



Club Constitution and By-laws

Timmins Porcupine Figure Skating Club

Constitution Revision Date: May 10, 2006

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**CONSTITUTION OF THE
TIMMINS PORCUPINE FIGURE SKATING CLUB**

CLUB NUMBER 1000332

ARTICLE 1: NAME OF CLUB

The Name of the Club shall be Timmins Porcupine Figure Skating Club hereinafter called the Club.

ARTICLE 2: SKATE CANADA

- a) A not-for-profit figure skating or skating club, or the figure skating or skating section of a not-for-profit 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 figure skating or skating programs for Skate Canada members. [Skate Canada By-law 1100 (3)]
- b) The Club shall pay such fees and such other charges as shall be required of clubs from time to time by Skate Canada. [Skate Canada By-law 1201 (1) (c) (ii), 1201 (1) (c) (viii) and 1201 (1) (c) (ix)]
- c) The Club shall abide by all Skate Canada By-laws, rules and regulations as per Skate Canada By-law 1201 (1) (c) (iv).
- d) The Club is located in the Northern Ontario Section of Skate Canada. See Skate Canada By-law 1503 for definition of Sections.

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 Associate Members of Skate Canada. [By-law 1201 (1) (c) (iv)]
- 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 figure skating and skating programs.
- e) Only Skate Canada Professional Coaches are permitted to teach figure skating and skating in the Club.

ARTICLE 4: BY-LAWS OF THE CLUB

- a) The By-laws, 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 By-laws, Rules and Regulations of Skate Canada and those of the Section in which the Club operates shall take precedence over any Club By-laws. [Skate Canada By-law 1201 (1) (c) (iv)]
- c) 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. [Skate Canada by-law 1201 (1) (c) (iv)]

BY-LAWS OF THE

TIMMINS PORCUPINE FIGURE SKATING CLUB

MEMBERSHIP

By-law 1: Club Membership

Membership in the Club shall be open to all, irrespective of sex, age, creed or colour.

By-law 2: Skate Canada and Club By-laws, Rules and Regulations

All members shall uphold, observe and conform to the By-laws, Rules and Regulations of Skate Canada, the By-laws of the Club and such regulations as made by the Board of Directors of the Club.

By-law 3: Membership Fees

Members of the Club shall be registered with Skate Canada and pay such registration and other fees to Skate Canada as set from time to time by Skate Canada. (Skate Canada By-law 1201 (1) (c) (ix), Skate Canada By-law 1202 (1) (a), Rule 2101, Policies and Procedures.)

By-law 4: Member in Good Standing

For a member of the Club to be considered in good standing with the Club, that member must pay Club fees as are stipulated by the Club Board of Directors in advance of the membership year in question. Members will not be permitted to take part in any Club activities if these fees are not paid within 30 days of the date set for payment. Members in arrears shall be considered as having terminated their club membership.

By-law 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, 1 September, or the date that fees are paid (whichever is the latter) and terminate on the last day of the Skate Canada membership year, 31 August.

By-law 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 By-laws, 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. [Skate Canada By-law 1204]

By-law 7: Classes of Club Membership

The classes of membership, eligibility and privileges shall be as follows:

- **Individual membership:** Non-skating members who have paid the fees as set by the club and are Associate Members of Skate Canada. Individual members of legal age of 18 shall be entitled to one vote at each Annual General Meeting and Special Meeting of the Club.
- **Active Membership:** All eligible skaters who participate in a Club Skating Program and who have paid the fees as set by the club and are Associate Members of Skate Canada. All Active Members of the legal age of 18 shall be entitled to one vote at each Annual General Meeting and Special Meeting of the Club. (Underage Active Members have no vote but may be represented by Special Members)
- **Special Membership:** Parent or guardian of legally underage Active Members who have paid the fees as set by the Club and are Associate Members of Skate Canada.
- **Partial Membership:** All eligible skaters who are an Associate Member or Restricted Member of Skate Canada through another HOME club and have paid a reduced fee as set by the Club. NOTE: The conditions granted under this partial membership are: ice time for practice only, no lessons, no vote and may not hold office.
- **Honorary Membership:** The Annual Meeting of members may elect any person an Honorary Member of the Club. An Honorary Member shall be exempt from club dues (but not Skate Canada dues), shall not have interests in the assets of the Club and shall not vote at meetings of the Club unless otherwise qualified. They may have a voice at the meetings of the Club.
- **Restricted Membership:** A restricted member is an individual who is a paid employee (of the Club, Section or Association), a non-active coach, a performing professional skater or a professional dance partner. A restricted member is not permitted to hold elected office, may not vote at meetings, is not permitted to compete in competitions, and is not permitted to officiate at tests or competitions. [Skate Canada By-law 1201 (1) (c) (xi), By-law 1202 (2) and Rule 2001]
- **Active Member (Non-Voting Rights) or (Restricted Voting Rights) –** An active member (Non-Voting Rights) is a member who meets the following criteria. This includes a class of membership with restricted voting rights. [Skate Canada By-law 1201 (1) (c) (i) and 1202 (1) (e)]

LIABILITY

By-law 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. [Skate Canada By-law 1201 (1) (c) (viii)]

CLUB MANAGEMENT

By-law 9: Members of Board of Directors, Committees and Club Delegate to Skate Canada

The members of the Board of Directors, members and Chairs of committees, and the Club 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 persons (with the exception of the Coaching Representative) as defined by Skate Canada Rules.

By-law 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, President, Vice-president, Secretary, Treasurer, eight 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 every year at the Annual General Meeting. The Coaching Representative shall be elected annually by and from within the coaches of the Club and shall be elected as per Skate Canada by-laws. The Past President shall be ex-officio and shall hold office until a new President has been duly elected.

By-law 11: 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 a Special General Meeting duly called for that purpose.

By-law 12: 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. A majority of the Board of Directors shall form a quorum. [Skate Canada By-law 1420 (5)]

By-law 13: Board of Directors Vacancies

Casual vacancies 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.

By-law 14: Board of Directors Member Absenteeism

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

By-law 15: Role of President

The President shall act as Chair of all Board of Directors and general meetings. In his/her absence, the Vice-president will fill this duty.

By-law 16: Role of Treasurer

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 annual financial statement. Any two of the President, the Vice-president, the Treasurer and the Secretary shall sign all cheques and legal documents.

By-law 17: Role of Secretary

The Secretary shall deal with all correspondence subject to the approval of the President or his/her delegate, shall issue all notices for Board of Directors and general meetings, shall take minutes at all meetings and shall be responsible for submitting to Skate Canada and the Section such reports as are required by Skate Canada rules and other regulations.

By-law 18: Committees – President as ex-officio member

The President shall be an ex-officio member of all committees.

By-law 19: Committees - Appointment

The President shall appoint standing committee Chairs whom shall look after duties assigned to them. All Committee Chairs must submit the names of their committee members to the President for approval.

By-law 20: Committees - Eligibility to Serve

All Club Board of Directors and members of Committees shall be eligible persons and shall be of legal age (18 years). They must be members in good standing of the Club and be Associate Members of the Association. [Skate Canada By-law 1201 (1) (c) (ii)]

By-law 21: Rules of Order

Rules of order for all meetings, General and Board of Directors, shall be as outlined in Roberts Rules of Order in all cases in which they are applicable and consistent with the By-laws or special rules of the Association. [Skate Canada By-law 1603]

SKATE CANADA CLUB DELEGATE AND REGION COUNCILORS

By-law 22

The Club Delegate to Skate Canada and/or the Section shall be appointed annually by the Board of Directors. The Delegate need not be a member of the Board of Directors. The Section and/or Skate Canada National Office shall be advised of the appointed delegate's name. The Club shall appoint a Councilor and an alternate Councilor to serve on the Region Council as required by the By-laws of the Region Council. The delegates and councilors shall report on activities at these meetings and shall be entitled to receive compensation for pre-approved expenses related to attendance at required meetings.

ANNUAL GENERAL MEETING

By-law 23: Timing, Quorum, Special Meeting Request

An Annual General Meeting shall be held within 90 days of the close of the April 30th fiscal year. Other general meetings may be held from time to time upon the request of the Board of Directors or upon written request of 10 per cent of Club Members. A quorum for an Annual General Meeting or Special Meeting shall be 15 per cent of the eligible-voting members. [Skate Canada By-law 1201 (1) (c) (i) requires that each club hold an annual meeting. Note that the required quorum should be 10% of the voting membership.]

By-law 24: Written Notice

Written notice of all Annual General Meeting and Special Meetings shall be provided 10 days in advance 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 By-laws, and a complete list of the candidates nominated for elections.

By-law 25: Voting on Club Elections

Voting on Club elections shall be by secret ballot and a simple majority shall elect a candidate. Voting on other matters may be by a show of hands.

By-law 26: Eligibility to Vote

Voting for Club elections or on any matters pertaining to skating shall be restricted to eligible Club members who are registered as Associate Members of Skate Canada and are 18 years of age, to the Club Coaching Representative(s) and to 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 restricted to two votes per family regardless of how many children are in the family.

By-law 27: 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 AGM/Special meeting
- Confirmation of the actions taken by the Board of Directors
- Secretary's Report
- Treasurer's Report (Annual Financial Statement)
- Other Reports
- Election of Board of Directors
- Amendments to the Constitution and By-laws
- Appointment of Auditors (as applicable)
- New Business

AMENDMENTS

By-law 28: Right to Submit, Process for Submitting

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 Club Board of Directors. The proposed amendment will be presented to the Annual General Meeting or Special Meetings. All amendments must be submitted at least 21 days before the respective meeting. No amendment to the Constitution or By-laws of the Club shall be accepted from the floor at any meeting.

By-law 29: Interim Amendments

By-laws may be enacted or amended by a majority vote (50% plus 1) of the Board of Directors whenever required. Such by-laws or amendments must be presented at the next 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.

By-law 30: Voting of Amendments

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

By-law 31: Effective Force of Amendments to By-laws

All amendments to the By-laws upon receiving approval of any general or special 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. Skate Canada 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 by-law.

FUNDS

By-law 32

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

By-law 33

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

By-law 34

A person designated by the Board of Directors shall make a review of the financial transactions of the Club each year and the financial statements shall be made available to the membership of the Club.

By-law 35 Dissolution

In the event that the club ceases to exist, the net assets from liquidation shall go to the James Bay Region.

COMMITTEES

By-law 36 Carnival Committee

This committee, at those times that the Executive elects to hold a carnival, shall be responsible for the planning and production of the carnival. A Club Skate Canada coach may be appointed to produce the show, but shall not assume the position of Manager or Chairman of the Carnival Committee.

By-law 37: Nominating Committee

This committee is responsible for selecting at least a full slate of candidates for election to the Club Board of Directors and shall present such a slate to the Board of Directors no later than 21 days before an Annual Meeting in the year which an election is to be held. The Nominating Committee shall consist of four members, two from the Board of Directors and two from the membership. Other nominations may be made by any member in good standing by a written submission to the nominating committee at least 3 days before the Annual Meeting. Each nominee must indicate acceptance in writing prior to the commencement of elections. Nominations from the floor at the Annual Meeting will not be accepted.

By-law 38: Ice Committee

This committee shall be responsible for planning the ice requirements and scheduling for all sessions and test days of the Club. This Committee shall also be responsible for the behaviour on or around the skating surface.

By-law 39: Test Committee

This Committee shall be responsible for arranging and supervising all tests (in consultation with the appointed Referees) and obtaining judges for Skate Canada tests and competitions, keeping records of tests, preparing test records for forwarding to Skate Canada and for the encouragement of potential Skate Canada judges. In addition, this Committee shall assist and promote Judges Schools and Clinics and assist the Section Judges' Chairman. [Skate Canada Rules Section 2500]

By-law 40: Finance Committee

This Committee shall be responsible for preparing the Club's annual budget and advising the Executive as to proposed expenditures and investments.

By-law 41: Music Committee

This Committee shall arrange music at Club sessions, purchase recordings as approved by the Executive and ensure, where appropriate, that Skate Canada or other suitable Dance recordings are available for practice and tests.

By-law 42: Recreational Programs Committee

This Committee shall be responsible for promoting and organizing sessions for all Club recreational skating programs in consultation with the Club's coaching staff. The Committee will also conduct skater/parent orientation sessions and arrange for Skate Canada Professional Coaching Member and recreational instructors to teach group lessons. It should also coordinate recreational instructors' development within the Club and select instructors to attend any necessary instructional clinics. This Committee is in charge of ordering recreational program supplies, ensuring proper licensing policies and procedures are followed if the Club offers the Canpowerskate program and offering well-organized, high quality, standard recreational programs that are fun for participants, coaches and volunteers.

By-law 43: Membership Committee

This committee is responsible for promoting and developing membership in the Club by informing the public of Club programs, special activities and dates of Club registration. It will be the Committee’s responsibility to produce posters, videos and other promotional material and to speak to interested groups regarding the various programs offered by the Club.

By-law 44: Synchronized Skating Committee

The Committee shall be responsible for obtaining a coach for the Club team(s), appointing a Synchronized Skating Committee Chairperson who sits as a member of the Club Executive, appointing people to be in charge of finances, team management, fundraising, costumes and any other area deemed necessary for the effective administration of a synchronized skating team. It will also coordinate Club activities, arrange for team tryouts and practice times in consultation with the team Coach; register teams in competitions, make all travel arrangements and contact the Section Synchronized Skating Coordinator for technical information and locations of synchronized skating competitions. The Committee must ensure that all Club teams are registered with the Skate Canada Recreational Programs Department and that all competitive teams abide by the Rules contained in Section 6000 of the Skate Canada Rule Book as they may apply. Each team is to have its own account to be jointly administered between the Team Committee and the Club Treasurer. Should the team disband for any reason, all money should be turned over to the Club Executive with 50% of the monies to be held in trust for a future synchronized skating team and the balance of the monies to be administered by the Club Executive.

By-law 45: Eva Thompson Award

A plaque, which will remain at the Sportsplex Arena, dedicated to Eva Thompson, called the “Eva Thompson Award for Skater of the Year”, will be presented to a skater in good standing with the Club each year. A small plaque for the skater to keep will be purchased by the Club each season. The skater receiving this award will be decided upon by the active collective Professional Coaches with the Club. The criteria for this award will be a combination of: skating achievement in that year, courteousness by the skater on and off the ice, improvement in skating and active participation in Club activities such as recreational instruction and fundraising.

Adopted by:

Timmins Porcupine Figure Skating Club

On the 10th of May, 2006

President

Date

Club Board Member

Date