

# BC Hockey Constitution, Bylaws and Regulations

03.04.21

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# Constitution

## Article One - Name

- 1.1 The name of the Society is the British Columbia Amateur Hockey Association (BCAHA). For legal purposes, the name shall be the British Columbia Amateur Hockey Association, but for all other purposes, the organization shall be known as BC Hockey.

## Article Two - Purpose

- 2.1 The Society is the self-governing body of amateur hockey in British Columbia and the Yukon Territory.
- 2.2 The Society represents British Columbia and the Yukon Territory nationally and as an unalterable provision, this Society shall be affiliated with Hockey Canada.
- 2.3 As an unalterable provision, the purpose of this Society shall be not for profit.
- 2.4 The objectives of the Society are:
- a. To foster, improve and perpetuate the game of Amateur Hockey in the Province;
  - b. To develop sport participation, including recruitment and retention initiatives;
  - c. To secure the enforcement of the rules of the game as adopted by the Society;
  - d. To supervise and carry out the competitions for the championship of British Columbia;
  - e. To emphasize and encourage the involvement of those volunteers who put the interests of the game ahead of their personal interests;
  - f. To elevate the awareness of the responsibilities of the Hockey Public in ensuring the game is played in a positive environment;
  - g. To provide a safe playing environment, including participation in the hockey's national insurance program.
  - h. To assist registered participants in their pursuit of excellence by providing effective programs and services through available resources;
  - i. To monitor and review services, benefits and programs available to registered participants in order to meet their ever changing needs;
  - j. To present a common voice on behalf of the Members in all discussions that could affect them at the National and International level;
  - k. The Society dedicates itself to the advancement of Amateur Hockey for all individuals in British Columbia through progressive leadership by ensuring meaningful opportunities and enjoyable experiences in a sportsmanlike environment;
  - l. To actively promote and support equal access to hockey programs and services for all regardless of gender, sexual orientation, ethnic origin, racial origin or religion.

# Bylaws

## Bylaw One – Overview

### Definitions

- 1.1 The following terms have these meanings in these Bylaws:
- a. Act – the Society Act of British Columbia as amended from time to time,
  - b. Auditor – a Public Accountant appointed by the Members by Ordinary Resolution at the Annual General Meeting to audit the books, accounts, and records of the Society for a report to the Members at the next Annual General Meeting,
  - c. Board –the Board of Directors of the Society.
  - d. Bylaws – the Bylaws as altered from time to time,
  - e. Chair of the Board –the Chair of the Board of the Society.
  - f. Director – an individual elected to serve on the Board pursuant to these Bylaws,
  - g. Districts – The Society shall be divided into eight Districts with geographic boundaries as determined by the Board from time to time, which shall be known as:
    - i. East Kootenay
    - ii. Lower Mainland
    - iii. North Central
    - iv. Northeast/Yukon
    - v. Northwestern
    - vi. Okanagan-Mainline
    - vii. Vancouver Island – including Powell River
    - viii. West Kootenay
  - h. District Amateur Hockey Associations - District Amateur Hockey Associations shall be as follows:
    - i. East Kootenay - East Kootenay MHA
    - ii. Lower Mainland - Pacific Coast AHA
    - iii. North Central- Cariboo AHA
    - iv. Northeast/Yukon - Peace River District MHA and Yukon AHA
    - v. Northwest - North West District MHA
    - vi. Okanagan-Mainline - Okanagan-Mainline AHA
    - vii. Vancouver Island - Vancouver Island AHA
    - viii. West Kootenay - West Kootenay MHA
  - i. Ordinary Resolution – a resolution passed by a majority of the votes cast on that resolution.
  - j. Playing Rules –the rules that govern the game of hockey in Canada, as set out in the Official Playing Rules Book of Hockey Canada and any additional rules approved by the Society, as amended from time to time,
  - k. Regulations –the Regulations of the Society, as amended from time to time,
  - l. Society – British Columbia Amateur Hockey Association.

- m. Special Resolution – a resolution passed in a General Meeting by a majority of not less than three-quarters (3/4 or 75%) of the votes cast on that resolution.
- n. Voting Members - Amateur Senior and Junior Teams, Amateur Hockey Leagues, Amateur Hockey Associations Amateur District Hockey Associations, and Persons serving on the Society's Board

## **Definitions in the Act**

- 1.2 The definitions in the Act apply to these Bylaws.

## **Interpretation**

- 1.3 In these Bylaws, words in the singular form include the plural and vice versa and words importing a specific gender include the other gender and a corporation.

## **Conflict with Act or Regulations**

- 1.4 If there is a conflict between these Bylaws and the Act or the regulations under the Act, the Act or its regulations, as the case may be, prevail.

## **Custody and Use of Seal**

- 1.5 The seal of the Society shall not be affixed to any instrument except by authority of a resolution of the Society's Board of Directors and in the presence of at least one (1) member of the Society's Board of Directors and the Society's Chief Executive Officer, and the said seal shall remain in the custody of the Chief Executive Officer of the Society.

## **Inspection of Records and Books**

- 1.6 Upon five (5) days written notice to the Chief Executive Officer of the Society, the Records and Books of the Society as prescribed in the Act shall be made available for inspection to its Members to the extent and in the manner prescribed in the Act, at the Society's office during normal office hours. Such access shall not include access to the Society's register of members unless approved under the applicable provisions outlined in the Act.

The Records shall include the Constitution, Bylaws, Regulations and Policies of the Society, a register of Directors, including contact information, and a register of Members organized by different classes of Member, including contact information provided by each Member.

If a Member requests a copy of a record, it shall be provided at the fee established by the Directors and/or in accordance with the Act.

## **Official Rules of Order**

- 1.7 The current edition of Roberts Rules of Order are the official rules of order covering all meetings of the Society, except where they are at difference with the Society's Bylaws in which case the Society's Bylaws shall take precedence.

## **Bylaw Two – Membership**

### **Member Classes**

- 2.1 The Society shall have only seven (7) classes of Members which shall be the following:
  - a. Amateur Senior and Junior Teams (voting)
  - b. Amateur Hockey Leagues (voting)
  - c. Amateur Hockey Associations (voting)
  - d. Amateur District Hockey Associations (voting)
  - e. Associate Members (non-voting)
  - f. Life Members (non-voting)
  - g. Persons serving on the Society's Board (voting)

### **Members**

- 2.2 The Members are those Teams, Leagues, Associations and other persons who fall within one of the classes of Members having been previously admitted into membership in the Society, whose membership has not been terminated, and who are in good standing with the Society.
- 2.3 Each Member, as a condition precedent to membership in the Society, shall adopt a Constitution, Bylaws, Regulations and Policies that do not contradict the Constitution, Bylaws, Regulations and Policies of the Society.
- 2.4 The Board may admit new Members, and may from time to time specify residential boundaries and other terms as to membership and participation of Members in the Society.
- 2.5 The Society may, by regulation, establish procedures and conditions for the acceptance of new members and the relocation of teams.
- 2.6 Membership in the Society is not transferable.

### **Members' Rights**

- 2.7 Voting Members who are in good standing and not under suspension have the following rights:
  - a. to receive notices of Annual and Special General Meetings;
  - b. to attend, speak and vote at Annual and Special General Meetings;
  - c. to submit proposals for inclusion on the agenda of Annual and Special General Meetings;
  - d. to participate in competitions and other programming organized by the Society;
  - e. to exercise all other rights and privileges arising from the Bylaws, Regulations and Policies of the Society, and such other rights and privileges as the Board may, from time to time, determine.
- 2.8 A Voting Member may apply Regulations, Playing Rules, Policies and decisions of the Society and of Hockey Canada in a more restrictive manner insofar as they apply to those participating in that Member's programs.

## **Member Obligations**

- 2.9 The Voting Members are responsible for ensuring the Society acts in compliance with the BC Societies Act and the BC Hockey Bylaws and Regulations.
- 2.10 Each Member is obliged and empowered to foster, conduct and control amateur hockey within its jurisdiction in a manner consistent with the Society's Bylaws, Regulations, Playing Rules, Policies and Board decisions. All games played within a Member's jurisdiction, and the qualification of all Registered Participants competing in such games, must conform to such Bylaws, Regulations, Playing Rules, Policies and decisions.
- 2.11 Subject to the Voting Member's rights outlined in Bylaw Two, no Member shall amend its Bylaws, Regulations, Playing Rules or Policies in a manner that contradicts or conflicts with the Bylaws, Regulations, Playing Rules or Policies of the Society, unless a pilot project has been approved by the Board.
- 2.12 Membership in the Society, as a Voting Member, includes:
- a. acceptance of the authority of the Society;
  - b. adherence to and observance of the Bylaws, Regulations, Playing Rules, Policies and related decisions of the Society;
  - c. acceptance of and subscription to such insurance coverage and membership fees as may be approved and made mandatory by the Society from time to time;
  - d. acceptance of the final and binding authority of the Society in relation to all provincial matters and Hockey Canada in relation to all national matters;
  - e. acknowledgement that the Members share the same goals, philosophies and responsibilities and agree to be governed by a uniform set of rules and regulations that the Society may establish from time to time;
  - f. responsibility for full compliance with all other duties arising from the Bylaws, Regulations, Playing Rules and Policies of the Society.

## **Associate Members**

- 2.13 Associate Members are entitled to:
- a. receive notices of Annual and Special General Meetings;
  - b. attend and speak at Annual and Special General Meetings;
  - c. participate in programming organized by the Society;
  - d. exercise such other rights and privileges as the Board may, from time to time, determine.
- 2.14 Membership in the Society, as an Associate Member, includes:
- a. acceptance of the authority of the Society;
  - b. adherence to and observance of the Bylaws, Regulations, Playing Rules, Policies and related decisions of the Society;
  - c. the taking of steps, as the Associate Member deems necessary, for the registration and administration of personnel in teams, leagues, and groups which are strictly within its



own organizations, and reporting such registrations to the Society in accordance with the procedures established by the Society;

- d. acceptance of and subscription to such insurance coverage and membership fees as may be approved and made mandatory by the Society from time to time;,
  - e. compliance with all other duties arising from the Bylaws, Regulations, Playing Rules and Policies of the Society;
  - f. eligibility only to compete for trophies offered for competition by teams representing Associate Members.
- 2.15 Associate Member representatives do not have voting rights at any General Meeting of the Society, but may have voting privileges within a committee or work group to which they have been named.

### **Life Members**

- 2.16 Life Members are individuals acknowledged for their distinguished contributions to the Society by appointment by the Board to the office of Life Member.
- 2.17 Active Life Members are entitled to:
- a. Attend the Annual General Meeting and any Special General Meetings:
    - Receive notices of the meetings
    - Attend at the Society's expense.
    - Speak at the meetings.
    - Receive minutes of the meetings.
  - b. Act in an advisory capacity to the Board.
  - c. Exercise all of the privileges of Members (except where otherwise restricted by the Bylaws, Regulations and Policies of the Society).
  - d. All other rights and privileges as the Board of Directors may, from time to time, decide.
- 2.18 Membership in the Society as a Life Member includes:
- a. Acceptance of the authority of the Society,
  - b. Adherence to and observance of the Bylaws, Regulations, Playing Rules, Policies and related decisions of the Society,
  - c. Complying fully with all other duties arising from the Bylaws, Regulations, Playing Rules and Policies of the Society.
- 2.19 The number of Life Members of the Society shall be limited to five (5) active members. An active Life Member may write to the Chair of the Board requesting they be declared in-active.
- 2.20 Life Members do not have voting rights at any General Meeting of the Society, but may have voting privileges within a committee or work group to which they have been named.

## **Members in Good Standing**

- 2.21 All Members are in good standing other than a Member who fails to pay the Member's annual membership dues, if any, or any other debt owing by the Member to the Society and the Member is not in good standing for so long as the debt remains unpaid.
- 2.22 A voting Member who is not in good standing may not vote at an Annual or Special General Meeting, or consent to a resolution of Members.

## **Membership Year**

- 2.23 The membership year of the Society shall commence on August 15<sup>th</sup> and end on August 14<sup>th</sup> of the following year.

## **Discipline and Suspension**

- 2.24 The Board shall have the power to discipline or suspend any Member that breaches or violates any Bylaw, Regulation, Playing Rule or Policy of the Society, including discipline by fine.
- 2.25 A suspended Member shall lose its rights as a Member of the Society including the right to vote at meetings of the Society, while such suspension remains in effect.

## **Expulsion**

- 2.26 The Board may expel a Member that:
- a. fails to fulfill its financial obligations to the Society;
  - b. seriously or repeatedly violates the Bylaws, Playing Rules, Regulations, Policies or decisions of the Society or Hockey Canada; or
  - c. is deemed to have brought the sport of hockey into disrepute
- 2.27 Before determining a motion for expulsion of a Member, the Board shall provide the Member facing expulsion with notice of the meeting at which the expulsion is to be voted upon, with such notice to be provided at least thirty (30) days in advance of the meeting, and which notice shall include a statement of the reason or reasons for the proposed expulsion. The Member facing expulsion shall be given an opportunity to be heard prior to any decision being rendered.
- 2.28 A motion for expulsion of a Member must be passed by three-quarters (3/4 or 75%) of the votes cast.

## **Termination**

- 2.29 A Member's membership in the Society is terminated when:
- a. the Member's term of membership expires,
  - b. the Member is not in good standing for twelve (12) months,
  - c. the Member resigns or dies, or
  - d. the Member is expelled in accordance with the Bylaws.

2.30 Loss of Membership status by resignation or expulsion immediately terminates all rights and privileges that the Member enjoyed within the Society, but does not relieve that Member from its financial obligations to the Society, other Members, or anyone else to whom the Member may have a financial obligation for which the Society may bear liability.

## **Bylaw Three – Registered Participants**

### **Registered Participants**

- 3.1 In addition to the Members, the Society recognizes that its Registered Participants contribute to the success of the Society.
- 3.2 Any person or similar entity registered with the Society or any of its Members, or any person, affiliated with or associated with, in any capacity whatsoever, any club, team, league, sports school or similar entity participating in games or activities of any kind sponsored or organized by the Society or any of its Members, including but not limited to the parents or legal guardians of any minor aged participant registered in the Society programming, shall not have membership status in the Society but, rather, shall be referred to throughout these Bylaws as a “Registered Participant”.
- 3.3 Participation in the Society’s programming is voluntary. Registration within programming offered by the Society or one of its Members entails acceptance by the Registered Participant, including the parents or legal guardians of any minor aged Registered Participant of the final and binding authority of rules and decisions of the Board, adherence to and observance of the Bylaws, Regulations, Playing Rules and Policies of the Society and acceptance of and subscription to such insurance coverage and Registered Participant registration fees as may be approved and made mandatory from time to time by the Board.

### **Discipline and Suspension**

- 3.4 The Chair of the Board shall have the power to suspend, fine or take such disciplinary action that may be deemed necessary against any Registered Participant for failure to comply with the Bylaws, Regulations and Policies of the Society or of Hockey Canada, or of the Playing Rules, or for unsportsmanlike conduct on or off the ice, or abusive of Officials. The power to the Chair of the Board to suspend, fine or take disciplinary action may be delegated. A player may not be fined.
- 3.5 Any suspension to a Registered Participant imposed under these Bylaws shall continue until the requirements for lifting the suspension have been met, unless modified by the Appeal Committee in accordance with Bylaw Eight.

## **Bylaw Four – Meetings**

### **General Provisions**

- 4.1 Annual and Special General Meetings shall be called by the Chief Executive Officer in accordance with Bylaw Four.
- 4.2 Delegates to all Annual and Special General Meetings shall be affiliated with the Member which they represent. No Delegate shall be admitted to the Annual or Special General meeting of the Society unless that Delegate has presented to the Society's Credentials Committee a certificate of the Delegate's appointment signed by the President or Secretary of the Delegate's Team, League, Association, or District Association.
- 4.3 Copies of the minutes of all Annual and Special General' Meetings shall be forwarded as expeditiously as possible after such meetings to the Board of Directors and the offices of each Member.
- 4.4 Speaking privileges at any Annual or Special General Meeting are reserved for the Board, Delegates, the Chief Executive Officer of the Society, and such other persons as may be recognized by the Chair.

### **Notice of Meetings**

- 4.5 The Chief Executive Officer shall send notice of the time and place of Annual and Special General Meetings to each Director and to the office of each Member. Such notice shall be sent by mail, courier, personal delivery, telephonic, electronic or other communication facility not less than thirty (30) days before the meeting and shall be accompanied by a meeting agenda and reasonable information to permit Members to make informed decisions. Special General Meetings may be held upon shorter notice provided waivers of notice are given in writing by all Members having voting rights at that meeting.
- 4.6 The accidental omission to send notice of an Annual or Special General Meeting to, or the non-receipt of notice by, a person who is entitled to notice does not invalidate any proceedings at that meeting.
- 4.7 Notice of an Annual or Special General Meeting must include the text of any Special Resolution to be submitted to the meeting.

### **Quorum.**

- 4.8 At all Annual and Special General Meetings, a quorum shall consist of not less than twenty (20) of the Voting Members, excluding proxies, entitled to be present.

### **Annual General Meeting**

- 4.9 The Annual General Meeting of the Society shall be held on a weekend during the month of June and at a place in British Columbia to be determined by the Board. The Annual General Meeting shall be held no later than six (6) months after the end of the Society's preceding financial year.
- 4.10 At Annual General Meetings, the following shall be the order of business:

- a. presentation of Delegates' credentials;
- b. roll call of Delegates;
- c. establishment of quorum;
- d. approval of minutes;
- e. Chair of the Board's report;
- f. Chief Executive Officer's Report;
- g. Board report;
- h. registration and finance reports;
- i. approval of financial statements;
- j. appointment of auditor;
- k. amendments to Bylaws and Regulations;
- l. general or new business;
- m. elections;
- n. date and place of next Annual General Meeting;
- o. terminate the meeting.

### **Special General Meetings**

- 4.11 Special General Meetings shall be held when:
  - a. The Board approves a motion to call for a meeting; or
  - b. Members who collectively hold at least ten per cent (10%) of the votes that may be cast at a meeting of Members requisition a meeting. Any such requisition shall be made in a written submission sent to the Chief Executive Officer and the Board, and must set out the purpose of and any special resolution for which such meeting is being requisitioned.
- 4.12 Any Special General Meeting requisitioned under (b) above shall be called by the Board within twenty-one (21) days of its receipt of the requisition and the meeting must be held within sixty (60) days of its receipt.
- 4.13 The Chief Executive Officer shall prepare the agenda for a Special General Meeting, and shall limit that agenda to the items specified by the Board resolution to call such meeting or the written submission by which such meeting is requisitioned.
- 4.14 The agenda of a Special General Meeting may not be altered.

### **Voting**

- 4.15 Each Member is entitled to cast one (1) vote on any matter on which Members are entitled to vote.
- 4.16 Decision shall be by a majority of the votes cast, unless the favourable vote of a larger proportion of the votes is required by these Bylaws. The Chair of the Board shall cast a ballot only in the event of a tie.

- 4.17 Proxy voting is permitted and a proxy certificate appointing a proxy holder shall be signed by the Director (in the case of a Director) or by the President of a Member (in the case of a Voting Member).
- 4.18 A Delegate or Board Director may not have more than four (4) votes (including their own).
- 4.19 At meetings voting shall be by a show of hands unless a ballot is demanded by a Member entitled to vote at the meeting, or the Bylaws specifically require a secret ballot.
- 4.20 In lieu of conducting a formal vote on any resolution that can be adopted by an Ordinary Resolution, the Chair may ask the Members to indicate whether there are any objections to a particular resolution that has been put forward. If any objections are noted, the resolution shall be put to a formal vote. If no objections are noted, the resolution shall be deemed to be adopted by consensus, and no formal vote will be required.

### **Amendments to the Constitution, Bylaws and Regulations**

- 4.21 A resolution to amend the Society's Constitution, Bylaws or Regulations may be submitted by a Member or a Director.
- 4.22 A resolution to amend the Constitution, Bylaws or Regulations can only be made at the Annual General Meeting of the Society after specific notice in writing by March 15th to the Chief Executive Officer.
- 4.23 Notice of a resolution to amend the Constitution, Bylaws and Regulations may be waived providing that each Member entitled to attend and vote at the meeting agrees in writing.
- 4.24 The Chief Executive Officer shall communicate all proposed amendments to the Constitution, Bylaws and Regulations to each Member not less than thirty (30) days prior to the Annual General Meeting of the Society.
- 4.25 Amendments to the Constitution or Bylaws shall require a Special Resolution.
- 4.26 Amendments to the Regulations shall require an Ordinary Resolution.
- 4.27 Amendments to the Constitution or Bylaws shall take effect when filed with the Registrar of Companies or at a later date as specified in the Special Resolution. Amendments to the Regulations shall take effect immediately unless otherwise stated in the resolution.

## **Bylaw Five – Board of Directors**

### **Role**

- 5.1 The Board shall manage, or supervise the management of, the activities and affairs of the Society, and is accountable to the Members which it serves.
- 5.2 The Board may delegate any, but not all, of their responsibilities. The Board shall have the authority to delegate those responsibilities, duties and authority that may be lawfully delegated to the Chief Executive Officer or to a Committee, Work Group or Member of the Society, or to any third party to assist it in carrying out its responsibilities.
- 5.3 The Board may make, or cause to be made, for the Society, in its name, any kind of contract which the Society may lawfully enter into and, save as otherwise provided in these Bylaws, generally may exercise all such other powers and do all such acts and things as the Society, by its charter or otherwise, is authorized to exercise and do.

### **Composition and Eligibility**

- 5.4 The Board shall consist of nine (9) Directors, including the Chair, elected by the Members
- 5.5 All Directors, within thirty (30) Days of taking office, shall divest themselves of any active executive position with a Member organization including, without limitation, a position on the board of directors of any such Member, or any position as a team official. Any person seeking election as a Director shall declare any conflict of interest in advance of seeking election.
- 5.6 Paid employees of the Society are not eligible for election as a Director.
- 5.7 In order to qualify to become or act as a Director, an individual must not be:
  - a. under the age of 18 years,
  - b. found by any court, in Canada or elsewhere, to be incapable of managing the individual's own affairs,
  - c. an undischarged bankrupt, or
  - d. convicted in or outside of British Columbia of an offence in connection with the promotion, formation or management of a corporation or unincorporated entity, or of an offence involving fraud, unless
    - i. the court orders otherwise,
    - ii. five years have elapsed since the last to occur of
      - A. the expiration of the period set for suspension of the passing of sentence without a sentence having been passed,
      - B. full payment of any fine imposed,
      - C. the conclusion of the term of any imprisonment, and
      - D. the conclusion of the term of any probation imposed, or
    - iii. a pardon was granted or issued or a record suspension was ordered under the *Criminal Records Act* (Canada) and the pardon or record suspension, as the case may be, has not been revoked or ceased to have effect.

### **Board Meetings**

- 5.8 A meeting of the Board may be called by the Chair of the Board or by any other three (3) Directors.



- 5.9 Notice and the agenda for any Board meeting shall be provided to each Director at least seven (7) days before such meeting. Notice may be waived or abridged with the consent of every Director who has not received the prescribed seven (7) days' notice.
- 5.10 At all Board meetings, a quorum shall consist of a majority of the Directors.
- 5.11 A Director may participate in a Board meeting by means of a telephonic, electronic, or other communications facility that permits all participants to communicate adequately with each other during the meeting. A Director participating in this manner shall be taken to be present at the meeting.
- 5.12 The Chair of the Board, at any time, may take a vote of the Board via mail, electronic mail or facsimile with the motion and the results of the vote to be recorded in the minutes of the next Board meeting.
- 5.13 Questions arising by way of motion at any Board meeting shall be decided by a majority vote of the Directors present, unless a larger proportion of the votes is required under these Bylaws. Each Director is authorized to exercise one (1) vote. The Chair of the Board shall vote only in the event of a tie. Proxies are not accepted at any Board meeting.
- 5.14 Any Member or any individual may attend any Board meeting upon the invitation of the Chair of the Board.

#### **Duties and Responsibilities of Directors**

- 5.15 A Director of the Society, when exercising the powers and performing the functions of a Director of the Society,
- a. must act honestly and in good faith and with a view to the best interests of the Society,
  - b. must exercise the care, diligence and skill that a reasonably prudent individual would exercise in comparable circumstances,
  - c. must act in accordance with the Act and its regulations,
  - d. must act in accordance with the Bylaws of the Society, and
  - e. when exercising the powers and performing the functions of a Director of the Society, must act with a view to the purposes of the society.
- 5.16 Directors of the Society must adhere to Disclosure of Interest as outlined in Part 3, Section 27 of the Act and its regulations and any Society conflict of interest policies.

#### **Duties and Responsibilities of the Chair**

- 5.17 The Chair of the Board shall preside at all meetings of the Board and Annual and Special General Meetings. In the absence of the Chair of the Board, the Board shall designate a Director to serve as Acting Chair for that meeting.
- 5.18 The Chair of the Board will perform the following duties:
- a. Ensure meetings are efficiently managed and decision making is transparent.

- b. Ensures a Board work plan is developed annually that distributes the Board's work amongst the Directors, while providing opportunities for Directors to develop skills, understand the organization's culture and programs, and build relationships with staff and volunteers.
- c. Appoint Committee and Work Group chairs in consultation with the Board.
- d. Appoint a Credentials Committee in advance of each Annual or Special General Meeting.
- e. Ensure Directors do not interfere in operations.
- f. Ensure Directors comply with the Bylaws, Regulations and Policies.
- g. Ensure communications and accountability to Members and other key stakeholders and the public are adequate.
- h. Suspend, fine or take other disciplinary action or delegate to others the power to suspend.
- i. Represent the Society, in conjunction with the Chief Executive Officer, on matters involving the government, Members, Registered Participants, external agencies, the media, and Hockey Canada
- j. Exercise all duties and powers of the Board when, in the case of emergency, it is impractical for the Chair to obtain a vote of the Board.

#### **Duties and Responsibilities of the Board**

- 5.19 The Board shall govern the affairs of the Society in accordance with the provisions of the Society's Constitution, Bylaws, Regulations, Playing Rules, and Policies.
- 5.20 In addition to any other powers which are conferred upon the Board by law or these Bylaws, the Board shall have the power to:
- a. Establish terms of reference and operating procedures for Members, the Board, Standing Committees, Divisional Committees and Task Groups, Work Groups and Program Committees and Delivery Groups and to review and revise such terms of reference and operating procedures, as warranted.
  - b. Establish, adopt, review, and amend Policies.
  - c. Make proposals for new Bylaws and Regulations or to amend, or repeal existing Bylaws, and Regulations.
  - d. Settle all questions not provided for in the Society's Bylaws, Regulations or Policies.
  - e. Overrule any decision, of any Member, that is inconsistent with any decision by the Board or the Bylaws, Regulations, Policies and Playing Rules of the Society, including any decision by a Member which makes a provincial or national ruling less restrictive
  - f. Formulate and monitor the implementation of the strategic plan of the Society.
  - g. Approve the annual operating plan as prepared by the Chief Executive Officer.
  - h. Appoint and dismiss the Chairs of the Nominating and Appeal Committees.
  - i. Appoint and dismiss members of the Standing Committees and Program Committees.

- j. Appoint and dismiss the Chief Executive Officer of the Society, approve the Chief Executive Officer's compensation, and conduct an annual performance review.
- k. Enter agreements from time to time with Hockey Canada, other Branches, or any other organization regarding matters of mutual interest that are consistent with the Society's objectives.
- l. Establish policies for entering into and approving contracts.
- m. Set direction for championship competitions of the Society and for exhibition and all-star games for member leagues, above minor and District Associations.
- n. Grant or refuse all new membership applications, team relocations, and category reclassification, as presented by a report of the Chief Executive Officer.
- o. Approve the geographic boundaries of Districts.
- p. Approve the annual budget of the Society and approve adjustments thereto.
- q. Present any changes to the annual membership fees and other fees and assessments to the Members for approval.
- r. Add to any Reserve Funds of the Society.
- s. Recommend to the Members, at the Annual General Meeting, the appointment of an independent auditor.

### **Terms of Office**

- 5.21 A Director shall serve a two (2) year term unless otherwise specified in the Bylaws. The term shall commence at the end of the Annual General Meeting at which the Director was elected, and terminate at the end of the Annual General Meeting occurring approximately two (2) years later.
- 5.22 No Director whose term is expiring may run for re-election at an Annual General Meeting if that Director has already served on the Board for at least eight (8) consecutive years on or before the commencement date of that Annual General Meeting. Any such Director shall not be eligible to stand for election to the Board, other than for the position of Chair, for a period of two (2) consecutive years thereafter.
- 5.23 No individual may serve more than two (2) consecutive two (2) year terms as Chair of the Board.

### **Nominations**

- 5.24 Nominations for the position of Director may only be submitted by a Member or the Chair of the Nominating Committee. No Member may submit a number of nominations that exceeds the number of Directors' positions available for election.
- 5.25 Nominations from the floor at the Annual General Meeting are not permitted.

### **Election of the Chair**

- 5.26 The Members shall elect the Chair of the Board for a two (2) year term at an Annual General Meeting year using the procedure generally described above in this Bylaw.
- 5.27 The following individuals are eligible to stand for election as Chair of the Board:

- a. any current elected Director whose term does not expire at the Annual General Meeting where the election is occurring; or
  - b. any individual nominated for the position of elected Director in accordance with this Bylaw.
- 5.28 The candidate receiving the most votes shall be declared elected as Chair of the Board. If more than one Chair of the Board candidate receives the highest number of votes on the first ballot or any subsequent ballot, the candidates who receive less than the highest number of votes on the current ballot shall be removed from the ballot and voting will continue until one of the tied candidates is the sole recipient of the most votes. In the event of the candidates remaining tied for the most votes through three consecutive ballots, the Chair of the Board shall be selected by a random draw conducted by the Chair of the Nominating Committee, from among the tied candidates.
- 5.29 Following the election of the Chair of the Board at the Annual General Meeting, all of the remaining nominees, including nominees described who unsuccessfully ran for the position of Chair of the Board, shall be eligible to run for the vacant Board positions.
- 5.30 Any individual who is elected as Chair of the Board, shall immediately resign from his previous position as a Director, and elections to fill the positions of the elected Directors whose terms have expired and the Director's position vacated by the new Board Chair shall proceed.

#### **Election of Directors**

- 5.31 At each Annual General Meeting, elections shall be held to fill the positions of the elected Directors whose terms have expired and to fill any vacancies. The election of Directors shall be conducted by secret written ballot. The names of all of the nominees for Directors' positions shall appear on the ballot.
- 5.32 Any time both two (2) year and one (1) year terms are open the elections shall have the four (4) nominees receiving the greatest number of votes serve a two (2) year term, and the nominee receiving the next highest number of votes serve the one (1) year term(s).
- 5.33 Each Delegate or Director in attendance at the Annual General Meeting shall receive a number of ballots equal to the number of votes that the Delegate or Director is entitled to cast. Any ballot containing votes for a number of nominees other than the number of available Directors' positions shall be considered spoiled and shall not count as a vote cast when calculating the number of votes necessary to constitute a majority. The available Board positions shall be filled by the nominees receiving the most votes.
- 5.34 If there is a tie for the final Director's position or positions, the names of the tied nominees shall appear on a new ballot, and the voting procedure shall continue until all of the Directors positions have been filled. In the event of the candidates remaining tied for the final position or positions through three consecutive ballots, the final Director's position or positions shall be filled by a random draw conducted by the Chair of the Nominating Committee, from among the tied nominees.

- 5.35 Upon the completion of the elections, only the names of the elected Directors shall be announced at the Annual General Meeting by the Chair of the Nominating Committee. All election ballots will be destroyed after those names are announced.

**Transition Provisions [Note: applies to the 2015-16 Season only]**

- 5.36 At the Annual General Meeting at which these Bylaws are approved by the Members, the following Directors in waiting will be elected by the Members:
- a. The Chair to serve until the next Annual General Meeting;
  - b. Four Directors, each for a two year term from the time they take office; and
  - c. Four Directors, each for a one year term from the time they take office.

Upon these Bylaws coming into force:

- a. The Executive Committee who were in office pursuant to the immediately preceding Bylaws will cease to hold office; and
- b. The Directors and Chair in waiting, who are elected pursuant to Bylaws 5.26 – 5.30 and Bylaws 5.31 – 5.35 will take office.

Every Annual General Meeting held after the Directors in waiting take office will hold elections for the Directors and Chair position pursuant to Bylaws 5.31 through to 5.34 and not pursuant to Bylaw 5.36.

**Board Vacancies**

- 5.37 Any Board position shall be automatically vacated if a Director:
- a. resigns from office by delivering a written resignation to the Chair of the Board or the Chief Executive Officer of the Society;
  - b. is found by a court to be incapable of managing his or her own affairs;
  - c. becomes bankrupt;
  - d. dies; or
  - e. is removed by the Members in accordance with this Bylaw.

**Removal or Suspension of Director**

- 5.38 A Director may be removed from office by the Members in accordance with Part 3, Section 31 of the Act.
- 5.39 The Board shall provide that Director with a statement of the reason or reasons for the proposed suspension, at least thirty (30) days prior to the Board meeting at which the proposed suspension is to be voted on. The statement shall include a notice of the place and time when the Board will be meeting to vote on the suspension. The Director shall be given an opportunity to be heard and the matter will be considered by the Board at the time cited in the notice. The motion by the Board to suspend a Director requires no less that a seventy-five percent (75%) majority of those entitled to vote to pass. The Director whose suspension is proposed shall not be entitled to vote on the motion. In exceptional circumstances, a Director may be indefinitely suspended by the Board Chair pending a Board hearing.

### **Filling a Board Vacancy**

5.40 Where a vacancy occurs on the Board, the following procedure shall apply:

- a. The Board shall notify the Chair of the Nominating Committee, who shall then solicit nominations from the Members for candidates to fill the vacancy.
- b. The Board shall elect from the list provided a Director to act on an interim basis until the next Annual General Meeting.
- c. The Members shall fill the vacancy at the next Annual General Meeting, using the election procedure generally described previously.

5.41 A vacancy in the Chair of the Board position shall be filled using the following procedure:

- a. The Board shall elect from within their numbers an individual to act as Interim Chair until the Members elect a new Chair; and
- b. The Board shall notify the Chair of the Nominating Committee, who shall then solicit nominations from the Members for candidates to fill the vacancy. The Members shall fill the vacancy at the next Annual General Meeting, using the election procedure generally described previously.

## **Bylaw Six – Chief Executive Officer**

### **Duties and Responsibilities**

- 6.1 The Chief Executive Officer shall be appointed by the Board, shall be answerable to the Board, and shall report to the Board through the Chair of the Board.
- 6.2 The Chief Executive Officer is responsible for the day to day operations of the Society with authority as provided in these Bylaws or as delegated by the Chair of the Board.
- 6.3 The Chief Executive Officer shall be responsible for:
  - a. implementing decisions and policies approved by the Board and by the Members at Annual General Meetings;
  - b. all matters involving the staffing of the Society, and coordinating and overseeing the work of the Society's staff;
  - c. preparing an annual operating plan
  - d. reporting operational outcomes to the Board;
  - e. recording minutes of all meetings of the Society and the Board;
  - f. the financial records of the Society;
  - g. receiving all applications for new membership and changes in membership and presenting to the Board for approval;
  - h. accepting and validating Hockey Canada player registrations subject to the Society's and Hockey Canada regulations;
  - i. disclosing, in the manner outlined in the Act, any personal interest in a contract or matter that may be considered by the Directors;
  - j. interpreting the Bylaws, Regulations and Policies of the Society; and
  - k. representing the Society, in conjunction with the Chair, on matters involving the government, Members, Registered Participants, external agencies, the media, and Hockey Canada.
- 6.4 The Chief Executive Officer shall attend, and shall have speaking privileges at all meetings designated by the Chair of the Board, including all Board Meetings and Annual and Special General Meetings. The Chief Executive Officer shall not have a vote at any of these meetings.

## **Bylaw Seven – Committees, Work Groups and Task Groups**

### **Standing Committees**

- 7.1 The Standing Committees of the Society are as follows: Governance, Audit and Finance, Hockey Development, Human Resources, Risk Management, Nominations, and Code of Conduct.
- 7.2 With the exception of the Nominating Committee, the Chair of each Standing Committee, shall be a member of the Board, and shall be appointed by the Chair of the Board.
- 7.3 The composition of each Standing Committee except the Nominating Committee shall be determined by the Board. Each Standing Committee shall be composed of a minimum of four (4) and a maximum of six (6) individuals, including the Committee Chair.
- 7.4 The terms of reference of the Standing Committees shall be set out in policies established by the Board and shall be available to the Members. Each Standing Committee may propose changes to its terms of reference to the Board.
- 7.5 At all Standing Committee meetings, a majority of the individuals who serve on that Committee shall constitute a quorum.
- 7.6 Attendance at Standing Committee meetings shall be limited to the individuals serving on that Committee, any Director approved by the Chair of the Board to attend and such other persons as may be invited by the Committee Chair.
- 7.7 Any individual serving on a Standing Committee shall hold office at the pleasure of the Chair of the Board and may be removed from office at any time at the absolute discretion of the Chair of the Board.

### **Conduct Committee**

- 7.8 The Conduct Committee is responsible for establishing and monitoring standards of behaviour, identifying inappropriate behaviours, promoting proactive strategies, establishing and monitoring disciplinary policy and establishing and monitoring dispute resolution processes

### **Finance Committee**

- 7.9 The Finance Committee is responsible for oversight related to the Society's auditing and reporting, financial policies and strategies, and financial risk management.

### **Governance Committee**

- 7.10 The Governance Committee is responsible for advising the Board on matters relating to the Society's governance processes and policies, structure, evaluation of the Board effectiveness, education and evaluation of Board Directors, and for establishing policies for the hiring and evaluation of the Chief Executive Officer.



## **Hockey Development Committee**

- 7.11 The Hockey Development Committee is responsible for the general oversight of the Society's development programs by ensuring the establishment of program practice standards, monitoring compliance with such standards, monitoring performance of programs against approved objectives, and providing regulation and budget recommendations.

## **Human Resources Committee**

- 7.12 The Human Resources Committee is responsible for overseeing the establishment of employment policies for the Society's staff and for policies related to volunteers, and for monitoring compliance with those policies

## **Nominating Committee**

- 7.13 The Nominating Committee is responsible for ensuring, on a continuing basis, that the Society's Board of Directors is composed of qualified and skilled persons capable of, and committed to, providing effective governance leadership to the Society.

The Nominating Committee should attempt to attract candidates who, among other things: represent diversity of gender; diversity of ethnicity; a diversity of geographical location, a diversity of hockey experience and have specific skills and attributes beneficial to serving as a Director while meeting the eligibility requirements for being a Director.

- 7.14 The Chair of the Nominating Committee and its other committee members shall be individuals who are at arms' length from the Board.
- 7.15 The Chair of the Nominating Committee shall oversee any election conducted under Bylaw Four, including ensuring that the names of all candidates running for the Chair of the Board position or any other elected position on the Board appear on the official ballots, distributing and collecting the ballots, counting the votes, announcing the results, and destroying the ballots immediately thereafter.

## **Risk Management Committee**

- 7.16 The Risk Management Committee is responsible for ensuring the development and implementation of a comprehensive risk management program and for monitoring compliance with program standards and objectives.

## **Work Groups and Task Groups**

- 7.17 The Chair of the Board, in consultation with the Board and the Chief Executive Officer, may establish Work Groups to undertake a specific issue or project that is to be completed within a defined period of time and provide a report to the Board. The Chair of the Board shall have the authority to appoint the individuals who will serve on any such Work Group. A Work Group shall be dissolved after it has completed its assigned mandate

- 7.18 The Chief Executive Officer may establish Task Groups to assist the Society in completing specific operational plan tasks and to appoint, in consultations with the Chair of the Board or the Branch Program Co-ordinators, as appropriate, the individuals who will serve on any such Task Group.

### **Divisional Committees**

- 7.19 The Divisional Committees are recommending bodies responsible for making recommendations related to athlete development, for providing opportunities for discussion and communication between divisional or between regional representatives and for providing recommendations to the Board regarding key issues
- 7.20 The Divisional Committees of the Society are as follows: Adult Male, Female, Junior, and Minor.
- 7.21 The Chair of each Divisional Committee and any Vice-Chair shall be appointed by the Chair of the Board.
- 7.22 The composition of each Divisional Committee shall be determined by the Board.
- 7.23 The terms of reference of the Divisional Committees shall be set out in policies established by the Board and shall be available to the Members. Each Divisional Committee may propose changes to its terms of reference to the Board.
- 7.24 At all Divisional Committee meetings, a majority of the individuals who serve on that Committee shall constitute a quorum.
- 7.25 Attendance at Divisional Committee meetings shall be limited to the individuals serving on that Committee, any Director approved by the Chair of the Board to attend and such other persons as may be invited by the Committee Chair.
- 7.26 Any individual serving on a Divisional Committee shall hold office at the pleasure of the Chair of the Board and may be removed from office at any time at the absolute discretion of the Chair of the Board.

### **Adult Male Committee**

- 7.27 The Adult Male Committee is responsible for making recommendations for athlete development within Senior recreational and competitive hockey, for sharing best practices, and for providing the Board with advice on key issues affecting adult male hockey.

### **Female Committee**

- 7.28 The Female Committee is responsible for making recommendations for athlete development related to Female Midget AAA, Sport Schools (Female), Junior and Senior recreational and competitive hockey, for sharing best practices, and for providing the Board with advice on key issues affecting female hockey.

## **Junior Committee**

- 7.29 The Junior Committee is responsible for making recommendations for the business and operational relationships of Junior A and Junior B teams and leagues, for making recommendations for athlete development within Junior hockey, for sharing best practices in these areas, and for providing the Board with advice on key issues affecting junior hockey.

## **Minor Committee**

- 7.30 The Minor Committee is responsible for making recommendation for athlete development within the recreational and competitive streams of minor hockey, for sharing best practices, and for providing the Board with advice on key issues affecting minor hockey.

## **Program Committees and Delivery Groups**

- 7.31 The Program Committees of the Society are as follows: Coaching, Female High Performance, Female Midget AAA, Male High Performance, Male Midget AAA, Officiating, Safety, and School Programming.
- 7.32 The Program Committees are chaired by the Branch Program Coordinator with a Board Director assigned as a liaison to the Board, between four (4) and eight (8) subject matter specialists appointed in any given year and a staff resource person.
- 7.33 The Program Delivery Groups of the Society are as follows: Coaching, Female High Performance, Female Midget AAA, Male High Performance, Male Midget AAA, Minor Officiating, and Above Minor Officiating.
- 7.34 The Program Delivery Groups are co-lead by the Branch Program Coordinator and the staff resource person with the additional members being the regional Coordinators.
- 7.35 The terms of reference of the Program Committees and Delivery Groups shall be set out in policies established by the Board and shall be available to the Members. Each Program Committee may propose changes to its and its corresponding Delivery Group's terms of reference to the Board.

## **Coaching Committee and Delivery Group**

- 7.36 The Coaching Committee provides technical information, general oversight and monitoring of the delivery of the Hockey Canada National Coach Certification Program and the National Coach Mentorship Program and is responsible for the development of new technical components of the program as well as administrative and operational standards of the program.
- 7.37 The Coaching Delivery Group is responsible to monitor the program and to deliver the program components at the expected level.

## **Female High Performance Committee and Delivery Group**

- 7.38 The Female High Performance Committee provides general oversight and monitoring of the delivery of a high performance program for female players, in cooperation with Hockey Canada's Program of Excellence, and is responsible for the development of new technical components of the program as well as administrative and operational standards of the program.
- 7.39 The Female High Performance Delivery Group is responsible to monitor the program and to deliver the program components at the expected level.

#### **Female Midget AAA Committee and Delivery Group**

- 7.40 The Female Midget AAA Program Committee provides general oversight and monitoring with respect to the delivery of the Female Midget AAA program. The Committee is responsible for the development of the administrative and operational standards of the program.
- 7.41 The Female Midget AAA Program Delivery Group is responsible for the operation of the Female Midget AAA Program.

#### **Male High Performance Committee and Delivery Group**

- 7.42 The Male High Performance Committee provides general oversight and monitoring of the delivery of a high performance program for male players, in cooperation with Hockey Canada's Program of Excellence, and is responsible for the development of new technical components of the program as well as administrative and operational standards of the program.
- 7.43 The Male High Performance Delivery Group is responsible to monitor the program and to deliver the program components at the expected level.

#### **Male Midget AAA Committee and Delivery Group**

- 7.44 The Male Midget AAA Program Committee provides general oversight and monitoring with respect to the delivery of the Male Midget AAA program. The Committee is responsible for the development of the administrative and operational standards of the program.
- 7.45 The Male Midget AAA Program Delivery Group is responsible for the operation of the Male Midget AAA Program.

#### **Officiating Committee and Delivery Groups**

- 7.46 The Officiating Committee provides technical information, general oversight and monitoring of the delivery of the Hockey Canada Officiating Program and is responsible for the development of new technical components of the program as well as administrative and operational standards of the program.
- 7.47 The Minor Officiating Program Delivery Group is responsible to oversee the delivery of the Hockey Canada Officiating Program components at the expected level for officials involved in minor hockey. As well, the Minor Officiating Program Delivery Group members discipline officials where required and assist Associations with officiating enhancements.

7.48 The Above Minor Officiating Delivery Group is responsible to oversee the delivery of the Hockey Canada Officiating Program components at the expected level for officials involved in above minor hockey. As well, the Above Minor Officiating Program Delivery Group assists with officiating enhancements and recommends officials' discipline to the Branch Supervisor where required.

### **Safety Committee**

7.49 The Safety Committee in cooperation with Hockey Canada provides technical information, oversight, and monitoring of the delivery of the Hockey Canada Safety Program and Respect in Sport programs and is responsible for the development of new technical components of the program as well as administrative and operational standards of the program.

### **School Programming Committee**

7.50 The School Programming Committee supports and monitors programs of the Society in public and independent schools, encourages the development of new school programming, and is responsible for the development of new technical components of the program as well as administrative and operational standards of the program.

### **Participant Disclosure**

7.51 A member of a Standing Committee, Program Committee, Divisional Committee, Work Group or Task Group is subject to the same disclosure of interest as outlined in Part 3, Section 27 of the Act for Directors.

## **Bylaw Eight – Dispute Resolution**

### **Negotiation and Mediation**

- 8.1 In the event that a dispute arises between Members, Directors, Standing Committee participants, Program Committee participants, Divisional Committee participants, and Work Group participants in connection with their involvement in the Society’s activities, then the parties thereto shall:
- a. make all reasonable efforts to resolve their dispute by amicable negotiations; and, if unable to do so
  - b. submit to mediation with a single mediator who shall assist the parties to reach agreement to the extent possible.

### **Appeal Committee**

- 8.2 The Appeal Committee shall consist of a Chairperson and a minimum of four other members, who shall be appointed by the Chair of the Board following the Annual General Meeting to serve for the following year, subject to confirmation by the Board of Directors. No member of the Board of Directors is eligible to serve as a member of the Appeal Committee.

- 8.3 Any Member or Registered Participant may appeal to the Appeal Committee:
- a. any suspension or other decision of the Chair of the Board, the Chief Executive Officer, the Board, any Director, or any person to whom decision-making authority has been delegated by them; or
  - b. any decision of a local Association, League or Team that is contrary to the Bylaws or Regulations of the Society.

However, a decision made upon a Game Protest is final and cannot be appealed to the Appeal Committee.

- 8.4 An appeal to the Appeal Committee from the decision of a local Association, League or Team may only be taken after all levels of appeal provided within the bylaws and regulations of the Association, League or Team in question have been exhausted.
- 8.5 The Appeal Committee can only hear an appeal under one of the following grounds:
- a. The decision of the original hearing was made without authority or jurisdiction;
  - b. Irregularities in procedure of the original hearing that may have caused an unjust decision;
  - c. The decision of the original hearing was reached in an unjust manner;
  - d. The decision of the original hearing was too severe; or
  - e. New evidence not used in the original hearing can be presented which may have an effect on the decision – provided that there is a reasonable explanation for the failure to present that evidence at the original hearing.
- 8.6 The Appeal Committee may, upon the hearing of an appeal, re-admit any Member or Registered Participant of any Association, League or Team, and may uphold or modify any decision under appeal.

- 8.7 The Appeals Committee may provide for special dispensation from the Regulations and Policies of the Society where a decision made by the Society for special dispensation has been appealed as being an unjust or unfair result. Any decision as to what qualifies for special dispensation shall rest solely with the Appeals Committee in its absolute and unfettered discretion, and the decision of the Appeals Committee on special dispensation shall be final and binding upon all parties. Each decision of special dispensation shall be made on its individual merits.

#### **Court Proceedings**

- 8.8 No Member or Registered Participant may pursue any recourse in the courts of any jurisdiction prior to exhausting all rights, remedies and rights of appeal under the Bylaws, Regulations, Playing Rules or Policies of the Society , its Members, or Hockey Canada, if applicable.
- 8.9 Any Member or Registered Participant who proceeds with court action against the Society shall be liable for all legal costs and disbursements, on a solicitor-client basis, should the court rule in favour of the Society.

## **Bylaw Nine – Financial**

### **Fiscal Year**

- 9.1 The fiscal year of the Society begins on April 1 and ends on March 31 the following year, unless otherwise determined by Special Resolution.

### **Signing Officers**

- 9.2 The Signing Officers of the Society are the Chief Executive Officer, the Chair of the Board and an assigned Director.

### **Auditor**

- 9.3 The Members shall appoint an Auditor by Ordinary Resolution at each Annual General Meeting to audit the accounts of the Society.
- 9.4 The remuneration of the Auditor shall be set by the Board.
- 9.5 The Auditor has the right to attend a general meeting and address the Members on the Society's financial statements and auditor's report, and answer questions, if any.

### **Budget and Financial Documents**

- 9.6 On or before February 1 of each year, the Board shall approve the budget for the upcoming fiscal year. Such budget shall be provided to the Members within twenty one (21) days of such approval.
- 9.7 The Society may establish annual fees and assessments with respect to its Members and Registered Participants. The Members shall approve at the Annual General Meeting, by ordinary resolution, any change in the annual membership fees, annual registered participant assessments, reserve fund assessments, above minor game assessments, sanctioning fees and appeal fees. All applicable fees and assessments shall be published by the Society by way of a Schedule of Fees and Assessments. (see Appendix A)
- 9.8 At least ten (10) days prior to the Annual General Meeting, the Society shall provide the Members with its financial statements for the immediately preceding year, and the report of the auditor. Members, by way of Ordinary Resolution at the Annual General Meeting, may approve those financial statements

### **Borrowing**

- 9.9 The Board may, from time to time:
- a. borrow funds upon the credit of the Society in such amounts and on such terms as may be deemed expedient;
  - b. issue, reissue, sell, pledge or hypothecate debt obligations of the Society;
  - c. give a guarantee on behalf of the Society to secure performance of an obligation of any individual;



- d. mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of The Society, owned or subsequently acquired, to secure any obligation of The Society.

9.10 The Board may, by Ordinary Resolution, delegate any or all of the borrowing powers to a Director, a committee of Directors, or the Chief Executive Officer, as it deems appropriate.

#### **Electronic Fund Transfers**

9.11 All electronic fund transfer agreements and requests are to be coordinated and submitted through the Chief Executive Officer.

9.12 All electronic fund transfer requests are to be authorized by the Society's Signing Officers.

#### **Directors' Remuneration**

9.13 Directors may receive remuneration for their service as a Director of the Society.

9.14 A Director may be reimbursed for reasonable expenses incurred in the performance of his or her duties.

9.15 A Director shall not be prohibited from receiving compensation for services provided to the Society in another capacity.

## **Bylaw Ten – General**

### **Application**

- 10.1. The Bylaws, Regulations, Playing Rules and Policies of the Society and the decisions of the Board shall apply to all Divisions and Categories of amateur hockey governed by the Society unless they have been specifically exempted.
- 10.2 All provisions terms of the Bylaws or Regulations shall be deemed to be severable one from the other, and if any such provision is ever found or declared by a competent authority to be void or invalid, it shall be stricken from the Bylaws or Regulations as the case may be, without affecting the validity of any other provision.

### **Indemnity**

- 10.3 Every Director, Standing Committee participant, Program Committee participant, Divisional Committee participant, Work Group participant, employee or voluntary staff member of the Society shall be indemnified by the Society against such claims and for such conduct as may be specified within the Society's general liability and directors and officers insurance policies, as amended from time to time.

### **Rights**

- 10.4 The Society is the owner of all rights emanating from competitions and other events coming under its jurisdiction, without any restrictions as to content, time, place and law. These rights include, among others, every kind of financial rights, audio-visual and radio recording, reproduction and broadcasting rights, multimedia rights, marketing and promotional rights, incorporeal rights and intellectual property rights.
- 10.5 The Board shall decide how and to what extent the rights described above are utilized. The Board may decide whether these rights shall be utilized exclusively, or jointly with a third party or entirely through a third party.

### **Unforeseen Circumstances**

- 10.6 The Board shall have the final decision on any matters not provided for in these Bylaws.

### **Liquidation and Dissolution**

- 10.7 The Society may be dissolved, or liquidated and dissolved, by:
- a. a dissolution initiated by the members of the society,
  - b. a liquidation and dissolution initiated by the members of the society, or
  - c. a court-ordered liquidation and dissolution initiated by an application to the court.
- 10.8 In the event that the Society should at any time be wound up or dissolved, the remaining assets after payment of all debts and liabilities shall be turned over to a recognized charitable organization with the same objectives in the province of British Columbia or the Yukon Territory as directed by the members. Should the Society, which received charitable gaming funds from licensed charitable gaming and/or direct charitable access, at any time dissolve or cease to exist, have any and all gaming monies or assets purchased with gaming funds held at the date of dissolution or cessation of existence these/they shall be distributed by the Society to a

recognized charitable organization or organizations in British Columbia having a similar charitable purpose. This provision is unalterable.

## Regulations

1. RESOLVED that wherever they appear in the Regulations, to replace Executive Committee with Board, Executive Director with Chief Executive Officer, and BC Hockey President or President with Chair of the Board.
2. RESOLVED to adopt a new Regulation One.

### **Regulation One - Membership** [Formerly part of Bylaws]

#### **Membership Requirements**

- 1.01 Teams shall be required to affiliate within a Member League, except in areas where no league exists.
- 1.02 In order to qualify as a Member of the Society, the minimum size for an Amateur Senior or Amateur Junior Team shall be:
  - a. 12 players, one of which must be a goaltender, and
  - b. a group of team officials, at least one of which must be a coach.
- 1.03 In order to qualify as a Member of the Society, the minimum size and schedule requirements for an Amateur Senior or Amateur Junior Hockey League shall be three or more teams from the same category of the same division playing a minimum of six home and six away games in a regular league schedule. (Does not apply to minor hockey.)
- 1.04 In order to qualify as a Member of the Society, an Amateur Hockey Association must offer programming within a geographic subdivision as approved by the Board of the Society, and must affiliate to their District Association.

#### **Registration**

- 1.05 A Team, League, Association, District Association, or Associate Member whose application for membership has been approved by the Society, or who having been a Member of the Society in the previous membership year is entitled to return as a Member, shall acquire membership for each membership year by registering with the Chief Executive Officer not later than May 31.

#### **New Applications for Membership, Relocation or Reclassification**

- 1.06 All applications for new membership, relocation or reclassification from all Leagues, Teams, Minor Hockey Associations and District Hockey Associations shall be submitted to the Chief Executive Officer.

- 1.07 The Chief Executive Officer shall present all completed applications to the Board for consideration. A decision of the Board to accept or reject an application is entirely a matter for the discretion of the Board.
- 1.08 A League receiving an application for a new franchise shall supply that application to the Chief Executive Officer forthwith upon request.
- 1.09 All applications for team relocation in the Senior Men's AAA division, and all applications for reclassification to the Senior Men's AAA division, must contain the following to be considered:
- a. \$200.00 certified cheque payable to the Society, which shall be a non-refundable application fee per team;
  - b. Name of city, town, village or municipality where teams are to be located;
  - c. Written proof of arena availability;
  - d. Written report from the District Association and from any other of the Society's Leagues operating in the district where the applicant proposes to locate in regard to the feelings of the other Society members in that district;
  - e. Complete list of owners, directorships, manager and coach;
  - f. An outline of the numbers and the areas from which the players would be drawn;
  - g. Specific details of any proposed affiliation;
  - h. Written documentation as to acceptance into a League in good standing, which is affiliated with the Society.

The deadline for submission of an application shall be August 15<sup>th</sup> of the season in which the team intends to operate.

- 1.10 All applications for new membership and/or team relocation in the Senior AA, A, C Recreational and Female Junior divisions must contain the following to be considered:
- a. Name of city, town, village or municipality where teams are to be located;
  - b. Written proof of arena availability;
  - c. Written report from the District Association and from any other of the Society's Leagues operating in the district where the applicant proposes to locate in regard to the feelings of the other Society members in that district;
  - d. Complete list of owners, directorships, manager and coach;
  - e. An outline of the numbers and the areas from which the players would be drawn;
  - f. Specific details or any proposed affiliation;
  - g. Written documentation as to acceptance into a League in good standing, which is affiliated with the Society.

The deadline for submission of an application shall be August 15<sup>th</sup> of the season in which the team intends to operate.

- 1.11 All applications for new membership and/or team relocation in the Male Junior division must contain the following to be considered:

- a. \$200.00 certified cheque payable to the Society, which shall be a non-refundable application fee per team;
- b. Name of city, town, village or municipality where teams are to be located;
- c. Written proof of arena availability;
- d. Written report from the District Association and from any other of the Society's Leagues operating in the district where the applicant proposes to locate in regard to the feelings of the other Society members in that district;
- e. Complete list of owners, directorships, manager and coach;
- f. An outline of the numbers and the areas from which the players would be drawn;
- g. Specific details of any proposed affiliation;
- h. Written documentation as to acceptance into a League in good standing, which is affiliated with the Society.

1.12 In the Male Junior division:

- a. All new membership applications are to be received by the Chief Executive Officer not later than April 1 prior to the season in which the applicant wishes to commence operations;
- b. All team relocation applications are to be received by the Chief Executive officer not later than May 1 prior to the season in which the applicant wishes to operate from the new location; and
- c. The decision of the Society with respect to the application should be made on or before June 15.

1.13 Male Junior division teams shall annual make declaration of their ownership structure (including any changes to the control of the shares or assets of the team). This declaration shall be included in the team membership application requirements prior to each season.

1.14 All new applications from a Minor Hockey Association shall contain the following to be considered:

- a. Copy of the proposed boundaries of the Association;
- b. Written proof of arena availability;
- c. List of Association Directors or Executive;
- d. Written documentation confirming their membership in the local District Hockey Association, which is affiliated with the Society; and
- e. A copy of its Constitution and Bylaws

1.15 All new applications for membership from District Hockey Associations shall contain the following to be considered:

- a. A copy of the proposed boundaries of the Association;
- b. List of Association Directors or Executive;

- c. Written documentation confirming member associations or member leagues (which are affiliated with the Society) that will be members of the District Association;
  - d. A copy of its Constitution and Bylaws.
- 1.16 Admission of a new District Hockey Association by the Board shall be subject to approval by the Society of that new District Hockey Association by way of amendment to Bylaw One.

**Associate Members**

- 1.17 All new applications for Associate Membership shall be submitted to the Chief Executive Officer. The Chief Executive Officer shall present all completed applications to the Board for consideration. A decision of the Board to accept or reject an application is entirely a matter for the discretion of the Board.

## Regulation Two – Registration

1. RESOLVED that a new Regulation 2.33 be added at the end of Regulation 2 to read:

### Verification

At the request of any Team in the Society, or on the initiative of the Society, the Chief Executive Officer may require any Team to satisfy, by evidence under statutory declaration, that such Team is being conducted in accordance with the definition of an amateur as set out by Hockey Canada.

[Note: formerly bylaw 715]

2. RESOLVED that Regulation 2.05.a.iv be revised to read:

A Minor Hockey Association may request that a residential waiver be granted to a player for reasons not listed in sections i), ii) or iii) above. Conditional approval will be given once all documentation has been submitted for consideration to the BC Hockey Chief Executive Officer and BC Hockey has confirmed support in writing from ~~the appropriate BC Hockey District Director(s)~~ and the District President. The player will be eligible to participate in practices, evaluations/tryouts, and exhibition games pending final approval of BC Hockey.

3. RESOLVED that Regulation 2.22.e.i be revised to read:

i) must be forwarded to the BC Hockey Chief Executive Officer prior to December 15 in order to be considered by the Board at their next meeting.

4. RESOLVED that Regulation 2.30 be deleted.



## Regulation Three – Tournaments, Exhibition and All-Star Games

1. RESOLVED that Regulations 1.01 through 1.07 be deleted from Regulation 1 and inserted in Regulation 3 between regulations 3.10 and 3.11.

2. RESOLVED that former Regulation 1.05.c.ii be revised to read:

Where players from another Association register due to the inability of that other Association to form a team because of insufficient registration, then the re-categorization in accordance with the preceding, will be at the discretion of BC Hockey. Such request will be addressed by BC Hockey with input from the appropriate District(s).

3. RESOLVED that a new Regulation 3.01 be inserted just before the current regulation 3.01 to read:

### Games

All games played under the jurisdiction of the Society and the qualifications of all persons participating in such games shall be in conformity with the Bylaws, Regulations, Playing Rules and Policies of the Society.

[Note: formerly bylaw 318]

4. RESOLVED that a new Regulation 3.03 be added between Regulations 3.02 and 3.03 to read:

### Minor

District Amateur Hockey Associations shall be responsible for organizing and administering minor hockey leagues within the Districts, and coordinating such programs and other areas of activity within the District as their member Minor Hockey Associations shall determine.

[Note: formerly bylaw 204]

5. RESOLVED that Regulation 3.11 be revised to read:

A team that is a member of BC Hockey may play exhibition games against a Team that is a member of USA Hockey providing BC Hockey registered team obtains prior approval from the Chief Executive Officer.

6. RESOLVED that Regulation 3.14 be revised to read:

Exhibition games involving Minor division teams shall be subject to the following:

- a. A Minor division team may play exhibition games with another BC Hockey Member's Minor division team. Games involving two BC Hockey registered Minor division teams are to be reported to BC Hockey.
- b. Games involving a Minor division team and either a Senior or Junior division team require the permission of the Chief Executive Officer.

7. RESOLVED that Regulation 3.15 be revised to read:

If an Exhibition game is played without first notifying the Chief Executive Officer for games with registered Teams of USA Hockey or the Team does not have written permission from the Chief Executive Officer for games with a Professional Team or Teams from other Branches of Hockey Canada, the BC Hockey Team concerned will be reported to the Chair of the Board and may face a fine and/or suspension, or both.

8. RESOLVED that Regulation 3.17 be rewritten to read:

The Society shall be paid a game assessment from all Male Senior and Junior Exhibition, League and Playoff home games as outlined in the Schedule of Fees and Assessments, Appendix A.

9. RESOLVED that Regulation 3.19 re revised to read:

Any Team delinquent in payment of game assessments shall be suspended from the Society and shall not be permitted to participate in any games under the jurisdiction of this Society while in default.

10. RESOLVED that Regulation 3.23 be revised to read:

Requests for sanctioning of the preceding Exhibition All Star games must be submitted by the League President or District President outlining pertinent details for consideration by BC Hockey.

11. RESOLVED that Regulation 3.27 be rewritten to read:

Sanction Fees for tournaments are outlined in the Schedule of Fees and Assessments, Appendix A.

12. RESOLVED that Regulation 3.45(a) be rewritten to read:

The Sanction Fee for a Jamboree is outlined in the Schedule of Fees and Assessments, Appendix A.

13. RESOLVED that Regulation 3.45(f) be revised to read:

A list of officials to be used in the Jamboree being submitted along with a copy of the application request form to the District Officiating Co-ordinator for approval thirty (30) days in advance of the Jamboree.

## Regulation Four – Playing Rules

1. RESOLVED that Regulations 4.03, 4.04, 4.05 and 4.06 be deleted.

[Note: to be added to Conduct Policy]

## Regulation Five – Championships

1. RESOLVED that Regulations 1.08 through 1.11 be deleted from Regulation 1 and inserted in Regulation 5 between Regulations 5.02 and 5.03.
2. RESOLVED that Regulation 5.02 be revised to read:

BC Hockey Championship venues in all divisions shall be decided upon at the Annual General Meetings of the Society from recommendations made by the committee representing the various divisions in which the Society conducts championship series. The Chair of the Board, with the approval of the Board, shall have the authority to change the venue of a series if deemed advisable.
3. RESOLVED that wherever they occur in Regulations Five, to replace references to either BC Hockey Director or Director with: 'BC Hockey representative in charge of the series'.
4. RESOLVED that Regulation 5.10 be revised to read:

No souvenir, token or prize may be presented to any player in any BC Hockey Championship without the prior approval of the Chief Executive Officer or designate.
5. RESOLVED that Regulation 5.29 be revised to read:

In the case of any protests submitted in accordance with these regulations BC Hockey representative in charge of the series shall have full power to rule on the protests. When the Chair of the Board is also the BC Hockey representative in charge of the series, then the Chair and a designated Director shall be authorized to act. The decision of these Directors shall be final and may not be appealed.
6. RESOLVED that Regulation 5.54 be revised to read:

The Chief Executive Officer will ensure that all proper arrangements have been made by the hosting Association and following this all BC Hockey Teams and Associations will be advised in writing as to full details, such as place, times, contact, telephone number, arena admission fees, etc.

## **Regulation Six – Conduct**

[Formerly: Ineligible Players, Protests Discipline]

1. RESOLVED that Regulation 6.01 be amended by the deletion of the word “investigation.” and the insertion of the words “investigation, and may upon completion of the investigation be subject to a suspension for a definite period.” [Note: formerly bylaw 610]

## Regulation Seven – Appeal Procedure

- 7.1 Notice of any appeal to the Appeal Committee shall be:
- a. Delivered to the Chief Executive Officer within 21 days from the date of notice of the decision appealed from;
  - b. Be in writing, and outline all particulars of the case as well as the grounds on which the appeal is made;
  - c. Be accompanied by payment of an appeal fee in the amount indicated in the Schedule of Fees and Appeals (Appendix A). The fee shall be paid either by cash, a credit card payment or certified cheque payable to the Society. If the Appeal is dismissed or the suspension modified the appeal fee shall be retained by the Society. If the Appeal is upheld, the appeal fee shall be returned to the appellant.
- 7.2 The filing of an appeal does not result in a stay of any suspension imposed or other decision made.
- 7.3 The Chair of the Appeal Committee shall review each notice of appeal and determine whether it raises a ground of appeal permitted under Bylaw Eight. If the Chair of the Appeal Committee decides that the grounds of appeal do not fall within Bylaw Eight, then notice of that decision shall be given to the applicant by the Chief Executive Officer. Otherwise, the appeal shall be set for hearing.
- 7.4 For each appeal to be considered by the Appeal Committee, the Chair shall designate an appeal panel consisting of the Chair and at least two but not more than four other members of the appeal committee.
- 7.5 Prior to the hearing of an appeal, all pertinent documents supplied by any referee, linesman or other game official or other decision-maker shall, upon request, be made available to the party appealing.
- 7.6 Prior to the hearing of an appeal of a Member's decision the Society will forward a copy of the request to the appropriate Member who will have seven (7) days to respond with their position and rationale regarding the decision. Failure to respond within the timeline may be regarded by the Committee as evidence the non-responding party is in agreement with the appeal.
- After the Member response has been received, the submission of further materials by either party shall only be permitted at the discretion of the Appeal Committee. All parties to the appeal may be requested to respond to any material provided by any party to an appeal within timelines as established by the Appeal Committee.
- 7.7 Each party shall supply copies of all documents the parties wish to have considered by the Appeal Committee within 48 hours of the decision to grant a hearing of the appeal. All pertinent information supplied to the Appeal Committee by either party shall upon request be made available to both parties, in writing, in advance of the hearing. A party may, with leave of

the Appeal Committee, submit additional information at the time of the hearing providing it has a reasonable explanation for the late submission of information.

- 7.8 Any party to an appeal shall be given not less than 48 hours' notice of an appeal hearing.
- 7.9 The appeal shall be dealt with by the Appeal Committee within 14 days of the date notice of the appeal is received by the Chief Executive Officer, unless a mutual agreement is reached by both parties to extend this time.
- 7.10 In the event the Chair of the Appeal Committee is in a conflict of interest or otherwise unable to deal with a specific matter, then the Chair of the Appeal Committee shall ask another member of the Appeal Committee to take his place with respect to that matter.

### **Exemption Appeals**

- 7.11 The Appeal Committee has the authority to review appeals for exemptions and to provide special dispensation from the Society's Regulations and Policies utilizing the following procedures:
  - a. The appeal for an exemption must be submitted in writing to the Chief Executive Officer along with the appeal fee.
  - b. Any exemption appeal granted shall be in effect for the current season only.
  - c. Any exemption appeal granted shall be reported to the appellant, the District Association/League and the Board.
  - d. The decision by the Appeal Committee on the appeal for exemption will be final.

## **Regulation Eight – Nominating Procedures**

- 8.1 Nominations can be made by either a Member or the Nominating Committee Chair.
- 8.2 A Nomination Form signed by a duly authorized Member representative and by the candidate shall constitute the nomination.
- 8.3 A resume of the candidate's credentials and a written statement by the candidate expressing a willingness to serve as a Director must accompany the Nomination Form.
- 8.4 The resume of the candidate's credentials should include education background, employment background and hockey experience, including experience with BC Hockey or other hockey organizations. The resume should also highlight any additional skills or competencies that will contribute to the effective leadership and governance of BC Hockey.
- 8.5 The Nominating Committee shall verify the eligibility of the candidates to hold office.
- 8.6 All nominations for the position of Director must be submitted to the Chair of the Nominating Committee, at least sixty (60) days prior to the commencement of the Annual General Meeting.
- 8.7 Candidates wishing to run for the Chair position must first be nominated as a candidate for a Board position.
- 8.8 The Committee will circulate forty-five (45) days prior to the Annual General Meeting a list of recommended eligible candidates and a brief summary of their qualifications.
- 8.9 Members and Directors will have until thirty (30) days prior to the Annual General Meeting to submit further nominations.
- 8.10 All candidates will have until thirty (30) days prior to the Annual General Meeting to further indicate their desire to run for the Chair position.
- 8.11 The Committee will circulate fifteen (15) days prior to the Annual General Meeting a final list of candidates for the available positions of Chair and/or Director along with the resumes of the candidates' credentials.
- 8.12 Each candidate may choose to have up to two (2) minutes at the Annual General Meeting to address the Members prior to voting.



## Deletions of current regulations:

RESOLVED that Regulation 7: Officiating Program, be deleted. [Note: to be incorporated into Officiating Program Policy and Reg. 7.18-7.20 to become a Discipline Policy.]

## Appendices:

### Schedule of Fees and Assessments

### Appendix A

#### 1. Annual Membership Assessments:

##### Senior and Junior Teams

• Senior AA Male Teams	30.00
• Senior A Male Teams	30.00
• Senior C Male Teams	30.00
• Senior AAA Female Teams	30.00
• Senior AA Female Teams	30.00
• Senior A Female Teams	30.00
• Junior A Teams	30.00
• Junior B Teams	30.00
• Junior Female Teams	30.00

##### Senior and Junior Leagues

• Senior Leagues	50.00
• Junior Leagues	50.00

##### Hockey Associations

• Associations	50.00
• Juvenile Team	30.00
• Midget A Team	30.00
• Bantam A Team	30.00
• Pee Wee A Team	30.00

##### District Hockey Associations

• Associations	50.00
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##### Associate Members

• Associate Member	50.00
• Major Junior Team	30.00
• Hockey Canada Sport School Team	1,000.00

These dues are payable at the time of registration each year. No Team, League or Association shall be entitled to enter competition or be represented at the Society's Annual General Meeting until its Fees, Assessments and Fines, if any, have been paid

#### 2. Annual Registered Participant Assessments

• Players (all)	11.75 in 2014-2015 12.00 in 2015-2016 12.25 in 2016-2017
• Players on a team above the recreational category	3.00
• Hockey Canada Adult Recreational Player	2.00
• Team Officials on a team above the recreational	3.00

category	
• Officials	11.75 in 2014-2015 12.00 in 2015-2016 12.25 in 2016-2017

This participant assessment is in addition to the membership assessments charged for Hockey Canada Certificates and Hockey Canada Insurance. It shall be valid for a playing season, which shall be considered to begin on August 15th and end on August 14th of the following year.

3. Annual Reserve Fund Assessments	
• Junior B Teams	80.00
4. Above Minor Game Assessments	
• Male Senior AAA	25.00/home game
• Male Senior AA	15.00/home game
• Male Senior A	5.00/home game
• Junior A	25.00/home game
• Junior B	12.00/home game
5. Sanctioning Fees	
• Jamborees	75.00 (plus taxes)
• Tournaments	
a. Branch	75.00 (plus taxes)
b. Inter-Branch	125.00 (plus taxes)
Each non- Society resident team	10.00 (plus taxes)
c. International	175.00 (plus taxes)
Each non- Society resident team	10.00 (plus taxes)
Each non- Canadian resident team	50.00 (plus taxes)
6. Appeal Fees	
• Hearing via conference call	300.00
• In-person hearing	1,000.00

Appeal fees are to be paid either by cash payment, credit card payment or a certified cheque.