

## **Biathlon Canada By-Laws Amendment Motions**

### **By-Law Motion #1**

#### **Preamble**

A change must be made to the membership classes in order to comply with Canada Not-For-Profit Corporations (NFP) Act. Therefore changes to definitions in Article 2 (g), (l), (m), and (p) may be desired.

#### **MOTION**

Therefore, be it resolved that Articles 2(g), (l), (m), and (p) of the Biathlon Canada By-Laws be amended, and that (s) be added, ;

g. "Division" means an *organization established to promote the sport of Biathlon in its respective province or territory of Canada and which is recognized as such by the relevant provincial or territorial government;*

l. *"Member" means a Division that has been admitted as a member of Biathlon Canada in accordance with Article 12;*

m. *"Membership Dues" means such annual dues as are determined for membership in Biathlon Canada in accordance with Article 16;*

p. *"Participation Fee" means such annual fee as is determined for Registered Participants in accordance with Article 16;*

s. *"Registered Participant" means a person who has registered with Biathlon Canada to participate in biathlon activities and who has paid their Participation Fee;*

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## By-Law Motion #2

### Preamble

Due to the changes that must be made to the membership classes in order to comply with Canada Not-For-Profit Corporations (NFP) Act, changes must be made to Article 8, BIATHLON CANADA VALUES to reflect the amended definitions.

### MOTION

Therefore, be it resolved that Article 8- Biathlon Canada Values of the Biathlon Canada By-Laws be amended to read;

8. Biathlon Canada will operate in every aspect, and will achieve its goals, in adherence to the following fundamental values in which we believe:

**Excellence:** Biathlon Canada must strive to achieve the highest standard of excellence in every endeavor of the association.

**Leadership:** Biathlon Canada and our empowered Members must exercise leadership to achieve the mission.

**Democracy:** Biathlon Canada believes in the universally accepted democratic principles.

**Athlete Centered:** The purpose and focus of all our programs, services and action is directed at the holistic development and support of the athletes and their performance.

**Safety:** Biathlon must be safe for everyone.

**Integrity and Ethics:** Integrity and ethics, incorporating fairness, justice, honesty, non-discrimination and respect must govern all aspects of Biathlon.

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## **By-Law Motion #3**

### **Preamble**

Due to the change that must be made to the membership classes in order to comply with Canada Not-For-Profit Corporations (NFP) Act there is a requirement to reduce existing membership classes from 5 to 1, change name to Registered Participants, and to allocate votes based upon the number of Registered Participants using the same existing formula.

### **MOTION**

Therefore, be it resolved that Articles 9 to 20 Membership of the Biathlon Canada By-Laws, be amended to read;

#### **MEMBERSHIP**

9. There shall be one class of membership in Biathlon Canada which shall be Divisions.

10. Members shall have the right to participate in the activities of Biathlon Canada and to attend and vote at all meetings of the Members. Biathlon Canada shall recognize any Registered Participant authorized by a Member to represent it and vote on its behalf.

11. Members shall have one vote, plus one additional vote for every hundred Registered Participants from their province or territory as reported to Biathlon Canada by March 31 in each year.

#### **ADMISSION AS A MEMBER**

12. Any Division interested in furthering the objects of Biathlon Canada may become a Member.

13. Divisions shall be accepted into Biathlon Canada as Members upon;

- (a) The Division submitting to the National Office of Biathlon Canada a written application for membership in the form prescribed by the Board, together with a copy of its letters patent or a copy of its certificate of incorporation and a copy of its current by-laws,
- (b) Payment by the Division to Biathlon Canada of the application fee prescribed by the Board, and
- (c) Approval of the application by a majority vote of the Board.

#### **REGISTRATION OF PARTICIPANTS**

14. No person shall participate in Biathlon Canada programs or activities without being a Registered Participant.

15. The Board shall prescribe the registration form for Registered Participants.

16. Each Registered Participant shall have the right to participate in the activities of Biathlon Canada, to attend and to be heard at all meetings of Members recognizing however that Registered Participants are not Members and do not have the right to vote at any such meetings.

## **ANNUAL DUES AND FEES**

17. The annual Membership Dues and annual Participation Fees shall be set by the Board with consideration to differences in services and benefits available to each type of participant and adjusted from time to time as the Board deems necessary.

## **GOOD STANDING**

18. Members shall be held in “good standing” provided that they:

- a) Have paid their annual Membership Dues and have remitted all Participation Fees collected by them;
- b) Validly exist under federal, provincial or territorial legislation;
- c) Are recognized by their respective provincial or territorial government as an organization established to promote the sport of Biathlon;
- d) Have filed with Biathlon Canada a copy of their current by-laws;
- e) Operate in accordance with universally accepted democratic principles; and
- f) Comply with the rules, bylaws, policies and regulations of Biathlon Canada.

## **WITHDRAWAL**

19. Members may withdraw from Biathlon Canada by delivering written notice of their resignation to the Secretary of Biathlon Canada.

## **SUSPENSION OR REVOCATION**

20. The Executive may, by a majority vote, suspend immediately, and recommend to the Board the continued suspension for any specific period of time, the revocation of such membership or registration for the balance of the membership or registration year or such longer period of time as the Executive Committee may deem appropriate for conduct which does or is likely to adversely affect the reputation of Biathlon Canada. Such conduct may include the following:

- a) Serious violation of Biathlon Canada policies or regulations.
- b) Defaming Biathlon Canada, or the International Federation, their members, members of their organizations, or guests of either.
- c) Ceasing to be a member in good standing.

## **By-Law Motion #4**

### **Preamble**

A change must be made to the membership classes in order to comply with Canada Not-For-Profit Corporations (NFP) Act. Therefore changes to definitions in Article 56 will be required.

### **MOTION**

Therefore, be it resolved that Article 56 of the Biathlon Canada By-Laws be amended to read;

56. Voting at General Meetings. Subject to article 11, votes shall be cast only in accordance with the following formula. At any General Meeting, Members will carry the following votes:

#### Members Votes by Registered Participants

005-100 Registered Participants= 1 vote

101-200 Registered Participants = 2 votes

201-300 Registered Participants = 3 votes

301-400 Registered Participants = 4 votes

401-500 Registered Participants = 5 votes

501-600 Registered Participants = 6 votes

etc.

## **By-Law Motion #5**

### **Preamble**

The amendments described in Motions #1 through #4 will necessitate formatting and section numbering changes to the By-laws.

### **MOTION**

Therefore, be it resolved that the Members authorize Biathlon Canada to make any necessary formatting and section numbering changes to the Biathlon Canada By-law to give effect to the amendments approved by the Members in Motions #1 through #4. These changes are of a 'housekeeping' nature only and will not affect the substance of the By-law.