

ST CATHARINES DIOCESE CATHOLIC YOUTH ORGANIZATION MINOR HOCKEY LEAGUE CONSOLIDATED CORPORATION BY-LAWS

(Current as of May 2019 CYO AGM – **changes highlighted in yellow**)

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The following represents a set of By-laws relating to the conduct of the legal obligations, financial affairs and the conduct of the general operations of the Corporation.

PART I – GENERAL

1.0 NAME - This Corporation shall be known as the St. Catharines Diocese Catholic Youth Organization Minor Hockey League Corporation.

Mission of the Corporation

2.1 AIMS AND OBJECTIVES – The aims and objectives of the Corporation are as stated in its Letters Patent and are reflected in the following Corporate Mission Statement of CYO Hockey:

CYO Hockey’s Mission Statement

Our organization is committed to use the game of hockey to provide an environment in which all participants, volunteers and their families are afforded an opportunity to achieve personal growth, to instill mutual respect and to contribute to the community.

Primary Free Standing
Policies

- 3.0 NON-HARASSMENT POLICY – To promote the objects reflected in the CYO Hockey Mission Statement, the CYO shall have a free standing policy which provides that no individual shall harass any other individual within CYO Hockey.
- 4.1 DISCRIMINATION FREE ENVIRONMENT – To promote the objects reflected in the CYO Hockey Mission Statement and except as expressly permitted by by-law 4.3, CYO Hockey will shall have a free standing anti-discrimination policy to ensure that no individual within CYO Hockey is discriminated against on account of their age, gender, ethnic heritage, racial origins, place of birth, religious affiliation or personal beliefs.
- 4.2 BY- LAWS, RULES, EXCETERA FREE FROM DISCRIMINATION - In order to comply with by-law 4.1 and except as permitted by by-law 4.3, no CYO by-law, rule, policy, practice or decision within CYO Hockey shall operate to discriminate against any individual on account of their age, gender, ethnic heritage, racial origins, religious affiliation place of birth, or personal beliefs.
- 4.3 CHANGE ROOM AND HOCKEY AGE DIVISIONS - By-laws 4.1 and 4.2 shall not operate to prevent the establishment of change room polices related to age and gender or to prevent CYO Hockey from adopting age divisions for player established by Hockey Canada, OHF and Alliance Hockey
- 4.4 PROHIBITION ON DISCRIMINATORY CONDUCT - No individual in CYO Hockey shall act in a discriminatory manner as defined in by-law 4.1 in any fashion toward any other individual within CYO Hockey.
- 4.5 NO PREFERENTIAL TREATMENT – Although CYO Hockey is extremely proud of its origins within the Roman Catholic Diocese of St. Catharines and without in anyway limiting the operation of by-law 4.1, no individual within CYO shall be afforded preferential treatment or be disadvantaged because they are or are not affiliated with any Roman Catholic parish.

Definitions and
References

- 5.1 DEFINITIONS OF TERMS - In these By-laws and all other by-laws of the Corporation, unless the context otherwise specifies or requires:
- “Act” means the Corporations Act, R.S.O. 1990, C. 38 as from time to time amended and every statute that may be substituted therefore and, in the case of such substitution, any references in the by-laws of the Corporation to

provisions of the Act shall be read references to the substituted provisions therefore in the new statute or statutes;

“AGM” means the Annual General Meeting of the Corporation membership convened pursuant to By-law 55;

“Alliance Hockey” means Alliance Hockey of Ontario;

“Alliance Hockey Speak Out Policies and Procedures” means the Alliance Speak Out Policies and Procedures as may be amended from time to time by the Hockey Alliance;

“Board” and/or “directors” shall mean The Board of Directors;

“By-laws” the By-laws of CYO Hockey as amended from time to time;
 “Corporation” shall mean the St. Catharines Catholic Youth Organization Minor Hockey League Corporation;

“CYO Hockey” shall mean the St. Catharines Catholic Youth Organization Minor Hockey League Corporation and its hockey programs;

“Director” can mean a Corporate (Elected) Officer and a Corporate (Elected) Officer can mean a “Director”.

“Hockey Council” means the Council of Officers prescribed by By-law 40;
 “Hockey League Executive” means the council of Officers prescribed by By law 43;

“Hockey official” means referees and timekeepers, whether paid or volunteering; “Hockey Participant” refers to any player rostered to any CYO hockey team and includes all participants in the CYO Mite Program and the CYO Special Needs Junior Dogs Program;

“Hockey Season” means the annual period of time commencing with the convening of the first Player Assignment Meeting and ending at the conclusion of the last house league game on CYO Championship weekend, but excludes any Minor Development or Select team activities and the Alliance Provincial Championships;

“Hockey Volunteer” means any coach, trainer, manager, convenor, on-ice assistants and any other class of persons designated by the Board who are older than 18 years and who is associated with any CYO team or program.

“house league” means CYO teams rostered primarily to play during the hockey season other CYO teams in all age Divisions from Initiation through Alumni, and includes players also rostered to CYO Select teams unless the context implies Select teams or players are to be treated in a distinct manner;

“Member” shall mean a member in good standing except where otherwise stated as referenced in By-law 53;

“Misconduct” means any actions, behaviour or pattern of behaviour that is unacceptable within CYO Hockey and is further defined with reference to Part VIII of these By-laws and includes abuse, harassment, discrimination and bullying;

“Officer of the Corporation” means any officer who is not a Director and is appointed by the Board pursuant to By-laws 30 or 36;

“Officer of the Board” means any Director elected or appointed to a specific position on Board;

“Regulations” means the Regulations made under the Act as from time to time amended and every regulation that may be substituted therefore and, in the case of such substitution, any references in the by-laws of the Corporation to provisions of the Regulations shall be read as references to the substituted provisions therefore in the new regulations.

- 5.2 TERMS - Any terms which are contained in these By-laws and which are defined in the Act or the Regulations made there under shall have the meanings given to such terms in the Act or the Regulations.
- 5.3 WORDS - Words importing the singular number only shall include the plural and vice versa and words importing a specific gender shall include the other genders and the words "person" shall include bodies corporate, corporations, companies, partnerships, syndicates, un-incorporated associations, teams and any number of aggregate of persons. [By-law 3 -06/07]
- 5.4 REFERENCING THESE BY-LAWS - These Corporate By-laws may be referred to collectively as the Corporation By-laws of CYO Hockey.
- 5.5 REFERENCING OF PROVISIONS - In these By-laws,
- 5.5.1 All the by-laws provisions identified by the same number to the left of the first decimal point comprise a “By-law” (for example, By-law 5, which consists of by-laws 5.1 to 5.5),
- 5.5.2 A “by-law” is a provision identified by a number with a decimal point (for example, by-law 5.1); and
- 5.5.3 A by-law may be subdivided into “sub-by-laws” (for example, sub-by-law 3.5.1). [2008 AGM]
- 6.0 HEAD OFFICE - The head office of the Corporation shall be in the City of St. Catharines in the Regional Municipality of Niagara, in the Province of Ontario, at such place as the directors of the Corporation may from time to time by resolution fix. [By-law 4 -06/07]

- 7.0 SEAL- The seal, an impression whereof is stamped in the margin thereof; shall be the seal of the Corporation. [By-law 5 -06/07]
- 8.0 SIGNING AUTHORITY - All cheques, drafts or orders for the payment of money, and all notes and acceptances, and bills of exchange shall require two signatures, one being that of the President and/or the Treasurer, and the other of any one director. [By-law 6 -06/07]
- 9.0 EXECUTING INSTRUMENTS - Subject to any resolution of the Corporation, contracts, documents or instruments in writing requiring the signature of the Corporation require two signatures, one being that of the President and the other of any one director. All contracts, documents and instruments in writing so signed shall be binding on the corporation without any further authorization or formality. [By-law 7 -06/07]
- 10.0 FINANCIAL YEAR - The financial year of the Corporation shall terminate on the 31st day of May in each year or on such other date as the directors may from time to time by resolution determine. [By-law 8 -06/07]
- 11.1 PROTECTION AND INDEMNITIES TO DIRECTORS AND OTHERS - Every Director, Officer or Agent, including all Officers of the Board, of the Corporation who acted honestly and in good faith and their heirs, executors and administrators, and their estate and effects, respectively, shall be indemnified and save harmless out of the funds of the Corporation, from and against:
- 11.1.1 All costs, charges and expenses whatsoever that the Trustee sustains or incurs in or about any action, suit, or proceeding that is brought, commenced or prosecuted against the Director, Officer or Agent in relation to any act, deed, matter or thing whatsoever, made, done or permitted by the Director, Officer or Agent in relation to the execution of the duties of the Director, Officer or Agent, including any duties as an Officer of the Board; and,
- 11.1.2 All other costs, charges and expenses which that are sustained or incurred by the director, officer or agent about or in relation to the affairs of the Corporation, except such costs, charges or expenses as are occasioned by their own willful neglect or default or lack of authority of the Director, Officer or Agent.
- 11.2 IDEM - The Corporation shall also indemnify any director or officer in such other circumstances as the Act or law permits or requires. Nothing in this by-law shall limit the right of any person entitled to indemnity to claim indemnity apart from the provisions of this by-law to the extent permitted by the Act or law.

- 11.3 **FURTHER PROTECTION FOR DIRECTORS AND OFFICERS** - Except as otherwise provide by the Act, no director (including any Officer of the Board) or officer for the time being of the Corporation shall be liable for the acts, receipts, neglects or defaults of any other director or officer or agent or employee or for the joining in any receipt or act for conformity or for any loss, damage or expense happening to the Corporation through the insufficiency or deficiency of any security in or upon which any of the moneys of or belonging to the Corporation shall be placed out or invested or for any loss or damage ensuing from the bankruptcy, insolvency or tortuous act of any person including any person with whom or which any moneys, securities or effects shall be lodged or deposited or for any loss, conversion, misapplication or misfortune whatever which may happen in the execution of the duties of his/her respective office or trust or in relation thereto unless the same shall happen by or through his/her own willful neglect or default. The directors, or officers, for the time being of the Corporation shall not be under any duty or responsibility in respect of any contract, act or transaction whether or not made, done or entered into in the name or on behalf of the Corporation; except such as shall have been submitted to and authorized or approved by the Board of Directors.
- 11.4 **INSURANCE FOR DIRECTORS AND OFFICERS** - The Corporation may purchase and maintain from its funds such insurance for the benefit and protection of its Directors and Officers as the Board may from time to time determine and the Hockey League Executive shall recommend.
- 11.5 **FORMER DIRECTORS AND OFFICERS** – For greater certainty, the indemnities and protections provided for in by-laws 11.1, 11.2 and 11. 3 shall be extended to former directors and officers of the Corporation after they have left office regarding any alleged acts and omissions which arose while they were still in office.
- 12.1 **NO REMUNERATION OF HOCKEY LEAGUE EXECUTIVE MEMBERS** – Subject to by-law 11.3, all members of the Hockey League Executive, as listed in by-law 45.1, shall serve without remuneration and no Executive member shall directly or indirectly receive any profit from his/her position as such; provided that an Executive member may be reimbursed for reasonable expenses incurred by such member in the performance of their duties.
- 12.2 **PROHIBITION ON PERSONAL FINANCIAL BENEFIT** – Except as permitted by compliance with By-law 13.0, no Member of the Hockey League Executive, individual member or group of members shall use their position within Corporation for personal financial benefit.
- 12.3 **EXCEPTION** – If any director or officer of the Corporation shall be employed by or shall perform services for the Corporation otherwise than as director or officer or shall or have an interest in a person who is employed by or performs services for the Corporation, the fact of his/her being a director or

officer of the Corporation shall not disentitle such director or officer or such person, as the case may be, from receiving proper remuneration for such services provided By- law 13.0 has been complied with.

- 13.0 **CONFLICT OF INTEREST** - In supplement of and not by way of limitation upon any rights conferred upon directors by section 71 of the Act, it is declared that no director or officer shall be disqualified by his/her office from, or vacate his/her office by reason of being in any way directly or indirectly interested or contracting with the Corporation either as vendor, purchaser or otherwise or being concerned in any contract or arrangement made or proposed to be entered into with the Corporation in which he is in any way directly or indirectly interested either as vendor, purchaser or otherwise nor shall any director be liable to account to the Corporation or any of its members or creditors for any profit arising from any such connection: and, subject to the provisions of section 71 of the Act, no contract or arrangement entered into by or on behalf of the Corporation in which any director or officer shall be in any way directly or indirectly interested shall be avoided or avoidable and no director or officer shall be liable to account to the Corporation or any of its members or creditors for any profit realized by or from any such contract or arrangement by reason of any fiduciary relationship. A director or officer who is in any way directly interested in a proposed contract with the Corporation shall make the disclosure required by the Act. He must submit a bid to be evaluated against other competitive bids in a formal selection process conducted by the Board of Directors. A majority vote will decide the successful candidate based on the merits of each bid. Except as provided by the Act, no such director or officer shall vote on any resolution to approve such contract. [By-law 16 -06/07]
- 14.0 **PROTECTION FOR OFFICERS AND DIRECTORS** - Except as otherwise provide by the Act, no director or officer for the time being of the Corporation shall be liable for the acts, receipts, neglects or defaults of any other director or officer or agent or employee or for the joining in any receipt or act for conformity or for any loss, damage or expense happening to the Corporation through the insufficiency or deficiency of any security in or upon which any of the moneys of or belonging to the Corporation shall be placed out or invested or for any loss or damage ensuing from the bankruptcy, insolvency or tortuous act of any person including any person with whom or which any moneys, securities or effects shall be lodged or deposited or for any loss, conversion, misapplication or misfortune whatever which may happen in the execution of the duties of his/her respective office or trust or in relation thereto unless the same shall happen by or through his/her own willful neglect or default. The directors, or officers, for the time being contract, act or transaction whether or not made, done or entered into in the name or on behalf of the Corporation; except such as shall have been submitted to and authorized or approved by the Board of Directors. [By-law 17 -06/07]

PART II – BOARD OF DIRECTORS

- 15.1 BOARD OF DIRECTORS – All Directors of the Corporation, whether elected or appointed shall collectively constitute the Board of Directors of CYO Hockey.
- 15.2 MAXIMUM NUMBER OF DIRECTORS – The maximum number of Directors at any time shall be **ten (10)** and equal with the number Officer of the Board positions. [2019 AGM]
- 15.3 QUALIFICATIONS OF DIRECTORS – Before any person can be elected or appointed as a Director and Officer of the Board that person shall;
- 15.3.1 Be a member of the Corporation in good standing or shall have previously retired in good standing as a member of the Corporation and provided that any person elected to be a Director shall become and shall remain an ex officio member of the Corporation until they are not re-elected as a Director;
- 15.3.2 Be eighteen (18) or more years of age;
- 15.3.3 Undertake in writing to resign from any Executive position within any Parish CYO Hockey Association or CYO Hockey Program Association, if elected or appointed as a Director;
- 15.3.4 If they have not supplied a Police Clearance Certificate to CYO Hockey within the preceding two years, undertake to apply for a new Police Clearance Certificate within 15 days of being elected or appointed and to deliver it to the President or, in the case of the President, to the Director of Conduct and Risk Management, as soon as possible for review; and,
- 15.3.5 Acknowledge that they will not use their position on the Board to confer any advantage on any CYO team with which they are affiliated as a member of that team’s coaching staff.
- 15.4 TERMS OF OFFICE – A Director’s term of office:
- 15.4.1 Shall commence at the time the Director is first elected or appointed a Director and Officer of the Board;
- 15.4.2 Shall deemed to end at the commencement of the election of Directors and Officers of the Board at the next Annual General Meeting following their election or appointment: and,
- 15.4.3 For greater certainty, if the director is appointed after an Annual General Meeting to fill any vacancy on the Board, their term of office as a Director shall still be deemed to end as prescribed sub-by-law 15.4.2.

- 15.5 ELECTION OF DIRECTORS – The election of Directors shall be held annually at each Annual General Meeting and every person elected to an Officer of the Board position pursuant to By-law 19 shall be deemed to be elected as a Director at the same time.
- 15.6 ELIGIBILITY – Every person who was previously elected or appointed as a Director or Officer of the Board is eligible to be re-elected or appointed again.
- 16.1 VACATION OF OFFICE - The office of a Director and Officer of the Board shall be deemed vacated when one of the following events occur:
- 16.1.1 The Director and Officer of the Board's term of office is concluded as prescribed in by-law 15.4 and he or she is not re-elected as a Director and Officer of the Board;
- 16.1.2 The Director and Officer of the Board becomes bankrupt or suspends payments of his/her debts generally or compounds with his/her creditors or makes an authorized assignment or is declared insolvent;
- 16.1.3 The Director and Officer of the Board dies;
- 16.1.4 The Director and Officer of the Board is found to be mentally incompetent person or becomes of unsound mind;
- 16.1.5 The Director and Officer of the Board resigns his/her office in writing and delivers it to the Secretary and any such resignation shall be effective at the time it is received by the Secretary or at the time specified in the notice, whichever is later;
- 16.1.6 The Director and Officer of the Board is removed from office by the members in accordance with By-law 17.
- 16.2 IDEM - If any Director and Officer of the Board is appointed to fill another vacant Officer of the Board position during their term of office pursuant to the provisions of by-law 21.1, they shall be deemed to continue as a Director but their previous Officer of the Board position may be deemed to have become vacant.
- 17.1 REMOVAL OF DIRECTORS - Any Director elected at a meeting of the Members shall only be removed from office prior to the next Corporation AGM in accordance with the procedure outlined in this By-law.
- 17.2 GROUNDS FOR REMOVAL - A member-elected Director and Officer of the Board may only be removed for one or a combination of the following grounds for removal which must be specified in the initial Request for Removal required by By-law 17.5 and for no other cause:

- 17.2.1 Acting in excess to their authority as permitted in these By-laws or the Act;
 - 17.2.2 Failing to act in accordance with these By-laws or the Act to the detriment of the Corporation; or,
 - 17.2.3 Another misconduct detrimental to the general welfare of the Corporation.
- 17.3 REMOVAL OF OTHER DIRECTORS AND OFFICERS – For greater certainty, the removal procedure initiated by a Request for Removal is not required to remove from office any individual specified in by-law 17.3A and any such individual can be removed from office for any reason specified in by-law 17.2, at any regularly convened meeting of the Hockey League Executive after the person is provided with an opportunity to be heard and 66% of the CYO Executive Committee vote in favour of removal.
- 17.3A IDEM – The individuals who can be removed from office pursuant to the procedure in by-law 17.3 are those not elected by Member’s delegates and are:
- 17.3A.1 Any Director and Officer of the Board appointed pursuant to by-law 21.6;
 - 17.3A.2 Any Officer of the Corporation appointed pursuant to By-laws 30 or 36; and,
- 17.3A IDEM – Individual described in by-law 17.3 can be removed from office for any reason specified in by-law 17.2, at any regularly convened meeting of the Hockey League Executive after the person is provided with an opportunity to be heard and 66% of the CYO Executive Committee vote in favour of removal.
- 17.4 REMOVAL OF PRESIDENT - If the CYO President is the subject of the Request for Removal, any responsibilities or reference made in the procedure for removal outlined in these By-laws shall be deemed a reference to the Director of Conduct and Risk Management or such other Director as the Board decides upon other than the President.
- 17.5 REQUEST FOR REMOVAL - The process to remove any director elected at any meeting of the members shall be initiated by a Request for Removal in writing specifying the reasons for which the director should be removed. The Request for Removal shall include sufficient details and supporting reasons to permit a clear understanding the reasons for the request. The Request for Removal must be supported by the signatures of 25 members in good standing coming from at a minimum of four Parish or Program Associations and may include members of either Association Executives or the Hockey Executive. The original request Removal shall be delivered to the President or Secretary. [By-law 13E -06/07]
- 17.6 RECEPTION OF REQUEST FOR REMOVAL - Upon receipt of the Request for Removal the President shall:
- 17.6.1 Notify the complained of director and provide him or her with a copy of the Request for Removal.

- 17.6.2 Afford the Director who is the subject of the Request for Removal 7 days to provide a written response to the request for removal;
- 17.6.3 Request that each Parish and Association convene a meeting within 14 days to determine amongst that Association's members if the Request to Removal should be considered further by the Executive Committee. [By-law 13F -06/07]
- 17.7 ASSOCIATION MEETINGS - If Association meetings are requested pursuant to Sub-by-law 17.6.3, the Parish leader or Program Director shall convene a meeting of their Association within 14 days. At these Association meetings the Request for Removal and any written Response shall be presented to the Association members before any decision is made. The Parish Leader or Program Director shall immediately advise the President if a majority of their Association's members support the Executive Committee considering and voting upon the Request for Removal. [By-law 13G -06/07]
- 17.8 EXECUTIVE COMMITTEE REVIEW - If within 15 days of the receipt of the Request for Removal a majority of the Parish Leaders and Program Leaders advise the President that their Association supports the Request for Removal being considered by the Executive Committee, the President shall place the matter on the agenda of the next regularly scheduled meeting of the Hockey Executive during which an Executive Committee meeting may also be convened or schedule a special meeting of the Executive Committee to consider the Request for Removal within 30 days of the receipt of the Request for Removal whichever will occur first. [By-law 13H -06/07]
- 17.9 CONDUCT OF MEETING - At the Executive Committee meeting convened to consider the Request for Removal, the Director who is the subject of the Request for Removal and anyone speaking on their behalf and the representatives of the group initiating the Request for Removal shall be afforded fair notice of the meeting and an opportunity to be heard. The meeting shall be open to all members subject to by-law 45.6 and presided over by the President or another member of the Board if the President is the Director subject to the request to be removed. At the conclusion of this meeting, the Executive Committee shall vote if a Special Meeting of the members pursuant to By-law 59 should be convened to consider the request for removal. At this meeting the Director who is the subject of the Request for Removal is entitled exercise any vote he or she may have on the issue. [By-law 13I -06/07]
- 17.10 MEMBERS' MEETING - A Special Meeting of the members in accordance with By-law 56 shall be convened by the President within 21 days only if 66% of the Executive Committee vote in favour of convening the Special Members meeting to consider the Request for Removal. The Executive Committee shall also have the discretion to vote to defer Request for Removal if the next AGM required by By-law 58 of the members is to be held within 30 days of the Executive's vote. [By-law 13J -06/07]

- 17.11 MEMBERS' REVIEW - At Members' meeting convened to consider the Request for Removal, the Director who is the subject of the Request, any member supporting that Director and representatives of the group initiating the Request shall be afforded a fair opportunity to be heard. The meeting shall be open to all members and presided over by the President or another member of the Board if the President is the Director subject to the request to be removed. [By-law 13K -06/07]
- 17.12 VOTING - A simple majority (50% plus 1) of the member delegates voting in favour of removal is required to remove the director from office and, if the director is removed, the delegates may choose to elect a replacement director at the same special meeting or they may decline to do so. [By-law 13L -06/07]
- 18.1 RESPONSIBILITIES OF THE BOARD OF DIRECTORS - The affairs of the Corporation shall be managed by the board of directors who may be known as directors and who may exercise all such powers and do all such acts and things as may be exercised or done by the Corporation that are not by the by-laws or any special resolution of the Corporation or by statute expressly directed or required to be done in some other manner. All officers shall sign such contracts, documents or instruments in writing as require their respective signatures and shall respectively have and perform all powers and duties incident to their respective office and such other powers and duties respectively as may from time to time be assigned to them by the Board of Directors; subject, however, to any special resolution of the Corporation. The duties of the board of directors' shall include but not be limited to:
- 18.1.1 Direct, manage and control the business, property and funds of the Corporation in a manner consistent with the corporate goals and objectives and the corporate mission statement;
- 18.1.2 Prepare annual operating budget prior to the commencement of each season, monitor compliance on a monthly basis and take appropriate action as required;
- 18.1.3 Present to the Hockey Council, for approval at the August Hockey League Executive meeting, the audited annual financial statements of the Corporation.
- 18.1.4 Collectively ensure that all required and appropriate Corporate records are created and maintained of all CYO Hockey business and operations during their term of office; and,
- 18.1.5 Collectively ensure that all corporate records required to be created and to maintained by the current Board pursuant to sub-by-law 18.1.4 and by all predecessor Boards are promptly and completely transferred to the custody of the successor Board upon its election to office in order to ensure the continuity of the Corporation.
- 18.2 SUBMISSION OF CONTRACTS AND TRANSACTIONS TO MEMBERS FOR APPROVAL - The Board of Directors in its discretionary submit any contract, act or transaction for approval or ratification at any annual meeting of the members convened pursuant to By-law 58 or at any general meeting

of the members called pursuant to By-law 59 for the purpose of considering the same and, subject to the provisions of section 71 of the Act, any such contract, act or transaction that shall be approved or ratified or confirmed by a resolution passed by a majority of the votes cast at any such meeting (unless any different or additional requirement is imposed by the Act or by the Corporations Letters Patent or supplementary Letters Patent or any other by-law) shall be as valid and as binding upon the Corporation and upon all the members as though it had been approved, ratified or confirmed by every member of the Corporation.

- 19.1 ELECTION OF OFFICERS OF THE BOARD – At the Annual General Meeting convened pursuant to By-law 58, each Officer of the Board position on the Board shall be elected by the member’s Delegates in accordance with the provisions of this By-law.
- 19.2 LIMITATION OF NUMBER OF OFFICES – Individuals may only stand for election to one (1) Officer of the Board position but may be appointed to fill a vacancy in one (1) other Officer of the Board Position pursuant to sub-by-law 21.1.5 and may thereby hold a maximum of two (2) Officer of the Board positions.
- 19.3 ORDER OF ELECTIONS - The order of the Director and Officer of the Board elections being:
 - 19.3.1 President;
 - 19.3.2 Director of Conduct and Risk Management;
 - 19.3.3 Director of League Operations
 - 19.3.4 Director of Development;
 - 19.3.5 Director of Initiation Programming (IP);
 - 19.3.6 Treasurer;
 - 19.3.7 Secretary;
 - 19.3.8 Registrar: and,
 - 19.3.9 Two (2) Directors at Large.
- 19.4 GENERAL ELECTION PROCEDURES - The Directors and Officers of the Board shall be elected annually at the Annual General Meeting and the following procedures apply:
 - 19.4.1 The Hockey League Executive shall designate one of its members at its last meeting prior to the Annual General Meeting as an Election Chair, provided that person is not seeking election or re-election as a Director, who shall preside over the election of Directors and Officers of the Board;
 - 19.4.2 Every person seeking a position on the Board shall have their nomination moved and seconded by members in good standing;
 - 19.4.3 No later than seven (7) days prior to the Annual General Meeting; candidates seeking election as a Director and Officer of the Board shall advise the Election Chair of their intention to seek office and are further encouraged

to provide the Election Chair with a statement of their qualifications not to exceed two hundred (200) words for advance circulation to the member's delegates;

19.4.4 Notwithstanding the provisions of sub-by-law 19.4.3, the Election Chair shall also call for "nominations from the floor" for each position to be elected and shall accept the nomination of any additional candidate provided that any such nomination is moved and seconded by members' delegates;

19.4.5 The Election Chair shall invite each candidate seeking election to any Office of the Board position to speak to the members' delegates for no more than two minutes;

19.4.6 If there is only one candidate for any Officer of the Board position, other than for the Director at Large position, that candidate is acclaimed to the position they are seeking;

19.4.7 Each position to be elected shall be voted upon by show of hands unless a poll is demanded and, if a poll is demanded, such election shall be conducted by secret ballot, and,

19.4.8 If there are two (2) or more candidates for any Officer of the Board position, other than for the Director at Large position, Officer of the Board position shall be voted upon by the members' delegates at the Annual General Meeting by show of hands unless a poll is demanded and if a poll is demanded such election shall be by secret ballot.

19.5 ELECTION OF DIRECTORS AT LARGE – If there are only one (1) or two (2) candidate(s) for the Director at Large positions, that candidate or those candidates shall be deemed acclaimed to that or those positions.

19.6 ASSISTANCE AND SCRUTINEERS - The Election Chair may designate neutral members present to assist him or her in counting the votes or ballots and may allow the candidates to appoint scrutineers.

20.1 OFFICER OF THE BOARD TERMS OF OFFICE – Once elected as an Officer of the Board, a Director and Officer of the Board shall retain that position for the period specified in by-law 15.4.

21.1 INTERIM FILLING OF VACANCIES – Prior to the next Annual General Meeting, any vacant Director and Officer of the Board position may be filled as follows:

21.1.1 Provided five (5) or more directors, whether elected or appointed, remain in office and provided no fewer than three (3) of the remaining Directors have Board voting privileges, any vacancy occurring in the Board may be filled for the remainder of the term in accordance with by-law 21.6;

- 21.1.2 If four (4) or fewer Directors remain in office or if five (5) Directors remain in office but only two (2) of the remaining Directors have Board voting privileges, the remaining directors shall forthwith call a Special Meeting of the members to fill the vacancies on the Board; and,
- 21.1.3 If there are no directors then in office, a Special Meeting of the Members to fill the vacancies may be called by any Parish CYO Hockey Association or CYO Program Association, by giving notice to the other Parish CYO Hockey Associations and CYO Program Associations.
- 21.2 AUTHORITY TO CONTINUE - Notwithstanding any vacancy on the Board, the Board shall discharge its duties, responsibilities and obligations as if no vacancy existed provided steps are being taken to fill the vacancies in accordance with this By-law.
- 21.3 INTERIM AUTHORITY TO MANAGE – If four (4) or fewer Directors and Officers of the Board remain in office or if five (5) Directors and Officers of the Board remain in office but only two (2) of the remaining Directors have Board voting privileges, the remaining Directors shall be empowered to continue to manage the affairs of the Corporation on an interim basis, with any assistance they require from Hockey Council, until the Special Meeting required by sub-bylaw 21.1.2 can be convened.
- 21.4 VACANCY OF PRESIDENT - If the position of President shall become vacant, the Director of Conduct and Risk Management shall immediately but temporarily assume the responsibilities of the President in an “Acting President” capacity until the President’s Office is otherwise filled in accordance with this By- law.
- 21.5 IDEM - If the position of President shall become vacant and the position of the Director of Conduct and Risk Management is also vacant, the Director of League Operations shall immediately but temporarily assume the responsibilities of the President in an “Acting President” capacity until the President’s Office is otherwise filled in accordance with this By-law.
- 21.6 APPOINTMENTS – Provided the circumstances-described in by-law 21.1.1 apply, the Directors and Officers of the Board remaining in office, after consulting with and receiving recommendations from the Hockey Council, shall:
- 21.6.1 Designate another Director and Officer of the Board to assume the responsibilities of the vacant position of any Officer of the Board in addition to the responsibilities of their original position;
- 21.6.2 Appoint another Director and Officer of the Board to fill the vacant Officer of the Board position by vacating their original position and then filling their vacated position in accordance with this sub-by-law; or,

- 21.6.3 Appoint a member in good standing with the qualifications prescribed in by-law 15.3 to fill the vacant Director and Officer of the Board Position.
- 21.7 LIMITATION - Any person appointed to fill any vacant Director and Officer of the Board position in accordance with by-law 21.6 shall only occupy that position until the next Annual General Meeting.
- 22.0 **PRESIDENT** - The President shall be the chief executive officer of the Corporation and:
- 22.1 The President, subject to these By-laws and any special resolution of the Corporation, when present, preside at all meetings of the Board of Directors, the Hockey Council and the Executive, and the members of the Corporation;
- 22.2 The President shall ensure notice if any Hockey Council meeting must be given to the entire Hockey Council and ensure that a quorum of the Hockey Council, defined as **seven of the ten** persons capable of casting votes, must be present to convene the meeting; [2019 AGM]
- 22.3 The President shall ensure that all meetings shall be chaired by the President or an appointed Director; any issues arising at the meeting of the Hockey Council shall be decided by the method prescribed in the CYO Guidelines and Rules Manual;
- 22.4 The President shall ensure that regular elections are held in accordance with the by-laws and that the By-laws, guidelines, policies, rules and regulations passed down by the Hockey Council and the Board of Directors are executed;
- 22.5 The President shall be the only member to speak on behalf of the board and the executive unless sanctioned by special resolution of the board. In such a case, the member granted such rights, shall limit themselves to the specifics of their mandate;
- 22.6 The President shall submit current and comprehensive job descriptions for all executive positions at each AGM for review and approval by the voting delegates;
- 22.7 The President shall evaluate Director performance on a regular basis against their specific responsibilities and the Corporate Mission Statement;
- 22.8 The President shall lead the budget preparation process and ensure regular review through the season;
- 22.9 The President shall supervise and monitor each Corporate Agent's performance on a regular basis against their specific responsibilities and the Corporate Mission Statement.
- 23 **DIRECTOR OF CONDUCT AND RISK MANAGEMENT** - The Director of Conduct and Risk Management shall have one vote on all matters with respect to the Board of Directors and Hockey League Executive and shall this Director shall:
- 23.1 Perform the duties of the President in his/her absence;
- 23.2 Communicate on discipline issues and hockey rules with the referee-in-chief;

- 23.3 Investigate any infraction of league rules and make a full report to the Executive Committee;
- 23.4 Investigate any infraction of the league rules and to make a full report in respect of the same to the Executive Committee;
- 23.5 Communicate with the referee-in-chief;
- 23.6 Administer all player and coaching suspensions as set out by the CYO Hockey Rules;
- 23.7 Maintain an annual record of all player suspensions by team notation;
- 23.8 Inform the President and the appropriate Parish Leader of any suspensions;
- 23.9 Implement any risk management policies or notices from the Alliance, Ontario Hockey Federation and/or Hockey Canada;
- 23.10 Ensure that each year all members of the Hockey League Executive, coaches, referees, and timekeepers receive an up-to-date of the CYO Hockey Rules prescribed by the Corporation;
- 23.11 Schedule and chair the CYO Hockey Rules meeting;
- 23.12 Process all game sheets and injury reports;
- 23.13 Ensure that all CYO volunteers have an updated Police Check and maintain an up to date list of same;
- 23.14 Fulfill all responsibilities and functions in relation to matters of conduct, complaints and discipline as specified in Part VIII – Conduct, Complaints and Discipline of these By-laws.

24 DIRECTOR OF LEAGUE OPERATIONS - The Director of League Operations shall have one vote on all matters with respect to the Board of Directors and Hockey League Executive and shall this Director shall:

- 24.1 Schedule all regular season games, play-off games and Championship weekend games for all house league divisions, including juvenile and alumni divisions;
- 24.2 Attend all Alliance Hockey house league meetings at the request of the President;
- 24.3 Arrange the scheduling of all practice ice to the Parishes for all house league teams, including juvenile and alumni as required, and present proposals for same to Hockey Council;
- 24.4 Provide the Hockey League Executive a monthly report, in writing, on the distribution of extra practice hours;
- 24.5 Arrange timekeeper and referee services for all house league divisions, including juvenile and alumni divisions;
- 24.6 Coordinate with the Board of Directors, with recommendation from Hockey Council, the securing of sufficient ice from the City of St. Catharines and other ice supplies and users; and,
- 24.7 Maintain and post league standings and submit same to the St. Catharines standard for publication, with the assistance of the Director(s) at Large.

25 DIRECTOR OF DEVELOPMENT – The Director of Development shall have one vote on all matters with respect to the Board of Directors and Hockey League Executive and shall this Director shall:

- 25.1 Convene the CYO Select program, including overseeing the try out process;
- 25.2 Present select coaching applications for approval by the Executive in accordance with the CYO Hockey Rules;
- 25.3 Coordinate with the Director of League Operations in securing sufficient ice time for the CYO Select teams for try outs, practices and games and distributing that ice amongst the select teams;
- 25.4 Overseeing the Mite and Special Needs Program in conjunction with the appointed conveners for those programs;
- 25.5 Authorize all travel permits for the League;
- 25.6 Arrange Alliance Hockey training clinics for all CYO coaches and trainers;
- 25.7 Ensure that all CYO coaching staffs are approved by the Hockey Executive as required by the CYO Hockey Rules;
- 25.8 Coordinate CYO Hockey participation with the Alliance Hockey regarding Provincial House League and Select championships;
- 25.9 Oversee the operation of the CYO Hurricanes Minor Development Hockey Association, in conjunction with the Program Director.
- 25.10 Oversee the operation of the St. Catharines CYO Initiation Program in conjunction with the Program Director.

26 **TREASURER** – The Treasurer shall have one vote on all matters with respect to the Board of Directors and Hockey League Executive and shall this Director shall:

- 26.1 Maintain the books of account and accounting records referred to in section 302 of the Act and to record all transactions pertaining to the financial affairs of the Corporation;
- 26.2 Supervise the record-keeping for the Bingo operations, if any;
- 26.3 Operate the deposit and chequing accounts of the Corporation (including the Bingo accounts) at a financial institution appointed as the Corporation's bankers may be prescribed by the Board;
- 26.4 Prepare budgets for consideration by the Hockey Council and the Board of Directors;
- 26.5 Report monthly in writing to the Hockey League Executive monthly on the current financial affairs of the Corporation;
- 26.7 Prepare a financial report for presentation at the Annual General Meeting;
- 26.8 Work with the auditors of the Corporation in preparing annual review and/or audited financial statements;
- 26.9 Prepare and present to the Hockey League Executive the reviewed and/or audited financial statements of the Corporation for approval at the August Hockey League Executive meeting;
- 26.10 Pay annual hockey fees and insurance to the Hockey Alliance for every team and player within CYO hockey;
- 26.11 Pay all invoices of the Corporation, including ice and referees and any other fees that the Corporation has incurred;
- 26.12 Ensure that all ice time is properly budgeted and accounted for, in conjunction with the Director of League Operations and Director of Development;
- 26.13 Reviewing the financials of all CYO Programs and Parish Associations

- submitted to the Board of Directors as required by by-law 31.1.10; and,
- 26.14 Ensure that all hockey participants pay their required fees to participate in CYO Hockey and provide receipts for those fees.
- 27 **SECRETARY** - The Secretary shall have one vote on all matters with respect to the Board of Directors and Hockey League Executive and shall this Director shall:
- 27.1 Record and maintain the minutes of all meetings of the Board of Directors, the Hockey League Executive and any members' meetings, except any in camera minutes or matters of a personal nature, the Members, and Executive and shall provide a copy to any member upon reasonable request;
- 27.2 If the secretary is not personally present at any meeting, the Secretary is to make all reasonable efforts to obtain minutes of the meeting from the person designated by the meeting's chair to keep minutes;
- 27.3 Distribute minutes of the previous meetings and the agenda to attendees of meetings;
- 27.4 Receive correspondence addressed to the Corporation and present same to the Executive;
- 27.5 Maintain in safe storage all of the records of the Corporation that are required by
- Section 300 of the Act to be safeguarded, including:
- 27.5.1 Corporate information notices;
- 27.5.2 The Letters Patent of the Corporation;
- 27.5.3 These By-laws of the Corporation;
- 27.5.4 The list of members of the Corporation;
- 27.5.5 The minutes of meetings of the Board of Directors and the Members;
- 27.5.6 The audited financial statements of the Corporation; and,
- 27.5.7 The Rules and Regulations of Play prescribed by the Hockey Council.
- 27.6 Maintain a current telephone and email address roll of all members of the Hockey League Executive and notify all required persons of all meeting dates, times and locations by email or telephone or personal contact where appropriate:
- 27.7 Coordinate with the By-law Review Committee to ensure that a complete and current copy of these By-laws is available to the Board, Executive and all members upon request;
- 27.8 Forward any By-law Amendment Proposals to the By-law Review Committee for its review as required by by-law 83.4;
- 27.9 File all corporate reports and returns on behalf of the Corporation as required; and,
- 27.10 Maintain current a roll of all Honorary Life Members as required by by-law 56.6.
- 27A **REGISTRAR** - The Registrar shall be a non-voting member of the Board of Directors and shall:
- 27A.1 Co-ordinate the registration process for all CYO hockey participants;
- 27A.2 Convene and chair the CYO player assignment meeting at the

- commencement of each hockey season;
- 27A.3 Assign players who enter CYO after the player assignment meeting to a team in accordance with the CYO Hockey Rules and co-ordinate the withdrawal of players from teams during the hockey season;
- 27A.4 Compile and maintain a list of all CYO hockey volunteers, including coaches, trainers, on-ice trainers and other team personnel to be used by the league timekeepers and the Director Conduct and Risk Management;
- 27A.5 Ensure all records of Alliance Hockey, the Ontario Hockey Federation and Hockey Canada for all CYO participants and volunteers are complete and current;
- 27A.6 Ensure all rosters for all CYO teams are compiled, completed and submitted on time the Hockey Alliance Board and are approved; and,
- 27A.7 Maintain a current database of all CYO members, hockey participants and volunteers.
- 27B DIRECTOR AT LARGE** – A Director at Large shall be a non-voting member of the Board of Directors and shall have the primary responsibility of assisting other members of the Board in fulfilling their responsibilities to ensure the overall efficient and effective operation of CYO Hockey, including the following duties;
- 27B.1 Maintain the CYO Hockey website in current and informative state;
- 27B.2 With the assistance of the Director of League Operations, compile and post on the CYO website all current house league standings and game results;
- 27B.3 Advertise within the community important CYO hockey news and dates, including information concerning CYO registration and the CYO Annual General Meeting;
- 27B.4 Organize pictures for the League, including team pictures and Hockey Executive pictures;
- 27B.5 Coordinate with the Registrar to establish and maintain a general database of all CYO members, hockey participants and volunteers;
- 27B.6 Assist in organizing the CYO Championship weekend, including the CYO Hockey Yearbook; and,
- 27B.7 Undertaking such other tasks, projects or assignments as assigned by the President.
- 28.1 DELEGATION TO CORPORATE AGENTS** - The Board may direct a Corporate Agent employed or contracted with under By-law 36 to assist specific Board members in fulfilling their duties concerning the daily operation of the League as it deems fit and shall create a job description for each Corporate Agent to reflect these directions. Notwithstanding the Board has directed that a corporate agent assist any Director in fulfilling their duties as specified in these By-laws, the said Director always remains responsible to monitor and to ensure on a monthly basis that their responsibilities are being fulfilled.
- 29.1 REGULAR MONTHLY BOARD MEETINGS** - The Board of Directors shall meet at least once a month to discuss and conduct the business of the Corporation. It shall occur within the City of St. Catharines at a date and time

set by the President. [By-law 30 -06/07]

- 29.2. NOTICE - A meeting of the Board of Directors may be convened by the President, a Vice-President who is a director or any two directors at any time and the Secretary, when directed or authorized by any such officers or any two directors, shall convene a meeting of directors. The notice of any meeting convened as aforesaid need not specify the purpose of or the business to be transacted at the meeting. Notice of any such meeting may be given by way of a telephone call or email message to the members of the Board, or in writing by mail, or by any other method that the Board may adopt by way of resolution from time to time, provided that notice is received at least 48 hours prior to the time and date of the meeting. However, a director may in any manner and at any time waive notice of a meeting of directors and attendance of a director at a meeting of directors shall constitute a waiver of notice of the meeting except where a director attends a meeting for the express purpose of objecting to the transaction of any business; provided further that meetings of directors may be held at any time without notice if all the directors are present (except where a director attends a meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called) or if all of the absent directors waive notice before or after the date of such meetings. If the first meeting of the board of directors following the election of directors by the members is held immediately thereafter, then for such meeting or for a meeting of the Board of Directors at which a director is appointed to fill a vacancy in the board, no notice shall be necessary to the newly elected or appointed directors or director in order to legally constitute the meeting, provided that a quorum of the directors is present. [By-law 31 - 06/07]
- 29.3 OMISSION OF NOTICE - The accidental omission to give notice of any meeting of directors to, or the non-receipt of any notice by, any person shall not invalidate any resolution passed or any proceeding taken at such meeting. An accidental omission occurs when a timely notice is initiated in good faith and with reasonable effort but is not successfully received due to uncontrollable circumstances. [By-law 32 -06/07]
- 29.4 QUORUM - A majority of the directors shall form a quorum for the transaction of business. [By-law 34 -06/07]
- 29.5 VOTING - Questions arising at any meeting of directors shall be decided by a majority of votes. In any case in an equality of votes the chairman of the meeting in addition to his/her original vote shall have a second or casting vote. Directors shall vote for or against all motions brought forward. [By-law 35 -06/07]
- 29.6 MINUTES - The Secretary or, in the Secretary's absence a director designated by the Chairperson, shall record the minutes of all Board Meetings. [By-law 36 -06/07]

PART III – OFFICERS AND AGENTS OF THE CORPORATION

- 30.1 OFFICERS OF THE CORPORATION - The Board of Directors may annually or more frequently as required, appoint Officers of the Corporation as follows:
- 30.1.1 Parish Leaders and Assistant Parish Leaders for each Parish Hockey Association as prescribed by By-law 31 and By-law 34;
 - 30.1.2 A Program Director(s) and Assistant Program Director(s) for the CYO Hurricanes Minor Development Hockey Association as prescribed by By-law 32 and By-law 34;
 - 30.1.3 A Convener or Conveners for the CYO Mite (Developmental) Program;
 - 30.1.4 A Program Leader for the CYO Initiation Program;
 - 30.1.5 A Convener or Conveners for the Jr. Ice Dogs (Special Needs) Program;
 - 30.1.6 A Convener for the Juvenile Division;
 - 30.1.7 A Convener for the Alumni Division; and,
 - 30.1.8 A Parish Priest to serve as Spiritual Advisor. [By-law 22 d) -06/07]
- 30.2 APPOINTMENT OF CYO HOCKEY PARISH ASSOCIATION LEADERS AND CYO HOCKEY PROGRAM ASSOCIATION DIRECTORS AND THEIR ASSISTANTS - CYO Hockey Parish Association Leaders and CYO Hockey Program Association Directors and their Assistants shall receive their appointment to the Hockey Council by a letter of endorsement by the Electing Committee of their CYO Hockey Parish Association or their CYO Hockey Program Association, submitted to the Board of Directors. The CYO Hockey Parish Association or their CYO Hockey Program Association members must be notified in a timely manner through conventional means, including but not exclusive to the CYO website, League bulletin board, parish bulletin and the League year end program. An Election chairperson must be identified and the Board notified one week in advance of the election. The Election Chairperson must then submit the minutes of the meeting along with the election results in a letter addressed to the Board. [By-law 37 -06/07]
- 31.0 CYO HOCKEY PARISH LEADERS - Each Parish Leader shall attend Executive and Hockey Council meetings as the representative of their Parish CYO Hockey Association and shall:
- 31.1.1 Act as a liaison between the Hockey Executive and the players, parents and coaches of their Parish CYO Hockey Association;
 - 31.1.2 Implement at the Parish level policies and resolutions passed by the Board of Directors and/or the Hockey Council;
 - 31.1.3 Implement the registration process prescribed by the Board of Directors;
 - 31.1.4 Submit the registration of teams to the Executive at the time designated;
 - 31.1.5 Select and submit, to the Executive Committee the names of qualified coaches and trainers, in numbers prescribed by the Board of Directors, as necessary to supervise the teams under his/her leadership;
 - 31.1.6 Ensure that all players under his/her leadership are eligible to play at each

- game in accordance with the rules and regulations of play prescribed by the Hockey Council;
- 31.1.7 Participate in the budgeting process of the Corporation prior to the commencement of each hockey season;
- 31.1.8 Comply with all disciplinary action taken by the Executive Committee against him/her or anyone under his/her leadership;
- 31.1.9 No Parish Leader, Individual or group may use their membership within the Corporation for personal financial benefit;
- 31.1.10 Submit by September 1, just prior to the commencement of each CYO hockey season a financial model (proposed budget) listing projections of revenue through any and all fundraising initiatives, along with line item expenses. This is to be followed by a complete budgetary submittal listing all projected revenue and expenses along with all actual and expense items. Submittal must be made by May 31 immediately following each hockey season and made to the secretary and treasurer of the corporation.
- 31.1.1 Vote for or against all motions brought forward at Hockey Council, Hockey Executive and Executive Committee. [By-law 40 -06/07]

32.0 PROGRAM DIRECTOR OF THE ST. CATHARINES CYO HURRICANES MINOR DEVELOPMENT HOCKEY ASSOCIATION - Program Director of the St. Catharines CYO Hurricanes Minor Development Hockey Association shall attend Executive and Hockey Council meetings as the representative of his/her CYO Association shall have all corresponding responsibilities as listed in By-law 29 in relation to their Program Association and the Corporation as a Parish Leader has in relation to their CYO Parish Hockey Association and has the additional following responsibilities:

- 32.1 Assist the Director of Development with the Alliance on matters concerning Minor Development, including attending all Alliance MD/Representative meetings pertaining to the MD program and provide a monthly report to the Executive;
- 32.2 Assist the Director of Development with the Hamilton Hub on matters concerning Minor Development, including attending all Hamilton Hub meetings pertaining to the MD program and provide a monthly report to the Executive;
- 32.3 Oversee the tryout selection process for all Minor Development teams;
- 32.4 Assist and coordinate with the Director of League Operations in scheduling ice allocated to Minor Development. Including attending all ice scheduling meetings with the Alliance and the Hamilton Hub;
- 32.5 Submit to the Director of League Operations prior to the House League draft, the final roster names of all Minor Development teams;
- 32.6 Obtain and submit names of interested coaches and trainers to the Hockey Executive for approval prior to the start of the tryouts;
- 32.7 Assist the Director of Conduct and Risk Management with the discipline process for all coaches and players within the CYO Hurricanes Minor Development Hockey Association;
- 32.8 Track and report suspensions to the Hamilton Hub, Hockey Alliance and the CYO League; and,

32.9 Promote and develop the Minor Development hockey program.
 [By-law 40B -06/07]

33.0 PROGRAM DIRECTOR(S) OF THE ST. CATHARINES CYO INITIATION PROGRAM – Program Director of the St. Catharines CYO Initiation Program shall attend Executive and Hockey Council meetings as the representative of his/her CYO Program shall have all corresponding responsibilities as listed in By-law 29 in relation to their Program Association and the Corporation as a Parish Leader has in relation to their CYO Parish Hockey Association and has the additional following responsibilities:

33.1 Assist the Director of Development with the Alliance on matters concerning Initiation Program, including attending all Alliance meetings pertaining to the Initiation program and provide a monthly report to the Executive;

33.2 Oversee the roster distribution process for all St. Catharines CYO Initiation Program teams;

33.3 Assist and Co-ordinate with the Director of League Operations in scheduling ice allocated to Initiation Program;

33.4 Submit to the Director of League Operations, the final roster player and volunteer names of all Initiation teams;

33.5 Assist the Director of Conduct and Risk Management with the discipline process for all coaches and players within the St. Catharines CYO Initiation Program;

33.6 Track and report suspensions Hockey Alliance and the CYO League; and,

33.7 Promote and develop the St. Catharines CYO Initiation hockey program

Note: Due to the addition of By-Law 33 – Program Leader of the Initiation Program, all By-Law numbers hereon in must be adjusted.

34.0 ASSISTANT PARISH LEADERS AND ASSISTANT PROGRAM DIRECTORS – Each Assistant Parish Leader and Assistant Program Director shall assist his/her Parish Leader or Program Director with his/her duties and may attend and speak at all Hockey Council and Executive meetings and may exercise the vote of his/her Parish CYO Hockey Association or CYO Representative Association in the absence of his/her Parish Leader or Program Director. [By-law 40 -06/07]

35.1 TERMS OF OFFICE – Once appointed an Officer by the Board pursuant to By-law 30, each incumbent Officer shall continue as such until the earlier of:

35.1.1 The Officer's resignation;

35.1.2 The appointment of the Officer's successor by the Board pursuant to By-law 30;

35.1.3 The Board Officer ceasing to be a director or member of the Corporation or to have the endorsement of a Parish CYO Hockey Association or CYO Hockey Program Association if such endorsement is a necessary qualification of the Officer's appointment, or,

35.1.4 Their removal from office by the Executive Committee pursuant to by-law 17.3.

35.2 VACANCIES - In the event of a vacancy of a Parish Leader, Program

Director, Assistant Parish Leader or Assistant Program Director, after the commencement of the new season, new applications shall be considered by the Board pursuant to by-law 30.2.

- 36.0** OTHER OFFICERS - The Board of Directors may also from time to time appoint such other officers and agents as it shall deem necessary with such responsibilities, as it seems fit. [By-law 39 -06/07]

- 37.0** DELEGATION OF OFFICERS' RESPONSIBILITIES - In the case of the absence or inability to act of any officer of the Corporation or for any other reason that the Board of Directors may deem sufficient, the Board of Directors may delegate all or any of the powers of any such officer to any other officer or to any director for the time being. [By-law 23 -06/07]

- 38.1** IMMEDIATE PAST-PRESIDENT – The person who had been elected as President of the Corporation immediately before the current corporation president shall be the Immediate Past-President and he or she shall serve as a voting member of the Hockey Council, Hockey League Executive and the Executive Committee.

- 38.2** BOARD ADVISOR - The Immediate Past President shall also attend all board of directors and executive meetings in an advisory capacity.

- 39.1** **CORPORATE AGENTS** - The Board of Directors shall have the authority, as it deems necessary, to hire as employees of the Corporation or to contract for services for the Corporation the following Corporate Agents:
 - 39.1.1** A League Administrator (Executive Director);
 - 39.1.2** An Ice Scheduler; and/or,
 - 39.1.3** An Administrative Assistant. [By-law 23A -06/07]

- 39.2** CORPORATE AGENTS' RESPONSIBILITIES - The responsibilities of Corporation Agents will be to assist Board Members and Officers with their responsibilities as provided for in these by-laws or as otherwise deemed necessary by the Board.

- 39.3** REPORTING AND MONITORING - Corporate agents shall report to the President on an on-going basis and to the Board of Directors on a monthly basis. These Corporate Agents shall work on behalf and for the benefit of the Board of Directors and assist the Directors to fulfill their duties to the Corporation. [By-law 23A -06/07]

- 39.4** TERMS OF CORPORATION AGENTS' POSITIONS - The costs, justification and terms of employment or contract of these Corporate agents shall be decided by the Board in conjunction with the Corporation Budget for the next fiscal year. The hiring and/or re-appointment and further contracting for these Corporate Agents shall be done and agreed upon by each newly elected Board of Directors following the AGM. [By-law 23A -06/07]

PART IV - HOCKEY COUNCIL

40.1 HOCKEY COUNCIL MEMBERSHIP - Board of Directors shall annually or more frequently as required, establish a Council of Officers, which shall be known as the Hockey Council which shall be composed of the following persons:

40.1.1 The Immediate Past-President of the Corporation;

40.1.2 The Parish Leader from each CYO Parish Hockey Association;

40.1.3 One or two Assistant Parish Leaders from each CYO Parish Hockey Association;

40.1.4 The Program Director for the St. Catharines CYO Hurricanes Minor Development Hockey Association;

40.1.5 One or two Assistant Program Directors for the St. Catharines CYO Hurricanes Minor Development Hockey Association. [By-law **36A** -06/07]

40.1.6 The Coordinator for the Mite and/or Initiation Program (IP)

40.1.7 The Coordinator of the Novice Program

40.2 HOCKEY COUNCIL VOTING RIGHTS - Each Parish CYO Hockey Association and CYO Hockey Program Association listed in by-law 54.4 and represented on the Hockey Council and the Immediate Past President are all entitled to one (1) vote each in respect of hockey matters to be decided by the Hockey Council, the Hockey Executive and the Executive Committee as the case may be [By-law **39** -06/07].

40.3 SUSPENSION OF VOTING RIGHTS – If any CYO Parish Hockey Association or CYO Hockey Program Association suspends operation within CYO Hockey for any reason, the Board shall to suspend any voting rights at Hockey Council, Hockey League Executive or Executive Committee of such an Association and shall further to recalculate required percentage of Associations attending for the notice provisions or for quorum within these by-laws to reflect the suspension of the Association’s voting privileges until the next AGM. [2008 AGM]

40.4 ALTERNATIVE REPRESENTATION - In the absence of the Parish Leader or Program Director and Assistant Parish Leader or Assistant Program Director, a CYO Hockey Parish Association or CYO Hockey Program Association may approach the President for permission to appoint another member to attend meetings on the Association’s leadership’s behalf. Only upon submission to and approval by the President will the member be allowed to represent the Parish or Program Association and to exercise the voting privileges of that Association. Submission and acceptance to be reported in the minutes of the meeting. [By-law **41** -06/07]

41.1 THE HOCKEY COUNCIL RESPONSIBILITIES - The duties of the Hockey Council shall include but not be limited to:

- 41.1.1 Prior to the commencement of each CYO Hockey Season review and reaffirm the CYO Hockey Rules which will govern CYO hockey play that season including considering any rule amendment proposal recommendations received from the Rules Committee;
 - 41.1.2 During each CYO Hockey Season, determine any issue concerning the application of the CYO Hockey Rules including the suspension, waiving or modification of any rule as allowed by the CYO Hockey Rules;
 - 41.1.3 Recommend persons for election to vacant positions on the Board of Directors, and all Committees and appointed officers;
 - 41.1.4 Provide the Board of Directors with recommendations as required by these By-laws and in other cases as requested by the Board of Directors;
 - 41.1.5 Meet with the Board of Directors on a minimum of seven times per year, excluding the annual budget meeting;
 - 41.1.6 Assist the Board of Directors with respect to scheduling, budgets, registration procedures, championship day and the appointment of timekeepers;
 - 41.1.7 Recommend to the Board that a person be dismissed from an appointed office of the Corporation (other than a Parish Leader, Program Director, Assistant Parish Leader or Assistant Program Director) for conduct detrimental to the general welfare of the Corporation as allowed by By-law 17;
 - 41.1.8 Observe league games and monitor games as requested by the Board of Directors;
 - 41.1.9 Impose discipline in matters where a review is required or where there is no specific course of action prescribed in these By-laws or by the rules and regulations set out by the Hockey Council. [By-law 38 -06/07]
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- 42.1 HOCKEY COUNCIL MEETINGS - A Hockey Council meeting must be called by the President in the event that any Parish Leader and/or Program Director request that a meeting be convened, with such a meeting to take place within one (1) week of the request. [By-law 41 -06/07]
 - 42.2 NOTICE - Notice of a Hockey Council Meeting must be given by personal contact, telephone, email or writing to the Parish Leaders, Program Directors and the Past-President and shall include the commencement time and place. The Secretary or other person requested by the President shall give notice at the President's direction. [By-law 41 -06/07]
 - 42.3 OMISSION OF NOTICE – Unavoidable omission of notice to any member of the Hockey Council shall not invalidate any resolution passed or any proceeding taken at such a meeting. [By-law 41 -06/07]
 - 42.4 REGULAR QUORUM – To convene any regular meeting of the Hockey Council of which a minimum of 72 hours notice of meeting is given, the quorum of such a meeting of the Hockey Council is the presence at the meeting's commencement of five (5) persons capable of casting votes

excluding the Chair.

- 42.5 URGENT QUORUM – In urgent circumstances which requires the convening of an emergency meeting of the Hockey Council and which prevents the giving of a minimum of 72 hours notice of the meeting is given, the quorum of such a meeting of the Hockey Council is the presence at the meeting's commencement of seven (7) persons capable of casting votes excluding the Chair. Provided that a person capable of casting a vote at Hockey Council and unable to attend, may give his or her written or emailed proxy to vote to any other Hockey Council member present at the meeting. Persons present capable of voting and any such proxies shall both be considered equally when the presence of the required number of Hockey Council votes calculated. These emergency proxies can only be used under these extraordinary circumstances and in no case for meetings of Hockey Council for which more than 72 hours notice has been given. [By-law 41 - 06/07]
- 42.6 CHAIR - All meetings of the Hockey Council shall be chaired by the President or an Appointed Director. The President or Director chairing the meeting in the President's absence is entitled only to vote in the case of an equality of votes, in which case his/her vote shall break the deadlock. [By-law 41 -06/07]
- 42.7 VOTING - As specified in By-law 38, only one person representing each CYO each member CYO Hockey Association listed in By-law 54.4 and the Immediate Past President, are entitled to vote in respect of hockey matters to be decided by the Hockey Council except that the President or Vice President chairing the meeting in the President's absence is entitled only to vote in the case of an equality of votes, in which case his/her vote shall break the deadlock.
- 42.8 PARTICIPATION IN HOCKEY COUNCIL CONSIDERATIONS – Notwithstanding they are unable to vote at Hockey Council matters, all Corporation Directors shall be entitled to propose and second motions for the Hockey Council's consideration. Every member of the Hockey League Executive listed in By-law 41 is entitled to speak to resolutions and participate in discussions of matters before the Hockey Council.
- 42.9 RULES OF PROCEDURE - Robert's Rules of Order is to apply in respect of all procedural matters not otherwise dealt with in these by-laws.
- 42.10 MINUTES – Minutes must be kept of all Hockey Council meetings and forwarded to the Secretary forthwith after the meeting concludes. [By-law 41 -06/07]

PART V -HOCKEY LEAGUE EXECUTIVE

43.1 HOCKEY LEAGUE EXECUTIVE MEMBERSHIP - The CYO Hockey League Executive shall consist of the following members:

43.1.1 The Board of Directors as defined in By-law 15;

43.1.2 The Hockey Council as defined in By-law 39 and,

43.1.3 All other officers of the Corporation appointed by the Board pursuant to By-laws 30 or 35. [By-law 43 -06/07]

44.1 HOCKEY LEAGUE EXECUTIVE MEETINGS – The President shall call a full Hockey League Executive meeting a minimum of seven times per year, excluding the annual budget during the hockey season and Hockey Council Meetings may be held simultaneously with meetings of the Hockey Council. [By-law 44 -06/07]

44.2 PRIMARY PURPOSE – The primary purpose shall be to attend to Hockey Council matters however the meeting shall also be used to attend to matters of common interest to the Board of Directors, the Hockey Council and all the appointed Officers of the Corporation. [By-law 44 -06/07]

44.3 POLICIES - The Hockey League Executive, within areas of shared responsibilities of both the Board and Hockey Council:

44.3.1 Shall establish and periodically review by majority vote a written CYO Volunteer Screening Policy consistent with the Alliance Hockey Speak Out Policies and Procedures and any similar policies of the OWHA; and,

44.3.2 May establish and revise by majority vote and revise other written policies and Codes of Conduct to guide the operation of CYO Hockey.

44.4 QUORUM – The required quorum for Hockey League Executive Meeting is presence at the commencement of the meeting of:

44.4.1 A quorum of the Board of Directors as specified by By-law 29.4, and,

44.4.2 A quorum of the Hockey Council as specified by By-law 42.4 or 42.5.

44.5 VOTING PRIVILEGES - Only a maximum of fourteen (14) votes may be cast upon matters to be decided at the Hockey League Executive which shall be composed of:

44.5.1 The six (6) by the Officers of the Board with voting privileges at the Board;

44.5.2 Eight (8) votes which may be cast at Hockey Council pursuant to By-law 40; and,

44.5.3 Provided that under no circumstances shall any individual, other than the Chair, be entitled to cast more than one vote upon any matter to be decided by the Hockey League Executive.

44.6 PARTICIPATION – For greater certainty, the following persons are non-voting members of the Hockey League Executive and may participate fully in its discussions and deliberations:

44.6.1 Officers of the Board who are non-voting members of the Board;

44.6.2 All Assistant Parish Leaders and Assistant Program Directors; and,

44.6.3 Any other appointed officers of the Corporation.

44.7 NOTICE – Notice of all Hockey League Executive Meetings shall be provided to all members of Hockey League Executive in the same notice is given of Hockey Council Meetings pursuant to By-law 42.2.

44.8 MINUTES – The Secretary or, in the Secretary’s absence a person designated by the Chairperson, shall record minutes of all Hockey League Executive meetings.

44.9 OPEN MEETING – The meeting shall be open to all individual members of the Corporation for the purpose of observation only and the general membership shall be seated in an area designated by the Chairman.

44.10 ORDER OF BUSINESS – The Order of business shall be:

44.10.1 Reading and Approval of the Minutes of Previous Meeting of Hockey League Executive;

44.10.2 Business arising from the Minutes;

44.10.3 Reading and Consideration of Communications and Notices;

44.10.4 Reports of Committees;

44.10.5 Treasurer’s Report;

44.10.6 Business deferred from previous Meetings;

44.10.7 Any complaint or discipline issues which the Director of Conduct and Risk Management is required to report on pursuant to these By-laws;

44.10.8 Hockey Business;

44.10.9 New Business; and,

44.10.10 Parish and Program Reports. [By-law 44 -06/07]

PART VI

COMMITTEES OF THE CORPORATION

EXECUTIVE COMMITTEE

45.1 EXECUTIVE COMMITTEE MEMBERS - The membership of the Executive Committee shall consist only of the members of the Board and the Hockey Council and excludes any other appointed officers. [By-law 47 -06/07]

- 45.2 PARTICIPATION – For greater certainty, the following persons are non- voting members of the Executive Committee and may participate fully in its deliberations:
- 45.2.1 Officers of the Board who are non-voting members of the Board; and,
 45.2.2 All Assistant Parish Leaders and Assistant Program Directors.
- 45.3 QUORUM OF EXECUTIVE COMMITTEE - A quorum of both the Board of Directors as required by by-law 29.4 and of the Hockey Council as required 42.4 must be present at any Executive Committee hearing.
- 45.4 VOTING - Only a maximum of fourteen (14) votes may be cast upon matters to be decided at the Executive Committee which shall be the same votes referenced in by-law 44.1 and a simple majority of votes cast at the Executive Committee shall determine issues provided that no greater majority is required within these By-laws.
- 45.5 ADDRESSING COMMITTEE – Only Executive Committee members can participate in its deliberations but others may be allowed to address the meeting by the chair that shall be the President or appointed vice president.
- 45.6 MEETING TIMES – The Executive Committee can meet at a separate time or during a distinct and announced portion of a meeting of the Hockey Council or Hockey League Executive.
- 45.7 EXECUTIVE COMMITTEE RESPONSIBILITIES - The Executive Committee shall be responsible to consider and have the authority to:
- 45.7.1 To determine complaints of alleged misconduct and, if appropriate to determine issues of any issues of discipline in accordance the provisions of Part VIII of these By-laws;
- 45.7.2 To dispense hockey discipline as specified in accordance the CYO Hockey Rules;
- 45.7.3 To remove any officer or non-elected director pursuant to by-law 17.3;
- 45.7.4 To recommend a meeting of the members be convened as required by by-law 17.9;
- 45.7.5 To determine any appeal of a decision of the Volunteer Screening Review Committee pursuant to by-law 48.4 in accordance with the CYO Volunteer Screening Policy.
- 45.8 RESPECT FOR PRIVACY - All meetings of the Executive Committee shall be open to all members unless a majority of the Committee votes to restrict access to the meeting to respect the privacy of any individual.

HOCKEY RULES REVIEW COMMITTEE

- 46.1 HOCKEY RULES REVIEW COMMITTEE – There shall be established annually a CYO Hockey Rules Review Committee to review and to consider any proposed amendments to the CYO Hockey Rules and to make recommendations concerning any proposed rules amendments to the Hockey Council.
- 46.2 CHAIR OF COMMITTEE – Pursuant to by-law 23.11, the CYO Hockey Rules Review Committee shall be chaired by the Director of Conduct and Risk Management.
- 46.3 COMPOSITION OF RULES REVIEW COMMITTEE – Every CYO Hockey Parish and every CYO Hockey Program is entitled be represented on the Committee and shall be encouraged to have a maximum of two (2) representatives upon the CYO Rules Review Committee.
- 46.4 FUNCTION OF THE HOCKEY RULES REVIEW COMMITTEE - The CYO Hockey Rules Review Committee:
- 46.4.1 Shall encourage members during each Hockey Season to submit any proposals for changes to the CYO Hockey Rules for consideration and review by the Committee and the Committee Chair shall collect any submitted proposals and present them to the Committee for its review and consideration, **no later than two weeks of the scheduled meeting;**
- 46.4.2 Shall itself review the CYO Hockey Rules annually to determine if any changes or amendments are appropriate, necessary or required, **and be in place prior to registration for the upcoming season;**
- 46.4.3 Shall meet at the call of its Chair as often as required during the interval between the end of one CYO Hockey Season and the commencement of the next CYO Hockey Season; and,
- 46.4.4 Shall make written recommendations upon any proposed amendments of the CYO Hockey Rules to the Hockey Council for its further review and vote prior to start of each CYO Hockey Season.
- 46.5 MEETING OF THE WHOLE – As an alternative to convening a distinct CYO Hockey Rules Review Committee, the Hockey League Executive may reconvene itself as the CYO Hockey Rules Review Committee to fulfill the functions set out in by-law 46.4, for a portion of any regularly scheduled Hockey Executive Meeting provide that portion is chaired by the Director of Conduct and Risk Management.

VOLUNTEER SCREENING REVIEW COMMITTEE

- 47.1 VOLUNTEER SCREENING REVIEW COMMITTEE – The Board, with input from the Hockey League Executive League, shall establish annually Volunteer Screening Review Committee (VSRC).

- 47.2 VSR COMMITTEE COMPOSITION – The VSRC shall be composed of no less than three (3) individual corporation members who each are in good standing and possess professional designations;
- 47.3 DEFINITION – The term “professional designation” used in by-law 47.2 shall have the same meaning as defined within the Alliance Hockey Speak Out Policies and Procedures.
- 47.4 DEEMED OFFICERS – Any member of the VSRC performing in good faith any committee responsibilities shall for that purpose be deemed officers of the Corporation.
- 47.5 VSRC CHAIR - The Chairperson of the Committee shall be decided upon by the Committee’s members and the Chair is always to have vote and a second vote only in the case of an equality of votes cast upon Committee decisions.
- 48.1 PRIME VSRC COMMITTEE FUNCTION - The prime role of the VSRC is to undertake any responsibilities assigned to it by the CYO Volunteer Screening Policy and it can also recommend to the Board amendments to the CYO Volunteer Screening Policy.
- 48.2 DETERMINATIONS - The VSRC shall make decisions concerning a hockey volunteer’s or Director’s suitability to serve or continue to serve in his or her position within CYO by a majority vote after considering the CYO Volunteer Screening Policy and the information available to the Committee.
- 48.3 COMMITTEE PROCEDURES – The Volunteer Review Committee shall function cooperatively subject to the following:
- 48.3.1 The Committee shall be convened at the request of the Director of Conduct and Risk Management;
- 48.3.2 The VSRC’s quorum shall be a minimum of three Committee members and all decisions shall be made by majority vote of the members.
- 48.4 REVIEW - Any decision of the VSRC may be appealed to the Executive Committee in accordance with the CYO Volunteer Screening Policy.
- 48.5 CONFIDENTIALITY - All personal information collected by the Corporation in order to administer the CYO Volunteer Screening Policy and discipline shall be kept confidential and maintained securely and in accordance with any CYO Records Maintenance and Privacy Policy in existence.

BY-LAW REVIEW COMMITTEE

- 49.1 BY-LAW REVIEW COMMITTEE CHAIR - The President shall appoint a Chairperson on an annual basis. The Chairperson is responsible to organize and manage the By-law Review Committee and reports directly to the President. [By- law 45 -06/07]
- 49.2 BY-LAW REVIEW COMMITTEE MEMBERSHIP – The Corporation shall convene a By-law Review Committee each Hockey Season and the Parish Leaders and the Program Directors shall designate at least one volunteer from their Association no later than January 31 preceding each Annual General Meeting to be a member of By-law Review Committee who must be approved by the Hockey League Executive at its February Meeting.
- 49.3 IDEM – Until a Parish or Program designates a person to be its Representative member of the By-law Review Committee, the Parish or Program Leader shall be deemed that Program’s or Parish’s member of the Committee.
- 49.4 QUORUM - The quorum for the By-law Review Committee’s decisions shall be representatives of four (4) CYO Hockey Associations.
- 50.1 BY-LAW REVIEW COMMITTEE RESPONSIBILITIES - The main objectives of the By-law Review Committee is to function in accordance with the procedure detailed in By-law 83 and in particular to:
- 50.1.1 Review the By-laws for potential amendments;
 - 50.1.2 Facilitate and receive input from the general membership in accordance with By- law 83;
 - 50.1.3 Provide a progress report to the President on a monthly basis;
 - 50.1.4 Provide AGM delegates with a discussion paper at least two weeks before the AGM;
 - 50.1.5 Assist the Board to incorporate any By-law amendments passed at any meeting of the Members into the existing By-laws without delay and to make them available to the members of the Corporation for general circulation through the Secretary. This includes the authority to re-order, to re-number, to amend any cross-references or to make other necessary minor amendments to other affected By-laws required to incorporate any By-law amendments into the by- laws in a consistent manner provided that the intent of all by-law amendments are respected and not altered or diminished in any way.

AFFILIATION REVIEW COMMITTEE

- 51.1 AFFILIATION REVIEW COMMITTEE - If the process to consider the affiliation, amalgamation or merger of the Corporation’s hockey operations with the hockey operations of another minor hockey organization as outlined in By-Law 65, the Affiliation Review Committee shall be activated.

- 51.2 AFFILIATION REVIEW COMMITTEE COMPOSITION - The Affiliation Review Committee shall be chaired by the President and shall include the Director of Development, Treasurer and one (1) representative from each CYO Parish Hockey Association and CYO Hockey Program Association. The responsibilities of this Committee are as outlined in By-law 82. [By-law 46 -06/07]

OTHER COMMITTEES

- 52.0 OTHER COMMITTEES - The Board of Directors may also from time to time appoint such other committees as it shall deem necessary with such responsibilities, as it seems fit. [By-law 42 e) -06/07]

PART VII – CORPORATION MEMBERSHIP AND ITS MEETINGS

- 53.1 MEMBERSHIP ENTITLEMENT - Every person and organization that meets the qualifications for membership in the following classes of membership is entitled to have the rights attributed to each member of the following classes of members in these By-laws:

53.1.1 CYO Hockey Association Members as defined in By-law 54;

53.1.2 Individual Regular Members as defined by By-law 55;

53.1.3 Honorary Life Members as defined by By-law 56, and,

53.1.4 All Directors and all Appointed Officers.

- 53.2 EX OFFICIO MEMBERSHIP- All Directors, the Immediate Past-President and all other Officers of the Corporation are non-voting members ex officio of the Corporation. [By-law 49 g) -06/07]

- 54.1 CYO HOCKEY ASSOCIATIONS MEMBERS - All CYO Parish Hockey Associations or CYO Program Hockey Associations in the City of St. Catharines, whether incorporated or un-incorporated, admitted to membership by the Board of Directors upon the recommendation of the Hockey Council, are non-voting members of the Corporation. [By-law 49a)) - 06/07]

- 54.2 PROCEDURE FOR CREATING OR REMOVING A PARISH - Anyone wishing to create or dismantle a Parish must put the request before the Hockey Council and the CYO Executive for approval. A vote of no less than 75% must be obtained for the process to move forward. [By-law 49 h) -06/07]

- 54.3 MEMBER ASSOCIATION CEASING TO OPERATE - If any time, a CYO Parish Hockey Association or CYO Hockey Program Association suspends operation within CYO Hockey for any reason; the Hockey League Executive shall coordinate the accommodation of all CYO individual members and players of any non-operating Member Association within the remaining Associations and programs of CYO Hockey. [2008 AGM]

- 54.4 CURRENT ASSOCIATION MEMBERS - The current members in the class of

CYO Hockey Association Members are:

- 54.4.1 St. Alfred's Parish CYO Hockey Association;
- 54.4.2 St. Denis' Parish CYO Hockey Association;
- 54.4.3 L'Association de Hockey CYO de La Paroisse d' Immaculée Conception (I.C.);
- 54.4.4 St. Mary's Parish CYO Hockey Association;
- 54.4.5 St. Julia's Parish CYO Hockey Association;
- 54.4.6 Star of the Sea Parish CYO Hockey Association; and,
- 54.4.7 St. Catharines CYO Initiation Program (IP);
- 54.4.8 St. Catharines CYO HURRICANES Minor Development Hockey Association

54.5 REPRESENTATION AT MEMBER MEETINGS -Upon approval, each CYO Parish Hockey Association and CYO Representative Hockey Association, may be represented at meetings of members of the Corporation by its Parish Leader or Program Director (or in his/her absence, the assistant Parish Leader or Assistant Program Director) in office on the day immediately preceding the date of the meeting of members. [By-law 49 a) - 06/07]

55.1 INDIVIDUAL REGULAR MEMBERS - The following are individual regular non- voting members of The Corporation:

55.1.1 All parents, stepparents or legal guardians who have registered a child in the CYO Hockey League and have paid the registration fees for same in full for the current hockey season from the date of payment in full until completion of the annual general meeting;

55.1.2 Any hockey participant fully registered within CYO Hockey who is 18 years of age or older; and,

55.1.3 All coaches and trainers who are approved by the Hockey League Executive become non-voting members of the Corporation upon the date of their appointment and cease to be members when the appointment has been terminated or upon completion of the AGM. [By-law 49 b) and i) -06/07]

55.2 INDIVIDUAL MEMBERS' RIGHTS - All Individual regular members are entitled to attend meetings of members and to participate in the discussions there at but at such meetings regular Individual Members shall be divided into groups according to the Parish CYO Hockey Association or CYO Hockey Program Association with which the individual member is associated. [By-law 49 ia) -06/07]

55.3 TERMINATION OF AN INDIVIDUAL'S MEMBERSHIP - The interest of an individual regular member in the Corporation is not transferable and lapses or ceases to exist when one of the following circumstances occur:

55.3.1 The individual member dies;

55.3.2 Their status which made them eligible for individual membership pursuant to by- law 55.1 ceases to exist;

- 55.3.3 The registration requirements of any child of the individual member are not completed as required;
- 55.3.4 The individual member formally resigns his/her membership to any member of the Hockey League Executive and they are only a member because they are a member of Hockey Executive; or,
- 55.3.5 The individual member's rights are suspended or removed as a sanction for misconduct under the discipline procedures in these By-laws. [By-law 50) - 06/07]
- 56.1 HONOURARY LIFE MEMBERS – There shall be a class of Corporation Members designated “Honorary Life Members” who shall be so designated for their life-time in the criteria set out in by-law 56.2 and guidelines in by-law 56.3 and using the procedures set out in by-law 56.4. Such members are non-voting members of the corporation and shall be entitled to all rights and privileges afforded individual regular members.
- 56.2 CRITERIA – A Honorary Life Members shall be an individual who in the opinion of the Hockey Executive warrants this designation in that he/she has rendered extraordinary distinguished service to CYO Hockey and its programs.
- 56.3 DESIGNATION GUIDELINES - When determining if an individual should be designated as an Honorary Life Member the following guidelines should be referenced:
- 56.3.1 This category of membership is intended to be reserved for those very few individuals who have made exceptional contributions to CYO Hockey;
- 56.3.2 The contributions of the individual should be multi-faceted within the CYO Hockey organization including but not limited to any particular team, Parish or Program;
- 56.3.3 The individual shall have at all times conducted themselves in accordance with the Mission Statement of the Corporation and in the best interests of the Corporation, CYO Hockey programs and all members of the Association;
- 56.3.4 The individual shall have been a member in good standing of the Corporation for a minimum of five hockey seasons;
- 56.3.5 The individual must be a member in good standing of the Corporation or have retired from the Corporation as a member in good standing.
- 56.4 PROCEDURE FOR DESIGNATION – For an individual to be designated as a Honorary Life Member the following procedure shall be followed:
- 56.4.1 The proposed individual shall be nominated in writing for consideration by any member in good standing of the Corporation prior to January 31 preceding any Annual General Meeting and the nomination should be supported with all relevant information supporting the nomination and addressing the criteria

in by-law 56.2 and guidelines in by-law 56.3.

- 56.4.2 The nomination must be seconded by at least one other member in good standing;
- 56.4.3 The Hockey League Executive shall consider prior to February 28 preceding any Annual General Meeting the nomination materials and any other relevant information and the individual shall be designated an Honorary Life Member if 75% of the voting members of the Hockey League Executive vote in favour of the proposed designation.
- 56.5 RECOGNITION – At each AGM the Corporation shall recognize any Honorary Members designated during the preceding year and any other Honorary Life Members present at the AGM.
- 56.6 ROLL OF HONOURARY LIFE MEMBERS - The Secretary shall maintain a current roll of all Honorary Life Members.

PART VII – MEETINGS OF THE MEMBERSHIP

- 57.1 ELECTION OF VOTING DELEGATES TO MEMBERS' MEETINGS - Prior to each meeting of members, each Parish CYO Hockey Association and each CYO Hockey Program Association listed in by-law 54.4 shall elect from among those regular individual members associated with its Association five (5) delegates to represent each CYO Hockey Association's interests at the meeting. [By-law 49 i) -06/07]
- 57.2 SUSPENSION OF RIGHT TO DELEGATES – If any CYO Parish Hockey Association or CYO Hockey Program Association suspends its operation within CYO Hockey for any reason, the Board shall suspend the non-operating Association's right to be represented by delegates at any meeting of the members. [2008 AGM]
- 57.3 VOTING FOR DELEGATES - For greater certainty, each individual regular member is entitled to vote for the delegates of each CYO Association they are associated with.
- 57.4 DELEGATES' VOTING RIGHTS - Each elected member delegate shall be entitled to one (1) vote at members' meetings, and such delegates must vote personally and not by proxy. [By-law 49 i) -06/07]
- 57.5 INELIGIBLE PERSONS - A member of the Hockey League Executive as defined by By-law 43 during any fiscal year is not eligible to be a delegate at any members' meeting held during that year, even upon resignation of their office during the fiscal year. [By-law 49 d) -06/07]
- 57.6 PARISH DELEGATES - A letter from the Secretary of each Parish CYO Hockey

Association certifying that certain persons are the duly elected delegates of the group shall be delivered to the Board with proper verification, and upon confirmation by the board, at or about two weeks prior to the scheduled date of the meeting of the members, these persons shall then be deemed to have the authority to exercise such vote. [By-law 49 e) -06/07]

- 57.7 PROGRAM DELEGATES - A letter from each of the Program Directors or Secretaries, if any, of each CYO Program Associations certifying that certain persons are the duly elected delegates of the CYO Program Association shall be delivered to the Board with proper verification, and upon confirmation by the board, at or about two weeks prior to the scheduled date of the meeting of the members, these persons shall then be deemed to have the authority to exercise such vote. [By-law 49 e) -06/07]
- 58.1 ANNUAL GENERAL MEETING (AGM) - Subject to compliance with section 293 of the Act, the annual meeting of the members shall be held at the conclusion of each CYO hockey season at a date and place within the Regional Municipality of Niagara, by resolution of The Board of Directors, but not later than May 31st of the current year. [By-law 51) -06/07]
- 58.2 THE AGM ORDER OF BUSINESS -The Order of Business at the AGM shall be:
- 58.2.1 Reading of the Minutes of the previous AGM and any intervening Special Meeting of the Members;
 - 58.2.2 Business arising from the Minutes;
 - 58.2.3 Reading and Consideration of Communications and Notices;
 - 58.2.4 Recognition of Honorary Life Members in compliance with by-law 56.5;
 - 58.2.5 Treasurers Report;
 - 58.2.6 President's Report;
 - 58.2.7 Director of Conduct and Risk Management's Report as to complaints and discipline as required by sub-by-law 80.2.2;
 - 58.2.8 Any Committee Reports;
 - 58.2.9 Consideration of By-law Amendment Proposals pursuant to By-law 83;
 - 58.2.10 If required, the Consideration of the Removal of any Director pursuant to By-law 17;
 - 58.2.11 If required, the Consideration of any Affiliation Proposal pursuant to By-law 82;
 - 58.2.12 New Business;
 - 58.2.13 Recommendations for Upcoming Year;
 - 58.2.14 Election of the Directors and Officers of the Board of Directors as specified by By-laws 16 and 19. [By-law 51 -06/07]
- 59.0 OTHER MEMBER MEETINGS (SPECIAL MEETINGS) - Other meetings of the resolution of the Board of Directors or of the Hockey Council at any date and time and at any place within the Regional Municipality of Niagara, Ontario to transact business of the Corporation. [By-law 52 -06/07]

- 60.1 PROCEDURE AT MEMBERS' MEETINGS – The procedural provisions in this By-law governs both the AGM and Special Meetings of the Members convened under By-law 59 with necessary modifications.
- 60.2 NOTICE – Each member entitled to attend the Annual General Meeting or any other meeting of the members is entitled to receive notice of any such meeting, which must include the date, commencement time and location of the meeting and, in the case of a special meeting, the business the meeting is called to consider in general terms. This required Notice is deemed sufficiently made if the following occurs:
- 60.2.1 A printed notice containing the required details of the member's meeting information is published at least once a week for two (2) consecutive weeks next preceding the meeting in a newspaper in daily general circulation in St. Catharines;
- 60.2.2 A printed notice containing the required details of the member's meeting information is posted upon the website of CYO Hockey and remains upon the website for a minimum of 14 days preceding the meeting;
- 60.2.3 A Notice of the meeting containing the required details is provided to each Parish CYO Hockey Association and CYO Hockey Program Association member by sending by email, prepaid ordinary mail or delivered personally to each Parish Leader and each Program Director a minimum of 14 days prior to the date of the meeting. Parish Leaders and Program Directors shall use their best efforts to disseminate Notice of the meeting to all members of their respective Associations;
- 60.2.4 The Notice of the meeting containing the required details is provided to the Convener of the CYO Mite Program, Jr. Ice Dogs Program, Juvenile and Alumni Divisions by sending by email, prepaid ordinary mail or delivered personally to each program or division convener a minimum of 14 days prior to the date of the meeting. Program conveners shall use their best efforts to disseminate Notice of the meeting to all members of their respective special programs and Divisions; and,
- 60.2.5 Notice may also be served upon the auditors of the Corporation by email or ordinary prepaid mail. [2008 AGM]
- 60.3 OMISSION OF NOTICE -The accidental omission to give notice of any meeting or any irregularity in the notice of any meeting or the non-receipt of any notice by any member or members or by the auditors of the Corporation shall not invalidate any resolution passed or any proceedings taken at any meeting of members. [By-law 54 -06/07]
- 60.4 RULES OF ORDER - Unless otherwise provided herein, Robert's Rules of Order shall be applicable to questions of procedure at meetings of members. [By-law 55 -06/07]

- 60.5 VOTES - Every question submitted to any meeting of members shall be decided in the first instance by a show of hands of the voting delegates and in the case of an equality of votes the chairman of the meeting shall both on a show of hands and at a poll have a casting vote in addition to the vote to which he may be otherwise entitled. At any meeting, unless a poll is demanded, a declaration by the chairman of the meeting that a resolution has been carried or carried unanimously or by a particular majority shall be conclusive evidence of the fact. A poll may be demanded either before or after any vote by show of hands by any voting delegate. If at any meeting a poll is demanded on the election of a chairman or on the question of adjournment it shall be taken forthwith without adjournment. If at any meeting a poll is demanded on any other question or as to the election of directors, the vote shall be taken by ballot in such manner and either at once, later in the meeting or after adjournment as the chairman of the meeting directs, The result of a poll shall be deemed to be the resolution of the meeting at which the poll was demanded. A demand for a poll may be withdrawn. [By-law 56 - 06/07]
- 60.6 CHAIR OF THE MEETING – The President shall chair any meeting of the members, or in the absence of the President, a Director shall chair any meeting of the members. If the President is absent, and no Director is present, the voting delegate members present shall choose another director as chairman of the meeting and if no director is present or if all directors present decline to take the chair then the voting delegate members shall choose one of their numbers to be chairman. [By-law 57 -06/07]
- 60.7 ADJOURNMENT - The chairperson of any meeting, may with the consent of the meeting, adjourn the same from time to time to a fixed time and place and no notice of such adjournment need be given to the members. Any business may be brought before or dealt with at any adjourned meeting, which might have been brought before or dealt with at the original meeting in accordance with the notice calling the same.[By-law 58 -06/07]
- 60.8 QUORUM - A quorum at any meeting of the members shall be three fifths of the number of voting delegate members entitled to be present at the meeting. No business shall be transacted at any meeting unless the requisite quorum be present at the time of the transaction of such business, If a quorum is not present at the time appointed for a meeting of members or within such reasonable time thereafter as the members present may determine, the voting delegates present may adjourn the meeting to a fixed time and place but may not transact any other business and the provisions of by-law 57.2 with regard to notice shall apply to such adjournment. [By-law 59 -06/07]

PART VIII – CONDUCT, COMPLAINTS AND DISCIPLINE

General

- 61.1 **REQUIRED CONDUCT** – The Corporation has the express authority to regulate the conduct and behavior of all members and hockey participants in relation to all activities associated with CYO Hockey in accordance with the Corporate Mission Statement and prohibitions against harassment and discrimination proscribed by By-law 3 and By-law 4.
- 61.2 **COMPLAINTS** – The Corporation has both the authority and responsibility to receive and address complaints of alleged misconduct of any members of or hockey participants within CYO Hockey in accordance with the provisions of these By-laws.
- 61.3 **AUTHORITY TO DISCIPLINE** - The Executive Committee has the authority to formally determine any issue of misconduct and, if warranted, to discipline any member or participant within CYO Hockey including any Officer or hockey volunteer or hockey participant in accordance with the procedure outlined in this Part of these By-laws in a manner consistent with the Alliance Hockey Speak Out Policies and Procedures.
- 61.4 **PREVENTING MISCONDUCT** – Notwithstanding these By-laws outline a procedure for addressing complaints and administering discipline, it is expected that all CYO Hockey members and hockey volunteers will intervene to stop or to prevent the recurrence of any misconduct which they witness, especially when the misconduct is directed at any child or youth.
- 61.5 **ALL SUBJECT TO COMPLAINTS AND DISCIPLINE** - For greater certainty, nothing prevents any Director, Officer, Parish Leader, Program Director, Assistant Parish Leader or Assistant Program Director acting in that capacity or as a hockey volunteer from being the subject of a complaint of misconduct or from being disciplined, if warranted.
- 62.1 **DEFINITIONS** - Within these By-laws and in particular this Part the terms “youth”, “child”, “adult”, “bullying”, “Harassment” and “abuse” shall have the same meaning as defined within the Alliance Hockey Speak Out Policies and Procedures.

As of April 2009, these definitions were as follows:

“Adult” means a person who has reached the age of majority in the Province of Ontario (this age is currently 18 years).

“Child” means a person below the age of 16 years;

“Youth” means a person between the age of 16 and 18 years;

“Bullying” describes behaviours that are similar to harassment, but occur between children under the age of twelve or behaviours between youth or between adults that are not addressed under human rights laws. Bullying is intentionally hurting someone in order to insult, humiliate, degrade or exclude him or her. Bullying can be broken down into four categories: physical, verbal, relational (for example, trying to cut off victims from social connection by convincing peers to exclude or reject a certain person), and reactive (for example, engaging in bullying as well as provoking bullies to attack by taunting them).

“Harassment” - Harassment is offensive behaviour – emotional, physical, and or sexual – that involves discrimination against a person because of their race, national or ethnic origin, age, colour, religion, family status, sexual orientation, sex or gender, disability, marital status, or pardoned conviction. Harassment may occur when someone attempts to negatively control, influence or embarrass another person based on a prohibited ground of discrimination.

“Abuse” - Child abuse is any form of physical, emotional and/or sexual mistreatment or lack of care which causes physical injury or emotional damage to a child. A common characteristic of all forms of abuse against children and youth is an abuse of power or authority and/or breach of trust.

“Emotional Abuse” - Emotional abuse is a chronic attack on a child or youth’s self-esteem; it is psychologically destructive behaviour by a person in a position of power, authority or trust. It can take the form of name-calling, threatening, ridiculing, berating, intimidating, isolating, hazing or ignoring the child or youth’s needs.

“Physical Abuse” - Physical abuse is when a person in a position of power or trust purposefully injures or threatens to injure a child or youth. This may take the form of slapping, hitting, shaking, kicking, pulling hair or ears, throwing, and shoving, grabbing, hazing or excessive exercise as a form of punishment.

“Neglect “ - A general definition of neglect is the chronic inattention to the basic necessities of life such as clothing, shelter, nutritious diets, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline, exercise and fresh air. Neglect may apply in a hockey setting where there is a chronic inattention in the hockey context, for example when a player is made to play with injuries.

“Sexual Abuse” - Sexual abuse is when a child or youth is used by a child or youth with more power or an adult for his or her own sexual stimulation or gratification. There are two categories of sexual abuse: contact and non-contact.

62.2 OTHER DEFINITIONS IN THIS PART – In this part of these By-laws, the following terms shall have the definition below prescribed to them:

“Complaint” means an allegation of misconduct;

“Complainant” means the person alleging specified misconduct arising from the behaviours or actions of another individual, and shall include a parent or guardian making a complaint on behalf of a child or youth participating in CYO Hockey; and,

“Respondent” means any individual alleged to be responsible for behaviours constituting misconduct and shall include a parent or guardian assisting their child or youth who is the subject of any complaint.

63.1 CONCURRENT COMPLAINT AND DISCIPLINE PROCEDURES – Any complaint or discipline procedures provided for in these By-laws can be undertaken concurrently with any complaint or discipline procedures undertaken by the Hockey Alliance or Ontario Hockey Federation even though it relates to the same individuals and subject matter.

64.1 MANDATORY REPORTING - Notwithstanding these By-Laws or any CYO Policies or Rules and the Alliance Hockey Speak Out Policies and Procedures, all persons within CYO Hockey shall comply with all mandatory Duty to Report requirements specified within the Child and Family Service Act of Ontario. This Act identifies when reporting is required, who is required to report and how to report suspected abuse, harm and/or neglect of a child participant within CYO Hockey.

64.2 INTERNAL REPORTING - In addition to the mandatory reporting of suspected abuse, harm and/or neglect required by Child and Family Service Act of Ontario and referenced in by-law 64.1, any Director, Officer or hockey volunteer shall also report forthwith any suspected abuse, harm and/or neglect of a child to the Director of Conduct and Risk Management or to the President, if the Director is not immediately available.

64.3 ADDITIONAL MANDATORY REPORTING - The Director of Conduct and Risk Management or President who receives a report of suspected abuse, harm and/or neglect of a child from any person pursuant to by-law 64.2, shall forthwith also make a report as required by the Child and Family Service Act of Ontario even if it is understood that any person has made a prior report of the same suspected abuse, harm and/or neglect as required by Child and Family Service Act and by-law 64.1.

- 65.1 DEFERRAL OF COMPLAINT AND DISCIPLINE PROCEDURES – Subject to the provisions of by-law 65.3, if the subject matter of any complaint of alleged misconduct is also the focus of any investigation being undertaken by any police or child welfare agency, the Director of Conduct and Risk Management shall ensure that all internal CYO fact finding and any mandated complaint or discipline procedures in these By-laws are deferred until the conclusion of the external investigation so as to not interfere with the police and/or child welfare agency investigation.
- 65.2 FURTHER DEFERRAL OF COMPLAINT AND DISCIPLINE PROCEDURES – Subject to the provisions of by-law 65.3, if the subject matter of any complaint of CYO misconduct gives rise to the laying of any charges contrary to the Criminal Code, the Director of Conduct and Risk Management shall ensure that any required complaint or disciplining proceedings are deferred until the charges are conclusively dealt with by a Court of competent jurisdiction.
- 65.3 INTERIM MEASURES – Notwithstanding by-laws 65.1 and 65.2, if the Director of Conduct and Risk Management becomes aware of any alleged misconduct within CYO Hockey which also has resulted in the laying of any charges contrary to the Criminal Code, the Director:
- 65.3.1 Shall, if there is reason to believe criminal charges to have been laid, direct that any involved member or CYO hockey participant submit a Police Clearance Certificate to be reviewed by the Volunteer Screening Committee pursuant to the Volunteer Screening Policy; and,
- 65.3.2 May direct that any implicated CYO hockey participant or member or any other individual, comply with any appropriate interim directions in accordance with By-law 73.
- 66.1 SUBSTITUTION OF PERSONS – If any CYO Director or Officer with responsibilities within the Complaint and Discipline procedures in these By-laws, finds themselves in a situation of perceived conflict as defined by by-law 66.2, their responsibilities should be fulfilled by another individual as specified in by-law 66.3.
- 66.2 “PERCEIVED CONFLICT” DEFINED - For the purposes of by-law 66.1 an individual shall be considered to be in a situation of perceived conflict if:
- 66.2.1 That individual is a complainant in relation to the specific complaint;
- 66.2.2 That individual is a respondent in relation to the specific complaint;
- 66.2.3 That individual is the spouse or family member of the complainant or
The respondent described in sub-by-laws 66.2.1 or 66.2.2;
- 66.2.3 The individual is a member of coaching staff for the current
CYO hockey season of the team on which the complainant or respondent is a member;
- 66.2.4 The individual is on the same coaching staff for the current CYO hockey Season as the Complainant or the Respondent; or,
- 66.2.5 Any other circumstances exist which may give rise to a perception by any

person that the individual may not be impartial when fulfilling their responsibilities as required by this Part of these By-laws.

66.3 SUBSTITUTED POSITIONS - If by-law 66.1 applies and only for the limited purposes of addressing the complaint giving rise to the situation of perceived conflict:

66.3.1 The duties and responsibilities of the President shall be fulfilled by a Director other than the Director of Conduct and Risk Management designated by the Board for the matters related to the specific complaint;

66.3.2 The duties and responsibilities of the Director of Conduct and Risk Management shall be fulfilled by a Director other than the President designated by the Board for the matters related to the specific complaint;

66.3.3 The duties and responsibilities of the Parish Leader or Program Director shall be fulfilled by the Assistant Parish Leader or Assistant Program Leader.

66.4 OTHER SUBSTITUTIONS – If the person required to be substituted by operation of by-law 66.3 is also in a position of perceived conflict or is otherwise unable to fulfill the required duties and responsibilities, the Board of Directors is empowered to designate any member in good standing to fulfill the duties and responsibilities required to resolve the complaint.

67.1 CLASSES OF MISCONDUCT – Only for the purposes of the procedures provided for in this Part of these By-laws misconduct shall be classified as follows:

67.1.1 “Class I Misconduct” or “Hockey Misconduct” as defined further in by-law 68.1;

67.1.2 “Class II Misconduct” or “General Misconduct” as defined further in By-law 69;

67.1.3 “Class III Misconduct” or “Misconduct against Youth” as defined further in by-law 70.1.

68.1 HOCKEY MISCONDUCT - “Class I Misconduct” or “Hockey Misconduct” within these By-laws includes the following:

68.1.1 Any game related infraction committed by players or bench personnel contrary to the rules of play established by Hockey Canada, the Ontario Hockey Federation or the Alliance Hockey of Ontario for which on-ice officials can assess penalties and suspensions; and,

68.1.2 Any infraction by any member or hockey participant of the CYO Hockey Rules for which sanction is prescribed in those rules.

68.2 GAME SHEETS - Any infractions described in sub-by-law 68.1.1 shall be recorded and any infractions described in sub-by-law 68.1.2 may be recorded on a game sheet, signed by the on-ice officials of the game in which the infraction was incurred and are non-reviewable.

68.3 ADDITIONAL HOCKEY DISCIPLINE – The CYO Hockey Rules may provide for

additional discipline and sanction for infractions described in sub-by-law 68.1.1 which shall be in addition to the sanctions required by Hockey Canada, the Ontario Hockey Federation or Alliance Hockey of Ontario.

- 68.4 SANCTIONS AND PROCEDURES – The CYO Hockey Rules may provide for sanctions and discipline procedures for the infraction of those rules.
- 69.1 GENERAL MISCONDUCT - “Class II Misconduct” or “General Misconduct” includes the following:
- 69.1.1 Any behaviour which is contrary to any CYO Codes of Conduct which may be in effect when the conduct occurred;
- 69.1.2 Any threatening, intimidating or assaultive behaviours which does not amount to abuse or bullying as defines in by-law 62.1;
- 69.1.3 Any harassment of any other individual other than a CYO hockey Participant who is a child or youth;
- 69.1.4 Any discriminatory behaviors or comments which do not amount to abuse, harassment or bullying as defined in by-law 62.1;
- 69.1.5 Any failure to adequately account for monies collected for hockey purposes;
- 69.1.6 Any repeated and persistent failure to communicate relevant information required to allow a hockey participant to participate in games, practices and other hockey events;
- 69.1.7 Any persistent pattern of Class I – Hockey Misconduct which appears to demonstrate a total disregard for the relevant hockey rules;
- 69.1.8 Any intentional action or failure to act which potentially places the health and welfare of any hockey participant at risk but does not amount to abuse or neglect; or,
- 69.1.9 Any behaviors which constitute a breach of any interim directions given pursuant to By-law 73 or the terms of any disciplinary Sanctions imposed pursuant to by-law 78.4.
- 70.1 MISCONDUCT DIRECTED AT YOUTH – “Class III Misconduct” or “Misconduct Directed at Youth” within these By-laws includes any alleged abuse, bullying, harassment or neglect as those terms are defined in By-law 62.1 occurring in any context related to CYO Hockey activities.
- 70.2 APPROACH – The CYO is committed to taking any allegation or suspicion of Misconduct Directed at Youth is extremely seriously while having due regard to the sensitivity and confidentiality of all individuals involved
- 70.3 OBJECT – These By-laws as they relate to complaints and discipline for Misconduct Directed at Youth shall be interpreted and applied to comply with the Alliance Hockey Speak Out Policies and Procedures.
- 71.1 EARLY CONSULTATION REGARDING CONDUCT – If any individual within CYO Hockey observes or becomes aware of any behaviors which cause them concern and that individual is are uncertain if the concerning behaviors

constitutes misconduct with the definition of that term within these By-laws, that individual may consult with any CYO hockey volunteer or any member of the Hockey League Executive. The consulted person should impartially listen to the person reporting the concerning behaviors and:

- 71.1.1 Shall encourage the person reporting the behavior to review provisions of this part of these By-laws and any CYO Codes of Conduct;
- 71.1.2 May encourage the making of a formal complaint if that appears appropriate;
- 71.1.3 May counsel the person whose conduct was the cause of concern generally to monitor or to modify their conduct, if appropriate, to avoid further issues while avoiding concluding if the concerning behaviors occurred or if they potentially constituted misconduct;
- 71.1.4 Shall respect the confidentiality of the person reporting the behaviors unless that person consents to allowing their identity to be disclosed; and,
- 71.1.5 May alert the Director of Conduct and Risk Management of the general nature of the reported behaviors.

Initiation of a Complaint of Misconduct

- 72.1 INITIATION OF A COMPLAINT – Any allegation of misconduct shall be initiated by the registering of a complaint in accordance with this By-law.
- 72.2 PERSONS REGISTERING A COMPLAINT – A complaint of misconduct can be made by or on behalf any members of CYO Hockey in good standing or any CYO Hockey Participant (hereinafter referenced as the “complainant”) and, if the complainant is a child or youth, the parent(s) or legal guardian(s) are entitled to support the complaint throughout the complaint and discipline procedures.
- 72.3 DETAILS OF COMPLAINT – Any complaint shall include sufficient details to adequately specify what behaviours are alleged to amount to Class II or Class III misconduct, and shall include:
 - 72.3.1 The identity all involved persons, including the individual(s) whose conduct is complained of (the “respondent”), any the individual(s) who were the subjects or witnesses to the alleged misconduct and the person making the complaint (the “complainant”);
 - 72.3.2 Details of the incident (s) of alleged misconduct; and,
 - 72.3.3 If possible, the complainant’s classification of the alleged misconduct having regard to the types of misconduct in By-laws 69 and 70.
- 72.4 TIME RESTRICTIONS – The CYO is only obliged to address any complaint if:
 - 72.4.1 In the case of allegations of Class II Misconduct, the complaint is registered within 15 days of the incident of alleged misconduct or final incident of a series of incident of alleged the misconduct; or,
 - 72.4.2 In the case of allegations of Class III Misconduct, the complaint is registered made within six months of the incident of alleged misconduct or the final incident of a series of incidents of the alleged misconduct consistent with the Alliance

Speak Out Policies and Procedures.

72.5 REGISTRATION OF COMPLAINT OF CLASS II MISCONDUCT- Any complaint of alleged Class II Misconduct shall be initially registered as follows:

72.5.1 The complaint of misconduct may be initially conveyed orally, by email or in writing to any person listed in sub-by-laws 72.4.2 and 72.4.3;

72.5.2 The complaint may be conveyed initially to one of the following persons in authority within CYO:

72.5.2.1 The head coach of the team in connection to which the alleged misconduct arose;

72.5.2.2 The Parish Leader, Program Director or convenor having responsibility for the team in connection to which the alleged misconduct arose; or,

72.5.2.3 The Director of Conduct and Risk Management;

72.5.3 If the complaint is initially conveyed to any person other than the Director of Conduct and Risk Management, it shall be relayed forthwith to the Director of Conduct and Risk Management; and,

72.5.4 The Director of Conduct and Risk Management shall request that the complaint be reduced to writing by the person initiating the complaint on a CYO Incident Report form or such other form prescribed by the Board for that purpose as soon as time permits.

72.6 REGISTRATION OF A COMPLAINT OF CLASS III MISCONDUCT- Any complaint of alleged Class III Misconduct shall be initially registered as follows:

72.6.1 The complaint of misconduct may initially, if urgency warrants be conveyed orally or by email but shall be reduced to writing on the Complaint Form required by the Hockey Alliance as soon as possible;

72.6.2 The complaint shall be conveyed as soon as possible directly to the Director of Conduct and Risk Management but, if he or she is not immediately available, the

complaint may be made to any member of the Executive Committee who shall relay it as soon as practical to the Director of Conduct and Risk Management;

72.6.3 The Director of Conduct and Risk Management shall convey the complaint to Alliance Hockey in accordance with the Alliance Hockey Speak Out Policies and Procedures.

72.7 RESPONSIBILITIES OF DIRECTOR OF CONDUCT AND RISK MANAGEMENT UPON REGISTERING OF A COMPLAINT - The Director is required to remain impartial throughout the complaint process and shall, as soon as possible after receiving a complaint pursuant to by-law 72.5 or 72.6:

72.7.1 Notify the Board of Directors of the details of the complaint;

72.7.2 Notify Parish Leader and Program Director responsible for any of the individuals involved in the complaint of the details of the complaint;

72.7.3. Notify each Respondent of the details of the complaint and, subject to the

- provisions of sub-by-law 72.11, if deemed advisable and appropriate, may provide the respondent with a copy of any written complaint received;
- 72.7.4 In consultation with the Board, direct the commencement of a fact finding process pursuant to By-law 76; and,
- 72.7.5 After consulting, if necessary, with other Executive Committee Members, direct that any person involved with the complaint comply with such Interim Restrictions as detailed in By-law 73.
- 72.8 WRITTEN RESPONSE – The Respondent is entitled to provide at any time a written response to any complaint and any written response and, if deemed advisable and appropriate, may be shared with the complainant.
- 72.9 RESPONDENT A CHILD OR YOUTH – If the respondent is a child or youth, the child or youth Respondent is entitled and encouraged to have the presence and support of their parent(s), legal guardian (s) or other trusted adult with them throughout the process and these people can act in and appear in the best interest of the child or youth respondent.
- 72.10 DECLINING TO ADDRESS COMPLAINT – The Board may decline to address or to further address any complaint if it is determined that the complaint:
- 72.10.1 Relates to behaviours and actions that could be more appropriately addressed under another policy, rule or Regulation of CYO Hockey;
- 72.10.2 Is frivolous, vexatious or made in bad faith;
- 72.10.3 Is not within CYO Hockey’s jurisdiction;
- 72.10.4 Occurred outside the time periods set out in by-law 72.4; or,
- 72.10.5 Solely relates to a discretionary decision or action undertaken by the individual in good faith in the course of exercising that individual’s responsibilities within CYO Hockey.
- 72.11 CONFIDENTIAL COMPLAINT – Notwithstanding any other provision of these By- laws, the Complainant may request that their identity be kept confidential and not shared with the respondent or others and, if such a request is made, the Director of Conduct and Risk Management shall:
- 72.11.1 Advise the complainant that their desire to have their identity maintained as confidential will limit the Corporation’s options to satisfactorily resolve or determine the complaint;
- 72.11.2 Advise the if they complained of misconduct is deemed sufficiently serious, their desire for confidentiality may be superseded by the Corporation’s responsibility to prevent a reoccurrence of the misconduct and the need to protect other hockey participants;
- 72.11.3 Review the request for confidentiality in consultation with the Board and, if advisable members of the VSRC, determine if the confidentiality request can be respected and advise the Complainant of that determination;
- 72.11.4 In making the determination required by sub-by-law 72.11.3 the following factors shall be considered:
- 72.11.4.1 The nature of the alleged misconduct;
- 72.11.4.2 The age of the complainant;

- 72.11.4.3 The relationship between the complainant and respondent and the potential for further misconduct, intimidation or interference;
 - 72.11.4.4 The complainant's reasons for requesting confidentiality;
 - 72.11.4.5 Any interim directions which may be given under By-law 73;
 - 72.11.5 If the Director of Conduct and Risk Management determines that the identity of the Complainant should be maintained as confidential, all measures should be taken to preserve that confidentiality of the identity of the complainant and any details likely to disclose their identity; and,
 - 72.11.6 If a determination is made to initially maintain the identity of the complainant as confidential, on notice to the complainant, the Director can review the initial determination if it is deemed necessary at any later time to resolve or determine the complainant in accordance with these By-laws.
- 73.1 INTERIM DIRECTIONS – If upon reception of a complaint or at any time thereafter the Director of Conduct and Risk Management may direct any person related to the complaint to comply with any of the interim directions listed in by-law 73.4 until the complaint is resolved or determined.
- 73.2 OBJECTIVE – The object of any interim directions made pursuant by-law 73.4 shall not be to prematurely determine the veracity of the complaint but to reasonably reduce the possibility that the alleged misconduct will continue or be further compounded or that attempts to resolve or determine the complaint will be interfered with.
- 73.3 CONSULTATION – Before directing any interim direction pursuant to by-law 73.1, the Director of Conduct and Risk Management may consult with any member or members of the Executive Committee.
- 73.4 AVAILABLE INTERIM DIRECTIONS - Available interim directions may include:
- 73.4.1 In the case of any hockey participant, suspending or restricting participation in hockey games and/or practices;
 - 73.4.2 In the case of any hockey volunteer, suspending or restricting their performance of their responsibilities as a hockey volunteer;
 - 73.4.3 Prohibiting or restricting the attendance of any person at any facility where CYO activities are occurring; or,
 - 73.4.4 Any other prohibition or restriction on activities appropriate and necessary to achieve the objectives outlined in by-law 73.2.

Informal Complaint Resolution Process

- 74.1 INFORMAL COMPLAINT RESOLUTION – Subject to by-law 74.2, CYO Hockey will use its best corporate efforts to resolve every complaint informally and expeditiously to the substantial satisfaction of the all individuals involved and in a manner consistent with the objectives set out in the Mission Statement of CYO Hockey contained in By-law 2.
- 74.2 EXCEPTION – Given the seriousness and sensitivity of the subject matter, the

informal complaint resolution process outlined in this By-law will not be utilized to resolve any complaint of abuse or neglect, unless the complainant and respondent of both voluntarily agree to this informal process and the Board is of the opinion that an informal resolution is appropriate under the circumstances.

74.3 FACILITATING RESOLUTION – Subject to by-law 74.2, within 72 hours of the registering of a complaint in accordance with By-law 72, the Director of Conduct and Risk Management shall informally and discretely attempt to facilitate a reasonable and acceptable resolution of the subject matter of the complaint between the complainant and respondent if that is deemed appropriate and desirable.

74.4 FACILITATORS – The Director of Conduct and Risk Management may request that a limited number of any of the following individuals attempt to facilitate the informal resolution described in by-law 74.3:

74.4.1 Members of the Executive Committee; and,

74.4.2 Any other members in good standing who appear to have appropriate relationships, experience or stature within CYO Hockey which may assist to facilitate a resolution of the complaint.

74.5 ACHIEVED RESOLUTION – If in reasonably expeditious time period, an informal resolution of the complaint is achieved to the substantial satisfaction of all parties involved, the Director of Conduct and Risk Management:

74.5.1 May ask that any and all necessary agreements or undertaking confirming the complaint resolution be reduced to writing;

74.5.2 Shall monitor the compliance with any agreements made or undertakings given to informally resolve the complaint: and,

74.5.3 Shall counsel all parties to do what is required of them to comply with the resolution.

74.6 FURTHER STEPS – If the Director of Conduct and Risk Management concludes in consultation with the other persons attempting to assist to facilitate a resolution of the complaint, that either the Complainant or respondent is being unduly unreasonable in achieving an informal resolution, the said Director shall recommend to the Board that:

74.6.1 If the parties are close to a reasonable resolution, that the Board impose a resolution of the complaint; or,

74.6.2 The formal Complaint Review Process be initiated:

74.7 The Director of Conduct and Risk Management shall advise all parties to the complaint, the Board and Alliance Hockey, if required, of any informal resolution of any complaint achieved through the informal process.

74.8 RECOMMENDATION S – The facilitators can also make further recommendations to the Board, Hockey Council or Hockey Executive to prevent

complaints of a similar nature being brought forward in the future.

Formal Complaint Determination

- 75.1 FORMAL COMPLAINT REVIEW AND DETERMINATION PROCESS - GENERAL – The Formal Complaint Determination Process shall include:
- 75.1.1 The undertaking of a Fact Finding Process as further described in By-law 76;
 - 75.1.2 Requesting the convening of the Executive Committee to determine if there is merit to the complaint of misconduct;
 - 75.1.3 If the Executive Committee determines there is merit to the complaint of misconduct, the Executive Committee shall determine the appropriate disciplinary sanction in accordance with By-law 78.
- 75.2 INITIATION OF FORMAL COMPLAINT DETERMINATION PROCESS - The formal complaint resolution in this part shall be initiated:
- 75.2.1 If any complaint of Class II Misconduct cannot be resolved informally in accordance with the provisions of By-law 74 within a reasonable period of time;
 - 75.2.2 If in the case of a complaint of Class II Misconduct, the complainant or respondent requests a formal complaint review and the Board determines that the formal review process is appropriate;
 - 75.2.3 If the complaint alleges any Class III misconduct which cannot be resolved informally; or,
 - 75.2.4 If Alliance Hockey requests CYO Hockey to conduct a formal complaint review.
- 75.3 WRITTEN COMPLAINT – A complaint can only proceed to the Fact Finding or a Complaint Review Meeting if it has been reduced to writing.
- 75.4 RESTRICTION UPON CONSIDERATION – The Fact-finding Process and Formal Complaint Review Process shall only focus on any misconduct identified in any written complaint and any directly related matters and shall not consider any unrelated behaviours.
- 76.1 FACT FINDING – In preparation for the Executive Committee’s formal complaint review meeting and in order to identify and focus the issues of alleged misconduct, the Director shall coordinate a Fact Finding inquiry.
- 76.2 FACT FINDERS – The Director of Conduct and Risk Management shall, in consultation with the Board:
- 76.2.1 Designate a single impartial member in good standing to be the fact-finder in relation to the complaint;
 - 76.2.2 Designate a panel of two or three impartial members in good standing to be the fact finders in relation to the complaint;
 - 76.2.3 If the seriousness and potential consequences warrant, request that any person or body external to CYO Hockey act as the fact-finder;
 - 76.2.4 If the seriousness and potential consequences warrant or if requested to do so by the Hockey Alliance, retain the services of a professional investigator or investigation agency to fulfill the role of fact-finder.

- 76.3 DISQUALIFICATION – No person who was involved in attempts to informally resolve the complaint shall be designated a fact-finder.
- 76.4 FACT FINDING PROCESS – The fact-finder(s) designated or retained pursuant to by-law 76.2, shall expeditiously and objectively gather facts surrounding the incident by speaking directly with the complainant, the person against whom the complaint (the “respondent”) is made, and any witnesses who in the opinion of the fact finder(s) might have relevant facts, information or observations about the incident or incidents giving rise to the complaint subject to by-law 76.5.
- 76.5 CHILD WITNESSES - The fact-finder(s) shall only speak with a child witness only in the presence of and with the consent of their parent(s), legal guardian or other adult trusted by the child witness and with the consent of their parent(s) or legal guardian(s).
- 76.6 FACT FINDER’S(S’) REPORT - As soon as the fact finding process is complete, the fact finder(s) shall prepare a written report summarizing all information which has been gathered in relation to the complaint and provide a copy to the Director of Conduct and Risk Management.
- 76.7 RESPONSES TO REPORT - The Director of Conduct and Risk Management shall provide both the complainant and respondent with a reasonable opportunity to review the fact finder’s(s’) report and to provide a written response if they so desire.
- 77.1 COMPLAINT DETERMINATION MEETING – At the request of the Director of Conduct and Risk Management, the President shall convene a meeting of the Executive Committee as soon as is reasonable to formally consider the complaint of misconduct allowing adequate time for the fact finding process to be completed. This meeting shall be open to the membership to attend subject to by-law 45.5 respecting the privacy of any individual and that portion of the meeting required to be held in camera.
- 77.2 CHAIR AND VOTING – The President shall chair the Executive Meeting and, if the complainant or respondent would otherwise be entitled to vote at the Executive Committee, that vote and participation as a Committee member is suspended for all purposes related to the specific complaint.
- 77.3 MATTERS TO BE CONSIDERED – The Director of Conduct and Risk Management shall present to the Executive Committee, with or without comment, the following information:
- 77.3.1 A chronological summary of the processing of the complaint since it was registered;
- 77.3.2 A summary of any attempts to informally resolve the complaint;
- 77.3.3 A copy of the written complaint and any written response from the respondent;
- 77.3.4 A copy of the report of the fact-finder(s) and any written responses to that report prepared by the complainant or respondent.

77.4 EVIDENCE AND SUBMISSIONS – During the Executive Committee meeting called to determine the complaint, both the complainant and the respondent shall be accorded a reasonable and fair opportunity:

77.4.1 To make submission to the Committee or have submissions made on their behalf;

77.4.2 To call witnesses subject to by-law 77.6;

77.4.3 At the discretion of the Chair, to ask questions of each other and the witnesses.

77.4.4 To have a single persons assist them in asking any questions.

77.5 FURTHER EVIDENCE – With the permission of the Chair, any member of the Executive Committee may ask questions of the complainant, respondent or any witness and may call any additional witness subject to by-law 77.6.

77.6 CHILD WITNESSES - Any child witness at any complaint review meeting shall only appear at the meeting in the presence and with the consent of their parent(s), legal guardian or other adult trusted by the child witness and with the consent of their parent(s) or legal guardian(s).

77.7 CONSIDERATION AND DETERMINATION – Once all information required by by-law 77.3 and 77.4 is presented, all persons other than members of the Executive shall excuse themselves and the Executive Committee shall consider the complaint in camera and make by majority vote one of the following decisions:

77.7.1 The complaint is with merit;

77.7.2 The complaint is without merit;

77.7.3 There exists insufficient information to enable a conclusive decision to be made;
or,

77.7.4 The subject matter of the complaint is outside of the jurisdiction of CYO Hockey.

77.8 NOTIFICATION OF DETERMINATION – The respondent and complainant shall be advised of the determination of the complaint of the Executive Committee by the President in the most appropriate and sensitive manner to be determined by the President.

77.9 FURTHER STEPS – The next stage of the proceeding shall be as follows:

77.9.1 If the complaint is determined to be with merit, the Executive Committee shall proceed immediately or as soon as possible to the determination of discipline pursuant to By-law 78.

77.9.2 Notwithstanding the decision made pursuant to by-law 77.7, the Executive Committee shall make recommendations to the Board, Hockey Council and/or Hockey Executive to reduce the possibility of similar complaints of misconduct arising in the future.

78.1 DISCIPLINE AND SANCTIONS - If the majority of the Executive Committee determines pursuant to sub-by-law 77.7.1 that there is merit to the complaint, the Executive Committee shall proceed to determine what disciplinary sanction should be imposed on the respondent for the misconduct which is the subject of the complaint.

78.2 OPPORTUNITY FOR FUTURE SUBMISSIONS – Before the Executive Committee proceeds to determine appropriate disciplinary sanction to be imposed, both the complainant and the respondent shall be afforded a further reasonable and fair opportunity to make submissions as to what sanction they believe should be imposed.

78.3 FACTORS TO BE CONSIDERED – The following factors shall be considered by the Executive Committee before the appropriate disciplinary sanction or sanctions should be imposed:

78.3.1 The nature and severity misconduct;

78.3.2 Whether the misconduct involved any physical contact or caused injury;

78.3.3 Whether the misconduct was an isolated incident or part of an ongoing pattern of behaviours;

78.3.4 The nature of the relationship between the complainant and the respondent;

78.3.5 The age of the Complainant;

78.3.6 Whether the respondent has been involved in any previous complaint(s) of misconduct either resolved informally or decided formally;

78.3.5 Whether the respondent accepts responsibility for the misconduct and expresses a sincere desire to alter their behaviours;

78.3.6 Whether the respondent attempted or did retaliate against the complainant in any fashion;

78.3.7 The consequences and impact on any individual caused by the misconduct;

78.3.8 The impact of the misconduct on the overall integrity of CYO Hockey;

78.3.9 What if any remedial policies and procedures can be instituted to prevent reoccurrences of the misconduct.

78.3.10 The general good reputation and standing within CYO Hockey or the respondent prior to the complaint; and,

78.3.11 If hockey funds were involved, the amount of those funds.

78.4 POSSIBLE DISCIPLINARY SANCTIONS - After discussing the matter in camera and considering the factors set out in by-law 78.3 and any submissions made as allowed by by-law 78.2, the Executive Committee shall decide the appropriate disciplinary sanction for the misconduct from the following options, singly or in combination:

78.4.1 No further sanction;

78.4.2 A Verbal apology be provided;

78.4.3 A Written apology be delivered;

78.4.4 A reprimand with or without conditions;

- 78.4.5 A fine or levy be paid;
 - 78.4.6 A referral to counselling;
 - 78.4.7 In the case of a hockey participant, as suspension from play;
 - 78.4.8 In the case of a hockey volunteer, a suspension from or restrictions placed upon performing responsibilities as a hockey volunteer;
 - 78.4.9 A removal of certain privileges of membership or employment;
 - 78.4.10 A termination of employment or contract or any Corporate Agent;
 - 78.4.11 Suspension of membership;
 - 78.4.12 Expulsion from membership;
 - 78.4.13 Publication of the details of the sanction;
 - 78.4.14 In the case of a member of the Hockey League Executive as defined by by-law 43.1, other than current elected Directors, a direction that the person not be permitted to serve as a member of the Hockey Executive Committee (Board and Hockey Council) or any other CYO Committee for a definite or indefinite period of time;
 - 78.4.15 In the case of a Parish Leader, a Program Director, an Assistant Parish Leader or an Assistant Program Director for something arising in that capacity, a direction that the person not be permitted to serve on any Program or Parish Executive, until their position is reconfirmed or they are re-elected by a majority of members of the appropriate CYO Hockey Association as certified to the Board as required by by-law 30.2;
 - 78.4.16 A written request to appropriate authorities to ensure that the individual not be permitted to attend any arena where any CYO team is practicing or playing for a definite or indefinite period.
 - 78.4.17 Any other sanctions which the Executive Committee may deem appropriate.
- 78.5 NOTIFICATION OF DISCIPLINE – The President, Director of Conduct and Risk Management and the appropriate Parish Leader or Program Director shall inform the Respondent verbally of the disciplinary sanction or sanctions determined by the Executive Committee soon as possible and shall confirm it in writing.
- 78.6 FURTHER NOTIFICATION – The Director of Conduct and Risk Management shall also inform the complainant of the disciplinary sanctions imposed.
- 78.7 MONITORING OF COMPLIANCE WITH SANCTIONS – The Director of Conduct and Risk Management shall monitor the respondent’s compliance with any disciplinary sanctions imposed and report any incidents of non-compliance to the Executive Committee for further action.
- 78.8 FURTHER MISCONDUCT - Conduct which breaches the intent of any sanction imposed under by-law 78.4 shall be deemed to be further misconduct detrimental to the general welfare of the corporation which can be the subject of further formal complaint proceedings and can be considered during any meeting at which a review or appeal is being requested or considered [By-law 48L -06/07]
- 79.1 NO APPEAL BUT REVIEW - There shall be no respondent initiated appeal from a determination that any complaint of any Type II Misconduct had merit made by the Executive Committee but a respondent may request that the Executive

Committee, no earlier than the Fourth regularly scheduled Hockey Executive meeting following the disciplinary sanction being imposed, reconsider the disciplinary sanction imposed only. By simple majority, the Executive Committee can vote to confirm the previous sanction or to impose another sanction provided the replacement sanction is not more onerous than the initial sanction unless there has been non-compliance with the original sanction(s).

- 79.2 APPEAL TO ALLIANCE - If permitted by Alliance Hockey, any decisions made by the Executive Committee relating to Type III Misconduct may be appealed to Alliance Hockey in accordance with the procedures and policies of Alliance Hockey.

Reports and Records

- 80.1 COMPLAINT PROCESS REPORTING – In relation to a specific complaint, the Director of Conduct and Risk Management shall:
- 80.1.1 Ensure that the Board of Directors is periodically advised of the status of any outstanding complaint in general terms without prejudicing them should the matter proceed to a review before the Executive Committee;
 - 80.1.2 If deemed advisable, provide the Hockey League Executive with updates as to the status of outstanding complaints in general terms without prejudicing them should the matter proceed to a review before the Executive Committee in general terms: and,
 - 80.1.3 If required by Alliance Hockey pursuant to the Alliance Hockey Speak Out Policies and Procedures, keep Alliance Hockey aware of the status and resolution or determination of any complaint.
- 80.2 ADDITIONAL REPORTING – In addition to reporting concerning specific complaints, the Director of Conduct and Risk Management shall:
- 80.2.1 Provide the Hockey Executive with periodic and non-complaint specific reports regarding issues of misconduct complaints and how they were resolved or determined; and,
 - 80.2.2 Provide annually at the AGM the members' delegates a non-complaint specific reports regarding issues of misconduct complaints and how they were resolved or determined during the preceding year.
- 81.1 MISCONDUCT COMPLAINT RECORDS - The Director of Conduct and Risk Management, in conjunction with the Secretary, shall ensure that the Corporation maintains detailed and confidential records of all complaints of misconduct received; how each complaint was resolved or determined and what, if any discipline was imposed.

PART IX – AFFILIATION REVIEW PROCESS

- 82.1 AFFILIATION REVIEW – This By-law shall govern the consideration of any

formal proposal to affiliate, to merge or to amalgamate (hereinafter in this By-law described collectively as “affiliation”) the operations of any external hockey organization with the hockey operations of the Corporation.

- 82.2 AGREEMENTS AND ARRANGEMENTS – Affiliation as defined in by-law 82.1 does not include any agreements or arrangements with any other Hockey Association simply to share or coordinate the sharing of services, resources or ice time or the scheduling of inter-league exhibition games which benefits CYO Hockey. The Board, in consultation with Hockey Council, is permitted to enter into such agreements or arrangements without requiring the Affiliation Review process detailed in this By-law. [2008 AGM]
- 82.3 AFFILIATION REVIEW PROCESS - The review of any affiliation proposal shall be subject to the following review process:
- 82.3.1 A written letter of intent to negotiate affiliation from the Board of the other hockey organization must be received by the Secretary;
- 82.3.2 The Hockey Council shall be asked to vote upon whether the affiliation proposal shall be explored and a favorable vote of 75% of the Parish and Program Associations is required to proceed further with this process;
- 82.3.3 If the required number of Parish and Program Associations approve further negotiations, the Affiliation Review Committee described in By-law 51 shall be activated.
- 82.3.4 If the Committee determines it advisable, a sub-committee or the entire Committee can meet with representatives of the other minor hockey organization to review and discuss the proposal.
- 82.3.5 The Committee shall periodically report to the Hockey Executive.
- 82.3.6 The Committee shall determine if it recommends affiliation and, if so, develop a detailed implementation plan to affect the affiliation;
- 82.3.7 The Affiliation Review Committee shall deliver a final report to the Hockey Council including its recommendation and any implementation plan;
- 82.3.8 If 75% of the Hockey Council vote in favour of considering affiliation further, each Parish and Program Association shall convene a meeting of its members to consider whether the affiliation proposal should be considered further;
- 82.3.9 If 75% of the Parish Leaders and Program Directors advise the President that the members of their respective Association support further consideration of the affiliation, the approval of the affiliation shall be either placed on the agenda of the next Annual General Meeting or a special meeting of the members convened pursuant to By-law 59 shall be scheduled to consider the affiliation proposal;
- 82.3.10 A favorable vote of 75% of the voting delegates present at the meeting of the members is required to approve affiliation.
- 82.4 RESTRICTIONS ON RENEWED CONSIDERATION - If at any stage of the affiliation review process, the specified level of support is not achieved to continue further with the affiliation, a minimum period of 12 months must pass before another proposal for affiliation with the same external hockey organization may be initiated.

PART X – BY-LAW AMENDMENT PROCEDURE

- 83.1 AMENDMENT OF BY-LAWS - These By-laws may be amended from time to time if the amendment is approved by a vote of 66% of the members' delegates at an AGM or any other Special Meeting of the Members called for that purpose.
- 83.2 AMENDMENT VOTING OPTIONS - The member's delegates at any Members' meeting can vote to approve or reject all presented by-law amendment proposals. If the required motion is moved and seconded, the members' delegates can also vote to "table" or defer any proposal for consideration at a subsequent members' meeting with or without directions.
- 83.3 MEMBERS' PROPOSALS - All By-law proposals received from the members for an amendment of these By-laws for consideration at an Annual General Meeting shall be submitted in writing to the Secretary no later than the 15th day of February immediately preceding AGM. This is to permit the By-law Review Committee time to review the proposal and any member's proposal submitted prior to this deadline must be voted upon at the AGM unless the proposing member withdraws it.
- 83.4 REVIEW OF PROPOSALS - The Secretary shall submit all By-law amendment Proposals received from the members prior to the deadline in by-law 83.3 to the By-law Review Committee for its review and recommendation and the By-law Review Committee shall review any Membership By-law proposals forwarded to it by the Secretary.
- 83.5 RESTRICTIONS - No By-law Amendment Proposal which has not been reviewed by the By-law Review Committee as required by by-law 83.4 shall be voted upon at the AGM but this shall not prevent the moving of and voting upon of any amendments to any proposal properly reviewed by By-law Review Committee by the AGM delegates.
- 83.6 EFFECTIVE DATE - Unless otherwise specified by a vote of the members' delegates, any approved By-law amendment shall become effective as of noon on the day immediately following the day upon which it is voted upon and approved.

As approved at the May 5, 2019 Annual General Meeting of the members of CYO Hockey.