

**CONSTITUTION
of the Whippet Racing Association
an Unincorporated Association**

1. Name

~~The name of this association is the Whippet Racing Association.~~

This club, founded in April of 1996, shall be called the Whippet Racing Association.

2. PURPOSE AND POWERS

The purposes for which this Association is formed are:

(a) Educational and recreational and not for profit. To support the Whippet Standard, to encourage sportsmanship, to encourage and promote the Whippet in its historic role as well trained racers competing against other Whippets in organized, sprint racing events held on a flat surface.

1) To adopt Race Rules as necessary to fulfill section 2(a).

(b) The general purposes and powers are:

1) To sue and be sued in its own name.

2) To enter into and perform contracts in its own name, provided, that no member of this Association shall be individually or personally liable for the debts or liabilities contracted or incurred by the Association, unless such member, or the members agent, assumes such debt or liability. Further, there is no presumption or inference that any member of this Association has consented or agreed to the incurring of any obligation by the Association from the mere fact of joining or being a member thereof, or signing its Bylaws.

3) To enter into any of the commercial transactions authorized by law.

4) To purchase, receive, own, hold, lease, mortgage, pledge, or encumber by deed of trust or otherwise, manage, and sell all such real estate and other property of every kind, nature, and description as may be necessary for the purpose and objectives of the Association.

5) To receive gifts of real or personal property, in trust or otherwise. To take and receive by will or deed all real or personal property necessary for its purpose and objectives, subject to the laws regulating the transfer of property by will. To take and receive by will or deed all real or personal property not necessary for its purposes and objects and hold it until disposed of within a period of ten (10) years.

6) To adopt, alter, or cancel an insignia and to register such insignia, alteration, or cancellation thereof with any appropriate governmental office.

- 7) To adopt, use, and at will alter an Association seal, but failure to affix the seal shall not affect the validity of any instrument.
- 8) To adopt, amend, or repeal Bylaws in such manner as may be provided therein.
- 9) To adopt, amend and repeal Rules for the racing of Whippets.
- 10) Generally to have and exercise all other rights and powers now conferred, on such associations by law, or which do not contravene the law or public policy of the United States, or any state.

3 Principal Office

The principal office of the Association for the transaction of its business shall be located at the home address of the duly elected Association Secretary - Treasurer, or at such other location as the National Race Director shall designate.

4 Board of Directors

- (a) The powers of the Association shall be exercised, its property controlled, and its affairs conducted by the Board of Directors.
- (b) Board of Directors are:
 - (1) National Race Director
 - (2) Secretary / Treasurer
 - (3) Regional Race Directors
- (c) The qualifications, the time, and manner of electing, the terms of office, the duties and compensation, if any, and the manner of removing the governing body and filling vacancies shall be set forth in the Bylaws of this Association.

5 Members

- (a) There shall be one type of Membership. That membership shall be racing club members.
- (b) A Club Member shall be a club, association or corporation duly admitted to membership by the Association.
- (c) Only active Member Clubs shall have voting rights in the Association, and the rights of each Member Club shall be equal. ~~Active Clubs, for this section, are Clubs that have held at least one (1) meet under the rules of this Association in the 12 months prior to the election date.~~ **Active Clubs, for this section, are Clubs that have held at least one (1) meet under the rules of this Association in the twelve (12) months prior to November 1st (the date that ballots are mailed to the clubs for voting). [see ByLaws section 6.03(b)]**
- (d) The interest of any member of this Association is the personal property of that member, and no member shall have any interest in the property held by the Association, regardless of the time or manner in which said property is acquired

6 *Dissolution*

This Association shall be dissolved and its affairs wound up by the vote or written consent of eighty percent (80%) or more of its voting members, and not otherwise.

7 *Dedication of Assets and Distribution on Dissolution*

- (a) This Association is not organized, nor shall it be operated, for pecuniary gain or profit, and it does not contemplate the distribution of gains, profits, or dividends to the members thereof and is organized solely for nonprofit purposes.
- (b) The property, assets, profits, and net income of this Association are irrevocably dedicated to the purposes as stated in Article II and no part of the profits or net income of this Association shall ever inure to the benefit of any Director, officer, or member thereof.
- (c) On the dissolution of this Association, its assets remaining after payment of, or provision for payment of, all debts and liabilities of this Association shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for educational or recreational purposes relating to the Whippet breed, which has established its tax-exempt status under the Internal Revenue Code.

8 *Limitation on Political Activities*

No part of the activities of this Association shall consist of attempting to influence legislation, nor shall this Association participate in or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

9 *Distribution of Income and Prohibited Activities*

Notwithstanding any other provision in this Constitution, this Association shall be subject to the following limitations and restrictions:

- (a) This Association shall not engage in any act of self dealing, retain any excess business holdings, make any investments subject to taxation, nor make any taxable expenditure, as may be proscribed by the Internal Revenue Code.

10 *Constitution*

- (a) The original copy of this Constitution as amended to date shall be kept at the principal office of the Association, and shall be open to inspection by all members or their agents at any reasonable time.
- (b) This Constitution shall be amended only by resolution duly adopted by the vote of two thirds, or more, of the Club Representatives responding on the date the ballot is due back.