

SCHEDULE A

WHISTLER ADAPTIVE SPORTS PROGRAM SOCIETY CONSTITUTION AND BYLAWS SOCIETY ACT

CONSTITUTION

1. The name of the Society is the “Whistler Adaptive Sports Program Society”.
2. The purposes of the Society are:
 - a.) To enable individuals with any disability access to the recreational facilities in the Sea to Sky corridor, British Columbia and to help increase their self-confidence, motivation and independence through outdoor recreation.
 - b.) To provide the environment, support and opportunity for people with disabilities to focus on their ability through recreation or competition.
 - c.) To promote the interests, rehabilitation and personnel development, for persons with disabilities in all matters related to outdoor sports, including but not limited to instruction, training, competitions, demonstration, and other matters related to all sporting activities that may be available and applicable for people with a disability.
 - d.) To own and supply sporting equipment for people with disabilities.
 - e.) To charter, hire, design, develop, purchase, build, lease, own or rent, accommodation, structures or vehicles pertaining to or of a beneficial nature to people with disabilities that are relevant to the sporting activities undertaken by the society.
 - f.) To solicit, receive, and accept funds by gift, bequest or otherwise and apply these funds to the functioning of the society.
 - g.) To provide financial assistance to those wishing to use the services of the society.
 - h.) To work in conjunction with Provincial, National and International organizations having similar goals and purposes.
 - i.) To do all such things as are necessary to the attainment of the above objectives
 - j.) To provide similar and related services as determined by the membership.

WHISTLER ADAPTIVE SPORTS PROGRAM SOCIETY

BYLAWS

The Bylaws of the society are those set out in schedule B to the Society Act with the following variations, deletions and additions:

Part 1 – Interpretation

1

- (a) Whenever the word ‘Society’ is used in these By-Laws, it shall mean the ‘Whistler Adaptive Sports Program Society’.

The remaining bylaw to be renumbered to 1 (b)

Bylaw 2 of part 1 be deleted and replaced with:

Whenever the words “the Executive” are used in these By-Laws, it shall mean “President, Vice President, Secretary and Treasurer of the Society”.

Part 2 – Membership

Bylaw 3 to be changed to:

There shall be one class of membership in the Society, namely active members.

The members of the society are the applicants of incorporation of the Society, and those persons who subsequently have become members, in accordance with these by-laws and in either case, have not ceased to be members.

Add new bylaw 10 to part 2 and the remaining bylaws be renumbered accordingly.

New bylaw 10 to read as follows:

No surplus of receipts over expenditures of the Society shall be distributed to the members.

Part 3 – Meetings of members

Bylaw 13 to have the following additions:

(3) Notice of all annual and special general meetings shall be mailed or delivered to each member by the Executive or by the persons calling the meeting at least fourteen (14) days prior to the date on which the meeting is called and shall specify the place and the hour of any such meeting, emergency meetings excepted These may be called at he discretion of the President and any two other members.

(4) The quorum for the transaction of business at general meetings shall consist of the majority of the active members present and in good standing but never less than three.

- (5) At any general meeting of the Society, whether annual or special, each active member shall have one vote. In the event of a tie the President may cast the deciding vote, being the only vote the President shall have.
- (6) Votes may be given by active members in person or by proxy, provided the proxy holder has evidence in writing of his appointment, and is also a member in good standing of the Society. Proxy holder shall notify the Secretary and give evidence of their appointment prior to any meeting at which they desire to vote, and the Secretary shall so record.

Part 4 – Proceedings at General Meetings

Bylaw 21 (1) to be rewritten to state:

Resolutions proposed at a meeting shall be seconded and the chair of a meeting may move or propose a resolution.

Part 5 – Directors and Officers

Bylaw 26 (1) to be rewritten to state:

Directors and officers shall be elected at each annual general meeting of the Society to fill the vacancies created by the expiry of terms at such meeting.

New directors may be appointed at any time during the year between each annual general meeting, by the Directors, to fill a position deemed necessary, at which time they will assume their duties immediately. They will then be officially elected in at the next AGM. At this stage half of the Directors including the President will remain in office for 3 years and the other half for 2 years. Thereafter all directors and officers shall be elected for a term of 2 years and each person elected as director will assume the duties of director immediately following the general meeting at which such director is elected and will remain in office until the second Annual General Meeting of the Society has been held after the election unless such director resigns in writing, dies, or is removed pursuant to these By-Laws.

Part 10 – Auditor to be deleted and replaced by the following:

Audit of accounts

(1) The Executive may from time to time appoint an auditor or auditors to hold office for such periods the Executive may determine. The President or instead an officer designated shall submit a copy of the audited statement of the Societies financial affairs each year to a general meeting of the Society, such statement to be submitted as soon as practicable following the close of the financial year of the Society. The financial statements must be made available for members who are unable to attend a general meeting of the society upon request.

(2) The financial year of the Society shall be determined by the directors.

A new part 13 to be added as follows:

DISCIPLINARY POWERS

- (i) Every member of the Society is guilty of an offence against the Constitution and By-Laws who:
 - a.) violates any provision of this Constitution and By-Laws, or does any act contrary to them, or fails to do any act required by them;
 - b.) obtains membership through fraudulent means or misrepresentation;
 - c.) institutes or urges or advocates that a member of the Society should institute action in a court of law against the Society or any member of the Executive or against any of its members in respect of any matter concerning the affairs of the Society without first exhausting his remedies, i.e. for hearings and forms of appeal provided in these By-Laws;
 - d.) advocates or attempts to bring about the withdrawal of any units or groups or any members or groups of members from the Society;
 - e.) willfully publishes or circulates verbally or otherwise among the membership false reports or misrepresentations concerning any member of the Society in respect of any matter connected with the affairs of the Society;
 - f.) willfully interferes with any officer of the Society in the discharge of his duties;
 - g.) circulates reports designed to injure or weaken the Society with a view to injuring the Society or with view to impeding the implementation of any policy of the Society. Any member adjudged guilty of any one of the above offences may be reprimanded, fined, removed from office, suspended or expelled. Every member is entitled to a fair hearing for all offences involving reprimands, suspensions or expulsion except for the non-payment of fines, dues or assessments.

- (ii) Charges of violations of the Constitution or By-Laws against any member must be sent in writing to the Secretary of the Society within thirty (30) days after a violation has been discovered. Within two (2) weeks of receipt of the said charges the Secretary shall notify the accused by registered mail of the nature of the charges and the date and place of the hearing into the charges. The Disciplinary Committee shall hear all charges as laid under Section (i) above and shall be composed of an elected Chairman (who shall serve for on year) and four appointed assistants. Both the accused member and the Chairman of the Committee shall have the right to appoint two members to the Committee with the accused having the first two choices. The Accused member shall have the right to be represented by a spokesman of his choice, and shall have the right to call witnesses on his behalf. Should the accused fail to appear before the Disciplinary Committee, and fail to give a satisfactory explanation for his absence, the Committee may proceed to hear the charges. In the event of a satisfactory explanation for his absence, the Committee may take such steps as in its

discretion it deems proper. The Disciplinary Committee may appoint a member of the Society to present the charges and evidence against the accused. The Disciplinary Committee, if it finds the accused guilty of a violation of the Constitution or By-Laws may reprimand, fine, suspend or expel as per these By-Laws and the Act, as is deemed necessary according to the severity of the offence. The committee's decision and action shall be reported to the next general meeting of the Society, where a majority vote shall be required to ratify the action of the Committee. If the accused is not satisfied with the decision of the Committee, he may apply in writing for an appeal stating his grounds of appeal, to the Executive. Such an appeal must be taken within two weeks from the decision of the Committee; the decision of the Executive on the appeal shall be final.

- (iii) Proceedings against an officer of the Society will take the exact form as provided in Section (ii) with the exception that a disciplinary committee shall be composed of members of the Society appointed by the Executive and not the officers, and if the decision of the disciplinary committee is ratified by majority vote in a general meeting, the committee's decision will be final.