



SOUTH DELTA MINOR HOCKEY ASSOCIATION

Special Resolution – Amendments to Constitution and Bylaws

The Directors of South Delta Minor Hockey Association hereby notify the membership of the Society that the Secretary intends to submit a Special Resolution to a vote of the membership pursuant to Bylaw 87, to make the following amendments to the Constitution and Bylaws:

Whereas the BC Societies Act has made alterations to the Act that require adjustments; and

Whereas the definition of Membership categories requires clarification; and

Whereas the BC Societies Act has provided a template that includes additional sections previously not included the following changes are being put forward for consideration.

1. Updated format

Section of current bylaws: All

Section of proposed bylaws: All

Change: Movement of statements into categories/sub-categories of similar topic

Rationale: To allow for clear sections and ease for membership in reading and understanding the bylaws, a new format has been utilized that re-arranges the current version of the bylaws.

2. Definition of Membership Categories

Section of current bylaws: Part II-Membership

Section of proposed bylaws: Part 2 – Membership

Change: Creating a clear definition of what constitutes a member; steps to suspend or expel a member; definition of a “Member not in Good Standing”; and the termination of a membership.

Rationale: Current version does not provide a clear definition of what is required to be considered a member.

3. Adjust deadline of Annual General Meeting and Quorum

Section of current bylaws: Part III- Meetings of Members, 1) Section 24 and 2) Section 25 C

Section of proposed bylaws: Part 3 – General Meetings of Members, 1) Section 3.a and 2) Section 3.f

Change:

1) Date of Annual General Meeting

Current version states:

The annual general meeting of the society shall be held at a time that is appropriate in accordance with the Province of BC Society Act, but no later than June 1st of the calendar year.

Proposed version states:

The Annual General Meeting of Association members shall be held once every calendar year.

Rationale:

Proposed version removes “but no later than June 1st of the calendar year.” While the annual general meeting has traditionally been held prior to this date, situations may arise out of the control of the Executive that may require flexibility.

2) Quorum required

Current version states:

C) A quorum is twenty-five (25) Members present exclusive of the executive.

Proposed version states:

3.f A quorum at any Annual General Meeting or Special General meeting of the Association is 25 voting members.

Rationale:

As members of the Executive hold the same voting rights as any other member, their presence is as important as anyone else. The current exclusion is not one that is recommended by the BC Societies Act and creates a significant restriction around ensuring the business of the association can be accomplished.

4. Allowance for Electronic Meetings

Section of current bylaws: N/a

Section of proposed bylaws: As per the April 2021 change of the BC Societies Act, in response to the Covid-19 pandemic where in-person meetings were not permitted, the ability to hold electronic meetings was included.

Change:

Addition of Sections 4.3 to 4.5 (Participation by Electronic means at Members’ Meetings) and 4.6 (Members’ meeting held entirely by Electronic Means) provides the ability for the Association to conduct its Annual General Meeting or Special meeting(s) in person, by electronic means or a combination.

Rationale:

Update as per the April 2021 change to the BC Societies Act.

5. Nominations for Board of Directors

Section of current bylaws: Part III- Meetings of Members Section 32

Section of proposed bylaws: Part 5 – Elected Directors – Section 5.3-5.4 (Director Nominations)

Change:

Current version states:

32. Nominations for vacant offices will be accepted from the floor at the annual general meeting.

Proposed version states:

5.3 All nominations for a Director position must be sent in writing to the Association not less than 7 days before an Annual General Meeting.

5.4 For greater clarity, nominations for a Director position shall not be accepted at any time during the course of an Annual General Meeting.

Rationale:

As per the BC Societies Act Section 43, all directors of a society must meet certain qualifications to be qualified to act as a Director. Due diligence is required to be conducted prior to a member being able to stand for election and this cannot be done for nominations from the floor.

6. Removal of Board of Governance

Section of current bylaws: Part IV- Directors and Officers 35 C

Section of proposed bylaws: n/a

Change:

The current bylaws include a section outlining an additional layer of governance including three (3) Non-SDMHA members chaired by the SDMHA President to provide oversight to the elected SDMHA board of directors that was added in May 2015. The recommendation is to remove this option of a non-elected Board of Governance from the association.

Rationale:

This has not been standard practice since the first year of inception and as it essentially allows for a group of three persons not in any way affiliated with SDMHA to have the ability to influence the elected board up to the degree of complete dissolution of the elected board.

7. Additional sections as recommended by BC Societies Act

Section of current bylaws: n/a

Section of proposed bylaws:

Part 4 – Voting at Member Meetings

Part 7 – Committees

Part 8 – Misconduct by a Member

Part 10 – Amendments to Constitution and/or Bylaws

Change:

Inclusion of specific sections with additional details over and above the current version of the bylaws.

Rationale:

To provide further clarity within sections on specific topics.