

CONSTITUTION
YORK SIMCOE EXPRESS HOCKEY ASSOCIATION INC.

CONSTITUTION

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CONSTITUTION

This constitution shall be composed of Articles numbered and referenced as follows with the headings only intended as information references.

Article I – Name, Affiliation and Corporate Structure

A1.1 The following is enacted as the Constitution of the York Simcoe Express Hockey Association Inc. herein after referred to as YSEHA or The Association. Enacted in Newmarket, Ontario, this day of in the year 2002. The Constitution and Bylaws heretofore enacted are repealed.

A1.2 YSEHA is incorporated under the laws of the province of Ontario under number 853190, being a not for profit association and operating with no primary gain or other benefits to individual members. Revenues and /or benefits to the Corporation shall be used solely for fulfilling its purposes and/or mission.

A1.3 The Corporation's Directors shall be YSEHA's elected President, Vice President, Secretary and Treasurer. The Directors shall have the authority and duty to maintain the Corporation's registration, designate the corporation's signing authority(ies) and act for any purpose thereto.

A1.4 The symbol of YSEHA shall be in such form as registered under Canadian trade mark Registration No. TMA490567 and shall only be amended or changed, upon an amended/ revised design being properly noticed and subsequently adopted at a General Membership Meeting.

A1.5 YSEHA is organized and operates as a 'AAA' zone hockey centre, defined/affiliated pursuant to the Constitution, Bylaws and Policies of the Ontario Minor Hockey Association (OMHA). Accordingly, YSEHA, its members and participants are governed by said rules and/or conditions appropriate to OMHA 'AAA' zone hockey centres and as may be further prescribed by the Constitution, Bylaws, and Policies of the:

- (a) Ontario Hockey Federation (OHF), being the provincial body of authority and/or as further prescribed by
- (b) Canadian Hockey Association (CHA), being the national body of authority responsible for amateur (minor) hockey in Canada.

Article II – Objects and Mission

A2.1 YSEHA shall be an advocate for 'AAA' hockey and on an ongoing basis, further the development of 'AAA' hockey programs by:

- (a) encouraging the highest degree of sportsmanship and fair treatment amongst all its members and participants/players and;
- (b) actively promoting YSEHA to other hockey organizations and affiliates, community sponsors, civic leaders and the public at large.

A2.2 More particularly, YSEHA's object is to maintain and further advance a 'AAA' hockey program for the benefit of eligible resident players of OMHA's YSEHA home centres:

1. Aurora Minor Hockey Association
2. Beeton Athletic Association
3. Bradford West Gwillimbury Minor Hockey Association
4. East Gwillimbury Minor Hockey Association
5. Georgina Minor Hockey Association
6. Newmarket Minor Hockey Association
7. TNT Tornados Minor Hockey Association
8. Schomberg Minor Hockey Association

- A2.3 Mission Statement
“The YSEHA shall continually strive to become an improved hockey organization exemplifying the standard for others to follow!”

Article III – Eligibility – Members/Participants

- A3.1 Players to participate in any hockey activities of YSEHA must be Midget age or younger prior to the end of the calendar year and be registered for the current hockey season with their resident minor hockey (home) centre or be otherwise eligible according to the rules of OHF/CHA.
- A3.2 YSEHA members shall consist of the following individuals who are deemed members in good standing:
- (a) Parents and/or guardians of eligible players who upon their signature accept a carded position with a YSEHA team;
 - (b) Individuals who serve as carded officials of a YSEHA team;
 - (c) Individuals who are elected or appointed and serve as a member of YSEHA’s Executive.

Member in Good Standing

A member in good standing is defined as one who does not owe any applicable YSEHA fees, assessments, etc. and who is not the subject of any current disciplinary action. A member may be reinstated by the Executive.

- A3.3 Upon acceptance of membership as described herein and being afforded the rights hereunder, it shall also be understood/acknowledged by all members, that part and parcel of their rights of participation, there exists a corresponding duty for all members to support YSEHA’s Constitution and abide by its Bylaws and/or Policies, adopted thereto.

Article IV – Administration – Authorities

- A4.1 Except when specified differently, 5 members who possess a voting card, in addition to a quorum of the Executive Board, in attendance at any properly noticed General Membership Meeting, shall be the quorum required to conduct business as YSEHA’s governing body whose decisions shall bind the members and the Association as may be appropriate and/or necessary.
- A4.2 Between General Membership Meetings the responsibility for the effective operations of YSEHA shall devolve in descending order, according to the duties prescribed in the Bylaws as follows:

- (a) to the Executive Board and/or its Management Committee;
- (b) to the President;
- (c) to other titled officers, directors and home centre representatives;
- (d) to committees and/or individuals appointed hereunder.

A4.3 (a) The Officers of YSEHA shall be elected/appointed as prescribed by The Bylaws and consist of:

President, Vice-President/Director of Hockey Operations,
Secretary, Treasurer, Director of Ice Operations,
Fund Raising Director, Registrar, Publicity Director,
Equipment Director, Past-President (for the immediate
following year).

(b) Representatives, one from each of YSEHA's eight home centres, when officially designated by the home centre, shall be a bona fide member of YSEHA's Executive Board.

A4.4 The four senior officers being the President, Vice-President/Director of Hockey Operations, Secretary and Treasurer, shall constitute YSEHA's Management Committee and the Officers, Directors, and Representatives shall constitute YSEHA's Executive Board, herein after referenced as the Executive.

A quorum of seven Executive Board members, including no less than 4 Officers, must be present at Executive Board meetings to conduct the business of the YSEHA.

A4.5 It shall be the duty of all members of the Executive to fulfil their individual responsibilities of office and as the Executive Board, actively pursue and promote the Objects and Mission of YSEHA.

Article V – Funds

A5.1 YSEHA revenues shall be acquired through methods approved by the Executive which may include:

- a) fees for player registrations;
- b) periodic dues for members;
- c) assessments for teams and/or members;
- d) revenues from sale of products with YSEHA trade-marks and/or symbols;
- e) revenues from fund raising events/programs;
- f) revenues from Sponsors & for Sponsorship programs – both Corporate and Private;
- g) revenues from donations/bequests; and/or
- h) any other method approved by the Executive.

A5.2 All revenues received, except for revenues accrued from Bingo fund raising activities which must be deposited and expended as stipulated by the Ontario Lottery and Gaming Corporation (OLGC) and the Bingo license, shall be deposited into a general fund account in the name of YSEHA and subject to the approval of the Executive, be expended for the ongoing maintenance/ administration of YSEHA in pursuit of its Objects and/or Mission.

A5.3 Proper financial records shall be maintained by the Treasurer and submitted to an independent Chartered Accountant who shall be retained to provide an audit opinion on the financial statements which shall be subject to approval by the Executive and a quorum of members in attendance at the Annual General Meeting (AGM).

A5.4 The fiscal year end of the YSEHA shall be the 31st of March in each year.

Article VI – Bylaws

A6.1 Bylaws shall be adopted by the members and these Bylaws shall provide for and/or further clarify the:

- a) terms and/or requirements of this Constitution;
- b) duties and conduct of Officers, Directors and Representatives;
- c) eligibility, nomination and election of officers and directors;
- d) their term of office;
- e) removal of an officer for cause;
- f) filling a vacancy in office between elections created by removal for cause, resignation or any other reason;
- g) eligibility/appointment of committees and their members;
- h) appointment of YSEHA delegate(s) to attend meetings of affiliate hockey organizations;
- i) special rules of order for General Meetings;
- j) a process for member appeals and;
- k) any other bylaw, which may be necessary to govern the activities of members and/or participants of YSEHA activities.

Article VII – Meetings for Members/for the Executive

See Bylaw I.

Article VIII – Indemnity and Insurance

A8.1 Where an Officer, Director or Representative to the Executive, or any member of a committee appointed hereunder, performs an act:

- (a) in compliance with the Constitution, Bylaws and/or Policies of YSEHA and/or;
- (b) to action a decision which has been adopted at any General Membership Meeting of YSEHA, and is contained in the minutes thereof and/or;
- (c) to action a decision by the Executive which is contained in the minutes of a meeting of the Executive;

such Officer, Director or Representative or Member shall be indemnified by the Association for any personal losses, costs, damages, and expenses accruing to said Officer, Director, Representative or Member, their heirs, executors or administrators, by reason of the performance of such acts.

A8.2 For this purpose, the President and Executive shall maintain liability insurance coverage and provide bond coverage for those members handling Association funds to the extent the Executive deems appropriate and reasonable.

Article IX – Amendments to Constitution, Bylaws and Policies

- A9.1 The Constitution and Bylaws may be amended at a General Membership Meeting provided that:
- (a) notice of the proposed change(s) is/are provided to the membership in the manner prescribed by the By-laws hereunder and;
 - (b) that the members voting at the General Meeting adopt the proposed amendment(s) with a majority vote as follows:
 - (i) for the Constitution, three-quarters (3/4) majority;
 - (ii) for the By-laws, two-thirds (2/3) majority.
- A9.2 The Policies may be established and/or amended at an Executive Board Meeting with a two-thirds (2/3) majority vote of the members in attendance.

Article X – Interpretations and Parliamentary Authority:

- A10.1 INTERPRETATIONS
When any circumstance of conflicting language or disagreement over any by-laws, rules and/or policies adopted hereto, the Executive shall have the authority to interpret said language and/or issues in conflict, in a manner which is consistent with the intent and purpose of this Constitution.
- A10.2 PARLIAMENTARY AUTHORITY
In all matters which could be set forth in this Constitution, its By-laws and /or its Policies thereto, but are not detailed therein, the operations of YSEHA when it is appropriate, shall be governed in the manner prescribed by the most current edition of Robert's Rules of Order Newly Revised. This edition by reference, is included as being part and parcel of this Constitution and is understood to be YSEHA's Parliamentary Authority.

Article XI – LIFE MEMBERSHIP

- A11.1 Any Executive Member who has served for a period of five consecutive years will automatically be entitled to Life Membership in YSEHA. In addition to the privileges of membership, Life Members will receive a pass to all YSEHA home games, a Certificate of Life Membership and complimentary tickets to any YSEHA Functions.