



## **Morden Figure Skating Club Constitution and By-laws**

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Morden Figure Skating Club

Incorporated:

Constitution Revision Date: May 2024

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## CONSTITUTION OF THE

Morden Figure Skating Club

CLUB #1000657

Date of Incorporation

Date of Revision to Constitution:

May 2024

### **Article 1: Name of Club**

The name of the club shall be Morden Figure Skating Club (MFSC) 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) © (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 Central 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 an 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 ad 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 are 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 the that Club. [Skate Canada by-law 1201 (1) (c) (iv).]

## **By- Laws of The Morden 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. (See 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 14 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 or 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. [See 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. Examples: Club Board of Directors, Skate Canada Officials (Judges, Evaluators, Referees and Accountants) and other adults serving on Club Committees.
- **Active Membership:** All eligible skaters who participate in a Club Skating Program and who have paid the fees as set by the Club 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 Associate Member or Restricted Member of Skate Canada through another **Home** Club and have paid a reduced fee as set by the Club.
- **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) 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. [See 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 101 (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 Executive shall consist of at least 7 members and no more than 15. The general management of the club shall be vested in a Board of Directors and may consist of: immediate Past President, President, Vice-President, Secretary, Treasurer, and Committee Chairs such as: Registrar, Test Chair, Volunteer Co-ordinator, Fundraising Co-ordinator, Funding Liaison, CanSkate Co-ordinator, StarSkate Co-ordinator, CanPower Co-ordinator, Special Events Co-ordinator(s) (Carnival, Banquet, Competitions), Communications/Social Media, and Members at Large (no more than 2) . Members of the Executive, with the exception of the Past President shall be elected for 2-year terms followed by 1-year terms at the Annual General meeting. The appointment of the Executive Officers and Committee Chairs shall be made within the Executive at its first regular meeting of the year. 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 at 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 Board of Directors shall form a quorum. [Skate Canada By-law 1420 (5)]

#### By-law 13: Board of Directors Vacancies

Casual vacancy occurring between any Annual General Meetings 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 2 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 has the authority to act in the name, but within the jurisdiction, of the Club. He/She will have the right to 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 record 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 and the Treasurer shall sign all cheques and legal documents. The treasurer shall be one of the signatories.

#### 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 who 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 Robert's 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 Councillors**

#### 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 Councillor and an alternate Councillors to serve on the Region Council as required by the By-laws of the Region Council. The delegates and councillors 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 45 days of the close of the March 31<sup>st</sup> 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 20 per cent of Club Members. A quorum for an Annual General Meeting or Special Meeting shall be 10 per cent of the eligible- voting members.

### By-law 24: Written Notice

Written notice of all Annual General Meeting and Special Meetings shall be provided 15 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 are registered as an Associate Member of Skate Canada).

Special Members shall be restricted to one vote 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
- Approval of Minutes of the preceding General/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

An accountant designated by the Board of Directors shall prepare a compilation statement 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 Morden Area Foundation Organization.

## **Committees**

Terms of reference for each Committee shall be approved by the Club Board of Directors. A Chair may replace a Committee.

### By-law 36: Finance Committee/Chair

This committee shall be responsible for preparing the Club's annual budget and supervising the finances of the Club including the presentation of an independently reviewed annual statement of revenues and expenditures to its members. This position shall be held by the Club Treasurer.

### By-law 37: Nominating Committee

This committee is responsible for selecting at least a full slate of candidates for election to the Club's 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 a minimum of two members, one from the Board of Directors and one 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: Membership Committee/Chair

This committee is responsible for promoting and developing membership in the Club and for ensuring submission of Club and member registrations to Skate Canada. This position shall be held by the Club Registrar.

By-law 39: Skating Programs Committee/Chair

In consultation with the Club coaching staff, the Committee shall coordinate and oversee implementation and delivery of all Skate Canada skating programs including, but not limited to, CanSkate, CanPowerSkate, Synchronized Skating, STARSkate, Competitive Skate, and Talent Identification and Development. Reporting to the Skating Programs Committee is the Recreational Skating Programs Sub-Committee.

**Adopted by:**

**Morden Figure Skating Club**

**On 2nd of May 2024**

**Signed**

*Sara Convery*

*May 2, 2024*

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**President**

**Date**

**Pam Dyck**

May 2, 2024

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**Club Board Member**

**Date**