



**ST. THOMAS
SKATINGCLUB**

CONSTITUTION & BY-LAWS

**Club Number:
10000392**

**Incorporation Date:
November 20, 1964**

**Last Revision Date:
June 10, 2021**

CONSTITUTION

ARTICLE 1: NAME OF THE CLUB

The name of the club shall be the St. Thomas Skating Club (hereinafter referred to as 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)(cXii), 1201(1Xc)(vii) and 1201(1)(2)(ix)).

C) The Club shall abide by all Skate Canada By-Laws, rules and regulations as per Skate Canada By-Law 1201(1XcXiv).

D) The Club is located in the Skate Ontario Section of Skate Canada. See Skate Canada By-Law 8.1 for definitions of Sections.

ARTICLE 3: PURPOSE OF 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 (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.

E) Only Skate Canada Professional Coaches are permitted to teach figure skating and skating programs.

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 the Club has precedence over any inconsistent Skate Canada by-law relating to the Club (Skate Canada By-Law 1201(1)(c)(iv)).

BY-LAWS

MEMBERSHIP

BY-LAW 1: CLUB MEMBERSHIP

Membership in the Club shall be open to all, irrespective of sex, age, race, colour, ethnicity, nationality, religion or other beliefs, sexual orientation, gender identity and/or ability.

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, rules and/or policies 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 (Skate Canada By-Law 1201(1)(c)(ix), 1202(1)(a), 2101).

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 the Club fees as are stipulated by the Club Board of Directors in advance of the member's year in question. Members will not be permitted to take part in any Club activities if these fees are not paid within thirty (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 approves from time to time. Club membership shall commence on the first day of the Skate Canada membership year (September 1st), or the date that fees are paid (whichever is the latter), and terminate on the last day of the Skate Canada membership year (August 31st).

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 Board of Directors 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 any member of the Club from such membership on terms and conditions that are deemed appropriate and necessary by the Board of Directors. This policy shall be approved by the 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 (Skate Canada By-Law 1204).

BY-LAW 7: CLASSES OF CLUB MEMBERSHIP

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

1. **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 eighteen (18) shall be entitled to one vote at each Annual General Meeting and Special Meeting of the Club.
2. **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 eighteen (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: If rights and privileges differ between members of different skating programs, this differentiation must be clearly specified.
3. **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.
4. **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: Partial Members must prove membership at another home club, do not have voting rights, will be permitted ice time for practices, may participate in club programs (both on and off-ice) – home members will be provided preference for lessons and ice time.
5. **Honorary Membership:** The Annual General Meeting of members may elect any person an Honorary Member of the Club. An Honorary Members 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 meetings of the Club.

6. **Restricted Membership:** A Restricted Member is an individual who is a paid employee of the Club, 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 tests or competitions (See Skate Canada By-Law 1201(1)(c)(xi), 1202(2) and Rule 2001).
7. **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).

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 THE 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, and be registered as Associate Members of Skate Canada, be 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 nine (9) Directors, with three (3) Directors residing on the Board for three (3) year terms; three (3) Directors residing on the Board for two (2) year terms; and three (3) Directors residing on the Board for a one (1) year term. At every Annual General Meeting, three (3) Directors will be elected by the membership. Positions on the Board will be determined by the Directors elected at their first Board Meeting following the Annual General Meeting, including Executive positions (President, Vice President, Secretary and Treasurer) and Directors-at-Large, depending on the jobs required to run the Club, shall be determined as well (for example, but

not necessarily limited to Fundraising, Publicity, Pro Liaison, Bingo, etc.). The Past President shall be ex-officio and shall hold office until a new President is 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 two-thirds (2/3) majority vote at a Special Meeting duly called for that purpose.

BY-LAW 12: VOTING AT BOARD OF DIRECTORS MEETINGS

The Board of Directors shall consist of fifty per cent (50%) plus 1 member 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

A 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, 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 (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 THE 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 (2) 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. The signatories shall not be members of the same family or household.

BY-LAW 17: ROLE OF SECRETARY

The Secretary shall deal with all correspondence subject to the approval of the President and/or his/her delegate, shall issue all notices for Board of Directors and Annual 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 (eighteen (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 SKATE ONTARIO COUNCILORS

BY-LAW 22:

The Board of Directors shall appoint the Club Delegate to Skate Canada and/or Skate Ontario annually, if required. The Delegate need not be a member of the Board of Directors. Skate Ontario and/or Skate Canada National Office shall be advised of the appointed delegate's name. The Club shall appoint a Councillor and an alternate Councillor to serve on Skate Ontario, if applicable and as required by Skate Ontario. The delegates and councillors 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 AND SPECIAL MEETING REQUEST

An Annual General Meeting shall be held within sixty (60) days 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 upon the request of ten per cent (10%) of Club Members. A quorum for an Annual General Meeting shall be ten per cent (10%) eligible voting Members (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 Meetings and Special Meetings shall be provided fifteen (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 the 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 eighteen (18) years of age, to the Club 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 (1) vote per family regardless of how many children there 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:

1. Reading of the Notice of Meeting
2. Quorum
3. Approval of Agenda
4. Minutes of the preceding General Special Meeting
5. Confirmation of the actions taken by the Board of Directors
6. Secretary's Report
7. Treasurer's Report (Annual Financial Statement)
8. Other Reports
9. Election of the Board of Directors
10. Amendments to the Constitution and By-Laws
11. Appointment of Auditors (as applicable)
12. 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 twenty-one (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 (fifty per cent (50%) plus one (1)) of the Board of Directors whenever required. The members must present such By-Laws or amendments at the next Annual General Meeting for ratification. If they fail to be ratified, they cease to be effective and may not be reenacted by the Board of Directors for one (1) calendar year.

BY-LAW 30: VOTING ON AMENDMENTS

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

BY-LAW 31: EFFECTIVE FORCE OF AMENDMENT 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 reserved 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 in spirit, any Skate Canada Rule or By-Law.

FUNDS

BY-LAWS 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. If the Treasurer needs assistance, a Co-Treasurer in charge of making deposits may be named from the present Board of Directors with approval of the majority of the Board. If need be, that assistant will be added to the list of signatories at the designated banks.

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 a charity within the community of St. Thomas with a mandate to provide children from families in financial need opportunities to engage in sport.

COMMITTEES

Committees listed below are the most likely “standing” committees that the Club will require. Terms of reference for each committee shall be approved by the Club Board of Directors. For small clubs, a Chair may replace a committee. For medium to large clubs, a committee of two (2) to five (5) people is suggested.

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

Candidates for election to the Club Board of Directors ideally will be presented along with any proposed Constitutional Amendments twenty-one (21) days before the Annual General Meeting in the year in which an election is to be held. Other nominations may be made by any member in good standing by a written submission to the Board of Directors at any time prior to the Annual General Meeting. Each nominee must indicate acceptance either verbally or in writing prior to the commencement of the election.

BY-LAW 38: MEMBERSHIP COMMITTEE/CHAIR

This committee is responsible for promoting and developing membership in the Club and for ensuring submission of the 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.

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
- Pro Liaison Committee/Chair
- Test Committee/Chair
- Music Committee/Chair
- Publicity Committee/Chair
- Synchronized Skating Committee/Chair
- Social Committee/Chair

BY-LAW 40:

The position of Past President shall not be filled when the President changes from one year to the next and the outgoing President still has part of their elected term left to serve.

ADOPTED BY:

ST. THOMAS SKATING CLUB

KNOWN REVISIONS:

July 17, 2012
May 23, 2017
June 10, 2021