



SINEAD O'CALLAGHAN

## **BYLAWS OF THE POWELL RIVER MINOR HOCKEY ASSOCIATION**

### **Part 1 – Interpretation**

1. (1) In these bylaws, unless the context otherwise requires,
  - (a) “directors” means the directors of the society for the time being;
  - (b) “Society Act” means the Societies Act of the Province of British Columbia from time to time in force and all amendments to it;
  - (c) “registered address” of a member means the address recorded on the application form for that member’s child to play hockey under the auspices of the society;
  - (d) “player” means a person whose application to play hockey under the auspices of the society and payment of fees as set from time to time by the society, has been accepted by the society; and
  - (e) “parent” means a parent or guardian of a player.
- (2) The definitions in the Society Act on the date these bylaws become effective apply to these bylaws.
- (3) Words importing the singular include the plural and vice versa; and words importing a male person include a female person and a corporation.

### **Part 2 – Membership**

2. (1) The members of the society are the applicants for incorporation of the society, and those persons who subsequently have become members, in accordance with these bylaws and, in either case, have not ceased to be members.
- (2) A person may apply to the directors for membership in the society and on acceptance by the directors shall be a member.
- (3) Every member shall uphold the constitution and comply with these bylaws.
- (4) The amount of the first annual membership dues shall be determined by the directors and after that the annual membership dues shall be determined at the annual general meeting of the society.
- (5) A person shall cease to be a member of the society
  - (a) by delivering his resignation in writing to the secretary of the society or by mailing or delivering it to the address of the society;
  - (b) on his death, or in case of a corporation, on dissolution;
  - (c) on being expelled; or
  - (d) on having been a member not in good standing for 5 consecutive months.

- (6) A member shall be deemed to be a member not in good standing by not being or remaining a parent.
- (7) A member may be expelled by a special resolution of the members passed at a general meeting.
- (8) The notice of special resolution for expulsion shall be accompanied by a brief statement of the reason or reasons for the proposed expulsion.
- (9) The person who is subject of the proposed resolution for expulsion shall be given an opportunity to be heard at the general meeting before the special resolution is put to a vote.
- (10) Membership shall expire on October 1 one year from the date of admittance, unless renewed in accordance with these bylaws.
- (11) A member may by resolution of the directors be expelled upon notification from the society that the member has engaged in conduct considered by the directors to be improper, unbecoming, or likely to endanger the interest or reputation of the society, or who has willfully committed a breach of the constitution or bylaws of the society.
- (12) As an honour, the highest that may be bestowed by the society to a member that has served the society for at least ten years and rendered outstanding and meritorious service, the directors may elect a member an Honorary Life Member, and such election shall be confirmed by the members at the next following annual general meeting.
- (13) Honorary Life Members shall have the privilege of acting in an advisory capacity to the directors and shall be accorded all rights and privileges of other members, but shall not be required to pay membership fees.
- (14) Nominations for Honorary Life Membership shall be submitted in writing to the directors, signed by a member in good standing, detailing the service for which the honour is bestowed.

### Part 3 – Player Registration Fees

- 3. (1) Each player registered with the society shall be assessed an annual registration fee recommended by the directors, and confirmed by the members at the next annual general meeting, prior to the current season's registration period. These fees shall include any assessments by the British Columbia Amateur Hockey Association for membership and/or Mutual Aid registration.
- (2) The directors may, on application in writing, solely on the grounds of hardship, waive the registration fees in whole or in part.

#### Part 4 – Meetings of Members

4. (1) The annual general meeting shall be held on or before the 30<sup>th</sup> day of May in each year at the time and place, in accordance with the Society Act, that the directors shall decide.
- (2) Notice of a general meeting shall specify the place, day and hour of meeting, and, in case of special business, the general nature of the business. Notice of the place, day and hour of meeting shall be advertised in the local media.
- (3) Every general meeting, other than an annual general meeting, is an extraordinary general meeting.
- (4) The directors may, when they think fit, convene an extraordinary general meeting.
- (5) The accidental omission to give notice of a meeting, to, or the non-receipt of a notice by, any of the members entitled to receive notice does not invalidate proceedings at that meeting.

#### Part 5 – Proceedings at General Meeting

5. (1) Special business is
  - (a) all business at an extraordinary general meeting except the adoption of rules of order; and
  - (b) all business transacted at an annual general meeting, except,
    - (i) the adoption of rules of order;
    - (ii) the consideration of the financial statements;
    - (iii) the reports of the directors;
    - (iv) the report of the auditor, if any;
    - (v) the election of directors;
    - (vi) the appointment of the auditor, if required; and
    - (vii) the other business that, under these bylaws, ought to be transacted at an annual general meeting, or business which is brought under consideration by the reports of the directors issued with the notice convening the meeting.
- (2) A quorum is 15 members present in person.
- (3) No business, other than the election of a chairman and the adjournment or termination of the meeting, shall be conducted at a general meeting at a time when a quorum is not present.
- (4) If at any time during a general meeting there ceases to be a quorum present, business then in progress shall be suspended until there is a quorum present or until the meeting is adjourned or terminated.

(5) If within 30 minutes from the time appointed for a general meeting a quorum is not present, the meeting, if convened on the requisition of members, shall be terminated; but in any other case, it shall stand adjourned to the same day in the next week, at the same time and place, and if, at the adjourned meeting, a quorum is not present within 30 minutes from the time appointed for the meeting, the members present shall constitute a quorum.

(6) Subject to bylaw 5(7), the president of the society, the vice-president or in the absence of both, one of the other directors present, shall preside as chairman of a general meeting.

(7) If at a general meeting

- (a) there is no president, vice-president or other director present within 15 minutes after the time appointed for holding the meeting; or
- (b) the president and all the other directors present are unwilling to act as chairman,

the members present shall choose one of their number to be chairman.

(8) A general meeting may be adjourned from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

(9) When a meeting is adjourned for 10 days or more, notice of the adjourned meeting shall be given as in the case of the original meeting.

(10) Except as provided in this Part, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned general meeting.

(11) Resolutions proposed at a meeting shall be seconded, and the chairman of a meeting may move or propose a resolution.

(12) In case of an equality of votes the chairman shall not have a casting or second vote in addition to the vote to which he may be entitled as a member.

(13) A member in good standing present at a meeting of members is entitled to one vote. No member shall be in good standing if all fees, dues, subscriptions or the like have not been paid in full by the member to the society.

(14) Voting is by show of hands, except where a member calls for a poll.

(15) Voting by proxy is not permitted.

(16) A declaration by the chairman that a resolution has been carried or not carried, and an entry to that effect in the minutes of the society, shall be sufficient evidence of the fact without proof of the number or proportion of the votes accorded in favor of or against such resolution.

## Part 6 – Directors and Officers

6. (1) The directors may exercise all the powers and do all the acts and things that the society may exercise and do, and which are not by these bylaws or by statute or otherwise lawfully directed or required to be exercised or done by the society in a general meeting, but subject, nevertheless to
  - (a) all laws affecting the society;
  - (b) these bylaws; and
  - (c) rules, not being inconsistent with these bylaws, which are made from time to time by the society, in a general meeting.
- (2) No rule, made by the society in a general meeting, invalidates a prior act of the directors that would have been valid if that rule had not been made.
- (3) Directors of the society shall be elected at the annual general meeting. In odd years, elections will be held for the president, treasurer, rep team director, training and safety director, equipment manager, registrar, ways & means director and one director at large. In even years, elections shall be held for the vice-president, secretary, head coach, head referee, tournament director, female director, ice scheduler and one director at large.
- (4) The directors shall be elected for a term not exceeding two years, and shall be eligible for immediate re-election.
- (5) Rescinded Nov. 2, 2004.
- (6) An election may be by acclamation; otherwise it shall be by ballot.
- (7) Nominations will take place for the positions that are vacant and will be done on an individual basis for each position, i.e., a person wishing to let their name stand for secretary will be nominated for that position and someone wishing to stand for vice-president will be nominated for that position. Nominations may also be made from the floor.
- (8) If a director resigns his office or otherwise ceases to hold office, the remaining directors shall appoint a member to take the place of the former director.
- (9) No act or proceeding of the directors is invalid only by reason of there being less than the prescribed number of directors in office.
- (10) The members may by special resolution remove a director before the expiration of his term of office, and may elect a successor to complete the term of office.
- (11) No director shall be remunerated for being or acting as a director but a director shall be reimbursed for all expenses necessarily and reasonably incurred by him while engaged in the affairs of the society.

(12) The duties of the directors shall include the following:

- (a) to fill any vacancy that may occur from time to time in the directors;
- (b) subject to the Society Act, to borrow or raise money or secure the payment of money in such manner as the directors shall see fit, within the budget as approved by the members in general meeting;
- (c) to suspend and/or take such disciplinary action that may be deemed necessary against any team, player, team official, referee or member refusing to obey the constitution, bylaws, rules or order of the directors; and
- (d) to appoint coaches and team officials for the teams in the society.

(13) To be eligible for election as president of the society, a person must have been previously elected to the board of directors and be a member of the society in good standing.

#### Part 7 – Proceedings of Directors

7. (1) The directors may meet together at the places they think fit to dispatch business, adjourn and otherwise regulate their meetings and proceedings, as they see fit.
- (2) The quorum necessary for the directors to transact business shall be a majority then in office.
- (3) The president shall be chairman of all meetings of the directors, but if at a meeting the president is not present within 30 minutes after time appointed for holding the meeting, the vice president shall act as chairman; but if neither is present the directors present may choose one of their number to be chairman at that meeting.
- (4) A director may at any time, and the secretary, on the request of a director, shall, convene a meeting of the directors.
- (5) The directors may delegate any, but not all, of their powers to committees consisting of the director or directors as they think fit.
- (6) A committee so formed in the exercise of the powers so delegated shall conform to any rules imposed on it by the directors, and shall report every act or thing done in exercise of those powers at the earliest meeting of the directors to be held next after it has been done.
- (7) A committee shall elect a chairman of its meetings; but if no chairman is elected, or if at a meeting the chairman is not present within 30 minutes after the time appointed for holding the meeting, the directors present who are members of the committee shall choose one of their number to be chairman of the meeting.
- (8) The members of a committee may meet and adjourn as they think proper.

(9) For a first meeting of directors held immediately following the appointment or election of a director or directors at an annual or other general meeting of members, or for a meeting of the directors at which a director is appointed to fill a vacancy in the directors, the directors shall appoint officers; and it is not necessary to give notice of the meeting to the newly elected or appointed director or directors for the meeting to be constituted, or a quorum of the directors is present.

(10) Questions arising at a meeting of the directors and committee of directors shall be decided by a majority of votes.

(11) In case of an equality of votes the chairman shall not have a second or casting vote.

(12) Resolutions of the directors shall be seconded.

(13) A resolution in writing, signed by all the directors and placed with the minutes of the directors is as valid and effective as if regularly passed at a meeting of directors.

#### Part 8 – Duties of Officers

8. (1) The president shall preside at all meetings of the society and of the directors; and shall be an ex officio member of all committees of the directors and the society.

(2) The president is the chief executive officer of the society and shall supervise the other officers in the execution of their duties.

(3) The president shall, immediately after the close of each annual general meeting

(a) set the date of the first directors' meeting;

(b) appoint a finance committee;

(c) appoint a discipline committee.

(4) The president or designate shall have the power to suspend any team, player, team official or referee for ungentlemanly conduct on or off the ice, abusive language to any official, or for failure to comply with the constitution, by-laws or rules and regulations of the society, according to the guidelines in the Policy Manual or pending review of the incident by the discipline committee.

(5) The vice-president shall carry out of the duties of the president during his absence.

(6) The secretary shall

(a) conduct the correspondence of the society;

(b) issue notices of meetings of the society and directors;

(c) keep minutes of all meetings of the society and directors;

- (d) have custody of all records and documents of the society except those required to be kept by the treasurer, and those required to be at the records office;
  - (e) have custody of the common seal of the society, if any; and
  - (f) maintain the register of members.
- (7) The treasurer shall
  - (a) keep the financial records, including books of account, necessary to comply with the Society Act;
  - (b) render a financial report at each meeting of the directors, and a financial statement at each annual general meeting; and
  - (c) prepare a budget for approval at each annual general meeting.
- (8) In the absence of the secretary from a meeting, the directors shall appoint another person to act as secretary of the meeting.
- (9) The directors and officers shall perform such other duties and chair such committees as directed by the president.
- (10) The duties of the registrar shall be
  - (a) to register all members of the society; and
  - (b) player registration and the registration of all those players with the British Columbia Amateur Hockey Association and the B.C.A.H.A. Mutual Aid Fund.
- (11) The duties of the equipment manager shall be
  - (a) to distribute, maintain, and collect equipment owned by the society;
  - (b) to purchase all equipment for the society; and
  - (c) to prepare annually for the annual general meeting a purchasing budget for the following year.
- (12) The duties of the head coach shall be
  - (a) to maintain an effective line of communication between the coaches, the society, the directors, and the National Coaches Certification Program;
  - (b) to recommend to the directors the appointment of division managers, and team coaches and officials for house teams; and
  - (c) to coordinate training programs for all coaches and team officials.
- (13) The duties of the referee-in-chief shall be



- (a) to maintain an effective line of communication between the referees, the society, the directors, and the National Referees Certification Program;
  - (b) to coordinate training programs for all referees;
  - (c) to appoint referees for all house league, rep team, and exhibition games, and his appointment shall be final; and
  - (d) to aid time-keepers with advice and necessary training programs.
- (14) The duties of the ice scheduler shall be
  - (a) to obtain ice time;
  - (b) to exclusively schedule, re-schedule, exchange and cancel all ice time booked under the auspices of the society;
  - (c) to approve ice time for B.C. Minor Hockey League games or exhibition games through the rep team coordinator or divisional manager prior to scheduling the game.
- (15) The duties of the rep team coordinator shall be
  - (a) to act as the society's representative to the B.C. Minor Hockey League;
  - (b) to oversee the complete operation of rep teams, including the atom rep or all-star team;
  - (c) to approve all rep scheduled, exhibition, and tournament games;
  - (d) to act as liaison between the society and higher category teams in Powell River;
  - (e) to sign players and team officials to C.H.A. player certificates;
  - (f) to provide the registrar with a list of each team's players and officials, along with their telephone numbers and C.H.A. certificates;
  - (g) to inform the equipment manager of equipment requirements; and
  - (h) to recommend to the directors the appointment and dismissal of team officials.
- (16) The duties of the ways and means director shall be
  - (a) to recruit sponsors for teams from year to year; and
  - (b) to act as liaison between the society, the teams and the sponsors.
- (17) The duties of the tournament coordinator shall be
  - (a) to coordinate the hosting of all tournaments, including provincial championships, in Powell River;

- (b) to act as liaison with all visiting teams at such tournaments;
  - (c) to sit ex officio on all tournament committees, including provincial championship committees; and
  - (d) to act as liaison between tournament committees and the directors.
- (18) The duties of the immediate past president shall be
  - (a) to provide assistance to the president in the execution of his duties;
  - (b) to provide assistance to the directors in the execution of their duties; and
  - (c) to provide assistance to committees as directed from time to time by the president.
- (19) The duties of the training and safety director shall be
  - (a) to coordinate and oversee all required Association clinics;
  - (b) to ensure that all criminal record checks are completed as necessary; and
  - (c) to ensure that all teams have the required Team Officials and that each Team Official is BCAHA certified.
- (20) The duties of the female director shall be
  - (a) to act as the liaison officer for all female players within the Association; and
  - (b) to coordinate all female activities within the Association.

#### Part 9 – Committees

9.
  - (1) The president shall constitute the standing committees, which shall include the finance committee and the discipline committee.
  - (2) The finance committee shall consist of the treasurer, who shall be chairman, and two directors appointed by the president.
  - (3) The duties of the finance committee shall be to review the finances and expenditures of the society and recommend to the directors any course of action which the committee may deem advisable.
  - (4) The finance committee shall prepare and circulate a budget of the proposed operations for the coming year to be approved by the members at the annual general meeting.
  - (5) The discipline committee shall consist of the vice-president, who shall be chairman and such other members of the board and such other persons as the president shall appoint from time to time; provided however, that board members shall always

constitute a majority of persons appointed to the discipline committee; provided further, that the discipline committee shall consist of not less than three persons and not more than seven persons.

- (6) The duties of the discipline committee shall include
  - (a) to review decisions of the president made under bylaw 8(4);
  - (b) to review penalties or behaviour brought to the committee by the President or designate and rule upon them; and
  - (c) to hear any allegations brought concerning the conduct of a player, member, team official, referee or other game official, and take disciplinary action when found to be merited.
- (7) The president shall from time to time when required constitute the appeals committee which shall consist of such of the officers of the society that are not members of the discipline committee.
- (8) The duties of the appeals committee shall be to hear appeals from decisions made by the president or designate of the discipline committee made under this Part.
- (9) The appeal shall not be a rehearing, but shall be an appeal, and the appellant shall attempt to show that the president or designate or discipline committee erred in reaching its decision.
- (10) The appeals committee may re-admit any team, player, team official or referee; or uphold or vary any decision made by the president or designate or discipline committee under this part.
- (11) Any team, player, team official, or referee may appeal any decision of the president or designate or discipline committee.
- (12) Any appeal to the appeal committee by the appellant shall be in writing, outlining all particulars, including the alleged error of the president or designate or discipline committee, and shall be delivered to the secretary of the society within 7 days of the delivery of the decision of the president or designate or discipline committee.
- (13) The appeal shall be heard within 21 days of the delivery of the appeal to the secretary.
- (14) The decision of the appeal committee shall be final, and there shall be no further appeal or review.
- (15) Any player, member, or team official who shall be found by the discipline committee to be involved in the practice of "hazing" shall be suspended for a minimum of one year. Hazing shall be defined to include unpleasant or disagreeable tasks, bullying, pranks, ridicule, humiliating horseplay or verbal, physical or sexual harassment of other players, members, team officials or game officials. Any player, member, or

team official who shall be found by the discipline committee to be involved in the practice of “initiation” shall be suspended for a minimum of one year. Initiation shall be defined to include ceremonies, rites or practices which are morally and/or physically detrimental to the well-being of other players, members, team officials or game officials. Any team official who shall be found by the discipline committee to have knowingly allowed hazing or initiation to take place on a team or within the society shall be suspended for a minimum of one year.

(16) In the event that a member of either the discipline committee or the appeals committee has a conflict, the president may appoint another director or member to sit on such committee on an ad hoc basis.

#### Part 10 – Seal

10. (1) The directors may provide a common seal for the society and may destroy a seal and substitute a new seal in its place.
- (2) The common seal shall be affixed only when authorized by a resolution of the directors and then only in the presence of the persons prescribed in the resolution, or if no persons are prescribed, in the presence of the president and secretary or president and treasurer.

#### Part 11 – Notices to Members

11. (1) Whenever under the provisions of these bylaws notice is required to be given, such notice may given personally, or by mail in a post-paid sealed envelope addressed to the address of the member at his address as the same appears on the records of the society.
- (2) Notice of a general meeting may also be given by posting a copy of such notice upon the Powell River Minor Hockey bulletin board located at the Powell River Recreation Complex and by publishing a copy of the said notice in one issue of a newspaper published in Powell River.
- (3) Notice of the annual general meeting shall be not less than 14 days or such greater length of time as may be prescribed by the Society Act.
- (4) A notice given by mail shall be deemed to have been given on the second day following that on which notice is posted, and in proving that notice has been given it is sufficient to prove that notice was properly addressed and put in a Canadian post office receptacle.

#### Part 12 – General

12. (1) Each team, committee, person or other entity operating under the auspices of the society, shall receive and turn in to the treasurer all funds received by that team, committee person or other entity, to be held in the account of the society.

(2) Each team, committee, person or other entity shall deposit all funds within 72 hours of receipt of same, and shall provide to the treasurer a financial statement within 72 hours of the conclusion of the event, or monthly as the case may be. .

(3) Failure to deposit or report, as the case may be, shall be a breach of the bylaws by that person, team, committee or other entity and by every person associated with that entity.

(4) The directors may from time to time produce a policy manual to further the purposes of the society. The policy manual shall be subordinate to the constitution and bylaws, and to the extent that the policy manual is inconsistent with the constitution and bylaws, is of no force and effect.

(5) Movement of players within the society shall be on an individual basis at the pleasure of the directors. Applications for player movement shall be made in writing.

#### Part 13 – Bylaws

13. (1) The bylaws of the society shall not be altered or added to except by special resolution of the society.

#### Part 14 – Rules of Play

14. (1) The Powell River Minor Hockey Association playing rules shall be those adopted by C.A.H.A. with the exception of changes adopted by Powell River Minor Hockey Association, North Island Minor Hockey Association or B.C. Amateur Hockey Association. This provision was previously unalterable.