



WINCHESTER SKATING CLUB INC
CONSTITUTION
ASSOCIATION BY-LAWS

WINCHESTER SKATING CLUB INC
The Corporation is a private company and is non-profit, non-share capital,
non-charitable entity.
Incorporated under the laws of the Province of Ontario
By Letters patent dated November 15, 2002
Pursuant to the Corporations Act, R.S.O. 1990 C- 38

CONSTITUTION OF THE

Winchester Skating Club Inc

1000752

Name of Club

Club Number

November 15, 2002

May 18, 2017

Date of Incorporation

Date of Revision to Constitution

ARTICLE 1: NAME OF CLUB

- a) The Name of the Club shall be the **WINCHESTER SKATING CLUB Inc** hereinafter called the Club.
- b) Seal: The seal, an impression whereof is stamped in the margin hereof, shall be the Corporate Seal of the Corporation.

ARTICLE 2: SKATE CANADA AND SKATE ONTARIO

- a) A not-for-profit skating club, that is a member of Skate Canada and is managed by a volunteer board of directors for the general purpose of providing Skate Canada figure skating or skating programs for Skate Canada members
- b) The Club shall pay such fees and such other charges as shall be required of clubs from time to time by Skate Canada and Skate Ontario. The club will submit the section levy fee annually.
- c) The Club shall abide by all Skate Canada By-laws, rules and regulations as per Skate Canada By-law 1201 (1) (c) (iv).
- d) The Club is located in the Skate Ontario Section of Skate Canada.

ARTICLE 3: PURPOSE OF THE CLUB

- a) The purpose of the Club shall be to encourage the instruction, practice, enjoyment and advancement of its members in all aspects of skating in accordance with the Rules, Policies and Procedures of Skate Canada and Skate Ontario.
- b) The Club, with regard to any aspect of its operation is to be managed and operated by eligible persons who are duly registered as Associate Members of Skate Canada
- c) The Club shall protect the eligibility status of its members. The Club shall not take or omit any action that would knowingly jeopardize the eligible status of its members.

- d) The Club shall operate only Skate Canada figure skating and skating programs.
- e) Only Skate Canada Professional Coaches are permitted to teach figure skating and skating in the Club.

ARTICLE 4: BY-LAWS OF THE CLUB

- a) The By-laws, appended to this Constitution, shall describe the organization and functions of the Club, and the means by which members of the Club may elect the Club Board of Directors and control the property and activities of the Club.
- b) The By-laws, Rules and Regulations of Skate Canada and those of the Section in which the Club operates shall take precedence over any Club By-laws
- c) Any Club By-law contrary to the By-laws, Rules and Regulations of Skate Canada and those of the Section shall be invalid. It is acknowledged that any provincial statute governing a club has precedence over any inconsistent Skate Canada by-law relating to that club.

BY-LAWS OF THE WINCHESTER SKATING CLUB

MEMBERSHIP

By-law 1: Club Membership

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

By-law 2: Skate Canada and Club By-laws, Rules and Regulations

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

By-law 3: Membership Fees

Members of the Club shall be registered with Skate Canada and pay such registration and other fees to Skate Canada as set from time to time by Skate Canada.

By-law 4: Member in Good Standing

For a member of the Club to be considered in good standing with the Club, that member must pay Club fees as are stipulated by the Club Board of Directors in advance of the membership year in question. Members will not be permitted to take part in any Club activities if these fees are not paid within 30 days of the date set for payment. Members in arrears shall be considered as having terminated their club membership.

By-law 5: Setting of Club Fees, Rules and Skating Hours

Fees, skating rules and skating hours of the Club shall be as the Board of Directors decides from time to time. Club membership shall commence on the first day of the Skate

Canada membership year, September, 1 or the date that fees are paid (whichever is the latter) and terminate on the last day of the Skate Canada membership year, August 31.

By-law 6: Suspension and Expulsion from the Club

The Board of Directors may suspend or expel a member of the club for acting contrary to the By-laws, Rules and Regulations of Skate Canada or of the Club. The Club Board shall develop a suspension and expulsion policy in accordance with the Skate Canada Complaint, Suspension and Expulsion Policy and Procedure that contains a provision for suspending or expelling of any member of the Club from such membership on terms and conditions that are deemed appropriate and necessary by the Club Board of Directors. For the purpose of these By-laws and for the Official Rules of the club, Skate Canada Section 1204 will apply.

By-law 7: Classes of Club Membership

The classes of membership, eligibility and privileges shall be as follows:

- **Individual membership:** Non-skating members who have paid the fees as set by the club and are Associate Members of Skate Canada. Individual members of legal age of 18 shall be entitled to one vote at each Annual General Meeting and Special Meeting of the Club.
- **Active Membership:** All eligible skaters who participate in a Club Skating Program and who have paid the fees as set by the club and are Associate Members of Skate Canada. All Active Members of the legal age of 18 shall be entitled to one vote at each Annual General Meeting and Special Meeting of the Club. (Underage Active Members have no vote but may be represented by Special Members)
- **Special Membership:** Parent or guardian of legally underage Active Members who have paid the fees as set by the Club and are Associate Members of Skate Canada.
- **Partial Membership:** All eligible skaters who are Associate Members or Restricted Members of Skate Canada through another HOME club and have paid a reduced fee as set by the Club. NOTE: The conditions granted under partial memberships may be guest skater and has, no lessons, no vote, and may not hold office.
- **Honorary Membership:** The Annual Meeting of members may elect any person an Honorary Member of the club. An Honorary Member shall be exempt from club dues (but not Skate Canada dues) and shall not vote at meetings of the club unless otherwise qualified. They may have a voice at the meetings of the club.

LIABILITY**By-law 8: Liability**

The Club shall not be responsible for any damages, injury, or loss of property to any member, guest or visitor to the Club regardless of the reason or nature of such damage, loss or injury. Every member, guest or visitor shall use the Club facilities at his or her own risk. The Club shall participate in the Skate Canada Club Liability and Member Accident Insurance programs

CLUB MANAGEMENT**By-law 9: Members of Board of Directors, Committees and Club Delegate to Skate Canada**

The members of the Board of Directors, members and Chairs of committees, and the Club Delegate to Skate Canada must be members in good standing of the Club, be registered as Associate Members of Skate Canada, be of legal age, and be eligible persons (with the exception of the Coaching Representative) as defined by Skate Canada Rules. Board's Executive positions can only be filled by one member of each family (spouses, common-law, same sex partners).

By-law 10: General Management of the Club

The general management of the club shall be vested in a Board of Directors consisting of: immediate Past President, President, Vice-president, Secretary, Treasurer, 8 Directors at large and a Coaching Representative. All of the above, with the exception of the Past President and the Coaching Representative shall be elected for a term of 2 years at the Annual General Meeting. The President and Vice-President and 4 Directors at large shall be elected in even numbered years and the Secretary, Treasurer and the remaining 4 Directors at large shall be elected in odd numbered years. All directors are eligible for re-election. The Coaching Representative shall be elected annually by and from within the coaches of the club. The Past President shall be ex-officio and shall hold office until a new President has been duly elected.

The coaching representative shall be elected as per Skate Canada by-laws.

By-law 11: Holding of Board of Directors Office

The Board of Directors shall hold office until the close of the meeting at which their successors have been duly elected. Any member of the Board of Directors may be removed by the members by a 2/3 majority vote at a Special General Meeting duly called for that purpose.

By-law 12: Voting at Board of Directors Meetings

A quorum of the Board of Directors shall consist of 50% plus 1 members of the Board of Directors, including the Chair. NOTE: Questions arising at any meeting of the Board of Directors shall be decided by a majority of votes. The meeting chair may vote only when the vote would change the result. Therefore the chair may vote to break a tie, and thus pass the motion, or to create a tie, and thus defeat a motion. A majority of the Board of Directors shall form a quorum.

By-law 13: Board of Directors Vacancies

Casual vacancies occurring between any Annual General Meeting of the Club may be filled, until the next annual General Meeting by a majority vote of the remaining members of the Board of Directors or in the case of the Coaching Representative, by the coaching staff.

By-law 14: Board of Directors Member Absenteeism

If a Board of Directors Member is absent for more than three consecutive scheduled Board of Directors meetings, without good cause and/or without prior notification to the President or Secretary, then that office may be declared vacant by a majority vote of the Board of Directors.

By-law 15: Role of President

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

By-law 16: Role of Treasurer

The Treasurer shall be responsible for the safe control of all club funds, for preparing and submitting to the Board of Directors on a regular basis an annual budget and keeping such records as are required for financial review. The Treasurer is also responsible for arranging for an unaudited annual financial statement. Any two of the President, the Vice-president and the Treasurer shall sign all cheques and legal documents. Note: It is recommended that the Treasurer be one of the signatories.

By-law 17: Role of Secretary

The Secretary shall deal with all correspondence subject to the approval of the President or his/her delegate, shall issue all notices for Board of Directors and general meetings, shall take minutes at all meetings, and shall be responsible for submitting to Skate Canada and the Section such reports as are required by Skate Canada rules and other regulations.

By-law 18: Committees – President as ex-officio member

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

By-law 19: Committees - Appointment

The President shall appoint standing committee Chairs whom shall look after duties assigned to them. All Committee Chairs must submit the names of their committee members to the President for approval.

By-law 20: Committees: Eligibility to Serve

All Club Board of Directors and members of Committees shall be eligible persons and shall be of legal age (18 years). They must be members in good standing of the club and be Associate Members of the Association.

By-law 21: Rules of Order

Rules of order for all meetings, General and Board of Directors, shall be as outlined in Roberts Rules of Order in all cases in which they are applicable and consistent with the by-laws or special rules of the Association. ***Meetings of the executive shall be open to any associate member 16 years of age or over provided that they shall not be entitled to speak at such meetings and provided further that the Chair of the board may at any time close the meeting to those who are not elected board members.***

By-law 22: Club Delegate

The Board of Directors shall appoint the club delegate to Skate Canada and/or the Section annually. The delegate need not be a member of the Board of Directors. The Section and/or Skate Canada National Office shall be advised of the appointed delegate's name.

ANNUAL GENERAL AND SPECIAL MEETINGS**By-law 23: Timing, Quorum, Special Meeting Request**

An Annual General Meeting shall be held within 30 to 60 days of the close of the March 31st fiscal year. Other general meetings may be held from time to time upon the request of the Board of Directors or a special meeting upon written request of 10 % of Club Members, for special meetings the Club President expressing the object of the meeting must receive a written requisition. The only item to be discussed at a special meeting of the members will be those specified on the requisition. A quorum for an Annual General Meeting or Special Meeting shall be 10 % of the eligible-voting members.

By-law 24: Written Notice

Written notice of all Annual General Meeting and Special Meetings shall be provided 15 days in advance to each eligible voting member. The notice shall include the time and place of the meeting, the agenda, full details of any proposed amendments to these By-laws, and a complete list of the candidates nominated for elections.

By-law 25: Voting on Club Elections

Voting on Club elections shall be by secret ballot and a simple majority shall elect a candidate. Voting on other matters may be by a show of hands.

By-law 26: Eligibility to Vote

Voting for club elections or on any matters pertaining to skating shall be restricted to eligible club members who are registered as Associate Members of Skate Canada and are 18 years of age, to the club Coaching representative(s) and to Special Members of the club voting on behalf of their underage children (who are members of the club and registered as an Associate Member of Skate Canada).

Special Members shall be restricted to one vote per family regardless of how many children are in the family.

By-law 27: Order of Business

The order of business at an Annual General Meeting of the Club shall be as follows:

- Reading of the Notice of Meeting
- Quorum
- Approval of Agenda
- Minutes of the preceding General/Special meeting
- Confirmation of the actions taken by the Board of Directors
- Secretary's Report
- Treasurer's Report (Annual Financial Statement)
- Other Reports
- Election of Board of Directors
- Amendments to the Constitution and By-laws
- Appointment of Auditors (as applicable)
- New Business

AMENDMENTS**By-law 28: Right to Submit, Process for Submitting**

Any member of the Club, in good standing, may propose an amendment to the Constitution or by-laws of the club. This proposal must be submitted in writing to the Club Board of Directors. The proposed amendment will be presented to the Annual General Meeting or Special Meetings. All amendments must be submitted at least 21 days before the respective meeting. No amendment to the Constitution or By-laws of the Club shall be accepted from the floor at any meeting.

By-law 29: Interim Amendments

By-laws may be enacted or amended by a majority vote (50% plus 1) of the Board of Directors whenever required. Such by-laws or amendments must be presented at the next General Meeting for ratification by the members. If they fail to be ratified, they will cease to be effective and may not be re-enacted by the Board of Directors for one calendar year.

By-law 30: Voting of Amendments

Any amendment, to be accepted or ratified, must pass by a vote of 2/3 of those eligible to vote and present at an Annual General Meeting of the Club.

By-law 31: Effective Force of Amendments to By-laws

All amendments to the by-laws upon receiving approval of any general or special meeting of members and upon approval of the provincial government (if applicable) shall come into force immediately or on a date specified for same. All such amendments shall be submitted to Skate Canada. Skate Canada reserves the right of refusal of any amendment. Such refusal shall only be made if the intent of such amendment is to violate, in principle or spirit, any Skate Canada rule and/or by-law.

FUNDS**By-law 32:**

The clubs fiscal year will be May 1 to April 30 of the given year.

By-law 33:

The Treasurer shall deposit all funds of the Club in such banks or other institutions as may be designated by the Board of Directors

By-law 34:

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

By-law 35: Annual Financial Statement

A person designated by the Board of Directors shall make a review of the financial transactions of the Club each year and the financial statements shall be made available to the membership of the Club.

By-law 36: Dissolution

In the event that the club ceases to exist, the net assets from liquidation shall go to **a not for profit charitable organization as designated by the past executive.**

COMMITTEES

Committees listed below are the most likely 'standing' Committees that a club will require. The Club Board of Directors shall approve terms of reference for each committee. The Club Chair may replace a committee. Committees should consist of 3 to 5 people.

By-law 37: Finance Committee/Chair

This committee shall be responsible for preparing the Club's annual budget and supervising the finances of the club including the presentation of an independently reviewed annual statement of revenues and expenditures to its members.

By-law 38: Nominating Committee

This committee is responsible for selecting at least a full slate of candidates for election to the Club Board of Directors and shall present such a slate to the Board of Directors no later than 21 days before an Annual Meeting in the year, which an election is to be held. The nominating committee shall consist of a minimum of two members, one from the Board of Directors and one from the membership. Other nominations may be made by any member in good standing by a written submission to the nominating committee at least 3 days before the Annual Meeting. Each nominee must indicate acceptance in writing prior to the commencement of elections. Nominations from the floor at the Annual Meeting will not be accepted.

By-law 39: Membership Committee/Chair

This committee is responsible for promoting and developing membership in the club and for ensuring submission of club and member registrations to Skate Canada.

By-law 40: Canskate Coordinator

In consultation with the club coaching staff the committee shall coordinate and oversee implementation and delivery of the Canskate program. Assist the coaches with the documentation of skater progression, monitor badge and sticker inventory, provide handouts to parents and be the club liaison to the Board of directors for the program.

By-law 41: Carnival/Ice/Show Committee/Chair

Is responsible for overseeing, planning and production of Carnival or Ice Show. Club coaches may be appointed to produce the show but shall not assume the position of manager or chairperson of the committee.

By-law 42: Test/Competition Chair

Is responsible for arranging and supervising all tests (in consultation with the section office if necessary and the appointed referee), and obtaining judges and accountant for Skate Canada tests and/or interclub competitions, keeping club records of tests, preparing test records for forwarding to Skate Canada. The Club Test Chair is not responsible to provide information to skaters in regards to their readiness to test or location of test days. These responsibilities are the duty of the skater's coach.

By-law 43: Fundraising Chair

Is responsible to coordinate, manage and investigate any fundraising ventures as directed by the Board of Directors. All monies raised through fundraising become the property of the club and shall be submitted as such.

By-law 44: Other (may include but is not limited to)

- Music Committee/Chair
- Invitational Committee/Chair
- Hospitality
- Badges and Trophies
- Registration Fee/Membership Chair

Adopted by:

WINCHESTER SKATING CLUB Inc.

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

Signed

(President) _____

(Date)

Signed

(Club Board Member) _____

(Date)

LIABILITY WAIVER AND RELEASE

Re: _____ :

It is understood and agreed, as a condition of participation in skating programs offered by the **WINCHESTER SKATING CLUB Inc** and Skate Canada, that neither the Club nor Skate Canada shall be liable for any injury, loss or damage suffered by the above-noted member while travelling to or from or while participating in skating practices, competitions or other activities, however caused.

It is further agreed that neither the Club nor Skate Canada is responsible for any injury, loss or damage caused by the member while travelling to or from or while participating in the said practices, competitions or other activities.

The member, or his/her parent/legal guardian who has signed this form, shall indemnify the Club and Skate Canada and hold them harmless from any claims, demands or actions arising from or in respect of such injury, loss or damage.

Athlete or Parent/Legal Guardian Signature

Date