

General Information

YOUR CLUB BYLAWS

Your Club Bylaws 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. Bylaws which are cumbersome, scanty or ambiguous, can hamper your Club from the first day of its operation. Give some thought and care to its preparation.

Sample Bylaws: You may choose to follow this and fill in the blanks or may wish to add, delete or make changes. However, a few clauses are essential and these are indicated below. Before you complete the Bylaws, it is strongly recommended that you first review Skate Canada's Bylaws, which are available on the Skate Canada Info Center. The Member Services Manager at the Section Office is available to provide feedback about club bylaws and must review and approve them before the final version is approved by the club's membership.

Here are a few 'Do's' and 'Don'ts'. These refer directly to the sample Bylaws provided.

'DOs'

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

- a) (Article 1)
Name of Club: Clubs are encouraged to use the Skate Canada logo
- b) (Article 2)
To participate in Skate Canada programs, you must affiliate with Skate Canada and this must be reflected in your Bylaws.
- c) (Article 3b)
Your Club must be administered by eligible persons and members in good standing of the club and be registrants of Skate Canada.
- d) (Article 4b & c)
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 Bylaws. It is acknowledged that any provincial statute governing a club has precedence over any inconsistent Skate Canada Bylaw relating to that club.
- e) (Bylaw 3)
All your members, except 'Special' members (normally parents) must be registered as registrants of Skate Canada in accordance with Skate Canada Bylaw
- f) (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.

- g) (Bylaw 7)
If your Club wishes to permit a parent or guardian of a skating member who is under the age of majority to participate in the Club on their behalf, the parent or guardian must be regarded as a 'Special Member' of your Club in accordance with Skate Canada Bylaw
- h) (Bylaw 20)
Restrictions on who may serve on your Board of Directors are shown in Skate Canada Bylaw
- i) (Bylaw 23)
Skate Canada Bylaws requires that each Club hold an Annual General Meeting.
- j) (Bylaw 25)
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 registered as registrants of Skate Canada unless specified otherwise as per Skate Canada Bylaws. If the circumstances of your Club require it, you may permit "Special Members" (parents and/or guardians) to vote on behalf of their underage children who are registered as registrants of Skate Canada Bylaw
- k) 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.
- l) The Bylaws must be signed by two members of the Club Board of Directors prior to review by Skate Canada.

DON'TS

- a) When choosing a name for your Club, avoid the word "Association".
- b) You may not impede a member of your Club from joining any other club. The member must declare their home club by September 1.
- c) Do not use the phrase 'Associate Member' when listing your membership classes as such a phrase is too easily confused with "Associate Member of Skate Canada", used by the Association.
- d) Each Board Member should avoid conflicts of interest between their position as Board Member and their 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 ATTACHED BYLAWS

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

The attached sample Bylaws has a number of blanks requiring filling in. If you intend to use the attached sample as your Bylaws, make sure you read the preceding and following notes carefully and ensure that you fill in all the blanks.

(Bylaw 7)

Give considerable thought as to which categories of membership your club requires now and may require in the future. Read Skate Canada Bylaw in preparing this Bylaw and also ask your Section for advice. Bylaw 7 in the Sample, 'Classes of Membership, Eligibility and Privileges', includes various classes of membership and a possible wording for each. To assist you in determining your club requirements, please consider the following:

- **Individual Membership** - would normally include your Club Board of Directors, Skate Canada Officials (Judges, Evaluators, Referees, Technical Panel, Data Specialists) and other adults serving on Club Committees.
- **Active Membership** – would include your actual skating members (e.g. CanSkate, CanPowerSkate, STARSkate, Competitive, Adult Skater, etc)
- **Special Members** – would include parents or guardians of skaters under the age of majority (see Bylaw 25 of sample document).
- **Partial Membership** – is self-explanatory and may be used to cover skaters who are members of other clubs and who require extra ice time, etc.
- **Honorary Members** – would include persons who, through their past endeavours, deserve such recognition.
- **Active Member (Non-voting rights)** – an individual who meets the criteria set out below. For example, if a club offered a CanPowerSkate program and this program is not germane to the purpose of the club, it may want to offer a CanPowerskate membership with no voting or restricted voting rights.
- You might also wish to consider Family or Student Memberships.

(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.

(Bylaw 22)

The Club Delegate to Skate Canada's Annual General Meeting should be knowledgeable of your Club's requirements as related to the business of the Annual General Meeting and the sport of skating. Note the provisions of Skate Canada Bylaw as to appointment of the Club Delegate and the use of proxies.

(Bylaw 24)

It is suggested that 60 days after the close of the skating season is a reasonable time period in which to hold the Club Annual General Meeting. The required quorum should be kept in the order of 15% of your voting membership. Note that 10% of the voting membership is a reasonable number for requesting Special Meetings (how many eligible voting members do you think you will get out to your meetings?)

(Bylaw 26)

In keeping with the intent of Skate Canada Bylaws 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 34)

Club financial transactions shall be reviewed yearly. The term 'review' means a review of the Annual Financial Statement and the supporting schedules and source documents. It is preferable that the reviewer be 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.

(Bylaws 36 to 39)

The Committees shown in this sample Bylaws are the most likely 'standing' Committees that a club will require. Other committees may be added as necessary, e.g. Ways & Means, Public Relations, etc.

Sample Bylaws

Club Name: High River Skating Club

Incorporation Date (if applicable): October 4, 1976

Bylaw Revision Date: _____

BYLAWS OF THE

High River Skating Club
Name of Club

1000120
Club Number

October 4, 1976
Date of Incorporation

Date of Revision to Bylaws

ARTICLE 1: NAME OF CLUB

The Name of the Club shall be High River 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
- 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 as per Skate Canada Bylaws
- d) The Club is located in the Alberta-NWT/Nunavut 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 Associate Members 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 figure skating and skating programs.
- e) Only Skate Canada Professional Coaches are permitted to teach figure skating and skating in the Club.

ARTICLE 4: BYLAWS OF THE CLUB

- a) The Bylaws 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

(Name of club)

MEMBERSHIP

Bylaw 1: Club Membership

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

Bylaw 2: Skate Canada and Club Bylaws, Rules and Regulations

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

Bylaw 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.

Bylaw 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 last set payment date**. Members in arrears shall be considered as having terminated their club membership.

Bylaw 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.

Bylaw 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.

Bylaw 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)

Note that if rights and privileges differ between members of different Skating Programs, this differentiation must be clearly specified.

- **Special Membership:** Parent or guardian of legally underage Active Members who have paid the fees as set by the Club and are registrants of Skate Canada.
- **Partial Membership:** All eligible skaters who are registrants 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 memberships may be added here (ie. ice time for practice only, no lessons, no vote, 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) **[if the club is not incorporated add the following: and 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.
- **Active Member (Non-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.

LIABILITY

Bylaw 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

Bylaw 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 registrants of Skate Canada, be of legal age, and be eligible persons (with the exception of the Coaching Representative) as defined by Skate Canada Rules.

Bylaw 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, a minimum of 2 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 one Director at large shall be elected in even numbered years and the Secretary, Treasurer and one Director 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.

The coaching representative shall be elected as per Skate Canada Bylaws.

For the number of Directors on a Board – decide what is reasonable number of individuals for the size of your club.

For clubs that have an AGLC license, AGLC does not allow paid coaches of the club to be a voting board member. A coach can sit on the board without voting privileges if the clubs bylaws allow for that. Clubs may still have a Coaching Representative on the Board; however it may have to be a non-coaching individual as selected by the coaching team to represent them on the board and to have a vote.

Bylaw 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.

Bylaw 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.

Bylaw 13: 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.

Bylaw 14: 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, then that office may be declared vacant by a majority vote of the Board of Directors.

Bylaw 15: Role of President

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

Bylaw 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, **Test Chair** and the Treasurer shall sign all cheques and legal documents.

Note: It is recommended that the Treasurer be one of the signatories. Adjust the positions above as required.

Bylaw 17: Role of Secretary

The Secretary shall deal with all correspondence subject to the approval of the President or their 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.

Bylaw 18: Committees – President as ex-officio member

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

Bylaw 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.

Bylaw 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 registrants of the Association.

Bylaw 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 Bylaws or special rules of the Association.

Bylaw 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.

ANNUAL GENERAL MEETING

Bylaw 23: Timing, Quorum, Special Meeting Request

An Annual General Meeting shall be held within **90** days of the close of the **March 31** 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 Bylaw requires that each club hold an annual meeting. Note that the required quorum should be 10% of your voting membership.]

Bylaw 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 Bylaws, and a complete list of the candidates nominated for elections. Written notice is provided to the last known email provided by each eligible voting member.

Bylaw 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.

Bylaw 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 registrants 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 one vote per family regardless of how many children are in the family.

Bylaw 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 General/Special meeting
- Confirmation of the actions taken by the Board of Directors
- Secretary's Report
- Treasurer's Report (Annual Financial Statement or Audited Statement)
- Other Reports
- Election of Board of Directors
- Amendments to the Bylaws
- Appointment of Auditors (as applicable)
- New Business

AMENDMENTS

Bylaw 28: Right to Submit, Process for Submitting

Any member of the Club, in good standing, may propose an amendment to the 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 Special Meetings. All amendments

must be submitted at least 21 days before the respective meeting. No amendment to the Bylaws of the Club shall be accepted from the floor at any meeting.

Bylaw 29: Interim Amendments

Bylaws may be enacted or amended by a majority vote (50% plus 1) of the Board of Directors whenever required. Such Bylaws 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.

Bylaw 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.

Bylaw 31: Effective Force of Amendments to Bylaws

All amendments to the Bylaws 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 the same. All such amendments shall be submitted to Skate Canada: Alberta-NWT/Nunavut Section Office. Skate Canada and the Alberta-NWT/Nunavut Section 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.

FUNDS

Bylaw 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.

Bylaw 33

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

Bylaw 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.

Bylaw 35: Dissolution

In the event that the club ceases to exist, the net assets from liquidation shall go to a local youth non for profit sports organization voted upon at the time of dissolution.

COMMITTEES

Committees listed below are the most likely 'standing' Committees that a club will require. Terms of reference for each committee shall be approved by the Club Board of Directors. (For small clubs a Chair may replace a committee. For medium to large clubs a committee of 2-5 people is suggested.)

Bylaw 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.

Bylaw 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 in 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.

Bylaw 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.

Bylaw 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, STARSSkate, Competitive Skate, and Talent Identification and Development. Reporting to the skating programs committee is the recreational skating programs sub-committee.

Note: Special program sub-committees as deemed necessary by the club may be formed. These sub-committees may include but are not limited to:

- Carnival/Ice Show Committee/Chair
- Ice Committee/Chair
- Test Committee/Chair
- Music Committee/Chair
- Club Competition Committee/Chair
- Synchronized Committee/Chair
- Recreation Program Committee/Chair

Adopted by:

High River Skating Club

(Club Name)

on _____ of _____
(day) (month) (year)

Signed

(President)

(Date)

Signed

(Club Board Member)

(Date)