or application for "Approved Affiliation", before the sire is used by the new owners in a mating to produce registerable progeny.

### 2.13.3 THE S1 FORM

All information shall be supplied at the time of registration on an S1 form or computer generated equivalent.

### 2.13.4 MULTIPLE SIRE MATINGS

The Society shall recognize the use of multiple sires to produce registerable progeny subject to DNA sire parentage verification of the progeny.

## 2.13.5 ACCREDITED SIRE SCHEME

Owners of registered bulls may apply to admit the bull to the Accredited Sires List.

Requirements for admission to this list are:

- 2.13.5.(i) A three generation pedigree certificate of the bull is to be provided.
- 2.13.5 (ii) A DNA profile of the bull is to be provided.
- 2.13.5.(iii) A side-on, colour photograph of the bull is to be provided.
- 2.13.5 (iv) The Society fees in force from time to time shall be paid.
- 2.13.5 (v) Registered purebred Simmental, Black Simmental, Red Simmental and SimAngus and Simbrah sires of all grades shall be eligible to apply for admission to the Accredited Sires List.
- 2.13.5 (vi) All AI registered sires, from 1/6/2018, are required to be 50K Low Density tested.

## 2.13.6 AUSTRALIAN RIGHTS

Where semen has been brought in from overseas and it is to be used exclusively in one herd or controlled by the purchaser. A sire to obtain this status with ASBA must be accompanied by a form signed by the owner of the bull in the



foreign country stating the purchaser has bought exclusive rights for this bull and he is the sole owner of the semen. Form has to be signed by the ASBA member and approved by the board or EO and President. Fee \$242. Semen Share transfers apply.

## **2.14 EMBRYO RECORDING AND OWNERSHIP TRANSFER**

A calf resulting from embryo transplant will be registered by the Society provided that the embryo's parents and ancestors do not contravene Bylaw 2.2.2

The following procedures apply:

### **2.14.1 EMBRYOS PRODUCED IN AUSTRALIA.**

The sire of all embryos and the donor dam of all embryos must have a 50K Low Density DNA profile from 1/6/2018, recorded with the Society for the embryo to be recorded.

### **2.14.2 IMPORTED EMBRYOS**

Copies of pedigree certificates and DNA profiles for the sire and donor dam must be provided. Unless already on file with ASBA.

### **2.14.3 CALF REGISTRATION FEE**

A registration fee applies to all calves produced by embryo transplant in excess of calves born naturally and registered to a donor cow in any calendar year. A donor cow on which an inventory fee has been paid, and which has not had natural born progeny registered in that year, may have one of her embryo transplant calves registered in that herd free of this registration fee.

### **2.14.4 IDENTIFICATION OF RECIPIENT COWS**

Recipient cows must be permanently identified

### **2.14.5 CLONES**

Clones may be registered and will be identified by a suffix to the name of (CL)

## **2.15 IMPORTATIONS**

### **2.15.1 REGISTERED CATTLE IMPORTS**

Animals registered in any other country approved by the Council will be accepted for registration on the appropriate Association Register, provided that the animals and their ancestors do not contravene Bylaw 2.2.2 and on receipt of the following (which must be forwarded to the society within 14 days of import):

- 2.15.1.(i) A copy of a four-generation registration certificate.
- 2.15.1.(ii) A DNA profile and parentage verification certificate must also be provided
- 2.15.1.(iii) Payment of the prescribed registration fee.
- 2.15.1.(iv) All AI registered sires, from 1/6/2018, are required to be 50K Low Density tested.

### **2.15.2 IMPORTATION OF SEMEN - USE IN MEMBER'S HERD**

- 2.15.2 (i) A member may import semen from a bull registered in a foreign herdbook approved by the Council for exclusive use in his/her herd subject to satisfying the requirements of Bylaw 2.15.1.

### **2.15.3 IMPORTATION OF IMPLANTED RECIPIENT DAMS**

In the case of implanted recipient females being imported, the same regulations shall apply as if the recipient was an imported frozen embryo.

- 2.15.3 (i) Satisfy requirements of Bylaw 2.14
- 2.15.3 (ii) Payment of the prescribed fee per donor cow.

### **2.15.4 OWNERSHIP OF SEMEN MARKETING RIGHTS FOR OVERSEAS ANIMALS**

Where embryos sired by, or semen from an overseas born sire have been imported by an ASBA member for which Australian Semen Marketing Rights have later been acquired by another ASBA member and the member who initially imported the embryos or semen can provide documentary proof that the embryos or semen were acquired prior to the purchase of the Australian Marketing Rights to the sire, that member is not required to get permission from the owner of the Semen Marketing Rights to register progeny resulting from these embryos.

## **SECTION 3**

### **SUB-REGISTERS**

#### **3.1 BLACK SIMMENTAL SUB-REGISTER**

The Society shall maintain a sub- register for Purebred Simmental or Grade Simmental which have a predominantly black coat colour. There will be no restriction on the amount of white colouring on the head of a Black Simmental. Black Simmentals will be denoted by a suffix of (B) after their name. Animals tested as homozygous black by DNA testing will be denoted by a suffix of (BB).

#### **3.2 RED SIMMENTAL SUB-REGISTER**

The Society shall maintain a Red Simmental register for Purebred Simmental or Grade Simmental which have a predominantly red coat colour. There will be no restriction on the amount of white colouring on the head of a Red Simmental. Red Simmentals will be identified by a suffix of (R) after their name.

#### **3.3 SIMBRAH SUB-REGISTER**

The Society will maintain a Simbrah register for cattle which are predominantly a mix of Brahman and Simmental blood. The regulations governing the registration of Simbrah cattle are contained in a separate document "Simbrah Regulations" available from the Society's office.

#### **3.4 SIMANGUS SUB-REGISTER**

The Society will maintain a SimAngus sub-register for cattle which are predominantly a mix of Simmental and Angus blood. A SimAngus animal must have a Simmental blood percentage of between 12.5% and 87.5% and an Angus percentage of between 12.5% and 87.5% with a maximum of 6.25% of any other breed or combination of breeds.

3.4.1 The accepted coat colour of a SimAngus animal is either dark to light red or black to grey. There shall be no restriction to the amount of white colouring on the head of a SimAngus for acceptance at a Society sponsored show or sale.

3.4.2 SimAngus cattle will be denoted by a Grade code of "D".

#### **3.5 SIMBEEF PERFORMANCE REGISTER (SPR)**

3.5.1 The Association maintains a recording facility for the breeding and performance records of:

3.5.2 Non active registered Simmental, Black Simmental, Red Simmental, SimAngus and Simbrah cattle, and

3.5.3 Cattle not registered or recorded in the Simmental, Black Simmental, Red Simmental, SimAngus, Simbrah or Grading Up Registers.

3.5.4 Recording Fees are those set by Council from time to time.

3.5.6 Animals not registered or recorded in the Simmental, Black Simmental, Red Simmental, SimAngus, Simbrah or Grading Up Registers at the point of sale will not be eligible for transfer to another member within the association register.

## **SECTION 4**

# **SALES AND SHOWS REGULATIONS**

### **4.1 SALES GENERALLY**

Members should note that the Society expects members to observe the highest standards in all dealings with their animals and, in particular, considers any form of misrepresentation (including the holding of 'bogus' dispersal sales) to be detrimental to the interest of the Society.

Any breeder holding a dispersal sale shall be ineligible to register cattle for a period of three years from the date of sale and transfers out of the herd cannot be made during that time.

Members misrepresenting an animal for sale shall be liable to a charge of misconduct under Bylaw 4.

The term 'elite' shall not be used to describe any animals offered for sale without the prior consent of the Society.

### **4.2 EVIDENCE OF REGISTRATION**

- 4.2.1** Each animal advertised or offered for sale as "registered" shall be registered in the Association Register, and a valid Certificate of Registration or a copy of the Association's application for registration must be available at the time of sale as evidence of such registration with the Association. The animal must be capable of being transferred. (Refer Bylaws 2.10 and 2.11).

### **4.3 DISCLOSURE OF INFORMATION**

- 4.3.1** All sales advertising and any sale catalogue shall be calculated to bring to the attention of prospective buyers all pertinent information concerning the identification, registered status, pedigree and particulars of breeding of animals to be offered for sale.
- 4.3.2** Where BREEDPLAN EBVs are published, all publishable EBVs must be displayed as well as the current breed average EBVs and percentile table. The sale catalogue shall contain a full account of the embryo transfer history of any donor female offered for sale, the number of embryos recovered, transferred and/or held in storage. The sale catalogue shall contain an account of shareholdings in any female or bull offered for sale, including semen shares.
- 4.3.3** The genetic defect status for any animal known to be a carrier of a recessive genetic defect must be declared.
- 4.3.4** Rectification of any error or inaccuracy in a sale catalogue and any necessary correction to the information provided in sale advertisements, shall be made by public announcement at the sale and shall take precedence.
- 4.3.5** All current service or insemination details pertaining to a registered female which has been joined before sale shall be published in the sale catalogue or announced before the sale.
- 4.3.6** Unless expressly stated in print or by public announcement that the service sire of a registered female mated before sale is not a registered Simmental, the seller shall guarantee that the service sire is a registered Simmental.
- 4.3.7** Unless expressly stated in print or by public announcement that a registered female has been "pregnancy tested in calf", there shall be no guarantee that the female is in calf at the time of sale.
- 4.3.8** Unless expressly stated in print or by public announcement, there shall be no guarantee that an in calf female will carry a calf to full term, or will give birth to a normal calf.

## 4.4 SOUNDNESS OF HEALTH

- 4.4.1 Unless otherwise stated in writing in the sale catalogue, every registered animal offered for sale at public auction shall be warranted by the seller to be sound and functional and free of any known disease.
- 4.4.2 The seller of a registered animal offered for sale at public auction shall, when requested to do so, make a full disclosure of all information concerning the health and physical condition of that animal.
- 4.4.3 No registered animal which is the subject of a quarantine restriction for any disease shall be offered for sale by private treaty or at public auction as a registered animal capable of being transferred. (Refer Bylaws 2.10 and 2.11).
- 4.4.4 Every registered Simmental bull over fifteen months of age offered for sale at public auction shall be warranted by the seller to possess normal and adequately developed reproductive organs, and be capable of performing a natural service.
- 4.4.5 Every registered Simmental female over fifteen months of age offered for sale at public auction shall be warranted by the seller to possess normal and adequately developed reproductive organs at the date of sale and be suitable in all respects for natural breeding.

## 4.5 GUIDELINES TO ASSOCIATION INSPECTORS

### For Inspections at Shows and ASBA Approved Sales.

#### 4.5.1 ANIMAL IDENTIFICATION

Inspectors should be satisfied that the animal's identification is legible and conforms with By-Law 2.7 and complies with the animal's identification recorded on the Society breed register.

In the case of a registered Simbrah animal, the identification may be either an ear tattoo or fire brand or both.

#### 4.5.2 HORNS

Any animal carrying 5cm or more of horn, as measured from the skull on the underside of the horn, is unacceptable.

#### 4.5.3 HEALTH AND CONDITION

Animals exhibiting signs of sickness, lameness or low condition, (condition score 1), must be rejected.

#### 4.5.4 STRUCTURE

Animals with gross physical abnormalities must be rejected.

#### 4.5.5 SHOWS

Animals in the Simmental, Red Simmental and Black Simmental registers may be shown in the same classes or may be shown separately.

Animals in the SimAngus sub-register shall be shown separately to animals in the Simmental, Red Simmental, Black Simmental and Simbrah registers.

Animals in the Simbrah sub-register shall be shown separately to animals in the Simmental, Red Simmental, Black Simmental and SimAngus registers.

## 4.6 PUBLIC AUCTION SALES

- 4.6.1 A registered animal entered for sale at auction shall be presented without any preparation which might obscure the natural colour markings or mask any defect.
- 4.6.2 The owner of a registered animal entered for sale at public auction shall have available at such sale its Certificate of Registration, or a photocopy of its registration application duly certified by the Association, and present the animal on request to an official inspector of the Association. (By-law Section 8.5 applies).
- 4.6.3 An animal sold and transferred to a buyer shall not be transferred to or registered in the name of the seller for a period of twelve months following the sale, except upon full disclosure of the relevant circumstances and with the approval of the Association.
- 4.6.4 Females sold as not pregnant or not joined are warranted at the date of sale to be not pregnant.
- 4.6.5 The Association will not transfer animals or genetic material from a member that does not comply with Bylaws 2.10 and 2.11.
- 4.6.6 A member who is unfinancial and/or has unpaid herd inventory fees shall not present registered animals or other transferable genetic material for sale.

## 4.7 SOCIETY APPROVED SALES AND SHOWS

In addition to the requirements of Bylaw 4.6, the following rules apply to a Society Approved Sale.

- 4.7.1 Society approved sales and shows are those sales and shows which are promoted by:
  - 4.7.1.1 A committee appointed by the Society.
  - 4.7.1.2 State committees.
  - 4.7.1.3 Regional groups.

and any other sales promoted by or on behalf of the Society.

- 4.7.2 The Society reserves the right to inspect the offerings at Society Approved sales and shows and, if thought advisable, reject any animals without being required to give any reason to the vendor concerned.
- 4.7.3 The Society will nominate inspectors for any shows or sales where an inspection is to take place. The requirements of Bylaw 4.5 will apply.

## 4.8 DISPERSAL SALES

**In addition to the requirements of Bylaw 4.6, the following rules apply to a Dispersal Sale.**

- 4.8.1 Any sale advertised as a dispersal sale must comprise a genuine offering of all registered animals and transferable genetic materials in one or more of the Society's registers and that the advertising as a dispersal sale of any sale which does not fulfil such criteria would constitute conduct detrimental to the interest of the Society in accordance with Article 19 of the Articles of Association.
- 4.8.2 A member may conduct a multi stage dispersal sale provided that it falls within a 12 month period, and/or some longer period approved in advance by the Society. A member advertising a multi stage dispersal sale shall state the dates of all stages prior to the date of the first stage and notify the Society accordingly.
- 4.8.3 Any member who advertises a dispersal sale shall catalogue and present for sale all registered animals and other transferable genetic material in one or more of the Society's registers owned by the member and unless such advertisement is amended by public announcement at least two weeks prior to the date of sale, it shall be required of the member that all registered animals, and other transferable genetic material in those registers are offered. So far as they are applicable, these provisions shall apply to multi stage dispersal sales.
- 4.8.4 The Association will not carry advertising in its publications for a Dispersal Sale for a member whose fees are in arrears.
- 4.8.5 Any registered animal or transferable genetic material from those registers not sold during a dispersal sale or a stage of a multi stage dispersal sale must be transferred out of the dispersing herd within 30 days of the dispersal sale or of that stage of the multi stage dispersal sale. Those animals and genetic material not transferred will be de-registered. Any variation is subject to Council Approval.
- 4.8.6 A member holding a dispersal sale must present a signed transfer of ownership form for each lot to the Association prior to the sale.
- 4.8.7 The member will instruct the agent to collect and submit to A.S.B.A. a marked catalogue or sale roll for the dispersal sale or for each stage of the multi stage dispersal sale, containing full particulars of the sale, including purchaser transfer requirements, accompanied by the applicable transfer fees and levies deducted from the proceeds of sale.
- 4.8.8 A member who has held a dispersal sale or a multi stage dispersal sale shall be ineligible to register the dispersing stud prefix or herd code, the dispersing stud prefix and herd code will no longer be eligible for future use unless with the expressed written permission of the council.

## 4.9 BREED UNIFORM

The following breed uniform is to be worn at all shows and in the public sale ring.

- Blue shirt supplied by ASBA with the Simmental logo,
- Blue jeans or trousers,
- Brown vest (optional),
- Proper broad brimmed hats (no caps), and
- Proper leather boots, no runners.

The brown vest, while still remaining part of the uniform, is optional for your comfort. If it's too hot, don't wear it. Take it with you and make the call on the day.

If you are found to be parading without the breed uniform, you will receive a written warning as a first offence. A second offence will result in expulsion from the show or public sale ring.

Further offences will result in 1.6 Code of Behaviour being invoked.

## SECTION 5

### REGIONAL GROUPS

#### 5.1 FORMATION

A State Branch Committee of the Society may, on the written application of five or more stud members of the Society, approve the formation of a Regional Group constituting members and other persons who have a common interest in furthering the objectives of the Society.

#### 5.2 CONSTITUTION

Upon a State Branch approving the formation of a Regional Group, the members desiring such formation shall meet together and elect a chairperson, a deputy chairperson and a secretary. Subject to compliance with such policies and guidelines as may from time to time be laid down by the Society, the groups may meet as and when they think fit and may regulate such meetings in such manner as they consider appropriate, provided that a Regional Group shall not conduct its affairs in any manner inconsistent with the Memorandum and Articles of Association of the Society or these by-laws.

Once in each calendar year an Annual General Meeting shall be held and the business of such Annual General Meeting shall include such business as is normally dealt with at such meetings. Minutes shall be taken of all meetings and a copy of the minutes of the Annual General Meeting, signed by the Chairperson of the meeting and the Secretary, shall be provided to the relevant State Branch Committee within 30 days of the meeting.

#### 5.3 MEMBERS

The members of regional groups must include five financial stud members of the Society but subject to such requirement may include such other persons as the regional groups consider appropriate. Such other persons shall be financial members of the relevant Regional Group.

#### 5.4 PROPERTY

- 5.4.1 All property and money acquired by a Regional Group shall be received and held by members of such Regional Group on behalf of the Society and shall, on demand being made by the Society, be transferred to the Society.
- 5.4.2 A Regional Group shall not incur any liability beyond the extent of the cash resources which are immediately available in cash or credit funds at bank to meet such liability and in any event shall not incur any liability or liabilities which at any time exceed the maximum amount prescribed by the Council.
- 5.4.3 A financial report shall be presented to each Regional Group meeting and shall be incorporated in the minutes.

#### 5.5 DISSOLUTION

If, in the opinion of the Society, a Regional Group is not acting in accordance with the aims and objectives of the Society or is acting in a manner likely to be detrimental to the interests of the Society, approval of the Regional Group may be withdrawn and written notice given to the chairperson, deputy chairperson or secretary of the Regional Group advising that such approval has been withdrawn. Within 14 days after service of such notice all property and records shall be delivered up to the Society and at the expiration of such period the Regional Group shall cease to exist.

## SECTION 6 DEFINITIONS

**ASSOCIATION and SOCIETY** refers to "The Australian Simmental Breeders' Association Limited".

**ACCREDITED SIRE** means a sire covered by the conditions of By-Law 2.13.5.

**APPROVED AFFILIATION** An approval granted by the Society to a member for the right to use a bull, or share in a bull, owned by another member, to produce registerable progeny.

**AUSTRALIAN RIGHTS** means a sire covered by the conditions of By-Law 2.13.6.

**BASE** means an animal of any breed or crossbreed which, when mated with a purebred Simmental, produces a half-breed Simmental.

**BLACK SIMMENTAL SUB REGISTER** means the sub register of the Simmental Register in which are kept records of black Simmental animals.

**BREEDER** is the owner of the dam at the time of service, except in the case of notified ownership transactions including contract mating, ovum transplants and leasing.

**BREEDING YEAR** means the calendar year from 1 January to 31 December.

**CALF-DROP NUMBER** means the unique number allotted by the herd owner to each calf born in his/her herd.

**COMMERCIAL APPENDIX** means a record kept by the Society listing all commercial members' herds and recorded animals by such commercial members.

**FLECKVIEH** means cattle with a nominal genetic content of at least 15/16 descended from Fullblood Fleckvieh animals registered in Austrian, German or South African Herdbooks recognised by the Society. Such animals are bound by the Society Bylaws as applicable to Simmentals.

**FULLBLOOD** means When a mating occurs between two animals whose parentage originates solely from qualified foreign registries, the resulting offspring shall be eligible for the designation of Fullblood.

"Only animals whose ancestors originate from the herd books of countries recognised by the "World Simmental Fleckvieh Federation" are eligible for the designation of Fullblood. Recognition of Fullblood status in these Herdbooks is satisfactory evidence that the animal has no known ancestry of another breed and will be accepted by the ASBA as a Fullblood in the registry.

**GRADE CODE** means the number or letter denoting the grade of an animal or the section of the register in which the animal is registered.

**HERD DESIGNATION** is a unique identification for each herd. It comprises three letters, numbers or combination of letters and numbers allotted by the Society to each herd accepted for registration. The herd designation is part of the tattoo identification with which each animal must be identified prior to registration.

**IDENTIFICATION** in relation to an animal means the unique series of the following information on that animal: Its Herd Designation, Grade Code, Year Letter and Calf-Drop Number.

**INVENTORY.** A listing of all females registered in the society's Herd Book and appearing as being alive in that particular herd at a given date. Those marked with an asterisk are "active" and attract the current herd inventory fee for that year.

**MEMBER** means an individual, partnership or body corporate.

**NAME** means a word or words recorded in the register to identify an animal that is in addition to the stud prefix. Up to 12 characters or spaces may be used.

**NOMINEE** means a person nominated by a non-individual member as being the nominee of the member.

**PUREBRED ANIMAL** means any animal registered by the Society as a purebred

**RED SIMMENTAL** means a predominantly red coated Simmental animal registered in the Red Simmental Sub Register.

**REGISTERED,** in relation to an animal, means that animal is recorded in a register as laid down in these by-laws.

**REGISTERED OWNER** in relation to an animal, denotes the person recorded in the register as the owner of the animal.

**SERVICE, SERVED, MATED BY** and similar terms include natural mating or insemination by artificial breeding.

**SIMANGUS SUB REGISTER** means the register of the society in which are kept records of SimAngus

animals.

**SIMBEEF** means cattle with varying levels of Simmental genetic content, usually a minimum of 25%.

**SIMBRAH** means animals as defined in the Simbrah Regulations

**SIMBRAH REGISTER** means the register of the Society which corresponds to the Simmental Register and in which are kept records of Simbrah animals.

**SIMMENTAL** means an animal that is descended from the Simmental breed which originated in Switzerland.

**SIMMENTAL REGISTER** means the register of the Society in which records of individual Grading-Up and Purebred Simmental animals are kept, and on a computer databases or such other information storage systems as approved by the Society from time to time.

**STUD PREFIX** means a word or words recorded by the society to identify any herd. Up to 12 characters or spaces may be used.

**YEAR LETTER** means the number or letter denoting the year of birth of the animal.



## SECTION 7

### PRESCRIBED FEES

All fees are quoted inclusive of a Goods and Services Tax of 10%

(Applicable from the dates the fees were last set)

## 7. MEMBERSHIP

### 7.1.1 NEW STUD MEMBERSHIP

Joining Fee	\$66.00
Annual Subscription	<u>\$284.00</u>
Total	<u>\$350.00</u>

### 7.1.2 RENEWING STUD MEMBERSHIP

	<u>TAS</u>	<u>QLD</u>	<u>VIC</u>	<u>NSW &amp; ACT</u>	<u>WA</u>	<u>SA &amp; NT</u>
Annual Subscription	\$284.00	\$284.00	\$284.00	\$284.00	\$284.00	\$284.00
State Branch Levy	<u>\$44.00</u>	<u>\$77.00</u>	<u>\$55.00</u>	<u>\$55.00</u>	<u>\$99.00</u>	<u>\$110.00</u>
<u>TOTAL</u>	<u>\$328.00</u>	<u>\$350.00</u>	<u>\$339.00</u>	<u>\$339.00</u>	<u>\$383.00</u>	<u>\$394.00</u>

	<u>ALL STATES</u>	<u>OVERSEAS</u>
7.1.3 ASSOCIATE MEMBERSHIP	\$ 44.00	\$ 44.00
7.1.4 COMMERCIAL MEMBERSHIP	\$ 44.00	
7.1.5 1 <sup>ST</sup> YEAR OF JUNIOR MEMBERSHIP	\$11.00	
ONGOING JUNIOR MEMBERSHIP	\$22.00	
7.1.6 BREED IMPROVEMENT FEE		
Stud members shall pay an annual Breed Improvement Fee		\$55.00
7.1.7 FINANCIAL MEMBERSHIP STATUS		

The Membership subscription and any Council authorized fees and/or levies are payable within 30 days of invoicing. If unpaid after 90 days the membership status is Unfinancial.

If these fees remain unpaid 180 days after invoicing, the membership will be terminated.

Application may be made to reinstate the membership.

## 7.2 SERVICE FEES

7.2.1 REGISTRATION CERTIFICATE RE-ISSUE \$ 6.60

## 7.3 HERD INVENTORY FEES (REFER BYLAW 2.10)

### 7.3.1 INVENTORY FEES APPLICABLE TO SIMMENTAL, SIMANGUS, RED SIMMENTAL AND BLACK SIMMENTAL FEMALES

7.3.1.1 Herd inventory fees are due and payable within 90 days of invoicing: Where the Herd Inventory is unpaid 180 days after invoicing, the female will be made Inactive.

7.3.1.2 Application may be made to Reinstate an Inactive female to Active status by payment of the Reinstatement Fee. (Refer 6.3.2)

7.3.1.3 Herd Inventory fees are calculated as an annual fee per female as follows:

<u>Inventory Fee Type</u>	<u>Inventory Fee (incl GST)</u>
(a) Purebred and Grade 3 females	<b>\$24.20</b>
(b) Grade 2 females	<b>\$12.10</b>
(c) Grade 1 females	<b>\$12.10</b>
(d) SimAngus females	<b>\$12.10</b>

7.3.1.4 On payment of the herd inventory fee, all naturally born calves produced by a female, (or one calf produced by embryo transfer), in a calendar year can be registered at no further charge.

7.3.1.5 Additional embryo transplant calves produced by a donor female incur an Embryo Calf registration fee, payable at time of registration. (per calf) \$24.20

### 7.3.2 REINSTATEMENT

7.3.2.1 **An Inactive registered female (i.e. not on the active herd inventory) may be reinstated to the active inventory on application to the Association.**

7.3.2.2 **A reinstatement fee applies (per inactive female, per year since the female became inactive)**

(a) Purebred and Grade 3 females	(per cow)	<b>\$36.30</b>
(b) All other registered females	(per cow)	<b>\$18.15</b>

7.3.2.7 Reinstatement on females taken off the registry for a period greater than 24 months will receive a fine in addition to the usual reinstatement fees (per cow) **\$110.00**

**At the point of reinstatement, only the calf from the current inventory period will be eligible for registration.**

## 7.4 REGISTRATION FEES

### 7.4.1 SIMBRAH REGISTRATION FEES (Refer Bylaw Section 3.3)

7.4.1.1 Where a herd inventory fee has been paid on the dam of a Simbrah calf dual registered in the Simmental and Simbrah registers, the Simbrah registration fee does not apply.

7.4.1.2 Simbrah calves attract a Simbrah registration or Simbrah recording fee, payable at time of application for calf registration or recording.

Registered Purebred Simbrah	(per calf)	<b>\$12.10</b>
Registered Simbrah	(per calf)	<b>\$12.10</b>
Recorded Percentage Simbrah	(per calf)	<b>\$ 6.60</b>

7.4.1.3 Where the calf is only registered in the Simbrah register and its dam is an active purebred Simmental, Black Simmental or Red Simmental female, with an active status in the year the calf is born, the herd inventory fee is refunded and the Simbrah registration fee is payable.

7.4.1.4 Application may be made to upgrade a Recorded Purebred Simbrah or Recorded Simbrah animal to Registered status. A Simbrah Upgrading Fee shall apply:

For recorded animal under 12 months of age	(per calf)	<b>\$ 10.90</b>
For recorded animal 12 to 24 months of age	(per calf)	<b>\$14.50</b>
For recorded animal over 24 months of age	(per calf)	<b>\$18.15</b>

**7.4.2 SIMANGUS REGISTRATION FEES** (REFER BYLAW SECTION 3.4)

7.4.2.1	SimAngus calves may be registered on payment of a SimAngus registration fee, payable at time of application for calf registration.		
	SimAngus progeny of active inventory dams	(per calf)	<b>\$ NIL</b>
	SimAngus progeny of SPR or Base dams	(per calf)	<b>\$12.10</b>
	SimAngus male calf over 12 months from SPR or Base dams	(per calf)	<b>\$ 30.25</b>

**7.4.2.2 GRADE 1 REGISTRATION FEES**

7.4.2.2.1	Eligible calves may be registered as Grade 1 on payment of a Grade 1 registration fee, payable at time of application for calf registration.		
	Grade 1 progeny of active inventory dams	(per calf)	<b>\$ NIL</b>
	Grade 1 progeny of SPR or Base dams	(per calf)	<b>\$12.10</b>
	Grade 1 male calf over 12 months from SPR or Base dams	(per calf)	<b>\$ 30.25</b>
	Application may be made to upgrade an eligible Recorded SPR animal to Registered Grade 1 status.		
	Grade 1 Upgrading Fee:	(per calf)	<b>\$12.10</b>
	Grade 1 male calf over 12 months from SPR or Base dams	(per calf)	<b>\$ 30.25</b>

**7.4.3 SPR REGISTRATION FEES** (REFER BYLAW SECTION 3.5)

7.4.3.1	SPR calves may be registered on payment of an SPR registration fee, payable at time of application for calf registration.		
	SPR progeny of active inventory dams	(per calf)	<b>\$ NIL</b>
	SPR progeny of SPR or Base dams	(per calf)	<b>\$12.10</b>
	SPR male calf over 12 months from SPR or Base dams	(per calf)	<b>\$ 30.25</b>

**7.4.3.2 GRADE 1 REGISTRATION FEES**

7.4.3.2.1	Eligible calves may be registered as Grade 1 on payment of a Grade 1 registration fee, payable at time of application for calf registration.		
	Grade 1 progeny of active inventory dams	(per calf)	<b>\$ NIL</b>
	Grade 1 progeny of SPR or Base dams	(per calf)	<b>\$12.10</b>
	Grade 1 male calf over 12 months from SPR or Base dams	(per calf)	<b>\$ 30.25</b>
	Application may be made to upgrade an eligible Recorded SPR animal to Registered Grade 1 status.		
	Grade 1 Upgrading Fee:	(per calf)	<b>\$12.10</b>
	Grade 1 male calf over 12 months from SPR or Base dams	(per calf)	<b>\$ 30.25</b>

**7.4.4 EMBRYO TRANSPLANT CALF REGISTRATION FEE**

7.4.4.1	On payment of the herd inventory fee, all naturally born calves produced by a female, (or one calf produced by embryo transfer), in a calendar year can be registered at <b>no further charge</b>		
7.4.4.2	Additional embryo transplant calves produced by a donor female incur an Embryo Calf registration fee, payable at time of registration.	(per calf)	<b>\$25.40</b>
7.4.4.3	Embryo transplant calves produced by imported embryos incur an Embryo Calf registration fee, payable at time of registration.	(per calf)	<b>\$36.30</b>

**7.5 FEES FOR PUREBRED BULLS WHOSE LICENSED SEMEN IS BEING DISTRIBUTED FOR THE PRODUCTION OF REGISTERED CALVES**

Bulls are registered in the appropriate Society register and placed on the Society's Accredited Sire Scheme. A once only fee is charged:

7.5.1 Overseas Bulls	<b>\$242.00</b>
7.5.2 Australian bred Bulls	<b>\$121.00</b>
7.5.3 Australian Rights Bulls	<b>\$242.00</b>

**7.6 IMPORTED ANIMALS**

7.6.1	Accession fee for a registered animal	<b>\$ 121.00</b>
7.6.2	Accession fee for a donor cow per imported recipient female	<b>\$ 18.15</b>
7.6.3	Registration fee for an overseas sire, the semen of which is to be used exclusively by an importer who shall be deemed to be an owner (Refer Bylaw 2.13.2). "Australian Rights"	<b>\$ 242.00</b>

## 7.7 TRANSFER FEES

**FOR SIMMENTAL, BLACK SIMMENTAL, RED SIMMENTAL, SIMANGUS, SPR AND SIMBRAH ANIMALS, EMBRYOS, SEMEN, AND SHARES IN AN ANIMAL SOLD TO ANOTHER MEMBER OF THE AUSTRALIAN SIMMENTAL BREEDERS ASSOCIATION.**

### 7.7.1.1 TRANSFER FEE

All registered animals, shares and recorded embryos, except Base grade, (including calves at foot) attract a transfer fee ( payable within 60 Days of sale).  
**\$ 33.00**

### 7.7.1.2 EXPORT TRANSFER FEE

All registered animals, shares, semen and recorded embryos (including calves at foot) attract an Export Transfer Fee which includes registration transfer. (Payable within 30 Days of sale).

Bull	<b>\$ 110.00</b>
Female	<b>\$ 27.50</b>
Semen (per order)	<b>\$ 27.50</b>
Embryo	<b>\$ 27.50</b>

## 7.8 LATE FEES

7.8.1	For late animal registration	(per month per head)	<b>\$ 1.20</b>
7.8.2	For late transfers	(per month per head)	<b>\$ 1.20</b>

**These fees must be paid to permit registrations and transfers to be processed.**

## 7.9 BREEDPLAN FEES

7.9.1	For all members enrolled in Simmental Breedplan Annual Breedplan Herd Fee	<b>\$ 150.00</b>
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**END OF BYLAWS**