



2016 SCPSC Proposed By-Law Changes

The following is a list of sixteen (16) proposed By-Law amendments for the April 27th Annual General Meeting. These amendments address several important issues in safe guarding the integrity of SCPSC, its accountability and sustainability. More specifically, these amendments:

1. Align the club By-Laws with Skate Canada standards.
2. Provide clarity on By-Laws that are open for interpretation.
3. Eliminate conflicting By-Laws and loopholes.

Amendment Procedure

Any member of the Club, in good standing, may propose an amendment to the Constitution or By-laws of the Club. This proposal must be submitted in writing to the Executive Board of the Club. The proposed amendment will be presented at the Annual General Meeting or Special Meeting falling twenty-one (21) days or more after the date of submission. No amendment to the Constitution or By-laws of the Club shall be accepted from the floor at any meeting.

By-laws may be enacted or amended by a majority vote of the Executive Board whenever required. Such By-laws or amendments must be presented at the next Annual General Meeting for ratification, if they fail to be ratified, they will cease to be effective and may not be re-enacted by the Executive for one (1) calendar year.

Any amendment, to be accepted or ratified, must pass by a vote of 2/3rds of those present and eligible to vote at an Annual or General meeting of the Club.

All amendments become effective immediately if they are passed unless the motion of the amendment specifies otherwise. All such amendments shall be submitted to the National Office of Skate Canada. Skate Canada reserves the right of refusal of any amendment. Such refusal shall only be made if the intent of such amendments is to violate in principle or spirit, any CFSA rule.

The Executive Board shall ensure for the provision of an annual review of the By- laws of the Club.

The Executive Board shall provide a copy of the Club Constitution to any member wishing to obtain one.

Proposed Amendments

1) PROPOSED ARTICLE 1 BY-LAW UPDATE:

(iv) The Club is a not-for-profit skating club that is a member of Skate Canada and is managed by a volunteer board of directors for the general purpose of providing Skate Canada skating programs for Skate Canada members.

Current By-Law:

(iv) The Club shall be a member of Skate Canada ("Skate Canada").

2) PROPOSED NEW ARTICLE 2 BY-LAW ADDITION:

(v) Only Club Executive Board approved Skate Canada Professional Coaches are permitted to teach figure skating and skating in the Club.

Current By-Law:

None

3) PROPOSED ARTICLE 3 BY-LAW UPDATE:

(iii) Any Club By-law contrary to the By-laws, Rules and Regulations of Skate Canada and those of the Section shall be invalid. It is acknowledged that any provincial statute governing a Club has precedence over any inconsistent Skate Canada by-law relating to that Club.

Current By-Law:

(iii) Any By-law contrary to the Rules of Skate Canada and those of the Section shall be invalid.

4) PROPOSED ARTICLE 4 BY-LAW UPDATE:

BY-LAW 2. Membership in the Club shall be open to all, irrespective of gender, age, creed or colour.

Current By-Law:

BY-LAW 2. Membership in the Club shall be open to all.

5) PROPOSED ARTICLE 5 BY-LAW UPDATE:

BY-LAW 12.1 Membership is automatically terminated when:

A. the Member dies; and

B. in any case the Member resigns as a Member by delivering a written resignation to the club Board of Directors in which case such resignation shall be effective on the date specified in the resignation. Resignation as a Member shall not release the Member from payment of any dues owing, including those for the current Membership Year or any other indebtedness to the club.

BY-LAW 12.2 Membership is terminated when:

A. a Member fails to pay dues or debts owing to the club; or

B. the Member willfully commits a breach of the Articles, Bylaws, or written policies of the club or Skate Canada as determined by the Executive Board.

BY-LAW 12.3 The Executive Board shall give to the individual a written explanation for the termination of membership on request. Upon termination of Membership, the rights of the Member pursuant to the Bylaws automatically cease to exist. The individual shall have the right to appeal to the Executive Board within 30 days of termination. When an appeal has been requested, the membership privileges remain suspended pending the outcome of the appeal.

Current By-Law:

BY-LAW 12. The Executive Board may, by written notice, terminate membership of a member for acting contrary to the Rules and Regulations of Skate Canada or the Club. The Executive Board shall give to the individual a written explanation for the termination of membership on request. The individual, if he/she so desires, shall have the right to appeal to the Executive Board and to a General Meeting of members. When an appeal has been requested, the membership privileges remain suspended pending the outcome of the appeal.

6) PROPOSED ARTICLE 7 BY-LAW UPDATE:

BY-LAW 14. The Club shall not be responsible for any damages, injury or loss of property to any member, guest or visitor to the Club regardless of the reason or nature of such damage, loss or injury; and further, every member, guest or visitor shall use the Club facilities at their own risk. The Club shall participate in the Skate Canada Club Liability and Member Accident Insurance Programs.

Current By-Law:

BY-LAW 14. The Club shall not be responsible for any damages, injury or loss of property to any member, guest or visitor to the Club regardless of the reason or nature of such damage, loss or injury; and further, every member, guest or visitor shall use the Club facilities at their own risk. The Club shall participate in the Skate Canada Club Liability Insurance Program.

7) PROPOSED ARTICLE 8 BY-LAW UPDATE:

BY-LAW 15. Membership privileges, fees, skating rules and skating hours shall be as set by the Executive Board from time to time. All activities of the Club skaters shall be supervised by a member of the Executive Board, a Skate Canada Coach or appointee thereof. **Membership is non-transferable.**

Current By-Law:

BY-LAW 15. Membership privileges, fees, skating rules and skating hours shall be as set by the Executive Board from time to time. All activities of the Club skaters shall be supervised by a member of the Executive Board, a Skate Canada Coach or appointee thereof.

8) PROPOSED ARTICLE 9 BY-LAW UPDATE:

BY-LAW 17. The general management of the Club shall be vested in an Executive Board consisting of an Immediate Past President, President, 1st Vice-President, 2nd Vice- President, Treasurer, Secretary, **nine (8)** members-at-large consisting of Membership, Senior Representative, Publicity, Test, Competition, Social, Skater Development, **Synchronized**, Special Events Coordinator, and a Coaching Representative.

BY-LAW 17.1 Of the above, the President, 2nd Vice- President, Treasurer, Membership, Senior Representative, Publicity, Test, and Special Events Coordinator shall be elected at the Annual General Meeting in even calendar years and the 1st Vice-President, Secretary, Competition, Social, Skater Development, and **Synchronized (if program is running)** shall be elected at the Annual General Meeting in odd calendar years.

BY-LAW 17.2 An Executive Committee shall be formed to resolve and present internal issues to the Board of Directors. The Executive committee shall consist of the President, 1st Vice-President, 2nd Vice-President, Secretary and Treasurer.

BY-LAW 17.3 The Past President shall hold the position for **one (1)** year after presidency. The Coaching Representative shall be elected yearly by the Club Coaching Staff at the first meeting after the start of the Club's fiscal year.

Current By-Law:

BY-LAW 17. The general management of the Club shall be vested in an Executive Board consisting of an Immediate Past President, President, 1st Vice-President, 2nd Vice- President, Treasurer, Secretary, nine (9) members-at-large consisting of Membership, Senior Representative, Publicity, Test, Competition, Social, Skater Development, Synchronized, Special Events Coordinator, and a Coaching Representative. An Executive Committee shall be formed to resolve and present internal issues to the Board of Directors. Of the above, the President, 2nd Vice- President, Treasurer, Membership, Senior Representative, Publicity, Test, and Special Events Coordinator shall be elected at the Annual General Meeting in even calendar years and the 1st Vice-President, Secretary, Competition, Social, Skater Development, and Synchronized (if program is running) shall be elected at the Annual General Meeting in odd calendar years. The Executive committee shall consist of the President, 1st Vice-President, 2nd Vice-President, Secretary and

Treasurer. The Past President shall hold the position for one (1) year after presidency. The Coaching Representative shall be elected yearly by the Club Coaching Staff at the first meeting after the start of the Club's fiscal year.

9) PROPOSED ARTICLE 9 BY-LAW UPDATE:

BY-LAW 18. The members of the Executive Board, Chairpersons of committees and the Delegate to Skate Canada must be members in good standing of the Club, be registered as Associate Members of Skate Canada, be of legal age, **be a SCPSC club member for a minimum of twelve (12) consecutive months immediately prior to submitting letter of intent** and be eligible, with the exception of the Coaching Representative as defined by the Skate Canada Rules. The majority of the Executive Board shall be Canadian citizens within the meaning of the *Canadian Citizenship Act*.

Current By-Law:

BY-LAW 18. The members of the Executive Board, Chairpersons of committees and the Delegate to Skate Canada must be members in good standing of the Club, be registered as Associate Members of Skate Canada, be of legal age and be eligible with the exception of the Coaching Representative as defined by the Skate Canada Rules. The majority of the Executive Board shall be Canadian citizens within the meaning of the Canadian Citizenship Act.

10) PROPOSED ARTICLE 9 BY-LAW UPDATE:

BY-LAW 19.1 Any member whose club membership is terminated as stated in by-law 12 or by-law 34 shall not be eligible for nomination or appointment to the Executive Board for a period of 48 months following the date of his/her membership termination.

Current By-Law:

BY-LAW 19.1 No Active Member or Special Member whose membership has been previously terminated may be appointed or elected to hold any position on the Executive Board or any Club Committee.

11) PROPOSED ARTICLE 9 BY-LAW UPDATE:

BY-LAW 20. A quorum of the Executive Board shall consist of 50%, plus one, of the eligible voting members of the Executive Board, including the Chairperson. **NOTE: Questions arising at any meeting of the Board of Directors shall be decided by a majority of votes. The meeting chair may vote only when the vote would change the result. Therefore the chair may vote to break a tie and thus pass the motion or to create a tie and thus defeat a motion. A majority of the Board of Directors shall form a quorum.**

Current By-Law:

BY-LAW 20. A quorum of the Executive Board shall consist of 50%, plus one, of the eligible voting members of the Executive Board, including the Chairperson.

12) PROPOSED ARTICLE 10 BY-LAW REMOVAL:

BY-LAW 31 (h) ~~Synchronized: The Synchronized Chairperson (if the program is running) shall be responsible for promoting Synchronized Skating within the Club and arrange for the team try-outs, co-ordinate team activities, contact the Section Synchronized Co-ordinator for technical information and locations of Synchronized competitions. He/She shall be a liaison with all Club teams.~~

Current By-Law:

BY-LAW 31 (h) Synchronized: The Synchronized Chairperson (if the program is running) shall be responsible for promoting Synchronized Skating within the Club and arrange for the team try-outs, co-ordinate team activities, contact the Section Synchronized Co-ordinator for technical information and locations of Synchronized competitions. He/She shall be a liaison with all Club teams.

13) PROPOSED ARTICLE 11 BY-LAW UPDATE:

BY-LAW 34. Any member of the Executive Board failing to perform his/her duties to the satisfaction of the Club may be removed from office by a majority vote of not less than 2/3rds of the Executive members present at a Special Meeting of the Executive Board called for that purpose. To be deemed unsatisfactory by the Club, the Executive must receive notice of dissatisfaction from not less than twenty (20) voting members. An appeal must be requested within 30 days of removal.

Current By-Law:

BY-LAW 34. Any member of the Executive failing to perform his/her duties to the satisfaction of the Club may be removed from office at a General Meeting called for that purpose by a majority vote of not less than 2/3rds of the members present. To be deemed unsatisfactory by the Club, the Executive must receive notice of dissatisfaction from not less than twenty (20) voting members.

14) PROPOSED ARTICLE 11 BY-LAW UPDATE:

BY-LAW 35. Where the Executive Board position becomes vacant for whatever reason before its term is complete, the Executive Board may appoint a qualified person, by majority vote of the Executive Board, to fill the vacancy until the next Annual Meeting. If there is a further year remaining in the Executive Board Members term, an election will be held to fill the remainder of his or her term at a General Meeting called for that purpose.

Current By-Law:

BY-LAW 35. Vacancies occurring in the Executive Board may be filled by members elected by a majority vote of the Executive Board.

15) PROPOSED ARTICLE 13 BY-LAW UPDATE:

BY-LAW 41. Voting for Club elections or on any matter pertaining to skating shall be restricted to eligible Club members who are in good standings and have been an active registered SCPSC club member for a minimum of six (6) consecutive months immediately prior to the club election, or other vote. This includes members who are registered as Associate Members of Skate Canada and are 18 years of age, the Club Coaching representative(s) and Special Members of the club voting on behalf of their underage children (who are members of the Club and registered as an Associate Member of Skate Canada). Special members shall be entitled to **one (1)** vote per family so long as all Associate Members are in good standing.

Current By-Law:

BY-LAW 41. Voting for Club elections or on any matter pertaining to skating shall be restricted to eligible Club members who are registered as Associate Members of Skate Canada and of legal age; to Special Members of the Club voting on behalf of their under aged Associate family members, who are members of the Club and registered as Associate members of Skate Canada and to the Coaching Representative. Special members shall be entitled to one (1) vote per family so long as all Associate Members are in good standing.

16) PROPOSED ARTICLE 15 BY-LAW UPDATE:

BY-LAW 49. The order of business at the Annual General Meeting, General Meetings or Special Meetings of the Club shall be as follows:

- Reading of the Notice of Meeting
- Quorum
- Approval of Agenda
- Minutes of the preceding General/Special meeting
- Confirmation of the actions taken by the Executive Board
- Secretary's Report
- Treasurer's Report (Annual Financial Statement)
- Other Reports

- Election of Executive Board
- Amendments to the Constitution and By-laws
- Appointment of Auditors (as applicable)
- New Business

Current By-Law:

BY-LAW 49. The order of business at the Annual General Meeting, General Meetings or Special Meetings of the Club shall be as follows:

- *Minutes of the preceding Annual General/Special Meeting*
- *Confirmation of the actions taken by the Executive*
- *Secretary's Report*
- *Treasurer's Report*
- *Other Reports*
- *Election of Executive Officers and Members*
- *Amendments to the Constitution and By-laws*
- *Appointment of Auditors*