

TWHBEA CORPORATION RULES

CORPORATION RULES

RULE 1:

REGISTRATION

The TWHBEA is the official Registry for Tennessee Walking Horses. All registrations, to be valid, must be filed with the TWHBEA on the prescribed form and accepted by the Secretary. The TWHBEA Registration Application/Parentage Verification Kit Request form is a dual purpose form valid for six months from the date processed. *If the parentage verification laboratory does not receive the DNA sample within six months of the date processed, the application will have to be refiled and fees paid again.*

If the application for registration is for a foal that is to be shown *under halter* prior to receipt of the official registration certificate, the assigned name and assigned registration number as they appear on the copy of the form returned with the parentage verification kit may be used for a period of six months from the processing date.

1.01 Only foals out of a mare registered with the TWHBEA, and by a stallion registered with the TWHBEA, are eligible for registration with the TWHBEA.

1.02 Application must be made on an official application for registration form furnished by the TWHBEA.

1.03 Application must be neat, complete, and in ink or typewritten. Forms filled out in pencil will be returned. Application must bear the signatures of the recorded owner(s) of stallion at time of service as well as the owner(s) of mare at time of foaling. Application must also bear the pre-printed form number from the Stallion Breeding Report on which the mare's name is recorded.

1.04 Name of horse must not exceed 25 letters, including spaces and punctuation marks. Phonetically similar names will be considered the same. The only recognizable characters are the twenty-six letters of the alphabet (A-Z) plus periods, hyphens, apostrophes and ampersands. Quotations and numbers cannot be used. Profanity or sexually suggestive names will not be accepted.

1.05 Complete application must be returned with the proper fee. Fee is determined by the membership status of the owner of mare at time of foaling.

1.06 Transfers are required with applications for registration of foals when the dam of the unregistered foal was owned at the time of foaling by someone other than the owner of the foal at the time application for registration is submitted. Transfer Report/Bill of Sale must be attached to such applications for registration, date of purchase completed, and fee remitted for both registration and transfer.

1.07 All applications for registration become an important and permanent part of the records of the TWHBEA. Every care should be exercised in giving accurate data.

1.08 Members of the Association are entitled to register one foal free for each year that dues are paid provided that the membership is current at the time of application, dam of said foal is recorded in said member's name on the date of foal's birth and provided the foal is registered within six months of foal date.

RULE 2:

FREE REGISTRATION

Members of the Association are entitled to one free foal registration for each paid dues period, provided the dam of the foal is recorded in the member's name on the date of the foal's birth, and provided the foal is registered within six month of foaling. The free foal registration must be requested at the time the paperwork is submitted. *(There will be NO adjustments made later, and the free registration will not be automatically granted.)*

RULE 3:

TRANSFER REPORT/BILL OF SALE

The Transfer Report/Bill Of Sale is a three part document.

The **original** is the buyer's copy to be forwarded, along with the registration certificate, to the TWHBEA office with the appropriate fee for recording transfer of record of ownership.

□ The **second** copy is the seller's copy to be forwarded to TWHBEA to advise that possession of the animal identified by this document has changed, and establish the date that transaction took place. No fee required with this copy.

□ The **third** copy is the seller's personal copy.

3.01 The seller is responsible for providing the buyer with a properly completed Transfer Report/Bill Of Sale, the original Certificate of Registration, properly dated and signed in the appropriate block on the back of the certificate. Unrecorded back transfer fees, as well as the fee for recording ownership with the TWHBEA, may be paid by either the buyer or the seller. The Transfer Report/Bill Of Sale must be signed by both the seller and the buyer or, in his absence, the buyer's agent. The original Certificate of Registration will be mailed to the new owner after recording. If applicable, frozen semen ownership disclosure must be filed and signed by buyer and seller.

3.02 The TWHBEA recognizes the following signatures on transfers of ownership: Sole owner of record, or if jointly owned, e.g., "Mr. John Smith and Mrs. John Smith," the signatures of all owners are required. If jointly registered, e.g., "Mr. and/or Mrs. John Smith", or "Mr. or Mrs. John Smith", then the signature of only one party is required. When a Letter of Authority has been filed with the TWHBEA office, the signature of any authorized party is acceptable.

3.03 Typewritten transfers are acceptable but erasures or alterations will render the transfer null and void.

3.04 The fee will be based not only on the sale date, but the date the papers are postmarked, as well as the membership status of the person making the transfer.

3.05 A separate Transfer Report/Bill Of Sale, must accompany an application for registration if a foal is being recorded in any name other than the owner of the mare at the time of foaling. A fee will be charged for this transfer which is determined by the date of purchase and the membership status of the person making the transfer.

3.06 Transfer without signature of recorded owner: Whenever legal title to a registered Tennessee Walking Horse passes to another by reason of death of the recorded owner, by foreclosure of any lien or by any order or decree of court or otherwise by operation of law, the TWHBEA may transfer the registration of the horse to the new owner when presented with the following:

A. A certified copy of the order of a court of competent jurisdiction or other satisfactory proof of authority for the transfer such as a divorce decree or will;

B. Payment of applicable transfer fees;

C. Any other requirements as may be defined by the TWHBEA in special situations.

3.07 TRANSFERRING MARES WHICH HAVE BEEN BRED: If said mare had been served prior to sale, but not yet foaled, enter the registered name and the registration number of the sire. Enter date served and indicate whether the stud fee is paid, not paid or partially paid. Obtain signature of mare owner at time of service.

3.08 Auction Sale: In the event a horse is sold through an auction, the seller will deliver to the management of the auction the registration certificate, along with a transfer report properly completed as the name and registration number of horse being sold, the signature and address of seller, and date of sale. It will be the responsibility of the auction representative to obtain the name, signature, and address of the buyer, or the buyer's agent, and to send the registration certificate, buyer's original copy and the seller's TWHBEA copy of the transfer form, and required transfer fee to the TWHBEA. It will be the responsibility of the auction representative to send the seller's personal copy of the transfer form to the seller, and give the buyer's personal copy to the buyer or the buyer's agent.

3.09 Alterations: No person shall make any alteration of a completed Transfer Report/Bill Of Sale, nor in any manner deface, change or amend the provisions of it.

3.10 When the owner of any registered animal disposes of that animal without papers, the owner shall notify the Association of the fact and surrender the appropriate registration certificate to the association for proper notation. If requested, the cancelled certificate will be returned to the recorded owner.

RULE 4:

STALLION BREEDING REPORTS

4.01 Stallion reports cover the period from October 1st through September 30 each year. The report must be postmarked from the country of origin no later than October 15th each year. It is the responsibility of the stallion owner of his authorized agent to see that the form is postmarked by this deadline.

If a mare has been omitted from a Stallion Breeding Report which was filed in a timely fashion, she may be added at a fee of \$10.

4.02 A penalty of \$100 will be assessed in the event of late filing.

4.03 All mares bred, listed by their registered names, complete with their registration number, as well as last breeding date will be required.

4.04 In the last column, indicate with the letter A, N, P, FS or TS whether the mare was (A)artificially, (N)naturally, (P)pasture bred (FS) serviced to frozen semen or (TS)served with transported semen. If pasture bred, give the dates the mare was put in and taken out of the pasture.

4.05 All registration applications must include the preprinted stallion report number (located in the upper left corner on the reverse of this form) which documents the crossing of the foal's sire and dam.

4.06 The mare owner is not responsible for paying the late fee and may register their mare's foal when all other registration requirements are met.

4.07 *Refusal by any stallion owner to comply could result in the loss of privileges in the Association.*

4.08 Frozen semen certificate number must be used on registration application where applicable.

**RULE 5:
NOT IN ORDER FEE**

Papers returned for completion or correction more than once will be subject to a "Not in Order Fee". (See inside back cover for Schedule of Fees.)

**RULE 6:
PARENTAGE VERIFICATION REQUIREMENTS**

Failure to comply with the parentage verification requirements could result in the loss of privileges of the Association.

The TWHBEA Registration Application/Parentage Verification Kit Request form is a dual purpose form valid for six months from the date processed. *If the parentage verification laboratory does not receive the DNA hair sample within six months of the date processed, the application will have to be refilled and fees paid again.* Forms must be requested and obtained from the Association, completed in full and returned with the appropriate fee. Complete mailing instructions will be furnished with each kit. All parentage verification information obtained will be permanently recorded with the Association.

Although most persons prefer to have a veterinarian pull the blood for the blood typing kit, this is not required if both the sire and dam have already been bloodtyped. DNA samples may be pulled by owner.

6.01 TWHBEA registered horses born prior to October 1, 1993 that were not bloodtyped by October 1, 1997 will have to parentage verify in order for their offspring to be eligible for registration with the TWHBEA. (Effective 10/1/97.)

6.02 All foals born after September 30, 1993, must be blood typed and parentage verified before a certificate of registration will be issued. All registration certificates for animals that meet the registration requirements at the time of registration shall be valid. (Effective October 1, 1993.)

6.03 Anyone requesting a blood typing kit on a horse born prior to October 1, 1993 is required to send the original registration certificate to the TWHBEA before the kit will be issued. If the horse does not parentage verify, the certificate will be so marked and returned with a notice stating the horse's offspring cannot be registered. If the horse does parentage verify, the certificate will be so marked and returned.

6.04 Parentage verification information acquired from a laboratory in conjunction with an application for registration or otherwise submitted as required under the rules and bylaws of the Association becomes the property of the Association. With the implementation of new certificates of registration, blood typing and or DNA information will be printed directly on the certificate rather than a card being issued to the owner. Any blood typing information submitted to the Association will not be furnished to anyone other than the current owner of record. Such information shall be provided to the current owner of record only on written request.

6.05 Upon protest or charge (in writing) by a member, a Hearing Committee shall be appointed by the Enforcement Division Chairman to conduct a hearing and make a determination as to whether a foal shall be registered. The procedure shall be as any other charge or protest. The blood type/DNA of the Parent(s) compared to that of the foal shall be submitted to the Committee prior to the hearing. The results of the comparison shall create a rebuttable presumption at the hearing which may be overcome only by clear and convincing evidence to the contrary. The Committee's decision shall be based upon all relevant factors.

6.06 The owner of record of any horse that has not produced any registered offspring may petition the Executive Committee to change the pedigree of such horse as reflected on its registration certificate. Such request shall be made in writing to the Executive Committee. After such request is made, the Executive Committee shall meet in regular or special session to consider such request. Prior to such hearing, written notification of such request shall be sent to the owner of sire and dam at time of service on the original application of such horse, as well as to the owner of the sire and dam proposed to be reflected as the correct pedigree. Such request will be granted only if parentage verification is produced by the owner making such request establishing the pedigree as requested by such owner.

**RULE 7:
USE OF TRANSPORTED AND/OR FROZEN SEMEN**

Registration of foals produced by the use of transported and/or frozen semen will follow the same standard requirements for registration as those begotten by other means; however, foals which are produced from the use of transported and/or frozen semen *must be blood typed and or DNA and parentage verified before the foal will be accepted for registration.* Frozen semen may be used after the death of a stallion provided the blood typing/DNA requirement was met.

**RULE 8:
EMBRYO TRANSFER**

Registrations of foals resulting from embryo transfers will follow the same standard requirements for registration, except that multiple foal registrations from a donor mare during an eleven month period will be accepted. Blood typing/DNA of donor mare, stallion, and foal is required. Parentage verification will be the sole responsibility of the

person(s) sending registration and entirely at his expense. Any foal that does not meet the blood type comparison/DNA will be forever barred from registration.

**RULE 9:
AUTHORIZED ALTERATION OF CERTIFICATES**

9.01 Alterations can be made on certificates after issuance to correct color and/or markings. Old certificates must be returned with a statement signed by the breeder listed on the face of the certificate, along with fee. (See inside back cover for Schedule of Fees.) Office errors will be corrected without charge.

9.02 There will be no fee for correction of color and/or markings on foals made within 24 months of the foaling date, provided that the old certificate is returned with a statement signed by the breeder listed on the face of the certificate.

**RULE 10:
CHANGE OF NAME**

10.01 The name of any registered Tennessee Walking Horse may be changed provided it has not sired or produced a registered foal. Send the certificate of registration, list of three choices of name (see Rule 1.04 for naming requirements), and fee. (See inside back cover for Schedule of Fees.) The certificate will be reissued showing the new name but will retain the same registration number.

10.02 Once a name is used in the registry, it can NEVER be used again.

**RULE 11:
DUPLICATE CERTIFICATES**

Duplicate certificates of registration will be issued if the original has been lost or destroyed provided an affidavit for duplicate (form furnished by the Association) has been signed by the last recorded owner(s) before a notary public and sent to the Association with fee. (See inside back cover for Schedule of Fees.) Once the duplicate has been issued, the original shall automatically be void. Responsibility for the issuance of the duplicate lies with the individual making the affidavit.

**RULE 12:
CERTIFIED PEDIGREES**

Certified pedigrees will be issued upon request and payment of a fee. (See inside back cover for Schedule of Fees.) These pedigrees are not transferable.

**RULE 13:
FALSE PEDIGREE**

13.01 Any person or persons who shall willfully register or record a false pedigree shall be forever barred from making further registrations, and from membership, and the registration of such false pedigree shall be void.

13.02 No person shall willfully misrepresent the name, age, pedigree, blood type, blood sample, or appearance of any horse being offered for sale or breeding. (Effective 8/1/95)

13.03 No person shall purchase, sell, give or receive a Certificate of Registration without that represented animal being a part of the transaction. (Effective 8/1/95)

13.04 No person shall alter, or attempt to alter a Certificate of Registration or any other document issued by this Association. (Effective 8/1/95)

**RULE 14:
PEDIGREE RESEARCH**

The Association Staff will provide any of the above information upon request by members of the Association. This is beyond what is on the original certificate. There will be a charge per generation per pedigree extension. There will also be a charge per generation of color background. The information requested will be done at the convenience of the Staff. (See inside back cover for Schedule of Fees.)

**RULE 15:
PRODUCTION SEARCHES**

15.01 The Association Staff will furnish mare production records to any member of the Association, provided said request is made in writing and fee for each mare prepaid. In the event that the member making the request is not the owner of record of the mare, said owner of record will be notified that such a request has been made and filled. (See inside back cover for Schedule of Fees.)

15.02 Stallion production records will be furnished upon payment of a fee for each stallion per year., at the convenience of the Association Staff, to members of the Association only, provided said request is made in writing

accompanied by fee. In the event that the member making the request is not the owner of record of the stallion, said owner of records will be notified that such a request has been made and filled. (See inside back cover for Schedule of Fees.)

**RULE 16:
NEUTERED HORSES**

16.01 The original Certificate of Registration may be sent by the owner of the horse to the TWHBEA Headquarters upon the neutering of the horse. This provision is voluntary. The Secretary shall indicate on the face of the original certificate that the animal has been neutered and return the original certificate to the owner.

16.02 If the original registration certificate is accompanied by veterinarian's statement, the owner of the animal will be issued a \$5.00 credit toward other Association transactions.

**RULE 17:
DECEASED HORSES**

17.01 The original Certificate of Registration shall be sent by the owner of the horse to the TWHBEA Headquarters upon the death of the horse. This provision is mandatory and persons failing to comply shall be subject to disciplinary rules, including expulsion from membership. The Secretary shall stamp "VOID-DECEASED" on the back of the original certificate and send a certified copy to any insurance carrier upon request.

17.02 Members returning papers on deceased animals which are recorded in their name will be issued a \$5.00 credit toward other Association transactions.

**RULE 18:
MAILING RESPONSIBILITY**

The Association takes no responsibility for the certificates of registration once they are mailed to the owner. The person(s) applying for transfer or registration is solely responsible for the accuracy of the mailing address. Certified mail or special delivery may be requested by the applicant at his or her expense.

Papers lost in transit from the TWHBEA to the recipient will be replaced with a duplicate certificate at no cost to the customer provided he makes an inquiry of the status of the papers within six months of the processing date and completes the required affidavit.

**RULE 19:
COPYRIGHT STATEMENT**

The certificate of registration is intended for the private use of the owners of the named horse and the content thereof may not be copied or otherwise reproduced without the express written consent of the Tennessee Walking Horse Breeders' and Exhibitors' Association.

**RULE 20:
DISCIPLINE**

20.01 TWHBEA shall discipline its members, and any non-member, exercising privileges of the Association or engaging in any of the activities encompassed thereby for violations of these Rules.

20.02 This discipline shall be administered by the Executive Committee and there shall be no appeal therefrom. The Board of Directors may act to review and affirm or reverse a decision of the Executive Committee upon the motion of a Director, duly passed. However, this Board action must be taken at the next regular meeting of the Board following the Executive Committee action or it is forever barred. The respondent has no right to such review, as it lies in the sole discretion of the Board. Should the Board decide to review, it shall be do novo.

20.03 A complaint may be filed by any member of the Association with the Executive Secretary as follows:

- A. In writing.
- B. Contain a reasonably clear description of the offense and cite the Rule(s) allegedly violated.
- C. Be signed by the member.
- D. State the full name and address of the respondent.
- E. Be accompanied by a deposit of \$25 which will be refunded only if the complaint is suspended.

20.04 The Executive Secretary shall immediately notify the respondent of the complaint and send a copy, set a hearing date, notify the parties of the date.

20.05 The hearing shall be conducted within 90 days of the receipt of the complaint.

20.06 The hearing shall allow each party to fairly and adequately present their case.

20.07 The decision shall be made on the date of the conclusion of the hearing. The deliberations shall be in private and the parties notified by mail.

20.08 If the decision is in favor of the respondent, the complaint shall be dismissed. If the decision is in favor of the complaint, the Committee shall take one, more than one, or all of the following actions:

A. Censure. A vote of Censure shall be reported to the Directors at their next meeting and listed under the respondent's name in the Secretary's Record of Penalties.

B. Suspension. The person may be suspended from participating in any Association activities and from any privilege of the Association, including, but not limited to:

- 1)Registration
- 2)Transfer of ownership
- 3)Membership
- 4)Holding office
- 5)Doing business with the Association

The term of suspension shall be from 10 days to their lifetime.

C. Fine. The person may be assessed a fine of not less than \$25 nor more than \$5,000.00. The person shall not be eligible to use any Association service or function until the fine is fully paid, regardless of other penalties assessed.

**RULE 21:
CONDUCT OF MEMBERS**

21.01 The members of this Association, including specifically Directors and Officers, shall conduct themselves as ladies and gentlemen in all meetings and in all dealings with the Association.

21.02 No person shall attempt to influence the actions of the Enforcement Committee, Executive Committee, Hearing Committee, Board of Directors, or Association employees by duress, bribery, or intimidation of any sort.

21.03 persons are expected to observe the "TWHBEA Code of Conduct Standards".

**RULE 22:
RECORDS AND PUBLICATION OF BOARD AND EXECUTIVE COMMITTEE ACTIONS**

22.01 Action taken by the Board of Directors and the Executive Committee with regard to administrative and operational matters shall be recorded in the minutes of the Association. This action shall be OPERATIONAL ACTION.

22.02 Action taken with regard to adoption, amendment, and repeal of these RULES shall be published in the *Voice of the Tennessee Walking Horse* magazine in addition to the minutes. This action shall be RULE ACTION.

**RULE 23:
AFFILIATION OF SHOWS
(RESERVED)**

The TWHBEASM affiliates shows through their own HIO (Horse Industry Organization) at this time these affiliation forms can be received by contacting TWHBEASM at 931-359-1574.

**RULE 24:
LICENSING OF JUDGES
(RESERVED)**

The TWHBEASM has a licensing program for judges with additional programs for a special judges card. For information on applications please call TWHBEASM at 931-359-1574.