



*North Bay  
Figure Skating Club*



## **Club Constitution and By-laws**

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**Club Name: North Bay Figure Skating Club**

**Incorporation Date: January 4<sup>th</sup>, 1947**

**Constitution Revision Date: February 19, 2007**

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**CONSTITUTION OF THE**

**North Bay Figure Skating Club**

Name of Club

1000317

Club Number

January 4<sup>th</sup>, 1947

Date of Incorporation

February 19, 2007

Date of Revision to Constitution

**ARTICLE 1: NAME OF CLUB**

The Name of the Club shall be North Bay Figure Skating Club hereinafter called the Club.

**ARTICLE 2: SKATE CANADA**

- a) A not-for-profit figure skating or skating club, or the figure skating or skating section of a not-for-profit 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 [Skate Canada By-law 1100 (3)].
- b) The Club shall pay such fees and such other charges as shall be required of clubs from time to time by Skate Canada. [Skate Canada By-law 1201 (1) (c) (ii), 1201 (1) (c) (viii) and 1201 (1) (c) (ix)]
- 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 Northern Section of Skate Canada. See Skate Canada By-law 1503 for definition of Sections.

**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.
- 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 [By-law 1201 (1) (c) (iv)]
- 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.
- a) 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 [Skate Canada By-law 1201 (1) (c) (iv)].
- 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. [Skate Canada by-law 1201 (1) (c) (iv).]

**BY-LAWS OF THE**

*North Bay Figure Skating Club*

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**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. (See Skate Canada By-law 1201 (1) (c) (ix), Skate Canada By-law 1202 (1) (a), Rule 2101, Policies and Procedures.)

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 may have their membership terminated at the discretion of the Club Board of Directors.

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

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. This policy shall be approved by the Club Board of Directors from time to time and it shall be in writing and made available to all members in advance of its implementation. This policy must include an appropriate hearing and appeal process, which includes principles of due process, an appropriate reinstatement application process and an appropriate graduated series of disciplinary measures. [See Skate Canada By-law 1204.]

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) [Note that if rights and privileges differ between members of different Skating Programs, this differentiation must be clearly specified.]
- **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 Member or Restricted Member of Skate Canada through another HOME club and have paid a reduced fee as set by the Club.
- **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) [if the club is not incorporated add the following: and shall not have interests in the assets of the Club] and shall not vote at meetings of the club unless otherwise qualified. They may have a voice at the meetings of the club.
- **Restricted Membership:** A restricted member is an individual who is a paid employee (of the club, Section or Association), a non-active coach, a performing professional skater or a professional dance partner. A restricted member is not permitted to hold elected office, may not vote at meetings, is not permitted to compete in competitions, and is not permitted to officiate at tests or competitions. [See Skate Canada By-law 1201 (1) (c) (xi), By-law 1202 (2) and Rule 2001.]
- **Active Member (Non voting rights) or (Restricted Voting Rights)** – An active member (Non-Voting rights) is a member who meets the following criteria. This includes a class of membership with restricted voting rights. [Skate Canada By-law 1201 (1) (c) (i) and 1202 (1) (e)]
- **Officials Membership** – An active member (Non-voting rights) is a member registered with the Club as an official and meets the Skate Canada criteria

**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 [Skate Canada By-law 1201 (1) (c) (viii)].

**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.

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, Communications, Marketing/Fundraising, Public Relations, Skaters' Development, Bingo, Skating Programs (representative for all club programs), Synchronized Skating and a Coaches' Representative for a total of 13 members. All of the above, with the exception of the Past President, the Coaches' Representative shall be elected for a one-year term at the Annual General Meeting.

The following conditions will apply to the above positions:

- i) The Coaching Representative shall be elected annually by and from within the coaches of the club. The coaching representative shall be elected as per Skate Canada by-laws.
- ii) An individual shall not hold the same position for more than three consecutive terms unless approved by the Board. This condition does not apply to the Coaches' Representative position.
- iii) The Past President shall be ex-officio and shall hold office until a new President has been duly elected.

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. [Skate Canada By-law 1420 (5)]

By-law 13: Board of Directors Vacancies

Casual vacancy 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 3 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 a monthly statement of finances, 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.

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 be responsible for their distribution (at least 3 days prior to next scheduled meeting), 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. Skate Canada By-law 1201 (1) (c) (ii).

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 (Skate Canada By-law 1603).

**SKATE CANADA CLUB DELEGATE AND REGION COUNCILORS**By-law 22

The Club Delegate to Skate Canada and/or the Section shall be appointed annually by the Board of Directors. 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. The Club shall appoint a Councilor and an alternate Councilor to serve on the Region Council as required by the By-laws of the Region Council. The delegates and councilors shall report on activities at these meetings and shall be entitled to receive compensation for pre-approved expenses related to attendance at required meetings.

**ANNUAL GENERAL MEETING**By-law 23: Timing, Quorum, Special Meeting Request

An Annual General Meeting shall be held no later than April 30<sup>th</sup> of the fiscal year. Other general meetings may be held from time to time upon the request of the Board of Directors or upon written request of 10 per cent of Club Members. A quorum for an Annual General Meeting or Special Meeting shall be 10% of the eligible-voting members or not less than 15 members in attendance at the Annual General Meeting. [Skate Canada By-law 1201 (1) (c) (i) requires that each club hold an annual meeting.]

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
- President's Report
- Secretary's Report
- Treasurer's Report (Annual Financial Statement)
- Other Reports
- Election of Board of Directors (10 positions every 3 years) (5 positions annually)
- 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 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 33

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

### By-law 34

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 35   Dissolution

In the event that the club ceases to exist, the net assets from liquidation shall go to the Northern Ontario Section – Skate Canada to be held in trust until such time as another club is started.

## **COMMITTEES**

Committees listed below are the most likely ‘standing’ Committees that a club will require. Terms of reference for each committee shall be approved by the Club Board of Directors.

### By-law 36:   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 37:   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 38:   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 39: Skating Programs Committee/Chair

In consultation with the club coaching staff the committee shall coordinate and oversee implementation and delivery of all Skate Canada skating programs including but not limited to CanSkate, CanPowerSkate, Synchronized Skating, STARSkate, Competitive Skate, and Talent Identification and Development. A representative from each skating session will provide input and updates to the Skating Programs Chairperson on a regular basis.

By-law 40: Synchronized Skating Committee:

This committee will develop and coordinate club team activities, arrange for team tryouts and practice times in consultation with the team coach (s); register teams in competitions, make all travel and accommodation arrangements and contact the Section Synchronized Skating Committee Chairperson for technical information and locations of synchronized skating competitions.

1. The North Bay Figure Skating Club President is an ex officio to this committee.
2. The Synchronized Skating Team (s) will have an elected committee who will be responsible for the operation of the Synchronized Skating Team (s). The formation of and the operation of the committee will abide by the rules of Skate Canada pertaining to Synchronized Skating Teams and to this constitution.
3. One Synchronized Representative will be elected to the North Bay Figure Skating Club Board of Directors at the North Bay Figure Skating Club's Annual General Meeting. This representative should also attend Near North Region Meetings whenever possible.
4. The Synchronized Skating Committee will prepare and present to the North Bay Figure Skating Club through the Synchronized Skating Representative a tentative activity plan for the season. This plan should include competitions, fundraising plans and a tentative budget.
5. The committee must ensure that all club teams, committee members and professional coaches are registered with Skate Canada through the registration chairperson for the North Bay Figure Skating Club before skaters and professional coaches begin their season. All competitive and festival teams will abide by the rules contained in Section 6000 of the Skate Canada rulebook and all other rules as they may apply.
6. All Professional Coaches hired by the committee must be provided with a written contract.
7. Any debts or litigation pertaining to the Synchronized Skating Team (s) are the responsibility of the Synchronized Skating Team (s) Committee. The North Bay Figure Skating Club will not assume responsibility for the debts incurred by, or litigation against, the Synchronized Skating Team (s) Committee.
8. Appropriate liability insurance will be provided for all registered Skate Canada skaters, professional coaches, and committee members.

9. The Synchronized Skating Teams Committee will provide copies of all committee meetings to the North Bay Figure Skating Club Board of Directors and provide an annual report for the North Bay Figure Skating Club Annual General Meeting.
10. The Synchronized Skating Teams Committee will provide quarterly financial reports to the North Bay Figure Skating Club Board of Directors and an audited/reviewed financial statement within 60 days of the fiscal year end.
11. Operation of all fundraising activities will follow municipal and provincial laws. Synchronized Skating teams are responsible for and accept administration of the bingo presently registered with the North Bay Figure Skating Club and Synchronized Skating Team (s) named jointly.
12. When fundraising activities are directed by Skate Canada or the Northern Ontario Skate Canada Section, the profits will go directly to the team (s) and the team (s) will pay the fine or penalty for non participation or losses.

Note: Special program sub-committees as deemed necessary by the club may be formed. These sub-committees may include but are not limited to:

- Carnival/Ice Show Committee/Chair
- Ice Committee/Chair
- Test Committee/Chair
- Music Committee/Chair
- Club Competition Committee/Chair
- Synchronized Committee/Chair
- Recreation Program Committee/Chair

**Adopted by:**

North Bay Figure Skating Club

\_\_\_\_\_  
(Club Name)

on \_\_\_\_\_ of \_\_\_\_\_  
(day) (month) (year)

Signed

\_\_\_\_\_  
(President)

\_\_\_\_\_  
(Date)

Signed

\_\_\_\_\_  
(Club Board Member)

\_\_\_\_\_  
(Date)