

# Constitution



(Established on January 11, 1980)

Amended on May 16, 2023 at the AGM meeting

## TABLE OF CONTENTS

### CONSTITUTION - ARTICLES

Article 1 – Name.....	3
Article 2 – Seal.....	3
Article 3 – Goals and objectives.....	3
Article 4 – Hockey Dieppe-Memramcook Members.....	4
Article 5 – Members, functions and powers of the Board of Directors.....	4
Article 6 – Permanent Committees.....	6
Article 7 – Ad hoc committees.....	7
Article 8 – Elections.....	7
Article 9 – Modifications to the constitution and rules.....	8
Article 10 – Annual general assembly of members with the right to vote.....	8
Article 11 – Jurisdiction.....	9
Article 12 – Protection of the Board members and subcommittees.....	9
Article 13 – Indemnity of members on the Board of Directors and subcommittees.....	9
Article 14 – Recruitment Territory.....	10
Article 15 – Rules of procedures.....	10

Note: The masculine wording in this text is only used to facilitate the lecture of this document. In this text, the word hockey player includes both male and female players.

## **HOCKEY DIEPPE/MEMRAMCOOK**

### **ARTICLE 1 – NAME**

- 1.1 The community club has for name ``**Hockey Dieppe-Memramcook Inc.**`` It is also designated hereinafter « Club » and under the acronym HDM. It practices all the rights concerning minor hockey in the region of Dieppe and Memramcook as stipulated in article 14.
- 1.2 The HDM constitution must respect the Hockey Nouveau-Brunswick (HNB) and Hockey Canada (HC) constitutions. All modifications or changes to the constitution, to the administrative rules, to the rules of play of HNB and HC, changes automatically the HDM constitution and the operation manual.
- 1.3 In case of a difference of opinion, the provisions in the constitution and rules of HNB will take precedent on the HDM constitution and rules.

### **ARTICLE 2 – SEAL**

- 2.1 The seal of the Club is affixed on the original copy.

### **ARTICLE 3 – OBJECTIVES AND GOALS**

- 3.1 The objectives and goals for the Club are as follows:
  - a) Promote, organise, and supervise minor hockey activities in the Dieppe and Memramcook region in order to give the children of this community, without regard to race, their religion, their social statute or their aptitudes, the possibility to practice hockey as an activity in a wholesome recreative way, in a situation that teaches and makes worthwhile the principles of good sportsmanship;
  - b) Put emphasis on the development of good sportsmanship and on the ideals of amateur sports not only for the players, but also with the coaches, parents and spectators while also insisting that all volunteers from the different sectors of HDM conduct themselves in a honorable and exemplary way;
  - c) Insure a just and safe game by looking after the application of the rules implemented by the Club;
  - d) Function with an adequate organisational structure which provides an acceptable level of different aptitudes, especially offering a recreational caliber of hockey in as different age categories as possible and if possible, offer competitive hockey or development in order to reach the objectives and goals aforementioned. No matter the caliber of play, the emphasis for these young players, must be on the development of individual skills and the love of the game. The excessive pressure of competitive play must be avoided.

#### **ARTICLE 4 – HOCKEY DIEPPE-MEMRAMCOOK MEMBERS**

- 4.1 Are members of HDM with voting rights during the annual general meeting (AGM):
- a) The parents or legal guardian of any boy or any girl, and all volunteering adult who is admissible et registered in the Hockey Canada registry and in accordance with the HDM rules;
  - b) the members of the Board of Directors of HDM
- 4.2 Are members of HDM without voting rights during the AGM:
- a) All other volunteers who desires to support the work of HDM and that the presence has been approved by the Board of Directors of HDM;
  - b) All the players that are admissible and registered in accordance to HDM rules, these ones however don't have the privileges to vote or have a seat in different committees;
  - c) any person that has been received has honorary member by the Board of Directors. The Board can name an honorary member without given him the privilege to vote or be in a committee only if, in the opinion of the committee, the goals and objectives of HDM will be served by that nomination.

#### **ARTICLE 5 – MEMBERS, FUNCTIONS AND POWERS OF THE BOARD OF DIRECTORS**

- 5.1 The Board of Directors is consisted of 18 members with the right to vote.
- a) A minimum of 14 members are elected at the annual general meeting in compliance with the procedures mentioned in paragraph 8.2.
  - b) With those numbers, we add the office staff or "Ex-officios" (without the right to vote), the executive director, the technical director, the referee in chief and the past President for the year following the election of a new president (if there is one).
  - c) The executive committee is composed of 4 persons: the president, the vice president, the treasurer, and the secretary. The executive director, the technical director and the referee in chief are ex-officio members of the executive committee.
  - d) The executive director, the technical director, and the referee in chief reports to the president and gives reports to the Board of Directors by the intermediary of the president.
- 5.2 The members of the Board of Directors of HDM are as follows : the president, the vice president, the treasurer, the secretary, the coordinator of communications, tournament coordinator, Manager's coordinator, AA-A-B teams coordinator, coaches programs coordinator, players programs coordinator, goaltender programs coordinator, female hockey coordinator, equipment coordinator, a coordinator for each of the following divisions; U-7, U-9, U-11, U-13, U-15, U-18 and U-21.
- 5.3 Every position that becomes available on the Board is filled with the other members of the Board who, with a majority vote, can name a person to fill in the empty position.
- 5.4 The appointee shall hold office until the scheduled end of the term in question.
- 5.5 A member position is declared unoccupied if:

- a) the member dies;
  - b) the member resigns after he has given a written notice;
  - c) the member cease to be a member of the Board;
  - d) the member resigns for a reason of incapacity;
  - e) the member is forced to leave his position with a vote of two thirds of the members with the right to vote from the Board.
- 5.6
- a) The quorum for the meetings of the Board is 50% (of position filled) + 1 of the members with voting rights. Also, the president or the vice president must be present.
  - b) Teleconference or electronic meetings.
    - Every person that is appointed for a members meeting can participate to the meeting by means of teleconference or electronic disposition.
    - The association must take reasonable commercial measures to give access to this type of participation.
    - A member who participates to the meeting by teleconference or electronic is recognized to be present at the meeting.
  - c) Every present member, except the president in session and the staff members, have a vote on every proposition and, unless otherwise noted, a proposition is adopted with a majority vote. The president in session only votes if there is an equal vote.
  - d) Any question must be submitted to the Board in a form of a seconded proposal.
- 5.7
- The regular meetings of the Board are held monthly and will be planned on a regular basis as much as possible.
- a) The convocation to a regular meeting is done at least three days before the date of the meeting.
  - b) The Board will establish the schedule for the regular meetings to come in the month of June of each year.
- 5.8
- a) The president of the Board or two thirds of the Board's members with voting rights can convene a special meeting if they do it in writing by specifying the date, time and location of the meeting.
  - b) The special meetings will be held at the location and time indicated on the convocation notice.
- 5.9
- Resolutions for decision making by the executive between regular meetings.
- a) If there is a decision that needs to be done by the executive before the next executive meeting, the vote will be done by email in the following manner;
  - b) An email must be sent by a member of the executive to all members of the executive indicating that a vote needs to occur. The message will have to;
    1. Indicate clearly « in favor » or « against ».
    2. Make a deadline to respond within 24 hours.
    3. Confirmation that they have received the email.
    4. Include the original email message in the response.

5. Responses to the proposition can include an update for discussions, clarification or postponing the vote.
- c) The process for the vote must be as follows:
1. The person that sends the initial demand is considered in being in favor of the proposition, unless that this person demands to change his vote if there is an amendment to the proposition.
  2. A quorum of the executive must vote on the ballot for it to be valid.
  3. The participants must specify if they are in favor, against or if they abstain from the vote. An abstention will be added in the quorum count.
  4. When a member does not vote, no vote will be recorded, and it will not count as an abstention.
  5. The first person to respond in favor of the proposition will be considered to have supported the motion unless there was already a person that supported it.
  6. At the following meeting of the executive, the proposition, the author of the proposition, the person who second the motion, the names of the other voters, the number of voters in favor, the number of voters against and the number of abstentions will be written in the report. The vote will not take place again.
- 5.10
- a) The Board will propose a budget indicating the expenses and revenues anticipated in the following year and will submit it for approval to its members at the annual general meeting that takes place in the month of May.
  - b) Once the budget has been approved, every effort is deployed to function within the limits of that budget.
  - c) Every expense exceeding the predictions must be approved with a majority vote from the Board of Directors and must be reported as such to the following members annual general meeting that has the right to vote.
- 5.11
- The Board assumes all responsibilities to coordinate all the financial activities of HDM. All the donations that the Club receives are deposited into a financial institution, and the funds can only be withdrawn with two signatures of two different persons, which is the president, the secretary, the treasurer or the executive director.
- 5.12
- Club affairs are conducted by the Board of Directors, unless otherwise specified in the rules.
- a) The Board controls all activities and manages the Club's assets. It can also exercise the powers provided for by the constitution and regulations of the Club.
  - b) In addition, the Board does its best to ensure that all necessary measure are in place in order to respect all the resolutions adopted by the members with voting rights during the annual general assembly of the Club.
- 5.13
- Every decisions made from the members of the Board, volunteers and the HDM employees that are in conflict with the constitution and the operation manual of HDM, will need to be revised at the following meeting or special meeting of the Board.

## ARTICLE 6 – PERMANENTS COMMITTEES

- 6.1 a) The Rules committee is made up of the vice president, who acts as the president, and a minimum of two other Board members who is named by the president of the Board.
- b) The committee quorum is three members.
- c) It assumes the responsibility to receive and process all reports of violation of the rules and standards established by the constitution and rules of the Club.
- d) In every case, it acts to determine if there is a violation or not of the rules and standards.
- e) If, after an assessment is made, it is determined that there is no violation, it will reject the accusation.
- f) If it determines that there is a possibility of a breach in the rules and standards, it will give the accused person the possibility to know the nature of the accusation and to allow him to appear, with or without a lawyer, in order to answer to the accusations against him and to refute them.
- g) If, after hearing, he confirms that there has been a violation of the regulations and standards, it imposes on the violators any disciplinary measure provided for by the constitution or the regulations of the Club or even by the constitution or regulations from HNB.
- h) In every eventuality, the constitution and regulations of HNB takes precedent over those of HDM.
- i) If there is no disciplinary measure planned, the committee may leave it to the Board so that it will decide the disciplinary measure to take.
- j) It has the power, once the validity of the accusation is established, to suspend the member from all activities of HDM until the Board has made a final decision as to the disciplinary measures to be taken.
- 6.2 a) The financial committee is made up of the treasurer, who acts as committee president, and of four members approved by the Board.
- b) It assumes the responsibility of coordinating all fundraising activities for the benefit of HDM.
- c) It submits to the Board, a monthly report of the activities held and planned.
- d) It will name a treasurer who will open an account in a financial institution approved by the Board to deposit all the funds collected.
- e) The committee treasurer will keep adequate books and reports of all transactions.
- f) One or more member of that committee will meet or advise the coaches at the beginning of the year to explain the guidelines concerning the sponsorships and to tell them about the deadline for the submission of the team budgets.
- g) The teams must respect the guidelines given by this committee. The coach of a team has the ultimate responsibility for this matter.

## ARTICLE 7 – AD HOC COMMITTEES

- 7.1 The Board can create one or more committees ad hoc made up of different persons named by the Board if it finds the object of the matter relevant.

## ARTICLE 8 – ELECTIONS

- 8.1
- a) The Board creates a nomination committee composed of a member of the Board whose mandate continues for the following year and two other Board members appointed by resolution by the Board of Directors.
  - b) The committee proposes, at the members annual general meeting with voting rights, a provisory list of candidates eligible to fill the positions, in accordance with paragraph 8.2
  - c) The nominations committee report includes the names of one person for each position to be filled in the Board of Directors.
  - d) Members with voting rights can, if they desire, suggest at that time, other members not brought forward by the nomination committee.
  - e) A democratic election is then done to fill the empty seats in the Board of Directors.
- 8.2 The mandate for the members of the Board of Directors is as follows:
- a) Are elected yearly: the divisions coordinators, female hockey coordinator, communications coordinator, coaches program coordinator, players program coordinator, goaltender program coordinator.
  - b) All other members as described in paragraph 8.2 (c) and (d): two years.
  - c) Are elected in even number of years: the president, competitive C teams coordinator, equipment coordinator and the secretary.
  - d) Are elected in odd number of years: the vice president, the treasurer, and the AA-A-B coordinator.
  - e) The members can be re-elected to the same position or to any other position in the Board of Directors.



## ARTICLE 9 – MODIFICATIONS TO THE CONSTITUTION AND RULES

- 9.1
- a) The HDM constitution can only be modified by a majority vote of two thirds of the members present at a duly convened AGM or in an extraordinary meeting.
  - b) The modifications to the constitution can only be done during an HDM AGM or in an extraordinary meeting of HDM held in the odd number of years. On those years only, the propositions to modify the constitution must be submitted to the secretary 21 days before the AGM meeting. The secretary must distribute a copy of the proposed modifications to all members through the HDM website at least 14 days before the HDM AGM.
  - c) The approved modifications at the AGM goes into force upon their approval.
  - d) The member that proposed each modification must be present at the HDM AGM to present and/or explain the modification; if not, it will be declared invalid and rejected at the AGM.
- 9.2
- a) All changes to the HDM operation manual requires a majority vote of two thirds of the members with voting rights in a monthly or special meeting of the Board.

## ARTICLE 10 – ANNUAL GENERAL MEETING OF MEMBERS WITH VOTING RIGHTS

- 10.1
- a) The general meeting will be held 60 days after the halt of HDM activities, at the time and location determined by the Board by means of a resolution.
  - b) The agenda for that meeting will have at least the following subjects:
    - i) approval of the official report of the last AGM;
    - ii) matters that comes from the official report;
    - iii) President's report;
    - iv) Treasurer's report;
      - Financial report with mission statement, examining previous exercise;
    - v) Director's reports;
    - vi) Approval for the activities lead by the Board until this day;
    - vii) amendment to the HDM constitution
    - viii) financial budget for the following year;
    - ix) Board members election;
    - x) other.
  - c) A convocation notice for the AGM is sent at least seven days before the assembly date.
  - d) The quorum members with the right to vote at the AGM is comprised of at least 25 members.
- 10.2
- a) If the quorum for a meeting convened in good and due form is not reached, The Board of Directors may, by resolution, convene the members present at an extraordinary general meeting the quorum of which will be the members with voting rights.
  - b) A general extraordinary meeting of members with voting rights is summoned at the discretion of the Board or if the president or two thirds of the Board demands it in

writing. The assembly will take place at the time, date and place chosen by the Board by a resolution.

- 10.3 a) The president acts as president of session in every member present general assembly with voting rights.
- b) In his absence, the vice president will replace him,
- c) In both their absence, a member of the Board, named by the members present with voting rights, will act as president of the session.

#### **ARTICLE 11 – JURISDICTION**

- 11.1 a) The players, teams, officials, coaches, volunteers, and members of the Board affiliated to the Club are subject to all the rules adopted by the Club.
- b) All Club members are bound by decisions made by the Club or taken on its behalf by the Board.
- 11.2 HDM is seeking the sanction of HNB which it is affiliated and, as such, assumes responsibility for minor hockey activities in the region designated by HNB.

#### **ARTICLE 12 – PROTECTION OF BOARD MEMBERS AND COMMITTEES**

12.1 No Board members or committees can be held responsible for behaviors, negligence or failures of another member, of an act in which the latter is involved, or any loss suffered or any expense incurred by the Club as a result of the insufficiency or deficiency of the title of any property acquired by order of the Board or any committee for the Club or on behalf of the latter. Also, he cannot be held responsible for the insufficiency or deficiency of any value in which the funds of the Club have been invested, for any loss or damage resulting from the bankruptcy, insolvency or tortious acts of any person to whom the funds, values or effects of the Club have been deposited, of any loss caused by an error of judgment or an omission on his part, of any other loss, damage or bad luck occurring in the course of the functions attached to his position or related activities unless it is the result of his own dishonesty.

#### **ARTICLE 13 – BOARD MEMBER AND COMMITTEES INDEMNITY**

- 13.1 Any Board member or Club committees and its successor, its executors, its administrator, its replacements,

and his effects will be respectively, indemnified, by the Club funds:

- a) For costs, charges and expenses run or engaged by a member in a lawsuit, legal proceedings or procedures intended against him and related to an act, a contract or an affair conducted or authorised in the execution of his functions.
- b) other costs or expenses incurred or engaged by a member in doing business or in relation with this, except costs or expenses that are done by negligence or voluntary error.

## ARTICLE 14 – RECRUITING TERRITORY

14.1 Recruiting territory for the region of Dieppe and Memramcook: The Board has determined the recruitment territory for its members that wants to play hockey with Hockey Dieppe / Memramcook Inc., identified by the limits border for the city limits of Dieppe and the borders from the city limits of Memramcook.

14.2 Specifically, this region is defined by the following limits which includes:

- a) From Champlain street starting at du ruisseau « Hall Creek » and the south side of route 15 (four-way road of Shédiac) until route 2 (Transcanada).
- b) From civic number 2262 of Champlain road, from civic number 1279 of Melanson street and civic number 838 of Leblanc street, including all the Greater Lakeburn parish.
- c) From the route 15 intersection, all the west region of route 2 at the Dorchester parish limits.
- d) All of Calhoon street.
- e) The Old Shédiac road until civic number 695.
- f) All Eastern region of the Petitcodiac river to the south point of « Fort Folly ».
- g) The Eastern region of route 2, also called Memramcook-Est, including Broussard street, Beausoleil street and Memramcook-Est street.
- h) The Aboujagane street up to civic number 188.
- i) The Royale street up to civic number 1255.
- j) The Anderson street up to Breau Creek.

## ARTICLE 15 – PROCEDURE RULES

15.1 HDM adopts, in reference, the « Procedure rules from Roberts Rule of Order» to govern the conduct of its assemblies and meetings, with the exception of articles and paragraphs which concerns specifically to the affairs of this organisation.

---

Georges Cormier- President

---

Jennifer Tower – Secretary