

HOCKEY



BY-LAW NOTICE OF MOTIONS

**ANNUAL MEETING OF MEMBERS
JUNE 23-24, 2023**



MEMORANDUM

TO: All Hockey NL Members

CC: Hockey NL Board Members

FROM: Craig Tulk, Executive Director, Hockey NL

DATE: May 25, 2023

RE: 2023 Amendments to the By Laws of Hockey NL

Please find enclosed additions, amendments or repeals to the Hockey NL By-Laws that will be presented and voted on during the 2023 Meeting of the Members taking place Saturday, June 24, 2023, in Gander.

There are eighteen (18) By-Laws that have been approved by the Directors and three (3) requested by a member all in keeping with By-Law 8.01.

8.01 By- Law Approval: The Directors may make, amend, or repeal these By-Laws on their own accord or on the request of a member. The Directors shall submit the revised By-Laws at the next Annual Meeting of Members, and the Members eligible to vote may confirm or reject the By-Laws by Special Resolution. Any amendment to these By-Laws is effective from the date approved by Special Resolution of the Members.

2023 AGM

NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 2.01 a)

SUBMITTED BY: Directors **AUTHORIZED SIGNATURE:** _____

CURRENT WORDING:

2.01 Categories – The Corporation shall have the following categories of membership:

a) The voting Members shall be those enumerated in the Membership Listing of Hockey NL and shall be entitled to receive notice of and have the right to attend all meetings of the Members (each a “Voting Member”, and collectively the “Voting Members”). Each Voting Member shall be represented at a meeting of the Members by their Delegate. The Voting Members shall be as follows:

- i. Minor Hockey Associations;
- ii. Minor Hockey Leagues;
- iii. Junior Members, comprised of Leagues and Teams;
- iv. Senior Members, comprised of Leagues and Teams;
- v. Female **Members** of Minor Hockey Associations;
- vi. Female Hockey Leagues;

provided they are in good standing, operating in the current season, and fall under the jurisdiction of Hockey NL.

PROPOSED WORDING:

2.01 Categories – The Corporation shall have the following categories of membership:

a) The voting Members shall be those enumerated in the Membership Listing of Hockey NL and shall be entitled to receive notice of and have the right to attend all meetings of the Members (each a “Voting Member”, and collectively the “Voting Members”). Each Voting Member shall be represented at a meeting of the Members by their Delegate. The Voting Members shall be as follows:

- i. Minor Hockey Associations;
- ii. Minor Hockey Leagues;
- iii. Junior Members, comprised of Leagues and Teams;
- iv. Senior Members, comprised of Leagues and Teams;
- v. Female **Representatives** of Minor Hockey Associations;
- vi. Female Hockey Leagues;

provided they are in good standing, operating in the current season, and fall under the jurisdiction of Hockey NL.

RATIONALE FOR CHANGE:

To clarify that only the elected female hockey representatives of Minor Hockey Associations are voting members of Hockey NL. The current wording could be interpreted to mean **all** female members of Minor Hockey Associations.

2023 AGM NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 2.03 a)

SUBMITTED BY: Directors

AUTHORIZED SIGNATURE: _____

CURRENT WORDING:

2.03 Member Obligations

- a) Each Voting Member is obligated to foster, conduct and control amateur hockey within its **classified district** in a manner consistent with all applicable Governing Documents of Hockey NL and Governing Documents of Hockey Canada.

PROPOSED WORDING:

2.03 Member Obligations

- a) Each Voting Member is obligated to foster, conduct and control amateur hockey within its **Association or League** in a manner consistent with all applicable Governing Documents of Hockey NL and Governing Documents of Hockey Canada. **Including the enforcement and operationalization of the Regulations and Policies of Hockey Canada and Hockey NL within their local jurisdiction.**

RATIONALE FOR CHANGE:

The term “classified district” has no meaning within Hockey NL. It is the Associations and League that foster, conduct and control amateur hockey within Newfoundland and Labrador.

Provides to the Associations and Leagues the authority to enforce the Governing Documents of Hockey NL and Hockey Canada within their local jurisdiction. In this way, Hockey NL is providing the Associations and Leagues the autonomy necessary to effectively operate.

2023 AGM

NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 4.21

SUBMITTED BY: Directors **AUTHORIZED SIGNATURE:** _____

CURRENT WORDING:

4.21 Voting – Each Director is entitled to one (1) vote. Voting will be by a show of hands, written, or orally unless a majority of Directors present request a secret ballot. Resolutions will be passed by Ordinary Resolution.

PROPOSED WORDING:

4.21 Voting – Each Director is entitled to one (1) vote. Voting will be by a show of hands, written, or orally unless a majority of Directors present request a secret ballot. Resolutions will be passed by Ordinary Resolution. In lieu of conducting a formal vote on any resolution that can be adopted by an Ordinary Resolution, the Chair may ask the Board members to indicate whether there are any objections to a particular resolution that has been put forward. If any objections are noted, the resolution shall be put to a formal vote. If no objections are noted, the resolution shall be deemed to be adopted by consensus, and no formal vote will be required.

RATIONALE FOR CHANGE:

Incorporates what is standard procedure for conducting meetings into the By-law. Decisions and direction that is unanimously agreed upon can be adopted by consensus, and not requiring motions and votes.

This is consistent with by-laws of Hockey Canada and other branches.

2023 AGM

NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 4.02

SUBMITTED BY: Directors **AUTHORIZED SIGNATURE:** _____

CURRENT WORDING:

- 4.02 Composition of the Board – The Board shall consist of the following individuals who shall be elected by the Voting Members:
- a) a President who shall be elected as both a Director and the President of the Corporation;
 - b) a Vice-President who shall be elected as both a Director and the Vice President of the Corporation;
 - c) four (4) Directors who one (1) of each shall represent the Female, Minor, Senior and Adult Recreation and Junior Divisions. The membership of each respective division will elect their Director to represent them on the Board.;
 - d) the Referee in Chief;
 - e) the Hockey Development Chair;**
 - f) one (1) director who shall be elected as both a Director and the Treasurer of the Corporation;
 - g) an at large Director who shall be elected as a Director of the Corporation; and
 - h) following the final term of the Past-President (4.03) which will commence at the 2021 Annual Meeting of Members, an at large Director who shall be elected as a Director of the Corporation.

PROPOSED WORDING:

- 4.02 Composition of the Board – The Board shall consist of the following individuals who shall be elected by the Voting Members:
- a) a President who shall be elected as both a Director and the President of the Corporation;
 - b) a Vice-President who shall be elected as both a Director and the Vice President of the Corporation;
 - c) four (4) Directors who one (1) of each shall represent the Female, Minor, Senior and Adult Recreation and Junior Divisions. The membership of each respective division will elect their Director to represent them on the Board.;
 - d) the Referee in Chief;
 - e) one (1) director who shall be elected as both a Director and the Treasurer of the Corporation;
 - f) an at large Director who shall be elected as a Director of the Corporation; and
 - g) following the final term of the Past-President (4.03) which will commence at the 2021 Annual Meeting of Members, an at large Director who shall be elected as a Director of the Corporation.

RATIONALE FOR CHANGE:

The Hockey Development Review Committee Report, dated March 29, 2023, recommended that the Chair of the Hockey Development Committee be appointed by the Board, and no longer continue as an elected position.

If this motion passes then there will not be an election for the position of the Hockey Development Chair at the June 2023 Annual General Meeting.

2023 AGM
NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 4.07

SUBMITTED BY: Directors **AUTHORIZED SIGNATURE:** _____

CURRENT WORDING:

- 4.07 Election – Directors as described in section 4.02 shall be elected at each odd numbered year's Annual Meeting of Members:
- a) President, Vice-President, four (4) Directors as the Chair from each Division, the Referee in Chief, **the Hockey Development Chair**, the Treasurer and One (1) At-Large Director shall be elected at odd numbered years Annual Meetings of Members and after the final term of the Past President a second At-Large Director shall be elected in odd numbered years.

PROPOSED WORDING:

- 4.07 Election – Directors as described in section 4.02 shall be elected at each odd numbered year's Annual Meeting of Members:
- a) President, Vice-President, four (4) Directors as the Chair from each Division, the Referee in Chief, the Treasurer and One (1) At-Large Director shall be elected at odd numbered years Annual Meetings of Members and after the final term of the Past President a second At-Large Director shall be elected in odd numbered years.

RATIONALE FOR CHANGE:

The Hockey Development Review Committee Report, dated March 29, 2023, recommended that the Chair of the Hockey Development Committee be appointed by the Board, and no longer continue as an elected position.

2023 AGM
NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 4.16

SUBMITTED BY: Directors

AUTHORIZED SIGNATURE: _____

CURRENT WORDING:

4.16 Chair – The President shall be the chair of all meetings of the Board, or, where the President is not present, the Vice- President (or designate) will be the chair of the meeting.

PROPOSED WORDING:

4.16 Chair – The President shall be the chair of all meetings of the Board, or, where the President is not present, the Vice- President (or designate) will be the chair of the meeting. The chair will only cast a vote in the case of breaking a tie.

RATIONALE FOR CHANGE:

The Hockey Development Review Committee Report, dated March 29, 2023, recommended that the Chair of the Hockey Development Committee be appointed by the Board, and no longer continue as an elected position.

With a 10 person Board clarity is needed to deal with the potential of a tie vote.

2023 AGM
NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 6.10

SUBMITTED BY: Directors **AUTHORIZED SIGNATURE:** _____

CURRENT WORDING:

- 6.10 Development Committee- The Development Committee is responsible for the administration of development programs within Hockey NL as set out in policy, as defined by the Board. The Development Committee is chaired by the Chair of Development who is elected by the Membership.

PROPOSED WORDING:

- 6.10 Development Committee- The Development Committee is responsible for the administration of development programs within Hockey NL as set out in policy, as defined by the Board. The Development Committee is chaired by the Chair of Development who is **nominated by the President and appointed by the Board of Directors**.

RATIONALE FOR CHANGE:

The Hockey Development Review Committee Report, dated March 29, 2023, recommended that the Chair of the Hockey Development Committee be appointed by the Board, and no longer continue as an elected position.

2023 AGM **NOTICE OF MOTION**

AMENDMENT TO: (Record the By-Law number): 6.15

SUBMITTED BY: Directors **AUTHORIZED SIGNATURE:** _____

CURRENT WORDING:

Does not exist, this is an addition to the By-laws

PROPOSED WORDING:

6.15 Committees of the Board – To fulfill its responsibilities as set forth in Hockey NL’s Mission, Vision and Values, the Board of Directors will be organized into two (2) Committees of the Board, the Management Committee and the Hockey Operations Committee as follows:

- a) Management Committee, consisting of the President, Vice President, Treasurer and a maximum of two (2) of the other members of the Board of Directors. The Board’s Management Committee will oversee the Audit and Finance, Risk Management, Governance, Nominating, Human Resources and Personnel committees.
- b) Hockey Operations Committee, consisting of the President, Vice President, the Referee in Chief and the four (4) directors representing the Female, Minor, Senior and Adult Recreation, and Junior divisions, The Hockey Operations Committee will oversee the Development and, Officiating committees.

RATIONALE FOR CHANGE:

The purpose of reorganizing the Board of Directors into two (2) committees of the Board is to improve efficiency, while at the same time providing a meaningful role for the Board in hockey operations, while maintaining the autonomy of the Associations, Leagues and Councils in running the day-to-day hockey operations.

In October 2022 the Final Report of the Hockey Canada Governance Review conducted by the Honourable Thomas Cromwell, C. C., was submitted. In its recommendations with respect to the role of the Hockey Canada Board or Directors, it stated “*The Board must reassess its governance model with a view to selecting and implementing a model that will best help achieve the strategic vision of the organization. In our view, for the time being, Hockey Canada’s Board will be best served by a model that falls somewhere between a policy board and a management board.*”

This by-law addition will realign the role of the Hockey NL Board into both policy and operations similar to what is recommended for Hockey Canada.

2023 AGM

NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 4.28

SUBMITTED BY: Directors **AUTHORIZED SIGNATURE:** _____

CURRENT WORDING:

4.28 Board Authority – The Board shall have the authority to:

- a) make policies and procedures and supervise or manage the affairs of the Corporation in accordance with the Act and these By-Laws;
- b) make policies and procedures relating to the discipline of Members, and have the authority to discipline Members in accordance with such policies and procedures, including, but not limited to, those set forth in Articles XIII, XIV, XV, and XVI herein;
- c) make policies and procedures relating to the management of disputes within the Corporation and deal with disputes in accordance with such policies and procedures;
- d) employ or engage under contract such persons as it deems necessary to carry out the work of the Corporation;
- e) determine registration procedures, determine membership fees, and determine other registration requirements;
- f) enable the Corporation to receive donations and benefits for the purpose of furthering the objects and purposes of the Corporation;
- g) make expenditures for the purpose of furthering the objects and purposes of the Corporation;
- h) borrow money upon the credit of the Corporation as it deems necessary in accordance with these By-Laws; and
- i) perform any other duties from time to time as may be in the best interests of the Corporation.

PROPOSED WORDING:

4.28 Board Authority – The Board shall have the authority to:

- a) accordance with the Act and these By-Laws;
- b) make policies and procedures relating to the discipline of Members, and have the authority to discipline Members in accordance with such policies and procedures, including, but not limited to, those set forth in Articles XIII, XIV, XV, and XVI herein;
- c) make policies and procedures relating to the management of disputes within the Corporation and deal with disputes in accordance with such policies and procedures;
- d) employ or engage under contract such persons as it deems necessary to carry out the work of the Corporation;
- e) determine registration procedures, determine membership fees, and determine other registration requirements;
- f) enable the Corporation to receive donations and benefits for the purpose of furthering the objects and purposes of the Corporation;
- g) make expenditures for the purpose of furthering the objects and purposes of the Corporation;
- h) borrow money upon the credit of the Corporation as it deems necessary in accordance with these By-Laws;
- i) **To oversee the operations of the Corporation including the interpretation of the By-Laws, and**
- j) perform any other duties from time to time as may be in the best interests of the Corporation.

RATIONALE FOR CHANGE:

If the motion (By-Law 6.15) to reorganize the Board of Directors into two (2) committees of the Board is passed, then this by-law amendment will entrench the role of the Board in the operations of the Corporation, and include the responsibility for interpreting these by-laws.

2023 AGM

NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 5.05 e)

SUBMITTED BY: Directors **AUTHORIZED SIGNATURE:** _____

CURRENT WORDING:

5.05 e) The Executive Director, who is not a Director, is an employee of the Corporation and will attend all meetings of the Board but will not vote. The Executive Director will have the following responsibilities (or may delegate such responsibilities to other staff of the Corporation):

- i. Uphold the By-Laws and recommend any changes to the Board;
- ii. Attend committee meetings if and when requested by the Board (or designate an alternate staff person);
- iii. **Enforce** all rules and regulations and policies of the Corporation;
- iv. Have and exercise such powers and authority as may reasonably be necessary to discharge the duties and responsibilities of the office of Executive Director;
- v. Manage the Corporation's office and conduct the day-to-day business of the Corporation in full accordance with established regulations, policies and procedures;
- vi. Provide technical expertise, leadership, advice and direction related to the functions of liaison, financial management, communications, publicity, promotion and marketing;
- vii. Formulate and recommend for action any matters pertaining to program development, services to Members, general legislation, policies, functions, activities, objectives or general welfare of the Corporation; and
- viii. Other responsibilities as the Board may direct.

PROPOSED WORDING:

5.05 e) The Executive Director, who is not a Director, is an employee of the Corporation and will attend all meetings of the Board but will not vote. The Executive Director will have the following responsibilities (or may delegate such responsibilities to other staff of the Corporation):

- i. Uphold the By-Laws and recommend any changes to the Board;
- ii. Attend committee meetings if and when requested by the Board (or designate an alternate staff person);
- iii. **Interpret and assist with enforcement of** all rules and regulations and policies of the Corporation;
- iv. Have and exercise such powers and authority as may reasonably be necessary to discharge the duties and responsibilities of the office of Executive Director;
- v. Manage the Corporation's office and conduct the day-to-day business of the Corporation in full accordance with established regulations, policies and procedures;
- vi. Provide technical expertise, leadership, advice and direction related to the functions of liaison, financial management, communications, publicity, promotion and marketing;
- vii. Formulate and recommend for action any matters pertaining to program development, services to Members, general legislation, policies, functions, activities, objectives or general welfare of the Corporation; and
- viii. Other responsibilities as the Board may direct.

RATIONALE FOR CHANGE:

If the motion (By-Law 6.15) to reorganize the Board of Directors into two (2) committees of the Board is passed, then this by-law amendment will adjust the role of the Executive Director in light of the changes in roles for the Board and Councils.

2023 AGM
NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 11.02

SUBMITTED BY: Directors **AUTHORIZED SIGNATURE:** _____

CURRENT WORDING:

11.02 Each Council Executive Committee shall make decisions and rulings on any matters regarding hockey operations within their respective Divisions. All decisions and rulings by each Council Executive Committee must be consistent with the Governing Documents of Hockey Canada and the Governing Documents of Hockey NL.

PROPOSED WORDING:

11.02 Each Council Executive Committee shall make decisions and rulings on any matters regarding hockey operations **including the enforcement of the Regulations and Policies** within their respective Divisions. All decisions and rulings by each Council Executive Committee must be consistent with the Governing Documents of Hockey Canada and the Governing Documents of Hockey NL. **The assistance of the Executive Director in the interpretation of the Regulations and Policies may be requested by the Council Executive Committee.**

RATIONALE FOR CHANGE:

If the motion (By-Law 6.15) to reorganize the Board of Directors into two (2) committees of the Board is passed, then this by-law amendment will entrench the role of Councils in running the day-to-day hockey operations.

2023 AGM
NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 6.08

SUBMITTED BY: Directors

AUTHORIZED SIGNATURE: _____

CURRENT WORDING:

6.08 Programs Standards Committee - The Program Standards Committee is responsible for the general oversight of Hockey NL's hockey programs in concert with the four (4) Council Executive Committees ensuring that the program practice standards established align with those of Hockey Canada and Hockey NL.

PROPOSED WORDING:

Delete

RATIONALE FOR CHANGE:

If the motion (By-Law 6.15) to reorganize the Board of Directors into two (2) committees of the Board is passed, then the Programs Standards Committee will be replaced by the Hockey Operations Committee.

2023 AGM

NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): XVI

SUBMITTED BY: Directors **AUTHORIZED SIGNATURE:** _____

CURRENT WORDING:

XVI HOCKEY NL APPEALS AND DISPUTE COMMITTEE

- 16.01 The Board may delegate its decision-making authority described in Article XIII of these By-Laws to an independent arm's length Hockey NL Appeals and Dispute Committee, whose decisions shall be final and binding.
- 16.02 The Hockey NL Appeals and Dispute Committee shall be composed of an odd number of individuals appointed by the Board, with the minimum being three (3) individuals. It shall be the duty of the Hockey NL Appeals and Dispute Committee to rule upon appeals submitted to it. The President shall appoint the Hockey NL Appeals and Dispute Committee Chair.
- 16.03 The Hockey NL Appeals and Dispute Committee, acting in place of the Board may provide for special dispensation from the Governing Documents of Hockey NL. Any decision as to what qualifies for special dispensation shall rest solely with the Hockey NL Appeals and Dispute Committee in its absolute and unfettered discretion, and the decision of the Hockey NL Appeals and Dispute Committee on special dispensation shall be final and binding upon all parties. Each decision of special dispensation shall be made on its individual merits.
- 16.04 If a team requires special assistance through any unusual situation which develops, that team may appeal to the Hockey NL Appeals and Dispute Committee, provided:
- a) the appeal is submitted with the written consent of its Member accompanied by majority consent of the Teams in the League in which the Team operates;
 - b) no such assistance may be granted after a date in any season, as determined in policy by the Board;
 - c) the player or players, if obtained, shall be from the same or lower Categories of the same Division or from lower Divisions; and
 - d) the player or players, if obtained, shall be signed by the Team no later than February 10th of that season.
- 16.05 Notwithstanding restrictions referred to in any Regulation, the Hockey NL Appeals and Dispute Committee shall have the right to hear any appeal received on behalf of any Team or individual concerning residential qualification as stated in Hockey Canada Regulation C.5, teams playing in other jurisdictions as stated in Hockey Canada Regulation B.9.
- 16.07 For minor hockey players, all appeals filed, if granted, shall only be for the current season. Minor hockey players shall be required to file a new appeal for any subsequent season, and the Hockey NL Appeals and Dispute Committee shall consider any subsequent appeal as a new appeal and shall not be bound by any previous year's decision.
- 16.08 The procedure for the filing and hearing of any appeal referenced in this By-Laws shall be set out in a Hockey NL policy document entitled "Appeal Procedures of Hockey NL".

PROPOSED WORDING:

Delete By-Law XVI

RATIONALE FOR CHANGE:

The Hockey NL Appeals and Dispute Committee will no longer be required as it is being replaced by a modern dispute resolution process that incorporates hearings, review by Council and arbitration.

Paragraphs 16.05, 16.06 and 16.07 of By-Law XVI are being transferred to By-Law XII.

2023 AGM

NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): XII

SUBMITTED BY: Directors

AUTHORIZED SIGNATURE: _____

CURRENT WORDING:

XII DISPUTE RESOLUTION

- 12.01 Any registered participant of Hockey NL shall have the right to appeal to Hockey NL regarding any dispute, difference or question arising from a decision by Hockey NL or any Member where the By-Laws, regulation, playing rule or policy under which, such decision was made grants such a right of appeal. No such appeal to Hockey NL may be taken until the registered participant has exhausted all rights of appeal within the Member in which such registered participant resides.
- 12.02 Any registered participant of Hockey NL shall have the right to appeal to Hockey NL when a Member to which the registered participant belongs, makes a ruling affecting such registered participant and, in that registered participant's opinion:
- a) such decision is in conflict with the Member's or Hockey NL's Articles, By-Laws or Regulations;
 - b) the Member committed a procedural error, or failed to provide the aggrieved party with a fair hearing; or
 - c) the Member did not have the authority or jurisdiction to make the decision.
- 12.03 An appeal may be filed with Hockey NL in disputes involving:
- a) an inter-member transfer; or
 - b) a refusal by a team to release a player for purposes of an inter-member transfer to another Member or Hockey Canada member.

When a player has registered for the current season, such player may not appeal under these By-Laws to secure a release and/or Inter-member transfer.

PROPOSED WORDING:

- 12.01 Any registered participant of Hockey NL shall have the right to appeal to Hockey NL regarding any dispute, difference or question arising from a decision by Hockey NL or any Member where the By-Laws, regulation, playing rule or policy under which, such decision was made grants such a right of appeal. No such appeal to Hockey NL may be taken until the registered participant has exhausted all rights of appeal within the Member in which such registered participant resides.
- 12.02 Any registered participant of Hockey NL shall have the right to appeal to Hockey NL when a Member to which the registered participant belongs, makes a ruling affecting such registered participant and, in that registered participant's opinion:
- a) such decision is in conflict with the Member's or Hockey NL's Articles, By-Laws or Regulations;
 - b) the Member committed a procedural error, or failed to provide the aggrieved party with a fair hearing; or
 - c) the Member did not have the authority or jurisdiction to make the decision.
- 12.03 The procedure for the filing and hearing of any appeal referenced in this By-Laws shall be set out in a Hockey NL policy document entitled "Appeal and Dispute Resolution Procedures of Hockey NL."

- 12.04 The Appeal and Dispute Resolution process will be a multi-faceted approach involving Arbitration, Council Review by the appropriate Council Executive Committee or a formal Hearing adjudicated by a three (3) person panel of members of the Board of Directors. The President, in his sole discretion, may include in the three (3) member panel external person(s) to address diversity or to provide necessary expertise to assist in rendering a fair and just decision.
- 12.05 All requests for appeals or dispute resolution available through Hockey NL will be reviewed by the Chairperson of the Risk Management Committee who will determine if the request is approved to proceed or dismissed, and if approved to proceed select the appropriate course of action through Arbitration, Review by Council or a formal Hearing.
- 12.06 An appeal may be filed with Hockey NL in disputes involving:
- a) an inter-member transfer; or
 - b) a refusal by a team to release a player for purposes of an inter-member transfer to another Member or Hockey Canada member.

When a player has registered for the current season, such player may not appeal under these By-Laws to secure a release and/or Inter-member transfer.

- 12.07 Notwithstanding restrictions referred to in any Regulation, Hockey NL shall have the right to hear any appeal received on behalf of any Team or individual concerning residential qualification as stated in Hockey Canada Regulation C.5, teams playing in other jurisdictions as stated in Hockey Canada Regulation B.9.
- 12.08 For minor hockey players, all appeals filed, if granted, shall only be for the current season. Minor hockey players shall be required to file a new appeal for any subsequent season, and the Hockey NL shall consider any subsequent appeal as a new appeal and shall not be bound by any previous year's decision.

RATIONALE FOR CHANGE:

If the motion to replace By-Law XVI with a modern dispute resolution process that incorporates hearings, review by Council and arbitration is approved, then By-Law XII will require these modifications.

Paragraphs 16.05, 16.06 and 16.07 of By-Law XVI were transferred to By-Law XII as Paragraphs 12.07, 12.08 and 12.03.

2023 AGM
NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 11.03

SUBMITTED BY: Directors **AUTHORIZED SIGNATURE:** _____

CURRENT WORDING:

11.03 Each Council Executive Committee shall have the authority to settle all questions on the Regulations and Playing Rules of Hockey NL that are specific to their respective Division and do not apply to or impact any other Division includes handling disputes within and between Associations, Leagues and Teams within their respective Division of hockey.

PROPOSED WORDING:

11.03 Each Council Executive Committee shall have the authority to settle all questions on the Regulations and Playing Rules of Hockey NL that are specific to their respective Division and do not apply to or impact any other Division includes handling disputes **as described in XII Dispute Resolution** within and between Associations, Leagues and Teams within their respective Division of hockey.

RATIONALE FOR CHANGE:

If the motion to replace By-Law XVI with a modern dispute resolution process that incorporates hearings, review by Council and arbitration is approved, then Councils will have enhanced responsibility under By-Law XII Dispute Resolution.

2023 AGM
NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 6.12

SUBMITTED BY: Directors

AUTHORIZED SIGNATURE: _____

CURRENT WORDING:

6.12 Appeals and Dispute Resolution Committee - The Appeals and Dispute Resolution Committee has a duty to rule upon appeals and disputes submitted to it by the Board, as outlined in Sections XIII, XIV, XV, and XVI of these By-Laws.

PROPOSED WORDING:

Remove Paragraph 6.12

RATIONALE FOR CHANGE:

If the motion to replace By-Law XVI with a modern dispute resolution process that incorporates hearings, review by Council and arbitration is approved, then the Appeals and Dispute Resolution Committee will be replaced.

2023 AGM

NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 6.04

SUBMITTED BY: Directors

AUTHORIZED SIGNATURE: _____

CURRENT WORDING:

- 6.04 Standing Committees - Subject to the Act, the Members by Special Resolution have determined the Corporation shall have the following Standing Committees: Audit and Finance, Risk Management, Governance, Nominating, Human Resources and Personnel, **Program Standards**, Development, Officiating **and Dispute and Appeals Resolution** Committee.
- a) With the exception of a Nominating Committee, **Appeals and Dispute Resolution Committee**, Development Committee and Officiating Committee, the chair of any standing committee shall be a member of the Board, and shall be appointed by the President.
 - b) The composition of each standing committee except a Nominating Committee, and Audit and Finance Committee **and Appeals and Dispute Resolution Committee** shall be determined by the President, in consultation with the Board. Each standing committee shall be composed of a minimum of four (4) and a maximum of nine (9) individuals, including the standing committee chair.
 - c) The standing committee chair and other individuals on each standing committee may serve a term of two (2) years but may be reappointed for subsequent terms.
 - d) The terms of reference of each standing committee shall be set out in policies established by the Board. Each standing committee may propose changes to its terms of reference to the Board.
 - e) At all standing committee meetings, a majority of the individuals who serve on that committee shall constitute a quorum.
 - f) Attendance at standing committee meetings shall be limited to the individuals serving on that committee, any individual approved by the President to attend, and such other persons as may be invited by the committee chair.
 - g) Any individual serving on a standing committee may be removed from such office at any time in the absolute discretion of the Board by Ordinary Resolution.

PROPOSED WORDING:

- 6.04 Standing Committees - Subject to the Act, the Members by Special Resolution have determined the Corporation shall have the following Standing Committees: Audit and Finance, Risk Management, Governance, Nominating, Human Resources and Personnel, Development, **and** Officiating Committee.
- a) With the exception of a Nominating Committee, Development Committee and Officiating Committee, the chair of any standing committee shall be a member of the Board, and shall be appointed by the President.
 - b) The composition of each standing committee except a Nominating Committee, and Audit and Finance Committee shall be determined by the President, in consultation with the Board. Each standing committee shall be composed of a minimum of four (4) and a maximum of nine (9) individuals, including the standing committee chair.
 - c) The standing committee chair and other individuals on each standing committee may serve a term of two (2) years but may be reappointed for subsequent terms.
 - d) The terms of reference of each standing committee shall be set out in policies established by the Board. Each standing committee may propose changes to its terms of reference to the Board.

- e) At all standing committee meetings, a majority of the individuals who serve on that committee shall constitute a quorum.
- f) Attendance at standing committee meetings shall be limited to the individuals serving on that committee, any individual approved by the President to attend, and such other persons as may be invited by the committee chair.
- g) Any individual serving on a standing committee may be removed from such office at any time in the absolute discretion of the Board by Ordinary Resolution.

RATIONALE FOR CHANGE:

If the motion to replace By-Law XVI with a modern dispute resolution process that incorporates hearings, review by Council and arbitration is approved, then references the Appeals and Dispute Resolution Committee will be removed.

2023 AGM
NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 1.02 q)

SUBMITTED BY: Directors

AUTHORIZED SIGNATURE: _____

CURRENT WORDING:

1.02 q) Hockey NL Appeals and Dispute Committee – Shall have the meaning set forth in article XVI of these By-Laws;.

PROPOSED WORDING:

Remove Paragraph 1.02 q)

RATIONALE FOR CHANGE:

If the motion to replace By-Law XVI with a modern dispute resolution process that incorporates hearings, review by Council and arbitration is approved, then references to the Appeals and Dispute Resolution Committee will be removed.

2023 AGM
NOTICE OF MOTION

AMENDMENT TO: (Record the By Law number): 11.01 (e)

SUBMITTED BY: George Bursell-Junior Council At Large Member

AUTHORIZED SIGNATURE: On File

CURRENT WORDING:

There is no current wording at present.

PROPOSED WORDING: **11.01 (e)**

Eligibility: To be eligible to serve as Chair or Vice-Chair, an individual must:

- (a) Be twenty-one (21) years of age or older.
- (b) Not be a director or Officer of any Association, League, or Team or a shareholder of a team within Hockey NL.
- (c) In the case of a Secretary or Member only, where no other eligible candidate can be found after a wide search by the Nomination Committee, a past or league officer may serve in that position for a term.

RATIONALE FOR CHANGE:

There is an eligibility clause presently for the officers of the Executive Board but not for the council's executives. The purpose is to be consistent in all executive positions in Hockey Newfoundland and Labrador.

2023 AGM
NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law number): 11:09 (a)

SUBMITTED BY: George Bursell-Junior Council At Large Member

AUTHORIZED SIGNATURE: On File

CURRENT WORDING:

The Junior Council Executive Committee shall consist of a Chair; Vice -Chair. Secretary.; and Three (3) at Large Council members.

PROPOSED WORDING:

The Junior Council Executive Committee shall consist of a Chair; Vice -Chair; Secretary; and **four (4)** at large Council Members.

RATIONALE FOR CHANGE:

With the present six members on the Council, any voting can create a Tie vote. To break that tie Situation, four (4) at large Council members should be put in place. Also, this would be consistent with all other Councils.

2023 AGM
NOTICE OF MOTION

AMENDMENT TO: (Record the By-Law): 11. 09 (a) i.

SUBMITTED BY: George Bursell-Junior Council At Large Member

AUTHORIZED SIGNATURE: On File

CURRENT WORDING:

- (1) The election for a Two (2) year term of Chair, Vice-Chair, and one (1) at large council member to the Junior Council Executive Committee shall take place at every second Annual Meeting of members in odd numbered years by voting members of the division.

PROPOSED WORDING:

- (1) The election for a Two (2) year term of Chair, Vice Chair, and **Two (2)** at large Council Members to the Junior Council Executive Committee shall take place at the annual meeting of members in odd numbered years by voting members of the division.

RATIONALE FOR CHANGE:

Housekeeping if eleven;09 (a) passes