

# NATIONAL COUNCIL FOR AVICULTURE

## CONSTITUTION 2022

1. The organisation shall be called the **NATIONAL COUNCIL FOR AVICULTURE**, referred to hereafter as the **NCA**.

### 2. **Objects**

- (i) To promote the welfare, study, breeding, development and exhibition of birds within a managed environment.
- (ii) To represent the hobby of aviculture within the U.K.
- (iii) To liaise with Government Departments in forming legislation relating to all aspects of aviculture.
- (iv) To promote and protect the interest of breeders and exhibitors
- (v) To stimulate and encourage greater public interest in the objectives of the NCA.
- (vi) To assist the progress of scientific knowledge.
- (vii) To promote education and awareness of aviculture.
- (viii) To serve as a parent body in a closely knit affiliation of like minded groups.
- (ix) To establish common codes of conduct within aviculture.
- (x) To facilitate the exchange of research information.
- (xi) To reward work of outstanding merit with awards or other marks of recognition.

### 3. **Membership**

Membership of the NCA shall consist of:

- (i) Four Parent Organisations one for Canaries (The Canary Council), one for British Birds (The British Bird Council), one for Budgerigars (The Budgerigar Society) and one for Foreign Birds (The Foreign Bird Federation). In the event that any of the above named organisations are unable to fulfil their obligations they can be replaced by a like minded umbrella organisation representing in broad principle the objectives of that parent body subject to the payment of the appropriate fee.
- (ii) Affiliated Cage Bird Societies.

- (iii) Members granted Honorary Life membership prior to 31<sup>st</sup> March 2007.
- (iv) Members paying life membership prior to 31<sup>st</sup> March 2007.
- (v) Honorary Life Vice Presidents elected by a majority at the AGM.
- (vi) Those members not covered by parent body membership, who shall have completed an application form for ring order membership and paid the applicable annual subscription to the NCA in accordance with rule 4a.

#### **4. Conditions, Rights and Obligations of Membership**

- (i) Parent Organisations and Affiliated Cage Bird Societies must complete an application for membership and pay the annual subscription applicable to them.
- (ii) All members accept to be contractually bound to the constitution of the NCA.
- (iii) Membership in each year shall commence on 1<sup>st</sup> January or the date of application if later and shall terminate on 31<sup>st</sup> December.
- (iv) Any Parent Organisation or Affiliated Cage Bird Society that has not paid an annual membership subscription by 31 March in the year for which it is due will cease to be a member. They may no longer be represented at any meeting of the NCA until such time as they have re-applied for membership and paid the amount due.

#### **4a. Conditions, Rights and Obligations of Membership (for membership group 3 (vi))**

- (i) All members must complete an application for ring order membership and pay the annual subscription applicable to them.
- (ii) All members accept to be contractually bound to the constitution of the NCA.
- (iii) Membership in each year shall commence on 1<sup>st</sup> January or the date of application if later and shall terminate on 31<sup>st</sup> December.
- (iv) On becoming a member of the NCA such member shall be allocated an exclusive official code number.
- (v) Members will be entitled to obtain close coded rings from the NCA provided they have completed a ring order form and paid their ring fee and subscription for the appropriate year. Such rings will be despatched from the first week in January. Members should allow a minimum of four weeks for manufacture and delivery of rings from time of payment.
- (vi) No person who has been convicted in a Court of Law of the neglect of, or cruelty to, or causing suffering to, or the theft of birds or animals shall be admitted to membership of the NCA during the period of five years from the date of conviction. Any member of the NCA convicted in a Court of Law or found guilty under the NCA's misconduct procedure of neglect of, or cruelty

to, or causing suffering to, or theft of birds or animals shall be suspended from the NCA for a period of five years or expelled from the NCA.

- (vii) No member shall bring the NCA or the Bird keeping Fancy into disrepute by act, deed, word or omission.
- (viii) Any member suspended from the privileges of membership shall not be entitled to obtain the NCA's closed coded rings, or take part in the management or affairs of the NCA.
- (ix) Any member who has not paid an annual membership subscription by 31<sup>st</sup> March in the year for which it is due will cease to be a member. They may no longer attend any meeting of the NCA until such time as they have re-applied for membership and paid the amount due.

## **5. Disciplinary Rule**

At its sole discretion the Management Committee may by a simple majority terminate or suspend the membership of any member of the NCA or delegate to the NCA for the following reasons:

- (i) Breaking the rules of the NCA.
- (ii) Bringing the fancy/hobby into disrepute by act, deed, word or omission.
- (iii) Being found guilty in a Court of Law of the neglect of, or cruelty to, or causing suffering to, or the theft of birds or animals.
- (iv) Being found guilty in a Court of Law of any offence contrary to the current relevant legislation.

## **6. Disciplinary Procedure**

- (i) The secretary of the NCA shall write to the member alleged to have committed the offence and give details of the alleged offence.
- (ii) The secretary shall invite the said member to make written submission to the secretary within twenty eight days of receipt of such notification. In the event of no such submission being received it shall be assumed that the said member denies the complaint in full.
- (iii) The secretary shall make such further enquiries as appear to him and the Management Committee to be necessary and, subject to such enquiries shall notify the member alleged to have committed the offence of those findings and invite the said member to make further written submission in accordance with rule (ii) above.
- (iv) Upon completion of rules (i) to (iii) above the Management Committee shall determine the case.

- (v) Within seven days of the Management Committee's meeting the secretary shall notify in writing the member against whom the allegation has been made of the Management Committee's decision. In a case where the Management Committee have imposed a sanction on the member, the member shall be entitled to appeal in accordance with the appeals procedure.
- (vi) An appeal must be made within 28 days of the receipt of the decision and can only be made on the following grounds:
  - (a) that the Management Committee failed to take into account relevant evidence or
  - (b) took irrelevant evidence into account or
  - (c) that the decision was one which no reasonable tribunal could have concluded on the evidence available or
  - (d) that further relevant evidence has been discovered which could not with due diligence have been obtained prior to the hearing of the case or
  - (e) that the penalty was wholly unreasonable having regard to the gravity of the offence and any previous offences committed in the previous five years
- (vii) All notices given under this rule shall be sent by recorded delivery to the address last notified by the member to the NCA.

## **7. Appeals Procedure**

- (i) The appeal shall be heard by the Appeals Committee comprising of any three from the President, President Elect and an Honorary Life Vice President of the NCA.
- (ii) The appeal shall be set for a date no sooner than fourteen days after receipt of the notification of appeal and no later than twenty eight days.
- (iii) The appeal shall be heard at the regular meeting venue of the NCA.
- (iv) A tape recording of the proceedings will be taken.
- (v) Both the appellant and nominated member of the Management Committee shall be entitled to attend the hearing with or without a Solicitor and to address the Appeals Tribunal but no further evidence or information shall be placed before the Appeals Tribunal unless the tribunal is satisfied that such further evidence or information is relevant and could not have been obtained prior to the original hearing.
- (vi) The appellant shall be liable for his own costs.
- (vii) The Appeals Tribunal may uphold the original decision or vary or overrule the same but the Appeals Tribunal shall give no reasons for their decision and that decision shall be final.
- (viii) Such decision shall either be given verbally at the tribunal and confirmed in writing within seven days to all involved parties in the proceedings or shall be

given solely in writing within seven days to all parties involved in the proceedings.

- (ix) All notices given under this rule shall be sent by recorded delivery to the address last notified by the member to the NCA.

## **8. Subscriptions**

- (i) The Annual Subscription for all grades of paid up membership shall be proposed by the Management Committee and determined at the AGM.
- (ii) The subscription rate for ring membership shall be calculated in accordance with the following formula:
  - (a) An Adult member shall be a person over the age of sixteen and below the age of sixty five on the 1<sup>st</sup> January and shall pay the full subscription.
  - (b) A Senior member shall be a person aged over sixty five on 1<sup>st</sup> January and shall pay 75% of the full subscription.
  - (c) A Junior member shall be a person between eight and sixteen years on 1<sup>st</sup> January and shall pay 60% of the full subscription.
  - (d) A Disabled member shall be a person who, as at 1<sup>st</sup> January, is in receipt of State Benefit payable only to disabled persons and shall pay 75% of the full subscription.
  - (e) Members living at the same address and members in partnership shall each pay a fee in accordance with (a) to (d) above.

## **9. Representation**

- (i) Each Parent Organisation will be eligible to send three representatives to meetings of the Management Committee and any other meeting of the NCA.
- (ii) Affiliated Cage Bird Societies will be eligible to send one representative to the AGM and any EGM.
- (iii) Honorary Life Members, Life Members paying a subscription prior to 31<sup>st</sup> March 2007 and Honorary Life Vice Presidents will be eligible to attend the AGM, MC Meetings for the Life Vice Presidents and any EGM.
- (iv) Ring Members will be eligible to attend the AGM and any EGM without voting rights.

## **10. Voting**

The following structure will apply to all meetings that members are eligible to attend.

- (i) Parent Organisations 3 votes each. The parent body votes to be allocated so that each of the three members representing the parent body has 1 vote each.
- (ii) Affiliated Cage Bird Societies 1 vote each.
- (iii) Honorary Life members, Life members paying a subscription prior to 31<sup>st</sup> March 2007 and Life Vice Presidents 1 vote each.
- (iv) Ring membership. No Vote.

## **11. Management and Administration**

- (i) Management of the NCA shall be vested in the Management Committee which shall be entitled to delegate management to sub committees and individuals.
- (ii) Sub committees and individuals must report to the management committee in accordance with their terms of reference.

## **12. Officers**

The officers of the NCA will be:

- (i) The President who will serve for a term of two years from the AGM and will be entitled to attend all meetings of the NCA without the power to vote unless he qualifies under condition 7. The President will automatically become a Life Vice President on retiring from office.
- (ii) The President Elect who will automatically become President at the next AGM.
- (iii) Honorary Life Vice Presidents who will be entitled to attend the AGM with the power to vote, and attend MC meetings without the power to vote.
- (iv) The Chairman who will be elected for a three year period by the management committee and will be an ex officio member with only a casting vote on all committees. The chairman may stand for re-election. If the elected chairman is already a representative of a member organisation then that organisation will be permitted to replace him or her.
- (v) The Vice Chairman who will be elected by the management committee from within their ranks for a period of one year but may stand for re-election at the end of that period. In the absence of the Chairman the Vice Chairman will become chairman with the associated rights.
- (vi) A Secretary who will be elected annually by the management committee.
- (vii) A Treasurer who will be elected annually by the management committee.
- (viii) Other officers as deemed necessary.

### **13. Management Committee**

- (i) The management committee shall consist of not more than thirteen members. Twelve will be representatives of the four parent organisations. The thirteenth member will be the Chairman duly elected by the members of the management committee.
- (ii) No person will be allowed to remain on the management committee if he has ceased to be a member of the parent organisation.
- (iii) The management committee will meet at least twice a year with a period not exceeding six months between meetings.
- (iv) The management committee shall ensure that minutes of all NCA meetings are fully recorded.
- (v) The management committee shall ensure that reports of all NCA meetings are published.
- (vi) A Quorum at a management committee meeting shall be 50% plus of the members representing the Parent Organisations.

### **14. The Annual General Meeting**

The Annual General Meeting will be held before the 30<sup>th</sup> April in each year.

The time, date and venue of the AGM shall be determined by the management committee.

The agenda for the meeting shall be sent by the Secretary at least 28 days before the meeting and shall include the items listed below.

- (i) To receive and approve the balance sheet and profit and loss accounts for the previous year
- (ii) To receive a written report on the NCA's year from the Chairman, Secretary and Treasurer.
- (iii) The inauguration of the President.
- (iv) To elect the President-elect.
- (v) To appoint Honorary Life Vice Presidents.
- (vi) To receive the names of the management committee.
- (vii) To elect the Auditors.
- (viii) To determine the rates of subscription.

- (ix) To consider any matter referred to the AGM by the management committee.
- (x) To consider any resolution submitted to the secretary prior to the 1<sup>st</sup> December in the year of the meeting by the Management Committee, a Parent Organisation or two or more Affiliated Cage Bird Societies. Such resolutions to be circulated to the membership by 7<sup>th</sup> January in the year of the meeting. Amendments to the resolutions will be accepted provided they are submitted in accordance with the first sentence of rule 14(x) and are received prior to 31<sup>st</sup> January in the year of the meeting.
- (xi) A Quorum at the AGM shall be a minimum of ten members present.

## **15. Extraordinary General Meeting**

- (i) An Extraordinary meeting of the NCA will be called by the Management Committee up on receipt by the Secretary of a written requisition from two or more Parent Organisations or eight Affiliated Cage Bird Societies.
- (ii) The sole purpose of the EGM will be to determine the requisition.
- (iii) The date, time and venue of the EGM will be determined by the management committee but must be within 90 days of the request being received.
- (iv) The Secretary shall give all members at least 20 days prior notice of an EGM.
- (v) An EGM will only be valid if each Parent Organisation or Affiliated Cage Bird Society requesting the meeting is represented. In the event of Parent Organisations requesting a meeting they will need to be represented by four members from each organisation requesting the meeting. In the event of Affiliated Cage Bird Societies requesting a meeting they will need to be represented by one members from each society requesting the meeting. Duplicate representation by members of Affiliated Cage Bird Societies will not be permitted.
- (vi) A Quorum at an EGM shall be a minimum of 30 voting members of the NCA.

## **16. Voting at General Meetings**

- (i) Resolutions relating to General Business must be passed by a simple majority of members present and voting at the meeting.
- (ii) Resolutions relating to changes to the constitution must be passed by a two thirds majority of members present and voting at the meeting.

## **17. Accounts**

- (i) All monies shall be kept in account(s) with a national bank or building society, and shall be in the name of the National Council for Aviculture.



- (ii) Cheques will require the signature of any two of the following Chairman, Vice Chairman, Secretary or Treasurer.
- (iii) An annual audit by a competent person or company shall be undertaken.
- (iv) The financial year will run from 1st January to 31<sup>st</sup> December.

**18. Expenses**

- (i) The Parent Organisations and Affiliated Cage Bird Societies will be responsible for all expenses incurred by their representatives in attending meetings of the NCA.
- (ii) Honorary Life Members, Life Members paying a subscription prior to the 31<sup>st</sup> March 2007 and Honorary Life Vice Presidents shall be responsible for their own expenses.
- (iii) The Chairman, Secretary and Treasurer shall be entitled to claim such expenses as allocated by the management committee for carrying out their duties.
- (iv) The cost of meeting rooms, light refreshments and all administrative expenses will be paid for by the NCA.

**19. Winding Up**

In the event of a resolution to wind up the NCA being passed, its funds shall be divided equally between the paid up parent organisations at the date of the resolution.

**20. Constitution**

- (i) This constitution shall become effective from the 2012 AGM.
- (ii) The constitution can only be altered at an AGM by a two thirds majority of all votes cast at the meeting.
- (iii) Amendments to the Constitution must be submitted in writing to the Secretary by the 1<sup>st</sup> December in the year preceding the meeting.

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Fourth Draft Amended 24/8/06.  
 Fifth Draft Amended 17/2/07.  
 Sixth amendment (26/6/10)  
 Seventh amendment (2/4/2011)  
 Eighth amendment (31/3/2012)  
 Ninth amendment (5/4/2014)  
 Tenth amendment (11/4/2015)  
 Eleventh amendment (9/4/2016)  
 Twelfth amendment (9/4/2022)

# NATIONAL COUNCIL FOR AVICULTURE

**The subscription rates to be as follows.**

Ring Members	£5
CBS	£20
Parent Bodies up to 500 members	£50
501 up to 1000	£100
Over 1001	£200

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