

**YUKON AMATEUR HOCKEY ASSOCIATION
CONSTITUTION & BYLAWS**

CONSTITUTION

**ARTICLE 1
NAME OF SOCIETY**

The name of the Society is the Yukon Amateur Hockey Association, hereinafter referred to as the Association.

**ARTICLE 2
PURPOSE OF THE ASSOCIATION**

The purpose of the Association is:

- 2.1 To foster, improve and encourage amateur hockey, fair play and good citizenship in the Yukon in a safe and harassment free environment.
- 2.2 To at all times, work toward creating an environment where participation for all is the most active principle in Yukon hockey.
- 2.3 To serve and support all Yukon Hockey Associations as the Yukon sport governing body for hockey, reporting directly to the Yukon Government, and as a District Association within the British Columbia Amateur Hockey Association (BCAHA).
- 2.4 To coordinate and deliver the National Coaching Certificate Program for hockey within the Yukon.
- 2.5 To coordinate and deliver Referee Certification programs.
- 2.6 To coordinate delivery of the Canadian Hockey Safety program in the Yukon.
- 2.7 To select and establish annual Territorial Championships in all age divisions on an as warranted bases.
- 2.8 To supervise and direct all matters of the bi-annual Arctic Winter Games hockey teams.
- 2.9 To supervise and direct all matters of the Yukon Canada Winter Games hockey team.

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- 2.10 To establish, maintain and assist in the general care, supervision and direction of all minor associations who are Members of YAHA; and to assist all others interested in amateur hockey.
- 2.11 To provide guidance towards an effective hockey experience for young people.
- 2.12 To maintain a uniform set of playing rules, as laid down by the Canadian Hockey Association, and amendments covered by British Columbia Amateur Hockey Association, or covered by Yukon Amateur Hockey Association.
- 2.13 To encourage Yukon Representative teams traveling with YAHA financial assistance to welcome all eligible Yukon athletes at their team try-outs.

ARTICLE 3 REGISTERED OFFICE/PLACE OF OPERATION

The registered office of the Association shall be in the Yukon Territory where operations shall be chiefly carried on.

ARTICLE 4 AFFILIATION

As an unalterable provision of this Constitution the Association shall be affiliated with the Canadian Hockey Association.

This Association shall be an Amateur District Hockey Association affiliated with British Columbia Amateur Hockey Association (BCAHA).

ARTICLE 5 NOT FOR PROFIT

As an unalterable provision of this Constitution the purpose of this Association shall be not for profit.

BY-LAWS

INTERPRETATION

In these By-Laws, unless the context otherwise requires:

- a) "amateur" an amateur hockey player is one who has not participated in organized professional hockey, or if a player has so participated, has been reinstated to amateur status. A professional hockey player, upon application to the CHA shall be reinstated upon approval by the President of that Association;
- b) "directors" means the directors and officers who are volunteers of the Association for the time being;
- c) "registered address" of a Member means the Member's address as recorded in the Association's register of Members;
- d) "CHA" means Canadian Hockey Association;
- e) "BCAHA" means British Columbia Amateur Hockey Association;
- f) "YAHA" means Yukon Amateur Hockey Association;
- g) "AWG" means Arctic Winter Games;
- h) "CWG" means Canada Winter Games;
- i) "Special Resolution" means:
 - i) a resolution passed by the vote of not less than 75% of the Members voting at a general meeting of which not less than 21 days notice of the resolution has been given, or;
 - ii) a resolution agreed to in writing by all the Members who would have been entitled to vote at a general meeting;
- k) "volunteer" means a non-paid person donating his or her time and who is assigned specific duties and for whom an insurance premium has been paid;
- l) The definitions in the Societies Act on the date these By-Laws became effective apply to these By-Laws;
- m) "Society Act" means the Societies Act of the Yukon from time to time in force and all amendments;



- n) Words importing the singular include the plural and vice versa
- o) "Athlete Residency" is in accordance with Sport Yukon's definition of resident, except in regards to Arctic Winter Games, where the YAHA – AWG policies take precedence;

BY-LAW 1 MEMBERSHIP

- 1.0 The Members of the Association are the applicants for incorporation of the Association, and those teams, leagues or associations which have subsequently become Members in accordance with these By-Laws and, in either case, have not ceased to be Members.
- 1.1 The persons currently serving as Directors of the Association, each with voting privileges.
- 1.2 Any minor hockey association within the Yukon, provided it is approved for registration as a Member in good standing under the CHA and BCAHA, may apply to the Association for Membership, and on acceptance by the Association shall be a voting Member.
- 1.3 Any hockey team or association other than Minor within the Yukon, properly registered and in good standing with the CHA and BCAHA may apply to the Association for membership, and on acceptance by the Association, shall be a voting Member.
- 1.4 Each application for membership shall be made in writing accompanied by an application for membership fee, which fee shall be determined by the Directors and approved at the Annual general Meeting. Applications for membership shall be submitted to the Secretary prior to the Annual General Meeting.
- 1.5 Every Member shall uphold the Association's Constitution and comply with the By-Laws, Rules and Regulations.
- 1.6 The amount of the first annual membership dues shall be determined by the Directors and thereafter the annual membership dues shall be determined by the Members at the annual General Meeting of the Association.
- 1.7 A person, team, or association shall cease to be a Member of the Association:
 - a) by giving written notice to the Secretary, or on his or her death, or in the case of a team or association, upon it's dissolution, or

- b) on being expelled, or
 - c) on having been a Member not in good standing for 12 consecutive months.
- 1.8 A person, team or association may be expelled by a special resolution vote. A brief statement of the reason or reasons for the proposed expulsion shall accompany the notice of special resolution for expulsion.
- 1.9 The person, team or association which is the subject of the proposed resolution for expulsion shall be given an opportunity to be heard at the General Meeting before the special resolution is put to a vote.
- 1.10 All Members are in good standing except:
- a) A Member who has failed to pay the current annual membership fee by December 31 of the current season, or any other subscription or debt due and owing by the Member to the Association; all accounts receivable must be paid within thirty (30) days except annual dues, or
 - b) A Member who has violated the Constitution, By-Laws or Regulations of the Association, or
 - c) A Member who is under suspension.
 - d) A Member is not in good standing so long as one or more of the above conditions is in effect.

BY-LAW 2 DUES

- 2.0 Membership dues for voting Members will be established each year at the Annual General Meeting.
- 2.1 Dues to voting Members will be \$1.00 per player registered with a Member Association.
- 2.2 Payment of dues are exempt for Board of Directors.

BY-LAW 3 VOTING

MEMBERS

- 3.1 Any Member of the Association may attend a meeting of the Association but shall not have a vote unless provided for elsewhere in the By-Laws.
- 3.2 Members shall have one (1) vote at any meeting of the Members.
- 3.3 Proxy votes are not permitted.

OFFICERS/DIRECTORS

- 3.4 Any Officer or Director of the Association may vote at any meeting of the Board of Directors.
- 3.5 At all meetings of the Association, voting shall be decided by a show of hands unless the meeting decides on a secret ballot.
- 3.6 Each Officer or Director shall have only one (1) vote on any given issue.
- 3.7 Proxy votes are not permitted
- 3.8 The Chair will vote only in the event of a tie.

BY-LAW 4 EXECUTIVE OFFICERS/DIRECTORS

- 4.0 The Officers and Directors of this Association shall consist of the following with the exception of the Past President, and are hereinafter collectively referred to as the "Directors" or the "Board of Directors".
 - A. Executive Officers shall be:
 - i) President
 - ii) Vice-President
 - iii) Secretary/Treasurer; or
 - iii) Treasurer
 - iv) Secretary

B. Directors shall be elected as follows:

- i) Director, AWG and CWG,
- ii) Director, Female Hockey,
- iii) Director, Yukon Tournaments/Championships,
- iv) Director, Referee-in-Chief,
- v) Director, Technical and Coach Coordinator,
- vi) Director,
- vii) Director,
- viii) Director, Capital Assets

- 4.1 The Board of Directors shall be elected for a one (1) year term at the Annual General Meeting.
- 4.2 The Past President position is automatically assigned to the immediate past President of the Association.
- 4.3 Vacancies of any position on the Board of Directors shall be filled for the balance of the term by election through a majority vote of a quorum of the Board of Directors.
- 4.4 Job descriptions and responsibilities for Executive Officers and Directors as are outlined in the By-Laws of the Association.

**BY-LAW 5
PROCEEDINGS OF MEETINGS**

- 5.0 The President shall be the Chairperson of the all General and Special meetings of the Association. In the President's absence, the Vice-President shall preside. If the Vice President is not present within thirty (30) minutes of the scheduled commencement of the meeting, those present shall select one of the Board of Directors to be Chairperson at that meeting.
- 5.1 The President may, at any time, take a mail, telephone, e-mail or facsimile vote of the Board of Directors on any urgent matter.
- 5.2 A resolution in writing, signed by all the Directors and placed with the minutes of the Directors is as valid and effective as if regularly passed at a meeting of the Directors.

**BY-LAW 6
GENERAL MEETINGS
BOARD OF DIRECTORS/MEMBERS**

BOARD OF DIRECTORS

- 6.0 The Association will conduct general meetings at a place and time as decided by the President of the Association in accordance with the Societies Act.
- 6.1 A quorum shall not be less than four (4) Officers/Board of Directors. The Board cannot conduct business unless a quorum has been declared

MEMBERS

- 6.2 Notice of a general meeting of the Members shall be given or sent to each Member entitled to vote at the meeting not less than 10 days or more than 60 days before the meeting and the notice shall specify the place, day and hour of the meeting, and, in case of special business, the general nature of the business.
- A) A quorum is
- i) where the number of registered Members is 15 or less, 3 Members:
 - ii) where the number of registered Members is 16 or more, at least 20% of the registered Members.
- 6.3 The Board of Directors may move a Special Resolution to be presented at a General meeting.
- a) Notice of a General Meeting for a Special Resolution shall be not less than twenty-one (21) and not more than sixty (60) days prior to the meeting and will specify the general nature of the business.
 - b) The accidental omission to give notice of a meeting to, or the non-receipt of a notice by, any of the members entitled to receive notice does not invalidate proceedings at that meeting.
 - c) Notice of Special Resolution Meetings must be made to all Members.

BY-LAW 7
MEETINGS – ANNUAL GENERAL MEETING

- 7.0 The Annual General meeting of the Association shall be held during the month of April. Notice of the date, place and hour of Annual General Meeting shall given or sent to each Member entitled to vote not less than 10 days or more than 60 days before the meeting. Where a Special Resolution is to be voted on at an Annual General Meeting, not less than 21 days or more than 60 days notice shall be given.
- 7.1 The order of business at the Annual General Meeting shall be as follows:
- 1) Approval of Agenda
 - 2) Minutes of the Previous Annual General Meeting
 - 2) President's Report
 - 3) Treasurer's Report
 - 4) Membership Dues
 - 6) Appointment of Auditor
 - 5) Director's Reports
 - 6) Other Business
 - 7) Constitution and By-Law Amendments
 - 8) Election of Officers
 - 9) Adjournment
- 7.2 No business other than the adjournment or termination of the Annual General Meeting shall take place when a quorum is not present.
- 7.3 If at any time during the Annual General Meeting there ceases to be a quorum present, business then in progress shall be suspended until there is a quorum present or until the meeting is adjourned or terminated.
- 7.4 A quorum shall be no less than six (6) voting Members or 20% of registered Membership.
- 7.5 If a quorum cannot be established within 30 minutes from the appointed time for the Annual General Meeting, the meeting shall stand adjourned for one (1) week and shall be held at the same time whether a quorum is present or not.
- 7.6 The President of the Association shall preside as Chairperson of all general meetings. In the President's absence, the Vice-President shall preside.

- 7.7 All meetings of the Society shall be conducted in accordance with the provisions of Robert's Rules of Order except that where there is a conflict with the Society's Constitution and By-Laws, the latter shall take precedence.

BY-LAW 8 PROCEEDINGS OF COMMITTEES

- 8.0 The Directors may delegate, as they deem appropriate, any but not all of their powers to committees.
- a) A committee so formed in the exercise of the powers so delegated shall conform to any rules that may from time to time be imposed on it by the Directors, and shall report every act or thing done in-exercise of those powers to the earliest meeting of the Directors to be held next after it has been done.
 - b) A Chairperson of a committee may be assigned by the President.
 - c) Where the President chooses not to appoint a chairperson, a committee shall select a chairperson of its meetings. If the chairperson is not present within fifteen (15) minutes after the time appointed for the holding a meeting, the members of the committee present shall choose one of their number to be chairperson of the meeting.
 - d) Members of a committee may meet and adjourn as they think proper.
- 8.1 Questions arising at any meeting of a committee shall be decided by a majority of votes of those in attendance. In case of an equality of votes, the chairperson does not have a second or casting vote.

The work performed by a Committee is done on behalf of the Executive Committee and any recommendations by a Committee must be brought forward to the Directors for final approval.

BY-LAW 9 DUTIES OF OFFICERS AND EXECUTIVE COMMITTEE MEMBERS

9.0 PRESIDENT

- a) The President shall, except where these By-Laws provide otherwise, preside at all meetings of the Association and of the Directors. He or she shall be the Association's official delegate to the British Columbia Amateur Hockey Association Annual general Meeting.

- b) The President may select, as he/she deems necessary, any or all Directors to attend the BCAHA Annual General Meeting.
- c) The President is the Chief Executive Officer of the Association and shall supervise the other Officers and Directors in the execution of their duties.
- d) The President shall have the power to suspend, fine and/or take other disciplinary action against a player, team official, team, league, association, or official of a team, league or association found to have: displayed un-sportsman like conduct, behaviour which could bring harm to others, bring discredit to the Association or to the game of hockey both on and off the ice; failed to comply with the Constitution, By-Laws, Rules and Regulations of YAHA, BCAHA and CHA.

9.1 VICE-PRESIDENT

- a) The Vice-President shall perform the duties of the President during the absence of the President.
- b) The Vice-President in their appointed duties shall oversee and be responsible for the guidance and coordination of their program.

9.2 TREASURER

- a) The Treasurer shall be responsible for maintaining a proper set of books to record the financial transactions of the Association.
- b) The Treasurer shall provide a financial report at each Business meeting and a financial statement at the Annual General Meeting
- c) The Treasurer shall pay all accounts by cheques that have been signed by the President, Vice-President, or Treasurer.

9.3 SECRETARY

- a) The Secretary's duties shall be to record, distribute and safe keep the minutes, records and all documents of the Association and Committees.
- b) Conduct the correspondence of the Association
- c) Maintain the register of Members.
- d) Issue notices of meetings of the Association

- e) To provide Executive Members, Directors, and Association Members in good standing, copies of the Association Constitution, By-Laws, Rules, and Regulations as requested
- f) To perform other related duties as required by the President.

9.4 SECRETARY/TREASURER

The Secretary/Treasurer shall perform the duties of the Secretary and Treasurer as listed above.

BY-LAW 10 FINANCES

- 10.0 Signing authority for the Association shall be exercised by any two of the President, Vice-President or Treasurer.
- 10.1 This Association does not have a seal.
- 10.2 In order to carry out the purposes of the Association, the Directors may, on behalf of and in the name of the Association, raise and secure the payment or repayment of money in such a manner as they decide and in particular but without limiting the generality of the foregoing, by issue of debenture. No debenture shall be issued without the sanction of a Special Resolution.
- 10.3 The Members may, by Special Resolution, restrict the borrowing powers of the Director but a restriction so imposed expires at the next Annual General Meeting.
- 10.4 No Member, Director or Officer of the Association is to receive a salary or gratuity.
- 10.5 An Executive Committee or Director of the Association shall not incur expenses on behalf of the Association without prior approval from the Executive Committee.
- 10.6 All reasonable expenses incurred by the Association's delegates attending the BCAHA Annual General Meeting shall be paid by the Association.
- 10.7 The financial statements of the Association must be reviewed and signed by a professional accountant prior to being presented at the Annual General Meeting.

- 1) The requirement for review may be waived by the passing of a Special Resolution at the previous Annual General Meeting worded as: "The Members waive the appointment of a professional accountant to review the financial statements for one fiscal year.
- 2) The fiscal year end shall be March 31
- 3) At each Annual General Meeting the Association may appoint an accountant to hold office until re-appointed or a successor is appointed at the next Annual General Meeting
- 4) An Accountant may be removed by ordinary resolution.
- 5) An Accountant shall be informed forthwith in writing of appointment or removal.
- 6) No Member/Director and no employee of the Association shall be the Association's Accountant.

BY-LAW 11 NOTICE TO MEMBERS

- 11.0 In these By-Laws, wherever submission of a notice, declaration, or other formal communication is required, such notice, declaration, or communication may be transmitted by facsimile machine or by e-mail.
- 11.1 A notice may be given to a Member, either personally or by mail to their registered address, by facsimile machine, or by e-mail. A notice sent by mail shall be deemed to have been given on the second day following that on which the notice is posted, and in proving that the notice has been given it is sufficient to prove that the notice was properly addressed and put in a Canadian post office receptacle.
- 11.2 Notice of a general meeting shall be given to
 - a) every Member shown on the register of Members on the day the notice is given or sent; and
 - b) the professional accountant, (if applicable)
No other person is entitled to receive notice of general meeting

BY-LAW 12
CONSTITUTION AND BY-LAW AMENDMENTS

- 12.0 The Constitution and/or By-Laws shall not be altered or added to except by Special Resolution, and are not effective until filed and approved by the Registrar of Societies Yukon.
- 12.1 An amendment to the By-Laws shall be made by deleting, substituting, or adding entire articles.

BY-LAW 13
APPEALS

- 13.0 Any player, team official, team, league or association dissatisfied with a ruling of the President or his designate may appeal to the Appeals Committee. Any Member who fails to exhaust the appeal procedures provided herein prior to resorting to external legal remedies shall be subject to a suspension at the discretion of the majority of Officers of the Association.

13.1 Appeals Committee

- a) shall consist of three persons appointed by the Executive Committee, one who will be appointed by the Executive as Chair. In the case of a conflict of interest, the President has the right to alter this committee.
- b) Duties shall be to hear appeals from decisions made by the President or his/her delegates on any matter over which this Association has jurisdiction.
- c) The Appeals Committee may dismiss, uphold or modify any suspension or ruling that is being appealed.
- d) Any appeal to the Appeals Committee by the aggrieved party must be in writing outlining all particulars pertaining to the case, must be accompanied by either a cash payment, certified cheque or money order for \$100.00 payable to the Association, and be delivered to the Association within seven (7) days from the date of the notice advising of the suspension or ruling. Whether the appeal is dismissed, modified or upheld, the \$100.00 is retained by the Association.
- e) The appeal shall be dealt with by the Appeals Committee within seven (7) days, or as soon as is reasonably possible.

- f) It shall be the duty of the aggrieved party to notify any other Members of the Association who may be involved in the appeal
- g) When an appeal is filed, there shall be no stay of suspension imposed which is the subject of the appeal.
- h) An appellant has the right to access of all relevant information on which the ruling was made.
- i) Any decision made from a protest during play-offs is final and cannot be appealed to the Appeals Committee.

BY-LAW 14 DISPUTES

- 14.0 Any dispute concerning the interpretation or application of the By-Laws, and any dispute concerning the rights of a Member or the powers of a Director or Officer, shall be submitted to and decided by arbitration under the Arbitration Act of the Yukon.

BY-LAW 15 DISSOLUTION

- 15.0 In the event of dissolution of the Association, the assets remaining after all debts have been paid or provisions for payment have been made shall, subject to the requirements of the regulations, be distributed to one or more incorporated Yukon societies as determined by a special resolution.

BY-LAW 16 EXAMINATION OF RECORDS

- 16.0 Any Member may examine the records of the society
- a) during the 30 minutes prior to the commencement of business at any general meeting;
 - b) once every three months at the place where the records are normally kept, on giving the person responsible for keeping the records 7 days notice;
 - c) at any time or place agreed upon by the person having custody of the records, such agreement not to be unreasonably withheld.