

# **GENERAL RULES & REGULATIONS**

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## SECTION I. General Rules & Regulations

### 100. STANDING COMMITTEES

(a) The standing committees at present are:

Amateur  
American Quarter Horse Foundation  
Equine Research  
Finance  
International  
Judges  
Marketing and Public Information  
Membership Services  
Nominations & Credentials  
Professional Horsemen  
Public Policy  
Racing  
Recreational Riding  
Shows  
Stud Book and Registration  
Youth Activities

**(b) The Nominations & Credentials Committee should be appointed to make recommendations regarding AQHA Directors.**

(1) To be eligible for nomination for Director from the floor at the General Membership Business Meeting, the individual's membership credentials shall first be presented to the Nomination and Credentials Committee (the "Committee"), appointed by the President with the advice and consent of the Executive Committee. The Committee shall meet during AQHA's Annual Convention and before the General Membership meeting, to give members or representatives from state, country or regional organizations an opportunity to present credentials of individuals for nomination and election to the Board.

(2) Nominations presented to the Nominations & Credentials Committee and from the floor will be received only in opposition to a particular individual, and not in opposition to the total slate for a particular state, country or region.

(3) In order for the Nominations & Credentials Committee to consider a nomination, written credentials shall be received by the office of the Executive Vice President on or before February 1 of the year that such credentials are to be reviewed by the Committee at their meeting. A majority of the Nominations & Credentials Committee may amend or suspend procedure for presentment of nominations to the Nominations & Credentials Committee. In addition to other relevant matters concerning the individual under consideration, the Committee will evaluate candidates according to criteria established by the Executive Committee.

(4) At the meeting, the Chairman will present the Committee's slate of nominations for Directors, and thereafter, nominations from the floor will be received by the President, upon verifi-

cation from the Chairman that the individual being nominated from the floor has been previously presented to the Committee for consideration.

**(c)** Each standing committee shall consist of at least three members, appointed by the President with the advice and consent of the Executive Committee. To be eligible for a committee assignment, an individual must be a current AQHA member in good standing. However, should a Director fail to be re-elected, or, for any reason fail to serve his term as an AQHA Director, his committee assignment is automatically terminated to make a committee assignment available for new Directors. His successor Director need not, however, fill his term as a committee member. Vacancies shall be filled in the same manner as original appointments.

**(d)** The term of a committee member's assignment shall be stated in the appointment. To enable a standing committee to properly function, each member is required to attend all meetings, and upon two consecutive absences, a member is automatically removed without further action, thereby creating a vacancy for the unexpired term, to be filled pursuant to the appointment procedure set forth in these rules.

**(e)** To provide continuity and experience of members, standing committee assignments may be made for a term longer than one year, but in no event shall an appointment be longer than three years.

**(f)** Each standing committee shall be headed by a Chair, assisted by a Vice Chair, each of whom shall be elected annually by the committee members, with provision for separate choice for Chair and Vice Chair. The Chair shall vote only in case of a tie vote concerning committee action. The Vice Chair shall serve as presiding officer in the Chair's absence or incapacity.

**(g)** An individual is eligible for annual election to the chairmanship of a committee, standing or otherwise, to a maximum of three consecutive terms, after which he is ineligible for re-election to the office until the expiration of one annual term, during which time another individual shall have served as chairman. Additionally, no AQHA Past President or former employee of AQHA may serve as chairman or vice chairman of a committee with the exception of the Finance Committee, the American Quarter Horse Foundation Committee, and the Hall of Fame Selection Committee, for which a Past President is eligible to serve as chairman or vice chairman.

**(h)** By unanimous vote, at anytime during a committee member's tenure, with or without cause, the Executive Committee may terminate an individual's tenure on a Standing Committee. At its unanimous discretion, the Executive Committee may reassign the person to another Standing Committee. As service on AQHA's Standing Committees is a privilege, not a right, termination of tenure may be made without prior notice or right to hearing.

**(i)** Refer to rule 109 regarding rule and regulation amendments.

## **101. MEMBERSHIP**

**(a)** Membership in AQHA is a privilege, not a right, application for which shall be made by procedures prescribed by AQHA.

Membership, or application therefore, may be terminated or rejected by the Executive Committee or Board of Directors for cause detrimental to the interest of AQHA, its programs, policies, objectives and harmonious relationship of its members as determined by the Executive Committee or Board. Termination or application rejection proceedings under this rule shall be conducted under AQHA's disciplinary procedures for notice, hearing and temporary suspension. The effect of termination or rejection may be denial of the privileges of AQHA as set forth in AQHA disciplinary procedures.

**(b)** The name under which a membership may be obtained will be limited to 30 characters including letters, spaces and marks of punctuation.

**(c)** If registrations are to be obtained, care should be taken to apply for the membership in exactly the same name that registrations are to be recorded — either the desired name of the individual, the exact name of a partnership or the corporate name (accompanied by the signature of the authorized agent as it is to appear on applications for registration). Registrations recorded on behalf of a member must be recorded in the same name as appears on the membership card.

**(d)** The record owner or record lessee of the dam of a foal for which a registration application is submitted, must have a current membership at the time the registration application is submitted, or a non-member registration fee will be assessed.

**(e)** The name of a female member may be changed to reflect her current marital status upon her request.

**(f)** General privileges and responsibilities of members and non-members are as follows:

**(1)** While in good standing, all members have equal rights, interests and responsibilities with respect to AQHA and its property; shall obey and be bound by all Bylaws, rules and regulations of AQHA and decisions or actions of the Board of Directors or Executive Committee; have the right to vote by personal attendance at membership meetings; and have the right to hold office and committee assignments, except as otherwise limited. "Membership in good standing" means an individual or other legal entity who has paid the requisite membership fee; is not under current suspension by the Executive Committee or the Executive Vice President; or does not owe a delinquent financial obligation to AQHA for fees or other account payable for which written notice of suspension of membership or participation privileges has been sent.

**(2)** Individuals who are non-members, but own American Quarter Horses, file registration applications and other documents with AQHA or participate in AQHA-approved events, by such actions and in regard to such transactions, do thereby agree to be bound by all Bylaws, rules and regulations of AQHA and decisions and actions of the Board of Directors or Executive Committee. AQHA reserves the right to reject documents submitted by non-members who have engaged in acts detrimental to the humane treatment of horses or have engaged in acts detrimental to the intent of AQHA, its programs, policies, objectives or the harmonious rela-

tionship of its members.

**(3)** Membership in AQHA on the date the award is bestowed, is required for the owner of an American Quarter Horse to receive any racing award for achievement, including, but not limited to, a certificate, plaque or trophy. Despite owner ineligibility, the horse's achievement will, however, be recorded in its permanent record. To become eligible to receive the award, the owner may retroactively purchase the required annual membership.

**(4)** Every member, by joining AQHA, or non-member, by purchasing American Quarter Horses, filing registration applications or other documents with AQHA or participating in AQHA-approved events, does thereby agree:

**(A)** If unsuccessful in an attempt to overturn AQHA decisions, actions, rules or regulations, to reimburse AQHA for its reasonable attorney's fees, court costs and other expenses in defense of such suit, and

**(B)** That he/she will not commence any action, whether in law or equity, against AQHA in any courts other than those Federal and State courts located in Potter County, Texas.

**(5)** As reciprocal assistance to AQHA for privilege of membership, participation in approved events and ownership of an American Quarter Horse, AQHA and the American Quarter Horse Foundation may use any photograph or other form of likeness reproductions of a member, event participant, horse owner, or their horses and registered equine names, to promote AQHA's objectives and activities including, but not limited to, use by third parties with authorization from AQHA.

**(6)** An AQHA member, including a member using AQHA data for commercial purposes, has a duty to preserve and protect the pedigree registry/performance records and the property of AQHA, including, but not limited to, AQHA electronic data made available to members via the AQHA Web site or other pre-arranged consensual access thereto, and the duty to use such data only for the purposes which AQHA has granted conditional license. Publication of such data shall carry the following designation: "This information was provided by the American Quarter Horse Association from its Official Records."

**(g) AQHA MEMBERSHIP:** The following designations of annual membership in AQHA are available, entitling the recipient to the designated period of eligibility, upon application, qualification and payment of the requisite fee, which carries the indicated membership privileges and one vote on membership matters:

**(1) Full Membership Privileges, Individual:** Restricted to one person, carried in that person's legal name only, providing full privileges of AQHA including privilege to participate in AQHA's open division of shows and other AQHA activities that require individual membership.

**(2) Membership Privileges, except privilege of participation in AQHA's open show division and other AQHA activities that require individual membership:**

**(A) Joint:** A combination, to a maximum of two persons, such as husband and wife, and includes such designation as John and Jane Doe, John or Jane Doe, John and/or Jane Doe, and John/Jane Doe.

**(B) Assumed or Trade Name:** A person or persons, or artificial legal entity, such as A. Smith, d/b/a Smith Ranches; Smith Ranches, a sole proprietorship of A. Smith; Smith Ranches; or any other designation not being the legal name of the person or artificial legal entity.

**(C) Corporate:** Corporations in good standing in the state or country of their incorporation, the officers, representatives, shareholders and all beneficial owners.

**(D) Partnership, General or Limited:** Partnerships, general or limited, in good standing in the state, province or country of their organization, the partners, limited partners, representatives and all beneficial owners.

**(E) Syndicate or Joint Venture:** Syndicates or joint ventures, in good standing in the state, province or country of their organization, the representatives and all beneficial owners.

**(F) Decedent's Estate, Trust, Guardianship or Other Custodial Legal Entity:** Decedent's estate, trust, guardianship or other custodial legal entity, the person for which the entity is created, his representative, and all beneficial owners or beneficiaries.

### **(3) Youth Membership:**

**(A) American Quarter Horse Youth Association Membership:** For boys and girls 18 years of age or under, which allows a youth the privileges of membership in AQHYA, and, in addition, all of the privileges of an individual AQHA membership, parent organization of AQHYA, including privilege to participate in AQHA's open division and other AQHA activities that require individual membership, but not the privilege to vote at AQHA membership meetings or hold office in AQHA.

**(B)** For youths whose 19th birthday is prior to January 1, the membership card will expire on December 31. The age of the youth as of January 1 will be the age maintained the entire year (regardless of the time of day the youth is born). For example, a youth who has a birthday in July and is 18 years of age January 1 must show the entire year as a youth.

**(4) Amateur AQHA Membership.** For individuals otherwise qualifying for such membership under the rules of AQHA's amateur division, which allows the individual to participate in AQHA's amateur division, and, in addition, all of the privileges of an individual AQHA membership, including privilege to participate in AQHA's open division and other AQHA activities that require individual membership. National institutions of learning, executors, administrators, trustees or jointly held entities are excluded from amateur membership.

**(A)** The amateur applicant may convert a current AQHA 12-month individual membership for a fee of \$5, upon verification of amateur status. The expiration date for this membership

will coincide with the membership being converted. Individual 12-month amateur membership is available for \$5 to a life member in the same individual identification number as the desired amateur membership designation.

**(B)** The amateur applicant may convert a current AQHA 36-month individual membership for a fee of \$10, upon verification of amateur status. The expiration date for this membership will coincide with the membership being converted. Individual 36-month amateur membership is available for \$10 to a life member in the same individual identification number as the desired amateur membership designation.

**(C)** Amateur membership cards will be issued by AQHA only upon application and AQHA approval of the applicant, which application shall be truthful in each and every detail. Violation of AQHA's rule requirement of truthfulness shall subject the applicant, and the family member signing the application in verification, to possible disciplinary action or suspension from participation privileges in AQHA-approved events or AQHA membership and/or fine. The application shall verify, in addition to other requirements contained in this rule book, that:

**(1)** the applicant has not shown, judged, trained or assisted in training a horse for remuneration, either directly or indirectly, nor received compensation for instructing another person in riding, driving, training or showing a horse, for five years previous to application for amateur membership;

**(2)** the applicant is the sole actual legal owner of the horse(s) to be shown by the applicant and agrees to document such ownership upon request of AQHA; or

**(3)** if the horse to be shown by the applicant is legally owned by a family member or legal guardian, as defined by AQHA rules, such individual must sign the application with the applicant verifying the truth of its contents, and also agree to furnish documentation substantiating ownership upon request;

**(4)** if the applicant is the spouse (formal or common law) of a trainer, such fact must be so stated on the application. "Trainer" is one who earns any portion of his or her annual gross income by training horses, American Quarter Horses or otherwise;

**(D)** The eligibility of all amateur membership card holders will be reviewed at the time application for renewal is submitted. Said application to be on a form supplied by AQHA and returned along with appropriate fee. The renewal application shall affirmatively state that all previous representations contained in the individual's amateur application are still true and correct, annually verifying the individual's eligibility under AQHA amateur criterion. A false statement on a renewal application shall be grounds for disciplinary action under AQHA disciplinary procedure.

**(E)** In those international associations specified in rule 103, an amateur panel consisting of the president, vice president and secretary of said association, may verify amateur eligibility for residents of said countries for application purposes.

**(F)** Upon request by AQHA, an individual, who for promptly return the amateur membership card to AQHA, whether or not Association request is made for it.

**(G)** Remaining months of membership for an amateur membership that is revoked may be transferred to regular AQHA membership and a membership card issued to expire the same date as the original amateur membership card.

**(H)** A special handling service for an amateur membership card is available for \$10 for each card and is in addition to the regular fee and does not include overnight delivery.

**(1)** An annual membership is not transferable in the categories above.

**(2)** A complimentary renewal notice shall be sent to members at their current address according to AQHA records at least thirty (30) days prior to the expiration date of the membership. With or without actual receipt of renewal notice, as a member has sole responsibility over his membership status, an annual membership becomes delinquent on the last day of the month following expiration of term of membership eligibility and may be reinstated by payment of the current renewal fee, received by AQHA by the last day of the month following expiration, if the applicant otherwise qualifies for membership; otherwise, the applicant will be charged AQHA's current member fee.

**(h) LIFE MEMBERSHIP:** The designations specified for membership are available for life membership, upon application and payment of \$400, except for AQHYA life membership, which, by payment of \$50, shall entitle the boy or girl such eligibility through 18 years of age. These designations are as follows:

**(1)** Individual

**(2)** Joint

**(3)** Assumed or Trade Name

**(4)** Corporate

**(5)** Partnership, General or Limited

**(6)** Syndicate or Joint Venture

**(7)** Decedent's Estate, Trust, Guardianship or Other Custodial Legal Entity

**(8)** American Quarter Horse Youth Association membership (through 18 years of age)

**(9)** Life membership shall have the same privileges as such designation carries with an annual membership, with the exception of AQHYA that carries special qualification requirements. Each officer, representative, director, shareholder, partner, beneficiary and each beneficial owner of an artificial legal entity described above, and as to the estates, trusts, guardianships or other custodial legal entity, the person for which the entity is created must be eligible for individual membership in AQHA.

**(A)** AQHA life members who are youth (eligible through 18 years of age) shall have the same privileges as such designation carries with an AQHYA membership.

**(10)** A life membership is not transferable, but a life membership

may be carried in the joint names of spouses. Valid marriage shall be established by copy of marriage certificate or other documentation as AQHA may request. If the life membership is carried in a single person's name, the name of a later spouse may be added by one time amendment, upon providing documentation supporting the marriage as AQHA requests. The successor of spouses (spouse's death or divorce) shall be entitled to exclusive life membership having the one time privilege to amend the membership's name to correctly reflect the successor's status by filing with AQHA a copy of judicial decree, written evidence of death or written instrument of consent signed by the terminating spouse.

**(i) MEMBERSHIP FEES:**

MEMBERSHIP	Fee	Renewing Fee*
AQHA life	\$ 400	N/A
AQHA 12 month	\$ 35	\$ 30
AQHA 36 month	\$ 70	\$ 70
AQHA Amateur 12 month	\$ 40	\$ 35
AQHA Amateur 36 month	\$ 80	\$ 80
AQHYA 12 month	\$ 15	\$ 15
AQHYA 36 month	\$ 35	\$ 35
AQHYA life	\$ 50	N/A
**AQHYA life upgrade to AQHA life	\$350	N/A
**Graduating Youth upgrade to 4-year AQHA membership	\$ 70	N/A
**Graduating Youth upgrade to 4-year Amateur membership	\$ 80	N/A

**\*Renewal fee applies if renewed within 30 days of expiration.**

**\*\* Only AQHYA members whose youth eligibility has expired are eligible for graduating youth memberships. They must apply for the graduating youth membership within six months of December 31 (June 30) the year after the youth member turns 19.**

**(j) VOTING PRIVILEGES:** A person has one vote at AQHA membership meetings, annual or special, regardless of the number of individual or joint memberships he holds. For a person to vote the membership of a bona fide artificial legal entity, he may not qualify to vote an individual, joint, assumed or trade name membership, and, in addition, upon request, shall provide AQHA with written authorization and substantiate the existence of the entity.

**(k) HONORARY AQHA MEMBERSHIP:** Through its Executive Committee, AQHA may, from time to time, award an Honorary Membership to parties who merit special recognition for their individual efforts at the national or international level, in furtherance of the aims and objectives of AQHA. This membership shall have voting privileges. The honorary membership shall entitle the recipient to privileges regarding an annual membership, with the exception of AQHYA and amateur AQHA memberships, which carry special qualification requirements. Such membership may be designated by an appropriate plaque or certificate. The following requirements

must be met to qualify for Honorary Membership:

(1) Recipient may be recommended by individuals, state or international associations, AQHA standing committees, etc., and a resume must accompany the recommendation.

(2) The recipient of the Honorary Membership must be approved by the Executive Committee.

(3) Recipient must be worthy of the award and must be a supporter of the American Quarter Horse industry.

(l) **FEES:** All fees shall be payable in U.S. funds.

(m) Upon receipt by AQHA of notice of criminal conviction of a member or non-member, the Executive Committee shall determine whether or not such conviction pertains to matters constituting violation of this rule; whereupon if the conviction does so pertain, it shall also constitute a presumption of violation of this rule, that the individual may rebut at a hearing before the Executive Committee conducted according to AQHA's disciplinary procedure.

**102. RECORDS.** Material accuracy of records furnished by AQHA either as hard copy or online service, is warranted by AQHA only to the extent of using its best efforts in the compilation thereof, and then solely for the benefit of the member or party purchasing the record who may, as exclusive remedy, receive reimbursement for expense of the record upon showing material inaccuracy thereof. Consequential damages are expressly excluded. No warranties, express or implied, arise from records issuance, other than as stated herein, as the purchaser receives this record on an "as is" basis.

### **103. AQHA AFFILIATES.**

#### **(a) AFFILIATE STATE/PROVINCIAL ASSOCIATIONS.**

AQHA may designate one association in each state/province, and when the state/province has an existing separate racing association, AQHA may designate it to represent the state/province's racing interests, as an affiliate association(s) to receive for its members and any local or regional association affiliated with the state/provincial association, such benefits and assistance as AQHA may, from time to time, determine, in return for the performance of duties and responsibilities to AQHA as specified in the affiliation agreement of the parties.

This affiliation is a privilege, not a vested right, granted or rejected at AQHA's discretion on an annual basis according to procedures and requirements formulated by the Affiliate Council, with the advice and consent of the Executive Committee. The affiliate association shall, in no manner, have authority, express or implied, to act for, or bind, AQHA in any manner.

**(b) INTERNATIONAL ASSOCIATIONS.** AQHA may recognize international associations that promote the American Quarter Horse. Such recognition shall allow that international association the privilege of having a Director on AQHA's Board of Directors as provided by AQHA Bylaws. Members of recognized international associations shall remain governed by AQHA bylaws, rules and regulations.

**(c)** To date of the printing of this issue of the *AQHA Official Handbook*, the following international associations are recognized:

American Quarter Horse Association of New Zealand  
American Quarter Horse Association of  
the United Kingdom

- \* Argentina Quarter Horse Association
- \* Australian Quarter Horse Association
- \* Austrian Quarter Horse Association
- Belgium Quarter Horse Association
- \* Brazilian Quarter Horse Association
- Colombian Quarter Horse Association
- Czech Republic Quarter Horse Association
- Danish Quarter Horse Association
- Dominican Republic Quarter Horse Association
- Dutch Quarter Horse Association
- \* French Quarter Horse Association
- Finnish Quarter Horse Association
- \* German Quarter Horse Association
- Hungarian Quarter Horse Association
- Irish Quarter Horse Association
- Israel Quarter Horse Association
- \* Italian Quarter Horse Association
- \* Japanese Western Riding Association
- Quarter Horse Association of Luxembourg
- Mexican Quarter Horse Association
- Norwegian Quarter Horse Association
- Panama Quarter Horse Association
- Paraguay Quarter Horse Association
- Polish Quarter Horse Association
- Slovak Quarter Horse Association
- \* South African Quarter Horse Association
- \* Swedish Quarter Horse Association
- Swiss Quarter Horse Association
- \* Uruguay Quarter Horse Association

\* *Denotes International Association with AQHA affiliated youth organization.*

**(d)** All membership suspensions by these international associations will automatically constitute membership suspension under AQHA rules and regulations, once the suspension is reported to and accepted by AQHA; provided the recognized international association has given prior notice of time and place for hearing to the accused, and opportunity afforded him to be heard and to present evidence in his own behalf, and to hear and refute evidence offered against him.

**(e)** In regard to violations of AQHA rules prohibiting surgical alteration, administration of prohibited substance, and other prohibited practices, AQHA may give reciprocal effect to the disciplinary action of the Executive Committee or other governing committee of a recognized international association for terms up to a maximum of one year suspension from participation privileges at events approved or recognized by the international association, the effect of that shall be to bar the disciplined individual from participation in AQHA-approved events for a similar term.

## 104. VIOLATIONS.

**(a)** No person shall treat any horse in a cruel or inhumane manner, including, but not limited to, the prohibited conduct specified in the Show Rules and Regulations section of this Handbook. Cruelty to horses other than American Quarter Horses is included in this prohibition, as it indicates a general course of dealing with horses, that is unacceptable for AQHA membership qualification. For violation of this rule, an AQHA member may be disciplined, suspended, fined and/or expelled from AQHA, and a non-member may be denied AQHA privileges. This prohibition against cruelty includes, but is not limited to, AQHA members and/or owners of American Quarter Horses, their agents, representatives and employees, the actions for that a member or owner are also responsible.

**(1)** AQHA may accept the conviction of an individual or judicial confiscation of a horse under state, federal, provincial or international law, for an offense of cruelty to or inhumane treatment of a horse, whether or not an American Quarter Horse is involved, as a presumptive violation of this rule, the effect of that is to automatically suspend the individual from AQHA membership privileges for a period of no less than two (2) years after AQHA receives notice of the conviction or judicial confiscation. After the expiration of the two-year suspension, the individual may apply for reinstatement.

**(2)** AQHA may accept suspension rulings pertaining to cruel or inhumane treatment of horses from other recognized equine related associations and state racing commissions, the effect of that is to automatically suspend the individual from AQHA membership privileges, or deny such privileges, for a length of time equal to the suspension for that reciprocity is given.

**(b)** No person shall refuse to assist AQHA, its officers, committees or agents in locating, identifying and inspecting, or to answer promptly and truthfully any inquiry concerning a horse or an ancestor thereof, that has been registered with AQHA, or for that application to register has been made. No person shall refuse to assist AQHA, its officers, committees or agents, or to promptly and truthfully give information, in form requested, concerning any AQHA matter of that the person has or may have knowledge.

**(c)** Ownership of an issued registration certificate remains with AQHA; it is issued in reliance on a written application submitted and attested by the owner at time of foaling and upon the express condition that AQHA has the privilege to correct and/or cancel the certificate for cause under its rules and regulations. No person shall refuse an AQHA request for the return of a registration certificate, either before, after or pending hearing to determine registration or participation privilege in AQHA-approved events. AQHA may retain possession of a certificate until resolution of the matter for that the return of the certificate was requested.

**(d)** In the furtherance of their official duties, all AQHA representatives shall be treated with courtesy, cooperation and respect, and no person shall direct abusive or threatening conduct toward them.

**(e)** Any member may be suspended and denied AQHA privi-

leges and any non-member may be denied AQHA privileges by AQHA's Executive Vice President for:

**(1)** failure to pay when due any obligation owing to:

**(A)** AQHA, including, but not limited to, obligation(s) owed to *The American Quarter Horse Journal*, *The American Quarter Horse Racing Journal* and *America's Horse*;

**(B)** an AQHA-approved Affiliate; or

**(C)** an AQHA-approved show.

**(2)** giving a worthless check for entry fees, stall fees, office charges, stock charges or any other fees or charge including bank charges for returned check connected with the exhibition of horses. Prior to a suspension or denial of privileges pursuant to this section, AQHA will provide written notification to the member or non-member of their outstanding obligation. Unless within thirty-one (31) days after receipt of such notice, the member or non-member disputes the validity of the obligation or any portion thereof, AQHA will assume the obligation to be valid and may proceed with a suspension or denial of AQHA privileges. If, within thirty-one (31) days of receipt of such notice, a member or non-member notifies AQHA in writing that the obligation or a portion thereof is disputed, AQHA will obtain a verification of the obligation, and AQHA will mail to the member or non-member a copy of such verification. If the member or non-member does not fully pay the obligation within fifteen (15) days of receiving such verification of the obligation, AQHA will assume the obligation to be valid and may proceed with a suspension or denial of AQHA privileges.

Upon suspension and/or denial of privileges by the Executive Vice President, the name of the member or non-member may be published in *The American Quarter Horse Journal*, beginning with the next available issue from the date of suspension and/or denial of AQHA privileges. Any suspension and/or denial of AQHA privileges under this section shall terminate upon full payment of the obligation due.

**(f)** Any member may be suspended and denied AQHA privileges and any non-member may be denied AQHA privileges by AQHA's Executive Vice President for failure to timely file with AQHA any report required by the rules of AQHA; provided, however, that fifteen (15) days before action by the Executive Vice President, written notice of the delinquent report and the intention to suspend or deny AQHA privileges shall be mailed to such member or non-member. Upon suspension and/or denial of AQHA privileges by the Executive Vice President, the name of the member or non-member may be published in *The American Quarter Horse Journal*, beginning with the next available issue from the date of suspension and/or denial of AQHA privileges. Any suspension and/or denial of AQHA privileges under this section shall terminate upon the filing of the requisite report.

**(g)** A member or non-member shall not conspire with another person or persons to intentionally violate AQHA rules, or to knowingly contribute or cooperate with another person or persons, either

by affirmative action or inaction, to violate AQHA rules.

**(h)** An owner or lessee of a registered American Quarter Horse is responsible for the actions of all third parties in whose care the owner or lessee places his horse, including, but not limited to, trainer or exhibitor. When such third party is convicted of a violation of AQHA rules involving owner's or lessee's horse, or if an owner or lessee acquires personal knowledge of such rule violation by the third party, the owner or lessee is responsible to take such prompt and reasonable action as to protect his horse and AQHA from repeat offenses. Failure by the owner or lessee to take such action, or repeat offenses by such third parties involving the owner's or lessee's horse or horses, constitutes the owner or lessee eligible for inclusion in enhancement of penalty under AQHA disciplinary rules.

**(i)** No person shall represent, by advertisement, claim or otherwise, that a horse registered with AQHA has earned or is entitled to any official AQHA designation or honors prior to actual recording of such designation or honor in the records of AQHA.

### **105. FRAUDULENT PRACTICES.**

**(a)** No person shall represent any horse owned or managed by him to be AQHA registered unless the same be registered in the official Stud Book.

**(b)** All information furnished AQHA as a basis for any action by AQHA or any of its officers shall be true and correct.

**(c)** No person, firm or corporation shall issue, sell, exchange, give away or receive, or offer a false or fraudulent certificate, representing the same to be a genuine official certificate issued by AQHA.

**(d)** No person shall advertise or enter in any American Quarter Horse event or competition any AQHA registered horse by a name other than that by which he/she is registered.

**(e)** No change or alteration of a registration certificate shall be made except by AQHA or its official representative upon proper showing of the necessity for such change or alteration, by reason of change in color or markings, or mistake; nor shall any person display or advertise, or have in his possession, a certificate that has been changed or altered otherwise than by AQHA or on its authority.

**(f)** No person shall alter, in any way change, or attempt to hide or alter natural markings of a horse by surgery, dye or in any other manner.

**(g)** No person shall represent as a registered American Quarter Horse any horse other than the horse for which said certificate was issued.

**(h)** No person shall bribe, or attempt to bribe, an AQHA representative, AQHA-approved judge or any other official of an AQHA-approved event.

### **106. DISCIPLINARY AND APPEAL PROCEDURE. Executive Committee Jurisdiction:**

The Executive Committee is the forum within AQHA that, initially or ultimately, hears or reviews evidence of alleged violation of rules and regulations by members or non-members, decides all matters pertaining to registration of horses, and hears appeals from other committee action. A member may be disciplined, suspended, fined and/or expelled from AQHA and any non-member

may be denied any or all AQHA privileges. Registration certificates may be altered or cancelled and registration applications denied. Proof necessary to establish a rule violation or registration ineligibility is that quantum of proof that would lead a reasonable person to believe the matter alleged in the notice of hearing is established by the credible evidence admitted before the Executive Committee. A majority vote of the Executive Committee shall determine guilt, and its decision and action shall be final and binding on all parties.

**(a) Extent of Sanction:** In regard to any violation of AQHA rules and regulations, the Executive Committee shall have jurisdiction to invoke sanction, including revocation or denial of membership privileges, revocation of participation privileges in all AQHA-approved events for a definite or indefinite period, denial of privilege of access or presence on show grounds of an AQHA-approved show, and in addition, assessment of fine not to exceed \$10,000. Executive Committee sanction may include denial of privilege to advertise in AQHA's official publications.

**(b) Admissibility of Evidence and Sufficiency of Proof:** Proceedings before the Executive Committee shall be informal, and rules of evidence, both at common law or provided by Texas rules of civil or criminal evidence, need not be strictly observed. The standard by that admissibility is determined is whether the evidence is such that an ordinarily prudent person is willing to rely upon it. As an AQHA member, the owner or lessee of an American Quarter Horse, or participant at an AQHA-approved event, and a person appearing before the Executive Committee, a standing committee or any sub-committee, agrees that all witnesses and participants in such hearing shall be immune from any civil liability whatever, including, but not limited to, libel, slander, invasion of privacy, defamation or product disparagement, for testimony given in the course of the preparation for or at the hearing.

**(c) Absolute Responsibility:** AQHA rules pertaining to prohibition of drugs or surgical alteration provide for absolute responsibility for a horse's condition by an exhibitor, trainer or absolutely responsible person as affirmed by AQHA rules, whether or not he was actually instrumental in, or had actual knowledge of, the administration of such drug or surgery, thereby making such person eligible for possible disciplinary action upon proof of the presence of such drug by laboratory analysis or existence of surgical alteration. This rule of procedure for disciplinary action pertains to drug or surgical alteration cases in regard to notice, hearing and effect of suspensions or other sanctions, but burden of proof and presumptions as contained in said drug or surgical alteration rules specifically govern such cases.

**(d) Notice of Hearing:** Anyone accused of any violation, shall be given not less than 15 days notice of a time and place for hearing such accusation by the Executive Committee at that he shall have the opportunity, in person and by counsel, to present evidence in his own behalf and to hear and refute evidence against him. Such notice is deemed received when delivered according to AQHA's general

notice procedure.

**(e) Temporary Suspension:** Pending final hearing by the Executive Committee, the Executive Vice President may, by giving written notice of his action:

**(1)** Temporarily suspend such member, the effect of that shall be to deny him further AQHA privileges until the Executive Committee can hear the matter and take the appropriate disciplinary action; and

**(2)** Temporarily suspend the registration of the horse in question, and upon AQHA request, the owner or lessee shall return the registration certificate to the Executive Vice President, pending final determination of its validity, the effect of that shall be to suspend participation privileges in AQHA-approved events.

**(f) Publication:** When a member is disciplined, suspended or expelled, or a non-member is denied membership privileges, or when a member or non-member is temporarily suspended by the Executive Vice President pending hearing, the name and address of such member or non-member may be published in *The American Quarter Horse Journal* or *The American Quarter Horse Racing Journal*. A current list of suspended or disciplined persons shall be maintained at AQHA's office, with the responsibility of each member, horse owner or those involved in transactions with American Quarter Horses, to contact AQHA for information concerning the membership status of a particular individual or legal entity.

**(g) Certificate Cancellation:** Upon determination that a horse is either ineligible for registration or eligible only upon fulfillment of certain conditions, the registration certificate shall be cancelled or amended upon fulfillment of those conditions. If cancelled, the horse shall not participate in AQHA-approved events. If registration is conditional, the horse shall not participate in AQHA-approved events until those conditions are fulfilled and the registration certificate is reinstated.

**(h) Enhancement of Penalty:** The Executive Committee may enhance suspension, penalty and/or fine of repeat offenders of AQHA rules and include owners or lessees who have repeatedly placed the care or custody of their horses to such repeat offenders, according to guidelines that it may, from time to time, set to a maximum of indefinite suspension of membership privileges and/or fine to a maximum of \$5,000. Such disciplinary actions are enhancements of those disciplinary actions listed in section (a) above.

**(i) Effect of Membership Suspension:** On or after such time as any person has been suspended, expelled or denied AQHA privileges, in addition to other provisions of the *AQHA Official Handbook* or policy of AQHA, the following restrictions shall apply:

**(1)** That person shall not participate, and shall be ineligible to participate, in any AQHA-approved event. Such person shall be ineligible to hold approved judges credentials or any other AQHA accreditation.

**(2)** That person, that person's spouse or entity owned in whole or part by that person shall not register any horse with

AQHA, nor transfer registered horses into his or her name, that of a spouse, or entity owned in whole or part by that person. To prevent hardship on innocent third party purchasers unaware of membership suspension, the Executive Committee has discretion to waive procedural requirements if all other registration or transfer requirements of AQHA are fulfilled.

**(A) UNREGISTERED HORSES:** In the case of the sale by a suspended person to an innocent third party purchaser not the owner at time of foaling, when accompanied by written transfer from the suspended owner to the registration applicant; or

**(B) REGISTERED HORSES:** In the case of the sale by a suspended person, ownership of that has not been recorded in the suspended person's name, to record ownership into the suspended person and transfer to the innocent third party purchaser.

**(3)** No horse shall be registered that is either sired by a horse or out of a mare owned by such suspended person or spouse if under suspension at time of breeding.

**(4)** No horse that is recorded in the name of such person or a spouse is eligible to participate in any event approved or recognized by AQHA, such as shows or races.

**(5)** AQHA shall not accept either the signature of such person, nor such person's spouse on registration applications, breeder's certificates or stallion breeding reports evidencing breeding taking place on or after date of such disciplinary action.

**(6)** Signatures will be honored on transfer reports and bills of sale for the purpose of allowing a disciplined person or spouse to transfer horses recorded in his or her ownership at the time of the disciplinary action.

**(7)** Written leases filed with AQHA prior to the time of disciplinary action and covering horses owned by the disciplined person or spouse shall remain valid, and the signature of the lessee shall be accepted during the term of such lease, but for no renewal thereof.

**(8)** During the period of expulsion, suspension or denial of AQHA privileges, failure to comply with these restrictions and any other express conditions or restrictions of said disciplinary action may constitute grounds for further disciplinary action.

**(j) Effect of Suspension on privileges in AQHA-approved events:** On or after such time as any person has been denied participation privileges in AQHA-approved events, but that his membership privileges are not affected, the following restrictions shall apply:

**(1)** That person shall not be eligible to participate in any AQHA-approved event;

**(2)** That person shall not be eligible to hold approved judges credentials or any other AQHA accreditation;

**(3)** Horses that are recorded in the name of such person, or owned in whole or in part by such person, are not eligible to participate in any AQHA-approved event;

**(4)** During the period of denial of AQHA privileges, failure to comply with these restrictions and any other express condi-

tions or restrictions of said disciplinary action may constitute grounds for further disciplinary action.

**(k)** If denial or revocation of show privileges includes denial of access or presence on show grounds, the person shall refrain from entry or presence on show grounds of any AQHA-approved show grounds during the term of his or her suspension.

**(l)** Every person who is suspended or otherwise disciplined by one of the below specified associations shall be suspended or disciplined by AQHA, upon official notice to AQHA by the disciplining association, for the following offenses:

**(1)** Unsportsmanlike conduct at a show or contest;

**(2)** Inhumane treatment of horses; or

**(3)** Prohibited surgical procedure or injection or administration of foreign substances or drugs that could affect a horse's performance or alter its natural conformation or appearance.

The following associations for that reciprocity shall be given and that have enacted and have effected the same rules, are:

Barrel Futurities of America  
International Buckskin Horse Association  
National Cutting Horse Association  
National Reined Cow Horse Association  
National Reining Horse Association  
National Snaffle Bit Association  
Palomino Horse Breeders of America  
United States Team Penning Association

Acceptance of such ruling or sanction by AQHA will be given after notice to the sanction person or entity according to AQHA rules, who may request a hearing before the Executive Committee to present lack of due process by the reporting association to merit AQHA's refusal to give reciprocity.

## **107. GENERAL NOTICE PROCEDURE.**

### **(a) Rule, Regulation and Policy Changes.**

**(1) Official Handbook.** Each member or American Quarter Horse owner is charged with notice of all rules and regulations published in the current *AQHA Official Handbook*. Upon request, AQHA furnishes each member a current *Official Handbook* annually. (online at *aqha.com*)

**(2) The American Quarter Horse Journal.** Additional to notice provided by the *AQHA Official Handbook*, a member or an American Quarter Horse owner has the affirmative duty to remain current with AQHA rules, regulations, policies and other matters pertaining to AQHA events and programs, that may be amended from time to time during a particular year, sometimes with immediate effect, rather than January 1 of a particular year when *Official Handbooks* are issued. To fulfill such duty, a member or horse owner should subscribe to *The American Quarter Horse Journal* or *The American Quarter Horse Racing Journal*, where notice of changes pertaining to such matters is routinely published. Although subscription to *The American Quarter Horse Journal* or *The American Quarter Horse Racing Journal* is not required, AQHA has fulfilled its duty to

provide members and American Quarter Horse owners notice of these intra-year changes and proposed changes effective January 1 of the following year, by publishing them in *The American Quarter Horse Journal* or *The American Quarter Horse Racing Journal*.

**(b) Personal Service of Notice.** Every notice required by these rules and regulations may be served by delivering the notice to the person to be served, or his attorney, either in person or by mail postage prepaid, to his last known address as it appears on AQHA's records; and upon mailing, such notice shall be deemed received by such person when it is deposited in the United States mail. Such notice may be served by facsimile (fax) transmission to the last known fax number as it appears on AQHA's records. Such transmission shall be deemed received by such person by confirmation of the transmission to AQHA.

**108. AVAILABILITY OF FAX DELIVERY OF DOCUMENTS.**

AQHA staff is authorized, but not required, to accept a facsimile (fax) transmission of an original document, when, in the opinion of AQHA staff, the sender is (1) the authorized party executing the document or (2) is a party having substantial interest in the subject horse, has obtained the original document from the authorized person and so verifies the genuineness of the document in the sender's possession to the satisfaction of AQHA staff. As a precaution, the fax should be followed by the mailing of the original document, but this requirement is not a condition of accepting the fax.

**109. AMENDMENTS.** AQHA's rules and regulations, including, but not limited to, general, show, amateur, youth activities, racing and horseback riding program, but excluding those rules and regulations pertaining to registration of horses, may be amended at any time by change, addition or repeal by majority vote of the Executive Committee, but only after proposal of specific amendment shall have been approved by the appropriate standing committee or by the unanimous vote of the Executive Committee without such committee approval.

**(a) Requirement of Prior Notice:** To be eligible for consideration by a standing committee for possible recommendation to the Executive Committee, a proposed amendment shall be filed with AQHA's Executive Vice President **on or before December 31, of the preceding year** prior to AQHA's annual membership meeting at which that standing committee's report concerning such proposed amendment is presented. Such required filing may be waived by the Executive Committee, after considering the merits of the proposed amendment.

**(b) Period of Non-Amendment:** A rule or regulation is not subject to amendment by change, addition or repeal until it has been in force for at least two calendar years, that limitation may be waived by the Executive Committee upon finding of extraordinary circumstances that (1) concerns the safety, health or well-being of a horse and/or rider, (2) materially benefits AQHA's programs or its financial stability or (3) involves other compelling circumstances.