

## **BY-LAWS OF SASKATCHEWAN KODOKAN BLACK BELT ASSOCIATION INC.**

### **ARTICLE I - DEFINITION**

#### **1) Name:**

These are the bylaws of the Saskatchewan Kodokan Black Belt Association Incorporated as formed under the Non-profit Corporations Act in the city of Prince Albert on April 22, 1981 which shall be hereinafter referred to as the S.K.B.B.A.I. or Judo Saskatchewan or the society.

#### **2) Scope:**

These by-laws shall regulate the conduct of Judo Saskatchewan except when prohibited by the Non-profit Corporations Act of Saskatchewan, which shall hereinafter be referred to as the Act

#### **3) Effective date:**

These by-laws shall come into effect upon their approval at the Annual General meeting of Judo Saskatchewan of April 24 2010, and shall supersede any and all previous by-laws of the society.

### **ARTICLE II - MEMBERSHIPS**

#### **1) Classes of membership:**

There shall be three classes of membership in Judo Saskatchewan namely; regular members; associate members; and honorary members.

##### **a) REGULAR MEMBERSHIP:**

Any person who holds the rank of Black belt and/or has reached the age of majority and who is regularly residing in Saskatchewan or any community which borders on Saskatchewan, and who has paid the prescribed fee is eligible for regular membership in Judo Saskatchewan. All regular members in good standing who have paid the required fee at least thirty (30) days in advance of the general meeting shall be entitled to one vote on each motion at any general meeting of Judo Saskatchewan.

##### **b) ASSOCIATE MEMBERSHIP:**

Any person who has not yet reached the age of majority or who does not regularly reside in Saskatchewan or a community which borders on Saskatchewan, upon payment of the prescribed fee shall be eligible for associate membership in Judo Saskatchewan. Associate members are not allowed to vote at any meetings of Judo Saskatchewan except for elections of Athletes representative

##### **c) HONORARY MEMBERSHIP;**

Such persons as the directors may from time to time appoint shall be entitled to be honorary members of Judo Saskatchewan, and as such, shall be entitled to all rights and privileges of members, save that they are not entitled to vote at, nor shall they be entitled to receive notice of, but they shall be entitled to attend meetings of Judo Saskatchewan. Neither shall they be entitled to hold any office within Judo Saskatchewan. They shall not be required to pay any membership fees or dues.

#### **2) Qualification for membership:**

- a) Fee: The applicant must pay the prescribed fee annually. Fees must be paid at least thirty (30) days in advance of a general meeting in order for the member to be eligible to vote or stand for office at the general meeting.
- b) Grounds for refusal: Membership may be denied an applicant for the grounds listed in Section 3 subject to a decision of the majority of directors.

#### **3) Cessation of membership:**

A member may withdraw from Judo Saskatchewan at any time upon written notice to the directors. A member shall forfeit all rights and privileges of a member upon cessation of membership. Nor shall the member be entitled to any refund of fees the member may have paid. Cessation of membership shall not prejudice any member upon re-application for membership.

## ARTICLE III – FEES

### **1) Determination of fees:**

Membership fees shall be determined by the membership at a general meeting and shall remain in effect until such time as they are altered.

### **2) Membership card:**

A membership card shall be issued subsequent to payment of said fees.

### **3) Nonpayment of fees:**

Any member who has not paid his/her fees shall not be entitled to any rights or privileges until such fees are paid. Said member shall only be required to pay fees for the current year in order to be reinstated.

## ARTICLE IV - DIRECTORS

### **1) Directors:**

The directors shall be regular members of Judo Saskatchewan who have reached the age of majority and shall consist of the President, the Vice-President, the Secretary, the Treasurer, the Chairperson of the Finance Committee, the Chair of Coaches, the Chair of Sport for All, the Athletes Representative and up to three regular members.

The Past President shall be an ex-officio member of the directors for the first one (1) year following the termination of his Presidency.

### **2) Terms of office:**

At the Annual General Meeting held in odd numbered years the following positions shall be elected:

- Vice-president;
- Chairperson of the Finance committee;
- Secretary;
- Director
- additional directors only if required.

At the Annual General Meeting held in even numbered years the following positions shall be elected:

- President;
- Treasurer;
- Chair of Sport for All;
- Chair of Coaches
- additional directors only if required.

The term of office of all directors shall be two (2) years. The exception shall be the Athlete's Representative who shall have a one (1) year term.

### **3) Expiration of Term of office:**

Directors whose term of office expires shall be deemed to hold office until the end of the meeting at which their term expires.

### **4) Re-election:**

A retiring director shall be eligible for re-election or election to another office.

### **5) Directors' meetings:**

- a) The directors may meet together for the dispatch of business as they determine.
- b) The President or any three other members of the directors may call a meeting of the directors subject to at least fourteen (14) days notice.

### **6) Notice of Directors' meetings:**

- a) The directors may meet together at such times as they may schedule in a directors' meeting;
- b) The directors may meet together at any time subject to fourteen (14) days notice;
- a) The directors may meet at any time without prior notice subject to the consent of a majority of the directors.

### **7) Quorum:**

A simple majority of the directors shall constitute quorum.

### **8) Vacation of office:**

The office of a director shall be vacated if:

- a) The member dies;
- b) The member becomes bankrupt;
- c) The member is found to be of unsound mind or is declared mentally incompetent;
- d) The member, by notice in writing to the President, resigns his/her office. Such resignation shall take place at the time specified. Should no time be specified, the resignation shall take place upon receipt of such notice by the President;
- e) The member is removed from office subject to Section 9 or is subjected to suspension or expulsion subject to Article II, Section 3.

### **9) Removal of directors:**

The regular members may remove any director from office before the expiration of the director's term of office by passing a special resolution at a General meeting.

- a) A motion calling for removal of a director must be filed with the Secretary three (3) weeks prior to any General meeting.
- b) Said motion must bear the names of the mover and the seconder who must be regular members in good standing of Judo Saskatchewan.
- c) The Secretary shall distribute said motion to the regular members within one (1) week of said motion being filed with the Secretary.
- d) The members may elect any regular member to replace any director so removed from office.
- e) A director so elected shall serve for the remainder of the term of the removed director.
- f) In the event that a director misses two (2) consecutive directors' meetings, the directors shall review his/her tenure and may remove him/her from office effective on such date as decided by the directors. In the event that a director misses three (3) consecutive meetings, that office shall be deemed to be vacant effective the date of the third missed directors' meeting.

### **10) Filling vacancies:**

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Vacancies may be filled for the remainder of the term from among the eligible regular members at a Special general meeting called for that purpose or by appointment by the majority of the directors until the next Annual general meeting. Any director so elected shall hold office for the remainder of the term of the director who had ceased to hold office.

- b) Such vacancies shall be filled within six (6) months of their occurrence.

### **11) Powers:**

The directors of Judo Saskatchewan are responsible for administration of the financial matters of Judo Saskatchewan. They are also responsible for the coordination of the activities of the various committees of Judo Saskatchewan.

### **12) Minutes:**

The minutes of each director's meeting shall be kept by the Secretary in such books as are kept for that purpose. Such minutes shall be made available to any member by the Secretary at all reasonable times.

## **ARTICLE V - OFFICERS**

### **1) Officers:**

The officers of Judo Saskatchewan shall be: the President, the Vice-President, the Secretary, the Treasurer, the Chairperson of the Finance committee, and the Registrar.

### **2) President:**

The President shall:

- a) preside at the Annual general meeting and all directors' meetings;
- b) be a member of the Finance committee;
- c) sign all instruments which require the President's signature and;
- d) perform all duties incident to this office;
- e) be an ex-officio member of all Judo Saskatchewan committees;

f) hold the rank of black belt.

### **3) Vice-President:**

The Vice-president shall

- a) perform all duties of the President in the absence or inability to act of the President;
- b) perform all duties assigned by the President or the membership in a general meeting;
- c) be the Chairperson of the Discipline committee, and as such, be a Commissioner of Oaths;
- d) hold the rank of black belt.

### **4) Secretary:**

The Secretary shall:

- a) give or cause to be given all notices required to be given to members, National Councillors, Auditors and members of the committees;
- b) attend all meetings and enter or cause to be entered, in the books kept for that purpose, minutes of all proceedings at said meetings;
- c) issue or cause to be issued the minutes of any general meeting to the directors, club senseis and any independent members within twenty-eight (28) days of the meeting and to any other member upon request;
- d) show to any member the minutes of any general meeting or meeting of the directors at any reasonable time when requested to do so by a member in good standing;
- e) be the custodian of the stamp or other mechanical device generally used for affixing the corporate seal of Judo Saskatchewan and of all books, papers, records, documents and other instruments belonging to the society.

### **5) Treasurer:**

The Treasurer shall:

- a) have the care and custody of all the funds and securities of the society and shall deposit same in the name of the corporation in such bank or banks or with such depository or depositories as the directors may direct;
- b) keep or cause to be kept, full and accurate accounts of the receipts and disbursements of funds of the society, and at all reasonable times exhibit his books and accounts to any member;
- c) sign or countersign all instruments as require the Treasurer's signature;
- d) perform all duties incidental to this office that are properly required of the Treasurer by the directors. The Treasurer may be required to give such bond for the faithful performance of the duties of their office as the society may require.

### **6) Chairperson of the Finance committee**

The Chairperson of the Finance committee shall:

- a) chair the Finance committee;
- b) be responsible for the application for and the administration of the government funding of the activities of Judo Saskatchewan.

### **7) Registrar:**

The Registrar shall be responsible for maintaining a record of all the members of the society and for performing other duties as may, from time to time, be prescribed by the directors.

### **8) Chair of Coaches**

- a) must have attained the rank of black belt
- b) responsible for the administration of the Sask. First program
- c) responsible for the overall development and improvement of our high performance athletes
- d) selects a coaches committee and submits the names of the committee to the Executive for approval
- e) chairs the selection committee
- f) must submit a proposed budget and yearly plan to the chair of finance
- g) responsible to ensure a financial statement is submitted after each event
- h) is responsible for the Sask. First budget (may delegate the approval of expenses however retains responsibility for this budget)
- i) submits a report to the Annual General meeting
- j) submits quarterly reports to the Vice-President
- k) must attend 2/3 of the tournaments and training sessions
- l) has the authority to request the Investigating Committee to investigate the conduct of a team member

### **9) Chair of Sport for All**

- a) responsible for the administration of the Sport for All program
- b) responsible for the overall development and improvement of our grassroots athletes and coaches
- c) selects a Sport For All committee and submits the names of the committee to the Executive for approval
- d) must submit a proposed budget and yearly plan to the Chair of Finance
- e) responsible to ensure a financial statement is submitted after each event
- f) is responsible for the Sport for All budget (may delegate the approval of expenses however retains responsibility for this budget)
- g) submits a report to the Annual General meeting
- h) submits quarterly reports to the Vice-President

### **10) Athletes Representative:**

The Athletes Representative shall;

- a) attend 50% of team trainings
- b) be an active athlete
- c) report to team members during training sessions
- d) bring forward issues raised by team members to the Directors meetings

### **11) Term of office:**

All terms of office shall be for two (2) years except the Athletes Representative who shall have a one (1) year term of office as outlined in Article IV Section 2.

### **12) Requirements for eligibility:**

Only regular members in good standing and having reached the age of majority shall be allowed to hold the offices of: President, Vice-president, Secretary, Treasurer, Chairperson of the Finance committee and Registrar.

### **13) Remuneration:**

The regular members in a general meeting may fix the remuneration, if any, to be paid to the officers.

### **14) Vacation of office:**

The same rules apply to officers as to directors as stated in Article IV Sections 8, 9 and 10.

### **15) Indemnity of officers and directors:**

Each officer and director of the society, and his/her heirs, executors and administrators, estate and effects respectively, shall from time to time and at all times be indemnified and saved from harm out of the funds of the society, from and against all costs, charges and expenses whatsoever, which such officer sustains against him/her for or in respect to any deed, matter or thing whatsoever made, done or permitted by him/her, in or about the duties of his/her office and also from and against all other costs, charges and expenses as are occasioned by his/her own willful neglect or default.

## **ARTICLE VI • GENERAL MEETINGS AND ELECTIONS**

### **1) Annual general meeting:**

The annual general meeting of the society shall be held in each calendar year at a date and place to be fixed at the preceding annual general meeting.

### **2) Reports:**

At each annual general meeting there shall be presented the written report of the President of the affairs of the society for the previous year; the financial statement of the society; the auditor's report; the written reports of the Chairperson of all the committees and such other information or reports relating to the society's affairs as decided in annual general meetings.

### **3) Special general meetings:**

A special general meeting of the society shall be held when:

- a) The President, in the President's discretion, deems it necessary to deal with the business of the corporation;
- b) Enough regular members to constitute 5% of the regular membership requisition the directors to hold a special general meeting.

The procedure to be followed is:

- i) One or more of the regular members requisitioning the meeting shall sign a requisition setting out the names of the regular members requisitioning the meeting and stating the business to be transacted at the meeting;
- ii) copies of the requisition shall be sent to each member of the executive by the regular members requisitioning the meeting and;
- iii) Upon receipt of the requisition the directors shall call a special general meeting to be held within one (1) calendar month of the receipt of the requisition unless they are not required to call a meeting pursuant to the provisions of S. 129(3) of the Act.

#### **4) Notice of general meetings:**

- a) The Secretary shall issue or cause to be issued to the regular members a notice of general meetings not less than two (2) weeks prior to the date of the meeting. Said notice shall include the agenda of the meeting and the date, time and place of the meeting.
- b) Notice shall be considered to have been received two (2) full working days after placing said notice in a mailbox of the Post office Corporation of Canada, or immediately after electronically sending to the member's e-mail address.

#### **5) Quorum:**

Ten (10) regular members personally present shall constitute quorum at any general meeting of the society.

#### **6) Voting:**

Voting shall be by ballot in the case of election of officers and committee Chairperson and show of hands in other cases except where a ballot is requested by at least three (3) members.

At the earliest team training following the AGM an election shall be held to elect the Athletes Representative. Notice of this election shall be distributed with the notice of the AGM. The members eligible to speak nominate and vote at this meeting will include regular members and associate members who have actively participated in a minimum of two team trainings within the past year or who are associate members who regularly reside out of province.

#### **7) Protocol:**

Robert's Rules of Order shall be the standard parliamentary text of Judo Saskatchewan and shall decide all cases not governed by these by-laws or the Act.

#### **8) Proxy votes;**

Voting by proxy shall not be allowed. A member may not delegate his/her vote to any other member.

#### **9) Adjournment:**

The President may with the consent of any meeting adjourn the same from time to time, and no notice of such adjournment need be given to the members. Any business may be brought before or dealt with at any adjourned meeting which might have been brought before or dealt with at the original meeting in accordance with the notice calling the same.

#### **10) Decision of questions:**

Questions arising at any meeting of Judo Saskatchewan shall be decided by majority of votes. In case of an equality of votes, the Chairperson of the meeting, in addition to his original vote, shall cast a second deciding vote.

### **ARTICLE VII – COMMITTEES**

#### **1) Committees:**

The committees of Judo Saskatchewan shall be as follows:

- Grading Board;
- Coaching;
- Refereeing;
- Discipline;
- Finance.
- Investigating committee

#### **2) Creation of new committees:**

- a) The directors may create new committees as the need arises. Such committees must be ratified at the first annual general meeting following their creation. The directors must notify the regular members of the creation of a new committee within two (2) weeks of its creation.
- b) The directors may appoint a Chairperson of a newly created committee. The office of Chairperson of this committee will be an elected position upon ratification of this committee.

**3) Committee Chairperson:**

Chairperson of the following committees must be regular members who hold the rank of black belt and have reached the age of majority:

- Grading Board;
- Refereeing;
- Coaching;
- Discipline;

Chairperson of the Investigating Committee must be a regular member not on the Executive Committee.

Chairperson of the remaining committees may be selected from the regular members in good standing who have reached the age of majority.

**4) Election of Chairperson:**

Committee Chairperson shall be elected at the annual general meetings.

**5) Term of office:**

The term of office shall be two years. Committee Chairperson shall be eligible for re-election at the completion of their term.

**6) Vacation of office:**

The rules for resignation, removal of office, vacation of office and replacement of committee Chairperson shall be the same as for directors as stated in Article IV Sections 8, 9 and 10.

**7) Reporting:**

The Chairperson of a committee shall make a report to the annual general meeting every year. He/she shall report to the directors whenever requested to do so.

**8) Dissolution of committees:**

The directors may recommend that a committee be dissolved at an annual general meeting. This recommendation shall require the support of a majority of the regular members present.

**ARTICLE VIII – FINANCES**

**1) Fees:**

- a) The annual membership fees for Judo Saskatchewan shall be decided by the members at an annual general meeting.
- b) In addition the directors may prescribe a tournament fee, promotion fee, and all such fees necessary for the operation of the society.

**2) Auditor:**

The directors shall appoint an auditor to audit the accounts of the society. The auditor shall make an annual report to the members at each annual general meeting, and he/she shall file such report with the registrar of Joint Stock companies as required by the Act Division XIII Section 138.

**3) Banking arrangements:**

The banking business of the society shall be transacted at such bank, trust company or other firm or corporation carrying on a banking business in Saskatchewan as the directors shall designate, appoint or authorize from time to time by resolution.

**4) Cheque signing:**

- a) Any cheque issued on behalf of Judo Saskatchewan shall bear the signature of two (2) of whichever officers who are authorized to sign cheques. Authorization of other members to sign cheques may only be given by the regular members at a general meeting.
- b) Other regular members may be authorized at an annual general meeting to sign cheques.

- c) At each annual general meeting the Treasurer must present a report indicating which members have authority to sign cheques.
- d) Any regular members so authorized must have reached the age of majority.
- e) Transfers of money between any two accounts belonging to Judo Saskatchewan need be authorized in writing by only one officer with authority to sign cheques

**5) Borrowing:**

Judo Saskatchewan may from time to time unless prohibited in the Act, Division XTV, Article 171:

- a) by a resolution of the members at a general meeting borrow money upon the credit of Judo Saskatchewan in such amounts and upon such terms as it sees fit;
- b) by a resolution requiring a 2/3 majority of the regular members issue debentures or other security of the society in such amounts and upon such terms and pledge or sell same for such sums and at such prices as the directors may deem expedient;
- c) mortgage, hypothecate, charge or pledge all or any of the real and personal property, undertakings and rights of the society to secure any such debenture or other securities or any money borrowed or any other liability of the society.

**6) Contracts:**

a) Signing authority:

All contracts, documents or any instrument in writing requiring the signature of the society shall be signed by any two (2) of the following: President; Vice-President; Secretary; Treasurer or Chairperson of the Finance committee, and all contracts, documents and instruments in writing so signed shall be binding upon the society without any authorization or formality.

b) Definitions:

The terms "contracts, documents, or any instrument in writing" as used herein shall include deeds, mortgages, hypotheca, charges conveyances, transfers, and assignments of property real or personal, immovable or movable, agreements, releases, receipts, and discharges and for the payment of money or other obligations, conveyances, transfers, and assignments of shares, stocks, bonds, debentures, or other securities and all paper writings.

c) In particular, without limiting the generality of the foregoing, the officers shall have the authority to sell, assign, transfer, exchange, convert, or convey any and all shares, stocks, bonds, debentures, rights, warrants, or other securities owned by or registered in the name of the society and to sign and execute under the corporate seal of the society or otherwise all assignments, transfers, conveyances, powers of attorney and other instruments that may be necessary for the purpose of selling, assigning, transferring, exchanging, converting, or conveying any such shares, stocks, bonds, debentures, rights, warrants or other securities.

**ARTICLE IX - ARBITRATION**

**1) Arbitration:**

Any and all disputes shall be settled as provided by Division XIV of the Act.

**ARTICLE X - CUSTODY AND USE OF THE SEAL**

**1) Custody and use of the seal:**

One of the seals of the society shall be in the custody of the Secretary and the other in the custody of the President and all papers or documents required to be sealed on behalf of the society shall be sealed in the presence of the President and the Secretary or other of such persons as may be designated by resolution of the directors.

**ARTICLE XI - AMENDMENT OF BY-LAWS**

**1) Amendment of by-laws:**

These by-laws may be amended only in the manner provided in Division IX of the Act.

**ARTICLE XI - WINDING UP**

**1) Dissolution of the society:**

Subject to Division XVII of the Act, in the event of dissolution of the society, its property and assets shall, after payment of all liabilities, be donated to one or more recognized charities as determined by the directors.

**POLICIES AND PROCEDURES OF THE SASKATCHEWAN KODOKAN BLACK  
BELT ASSOCIATION INC.**

(hereinafter referred to as the S.K.B.B.A.I. or Judo Saskatchewan or the society)

**ARTICLE I - GENERAL**

**1) Name:**

The name of the society is: Saskatchewan Kodokan Judo Black Belt Association (Inc.) referred to in the by-laws as the S.K.B.B.A.I. or Judo Saskatchewan.

**2) Objects:**

The objects of the society are:

- a) The S.K.B.B.A.I. will be the organization recognized by Judo Canada as the governing body in the province of Saskatchewan and as such will regulate and control the practice of Judo throughout the province;
- b) to teach and promote the sport of Kodokan Judo in the province of Saskatchewan;
- c) to follow the teachings of Kodokan Judo by maintaining high ethical standards formulated by the founder of Judo, the late Professor Jigoro Kano;
- d) to provide guidance and leadership in Kodokan Judo for advocates in Saskatchewan;
- e) to unify the sport of Judo by establishing grading standards, competition and relations with Judo activities in the national and international organizations;
- f) to do all other such things as are incidental or conducive to the attainment of the above objects.

**3) Domain:**

The society shall operate provincially.

**4) Registered office:**

The registered office of the society shall be at the address of the current President of the Society unless specified otherwise in a motion passed at a general meeting.

**ARTICLE II - RESPONSIBILITY OF COMMITTEES**

**1) Responsibility:**

All committees are responsible to their Chairperson who in turn is responsible to the directors of Judo Saskatchewan.

**2) Responsibility of committee Chairperson:**

Committee Chairperson are responsible for the operation of their committees and shall present written reports to the membership at the annual general meetings and to the directors when requested to do so.

**3) Election of committee Chairperson:**

Committee Chairperson shall be elected at a general meeting of the society. They shall be responsible for choosing other members, if any, of their committees, bearing in mind what, if any, special requirements there exist for membership on said committee. All committee Chairperson must have reached the age of majority.

**ARTICLE III - COMMITTEE CLASSIFICATIONS**

**1) Executive committee:**

The Executive of the society consists of the directors as defined in Article IV of the by-laws of Judo Saskatchewan. They are responsible for the administration of the financial affairs of Judo Saskatchewan and the coordination of the operation of the committees. The Executive shall act on behalf of the society for routine administrative purposes, and when expediency precludes a general meeting. The Executive shall make annual representation to the Provincial Department of Culture and Youth and to the Saskatchewan Sport Trust for grants to assist in carrying out the programs and functions of the society.

**2) Grading Board:**

The Grading Board shall consist of Chairperson and additional members as appointed by the Chairperson. They are primarily responsible for grading in the black belt ranks and ensuring a satisfactory degree of proficiency in each candidate. The Grading Board shall follow the prescribed procedures of the Canadian Black Belt Association National Grading Board. In addition, the Grading Board may arrange for instructional clinics; grading sessions at local clubs and/or tournaments and delegate to club

senseis who do not hold a black belt degree the authority to promote judoka to a belt level one rank lower than that which the sensei holds.

### **3) Refereeing:**

The refereeing committee shall consist of a Referee-in-Chief and other members as appointed by the Chairperson, if so desired. The Referee-in-Chief is responsible for ensuring the rules of the International Judo Federation governing tournaments are followed whenever a tournament takes place. In addition, the Referee-in-Chief is responsible for making final decisions at tournaments when requested by referees, judges, and coaches when a point of controversy arises. The Referee-in-Chief is also responsible for maintaining a high degree of proficiency of referees by holding clinics and periodic spot checks.

### **4) Coaching committee:**

The Coaching committee shall:

- a) consist of the Chairperson of Coaches and other members as the Chairperson of Coaches shall see fit;
- b) be responsible for instructing judoka;
- c) organize clinics for the benefit of the members of the society;
- d) be responsible for selecting members to the various teams which Judo Saskatchewan authorizes;

The Chairperson of Coaches must be a regular member.

Should Judo Saskatchewan hire a coach, that person shall be responsible to the Executive committee and be a member of the Coaching committee.

### **5) Finance:**

a) Membership:

The Finance committee shall consist of the Chairperson, the President, the Treasurer, at least one other member of the directors and other members as the Chairperson shall appoint

b) Responsibility:

The Finance committee is responsible to make application to the various government agendas for funds to assist in the operations of the society and to allocate these funds appropriately. They may also direct other fundraising activities as approved by the directors.

### **6) Discipline:**

The Discipline committee shall be responsible for investigating and conducting hearings into alleged breaches of the by-laws of Judo Saskatchewan. The committee shall have the authority to impose penalties, suspend and otherwise discipline members of Judo Saskatchewan. The committee has the authority to act as an appeal mechanism should a member of a team representing Judo Saskatchewan be disciplined by the team coach.

The Vice-President shall be the Chairperson of the Discipline committee and shall be a Commissioner of Oaths. Two (2) regular members who are not members of the Executive shall be appointed each year by the Executive to the Discipline committee.

**7) Investigating Committee:** The Investigating committee shall be responsible for investigating alleged breaches of the by-laws of Judo Saskatchewan. It shall determine whether a disciplinary hearing shall be conducted. Two (2) regular members who are not members of the Executive shall be appointed each year by the Chairperson of the Investigating committee.

### **8) Special committees:**

Special committees shall be responsible for any task assigned to them by the President.

## **ARTICLE IV - DISPUTE RESOLUTION POLICY**

### **1. Dispute Resolution Bodies**

Two bodies will be appointed to resolve disputes, whether arising from allegations of harassment or other misconduct, team selection, employment or other issues.

#### 1.1 Investigation Committee

- 1) The investigation committee is established consisting of a chairperson and such other persons as the chairperson may appoint.

- 2) The board shall appoint the chairperson of the investigation committee.
- 3) The chairperson may appoint members to the committee from time to time for the purpose of that appointee serving as investigator of a specific complaint.
- 4) Members of the hearing committee and members of the board are not eligible to be a member of the investigation committee.

#### 1.2 Hearing Committee

- 1) The Vice President, upon receipt of a report from the investigation committee which recommends that a hearing be conducted, shall appoint a hearing committee consisting of three persons.
- 2) Members of the investigation committee and members of the board are not eligible to be appointed as a member of the hearing committee.
- 3) If the Vice President considers it appropriate to do so, the Vice President shall appoint to the hearing committee a person nominated by each party to the dispute.
- 4) The names of the disciplinary committee and appeals committee will be forwarded to the President of Judo Sask. For approval.

### 2. Misconduct

2.1 Any matter, conduct or thing, whether or not disgraceful or dishonorable, is misconduct if:

- 1) It is contrary to the best interests of Judo Saskatchewan or of any participant (player, coach, official or spectator).
- 2) It is contrary to the bylaws of Judo Saskatchewan.
- 3) It is contrary to any Code of Conduct established by Judo Saskatchewan.
- 4) It is a failure to comply with an order pursuant to this dispute resolution policy by the Vice President, the board or a hearing committee.

### 3. Referral and review of complaints and incidents

3.1 Complaints must be made to the Vice President promptly and within the time guidelines set by policy of the board.

3.2 The Vice President may extend the time for submission of a complaint notwithstanding the expiration of the time set by board guidelines.

3.3 The Vice President shall refer the following matters to the chairperson of the investigation committee:

- 1) A complaint alleging that a player, team, coach, official, parent/guardian or spectator is guilty of misconduct.
- 2) On the request of the board, any incident in which misconduct may have occurred.
- 3) A complaint relating to team selection.
- 4) Any other request for resolution of a dispute arising from or relating to the activities of the organization.

3.4 The chairperson of the investigation committee will require that a complaint be stated in writing.

3.5 If the chairperson of the investigation committee is satisfied that the complaint is not valid or does not raise an issue of misconduct or is trivial, frivolous or vexatious in nature, the chairperson shall advise the complainant and thereafter shall take no further action in relation to that complaint.

3.6 Where the chairperson has not dismissed a complaint pursuant to 3.5, the chairperson shall appoint one or more members of the investigation committee as investigator of the complaint or incident.

3.7 The chairperson may appoint himself or herself as the investigator or as one of the investigators.

### 4. Investigation

4.1 The investigator shall:

- 1) Review the complaint or the request
- 2) Make such inquiries as necessary to determine the circumstances of the complaint or incident, which may include:
  - a) sending a copy of summary of the complaint to those named in the complaint, those making the complaint or to any witnesses with a request that they respond in writing to the allegations by a date set by the investigator;
  - b) communicating with or interviewing persons involved in the incident or whose conduct is the subject of the complaint; and
  - c) communicating with or interviewing other persons who may have relevant information.
- 3) Extend the investigation to include misconduct in any other incident that comes to the attention of the investigator in the course of the investigation.
- 4) When practical to do so, encourage the parties to resolve the dispute directly.
- 5) With the agreement of the parties, arrange mediation of the dispute.

4.2 On completion of the investigation, the investigator shall make a written report to the Vice President recommending:

- 1) That the Vice President appoint a hearing committee to hear and resolve the dispute or to hear the charges, as the case may be; or.
- 2) That no further action be taken with respect to the matter investigated because:
  - a) the matter has been resolved between the parties,
  - b) no further action is warranted on the facts of the case.

4.3 The charge set out in a written report may relate to any matter disclosed during the investigation.

4.4 A report signed by a majority of the investigation committee is a decision of investigators

## **5. Interim suspension of member**

5.1 In cases of alleged serious misconduct or if there is a risk of physical or emotional harm to other persons, the investigator may submit written reasons to the Vice President recommending that, pending the outcome of an investigation, a player, team, coach, official, parent/guardian or spectator under investigation:

- 1) be suspended from participation or
- 2) be allowed to continue participation subject to conditions or restrictions.

5.2 Upon receiving the written recommendations of the investigator, the Vice President shall:

- 1) If satisfied that continued participation is inappropriate in the circumstances, may order suspension of involvement in organization activities or impose other less restrictive conditions pending the recommendations of the hearing committee.
- 2) If satisfied that continued participation is appropriate in the circumstances, decline the recommendation of the investigator.

5.3 An order of suspension or the imposition of conditions on a member, pending the recommendations of the hearing committee, shall:

- 1) terminate 30 days after the date of the suspension or imposition of conditions, unless renewed or revised by the Vice President upon a further written recommendation by the investigator.
- 2) be superseded by the recommendations of the hearing committee

## **6. Acting upon the Investigator's report**

6.1 If the investigation committee recommends no further action on a complaint, the Vice President shall provide a copy of the investigation committee's reasons for that recommendation to the person or person(s):

- 1) whose conduct is the subject of the complaint
- 2) who initiated the complaint

6.2 If the investigation committee is of the opinion that a hearing committee should be appointed, the Vice President shall appoint a hearing committee.

6.3 The Vice President shall report a decision not to appoint a hearing committee to the next meeting of the board.

## **7. Hearings**

7.1 The hearing committee shall conduct a fair hearing of the charge or dispute reported in the investigation committee's report.

7.2 At the request of the hearing committee, the Vice President shall communicate the time and place of the hearing and any other pertinent information to the parties.

7.3 The proceedings would be recorded with a minimum of an audio recording device

## **8. Hearing Procedure**

8.1 In disputes of a nature that the hearing committee considers to be minor, the hearing may be conducted in writing. The parties shall be:

- (a) informed that a hearing committee has been established;
- (b) informed of the charge or dispute to be heard;
- (c) provided with a copies of the dispute resolution policy;
- (d) invited, within a time specified by the committee, to make written submissions of any information or arguments relevant to the deliberations of the committee;
- (e) informed of the findings of the hearing committee;

8.2 If the hearing committee does not consider the dispute to be minor, the parties shall have a right to be heard in person:

- 1) At least 14 days before the date of the hearing the parties shall be:
  - (a) informed that a hearing committee has been established;
  - (b) informed of the charge or dispute to be heard;
  - (c) provided with a copy of the dispute resolution policy.
- 2) The hearing committee shall hear the charge or dispute and shall determine whether or not the accused is guilty of misconduct or rule on the issues in dispute.
- 3) Parties may be represented by legal counsel at their own expense.
- 4) There is to be full right:
  - a) to examine, cross-examine and re-examine all witnesses
  - b) to present evidence defense in and reply.
- 5) Where a party fails to attend the hearing, the hearing committee may proceed in his or her absence.
- 6) If, during the course of a hearing, the evidence shows that the accused may be guilty of misconduct different from or in addition to any misconduct specified in the charge, the hearing committee shall adjourn the hearing for any period that the committee considers sufficient to give the accused an opportunity to prepare a defense to the amended charge, unless the respondent consents to continue the hearing.
- 7) The hearing committee may accept any evidence that it considers appropriate and is not bound by rules of law concerning evidence.
- 8) The hearing committee may accept a record of a criminal conviction or the written reasons for a decision imposing discipline by any other organization as evidence of the conduct giving rise to the conviction or discipline.
- 9) On its own initiative or at the request of any party, the hearing committee may restrict the public from the hearing. The hearing committee shall exclude the public if the committee is of the opinion that an open hearing will unduly violate the privacy of any person.
- 10) The deliberations of the hearing committee shall be conducted in private, and no person who is not a member of the committee shall be present.

8.3 The hearing committee shall give written reasons for its decisions and for any discipline imposed. Copies shall be provided to the parties and to the board.

8.4 Any discipline given by the coaching staff prior to the meeting of the disciplinary committee must be listed on the initial report that will be submitted to the athlete.

8.5 This report will outline all discipline.

## **9. Disciplinary Powers**

9.1 Where the hearing committee finds a person guilty of misconduct, it may make one or more of the following orders, in writing:

- 1) An order that the person(s) be expelled from the organization
- 2) An order that the person(s) be suspended from the organization for a specified period
- 3) An order that the person(s) be suspended pending the satisfaction and completion of any conditions specified in the order
- 4) An order that the respondent may continue to participate only under conditions specified in the order
- 5) An order reprimanding the respondent
- 6) Any other order that the hearing committee considers just.

9.2 In making an order the hearing committee shall take into consideration:

- 1) The age, experience and maturity of the person(s)
- 2) The nature of the misconduct;
- 3) Any information which, in the opinion of the committee is reliable and relevant to the determination of an appropriate order, including:
  - a) previous misconduct of the respondent, regardless of whether or not that misconduct was the subject of discipline
  - b) the character of the respondent

## **10. Deference to Other Authorities**

10.1 Where the Vice President, chairperson of the investigation committee or the chairperson of the hearing committee believes that the person(s) whose conduct is being investigated may be guilty of a criminal offence, that person must refer the matter to an appropriate authority.

## **11. Time for Completion**

11.1 The investigation, hearing and decision of the hearing committee shall be completed as soon as practical in the circumstances of the complaint.

11.2 The board may set time guidelines for any matters that the board considers appropriate, including the time for complaints to be made to the Vice President, and the time for completion of steps in the hearing process.

11.3 In deciding an appeal from a decision of the hearing committee, the board may consider the failure to comply with time guidelines.

## **12. Appeal to the Board**

12.1 A person(s) may appeal the decision or any order of the investigation committee or the hearing committee to the organization board by serving a written notice of appeal within 21 days of receipt of the decision or order where:

- 1) The member has been found guilty of misconduct by the hearing committee;
- 2) The person is subject to a discipline order;
- 3) The person(s) who initiated the complaint was advised that no further action would be taken.

12.2 The written notice shall state the grounds of appeal.

12.3 The Vice President shall not participate in the hearing of an appeal.

12.4 No board member shall participate in the hearing of an appeal if:

- 1) The board member has a conflict of interest or is biased
- 2) If there is any reasonable basis on which it may appear that the board member may have a conflict of interest or may be biased.

12.5 The participation by a board member in any step of the investigation process prior to the hearing of the appeal shall be deemed to create the appearance of a bias.

12.6 If all board members are unable to participate in the hearing, the board shall appoint a committee of three persons to hear the appeal.

12.7 On hearing an appeal the board or the appointed committee may:

- 1) Dismiss the appeal
- 2) Quash the finding of guilt
- 3) Direct further inquiries by the investigation committee or appoint a new investigation committee to reinvestigate the matter
- 4) Direct a new hearing or further inquiries by the hearing committee or appoint a new hearing committee to rehear the matter
- 5) Vary the order of the hearing committee.

### **13. Effect of Expulsion or Suspension**

13.1 When a person(s) is expelled or suspended from the organization pursuant to the policy, that person(s) is not eligible to serve any function within the organization or attend any organization activities.

13.2 An athlete that is suspended is not able to be considered for any teams until the discipline has been lifted.

### **14. Reinstatement**

14.1 A person who has been expelled may apply to the board for reinstatement.

14.2 Subject to the bylaws, on receipt of an application of reinstatement the board shall review the application and, if in the opinion of the board the application disclosed information which may justify reinstatement, the board may investigate the application by taking any steps it considers necessary.

14.3 On completion of its review, the board may:

- 1) Where it is satisfied that the person's subsequent conduct and any other facts warrant reinstatement, direct that the person be reinstated under any terms and conditions that the board considers appropriate.
- 2) Refuse to reinstate the person.

### **15. Conflict of Interest or Bias**

15.1 In the event that any member of either the investigation committee or the hearing committee, other than one nominated by the parties, has a conflict of interest or is biased, that person shall declare the conflict or bias and the Vice President shall appoint a replacement.

15.2 In the event of a conflict of interest on the part of a board member, that member shall not participate in the decision of the board.

### **16. Records and Use of Decisions**

- 16.1 Judo Saskatchewan shall maintain a record of all decisions of hearing committees and of all decisions of the board on appeal.
- 16.2 The hearing committee and board may consider the decisions of previous hearing committees and boards, but are not bound by the precedent.
- 16.3 Decisions of a hearing committee and decisions of the board on appeal are matters of public interest and shall be publicly available without disclosing the names of the individuals involved. Names of persons disciplined may be disclosed to the extent necessary to give effect to any sanction imposed.
- 16.4 If the committee or board decides that making the decision publicly available will unduly violate the privacy of any person, the committee or board may direct that the decision or part of the decision should be kept confidential.
- 16.5 Decisions resulting in termination of membership or in a suspension of membership rights for one year or longer shall be reported to the Dispute Management Office of Sask Sport Inc. who may provide information from the decisions to its membership, including the names of persons who have been the subject of the discipline.

## **ARTICLE V - CRIMINAL RECORDS CHECK POLICY**

### **1. Coaches, Assistant Coaches, Trainers, Managers, Chaperones, Officials and Volunteers**

- 1.1 All Coaches, Assistant Coaches, Trainers, Managers, Chaperones, Officials and volunteers who participate at Judo Saskatchewan training camps or travel with any Judo Saskatchewan teams will agree to undergo a criminal record check for service with the vulnerable sector.
- 1.2 It will be the responsibility of the Coaches, Assistant Coaches, Trainers, Managers, Chaperones, Officials and volunteers to submit the findings of their criminal records check to the President prior to any involvement in Judo Saskatchewan events.

### **2. Judo Saskatchewan Executive and Committee Chairpersons**

- 2.1 All elected or appointed persons to the Judo Saskatchewan Executive and Committee Chairpersons will agree to undergo a criminal record check for service with the vulnerable sector.
- 2.2 It will be the responsibility of the Executive member or Committee Chairpersons to submit the findings of their criminal records check to the President within 30 days of election or appointment and prior to any involvement where they may be alone at any Judo Saskatchewan event where vulnerable persons may be involved.

### **3. Club Coaches, Instructors and Assistant instructors**

- 3.1 All Club Coaches, Instructors and Assistant instructors at the club level will agree to undergo a criminal record check for service with the vulnerable sector prior to any involvement at the club level.
- 3.2 It will be the responsibility of the Club Coaches, Instructors and Assistant instructors to submit the findings of their criminal records check to the Club President or Registrar prior to any involvement at the club level. The criminal records check will be held at the club level.
- 3.3 It will be the responsibility of the club President or Registrar to certify yearly to the Provincial Registrar that all Club Coaches, Instructors and Assistant instructors have a valid criminal records check, before the club can register any members with Judo Saskatchewan

### **4. Vulnerable Person**

- 4.1 The term “vulnerable persons” is a person who, because of their age, disability or other circumstances, whether temporary or permanent; a) are in a position of dependence on others; or b) are otherwise at a greater risk than the general population of being harmed by persons in a position of authority or trust relative to them.

### **5. Procedure**

- 5.1 All criminal records checks will be valid for five (5) years unless the person is absent from judo for a one year period, however the President of Judo Saskatchewan may request a new Criminal Records check at any time.
- 5.2 The procedure for submission is as follows:
  1. Complete the Criminal Record Check (CRC) form provided by Judo Saskatchewan.
  2. Take the fully completed form to your local police service **or** RCMP.

3. Submit the information obtained from your local police service to the President of Judo Saskatchewan.
4. If your CRC is not passed you will be notified in writing and you will not be eligible for participation in Judo Saskatchewan events.
- 5.3 The practice of conducting a criminal records check involves accessing the information made available through the Canadian Police Information Computer system about a person's conviction(s) for which a pardon has not been granted and outstanding criminal charges. The **CRC** also includes any relevant police incidents related to a five (5) year residency address history. Regardless of previous clearance or other security clearance, all those listed above will be required to complete a *criminal records check for service with the vulnerable sector*.
- 5.4 Completed criminal record checks will held by the President and will not be distributed or shared with others without the written consent of the person named on the criminal records check.

## **6 Exception**

- 6.1 Any person who is required by the nature of their job to have a valid CPIC check will be exempt unless decided by the president or Executive.

## **7 Effective date**

- 7.1 This policy will be in effect on May 15, 2010 as approval at the 2010 Judo Saskatchewan AGM.