

# BRITISH CAVY COUNCIL: CONSTITUTION AND RULES

## 1. Purpose and Scope of the British Cavy Council ("the Council")

### 1.1. The objectives of the Council are to:

- (a) Adjudicate on the formation and remit of the Specialist Clubs serving the needs of the various breeds of cavy in the United Kingdom;
- (b) Ensure that such Specialist Clubs are properly run in the interests of all of their members and of the Cavy Fancy as a whole;
- (c) Determine the Standards to be applied when judging the various breeds of cavy in the United Kingdom, these standards normally but not in all cases being effected by the discussion of proposals made by the relevant Specialist Club;
- (d) Ensure that such Standards are phrased to be as clear as possible to judges, breeders and exhibitors; offer a difficult but achievable challenge to the breeder and exhibitor; and provide a logical basis for comparisons to be made regarding the relative merits of exhibits of different breeds.

1.2 Standards and Clubs in existence on 1<sup>st</sup> January 1978 will continue to be recognised by the Council unless and until superseded by changes that it has authorised.

1.3 Standards for any breed of cavy may only be defined, altered or deleted with the approval of the Council.

1.4 No individual may form an additional Specialist Club without prior approval of the Council.

1.5 No Specialist Club may attempt to cater for any additional breed without the prior approval of the Council, with the exception of The Rare Varieties Cavy Club, which may cater for new varieties of cavy that are not already catered for by any other Specialist Club.

1.6 The Council does not intend to define Show Regulations or deal with matters arising there from. Shows should be held under the Show Regulations of the National or Southern Cavy Clubs, Specialist Breed Clubs themselves or those of a nominated host society that may have such Regulations. Any complaints arising in regard to an alleged breach of these Regulations, other than those that are covered by explicit Council Rules, must be dealt with by the club or society whose Regulations govern the show.

## 2. Composition of the Council

2.1 The Council will consist of one Representative from each of the breed-specific Specialist Clubs in the United Kingdom.

2.2 Clubs with membership exceeding 200 individual adults/ partnerships as of 31<sup>st</sup> December shall be entitled to one extra vote and thereafter one extra vote per additional 100 such members for the next calendar year. Club representatives intending to take advantage of this facility must inform the Chairman of this fact, and provide any necessary evidence of membership levels, at the start of each meeting.

2.3 Each Specialist Club will be responsible for the election of its own Representative. However, as such representatives will frequently need to take decisions with implications both for the Specialist Club and for the cavy fancy as a whole, representatives must be on the Executive of the nominating Club as defined in Rule

5.1, be able to command the respect of this Club, and be of wide knowledge and experience within the cavy fancy. A deputy of similar characteristics should also be provided for occasions when the elected representative is unable to attend

- 2.4 Representatives will appoint a Chairman and Secretary/Treasurer as additional members of the Council. The Chairman and Secretary/Treasurer may not represent any Specialist Club, and in the event that they were formerly such representatives the relevant Specialist Clubs must appoint other representatives.
- 2.5 The responsibility of the Chairman is to ensure the proper and orderly running of the Council. This will include calling meetings; producing an Agenda for each meeting; agreeing all minutes and communications to the cavy fancy at large; ensuring that meetings are conducted in a clear and orderly fashion and that agreed procedures are followed with regard to any decisions to be made by the Council.
- 2.6 In cases where Council Rules are ambiguous or do not adequately cover a particular issue, the Chairman shall have the right to determine the appropriate action, in the best interests of the Council and the Cavy Fancy; but in doing so he will consult and attempt to reconcile the views of Council representatives.
- 2.7 The responsibility of the Secretary/Treasurer is to communicate with Specialist Club representatives and secretaries regarding the activities of the Council, to produce draft minutes for agreement by the Chairman, and to control the financial arrangements of the Council.
- 2.8 The Chairman and Secretary/Treasurer will serve for a period of two years but are eligible for re-election. However, the Chairman and/or Secretary/Treasurer may be removed by means of a Vote of Confidence carried by a simple majority of all potential votes (i.e. the votes allocated under 2.1 & 2.2) of those attending a meeting of the Council for which the Agenda specifically refers to the matter.
- 2.9 When issues are to be discussed that affect show regulations, or which are likely to have a significant impact on the Cavy Fancy as a whole, the Chairman will invite the National and Southern Cavy Clubs to send senior representatives, ideally their Chairpersons. Such representatives will be able to participate fully in all discussions on such matters, but will not be eligible to vote.

### **3. Meeting and Voting Procedures**

- 3.1 Meetings will be held when deemed necessary by the Chairman, ideally with the agreement of the Council, or at the request of at least half of the representatives on the Council, at a location considered likely to maximise attendance.
- 3.2 Items for the Agenda must be submitted to the Secretary in sufficient time for the Chairman to agree the Agenda and for copies of the Agenda and relevant papers to be sent to representatives at least 28 days prior to the date of the meeting.
- 3.3 More than half of all representatives on the Council must be present in order to constitute a quorum.
- 3.4 Decisions taken will be binding on all Specialist Clubs represented on the Council, so long as the item under discussion has been published in the Agenda and an appropriate voting majority under 3.5 - 3.8 has been obtained.

- 3.5 All matters shall be decided by a simple majority of votes cast, as determined in 2.1 & 2.2, except in the following cases:
- 3.6 To allow the formation of a new Specialist Club the agreement is required of two thirds of the votes, as determined by 2.1 & 2.2, of those attending a meeting of the Council for which the Agenda specifically refers to the matter, and so long as this total in favour represents at least half of the potential votes of the entire Council (i.e. including the potential votes of non-attendees)
- 3.7 To allow creation, modification (other than in the case of minor modifications designed to improve clarity or remove ambiguity) or removal of a standard, without the agreement of the relevant Specialist Club, the agreement is required of two thirds of the votes, as determined by 2.1 & 2.2, of those attending a meeting of the Council for which the Agenda specifically refers to the matter, and so long as the total in favour represents at least half of the potential votes of the entire Council (i.e. including the potential votes of non-attendees)
- 3.8 To enforce a transfer of a breed from one Specialist Club to another, without the agreement of the former, the agreement is required of two thirds of the votes, as determined by 2.1 & 2.2, of those attending a meeting of the Council for which the Agenda specifically refers to the matter, and so long as the total in favour represents at least half of the potential votes of the entire Council (i.e. including the potential votes of non-attendees)
- 3.9 To expel a Club from the Council, which situation may only be expected to arise following a serious transgression by the Club of Council Rules or rulings, the agreement is required of two thirds of the votes, as determined by 2.1 & 2.2, of those attending a meeting of the Council for which the Agenda specifically refers to the matter, and so long as the total in favour represents at least half of the potential votes of the entire Council (i.e. including the potential votes of non-attendees).
- 3.10 To wind up the Council the agreement is required of two thirds of the votes, as determined by 2.1 & 2.2, of those attending a meeting of the Council for which the Agenda specifically refers to the matter, and so long as the total in favour represents at least half of the potential votes of the entire Council (i.e. including the potential votes of non-attendees). In this case the assets of the Council, net of any outstanding expenses, will be allocated as determined by a simple majority of the votes of those attending such a meeting.
- 3.11 The Chairman and Secretary may not vote, save that in the event of a tie the Chairman may exercise a casting vote.
- 3.12 Changes to the Rules of the Council will take effect from the date specified in the Minutes. No Rule can be applied to deal with an issue that may have arisen prior to the enactment of the Rule, unless that issue is deemed to have an ongoing impact on the effectiveness of the Council.
- 3.13 Decisions made by the Council will take effect from the date specified in the Minutes.

#### 4. Use of Breed Standards

- 4.1 The Council will maintain an up-to-date register of all breed standards; will publish new standards or modifications to existing ones in official cavy publications as defined by the Council; and will from time to time publish a booklet detailing all Full and Guide standards. For an appropriate charge copies of this booklet will be made available to, and may be sold by, all Specialist Clubs that are members of the Council and by the National and Southern Cavy Clubs.
- 4.2 Full Standards are defined for all breeds of cavy that in the Council's opinion represent varieties that are distinct from all other existing breeds, provide a desirable addition to the Cavy Fancy, and for which a standard of excellence has been established and agreed after a sustained process of breeding and exhibition. Such standards will describe the most important characteristics of the ideal exhibit of each breed and indicate, via an allocation of points adding up to 100, the relative weighting to be given to each of these characteristics in assessing different exhibits. However, the importance of 'balance' in an exhibit must always be considered: an exhibit that is a 'near miss' on all characteristics may be regarded as more desirable than one that is perfect in several but very poor in a particular one, and the points allocated are therefore not intended to be used as the basis of a scoring system.
- 4.3 Guide Standards are defined for breeds of cavy that are in a process of development but that, in the Council's opinion, represent varieties that are distinct from all other existing breeds, are likely to provide a desirable addition to the Cavy Fancy, and for which a provisional standard of excellence can be stated after an initial period of breeding and exhibition under the auspices of a Specialist Breed Club. Such standards will describe the most important characteristics of the ideal exhibit of the breed but are likely to be stated in more general terms than for a Full Standard; and no points allocations will be given to indicate the relative importance of different characteristics.
- 4.4 In Open cavy shows the only cavies that may be exhibited are those having a Full Standard agreed by the Council, with the following exceptions:
- (a) Cavies of breeds for which a Guide Standard has been agreed by the Council.
  - (b) Cavies of non-standardised colours of standardised breeds, which shall be viewed as having a de facto Guide Standard, the guidance points being as for the standardised breed but with colour definition(s) remaining to be specified. Cavies in these categories (a) and (b) may only be shown in a class or classes specifically defined for Guide Standard cavies and are not eligible for awards in competition with fully standardised cavies.
  - (c) Cavies not satisfying the above conditions, i.e. new or emerging varieties, will only be permitted to enter classes specifically defined to allow the assessment of such varieties under conditions laid down by the Council. These conditions will be framed to encourage serious breeding activities aimed at developing valid new varieties, but duplication outside these specific 'assessment' classes will not be allowed.
  - (d) Pet cavies, for which judging criteria are subject to individual opinion but include cleanliness and health. These cavies cannot be shown in competition with cavies in other categories.
- 4.5 At any Open show (i.e. not a show held under the auspices of a Specialist Breed Club) there shall be at least one breed class available for entry by any breed of cavy that has a Full Standard. There should also be at least one class available for any breed of cavy that has a Guide Standard, as defined in Rule 4.4(a) and 4.4(b) above.

4.6 Judges who are on the panels of Specialist Clubs represented on the Council shall at all times when judging in the United Kingdom apply the Breed Standards currently defined by the Council.

4.7 Breed Names and Standards approved by the Council shall remain the absolute copyright property of the Council. Such Standards and Names may be used, without seeking the Council's express prior permission, by all Clubs in the United Kingdom organising shows for exhibition cavies, on the strict understanding that Council rules and policies will be followed in defining the schedule of classes to be used in such shows.

## 5. Code of Practice for Clubs Affiliated to the Council

5.1 Specialist Clubs affiliated to the Council must be run in a fair, open and competent manner conducive to the best interests of the breeds they serve, the fanciers of these breeds and the Cavy Fancy as a whole. In particular all such Clubs are required to:

- (a) Elect an Executive consisting, at a minimum, of a Chairman, a Secretary, a Treasurer (which role may be combined with that of Secretary) and at least 5 other members, which should meet as necessary to ensure the proper running and governance of the Club to meet the above objectives and the responsibilities described below.
- (b) Hold an Annual General Meeting on a date not exceeding 15 months from the date of the previous meeting, the dates of such meetings to be published in official Cavy Fancy publications as determined by the Council at least one month before the meeting.
- (c) Ensure that statements of Profit/Loss/Income/Expenditure and of the Balance Sheet are prepared annually, audited by a person of integrity and independence who is not associated with the Club, and presented to the Annual General Meeting.
- (d) Ensure that nominations for positions as Club officials are sought by publication in official Cavy Fancy publications at intervals not exceeding two years; and that a ballot to elect such officials is held promptly following the closure of such nominations, so long as there are more nominees for any position than there are positions available.
- (e) Ensure that those participating as candidates in such ballots are bona fide members of the Club and of sufficient knowledge, expertise and integrity to discharge the duties relevant to the office, such determination being without influences of personal prejudice.
- (f) Ensure that those eligible to vote in such ballots are bona fide members of the Club of a duration considered appropriate by the Club as being reasonable to ensure an informed decision on the ballot.
- (g) Provide a Representative, and when necessary a Deputy Representative, to the Council, the names and contact details of such Representatives to be notified to the Secretary of the Council.
- (h) Ensure that the Club is represented at Council meetings whenever possible, and under no circumstances fails to be represented at more than one meeting in succession.
- (i) Ensure that Club Rules, dealing with the organisation and activities of the Club, are maintained in a clear and comprehensible form; and that such rules are followed wherever possible in ordering the Club's organisation and activities.
- (j) Ensure that these Rules are at all times consistent with those of the Council. Accept that any new rules or decisions that are agreed by the Council will override conflicting rules or decisions that may previously have been in place

within the Club; and that no rules may subsequently be agreed by the Club that conflict with existing Council rules.

- (k) Hold each year not less than two Stock shows, catering solely for the breed(s) covered by the Club, and covering a reasonable geographic spread over a three-year period of time.
- (l) Lodge with the Council within 3 months of an AGM's taking place, or such later date as may be agreed by the Chairman of the Council, a report of proceedings to include Date, Time and Venue of meeting; List of Attendees including Chairman and Minutes Secretary; Minutes or Draft Minutes of the Meeting; Copy of Profit/Loss/Income/Expenditure Account and Balance Sheet; Dates and Venues of Stock shows held; Date at which any Nominations for Ballot will be required.
- (m) Supply to any member upon request copies of Club Rules, Profit/Loss/Income/Expenditure Account and Balance Sheet.
- (n) Agree and make it known to members that, should dissatisfaction be felt with the level of service being provided by the Club or with any alleged failure to meet its obligations under this Rule (5.1) of the Council, complaint may be made to the Chairman of the Council, who may seek to deal with the matter under Rule 8 below.
- (o) Accept that, when such a complaint has been made to the Council and the Council has made a determination on the issue after due process as detailed in Rule 8 below, then action will be taken to effect the ruling of the Council.

5.2 Until or unless subsequently determined otherwise by the Council, the term 'Official Cavy Fancy Publications' referred to in 5.1 shall mean at a minimum that relevant information must be published in the 'CAVIES' magazine.

## **6. Disciplinary Action by Specialist Clubs against Members**

6.1 In the event that a Specialist Club takes disciplinary action against one of its members (which reference may also be taken to mean a partnership):

- a) The Club must advise the Member specifically and in writing of his/her rights of appeal, both within the Club and to the Council.
- b) The Member may appeal to the Council against the Specialist Club's findings and decision. Such appeals can be made only after the exhaustion of any Appeals Procedure that may exist within the Club in question; must be made within 28 days of notification to the Member of the Club's decision as regards the Appeal (or of the original decision if there is no Appeals Procedure); and must be made in writing accompanied by a payment of £25, which will be forfeited to the Council should the Council determine, entirely at its discretion, that the Appeal had no reasonable basis.
- c) In cases of such Appeals, a meeting of the full Council will be convened as soon as is reasonably convenient, at which the relevant Specialist Club and Member will be invited to make written and/or verbal submissions of the issues involved. These should, on behalf of the Specialist Club, include details of the alleged offence and the reasons for the disciplinary action determined; and, on behalf of the Member, any rebuttal of the alleged offence or arguments as to why the disciplinary action is considered unreasonable. Appeals will be heard by as many of the full Council as can attend, but Council Representatives involved in the original action will not be allowed to sit on the Appeal. In such cases Clubs may send a Deputy Representative. With the prior permission of the Council, the Appellant may bring a fellow fancier to help in the representation of their case; but legal representation will not normally be permitted.

- d) After hearing the Appeal, the Council will determine whether disciplinary action against the Appellant is justified and what action is appropriate. The original disciplinary action may be upheld, expunged or varied in any manner that the Council believes is fair and appropriate to the offence committed. The disciplinary action determined by the Council may extend to cover all Clubs belonging to the Council as well as the one initiating the original complaint.
- e) In addition to the circumstances described above, Council action may also be initiated by a Specialist Club itself in situations where it believes that an offence committed by a member is so significant that action by other Clubs is warranted. In such cases the same procedures as those described above will be undertaken, with the Specialist Club's presenting its case and the Member's being allowed to present a defence.
- f) Only in the situations above, where the Council has, as a body, considered and upheld disciplinary action against a Member of a Specialist Club, may a Specialist Club take action against one of its Members as a result of an offence committed against another Specialist Club. (All Club Rules relating to such 'reciprocal action' are therefore rendered redundant by this Rule.)
- g) Given that the Council has, via this Rule, established an independent Appeals Procedure for a Member of a Specialist Club who is dissatisfied with any action taken against him/her, and since the Cavy Fancy represents a 'hobby' activity run with a relatively low level of financial resources, should a Member of a Specialist Club attempt to invoke any form of legal action for any issue that is covered by Council rules, then this shall be considered a strong prima facie reason whereby a Specialist Club may refuse to renew the membership of the Member in question when such membership becomes due for renewal.

## **7. Stud Name and Prefix Register**

- 7.1 The Council will ensure that a Register is maintained of Stud Names and Prefixes, such names to be unique to a given fancier or partnership, with names offering minimal risk of confusion and being within the bounds of good taste.
- 7.2 This register will be maintained by a Registrar appointed by the Council, who will resolve cases of potential duplication, determine applications for new names against the above criteria and ensure that the Register is made available to secretaries of Specialist, Area and Local Clubs and for publication in official cavy publications, as deemed necessary by the Council.
- 7.3 Requests by fanciers for approval of Stud Names and Prefixes must be made in writing to the Registrar, accompanied by an appropriate charge. The fancier may only use the requested Name or Prefix when it has been approved by the Registrar. (N.B. In setting up the Register existing Stud Names and Prefixes were included, with duplicates being resolved by the Registrar, free of charge.)
- 7.4 The Registrar shall produce, as requested by the Secretary of the Council, a statement of Income and Expenditure associated with running the Register.
- 7.5 No other individual or cavy body may attempt to control the registration of Stud Names or Prefixes, thereby eliminating the possibility of duplicate names being used by different fanciers and thereby causing confusion.

## **8. Enforcement of Council Rulings and Disciplinary Procedures**

- 8.1 The Council may take action to rectify any problem situation that may occur in its sphere of influence as defined by any of the above rules. In particular it will be concerned in cases of:
- Significant non-compliance by Member Clubs of the standards of behaviour expected by the Council as defined under Rule 5;
  - Attempts by any individuals to set up a Breed Specialist Club without permission of the Council;
  - Evident disregard by Specialist Club panel judges of the Breed Standards of the Council or its rulings as regards Breed Standards, as detailed in Rule 4;
  - Evident disregard by the officials of clubs holding an Open show of Council rulings as regards Breed Standards, as detailed in Rule 4.
- 8.2 Any significant alleged transgression of Council rules may be brought to the attention of the Council by any Representative or by any individual member of a Specialist Breed Club, save that in the latter case the individual member must first have sought to resolve the alleged situation by a direct approach to the Club or individual concerned, or offer some good reason as to why this was not possible.
- 8.3 In the case of such an allegation's being made to the Council, the individual or representatives of the Club allegedly in offence will be notified of the complaint and may, if in the opinion of the Chairman there is a case to answer, be asked to attend a meeting of the Council at which the complaint will be considered. In this case similar procedures to those detailed in 6.1 (b) will be invoked. The Chairman will report all such allegations to the next meeting of the Council, including those cases that he/she regards as not worthy of further action, so that if it deems it to be appropriate the Council may amend the actions that the Chairman has determined.
- 8.4 A complaint as regards such a transgression of Council Rules and Procedures can only be upheld by the agreement of two thirds of the votes, as determined by 2.1 & 2.2, of those attending a meeting of the Council for which the Agenda specifically refers to the matter, and so long as the total in favour represents at least half of the potential votes of the entire Council (i.e. including the potential votes of non-attendees)
- 8.5 If the Council finds the complaint to be upheld, it may determine any action that it deems appropriate to resolve the matter and to ensure future compliance with Council rules and procedures, always bearing in mind the best interests of the Cavy Fancy. Amongst the actions that may be taken by the Council in cases of proven transgression are:
- Formal warning not to repeat the offence and the seeking of undertakings to this effect;
  - Instruction to reverse any effects of the transgression of Council rules, where this is possible;
  - For individuals in transgression of Council rules, expulsion from all Specialist Clubs in the Council or the refusal to renew membership when it becomes due for renewal;
  - For judges refusing to recognise Council Breed Standards, suspension from the Judging Panels of all Specialist Breed Clubs;
  - For Specialist Clubs encroaching on breeds catered for by another Club or that are, in the Council's opinion not being properly run in accordance with the requirements of Rule 5, expulsion from the Council and the withdrawal of the Council's protection of the Club's right to cater for its Specialist breed(s).
  - For Clubs holding Open Shows that refuse to operate in accordance with the requirements of Council Rule 4 regarding Breed Standards, the withdrawal of the Council's permission to use its Breed Standards at such shows and of the



recognition by Specialist Clubs of the results of such shows for the purposes of Championship claims and other awards.

8.6 The Council may withdraw any penalty once it has been satisfied that the offence causing sanction will not be repeated.

## **9. Running of Council Activities**

9.1 It is intended that the running and clerical expenses of the Council will be met from the proceeds of the Stud Names & Prefix Registration scheme described in Rule 6, although Clubs represented on the Council may be asked to make occasional contributions if this source of revenue proves insufficient.

9.2 The Secretary/Treasurer will maintain accounts of Income and Expenditure, to be presented to the Council annually or when additional income is required. The Secretary will control all expenditure.