

**CONSTITUTION AND BY-LAWS  
CHILLIWACK MINOR HOCKEY ASSOCIATION**

**CONSTITUTION**

1. The name of the Society is “Chilliwack Minor Hockey Association”.
2. The purpose of the Society shall be:
  - a) To encourage and foster amongst its members and all citizens in general, sportsmanship and good citizenship.
  - b) To promote and encourage an interest in amateur hockey.
  - c) To control and operate minor hockey within the geographical area of Chilliwack; boundaries set out /and or changed based upon the criteria set forth in the rules and regulations of the HC, BCH, PCAHA.
  - d) To encourage and promote competition for its members in a safe, enjoyable and challenging environment.
  - e) This Association shall be affiliated with the British Columbia Amateur Hockey Association, Pacific Coast Amateur Hockey Association and with Hockey Canada.

## **BY-LAWS**

### **PART 1 - Interpretation**

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

“Board” means the Elected Board of the Directors of the Society;

“Directors” means the Elected Directors of the Society for the time being;

“*Society Act*” means the *Society Act* of the Province of British Columbia from time to time in force and all amendments to it;

a) The definitions in the *Society Act* on the date these By-Laws become effective apply to these By-Laws

1.2 CMHA Vision Statement

To be an inclusive, development driven Association using a positive, fun environment to build leaders in community.

1.3 CMHA Mission Statement

To professionally develop hockey players, coaches, volunteers and future leaders in a fun, safe and positive environment where ALL families feel welcome and supported in achieving their personal and team goals while building lifelong relationships.

### **PART 2 - Membership**

2.1 The members of the Society are those persons who become members in accordance with these By-Laws and have not ceased to be members.

2.2 The membership of the Society shall be comprised of two (2) classes of members, Ordinary Members and Life Members.

2.3 The following persons shall be Ordinary Members:

a) A parent or legal guardian of a player (one guardian per player registration is eligible to vote at the Annual General Meeting)

i) who ~~applies for~~ and who has been granted playing privileges in the Society's hockey programs prior to May 1<sup>st</sup> of the current year and whose membership has not at any time ceased; or

ii) whose application for playing privileges is accepted by the Board at any time after April 30<sup>th</sup> of the current year and whose membership has not at any time ceased;

it being understood that a member having more than one player registered in the Society's hockey programs shall have no greater rights as a member in the Society than a member having only one child so registered;

- b) any person over the age of nineteen (19) years who does not otherwise qualify -for membership under the above, and who has purchased an annual membership with the organization.
- 2.4 The Board may, in its sole discretion, bestow the honour of Life Member on any person who has rendered distinctive or meritorious service to the Society for a period of at least five (5) years. Nomination for Life Membership must be submitted to the Board at least 30 days prior to the annual general meeting detailing the service for which the honour is bestowed.
- 2.5 Life Members shall have the privilege of acting in an advisory capacity to the Board and shall be accorded all rights and privileges and be subject to all obligations of Ordinary Members.
- 2.6 Life Members shall be entitled to hold office and shall be entitled to one vote per Life Member at all general meetings of the Society.
- 2.7 Membership shall not be transferable.
- 2.8 A Member ceases to be a Member:
- a) on June 30<sup>th</sup> in each year unless an application for playing privileges for a member's player or an adult member has been made to the Society for the next playing season in accordance with Article 3.1 or 3.2 as applicable;
  - b) by delivering his/her resignation in writing to the Secretary of the Society;
  - c) where the Member no longer has a player participating in the Society's hockey programs as a result of the child being released in accordance with the rules and regulations of the Hockey Canada ("HC"), British Columbia Hockey ("BCH"), Pacific Coast Amateur Hockey Association ("PCAHA") and/or such other association of which the Society is a member or with which it is affiliated;
  - d) on being expelled.
- 2.9 A Member may be expelled by resolution of the Board where the Board has received a recommendation from the Discipline Committee to expel the Member, provided that the Member who is the subject of the proposed expulsion is given an opportunity to be heard at the meeting of the Board prior to the resolution to expel being voted upon.
- 2.10 The Board shall have the power, by a vote of three quarters (3/4) of those present at a duly convened meeting, to suspend a Member's membership in the Society for such length of time and upon such terms as the Board may determine when such Member's conduct shall have been determined by the Board to be improper, unbecoming or likely to endanger the interest or reputation of the Society, or if such Member willfully commits a breach of the Constitution or By-Laws of the Society or any rules or policies established by the Board from time to time, provided that the Member who is the subject of the proposed suspension shall have been given an opportunity to be heard at the meeting of the Board prior to the resolution to suspend being voted upon.

- 2.11 A Member being expelled or suspended by a resolution of the Board pursuant to Article 2.9 or 2.10 has the right to requisition a general meeting of the Society for the purpose of reviewing the expulsion or suspension, such meeting to be held at such place as the Board shall determine, within 28 days of the member's compliance with Article 2.12.
- 2.12 A Member requisitioning a general meeting under Article 2.11 shall:
- a) give written notice to the Secretary, within 14 days of the expulsion or suspension;
  - b) prepay the reasonable cost of giving notice to the membership and of holding the general meeting; and
  - c) shall be given the opportunity to be heard at the general meeting prior to the expulsion or suspension being voted upon.
- 2.13 If the Board resolution expelling or suspending the Member is ratified by an ordinary resolution of the membership at a duly convened extra-ordinary general meeting, the monies paid by the member pursuant to Article 2.12(b) shall be forfeited, and if the said expulsion or suspension resolution is not ratified, such monies shall be refunded to the Member.
- 2.14 All Members are in good standing except a Member who has been suspended, has fees owing to the Society. Any Members under this category will be notified 30 days prior to the AGM to rectify their standing with the association. If the fees are not settled, the board will proceed with declaring the Member not in good standing as ineligible to vote, 7 days prior to the meeting.
- 2.15 A Member not in good standing forfeits all rights, privileges, claims and interests accorded a Member of the Society.

### **PART 3 - Player Eligibility and Registration**

- 3.1 A parent or legal guardian of a player wishing to play hockey in the Society's hockey programs for the next playing season must, at the date and time established by the Board on an annual basis:
- a) complete and sign the player application in the form approved by the Board;
  - b) submit proof of the following:
    - i) if a new registrant, that the player's age is consistent with the HC regulations with respect to minor hockey eligibility; and
    - ii) that the player satisfies the residency requirements of the HC, BCH, PCAHA and/or such other association of which the Society is a member or with which it is affiliated;
  - c) make payment of the player registration fee or charge established by the Board on an annual basis and any other fees or charges that the Board may establish from time to time for new, renewal, or late registrations; and
  - d) make payment of any outstanding amounts due to the Society, and return of all property of the Society.

- 3.2 An adult wishing to play hockey in the Society's hockey programs for the next playing season must, at the date and time established by the Board on an annual basis:
- a) complete and sign the player application in the form approved by the Board;
  - b) submit proof of the following:
    - i) if a new registrant, that his or her age is consistent with the HC regulations with respect to minor hockey eligibility; and
    - ii) that they satisfy the residency requirements of the HC, BCH, PCAHA and/or such other association of which the Society is a member or with which it is affiliated;
  - c) make payment of the player registration fee or charge established by the Board on an annual basis and any other fees or charges that the Board may establish from time to time for new, renewal, or late registrations; and
  - d) make payment of any outstanding amounts due to the Society, and return of all property of the Society.
- 3.3 Notwithstanding any of the provisions of Articles 3.1 or 3.2, the Board has the full power and discretionary authority not to accept an application for playing privileges, where:
- a) the available ice time or other resources of the Society, or such other consideration that the Board deems reasonable or appropriate in the circumstances, requires that the Society limit the number of persons accepted for playing privileges; or
  - b) the parent or legal guardian of the player applicant or the adult applicant has been expelled or is suspended as a Member of the Society; or
  - c) the person is not eligible as a player in the Society's hockey programs because of a bylaw, rule, regulation or directive of the HC, BCH, PCAHA and/or such other association of which the Society is a Member or with which it is affiliated; or
  - d) it is not satisfied that the player is a bona fide resident of the geographical area of Chilliwack; boundaries set out /and or changed based upon the criteria set forth in the rules and regulations of the HC, BCH, PCAHA and/or such other association of which the Society is a Member or with which it is affiliated and the Society is not otherwise bound to accept the application for playing privileges pursuant to a bylaw, rule, regulation, exemption, permission, directive or other authorization of the HC, BCH, PCAHA and/or such other association of which the Society is a Member or with which it is affiliated
- 3.4 Upon the Board accepting the application for playing privileges, the person named shall become a player in the Society.
- 3.5 If the Board rejects the application for playing privileges for reasons set forth in Article 3.3(d), the parents of the player applicant, shall be given an opportunity at the next regularly scheduled meeting of the Board to show cause why the application should be accepted.

## PART 4 - Directors

- 4.1 The Directors shall be solely responsible for managing and supervising the affairs of the Society, including, but not limited to, the establishment of:
- a) representative teams, player try-out and selection policies and procedures;
  - b) coach selection policies and procedures;
  - c) ice time schedules and allocations;
  - d) policies and procedures regarding the selection and placement of players and coaches to teams;
  - e) policies and procedures regarding safety, including the proper equipment to be worn by players, provided that such policies and procedures are not inconsistent with those of the HC, BCH or the PCAHA or any other association of which the Society is a Member or with which it is affiliated; and
  - f) policies and procedures regarding the Society's finances including annual budgets, regarding personnel matters including supervision, suspension and dismissal of employees, approval of all types of staff leave and regarding general operations including strategic planning
- 4.2 The Directors may exercise all the powers and do all the acts and things that the Society may exercise and do, and which are not by these By-Laws or by statute or otherwise lawfully directed or required to be exercised or done by the Society in general meetings, but subject, nevertheless to:
- i) all laws affecting the Society;
  - ii) these By-Laws; and
  - iii) rules, not being inconsistent with these By-Laws, which are made from time to time by the Society in a general meeting.
- 4.3 No rule, made by the Society in a general meeting, invalidates a prior act of the Directors that would have been valid if that rule had not been made.
- 4.4 No Director shall be remunerated for being or acting as a Director but a Director may be reimbursed for reasonable expenses incurred in acting as a Director.
- 4.5 In accordance with the *Society Act*, each Director of the Society shall assume office on the express understanding and condition that the Society shall indemnify him and his heirs and personal representatives from time to time and at all times against all costs, charges, expenses, and damages whatsoever which such Director sustains or incurs in or as a result of any civil, criminal or administrative action, suit, or proceeding by reason of him being or having been a Director, including an action brought against the Society, if he acted honestly and in good faith with a view to the best interests of the Society and in the case of a criminal or administrative action or proceeding, if he had reasonable grounds for believing his conduct was lawful, and the Board shall have the power and authority to purchase and maintain such insurance coverage as may be reasonably necessary to assure to each Director such indemnity.

- 4.6 The Society shall have fifteen (15) Directors, or a greater number determined from time to time at a general meeting, consisting of the following

Five (5) Officer Directors

President  
1st Vice-President  
2nd Vice-President Secretary  
Treasurer

Four (4) Other Directors

One (1) Director-at-Large  
One (1) Public Relations Director  
One (1) Player and Coach Development Director  
One (1) Female Director

six (6) Divisional Directors

- 4.7 The six Divisional Directors will be appointed by the Board of Directors of the Society at the first duly convened meeting of the Board after the Annual General Meeting of the Society into the following positions:

Six (6) Divisional Directors  
U9 , U11, U15  
U7, U13, U18/U21

- 4.8 The Board of Directors, with the President, shall form and approve each year, a nominating committee for the purpose of receiving, recruiting and advertising for candidates to fill Board positions for the next year. In addition to any candidates nominated by the nominating committee, the candidates for election to the Board may be nominated by any Member provided such nomination is seconded by two other Members of the Society and is received by the nominating committee not less than 30 days prior to the Annual General Meeting. Any nominations must be approved by the nominating committee before being allowed to stand for election. Refer to the CMHA Nomination Policy for further information.
- 4.9 Separate elections shall be held for the positions of each Officer Director position and Other Director positions (listed in 4.6) to be filled.
- 4.10 The six Divisional Director positions shall be elected as a group on one ballot.
- 4.11 An election may be by acclamation otherwise it shall be by ballot.
- 4.12 No person shall be eligible for election as an Officer or Director unless he is a Member of the Society in good standing and he meets the requirements to be a Director as set out in the *Society Act*.
- 4.13 A Director is eligible for re-election.
- 4.14 The Directors shall serve for a period of two (2) years or until the election of a successor. The President, 1st Vice-President, Treasurer and four (4) Directors shall be elected for two (2) year terms in odd numbered years. The 2nd Vice-President, Secretary, Public Relations Director, Player and Coach Development Director and four (4)

- 4.15 Directors shall be elected for two (2) year terms in even numbered years.
- 4.16 Unless another qualified person cannot be found, no person may run for the position of President of the Society unless that person has first served at least one (1) year on the Board in some capacity.
- 4.17 A Director shall not be allowed to coach, assistant coach or manage any team in any division during his years of office unless approval is given by the current Board.
- 4.18 Any casual vacancy occurring on the Board may be filled by the Directors from the Members of the Society who are in good standing, but any Member so chosen shall retain office only until the conclusion of the next annual general meeting of the Society, but is eligible for election at the annual general meeting.
- 4.19 The Members may by special resolution remove a Director from his office or position prior to the expiration of his term, and may elect another Director to serve during the balance of the term.
- 4.20 The Directors may delegate any of their powers to committees consisting of such Member or Members of the Society as they think fit or as the President may appoint. Any committee so formed shall in the exercise of the power so delegated, conform to any terms of reference or regulations as may be imposed on them by the Board. The Chair of each committee so appointed shall be required to attend Board meetings upon request and to report plans and budgets which must be approved by the Board.
- 4.21 Meetings of the Board shall be held at such time and place as the President or any 5 Directors may determine. Notice of such meetings shall be communicated to each Director not less than 2 days (exclusive of the day on which the notice is given) before the meeting is to take place.
- 4.22 A quorum of any Board meeting shall consist of at least seven (7) Directors of the Board holding office at the time of the meeting. A resolution of the Board shall be passed by a simple majority of votes and the chairman of the meeting may move or propose a resolution but shall not have a second or casting vote.
- 4.23 A Director shall at all times:
- a) act honestly and in good faith and in the best interests of the Society; and
  - b) exercise the care, diligence and skill of a reasonably prudent person; in exercising the powers and performing the functions as a Director.

#### **PART 5 - Duties of Officers and Directors and other appointees**

- 5.1 The President:
- a) shall preside at all meetings of the Society and of the Board;
  - b) shall act as the official representative of the Society and shall act as liaison officer between the City of Chilliwack Recreation Department, BCH, PCAHA, and HC;

- c) shall be the chief executive officer of the Society and supervise the other Officers and Directors in the execution of their duties;
- d) shall , with board approval, have the power to immediately suspend any member, player, team official, game official or any other person associated with the Society from participation or association with any on ice or off ice hockey activities of the Society for any conduct which the Board's discretion believes has been or may be injurious to a member, player or game official and likely will continue, or which has significantly hindered the Society in the pursuit of any of its purposes, provided however that such suspension shall be effective only until the next duly convened meeting of the Board; and
- e) shall , in conjunction with the Board of Directors, appoint a nominating committee as described in Article 4.8.

#### 5.2 The First Vice-President:

- a) shall be Chairman of the Discipline Committee;
- b) shall act as Risk Manager, or appoint and oversee another Director as Risk Manager, on behalf of the Society and as such:
- c) shall perform any criminal record checks or such other checks as the Board may determine;
- d) shall report and deal with any activity or concerns relating to or regarding insurance liability coverage;
- e) shall assist the President in the performance of the President's duties;
- f) shall carry out the duties of the President in his absence; and
- g) shall perform any other duties to be assigned by the President.

#### 5.3 The Second Vice-President:

- a) shall be Chairman of the Appeals Committee and the Gaming Committee to be established by the Board;
- b) shall attend at and represent the Society at all gaming meetings as required;
- c) shall review and monitor fundraising efforts of individual teams;
- d) shall, in the absence of the President and First Vice-President, assume their duties; and
- e) shall perform any other duties to be assigned by the President.

5.4 The Secretary:

- a) shall be responsible for giving notification of meetings of the Society and Board;
- b) shall prepare and retain custody of minutes or proceedings of the annual general meetings, extraordinary general meetings, Board meetings, and any other meetings of the Society;
- c) shall be responsible for all correspondence of the Society and any other related duties;
- d) shall file such reports, resolutions and other documents as may be required by the *Society Act*, and
- e) shall perform any other duties to be assigned by the President.

5.5 The Treasurer:

- a) shall be responsible for keeping the financial records, including books of account, necessary to comply with the *Society Act*;
- b) shall render financial statements to the Board, members and others as required;
- c) shall present an interim financial report representative of the accounts of the Society as at April 30<sup>th</sup> in each year;
- d) shall deposit all monies to the credit of the Society in a chartered bank, credit union or trust company; and
- e) shall perform any other duties to be assigned by the President.

5.6 The Divisional Directors:

- a) shall, in conjunction with the Coaching Coordinator, recommend coaches and team officials for all "C" teams;
- b) shall oversee all teams within their respective divisions and have general responsibility for the organization of teams, coordination and allocation of players among teams in their division;
- c) shall provide the Registrar with a complete roster of each team;
- d) shall ensure that each coach and/or manager of teams within their division are aware of the By-Laws, Rules and Regulations, Policies and Procedures of the Society and to ensure that such By-Laws, Rules and Regulations, Policies and Procedures are enforced;
- e) shall perform any other duties to be assigned by the President.

5.7 The Director-at-Large:

- a) the Director at Large shall work with/assist the other Divisional Directors as needed
- b) shall perform any other duties to be assigned by the President.

5.8 The Public Relations Director:

- a) shall develop and maintain key partnerships with community organizations that provide benefits to CMHA members including but not limited to soliciting team sponsors;
- b) shall organize fundraising programs and develop and maintain fundraising processes from the team level to the association level;
- c) shall act as a liaison with the local media;
- d) shall Chair the Sponsorship and Fundraising Committee;
- e) shall Chair the Media and Public Relations Committee;
- f) shall oversee the Website Coordinator and be responsible for the overall communication strategy of CMHA;
- g) shall participate in the coordination of special events;
- h) shall keep the trophy case up to date and display all Society trophies; and
- i) shall perform any other duties to be assigned by the President.

5.9 The Player and Coach Development Director

- a) Assemble and Chair the CMHA Player and Coach Development Committee.
- b) Create, organize, implement, evaluate and modify coaching programs within the Association.
- c) Create, implement, evaluate and modify a player development strategy for the Association.
- d) Create, organize, implement, evaluate and modify training programs for team officials.
- e) Perform any other duties assigned by the President.

5.10 The Female Director

- a) shall perform any other duties to be assigned by the President.
- b) shall, in conjunction with the Coaching Coordinator, recommend coaches and team officials for all Female teams;

- c) shall oversee all teams within their respective division(s) and have general responsibility for the organization of teams, coordination and allocation of players among teams;
- d) shall provide the Registrar with a complete roster of each team;
- f) shall ensure that each coach and/or manager of teams are aware of the By-Laws, Rules and Regulations, Policies and Procedures of the Society and to ensure that such By-Laws, Rules and Regulations, Policies and Procedures are enforced;

5.11 The Board will appoint a Registrar for the Society who may be a Director, member or an employee whose responsibilities will be as follows:

- a) shall be responsible for annual player registration;
- b) shall keep and maintain permanent records for all registered players of the Society;
- c) shall be responsible for registering all players, coaches and others with Hockey Canada Registry
- d) shall perform any other duties to be assigned by the President.

5.12 The Board will appoint a Coaching Coordinator for the Society who may be either a Director, a member or employee whose responsibilities will be as follows:

- a) shall recommend to the Board Committee the appointment of all team coaches and all team officials as recommended by the Selection Committee which he shall assemble and Chair;
- b) shall maintain an effective line of communication between the coaches and the Society;
- c) shall coordinate training programs for all coaches and team officials; and
- d) shall perform any other duties to be assigned by the President.

5.13 The Board will appoint an Ice Coordinator for the Society who may be either a Director or a member whose responsibilities will be as follows:

- a) shall act as liaison between the Society and the Chilliwack Parks and Recreation Department with respect to ice time procurement;
  - i. shall be responsible for scheduling and allocation of ice times for the Society; and
  - ii. shall perform any other duties to be assigned by the President.

- 5.14 The Board will appoint a Referee-in-Chief for the Society who may be either a Director or a member whose responsibilities will be as follows:
- a) shall maintain an effective line of communication between the referees and the Society;
  - b) shall coordinate training programs for all referees;
  - c) shall appoint assignors to assign referees for all games assigned by the Society;
  - d) shall ensure that a reasonable standard of officiating is maintained at all times;
  - e) shall ensure that all game officials are registered and are members in good standing with the BCH; and
  - f) shall perform any other duties to be assigned by the President.
- 5.15 The Board will appoint an Equipment Manager for the Society who may be either a Director or a member whose responsibilities will be as follows:
- a) shall be responsible for the purchase, maintenance and repair of all the Society's hockey equipment;
  - b) shall be responsible for the distribution and collection of all hockey equipment owned by the Society and shall keep an accurate record of the assignment of such equipment; and
  - c) shall perform any other duties to be assigned by the President.
- 5.16 The Board will appoint a Tournament Coordinator for the Society who may be either a Director or a member whose responsibilities will be as follows:
- a) shall act as liaison between the Society and the tournament committees;
  - b) shall ensure that each tournament committee is aware of the Tournament Policies and Procedures of the Society and to ensure that such Policies and Procedures are enforced;
  - c) shall ensure that each tournament is properly sanctioned under the rules of BCH or PCAHA as appropriate; and
  - d) shall perform any other duties to be assigned by the President.

## **PART 6 - Meetings**

- 6.1 The annual general meeting of the Society shall be held on or before June 30th in each year and shall be by written notice and publicly announced not less than 30 days prior to the date of the meeting.
- 6.2 General meetings of the Society shall be held at the time and place, in accordance with the Society Act, that the Board decides.

- 6.3 A quorum for all general meetings shall be a minimum of thirty (30) members, including the Board. Unless a quorum is present at a general meeting, no business other than the adjournment or termination of the meeting shall be conducted.
- 6.4 Every member in good standing present at a general meeting is entitled to one vote. Voting by proxy shall not be allowed. Voting shall be by a show of hands unless the membership requires a poll. Upon a show of hands, every member shall have one vote and, unless a poll is required, a declaration by the Chair that a resolution has been carried or not carried and an entry to that effect in the minutes of the Society shall be sufficient evidence of the facts without proof of the number or proportion of the votes accorded in favour of or against such resolution. If a poll is required, the resolution shall be decided by a majority of the votes of the members (with the exception of special resolutions which shall require 75% majority of the members in attendance) and such poll shall be taken in such manner as the Chair shall direct and the result of such poll shall be considered the decision of the Society in general meeting upon the matter in question. The Chair shall not have a vote, whether upon a show of hands or on a poll, except in the event of a tie, the Chair shall have a casting vote, being the only vote he/she is entitled to.
- 6.5 Board meetings shall be held as required, with a minimum of eight (8) per year. The Board may meet together at the places they think fit to dispatch business, adjourn and otherwise regulate their meetings and proceedings, as they see fit.

#### **PART 7 – Banking, Finances and Execution of Documents**

- 7.1 Accounts shall be kept in the name of the Society at a chartered bank, credit union or trust company selected by the Board.
- 7.2 All Society cheques shall be signed by two signing officers who shall be any two of the President, 1<sup>st</sup> Vice-President or Treasurer of the Society unless otherwise determined by the Board.
- 7.3 The financial year of the Society shall be from May 1<sup>st</sup> to April 30<sup>th</sup>.
- 7.4 The funds required by the Society shall be obtained by whatever means the Board shall see fit and shall be at their discretion.
- 7.5 The Board may purchase, lease or otherwise acquire for the purposes of the Society, any real or personal property, particularly equipment and supplies for the members of the Society and others and, so far as may be legal, from time to time, sell, demise, let, mortgage or dispose of the same.
- 7.6 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 the foregoing, by the issue of debentures.
- 7.7 No debenture shall be issued without the sanction of a special resolution.
- 7.8 The members may by special resolution restrict the borrowing powers of the Directors, but a restriction imposed expires at the next annual general meeting.

- 7.9 Execution of any documents on behalf of the Society will be valid, whether executed under seal or otherwise, if executed by the following:
- a) any two of the President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Secretary or Treasurer of the Society; or
  - b) any two Directors or Officers of the Society duly authorized by authority of a resolution of the Directors.

## **PART 8 - Auditor**

- 8.1 At each annual general meeting, the Society shall appoint an auditor to hold office until he is re-elected or his successor is elected at the next annual general meeting.
- 8.2 An auditor may be removed by ordinary resolution.
- 8.3 An auditor shall be promptly informed in writing of appointment or removal.
- 8.4 No Director of the Society shall be the auditor.
- 8.5 The auditor may attend general meetings.

Part 9 (Discipline Committee) and Part 10 (Appeals Committee) will work with the CMHA Board of the Directors to ensure the communication flows between the committees and the Board is transparent and without conflict. Each Committee is tasked to communicate its findings/results to the 1<sup>st</sup> and 2<sup>nd</sup> Vice Presidents who are representatives of the Board.

## **PART 9 - Discipline Committee**

### **Overview**

The Discipline Committee is a committee of functionaries empowered to examine alleged breaches of discipline within the organization and adjudicate on them. It assists in providing the CMHA Board of Directors in ensuring fairness, while also ensuring that the behavior of the membership/volunteers/staff is held accountable and that their deeds and actions respect the Code of Ethics set out under the mandate of the Chilliwack Minor Hockey Association (also governed under PCAHA, BCH, and HC). It will work to uphold these Bylaws/and the policies set out by the Society.

A disciplinary action set out and/or established by the committee is a reprimand or corrective action in response to serious penalties, rule violations and other actions deemed by the committee to have adversely affected the membership and/or the organization. Depending on the severity of the case, a disciplinary action can take different forms, including a verbal warning or a written warning.

The Discipline Committee and the Appeals Committee shall not consist of the same members.

- 9.1 The Discipline Committee shall consist of the 1<sup>st</sup> Vice-President of the Society who shall be the Chair, and at least two other committee members appointed by the President at the first Board meeting. One of the other two committee members shall not be Directors of the Board.

9.2 The duties of the Discipline Committee shall be:

- a) to review decisions of the Board made under Article 5.1 (d) and shall have the power to vary, on an interim or permanent basis, a suspension imposed by the Board for such length of time as the Discipline Committee thinks proper provided that the person who is the subject of the suspension shall be given an opportunity at the Discipline Committee meeting to show cause why the suspension should be varied;
- b) to review all major penalties (5 Min Majors, Gross and Match, 9.2 suspensions) assessed against players or team officials of the Society and to suspend and/or take disciplinary action that may be deemed necessary against such individuals; and
- c) to consider any other disciplinary matters as the committee, in its sole discretion considers necessary.

## **PART 10 - Appeals**

### **Overview**

The Appeals Committee is a committee of functionaries empowered to appeal sanctions/decisions imposed by other committees/administrators in the organization. It will assist in providing the CMHA Board of Directors with an efficient, adaptable and far-reaching appeal process, and will work to uphold these Bylaws/and the policies set out by the Society. The Appeals Committee would be the last step in the appeal process with the organization. It will strive to ensure fairness, and that their deeds and actions respect the Code of Ethics set out under the mandate of the Chilliwack Minor Hockey Association (also governed under PCAHA, BCH, and HC).

The goal of the Appeals Committee is to deal with appeals, guided by the principles of natural and procedural justice. Such principles include providing a reasonable opportunity to be heard to both the person(s) making the appeal and/or a decision being appealed, which includes decisions made by the Disciplinary Committee and the Board of Directors. The Appeals Committee must operate, based upon the familiar moral imperative of respect for human dignity and independence from other decision making bodies around it. It must clearly keep in sight the requirement of the mandate and work unbiasedly to hear the arguments of both parties affected. The opportunity should consist and be given to provide an explanation of the reasons for or against the decision, and also an opportunity for rebuttal. The Appeals Committee in turn, will provide fair and impartial judgement with reasoned and written grounds for its decisions, based on materials/information/facts that are presented.

The appeal begins when a complainant presents to the Secretary a written statement stating the grounds and rationale for the appeal. The Chair of the Committee will notify the CMHA Board of Directors of an active appeal. The CMHA Board of Directors and/or Discipline Committee will be requested to provide the Chair of the Appeal Committee with a written copy of the decision previously made on this particular situation. When the Chair has the written statements of both parties, the Committee will be convened to review the documents. Interviews may be required for further information. In conducting its' hearing(s), the Committee shall accommodate reasonable requests of those appearing before it. The complainant, the Board of Directors, nor the Disciplinary Committee shall be present when the Appeals Committee is making its' final decision.

## **Conflict of Interest**

The members of the Appeals Committee shall disclose actual, perceived or potential conflicts of interest to the Committee. The Appeals Committee should develop mechanisms to address and resolve any conflicts of interest. To maintain the independence of integrity of the appeals process, it is of the utmost importance that members of the Appeals Committee avoid real or apparent conflicts. To manage such conflicts, if they arise, the Committee members must withdraw from the committee when such projects are under consideration. Situations may arise causing conflict between the Appeals Committee and the Board of Directors, so it is important that all ethical questions are resolved. As the body mandated to maintain high ethical standards on behalf of the Society, as well as the membership's trust and integrity, it is important that the Committee maintain an arms-length relationship with the Society.

- 10.1 The Appeals Committee shall consist of the 2<sup>nd</sup> Vice-President of the Society who shall be the Chair, and two other Directors of the Society excluding the President, the 1<sup>st</sup> Vice President or other members of the Discipline Committee.
- 10.2 The duty of the Appeals Committee shall be to hear appeals from decisions made by the Discipline Committee and/or the Board of Directors as made under Article 9.
- 10.3 The Appeals Committee may re-admit any team, player, team official or referee or uphold or modify any decision made by the Discipline Committee under Article 9.
- 10.4 Any team, player, team official, Member or referee may appeal any decision of the Discipline Committee.
- 10.5 Any appeal to the Appeals Committee by the aggrieved party shall be in writing outlining all particulars pertaining to the case and shall be delivered to the Secretary of the Society within seven (7) days of being notified of the decision of the Discipline Committee.
- 10.6 Any appeal under Article 10.5 herein shall be dealt with by the Appeals Committee within fourteen (14) days of receiving the written appeal.
- 10.7 Any team, player, team official, Member or referee may appeal the decision of the Appeals Committee to the Board of Directors.
- 10.8 Any appeal to the Board by the aggrieved party shall be in writing outlining all particulars pertaining to the case and shall be delivered to the Secretary of the Society within seven (7) days of being notified of the decision of the Appeals Committee.
- 10.9 Any appeal under Article 10.8 herein shall be heard at the next duly convened Board meeting.

## **PART 11 - General**

- 11.1 The Society shall maintain affiliation with the HC, BCH and PCAHA as the Board deems it expedient or appropriate, and shall observe all laws, rules and regulations by which such associations are governed and where possible shall have representation at their Annual General Meetings.
- 11.2 These By-Laws shall not be altered or added to except by special resolution.

- 11.3 A Member in good standing shall be entitled to propose a special resolution for consideration at a general meeting provided that the proposed special resolution has the approval of at least 15 Members in good standing (as indicated by their signatures on the proposed special resolution) and provided further that the proposed special resolution must be received by the Secretary of the Society at least four weeks prior to the general meeting in which the proposed special resolution is to be voted upon.
- 11.4 A notice may be given to a Member by personal delivery or by mailing to the address shown on the player application form and if mailed shall be deemed to have been received on the second day following the day of mailing.
- 11.5 The Board shall have the right to establish such rules and policies from time to time it deems appropriate and are not inconsistent with this Constitution and By-Laws.
- 11.6 The Board may establish, amend or terminate a separate reserve funds for the Society at the Boards sole discretion, unless such reserve fund is established by special resolution of the Members of the Society, in which case the reserve fund so established may only be amended or terminated by special resolution.
- 11.7 Any rules and regulations not covered by this Constitution and By-Laws shall be governed by Roberts Rules of Order.
- 11.8 The Society shall be carried on without purpose of gain for its members and any profits or other accretions to the Society shall be used for promoting its purposes. No Director of the Society shall be paid any remuneration for services rendered to the Society, but may be reimbursed for reasonable expenses incurred in acting as a Director  
(THIS CLAUSE WAS PREVIOUSLY UNALTERABLE)
- 11.9 Upon winding-up or dissolution of the Society, the assets remaining after the payment of all costs, charges and expenses properly incurred in the winding-up, including the remuneration of a liquidator and after payment to the employees of the Society of any arrears of salaries or wages and after the payment of any other debts of the Society, shall be distributed to a charitable organization (or organizations) in Canada, registered under the provisions of the *Income Tax Act*, which shall be designated by the Board of Directors.  
(THIS CLAUSE WAS PREVIOUSLY UNALTERABLE)
- 12.0 Clauses 11.8 and 11.9 of this Constitution, including this clause, are unalterable.  
(THIS CLAUSE WAS PREVIOUSLY UNALTERABLE)