

TRI PORT MINOR HOCKEY ASSOCIATION

CONSTITUTION & BYLAWS

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SOCIETY ACT

TRI PORT MINOR HOCKEY ASSOCIATION

CONSTITUTION

Article 1

The name of the Society is the “ Tri Port Minor Hockey Association”, hereinafter referred to as the Association.

Article 2

The purposes of the Association are:

- a) To promote and encourage good citizenship and sportsmanship among the members of the association.
- b) To develop an effective hockey program which maximizes the number of players participating and develops their hockey skills so that each individual attains their full potential.
- c) To develop, implement, and maintain policies regarding the general care, supervision and direction of the Members of this Association.
- d) To implement, maintain, and enforce a uniform set of playing rules, as laid down by, but not limited to, the Canadian Hockey Association (CHA), the British Columbia Hockey (BC Hockey) the Vancouver Island Amateur Hockey Association (VIAHA) and Tri Port Minor Hockey Association (TPMHA).

Article 3

As an unalterable provision of this Constitution, this Society shall be affiliated with the Canadian Hockey Association (CHA) and British Columbia Hockey (BC Hockey) and shall operate in a manner consistent with both of the aforementioned Associations’ Constitutions, Bylaws, Regulations, and Rules.

Article 4

This Society shall be affiliated with the Vancouver Island Amateur Hockey Association (VIAHA) and shall operate in a manner consistent with the aforementioned Associations Constitutions, Bylaws, Regulations, and Rules. This provision shall be unalterable.

Article 5

The Society shall operate within electoral areas **of the Mount Waddington Regional District** and this provision is alterable by special resolution.

[note: the Mount Waddington Regional District includes four municipalities (Port Alice, Port Hardy, Port McNeill & Alert Bay) and nine unincorporated communities (Hyde Creek, Sointula, Holberg, Quatsino, Coal Harbour, Telegraph Cove, Woss, Echo Bay and Winter Harbour)]

Article 6

To the extent possible, this Constitution shall embody the spirit of previous (Port Alice, Port Hardy & Port McNeill) constitutions. This provision shall be unalterable.

Article 7

Upon dissolution of the Society and after the payment of all debts and liabilities the remaining property of the Society shall be distributed or disposed of to charitable organizations or organizations the object of which are beneficial to the communities of Port Alice, Port McNeill and Port Hardy, as the Board of Directors of the Society may specify. This provision is unalterable.

MISSION STATEMENT

**To promote sportsmanship, fair competition,
development, and safety for minor hockey
players of all skill levels.**

Bylaws of Tri Port Minor Hockey Association

Bylaw One- Interpretation

1. (A) In these bylaws, unless the context otherwise requires:
 - 1) “board and executive are equivalent, interchangeable and refer to” the board of directors of the society;
 - 2) “director” means a person elected or appointed to serve on the board of directors pursuant to these bylaws;
 - 3) “Society Act” means the Society Act of the Province of British Columbia from time to time in force and all amendments to it;
 - 4) CHA means Canadian Hockey Association; BC Hockey means British Columbia Hockey; and TPMHA means Tri Port Minor Hockey Association;
 - 5) The terms “the Society”, “the Association” and “the TPMHA” are equivalent;
 - 6) The term “Club” refers to the Port Alice, Port McNeill, Port Hardy or the North Island Eagles Clubs;
 - 7) The term “rep” refers to the North Island Eagles Club;
 - 8) “registered address” of a Member means the Member’s address as recorded in the register of Members.
 - 9) “special resolution” means
 - i) a resolution passed in a general meeting by a majority of not less than 75% of the members voting (reference: BCAHA paragraph 1116)
 - a) of which the notice that the bylaws provide, and not being less than 14 days notice, specifying the intention to propose the resolution as a special resolution has been given, or
 - ii) if every Member entitled to attend and vote at the meeting agrees, at a meeting of which less than 14 days’ notice has been given.
 - 10) “ordinary resolution” means
 - ii) a) a resolution passed in a general meeting by the Members of the Association by a simple majority (ie: 50% + 1) of the votes cast in person or by proxy; however the proxy must be presented to the chair prior to the commencement of the meeting.
- (B) The definitions in the “Society Act” on the date these bylaws become effective apply to these bylaws.

2. Words importing the singular include the plural and vice versa, and words importing a male person include a female person.
3. In these bylaws, whenever submission of a notice, declaration, or other formal communication is required, such notice, declaration, or communication may be transmitted by facsimile machine or e-mail.

Bylaw Two - Membership

1. The following persons are members of the Society :
 - a) All parents (both mother & father), and legal guardians of registered players of minor hockey age only, who have paid the required membership/registration fees, and all coaches, managers, trainers, referees, and executive members, whether appointed or paid positions.
 - b) Those persons who have been awarded a Life Membership in the Society. (By way of a majority vote at an Annual General Meeting in recognition of such person's contribution of outstanding service to the Tri Port Minor Hockey Association).
 - c) Any person with an interest in Minor Hockey within the boundaries of the society can become a member upon payment of \$25.00 per year to the association.
2. The annual fees for Membership/Player Registration shall be assessed by the Directors of the Society and it's Clubs annually and is due and payable at Registration. The fee will include any assessments by British Columbia Hockey (BC Hockey) the Canadian Hockey Association (CHA), any other local governing body or league. The Membership/Player Registration fees will also include the cost of administering the Society and shall be determined yearly by the Finance Committee.
3. Upon registration with this Society, every member agrees to comply with upholding the Constitution, these Bylaws and any other policies or procedures adopted by this Society for the benefit of Tri Port Minor Hockey (TPMHA).
4. All members are in good standing except a member or Club who has failed or refused to pay their membership, debt, or any other subscriptions fees owing by them to the Society.
5. A person or Club shall cease to be a member of the Society:
 - a. Upon delivering their resignation in writing to the Secretary, or mailing it to the address Of the Society
 - b. On their death;
 - c. On withdrawal from the Society or Club (see #6 for Branch withdrawal);
 - d. upon expiry of his / her term of membership;
 - e. On expulsion, for conduct deemed improper or for willfully committing a breach of the Constitution and Bylaws of the Society, or its adopted policies. Dependent on the severity of the conduct of breach, the Society will issue a warning, suspend, or expel a member indefinitely.
6. If, by resolution, a Club votes in favor of withdrawal from the Society these are the steps that must be adhered to :
 - a. Public meeting must be held to inform all members of said Club with the inclusion of the Society Executive to debate the pros and cons of withdrawal;
 - b. A mail out ballot will be sent with four weeks notice to all members of the Club, which will include all information;
 - c. Ballots will be returned by mail to a designated independent agent chosen by the society who will then count all ballots on behalf of the society;
 - d. The Club must have a 75% vote in favor of withdrawal;

- e. The Club shall then give notice in writing on or before December 31st of any year to the Society.
The Clubs withdrawal shall become effective on April 30th in the year following such notice.

7. The Society has the right to refuse membership.
8. a) The Board of Directors shall have the power by a vote of 75% of those present to expel or suspend, for a period in excess of 30 days, any Member whose conduct shall have been determined by the Board of Directors to be improper, unbecoming, or likely to endanger the interest or reputation of the Association, or who willfully commits a breach of the Constitution, Bylaws, Rules, Regulations, Policies, Procedures or decisions made by the Board of Directors of the Association.
- b) No Member shall be expelled or suspended for a period in excess of thirty (30) days without being notified of the charge or complaint against him and without having been given the opportunity to be heard by the Board of Directors at a meeting specifically called for the purpose; and the said Member and Board of Directors shall be given not less than seven (7) days notice of the date at which this meeting shall be held; and if the Member does not attend pursuant to that notice without having given reasonable cause the Board of Directors shall proceed with the meeting and the Member shall be subject to the ruling made thereat.
9. a) Where a Member is expelled, the Member shall forfeit all rights and privileges of membership in the Association.
- b) Where a Member is suspended, the Member shall forfeit all rights and privileges of membership in the Association during the period of such suspension.

Bylaw Three - Player Registrations

1. To be eligible for program registration, the parent or legal guardian of the candidate player must reside within the boundaries of the Association, subject always to the residential qualifications of the CHA regulations. Each candidate player must register with the club operating closest to their residence.
2. Each player registered with the Association shall be assessed an annual registration fee set, by each Club, prior to next season's registration period. This fee will include any assessments by CHA and BC Hockey for membership, Mutual Aid registration and any assessments levied by the Tri Port Minor Hockey Association. At the discretion of the Board of Directors, an additional fee may be set in lieu of participation in fund-raising activities.
3. The Board of Directors shall have the discretionary power to waive player registration fees in exceptional circumstances.

Bylaw Four - Annual General Meetings

1. The Annual General Meeting of the Society shall be held each year in the months of April or May. Notice of the Annual General meeting shall state the business to be conducted, and the time and date. Such notice shall be given to all members of the Society, by advertisements in the local newspapers, 14 days in advance of the date. The accidental omission of notice of a meeting, or the non-receipt of notice by any members entitled to receive notice, does not invalidate the proceedings of the meeting.
2. The executive of the Society or ten (10) percent of the membership may call a Special Meeting of the Society or its Clubs.
3. All Clubs shall be required to hold their Annual General Meeting (AGM) prior to the AGM of the Society. All members of the Clubs shall be entitled to one (1) vote at their club AGM and one (1) vote at the Societies AGM.

4. Voting by Proxy will be permitted at any Meeting, General or otherwise of the Society and its Clubs, if the proxy is registered with the chair prior to the meeting. Any one person may not carry more than 5 votes (their vote plus 4 proxy votes). **The form of proxy is attached hereto as bylaw thirteen.**
5. Any member not in good standing with the Society and its Club shall not be entitled to vote at any Annual General Meeting of the Society and or it's Club.
6. The quorum required for all Annual General or Special General Meetings shall be fifteen (15) voting members. The only business that may be conducted without a quorum shall be the appointment of a temporary chairman who will preside until another meeting can be called.
7. The Constitution of the Society can only be changed and or amended by a Special Resolution, which requires 14 days notice to membership and a 75% majority vote.
8. The Bylaws of the Society can only be changed and or amended by a Special Resolution which requires 14 days notice to the membership and a 50 % plus 1 (simple majority) vote.
9. **In the case of a tie vote, the chair does not have a casting or second vote in addition to the vote to which he or she may be entitled as a member and the proposed resolution does not pass.**

Bylaw Five - Director's Executive Committee and Meetings

1. The Board of Director's of the Society will consist of not more than fourteen (14) persons, and shall hereafter be named the Executive Committee. The Executive Committee Officers of the Society shall consist of the following:
 - 1) President
 - 2) Immediate Past President
 - 3) Vice President - Port Alice Club President
 - 4) Vice President - Port McNeill Club President
 - 5) Vice President - Port Hardy Club President
 - 6) Rep (North Island Eagles) Club President
 - 7) Administrator / Registrar
 - 8) Recording Secretary
 - 9) Treasurer
 - 10) Referee In Chief Co-Ordinator
 - 11) Coaching Development Co-Ordinator
 - 12) Member at Large
 - 13) Member at Large
 - 14) Member at Large
2. The elected Executive Committee Officers of the Society shall be:
 - 1) President
 - 2) Administratot / Registrar
 - 3) Recording Secretary
 - 4) Treasurer
 - 5) Referee In Chief Co-Ordinator
 - 6) Coach / Development Co-Ordinator
 - 7) three positions for Members at Large
3. The new executive elected will hold a term commencing from the Annual General Meeting of that year until the Annual General Meeting of the next year, when they may run for re-election.
4. The quorum for the executive committee meeting shall be 50% +1 (simple majority) of the voting members.

5. Each Executive Committee Director shall be entitled to one vote at all meetings. The President shall also have a casting vote in the event of a tie. Should a member hold two positions on the executive committee, he/she will be entitled to one vote only.
6. All Executive Committee decisions shall be carried by simple majority and are binding on all of the Clubs.
7. Each Executive Committee member shall be reimbursed for any expenses incurred by them in conducting the affairs of the Society and its Clubs.
8. An Executive Committee member shall cease to hold office
 - a. following receipt of the member's written resignation.
 - b. If the member fails to attend executive meetings or has 3 unexcused absences.
 - c. If the member fails to perform duties outlined.
 - d. If a Club removes its representative.
10. The President or any 2 members of the Executive Committee, with 48 hours notice, may call an emergency meeting of the Executive, for any purpose deemed necessary.
11. **A director must not be remunerated for being or acting as a director but a director must be reimbursed for all expenses necessarily and reasonably incurred by the director while engaged in the affairs of the society.**

Bylaw Six- Branch (Club) Executive Directors

1. Each Club of the Tri Port Minor Hockey Association (TPMHA) shall elect an Executive Committee as outlined in the Policy Manual of the Society. The Executive shall include, but is not limited to the following positions:
 1. President (will be a member of the Society's Executive Committee)
 2. Immediate Past President
 3. Vice President
 4. Recording Secretary
 5. Treasurer
 6. Assistant Registrar (will assist the Society's Registrar)
 7. Referee in Chief Assignor
 8. Head Coach
 9. Equipment Manager
 10. Ice Scheduler
 11. Members at Large

If one or more of these above-noted positions are not filled at the Clubs Annual General Meeting, they may be appointed by the Society board.

2. Each Club shall hold its monthly executive meetings after the monthly executive meeting of the Society. This will ensure all pertinent information; policy update, etc reach the membership in a timely fashion.
3. The Society (Tri Port MHA) is responsible for all financial accounting of its member Clubs and the responsibility rests with the Executive Committee of the Society. Therefore, each Club must supply a monthly itemized financial statement to the Society at the monthly Executive Committee meeting.
4. The Society must ensure the Clubs operate within the established policies set out in the Constitution and Bylaws, the Policy Manual and the rules established by any governing body. The Clubs are responsible for coordinating their own programs within the established policies of the society.

1. The Port Alice, Port McNeill and Port Hardy Clubs shall only coordinate all Recreational hockey programs for their members.
2. The Rep Club shall coordinate Competitive Programs for their members.

Bylaw Seven - The Societies Executive Committee Powers and Duties

1. The President shall be responsible for:
 - a) be chairman of the executive committee,
 - b) shall supervise the other officers of the Society and it's Clubs,
 - c) shall preside at all meetings of the Executive Committee,
 - d) shall guide and assist the executive in all affairs of the society,
 - e) may attend any or all of the club meetings,
 - f) is authorized to appoint an officer to act on his / her behalf when absent,
 - g) shall have the power to suspend or take other disciplinary action against any player, team official or member found to have displayed unsportsman like conduct, behavior which could bring harm to others, bring discredit to the Society or the game of hockey both on and off the ice, failed to comply with the Constitution, Bylaws, Operating Policies of Tri Port Minor Hockey Association (TPMHA), BCAHA, NVIMHA, and CHA for three game or ten days. In cases where in the President's opinion a suspension of more than 10 days is warranted, the president shall impose an indefinite suspension pending a full investigation and refer the matter to the Discipline Committee.
 - h) have the duty, immediately after the close of each Annual General Meeting, to set the date of the first board of directors meeting and to appoint a Discipline Committee, an Appeals Committee, nominating committee and any other committees deemed necessary to maintain or improve the operation of the association.
 - l) attend all meetings of affiliate organizations including, but not limited to, the BCAHA, CHA, NVIMHA and Vancouver Island Competitive League, and deliver to the board of directors, copies of the minutes of any such meetings.
2. The Past President or appointed replacement shall be responsible for:
 - a) be chairman of the nominating committee for the Annual General Meeting,
 - b) to coordinate the annual Minor Hockey Week advertisements,
 - c) shall attend all required meetings to ensure a smooth transition for the duly elected Executive Committee of the Society,
 - d) shall exercise all the powers of the President in his/her absence,
3. The Recording Secretary shall be responsible for:
 - a) performing all duties common to the position of Secretary, including but not limited to the following: correspondence, mail, and minutes;
 - b) recording all minutes of the Discipline and or Appeals Committee but will not be a voting member on the committee.
4. The Administrator / Registrar shall be responsible for:
 - a) working closely with the Club Registrars to coordinate registrations with clubs,
 - b) the collection of all registration fees from members and their entry into registration program,
 - c) but not limited to recording and maintenance of registration files,
 - d) working with BCAHA on all matters concerning mutual aid and CHA carding issues.
5. The Treasurer shall be responsible for:
 - a) recording and maintenance of financial records and reports to the Society and its accountants,
 - b) maintenance of files, the Constitution and Bylaws, Policy Manual, Societies Registration,
 - c) work closely with the Recording Registrar in the collection of all registration fees from members,
 - d) coordinating gaming revenue schedule and distribution, if or as required,

- e) obtaining the proper licencing (ie: an "A" licence) for the purposes of fund raising within the Clubs,
6. The Coaching Development Coordinator shall be responsible for:
 - a) coordinating the development of a system at all levels within the Society and it's Clubs to promote the development of players, team officials, and parents through training programs and clinics in conjunction with the B.C.A.H.A. and the C.H.A.
 - b) ensuring the Clubs receive all information from our governing bodies and must establish a system of dispersing that information to the appropriate people, i.e.: coaches, managers etc.
 - c) have a current and up to date Risk Management manual and shall keep all Club Risk Managers informed throughout the year of all new information.
 - d) chairing the Appeals Discipline Committee,
 7. The Referee-in-Chief Coordinator shall be responsible for:
 - a) filling in for the immediate past president on chairing the Discipline Committee in his / her absences,
 - b) working with the Coach Development Coordinator to ensure the development of all referees within the Society and it's Clubs,
 - c) must ensure the education and qualifications of referees and the coordination of a system for such,
 8. The Club Presidents shall be responsible for:
 - a) upon their election to the Club, become officers of the Society,
 - b) ensuring an open communication between the Club and the Society by the flow of information,
 - c) ensure financial reports are made available to the Society each month,
 - d) participate on committees as appointed by the Executive Society President,
 - 9 The Members at Large- shall be responsible for:
 - a) assigned duties as required by the Executive Committee.

Bylaw Eight - Standing Executive Committees: Finance

1. The Standing Finance Committee shall consist of:
 - a) the President of the Society, who shall be Chair;
 - b) the Societies Treasurer,
 - c) the Club Treasurers or Club Presidents.
2. The Standing Finance Committee shall be responsible for:
 - a) the Finance Committee to prepare and circulate a proposed budget for the coming year to be approved by the membership at the Annual General Meeting.
3. All disbursements shall be made by cheque, signed by any two of the four authorized signing officers of the Society. If two officers have a personal relationship or reside at the same address, then only one shall have signing authority.
4. All assets secured by the Clubs shall remain under the control of the Club unless specified by their Executive Committee and or membership, or upon the dissolution of the Club, all assets remaining shall revert to the Society, after all debts have been paid.
5. The Directors of the Society shall present to the membership an annual financial statement. The statement shall include all income and expenditures, assets and liabilities of the Society and it's Clubs.

Bylaw Nine - Standing Executive Committees: Discipline

Society Act
 Tri Port Minor Hoc key Association
 Constitution
 Drafted – July 27, 2002.
 Registered – February 23, 2004.
 Revised June 25, 2008

1. The Standing Discipline Committee shall :
 - a) be chaired by the Past President (or the Referee in Chief Coordinator in the absence of the past president) of the Society,
 - b) shall include the Vice President's of the four clubs ; a quorum will be at least 3 members of the standing discipline committee,
 - c) shall be responsible to review, suspend or take other disciplinary actions that may be deemed necessary, if members do not abide by these bylaws, and the Policies and rules adopted by the Society and it's Clubs and the rules and bylaws adopted by any governing body of this Society. Including but not limited to any complaints of Harassment and Abuse.
- 1.1 Any complaints, written or verbal, shall be investigated by the Societies Discipline Chair with the goal of resolving the situation fairly and preventing future occurrences, including determining and enforcing proper discipline if required.
- 1.2 The Societies Discipline Committee may conduct a hearing, if necessary, to obtain relevant facts and information. The hearing shall be held within ten days of the complaint if the complaint cannot be resolved. Both the Complainant and the Respondent shall be interviewed and the principles of natural justice shall apply:
 - a) fair hearing, non-biased, no conflict of interest
 - b) respondent must be informed of all details of complaint
 - c) respondent has the right to representation
 - d) relevant information must be available to all parties
 - e) respondent has right to counsel
 - f) the complainant and the respondent will have the right to a written decision, have the right of appeal, and will be provided with the appeal process in writing

Bylaw Ten - Standing Executive Committees: Appeals

1. The Standing Appeals Committee shall :
 - a) be chaired by the Coach Development Co-ordinator of the Society, (note: President of Society already carries the right to suspend any persons),
 - b) consist of four members of the society or four persons from the community at large and are to be appointed by the society President (area bounded by the association); quorum will consist of chair and two other members of the appeal committee,

The Appeals Committee shall review a decision of the Discipline Committee under one of the following conditions:

 - a) change to new evidence, not used at the hearing, and which might affect the decision has become available.
 - b) evidence that due process was not followed
 - c) The decision of the hearing was too severe.

A complainant or respondent who is dissatisfied with the decision of the Standing Discipline Committee may initiate an appeal based on the above criteria within 7 days of written notice of the decision of the Standing Discipline Committee. The Notice of Appeal must be in writing and include the grounds for appeal and the facts in support of the grounds for appeal and a \$100.00 cash or certified cheque payable to the TPMHA. If the appeal is upheld the deposit is forfeited to the society. If the decision of the discipline committee is overturned or modified, the deposit is returned.

Once the Standing Appeals Committee has made a decision it will notify the party of its decision. If sufficient grounds are not found for the appeal the committee will dismiss the appeal and notify the parties in writing of its decision. Any penalty or sanction imposed by the discipline committee will remain in effect pending the result of the appeals committee.

If sufficient grounds for appeal are found, a hearing with respect to the appeal shall be conducted within 14 days of the receipt of the Notice of Appeal.

The decision of the Standing Appeals Committee shall be delivered in writing to the complainant and respondent within 7 days of the Appeal hearing.

2. When an appeal is filed with the Society there shall be no stay of any suspension or disciplinary action imposed, which is the subject of the appeal.
3. Members wishing to appeal the decision of the Standing Appeals Committee of this Society may,
 1. appeal to Vancouver Island Amateur Hockey Association (VIAHA)
 2. appeal to British Columbia Hockey (BC Hockey)
 3. appeal to Canadian Hockey Association (CHA)

Bylaw Eleven - Books and Records

1. All books and records of the Society shall be open to the inspection of members at such times as shall be fixed by the Executive Committee, from time to time. In the event of a written request for inspection by a member, the books and records shall be made available for inspection within not more than twenty days of such a request, at a time and place determined by the Executive Committee.

Bylaw Twelve – Borrowing Powers

1. In order to carry out the purposes of the society the directors may, on behalf of and in the name of the society, raise or secure the payment or repayment of money in the manner they decide, and, in particular but without limiting that power, by the issue of debentures.
2. A debenture must not be issued without the authorization of a special resolution.
3. The members may, by special resolution, restrict the borrowing powers of the directors, but a restriction imposed expires at the next annual general meeting.

Bylaw Thirteen – Proxy Voting

PROXY

TRI PORT MINOR HOCKEY ASSOCIATION

I, the undersigned member of Tri Port Minor Hockey Association,
hereby appoint _____ as my proxy to attend, act
and vote for me and on my behalf at the _____
Meeting to be held on _____ and adjournments
thereto.

Dated at _____ this _____ day of _____, 20____.

Signature of Member