



Club Constitution and Bylaws

September 2019

Club Name: _____
Swift Current Skate Club

Accepted Date: _September 18th, 2019_ _____

1072 McDonald St
Regina, Sask S4N 2X8

Your Club Constitution provides the pathway for a smooth operating Club. It gives guidance to your Club Board of Directors in their management of the Club and informs your members of their rights and obligations. A Constitution, which is cumbersome, scanty or ambiguous, can hamper your Club from the first day of its operation. Give some thought and care to its preparation.

A Constitution and Bylaws template is provided. You may choose to follow this and fill in the requested information or may wish to add, delete or make changes. However, a few clauses are essential and these are indicated below. Before you complete your Constitution/Bylaw, it is strongly recommended that you first review Skate Canada's Bylaws. Ask the Section Membership Chairperson to meet with you or perhaps contact a Club Executive of another Skate Canada Club in your area for assistance.

After reading the Skate Canada Bylaws, you are now ready to complete your Constitution and Bylaws. Here are a few 'Do's' and 'Don'ts'. These refer directly to the attached Constitution and Bylaws template. Good luck and good skating.

'DOs'

The Articles or Bylaws shown below in parentheses refer to the Constitution/Bylaw template. You may wish to refer to these as models of how the required provisions may be written.

(Article 1)

Name of Club: Clubs are encouraged to use the Skate Canada logo (see Skate Canada Info Centre – <https://info.skatecanada.ca>).

b) (Article 2)

To participate in Skate Canada programs, you must affiliate with Skate Canada and this must be reflected in your Constitution.

Skate Canada Rules, Bylaws and Regulations and those of the Section, in which the Club operates, take precedence over your own Bylaws (as a condition of affiliation with Skate Canada) and this fact must be reflected in your Constitution. It is acknowledged that any Provincial Statute governing a Club has precedence over any inconsistent Skate Canada Bylaw relating to that Club.

c) (Article 4)

Your Club must be administered by eligible persons and members in good standing of the Club and be registrants of Skate Canada.

d) (Bylaw 3)

All Club members, must be registered with Skate Canada in accordance with Skate Canada Club & Skating School Minimum Operating Standards Policy.

e) (Bylaw 6)

This Bylaw must contain a provision for suspending or expelling any member of the Club from such membership on terms and conditions that are deemed appropriate and necessary by the Club Board of Directors. **This provision must refer to a policy that is approved by the Club Board of Directors from time to time and it must be in writing and made**

available to all members. This policy must include an appropriate hearing and appeal process which includes principles of due process, an appropriate reinstatement application process and an appropriate graduated series of disciplinary measures.

- f) (Bylaw 22)
Skate Canada requires that each Club hold an Annual General Meeting.

- g) (Bylaw 24)
You must grant voting privileges to all eligible members in good standing of your Club who are of legal age in your province and are registrants of Skate Canada unless specified otherwise.

- h) The Club must allow a Skate Canada Professional Coaching Representative to take part and have a vote in meetings of the Board of Directors and meetings of the Club.

- i) The draft Constitution / Bylaw must be reviewed by Skate Canada – Saskatchewan prior to acceptance.

DON'TS

When choosing a name for your Club, **avoid the word “Association” and “Figure”.**

You may not impede a member of your Club from joining any other Club.

Each Board Member should avoid conflicts of interest between his/her position as Board Member and his/her personal life. If such a conflict does arise, the Board Members must declare that conflict before the Board and refrain from voting on such matters.

NOTES ON THE CONSTITUTION/BYLAWS TEMPLATE

The clauses and Bylaws referred to under DO's above should appear in your Constitution and Bylaws, although the wording need not be the same as shown in the template.

The Constitution and Bylaws template has a number of places that need to be completed. If you intend to use the template as your Constitution, make sure you read the preceding and following notes carefully and ensure that you fill in all requested information.

(Bylaw 10)

Your own Club structure will determine how many Board members you require. 'Six' members is suggested as an average requirement. You may wish to have your Board of Directors serve a two year term, with half of the Board of Directors elected each year (this arrangement provides a useful continuity from year to year). Please note that all Board members must be elected.

(Bylaw 12)

The quorum for executive meetings should be an odd number and be more than 50% of the Board members. Consider replacing this with Skate Canada's Bylaw on voting at Board of Directors meetings, including majority vote, Chairs' role and quorum.

(Bylaws 18 to 19)

The Committees shown in the template are the most likely 'Standing' Committees that a Club will require. Other committees may be added as necessary, for example: Ways & Means, Public Relations, etc.

(Bylaw 22)

It is suggested that 60-90 days after the close of the skating season or 30-60 days before the start of the season is a reasonable time period in which to hold the Club Annual General Meeting. The required quorum needs to be determined as a percentage of your voting membership. How many eligible voting members do you think you will get out to your meetings?

(Bylaw 24)

In keeping with the intent of Skate Canada, every eligible member of legal age (i.e. excluding only members of a non-voting or restricted voting class) must be permitted to vote.

(Bylaw 33)

Club financial transactions shall be reviewed/audited yearly. A review means a review of the Annual Financial Statement, supporting schedules and source documents. It is preferable that the review be done by a professional accountant particularly if the Club is a large Club or has significant investments, trust accounts or unusual transactions. Failing this, someone other than the Treasurer should be appointed to conduct the review and to sign a letter that they have completed the review by a defined date.

(April 2019)

CONSTITUTION OF THE

Swift Current Skate Club

Name of Club

Club Number

#1000239

____ September 18, 2019 ____

Accepted

ARTICLE 1: NAME OF CLUB

The Name of the Club shall be Swift Current Skate Club hereinafter called the Club.

ARTICLE 2: SKATE CANADA

- a) *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 programs for Skate Canada registrants.
- b) The Club shall pay such fees and such other charges as shall be required of Clubs from

time to time by Skate Canada.

- c) The Club shall abide by all Skate Canada Bylaws, Rules and Regulations.
- d) The Club is located in Region iii. in the Saskatchewan Section of Skate Canada.

ARTICLE 3: PURPOSE OF THE CLUB

- a) The purpose of the Club shall be to encourage the instruction, practice, enjoyment and advancement of its members in all aspects of skating in accordance with the Rules, Policies and Procedures of Skate Canada.
- b) The Club, with regard to any aspect of its operation is to be managed and operated by eligible persons who are duly registered as registrants of Skate Canada.
- c) The Club shall protect the eligibility status of its members. The Club shall not take or omit any action that would knowingly jeopardize the eligible status of its members.
- d) The Club shall operate only Skate Canada programs.
- e) Only Skate Canada Professional Coaches are permitted to instruct Skate Canada programs in the Club.

ARTICLE 4: BYLAWS OF THE CLUB

- a) The Bylaws, appended to this Constitution, shall describe the organization and functions of the Club, and the means by which members of the Club may elect the Club Board of Directors and control the property and activities of the Club.
- b) The Bylaws, Rules and Regulations of Skate Canada and those of the Section in which the Club operates shall take precedence over any Club Bylaws.
- c) Any Club Bylaw contrary to the Bylaws, 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 Bylaw relating to that Club.

**BYLAWS OF THE
Swift Current Skate Cub**

MEMBERSHIP

Club Membership

Membership in the Club shall be open to all, regardless of any actual or perceived differences based on race, national or ethnic origin, colour, religion, age, language, gender, sexual orientation, gender identity and expression or disability.

Skate Canada and Club Bylaws, Rules and Regulations

The Club shall operate in strict compliance with applicable Bylaws, Rules, Regulations and Policies of Skate Canada and the Section. Any Bylaw, Rule, Regulation, Policy or Procedure of the Club that is inconsistent with the Bylaws, Rules, Regulations and Policies of Skate Canada and the Section will, to the extent of the inconsistency, be deemed to be void and of no effect.

Membership Fees

Members of the Club shall be registered with Skate Canada and pay such registration and other fees to Skate Canada as set by Skate Canada.

4. Member in Good Standing

All fees and monies owing to the Club must be fully paid by a member. Failure to do so within 30 days of receipt of invoice may lead to a member being considered as Not in Good Standing.

5. Setting of Club Fees, Rules and Skating Hours

Fees, skating rules and skating hours of the Club shall be as the Board of Directors decides from time to time. Club membership shall commence on the first day of the Skate Canada membership year, September 1st, or the date that fees are paid (whichever is the latter) and terminate on the last day of the Skate Canada membership year, August 31.

6. Suspension and Expulsion from the Club

The Board of Directors may suspend or expel a member of the Club for acting contrary to the Bylaws, Rules and Regulations of Skate Canada or of the Club. The Club Board shall develop a suspension and expulsion policy in accordance with the Skate Canada Complaint, Suspension and Expulsion Policy and Procedure that contains a provision for suspending or expelling of any member of the Club from such membership on terms and conditions that are deemed appropriate and necessary by the Club Board of Directors. This policy shall be approved by the Club Board of Directors from time to time and it shall be in writing and made available to all members in advance of its implementation. This policy must include an appropriate hearing and appeal process, which includes principles of due process, an appropriate reinstatement application process and an appropriate graduated series of disciplinary measures.

7. Eligibility for Voting Membership

A person is automatically deemed to be a Voting Member in any of the following situations:

Director, for so long as he / she remains a Director;

a skater who is 18 years of age or older, for the duration of the current skating year;

the Parent or Guardian who registers a skater under the age of 18 with the Club, for the duration of the current skating year.

A Person may be eligible to be accepted as a Voting Member if he / she:

is 18 years of age or older; and

has one or more children or dependents who are skaters; or

is interested in advancing the purposes and supporting the activities of the Club

Eligibility for Non –Voting Membership

A skater who is under the age of 18 is automatically deemed to be a Non-Voting Member for the duration of the current skating year.

A person who is an employee of, or contractor providing services to, the Club is eligible for Non- Voting Membership.

LIABILITY

8. Liability

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. Every member, guest or visitor shall use the Club facilities at his or her own risk. The Club shall participate in the Skate Canada Club Liability and Member Accident Insurance programs.

CLUB MANAGEMENT

9. Members of Board of Directors, Committees and Club Delegate to Skate Canada

The members of the Board of Directors, members, Chairs of committees, and the Club Delegate to Skate Canada must be members in good standing of the Club, be registrants of Skate Canada, be of legal age, and be eligible persons.

10. General Management of the Club

The general management of the Club shall be vested in a Board of Directors consisting of: immediate Past President (if applicable), President, Vice-President, secretary, treasurer, up to 6 Directors at Large and a Coaching Representative. All of the above, with the exception of the Past President and the Coaching Representative shall be elected for 2 year terms at the Annual General Meeting. The President and Vice-President and half Directors at Large shall be elected in even numbered years and the *Secretary, Treasurer* and the remaining half Directors at Large shall be elected in odd numbered years. The Coaching Representative shall be elected annually by and from within the Coaches of the Club. The Past President shall be ex-officio and shall hold office until a new President has been duly elected.

11. Qualifications of Directors

A Person may not be elected, appointed or otherwise serve (or continue to serve) as a Director if he or she:

is not a Member of the Club;

is not a registrant in good standing of Skate Canada;

is less than 18 years of age;

has been declared by a court in Canada or elsewhere incapable of managing his or her own affairs or person or both;

is an undischarged bankrupt; or

has been convicted of a prescribed offence within the prescribed period, for which no pardon has been granted, in accordance with the Act.

12. Nomination of Directors

The Board will establish a nominations committee that will present a slate of nominees for election as Directors and officers at each annual general meeting.

Any nominations for election as a Director made by voting Members in addition to the slate must be made in accordance with these Bylaws, and such policies and procedures as are established by the Board from time to time.

All nominations are subject to the following rules:

a voting Member in good standing may nominate a Person qualified in accordance with

Bylaw 11, including him or herself;

a nominee must be a voting Member in good standing and qualified in accordance with Bylaw 11 to be nominated and must remain in good standing in order to stand for election;

a nomination must be made in writing, in a form established by the Club and must be signed by:
the nominating Member;

the nominee; and

in the case of a self-nomination, by one other voting Member in good standing;

a Member may not nominate more nominees than the number of Director positions available for election and may not nominate more than one (1) person for a specific position; and
nominations must be submitted in advance of an election, in accordance with such deadlines as may be established by the Board. Nominations may or may not be permitted from the floor at a General Meeting

The Board will establish a nominations policy and procedure to further govern nominations for election as Director, provided that no policy or procedure is valid that contravenes the *Societies Act* or these Bylaws.

13. Holding of Board of Directors Office

The Board of Directors shall hold office until the close of the meeting at which their successors have been duly elected. Any member of the Board of Directors may be removed by the members by a 2/3 majority vote at an Extra Ordinary General Meeting duly called for that purpose.

14. Voting at Board of Directors Meetings

A quorum of the Board of Directors shall consist of 50% plus 1 members of the Board of Directors, including the Chair. 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.

15. Board of Directors Vacancies

Casual vacancy occurring between any Annual General Meeting of the Club, may be filled, until the next Annual General Meeting by a majority vote of the remaining members of the Board of Directors or in the case of the Coaching Representative, by the coaching staff.

16. Board of Directors Member Absenteeism

If a Board of Directors Member is absent for more than 3 consecutive scheduled Board of Directors meetings, without good cause and/or without prior notification to the President or (Secretary or Secretary/Treasurer), then that office may be declared vacant by a majority vote of the Board of Directors.

17. Duties of President

The President will supervise the other officers in the execution of their duties and will preside at all meetings of the Club and of the Board. The President is ex-officio, a member of all committees, save for the nominations committee, if any. Responsible for *the conduct of the correspondence of the Club.*

Role of past president- shall among his/her duties, act in an advisory capacity to the executive Committee.

18. Duties of Vice President

In the absence of the president, shall act as chairperson of all meetings and perform the duties of the president, as well as such other duties assigned to him/her by the executive Committee President.

19. Duties of Treasurer

The Treasurer will be responsible for making the necessary arrangements for:

the keeping of such financial records, reports and returns, including books of account, as are necessary to comply with the *Societies Act* and the *Income Tax Act*; and

the rendering of financial statements to the Directors, Members and others, when required.

The Treasurer shall be responsible for the safe control of all Club funds, for preparing and submitting to the Board of Directors on a regular basis an annual budget and keeping such records as are required for financial review. The Treasurer is also responsible for arranging for an unaudited/audited annual financial statement. Any two of the President, the Vice-President and the Treasurer or Another executive member at large shall sign all cheques and legal documents, (3 members only, holding signing authority). *(Note: It is recommended that the Treasurer be one of the signatories)*

19. Duties of Secretary

The Secretary will be responsible for making the necessary arrangements for:

a) the issuance of notices of meetings of the Club and the Board;

the keeping of minutes of all meetings of the Club and the Board;

the custody of all records and documents of the Club, except those required to be kept by the Treasurer

Shall be responsible for submitting to skate Canada and the section such reports as are required by the Skate Canada rules and other regulations

21. Role of test Director

The test director shall be responsible for arranging and supervising all tests (in consultation with the appointed referees), and obtain judges for all skate Canada tests, keep the club records for tests, and preparing test records for forwarding th skate Canada.

22. Role of registration/ Administrative director(S)

The registration director shall be responsible for the membership forms and brochures maintaining adequate membership rolls membership roles and arrangements for initial registration and shall submit to the club membership registrations and fees by October 30th of each year.

Committees – Appointment

The Board may create such standing and special committees as may from time to time be required. Any such committee will limit its activities to the purpose or purposes for which it is appointed and will have no powers except those specifically conferred by a Board Resolution.

The Board may delegate any, but not all, of its powers to committees which may be in whole or in part composed of Directors as it thinks fit.

23. Role of Publicity Director

The publicity director shall be responsible for press, radio, website, newsletters, and emails to membership as to upcoming events, important reminders, dates of events, club information.

24. Role of ways and means Director

The ways and means director shall be responsible to arrange for all fundraising as approved by the executive committee. The director shall be responsible to have product available for distribution to club members along with necessary forms and also to maintain accurate records of all fundraising activities.

25. Role of Ice Chair

The Ice Chair Director shall be responsible for planning and booking the ice requirements for all

regular skating sessions, test days, competition days or special events days on behalf of the club, with prior approval from the club. The Ice director shall review all ice bills as submitted from the city and make any changes necessary by discussions with the city

26. Role of Professional Coach

One Coaching staff member shall have the opportunity to sit on the executive committee, in accordance with the Rules and Regulations of Skate Canada.

27. Committees - Eligibility to Serve

All Club Board of Directors and members of Committees shall be eligible persons and shall be of legal age. They must be members in Good Standing of the Club and be registrants of Skate Canada.

28. Rules of Order

The rules contained in 'Robert Rules of Order' shall govern in all cases to which they are applicable and to which they are consistent with the Bylaws or the Rules of Skate Canada.

ANNUAL GENERAL MEETING

29. Timing, Quorum, Special Meeting Request

An Annual General Meeting will be held at least once in every calendar year. Extra Ordinary meetings may be held from time to time upon the request of the Board of Directors or upon written request of 50% per cent of Club Members. A quorum for an Annual General Meeting or Extra Ordinary Meeting shall be 10% per cent of the eligible-voting members. *Skate Canada requires that each Club hold an annual meeting. Note that the required quorum is suggested as 10% of your voting membership.*

30. Written Notice

Written notice of all Annual General Meeting and Extra Ordinary Meetings shall be provided 15 days prior to the date of the General Meeting to each eligible voting member. The notice shall include the time and place of the meeting, the agenda, full details of any proposed amendments to these Bylaws.

31. Voting Methods

Voting by Members may occur by any one or more of the following methods, at the discretion of the Board:

by show of hands or voting cards; or

by secret ballot.

Where a vote is to be conducted by show of hands or voting cards, and prior to the question being put to a vote, a number of members equal to not less than ten percent (10%) of the votes present may request a secret ballot, and where so requested the vote in question will then be conducted by secret ballot or other means whereby the tallied votes can be presented anonymously in such a way that it is impossible for the assembly to discern how a given Member voted.

32. Entitlement to Vote

Voting for club elections or on any matters pertaining to skating shall be restricted to eligible voting members as per Bylaw 7 Eligibility for Voting Membership

Special Members shall be restricted to one vote per family regardless of how many children are in the family.

Each Voting Member in Good Standing and physically present at a General Meeting is entitled to one (1) vote on matters for determination by the Members. No other Person is entitled to vote on a matter for determination by the Members, whether at a General Meeting or otherwise.

For greater clarity, Members are not entitled to participate or vote at General Meetings by Electronic Means.

33. Order of Business

The order of business at an Annual General Meeting 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 Board of Directors
 Secretary's Report
 Treasurer's Report
Other Reports
Election of Board of Directors
Amendments to the Constitution and Bylaws
Appointment of Auditors (as applicable)
New Business

AMENDMENTS

34. Right to Submit, Process for Submitting

Any member of the Club, in Good Standing, may propose an amendment to the Constitution or Bylaws of the Club. This proposal must be submitted in writing to the Club Board of Directors. The proposed amendment will be presented to the Annual General Meeting or Extra Ordinary Meetings. All amendments must be submitted at least 21 days before the respective meeting. No amendment to the Constitution or Bylaws of the Club shall be accepted from the floor at any meeting.

35. Interim Amendments

Bylaws may be enacted or amended by a majority vote of the Board of Directors whenever required. Such Bylaws or amendments must be presented at the next Annual General Meeting for ratification by the members. If they fail to be ratified, they will cease to be effective and may not be re-enacted by the Board of Directors for one calendar year.

36. Voting of Amendments

Any amendment, to be accepted or ratified, must pass by a vote of $\frac{2}{3}$ of those eligible to vote and present at an Annual General Meeting of the Club.

37. Effective Force of Amendments to Bylaws

All amendments to the Bylaws upon receiving approval of any General or Extra Ordinary Meeting of members and upon approval of the Provincial Government (if applicable) shall come into force immediately or on a date specified for same. All such amendments shall be submitted to Skate Canada Saskatchewan. Skate Canada Saskatchewan reserves the right of refusal of any amendment. Such refusal shall only be made if the intent of such amendment is to violate, in principle or spirit, any Skate Canada Rule and/or Bylaw.

FINANCIAL MATTERS AND REPORTING

38. Accounting Records

The Club will maintain such financial and accounting records and books of account as are required by the Act and applicable laws. *Financial records must be kept for minimum of seven (7) years.*

39. The Treasurer shall deposit all funds of the Club in such banks or other institutions as may be designated by the Board of Directors.

40. All disbursements of Club funds shall be by cheque or other auditable document.

41. A person designated, (or auditor, if applicable) by the Board of Directors shall make a review/audit of the financial transactions of the Club each year and the financial statements shall be made available to the Membership of the Club.

36. When Audit Required

A Club must conduct annual audit and file the necessary paperwork if they are a registered Not-For-Profit Corporation.

The Club is not required to be audited. However, the Club will conduct an audit of its annual financial statements if:

the Directors determine to conduct an audit by Board Resolution; or

the Members require the appointment of an auditor by Ordinary Resolution, in which case the Club will appoint a qualified Auditor in accordance with the Act and these Bylaws.

37. Dissolution

In the event that the Club ceases to exist, the net assets from liquidation shall go to Kidsport.

Adopted by:

Swift Current Skate Club

on 26 of September 2019
(day) (month) (year)

Signed

Brett Berger
(President)

(Date)

Sept. 26/2019

Brett Berger
(Print Name)

Signed

[Signature]
(Club Board Member)

(Club Board Member)

Sept. 26/2019

(Date)

Kendra Kendall

(Print Name)

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