

**KAPUSKASING MINOR HOCKEY ASSOCIATION  
KMHA**



Constitution  
April 2017



## KMHA CONSTITUTION

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ARTICLE I – NAME

This association shall be known as the KAPUSKASING MINOR HOCKEY ASSOCIATION, hereinafter referred to as KMHA.

ARTICLE II – PURPOSE

The purpose of KMHA shall be to foster, promote and improve minor hockey in the Town of Kapuskasing and its' surrounding area, in accordance with the standards and playing rules prescribed by the Canadian Hockey Association as amended by the Board of Directors of KMHA.

ARTICLE III – MEMBERSHIP

Membership in KMHA shall be limited to the following:

1. All parents (one mother, and one father) of players who participate through registration in KMHA teams during the current year;
2. All directors of KMHA who have been directors during the current year;
3. All coaches, managers and trainers officially recognized as part of KMHA participating during the current year;
4. All recognized sponsors of participating KMHA teams during the current year;
5. All officials (referees, linesmen and timekeepers) who were recognized as Officials for KMHA during the current year;

ARTICLE IV – VOTING ELIGIBILITY

- (1) To be eligible to vote at any meeting of KMHA, including the Annual General Meeting (AGM) and any General Meetings, all voters must be members of KMHA as described in ARTICLE III, and must be eighteen (18) years of age or older.
- (2) No member will be able to cast any more than one vote for each called for vote, regardless of the number of active positions held during the current year.
- (3) Only those eligible members in attendance at the AMG or any General Meeting called shall be allowed to vote. Votes by proxy are not allowed.



ARTICLE V – MEETINGS

- (1) a. KMHA shall hold an Annual General Meeting (AGM) on the last Monday of April year, at a time and place designated by the Board of Directors.  
  
b. The Board of Directors shall call a General Meeting upon receipt in writing signed by at least six (6) members of KMHA.
- (2) **BUSINESS** – The order of business for the Annual General Meeting (AGM) shall be:
  - a. Reading of the minutes of the last meeting and adoption thereof;
  - b. Business arising from the minutes;
  - c. President’s report;
  - d. Administrative Coordinator’s report (*if applicable*);
  - e. Amendments to the Constitution;
  - f. Convener reports;
  - g. Treasurer’s report;
  - h. Unfinished business;
  - i. Correspondence;
  - j. Status of Administrative Coordinator’s position;
  - k. Election of Senior Executive and Directors;
  - l. General items and new business;
  - m. Adjournment.
- (3) **NOTICE OF ANNUAL MEETING** – Notice shall be published by the Administrative Coordinator in all local media at least fourteen (14) days before the date of the Annual General Meeting (AGM). The notice of meeting must advise that all proposed amendments to the Constitution must be in writing and received by the Administrative Coordinator of KMHA at least seven (7) days before the date of the AGM.
- (4) **CHAIRPERSON** – The President or in their absence the First (1<sup>st</sup>) Vice-President of the Board of Directors shall act as Chairperson of all meetings of KMHA. In the absence of President and the First (1<sup>st</sup>) Vice-President, the members present shall choose another Director as Chairperson and if no other Director present, or if all the Directors present decline to act as Chairperson, the members present shall choose one of their members to be Chairperson.

ARTICLE VI – POLICING AND ENFORCEMENT OF CONSTITUTION

The Board of Directors of KMHA shall enforce the Constitution.



ARTICLE VII – AMENDMENTS TO THE CONSTITUTION

Amendments to the Constitution may only be made by a two-thirds majority vote of eligible members present at the Annual General Meeting of KMHA and shall only be considered if they have been delivered to the Secretary or Administrative Coordinator at least seven (7) days prior to the date of the AGM.

ARTICLE VII – KMHA RULES

Schedule “A” attached known as “KMHA Rules” are hereby officially recognized.

KMHA rules may be amended by a simple majority vote of the members of the Board of Directors of KMHA.

The document known as KMHA Rules shall be made available in both official languages.

ARTICLE IX - DIRECTORS

- (1) **BOARD OF DIRECTORS** - The affairs of KMHA shall be managed by a Board of Directors consisting of the following elected positions:
  - a. The President;
  - b. First Vice-President;
  - c. Second Vice-President;
  - d. Secretary (*if applicable*);
  - e. Five (5) Directors;And the following appointed positions:
  - f. The immediate Past President;
  - g. The Treasurer;
  - h. The Administrative Coordinator (*if applicable*);
  - i. Five (5) additional Directors to be appointed by the incoming Board for a maximum total membership of 16.
- (2) **SENIOR EXECUTIVE** - The KMHA senior executive shall consist of the President, Past President, First Vice-President, Second Vice-President and the Secretary (*if applicable*).
- (3) **QUALIFICATIONS OF DIRECTORS** - Any member of KMHA as defined in ARTICLE III shall be eligible for membership to the Board of Directors of KMHA.
- (4) **QUALIFICATIONS OF SENIOR EXECUTIVE** - In order for an individual to serve a term as First Vice-President, Second Vice-President, or Secretary (*if applicable*):



1. They shall have served on the Board of Directors of KMHA for at least one (1) year in the preceding five (5) years.
2. They shall hold no similar type position in any organization that would be considered in conflict with the aims of KMHA (ie. Kapuskasing Women's Hockey Association, Ringette, Kapuskasing Figure Skating Association)
3. If there are no qualified candidates for a position on the Senior Executive the members of KMHA present at the AGM may elect any individual, they choose.

(5) **QUALIFICATIONS OF PRESIDENT** - In order for an individual to serve a term as President of KMHA:

1. They shall have served on the Board of Directors of KMHA for at least three (3) years in the preceding five (5) years;
2. They shall have served as a member of the Senior Executive for at least one (1) year in the preceding five (5) years;
3. They shall hold no similar type position in any organization that would be considered in conflict with the aims of KMHA (ie. Kapuskasing Figure Skating Association);
4. If there are no qualified candidates for a position on the Senior Executive the members of KMHA present at the AGM may elect any individual, they choose.

(6) **TERM OF OFFICE** - All elected members of the Board of Directors shall be elected for a term of two (2) years, at the Annual General Meeting (AGM) of KMHA. All appointed positions shall be for a one (1) year term. The President, Second Vice-President and four (4) Directors will be elected on even numbered years, and the First Vice-President and four (4) Directors will be elected on odd numbered year. If an elected Director or one of the Vice-Presidents wants to seek election for a position higher than the one presently held, they may do so and if elected will be held to replace for the remaining term of office.

(7) **ELECTIONS** - For the election held at the AGM in 2012, all positions will be elected, however the Second Vice-President and four (4) Directors will be for one (1) year term.

(8) **RE-ELECTION** - Directors shall be elected by the eligible voters at the AGM of KMHA by a show of hands, unless a written ballot is demanded. In such case, the election shall be by ballot.

(9) **ORDER OF ELECTIONS** - Retiring Directors shall be eligible for re-election to the Board of Directors.

The order of elections shall be as follows:

1. President;
2. First Vice-President;



3. Second Vice-President;
4. Secretary (*if applicable*);
5. Directors (five (5) to be elected).

**(10) VACANCIES -**

- a. Any vacancies within the Board of Directors may, as long as there is a quorum of Directors then in office, be filled by the Directors from among the qualified members of KMHA if they see fit to do so, otherwise, such vacancies shall be filled at the next AGM of KMHA.
- b. In the event a vacancy occurs within the Senior Executive, (President, Past President, First Vice-President, Second Vice-President and the Secretary (*if applicable*)) the Board shall appoint a Director to complete the term of office.

**(11) REMOVAL/SUSPENSION OF DIRECTORS -**

- a. The members of KMHA by a special resolution, may remove by a two thirds majority of votes cast at any such meeting of KMHA, any Director before the expiration of their term of office and may elect any eligible person in their stead for the remainder of their term.
- b. KMHA may, upon a two thirds majority vote of the eligible members present at an AGM, or any meeting of KMHA suspend any member of the Board of Directors whose acts or conduct are considered unfit to be associated with KMHA in youth activities. Such suspension may be for such period as a two thirds majority of the eligible membership vote prescribes. In consideration of a motion to suspend any member of the Board of Directors, the member who is under consideration shall be given the opportunity to answer any charges made against them. The vote on the question shall be by secret ballot.
- c. In the event a Director shall without good cause, fail to attend three (3) consecutive meetings (executive, general or annual) they shall be deemed to have retired from office.

**(12) REMUNERATION OF DIRECTORS** -The Directors of KMHA shall serve without remuneration, and no Director shall directly or indirectly receive any profit from their position as such. A Director may be paid pre-authorized reasonable expenses incurred by them in the performance of their duties.

**(13) MEETINGS** - Meetings of the Board of Directors of KMHA shall be held monthly, or, at such time and frequency as the Board may determine. The President, or Vice-President, or any two (2) Directors, provided notice of meeting has been delivered may convene a meeting of the Board of Directors of KMHA at any time.

**(14) NOTICE OF MEETINGS** - Notice of any meeting of the Board of Directors shall be delivered, mailed or telephone to each Directors not less



than two (2) days before the meeting is to take place, provided always that a meeting of the Board of Directors may be held at any time without formation notice if all the Directors and Officers are present, or those absent have waived notice or have signified their consent in writing to the meeting being in their absence.

(15) **QUORUM** - A quorum at any meeting of the Board of Directors of KMHA shall be fifty percent (50%) of the sitting members of the Board.

(16) **VOTING OF THE DIRECTORS** - Questions arising at any time during a meeting of the Board of Directors shall be decided by a simple majority of votes cast by those present. Only in the vent of a tie shall the President vote.

(17) **COMMITTEES AND CONVENERS** - The Board of Directors, from its ranks may appoint the following committees and conveners:

- a. Publicity Committee
- b. Tournament and Playoffs Committee
- c. Hockey and/or Skating Schools Committee
- d. Sponsorship Committee
- e. Discipline Committee
- f. Ice Captain
- g. Referee Convener
- h. Timekeeper Convener
- i. League Conveners (Initiation, Novice, Atom, Peewee, Bantam, Rep)

The Directors may appoint from the memberships of KMHA such other committees as they deem desirable to perform duties not herein specifically charged to some other individual or committee.

(18) **DUTIES OF DIRECTORS** - The Directors shall be responsible for:

1. Registration of players;
2. Scheduling of games;
3. Arranging for playing areas;
4. Appointing coaches, and;
5. All other matters as may be required.

(19) **SIGNING AUTHORITY** - Any two (2) of three (3) manly the President, First Vice-President or Administrative Coordinator (*if applicable*) and the Treasurer shall be signing authorities for all bank accounts in the name of KMHA.

(20) **PRESIDENT** - The President of KMHA may hold other positions without KMHA but must remove themselves from any decision where they may be in conflict.





ARTICLE X – LIABILITY OF DIRECTORS

Be in enacted and it is hereby enacted as an article of the Constitution of Kapuskasing Minor Hockey Association (hereinafter called the “Corporation”) as follows:

1. Every Directors or Officer of the Corporation or other person who as undertaken or is about to undertake any liability on behalf of the Corporation and their hers, executors and administrators, and estate and effects, respectively, shall from time to time and all time, be indemnified and saved harmless, out of the funds of the Corporation from and against:
  - a. All costs, charges and expenses whatsoever which such Director, Officer or other person sustain or incurs in or about any action, suit or preceding which is brought, commenced or prosecuted against him for or in respect of any act, deed, matter or thing whatsoever made done or permitted by him in or about the execution of the duties of his office in respect of any such liability; and
  - b. b. All other, costs charges, and expenses which he sustains or incur in or about or in relation to the affairs thereof, except such costs, charges, or expenses as occasioned by own willful neglect or default.

No Director of Officer for the time being of the Corporation shall be liable for the acts, receipts, neglects, or default of any other Director or Officer, or employee or for joining in any receipt of act of conformity or for any loss, damage or expense happening to the Corporation through the insufficiency of deficiency of the title of any property acquired by order of the Board of Directors for or on behalf of the Corporation of for the insufficiency of deficiency of any security in or upon which any of the moneys of or belonging to the Corporation shall be place out or invested for any loss of damage arising from the bankruptcy, insolvency or tortious act of any person, firm or corporation with who or which any moneys, securities or affects shall be lodged or deposited or for any other loss damage or misfortune whatever may happen in the execution or supposed execution of the duties of his respective office or trustor in relations thereto unless the same shall by or through his own willful act or his own willful default.

ARTICLE XI – MOVEMENT OF PLAYERS WITHIN THE KMHA SYSTEM

At the discretion of the Board of Directors of KMHA and in consultation with the parents and coaches concerned, a player may be moved up or down in classification depending on the player’s ability not his age. A notice is to be posted at registration advising parents and others concerned about this article.

ARTICLE XII – REPESENTATIVE TEAMS (REP TEAMS)



The Board of Directors of KMHA will cause to be formed "Rep Teams".

ARTICLE XIII – APPOINTMENT OF COACHES

- (1) The Secretary or Administrative Coordinator of KMHA is to make all the necessary arrangement for advertising for coaching positions in KMHA.
  - a. **HOUSE LEAGUE** – KMHA is to advertise as the Board of Directors or appointed committee decides on a yearly basis. The Board of Directors or committee should consider advertising for two (2) weeks each August for the coaches that are needed. Prospective coaches must apply to the Secretary or Administrative Coordinator of KMHA.
  - b. **REP TEAMS** (Except Midget AAA) – KMHA is to advertise for two (2) weeks in March each year for Rep Team coaches. Prospective coaches must apply to the Administrative Coordinator of KMHA for their respective teams. Applications must include all training qualifications as well as experience. The selection of Rep Team coaches and the announcement of these coaches will be made by the Board of Directors of KMHA by April 1<sup>st</sup>, of that year.
  - c. **MIDGET AAA** – The coach of the Midget AAA team will be selected by the Board of Directors of the Midget AAA team. The coach's name will be submitted to the Board of Directors of KMHA each year for final approval.

ARTICLE XIV – DISCIPLINE

The President or his appointee may temporarily suspend any player, coach, manager, trainer, referee or timekeepers participating any division administered by KMHA for acts or conduct deem by them to be detrimental to KMHA. The suspension shall immediately be considered at a meeting of the Discipline Committee of the Board of Directors. This meeting shall take place without seven (7) days of the beginning of said suspension.

The Code of Conduct and Social Media Policy needs to be read and signed by all KMHA volunteers annually including referees, timekeepers, coaches, assistant coaches, conveners, board members, managers trainers, etc... but is not limited to those positions. If this requirement is unmet the consequence indicated in the NOHA Code of Conduct and Social Media Policy shall be enforced.



ARTICLE XV – ADMINISTRATIVE COORDINATOR/TRESURER

- (1) KMHA shall decide every three (3) years to authorize the Board of Directors to employ an “Administrative Coordinator” to deal with the day-to-day operations of the Association.
- (2) In the event that KMHA agreed to the employment of an Administrative Coordinator/Treasurer, this person shall for all intents and purposes replace the position of secretary.
- (3) The Administrative Coordinator/Treasurer shall not be entitled to vote any issues brought to any meeting of the Board of Directors but shall retain voting privileges at any meetings of KMHA AGM
- (4) The Administrative Coordinator/Treasurer shall act as a signing authority along with the President and the First Vice-President on all accounts of KMHA.
- (5) Remuneration for the Administrative Coordinator/Treasurer shall be negotiated by the President and shall be approved by the Board of Directors.
- (6) The duties of the Administrative Coordinator/Treasurer shall be those listed in the attached job description for an Administrative Coordinator/Treasurer.
- (7) In the event that KMHA decides not to employ an Administrative Coordinator/Treasurer, this Article XV shall not be in effect for that year, but shall remain part of the KMHA Constitution.

ARTICLE XVI – DISSOLUTION

1. Upon dissolution of the Corporation and after the payment of all debts and liabilities, remaining property of the Corporation shall be distributed or disposed of to another organization or to other organizations with objects similar to those of this Corporation, the said organizations to be determined by the Corporation at the time of dissolution.
2. The said organizations be the Kapuskasing Women’s Hockey Association (being the girl’s hockey association) and the Kapuskasing Figure Skating Club.



## AMENDMENTS

Constitution as amended May 3<sup>rd</sup>, 1999

Constitution as amended May 1<sup>st</sup>, 2000

- Total re-write of Constitution

Constitution as amended May 2001

- *Article v (1)* - Date of AGM meeting changed to last Monday of April.

Constitution as amended April 29, 2002

- *Article V (2)* – Inclusion of Administrative Coordinator
- *Article IX (1)* – Removal of Third Vice-President, municipal appointee and the inclusion of Administrative Co-Ordinator and fifth appointed Director.
- *Article IX (2)* – Removal of Third Vice-President, and inclusion of words “if applicable”
- *Article IX (4)* - Removal of Third Vice-President, and inclusion of words “if applicable”
- *Article IX (10)* – Addition of words “if applicable” to item 4
- *Article IX (20)* – Addition of words “of Administrative Co-Ordinator” after First Vice-President
- *Article XV* – Inclusion of entire article including Job Description as part of the Constitution

No changes 2003, 2004

Constitution as amended April 25<sup>th</sup>, 2005

- *Article IX (4)* – Amend to read “One (1) year”
- *Article IX (6)* – Remove section 6 and renumber all preceding sections as required.
- *Article IX (10)* – Name first sentence A, and add sentence B.

No changes 2006, 2007, 2008

Constitution as amended April 27<sup>th</sup>, 2009

- *Article XII Title* – Replace words “All Star Team” with the words “Representative Teams (Rep Teams)”
- *Article XII (1)* – Replace words “All Star Team” with the words “Rep Teams”
- *Article XII (1)* – A. Replace sentence with the following “KMHA is to advertise as the Board of Directors or appointed committee decides on a yearly basis. The Board of Directors or committee should consider advertising for two (2) weeks each August for the coaches that are needed. Prospective coaches must apply to the Secretary of KMHA.”
- *Article XII (1)* – B. Replace words “All Star Team” with the words “Rep Teams”
- *Article XVI* – New Article re: dissolution

Constitution as amended April 26<sup>th</sup>, 2010

- *Article III* – Add 6. The Administrative Co-Ordinator
- *Article V (3)* – Replace words “secretary or treasurer” with “secretary or administrative co-ordinator”
- *Article VII* – Add the words “or Administrative Co-Ordinator”
- *Article IX (4)* – Delete all words after “(if applicable)” and add:
  1. They shall have served on the Board of Directors of KMHA for at least one (1) year in the preceding five (5) years.
  2. They shall hold no similar type position in any organization that would be considered in conflict with the aims of KMHA (ie. Kapuskasing Women’s Hockey Association, Ringette, Kapuskasing Figure Skating Association)
  3. If there are no qualified candidates for a position on the Senior Executive the members of KMHA present at the AGM may elect any individual, they choose.
- *Article IX (5)* – Delete all words after President of KMHA and add:
  1. They shall have served on the Board of Directors of KMHA for at least three (3) years in the preceding five (5) years;
  2. They shall have served as a member of the Senior Executive for at least one (1) year in the preceding five (5) years;



3. They shall hold no similar type position in any organization that would be considered in conflict with the aims of KMHA (ie. Kapuskasing Figure Skating Association);
  4. If there are no qualified candidates for a position on the Senior Executive the members of KMHA present at the AGM may elect any individual, they choose.
- *Article XIII (1)* – Delete the words “Treasurer of KMHA” and replace words with “secretary or administrative co-ordinator”
  - *Article XIII (1)* – a. Change the words “or Administrative Co-Ordinator” after the word secretary
  - *Article XIII (1)* – b. Change the words May to April
  - *Article XIII (1)* – b. Add the words “or Administrative Co-Ordinator” after the word “secretary”

Constitution as amended April 27<sup>th</sup>, 2011

- *Article IX (20)* - The President of KMHA may hold other positions without KMHA but must remove themselves from any decision where they may be in conflict.

Constitution as amended April 23, 2012

- *Article IX (6)* - All elected members of the Board of Directors shall be elected for a term of two (2) years, at the Annual General Meeting (AGM) of KMHA. All appointed positions shall be for a one (1) year term. The President, Second Vice-President and four (4) Directors will be elected on even numbered years, and the First Vice-President and four (4) Directors will be elected on odd numbered year. If an elected Director or one of the Vice-Presidents wants to seek election for a position higher than the one presently held, they may do so and if elected will be held to replace for the remaining term of office.
- For the election held at the AGM in 2012, all positions will be elected, however the Second Vice-President and four (4) Directors will be for one (1) year term.
- *Article XV (1)* - KMHA shall decide every three (3) years to authorize the Board of Directors to employ an “Administrative Coordinator” to deal with the day-to-day operations of the Association.
- *Article XVI (2)* – Dissolution The said organizations be the Kapuskasing Women’s Hockey Association, (being the girl’s hockey association) and the Kapuskasing Figure Skating Club. Remove Ringette Association as it no longer exists.

No changes 2013

Constitution as amended April 28<sup>th</sup>, 2014

- *Article XIII* – b. Rep Teams (except Midget AAA) KMHA is to advertise for two (2) weeks in February each year for Rep Team coaches. Prospective coaches must apply to the Administrative Coordinator of KMHA for their respective teams. Applications must include all training qualifications as well as experience. The selection of Rep Team coaches and the announcement of these coaches will be made by the Board of Directors of KMHA by March 15<sup>th</sup>, of that year. The Board may give a team to a coach for more than one hockey season to develop more of a system with their players. Spring try-outs will be held in April every year.

Constitution as amended April 27<sup>th</sup>, 2015

- *Article XIV* – Add The Code of Conduct and Social Media Policy needs to be read and signed by all KMHA volunteers annually including referees, timekeepers, coaches, assistant coaches, conveners, board members, managers trainers, etc... but is not limited to those positions. If this requirement is unmet the consequence indicated in the NOHA Code of Conduct and Social Media Policy shall be enforced.
- *Article III (6)* – To be removed as this is a paid position and not part of the association
- Throughout the entire document, the term Administrative Co-Ordinator shall be replaced with Administrative Coordinator.
- *Article XIII* – REP TEAMS (Except Midget AAA) – KMHA is to advertise for two (2) weeks in March each year for Rep Team coaches. Prospective coaches must apply to the Administrative Coordinator of KMHA for their respective teams. Applications must include all training qualifications as well as experience. The selection of Rep Team coaches and the announcement of these coaches will be made by the Board of Directors



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of KMHA by April 1<sup>st</sup>, of that year. The Board may give a team to a coach for more than one hockey season to develop more of a system with their players. Spring evaluation will be held in April every year if ice is available

### Constitution as amended April 25<sup>th</sup>, 2016

- *Article XIII – REP TEAMS (Except Midget AAA) –* KMHA is to advertise for two (2) weeks in March each year for Rep Team coaches. Prospective coaches must apply to the Administrative Coordinator of KMHA for their respective teams. Applications must include all training qualifications as well as experience. The selection of Rep Team coaches and the announcement of these coaches will be made by the Board of Directors of KMHA by April 1<sup>st</sup>, of that year.

### No changes 2017