

**SOCIETY ACT  
NANAIMO MINOR HOCKEY ASSOCIATION**

**CONSTITUTION**

1. The name of the Society is the “Nanaimo Minor Hockey Association”, hereinafter referred to as the Association.
2. The purposes of the Society are:
  - a) To foster, improve and encourage amateur hockey, sportsmanship and good citizenship in Nanaimo and District in the Province of British Columbia;
  - 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, the British Columbia Amateur Hockey Association, the North Vancouver Island Minor Hockey Association, and the Nanaimo Minor Hockey Association;
  - e) To assist with the formation of leagues and to organize league competition.
3. As an unalterable provision of this Constitution, this Society shall be affiliated with the Canadian Hockey Association and the British Columbia Amateur Hockey Association and shall operate in a manner consistent with both of the aforementioned Associations’ Constitutions, Bylaws, Regulations, and Rules.
4. This Society shall be affiliated with the North Vancouver Island Minor Hockey Association and shall operate in a manner consistent with the aforementioned Associations’ Constitutions, Bylaws, Regulations, and Rules.
5. 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 community of Nanaimo, 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.

## **SOCIETY ACT NANAIMO MINOR HOCKEY ASSOCIATION**

## **BYLAWS**

### **PART I. INTERPRETATION**

1. (1) In these bylaws, unless the context otherwise requires:
  - a) “board” means the board of directors of the society;
  - b) “director” means a person elected or appointed to serve on the board of directors pursuant to these bylaws;
  - c) “Society Act” means the Society Act of the Province of British Columbia from time to time in force and all amendments to it;
  - d) CHA means Canadian Hockey Association; BCAHA means British Columbia Amateur Hockey Association; and NMHA means Nanaimo Minor Hockey Association;
  - e) The terms “the Society”, “the Association” and “the NMHA” are equivalent;
  - f) “registered address” of a Member means the Member’s address as recorded in the register of Members.
  - g) “special resolution” means

- i) a resolution passed in a general meeting by a majority of not less than 75% of the votes of those Members of the Association who, being entitled to do so, vote in person
    - a) of which the notice that the bylaws provide, and not being less than 14 day's notice, specifying the intention to propose the resolution as a special resolution has been given, or
    - b) 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.
  - ii) a resolution consented to in writing by every Member of the Association who would have been entitled to vote on it in person, and a resolution so consented to be deemed to be a special resolution passed at a general meeting of the Association.
  - h) "ordinary resolution" means
    - i) a resolution passed in a general meeting by the Members of the Association by a simple majority of the votes cast in person,
    - ii) a resolution that has been submitted to the Members of the Association and consented to in writing by 75% of the Members who would have been entitled to vote on it in person, and a resolution so consented to is deemed to be an ordinary resolution passed at a general meeting of the Association.
1. (2) 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.

## **PART II - MEMBERSHIP**

1. Subject to the provisions of the bylaws the following shall be Members of the Association:
  - a) Parents or legal guardians of any registered player;
  - b) any person or corporation actively involved in the general work of the Association;
2. Every Member shall uphold the constitution and comply with the Bylaws, Rules, Regulations, Policies and Procedures of the Association.
3. Subject to the provisions of the bylaws, a corporation admitted to membership in the Association may be represented by some person authorized on behalf of the corporation. Terms of membership shall be consistent with those of an Honorary Member, with the exception that the corporate representative shall not be entitled to hold office.
4. There shall be two other (2) classes of membership in the Association, namely, Honorary Membership, and Ordinary Membership. Honorary Memberships shall be given to all coaches, assistant coaches, managers, commissioners, referees directors, during the season in which they serve in that capacity; and to any other person who, at the discretion of the Board of Directors, has made an outstanding contribution to the welfare of the Association.
  - a) Honorary Members shall not participate in any distribution of the property of the Association upon dissolution of the Association and they shall not be required to pay membership fees or dues or subscriptions.
  - b) Honorary Members shall be entitled to all other privileges of membership.
  - c) All Members aged 19 years and older shall be entitled to vote at all general meetings of the Members of the Association.
  - d) Ordinary Members shall pay annual membership dues in accordance with the provisions of the bylaws of the Association in force at that time.
5. Memberships shall expire on 15th day of June following the date of admittance. Thereafter, memberships will expire on the 15th day of June of each year.
6. The annual fee for membership in the Association shall be as determined by Ordinary Resolution at the Annual General Meeting of the Association and shall not be less than \$2.00.

7. All Members shall be entitled to receive from the Association, without charge, a copy of the Constitution and Bylaws of the Association.
8. A person shall cease to be a Member of the Association:
  - a) by delivering his resignation in writing to the Board of Directors of the Association, or
  - b) on his death, or
  - c) on being expelled, or
  - d) in the case of an Ordinary Member, by failure to pay the annual membership fee, or
  - e) upon expiry of his term of membership.
9. The Board of Directors shall have the right, with notice to suspend for a period of 30 days or less any Member of the Nanaimo Minor Hockey Association for conduct deemed 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, or any Regulations, Policies, Procedures or decisions made by the Board of Directors of the Association.
10. 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.
11. 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.

### **PART III. PLAYER REGISTRATION**

1. a) To be eligible for program registration, the parent or legal guardian of the candidate player must reside within the boundaries of the Association, namely from the Nanoose Bridge in the north, to Takula Road in the south subject always to the residential qualifications of the CHA regulations.
- b) Whereas, in circumstances that a neighboring association does not card a team at a competitive level and, whereas, in accordance with BCAHA regulations, any player from an Association that does not card at a particular level, is eligible to try out for a competitive team at his or her level in the next nearest association, NMHA may accept only those players provided that:
  - i) they are approved by the Board of Directors;
  - ii) the full registration fee is paid in advance;
  - iii) a competitive team try-out fee is paid in advance;
  - iv) a release signed by the President of the home association requesting permission to try out accompanies the above-noted fees;
  - v) the candidate players understand that should they not be signed to an NMHA team, they must return to their home association. Any refunds will be prorated on the basis of costs to NMHA;
2. Only children of Ordinary Members shall be permitted to register.
3. Each player registered with the Association shall be assessed an annual registration fee set, by the Board of Directors, prior to the current season's registration period. This fee will include any assessments by the BCAHA for membership and /or Mutual Aid registration. At the discretion of the Board of Directors, an additional fee may be set in lieu of participation in fund-raising activities,
4. The Board of Directors shall have the discretionary power to waive player registration fees in exceptional circumstances.

## **PART IV. MEETINGS OF MEMBERS**

1. General meetings of the Association shall be held at such time and place, in accordance with the Society Act, as the Directors decide.
2. Every general meeting, other than an Annual General Meeting, is an extraordinary general meeting.
3. The Directors may, when they think fit, convene an extraordinary general meeting.
4. The Annual General Meeting of the Association shall be held on or before the last day of May in each year.
5. Notice of all general meetings shall be in writing, to all Members entitled to receive notice of a general meeting, no less than fourteen (14) days prior to the date of the meeting. Such notice shall specify the place, day and hour of the meeting, and, in the case of special business, the general nature of that business. The Members entitled to receive such notice may waive or reduce the period of notice for a particular general meeting by unanimous consent of the Members, in writing.
6. The accidental omission to give notice of any annual or extraordinary general meeting to, or the non-receipt of a notice by, any of the Members entitled to receive notice does not invalidate proceedings at that general meeting.
7. At any annual or extraordinary general meeting, a quorum shall consist of not less than twenty (20) eligible Members present and representing in person not less than 1% of the total number of Members in the Association.

## **PART V. VOTING**

1. At the Annual General Meeting and all other general meetings of the Association, every Member who is present at the meeting shall be entitled to one vote. Proxy votes shall not be permitted.
2. The President shall be entitled to cast a vote only in the event of a tie.
3. At all meetings of the Association, voting shall be by a show of voting cards unless the meeting decides on a ballot.

## **PART VI. DIRECTORS AND OFFICERS**

1. Subject to the provisions of the Society Act and the Constitution and Bylaws of this Association, the Directors shall be responsible for managing the affairs of the Association, and may exercise any and all of the powers of the Association.
2. The Directors of the Association shall consist of the following:
  - a) the President
  - b) the Immediate Past-President
  - c) Seven (7) Managing Directors, each representing one of the following divisions: Competitive, Female, Midget/Juvenile, Bantam, PeeWee, Atom, and Initiation.
  - d) the Secretary-Treasurer
  - e) the Development Coordinator
  - f) the Ways and Means Director
  - g) the Registrar
  - h) the Equipment Manager (non-voting)
  - i) the Ice Coordinator
  - j) the Referee-in-Chief (non-voting)
  - k) the Tournament and Special Events Director (non-voting)
  - l) the Risk Manager
3. The elected Directors of the Association shall be:
  - a) the President
  - b) the Managing Directors (7)
  - c) the Development Coordinator
  - d) the Secretary-Treasurer
  - e) the Risk Manager
4. The Officers of the Association shall be:
  - a) the President
  - b) the 1st Vice-President
  - c) the 2nd Vice-President
  - d) the Immediate Past President

- e) the Secretary-Treasurer
  - f) the Risk Manager
5. The terms of office for all Directors, elected or appointed, shall expire immediately at the end of the Annual General Meeting, just prior to the holding of elections. Successors to all elected positions shall then be elected at the Annual General Meeting.
  6. Separate elections shall be held for each office to be filled. An election may be made by acclamation; otherwise it shall be by secret ballot.
  7. Nominations for vacant offices will be accepted from the floor at the Annual General Meeting in addition to the slate of candidates, if any, submitted by the Nominating Committee.
  8. The President shall call a special meeting of the newly elected Directors within twenty (20) calendar days from the date of the annual general meeting to appoint Directors to the positions of Ways and Means Director, Registrar, and Ice Coordinator. These positions shall have one vote each. Appointments shall also be made to the following non-voting positions: Equipment Manager, Referee-in-Chief, and Tournament and Special Events Director.
  9. At the first regular meeting of the Board, the voting Members will elect one Director to serve as the 1st Vice-President, and a second Director to serve as the 2nd Vice-President.
  10. The holder of an office may run again for subsequent terms of office.
  11. A Director shall cease to hold office if:
    - a) the Director ceases to be a Member of the Association;
    - b) the Director resigns in writing to the Board of Directors;
    - c) the Director, without reasonable cause, absents himself from two or more consecutive meetings of the Board;
    - d) the Director is suspended as a Member of the Association, for the term of that suspension;
    - e) the Director is expelled from the Association.
  12. a) The Board of Directors may, at any time and from time to time, appoint a person as a Director to fill a vacancy in an elected position.
    - b) The person so appointed holds office only until the conclusion of the next following Annual General Meeting of the Association, but is eligible for re-election at the meeting.
  13. a) Where a holder of an appointed office ceases for any reason to hold office, the Board of Directors shall appoint a person to take the place of the holder of that office.
    - b) No act or proceeding is invalid only by reason of there being less than the prescribed number of Officers or Members of the Board of Directors in office.

14. The Members of the Association may, by special resolution, remove a Director from office prior to the expiration date of his or her term of office, and may also elect a successor to complete the term of office.
15. No Director shall be remunerated for being or acting as a Director, but a Director shall be reimbursed for all expenses necessarily and reasonably incurred by him while engaged in the affairs of the Association.

## **PART VII. PROCEEDINGS OF DIRECTORS**

1. Meetings of the Directors shall normally be at the call of the President.
2. At the request of any three voting Directors (elected or appointed), the Secretary-Treasurer shall call a meeting. No subject shall be discussed or considered at any such meeting except that specified in the meeting notice.
3. A quorum consisting of 50% plus one (1) of the voting Directors must be present at all meetings of the Board of Directors.
4. Deeds, transfers, licenses, contracts and engagements on behalf of the Association shall be signed by either the President or 1st Vice-President and by the Secretary-Treasurer; and the Secretary-Treasurer shall affix the Seal of the Association to such instrument as require the same. Contracts in the ordinary course of the Association's operations may be entered into on behalf of the Association by the President, 1st Vice President, Secretary-Treasurer, or other person authorized by the Board of Directors.
5. The Board of Directors shall see that all necessary books and records of the Association required by the Bylaws of the Association or by any applicable statute or law are regularly and properly kept.
6. The Board of Directors, on behalf of the Association, may subscribe to become a Member of and cooperate with any other society or association whether incorporated or not whose objects are in whole or in part similar.
7. Subject to the Society Act, every Director of the Association shall be deemed to have assumed office on the express understanding and agreement and condition that every Director and his heirs, executors, and administrators, and estate, and effects, respectively shall from time to time and at all times be indemnified and saved harmless out of the funds of the Association which such Director sustains or incurs in or about any action, suit or proceedings which is deed, matter or thing whatsoever made, done or permitted by him or any other Director in or about the execution of the duties of his; expenses which he sustains or incurs in or about or in relation to the affairs thereof except such costs, charges or expenses as are occasioned by his own willful neglect or default.

## **PART VIII. DUTIES OF OFFICERS**

1. All Directors of the Association must:
  - a) act honestly and in good faith and in the best interests of the Society,
  - b) exercise the care, diligence and skill of a reasonably prudent person, in exercising the powers and performing the functions as a Director, and
  - c) when representing the Association on any Board, Association or Committee, convey and vote in accordance with any stated position of the Board of Directors of the Association.
  
2. The President shall:
  - a) preside at all meetings of the Association and of the Directors, and perform the duties usual to the office of the President;
  - b) appoint a nominating committee before each annual meeting;
  - c) have the power to suspend any team, player, team official, or referee for unbecoming behavior on or off the ice, abusive language to any of the officials, or for failure to comply with the NMHA Constitution, Bylaws, or any Rules, Regulations, Policies, or Procedures established by the Board of Directors pending review of the incident by the Discipline Committee.
  - d) have the duty to inform any player, coach, manager, official of a team, or any official of the society, of a suspension in violation of the rules and regulations of this society or those of BCAHA or CHA, on or off the ice, or for any abusive language to any of the officials or any alleged infraction of the amateur definition. Such suspension to be effective until dealt with by the Board of Directors;
  - e) 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, a Rules Committee, a Ways and Means Committee, an Ice Coordinating Committee, and a Nominating Committee.
  - f) attend all meetings of affiliate organizations including, but not limited to, the North Island Minor Hockey Association, BCAHA, CHA, and the Vancouver Island Competitive League, and deliver to the Board of Directors copies of the minutes of any such meetings.

2. The 1st Vice-President shall, in the absence of the President, have all the power and perform all the duties of the President.
3. The 2nd Vice-President shall, in the absence of the President and 1st Vice-President, have all the power and perform all the duties of the President.
4. The Immediate Past-President shall carry out such duties as assigned by the Board of Directors.
5. The Managing Directors shall supervise the coaches, assistant coaches, managers, and business of the Division they represent (Competitive, Female, Midget/Juvenile, Bantam, PeeWee, Atom, and Initiation).
6. The Secretary-Treasurer shall:
  - a) keep the financial records, including all books of account, necessary to comply with the Society Act;
  - b) render monthly financial statements to the Directors, Members, and others when required;
  - c) shall oversee, coordinate and direct BINGO fund raising activities;
  - d) shall submit to the Board of Directors, by the first regularly scheduled board meeting in March, a draft budget for the upcoming fiscal year.
  - e) have custody of the records and documents of the Society;
  - f) have custody of the common seal of the Society;
7. The Development Coordinator shall:
  - a) plan and implement player and/or volunteer development programs each season;
  - b) present next year's program budget to the executive by February 15th of each year;
  - c) appoint and supervise a Head Coach;
  - d) schedule clinics as required for coach or other volunteer training;
  - e) schedule clinics as required for player training;
8. The Registrar shall:
  - a) be responsible for arranging registration of Members;
  - b) be responsible for arranging registration of players;
  - c) keep a current list of all Association Members and registered players;
  - d) be responsible for mutual aid;
  - e) register teams and request CHA cards from the BCAHA;
  - f) keep current records of all volunteers;
  - g) keep current records of whether or not each season's volunteer criminal record checks have been completed and received by the Development Coordinator.

9. The Ways and Means Director shall:

- a) organize and/or coordinate all general fund raising activities conducted in the name of the Association (including all fund raising activities regulated by the BC Gaming Commission, or any successor governing body, with the exception of BINGO which shall continue to be the responsibility of Treasurer);
- b) monitor all team fund raising activities;
- c) be responsible for ensuring appropriate allocation of all funds raised in the name of the Association, as instructed by the Board of Directors;
- d) present a list of projected fund raising activities and budget for the next year to the Treasurer by February 15th;
- e) coordinate and chair the Ways and Means Committee.

10. The Equipment Manager shall:

- a) be responsible for keeping inventory, distributing and collecting all Association's equipment;
- b) present a proposed list of needed equipment and a proposed budget to the Board by February 15th of each year, and order equipment upon authorization of the Board;
- c) keep all equipment in appropriate and safe playing condition;
- d) coordinate with the Ways and Means Committee on the crestring of jerseys.

11. The Referee-in-Chief shall:

- a) recruit, schedule, and supervise all referees;
- b) arrange all necessary training clinics;
- c) provide a monthly financial statement to the Treasurer;
- d) perform all duties as set down by BCAHA.

12. The Ice Coordinator shall:

- a) in conjunction with the President, arrange for appropriate ice at Civic, Frank Crane, and Cliff McNabb arenas;
- b) allocate ice times for all divisions, as instructed by the Board of Directors, and in consultation with all Managing Directors;
- c) allocate ice for clinics and tournaments as requested by the Referee-in-Chief, Development Coordinator and Tournament and Special Events Director, and as authorized by the Board of Directors;
- d) notify all Managing Directors of their ice allocations;
- e) chair the Ice Coordinating Committee;
- f) be accountable for the use and cost of any ice acquired by the Association.

13. The Tournament and Special Events Director shall:

- a) be responsible for obtaining all BCAHA Tournament sanctions;

- b) notify and consult with the Ice Coordinator and the Ice Coordinating Committee regarding the allocation of ice for sanctioned tournaments;
- c) chair the Special Events and Tournaments Committee.

14. The Risk Manager shall:

- a) be responsible for implementing, administrating and evaluating the association's risk management program in accordance with the BCAHA Safety and Risk Management Manual.
- b) act as the Compliant Investigator for the Discipline Committee.
- c) secure policies of property and casualty insurance for the Association as instructed by the Board of Directors.
- d) educate the Board of Directors and all members as to good Risk Management practices.

## **PART IX. COMMITTEES**

1. The Board of Directors may delegate any, but not all, of their powers to committees as they think fit.
2. A committee exercising the powers so delegated must conform to any rules and procedures imposed on it by the Directors, and must report, in writing, every act or thing done in exercise of those powers to the earliest meeting of the Directors held after the act or thing has been done.
3. At least one Member of all Board designated committees must be a Director of the Association.

### **STANDING COMMITTEES:**

1. The Ice Coordinating Committee shall consist of the Ice Coordinator, who shall chair the Committee, the Tournament and Special Events Coordinator, and the Managing Director, or his designate, of each of the following divisions: Competitive, Female, Juvenile/Midget House, Bantam House, Pee Wee House, Atom House, Initiation.

The duties of the Ice Coordinating Committee shall be to assist the Ice Coordinator in his duties and to act as a liaison, on matters relating to ice allocation, between the membership at large, the Committee itself, and the Board of Directors.

Fifty percent (50%) of the Members of the Committee shall constitute a quorum.

2. The Ways and Means Committee shall consist of the Ways and Means Director, who shall chair the Committee, as well as a minimum of three non-Board Members appointed by the President.

The duties of the Ways and Means Committee shall be to assist the Ways and Means Director in the development, implementation, and oversight of all Association fund-raising, including but not limited to team sponsorships and fundraising activities, coffee, gaming (with the exception of BINGO), and photography programs. The Ways and Means Committee will be responsible for ensuring that all fund-raising policies and procedures adopted by the Board of Directors, or established by other relevant governing bodies (such as the BC Gaming Commission or its successor governing body) are made known to all volunteers engaged in fund-raising activities, and that appropriate reporting and monitoring procedures have been put in place to ensure that all funds

raised, whether for the Association as a whole, or for individual teams have been accounted for. This Committee shall constitute a quorum.

3. There shall be a Nominating Committee consisting of a minimum of 2 Members of the Association, one of which shall be a Director of the Association. The Board of Directors shall, at least 3 months prior to the Annual General Meeting, appoint the Members of the Nominating Committee who shall serve until the conclusion of the Annual General Meeting. This Committee shall constitute a quorum. The Nominating Committee may, with the approval of the board, establish such rules and procedures for the presentation and consideration of names as it considers are in the best interests of the Association.
4. The Rules Committee shall consist of a chairman, who shall be the Immediate Past President, or one of the Vice-Presidents, as appointed by the President following the Annual General Meeting, and at least two other Members as designated by the Board of Directors. Quorum for this committee shall be 50% plus 1.

It shall be the duty of the Rules Committee to:

- a) propose revisions or amendments to the Constitution, Bylaws, Rules and Regulations of the Association for consideration and action at the Annual General Meeting;
- b) propose revisions or amendments to the Policies and Procedures of the Association for consideration and action by the Board of Directors;
- c) issue interpretations of the Bylaws, Rules, Regulations, Policies and Procedures of the Association at the request of the President or the Chairman of the Rules Committee, or upon receipt of a written request from a Member;
- d) facilitate the consistent application of the Bylaws, Rules, Regulations, Policies and Procedures of the Association.

Any meeting required of this committee shall be at the pleasure of the chairman. The committee shall have all proposed revisions and amendments to the Constitution, Bylaws, Rules, Regulations, Policies, or Procedures prepared for presentation to the Board of Directors.

5. The Discipline Committee shall consist of the 1st Vice President of the Association, who shall chair the Committee, and a minimum of two or a maximum of four other members of the Association or the community at large as appointed by the President. Quorum for this committee will consist of the Chair and any two of the remaining members.

The duties of the Discipline Committee shall be:

- a) to review decisions of the President made under Bylaws VIII.2.c; and
- b) to review all misconduct penalties (ten minute, game, gross, match) and checking from behind penalties assessed players and team officials of the Association, and to suspend and/or take disciplinary action that may be deemed necessary against such individuals for incidents not ruled upon by the Association for an evident pattern of disrespect for the rules;

The Discipline Committee may delegate the duties described in part 5.b) to a special Review Committee consisting of at least three Directors appointed by the President.

6. a) The Appeals Committee shall consist of the Past-President, the 2nd Vice-President or, in his place a Managing Director, and 3 other Members as appointed by the President.
- b) The duties of the Appeals Committee shall be to hear appeals from decisions made by the Discipline Committee as made under Bylaw IX.1, and to hear appeals from decisions made by the Board of Directors under Bylaws II.9, II.10a) and II.10b).
- c) The Appeals Committee may re-admit any team, player, team official, or referee or uphold, or modify any decision made by the Discipline Committee.
- d) The Appeals Committee may re-admit any Member or uphold, or modify any decision made by the Board of Directors.

Quorum for this committee shall consist of the Past-President, 2nd Vice President (or the Managing Director appointed in his place), and any 2 of the remaining Members.

#### SPECIAL OR AD HOC COMMITTEES:

There shall be Tournament and Special Events and Tournament Committees established from time to time as needed. The Members of each such Committee shall be appointed and chaired by the Tournament and Special Events Director.

Other Committees may be established from time to time, as needed, by the Board of Directors.

## **PART X. APPEAL PROCEDURE**

1. Any team, player, team official, or referee may appeal any decision of the Discipline Committee.
2. Any Member may appeal any decision of the Board of Directors made under Bylaws II.9., II.10., or II.11.
3. The Appeal Committee will only review a decision or hear an appeal under one of the following conditions:
  - a) new evidence not used in the original hearing can be presented which may have an effect on the decision;
  - b) an appeal may be filed on the grounds of irregularities in the proceedings of the original hearing that may have caused an unjust decision;
  - c) an appeal may be filed on the grounds that the decision of the original hearing unjust;
  - d) an appeal may be filed on the grounds that there is proof to establish that the decision of the original hearing was reached in an unjust manner.
4. Any Appeal to the Appeal Committee by the aggrieved party shall be received in writing by the Board of Directors within 7 days of notification of the decision of the Discipline Committee, or the Board of Directors. The Appeal request shall outline all particulars pertaining to the case and shall be accompanied by either cash payment or a certified cheque for \$25.00 payable to the Association.
5. If the Appeal is dismissed or the suspension modified, the twenty-five dollars (\$25.00) shall go to the Association. If the Appeal is upheld, the twenty-five dollars (\$25.00) shall be returned to the appellant.
6. When an Appeal hearing is granted all the pertinent information supplied by the Referee, Linesmen, and other game officials or Board Member shall, upon request, be made available to the aggrieved individual or agent in writing prior to the hearing.

7. When an Appeal is filed, there shall be no stay of any suspension or expulsion imposed which is the subject of the appeal.

## **PART XI. OFFICIAL RULES OF ORDER**

1. The official rules of order for the transaction of business at all meetings shall be Robert's Rules of Order. In those instances where Robert's Rules of Order conflict with NMHA Bylaws, the NHMA Bylaws shall take precedence.

## **PART XII. BORROWING**

1. For the purpose of carrying out the objects of this Association, the Board of Directors may borrow or raise or secure the payment of money in such manner as they think fit; and in particular by the issue of debentures, provided that the debentures shall not be issued without the sanction of a special resolution of the Association. The Members may, by special resolution, restrict the borrowing powers of the Directors, but a restriction imposed expires at the next Annual General Meeting.

## **PART XIII. INSPECTION OF BOOKS / RECORDS**

1. The books of account, records, and minutes of the Association shall be retained and open for inspections by the Members during such time as the Officers of the Association shall designate.
2. The fiscal year of the Association shall be from April 1st in one calendar year through to March 31st of the following calendar year.

## **PART XIV. CUSTODY AND USE OF SEAL**

1. The seal of the Association shall not be affixed to any instrument except by authority of a resolution of the Board of Directors and in the presence of the President, and the said seal shall remain in the custody of the Secretary-Treasurer of the Association.

## **PART XV. AMENDMENTS TO CONSTITUTION AND BYLAWS**

1. The Constitution and/or Bylaws of the Association shall not be altered or added to except by special resolution at the Annual General Meeting or a general meeting of the Society.
  - a) Resolutions to amend or alter the Constitution or Bylaws can only be made at the Annual General Meeting of this Association after specific notice in writing by February 1st to the Board of Directors.
  - b) A notice of not less than fourteen days prior to the date of the meeting shall be given in writing to all Members specifying the intention to propose amendments to the constitution and/or Bylaws of the Association.
  - c) The unanimous vote of the membership can waive notice of motion to amend the Constitution and Bylaws.

## **PART XVI. NOTICE TO MEMBERS**

1. A notice in writing may be given to a Member either personally, forwarded by mail to a registered address, or transmitted by facsimile machine to a registered fax number.
2. A notice sent in the mail shall be deemed to have been given on the second day following that on which the notice is posted, and in proving that notice has been given, it is sufficient to prove that the notice was properly addressed and put in a Canadian post office receptacle.
3. Notice of a general meeting shall be given to every Member shown on the register of Members on the day the notice is given.
4. No other person is entitled to receive a notice of a general meeting.