



**By-Laws  
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## **Section 1 – General**

- 1.01** In 1974, the Manitoba Deaf Sports Association (MDSA) was formed and incorporated after the dissolution of the Winnipeg Deaf Athletes Club.
- 1.02** The Manitoba Deaf Sports Association, Inc. is hereafter referred to as the “Association”.
- 1.03** The principal office of the Association and the Deaf Sports Committees shall be in the city of Winnipeg, in the Province of Manitoba.
- 1.04** The respective Deaf Sports Committees shall be in affiliation with the Manitoba Deaf Sports Association, Inc.
- 1.05** In 2016, it was motioned and passed that the Deaf Sports Committees shall be combined into one organization at the Manitoba Deaf Sports Association and be included in the By-Laws as follows:
- a.** Manitoba Deaf Darts – formed in 1999
  - b.** Manitoba Deaf Hockey – formed in 2002
  - c.** Manitoba Deaf Golf – formed in 2008
  - d.** Manitoba Deaf Curling – formed in 1979
  - e.** Manitoba Deaf Volleyball – formed in 2009
- 1.06** Individual Deaf Sports (Bowling, Swimming, Basketball, Badminton, etc.)
- 1.07** The Seal, an impression whereof is stamped on the margin hereof, shall be the Seal of the Association.

## **Section 2 – Mission Statement and Objectives**

### **2.01 The Association’s Mission Statement is:**

The mission of MDSA is to encourage participation in sports to strengthen, promote and instill values of intracultural association by providing sporting opportunities to members of Deaf / Hard of Hearing communities.

### **2.02 The Association’s objectives in principle are as follows:**

- a.** To promote, encourage, and develop sports, recreational and social activities for the Deaf / Hard of Hearing members by:
  - i.** Raising and administering funds for developing sports.
  - ii.** Offering sporting activities for Deaf / Hard of Hearing people on a competitive basis, and promoting and conducting national and international competitions in such activities.
  - iii.** Encouraging good sportsmanship and a positive approach towards amateur sport.

## **Section 3 – Membership**

### **3.01 The Association’s membership shall consist of these following categories:**

#### **A. Individual Active Member:**

- i.** Shall be a Deaf / Hard of Hearing athlete wishing to participate in sports.
- ii.** Shall be a voting member.
- iii.** May attend the Annual General Meeting.
- iv.** Shall be a member in good standing for a continuous period of two (2) years before being eligible for the Association’s Board.

**B. Individual Associate Member:**

- i. Shall be a hearing person who is involved or participates in any Association activities.
- ii. Shall be a non-voting member.
- iii. May be a non-Deaf sport committee member, coach, trainer, medical trainer or equipment attendant.

**C. Affiliate Member:**

- i. Shall be any Deaf / Hard of Hearing regional/local club with at least three (3) Directors
- ii. Shall provide by-laws, rules and regulations when requested.
- iii. Shall send at least one representative to all Board and Annual General Meetings.
- iv. Shall be a voting member

**3.02** Any Deaf / Hard of Hearing regional/local club affiliate/sport committee members are organizations interested in Manitoba Deaf amateur sports. These organizations shall comply with MDSA's criteria. (See section 3.01 C)

**3.03** Application for membership in the Association shall be made in writing / online

**3.04** Should the Board accept the application, the new member shall be entitled to all privileges, responsibilities and the rights of membership.

**3.05** Members of the Association shall adhere to and be governed by the By-Laws of the Association.

**3.06** If an affiliated member has not renewed its membership on the last day of March, MDSA shall send notification that their affiliation fee is due within 30 days.

Furthermore, a \_\_\_ dollar charge will be added for late renewal. By not paying its annual fee, an organization forfeits all its privileges and its members shall not be permitted to participate in any competitions between any regional/local clubs or in any national/international competitions.

**3.07** Annual Membership dues are to be determined at the Annual General Meeting.

**3.08 Good Standing**

**A member of the Association shall be in good standing provided that:**

- a. He/she owes no outstanding membership fees or other debt to the Association;
- b. He/she has not ceased to be a member. A member who discontinues their membership only during years that they are not participating in sports may not be eligible for funding assistance in their sport activities. A consideration of funding assistance will be reviewed by the Board of Directors, should the member re-activate their membership after discontinuation.
- c. He/she has not been suspended or expelled from the membership, or had other membership restrictions or sanctions imposed upon him/her;
- d. He/she has complied with the Constitution, By-Laws, policies, rules and regulations of the Association; and
- e. He/she is not subject to a disciplinary investigation or action of the Association, or if subject to disciplinary action previously, he/she has fulfilled all terms and conditions of such disciplinary action to the satisfaction of the Association.

### **3.09 Suspension of Membership**

- a. Notwithstanding any other provision herein contained, a member may be terminated by resolution passed by a two-third majority of the votes cast at the Board or at the Annual General Meetings of the Association duly called for the purpose of considering the same.
- b. Upon acceptance of the notice of rejection by the Board or members, the member shall be removed from the membership list. However, he/she shall remain liable for payment of any assessment, dues, or any other sum charged by the Association.

#### **The Board may, by resolution, suspend a member of the Association if:**

- a. Such member refuses to comply with the By-Laws of the Association.
- b. The board agrees, by vote of two-thirds of those present at a meeting duly convened, to suspend a member of the Association whose conduct is determined to be detrimental to the interests, property, or reputation of the Association. No member shall be suspended unless and until he/she has been notified of the charge or complaint against them and he/she (or a representative in the case of an Affiliate member) has been given an opportunity to be heard by the Board, or by a committee established by the Board, at a meeting called for that purpose.
- c. In the event that a member of the Association is suspended by the Board as aforesaid, the Board of Directors of the Deaf/Hard of Hearing regional/local club shall be notified by mail forthwith of the suspension, and a copy will be sent to the Canadian Deaf Sports Association.

### **Section 4 – Annual General Meeting**

- 4.01** The Association's Annual General Meeting shall be held in May of each year at a date/time and place determined by the Board.
- 4.02** Confirmation of the AGM shall be sent in writing to all members at least thirty (30) days prior to such meeting. It shall include relevant documents. (Ex: minutes, financial records, etc.)
- 4.03** The Deaf/Hard of Hearing Sports Committees and/or active members shall send their proposals, motions for amendments to the By-Laws and activity reports (limited to two pages) to the Association fifteen (15) days prior to the AGM. Failure to adhere to this policy will result in the Association not accepting late reports, proposals, and motions for amendments to the By-Laws.
- 4.04** The Board shall have the power to invite guests and/or consultants, as they deem advisable.
- 4.05** A quorum shall consist of a two-thirds majority of the Board of Directors and Sports Committee Chairs present.
- 4.06** Each member of the Association shall be entitled to one vote.
- 4.07** At all meetings of the Association, each motion shall be decided by a simple majority of votes as per Robert's Rule of Order.
- 4.08** At all meetings of the Association, in the event of a tie vote, the President shall cast the deciding vote.
- 4.09** In the absence of the President or the Vice President, the Board may delegate the power of such Officer to any Director for the time being, provided that a majority of the entire Board concurs.

## **Section 5 – Board of Directors / Sports Committee Meetings**

- 5.01** The Board of Directors / Sports Committee Chairs shall hold a meeting once a month from September to June, preferably on the 3<sup>rd</sup> Monday of each month. The Board / Council of Representatives shall have an emergency meeting only if deemed necessary and with reasonable grounds and shall be organized by the President.
- 5.02** The Meeting may be called by:
- a. President, or
  - b. by request from any Board member, subject to a majority agreement.
- 5.03** The Board shall have the power to invite guests, as they deem advisable.
- 5.04** A quorum shall consist of at least two-thirds majority.
- 5.05** Every motion shall be decided by a simple majority of the votes. In the event of a tie, the President shall cast the deciding vote.
- 5.06** In the absence of either President or Vice President, the Board may delegate the power of such Officer to any Director for the time being, provided that a majority of the Board concurs therein.

## **Section 6 – Board of Directors**

- 6.01** The Board shall have the authority, duty, jurisdiction and power to carry out its objectives provided that it does not violate with the provisions of the Manitoba Corporations Act.
- 6.02** The affairs of the Association shall be managed by a Board of at least six (6) voting Directors as follows:
- a. President
  - b. Vice President
  - c. Secretary
  - d. Treasurer
  - e. Technical Director
  - f. Website / Social Media Coordinator
- 6.03** No person shall be elected or appointed as a Director or to fill any vacancy, unless he/she holds active membership and has been in good standing with the Association for at least two years, and holds either Canadian citizenship or landed immigrant status.
- 6.04** **Conflict of Interest**  
A Director, Officer, Regional Executive Committee member or member of a committee who has an interest, or who may be perceived as having an interest, in a proposed contract or transaction with the Corporation
- a. shall disclose fully and promptly the nature and extent of such interest to the Board or committee, as to what the case may be;
  - b. shall refrain from voting or speaking in debate or influencing the decision on such contract or transaction;
  - c. shall otherwise comply with the requirements of the policy regarding conflict of interest.

## **6.05 Indemnification**

- a. The Association shall compensate or reimburse using the funds of the Association for each Director, Officer and Regional Executive Sports Committee member against any and all claims, demands, actions, or costs which may arise or be incurred as a result of occupying the position or performing the duties of a Director, Officer or Regional Executive Committee member.
- b. The Association shall not indemnify a Director, Officer, Regional Executive Committee member or any individual for acts of fraud, dishonesty, or bad faith.
- c. The Association may purchase and maintain insurance for the benefit of its Directors, Officers and Regional Executive Committee members, as the Board may determine.

## **Section 7 – Election of Directors**

**7.01** The Board of Directors of the Association shall consist of candidates duly elected at the Annual General Meeting in the month of May of every second year.

**7.01a:** Election of President, Treasurer and Website Coordinator during odd years.

**7.01b:** Election of Vice-President, Secretary and Technical Director during even years.

**7.02** The six (6) Directors shall be elected, by majority of votes at the AGM by the following procedures:

- a. The Association shall prepare ballots for the election of Directors.
- b. Each member shall cast one vote.
- c. At the election of the Directors, following the adoption of the amendments to the By-Laws, all ballots shall be deemed invalid and destroyed.
- d. In the event that two or more candidates receive an identical numbers of votes, a second vote hereinafter called a “run off” shall be taken.

**7.03** The six (6) Directors:

- a. Shall be members in good standing of a regional/local Deaf club for at least 2 years.
- b. Shall have experience as a Board member.
- c. Shall be eligible to a term commitment of two (2) years.

**7.04** Shall a vacancy on the Board occur for any reason, the Board shall have the power to appoint a replacement.

**7.05** Any Director may be removed from office with cause upon the passing of a resolution by a two-thirds majority of the votes cast at a Board and/or Annual General Meeting.

**7.06** A Director appointed by the Board to fill a vacancy should serve until the next Annual General Meeting.

**7.07** The New Board of Directors shall be permitted to begin their respective duties immediately following the Annual General Meeting with the understanding that the outgoing Board of Directors shall be allowed up to 90 days to finish old business and facilitate an orderly transition of duties to the New Board of Directors.

## **7.08 Oath of Officers**

I, \_\_\_\_\_, an elected or appointed officer of the Board, swear that I will loyally observe and obey the By-Laws of the Association and fulfill my duties and responsibilities to the best of my ability and conscience.

## **Section 8 – Each Director’s Tasks**

**8.01** The Board shall abide by the Code of Responsibility as follows:

- a. MAJORITY OF BOARD DIRECTORS: 70% Deaf / 30% Hearing
- b. Shall become familiar with the Association’s structure, goals and objectives.
- c. Shall treat the affairs of the Association with the same care and diligence with which they treat their own affairs.
- d. Shall become familiar with the statutes and regulations under the Association’s mandate.
- e. Shall become familiar with the Association’s financial structure, and shall insist on an annual audit by a reputable chartered accountant.
- f. Shall regularly attend Board and Annual General Meetings.
- g. Shall become familiar with and assume responsibility for the accuracy of the minutes of the Board and Annual General Meetings.
- h. Shall elect or appoint a chairperson for any event to form a committee.
- i. Shall review the Association’s By-Laws, policies including the Harassment Policy and if applicable, rules and regulations annually.

**8.02 President:**

- a. Shall be Chief Executive Officer of the Association.
- b. Shall preside at all Board and Annual General Meetings.
- c. Shall see that the tasks of Board members are completed in accordance with the motions made at the Board and Annual General Meetings.
- d. Shall establish and maintain contacts with Sport Manitoba and any regional/local Deaf Clubs.
- e. Shall be an ex-officio member of each committee.
- f. Shall develop and oversees the Association’s By-Laws.

**8.03 Vice President:**

- a. In the absence or incapacity of the President, the vice-president shall perform the duties of President.
- b. Shall assist the President with duties related to Sport Manitoba.
- c. Shall be responsible for developing a proposal for membership fees and collecting membership dues.
- d. Shall develop and oversees the Association’s policies.
- e. Shall develop and oversees MDSA’s demographic planning as requested by Sport Manitoba.
- f. Shall be responsible for interpreter bookings for members’ sports activities with Sport Manitoba’s approval, at the minimum of 2 weeks notice in advance

**8.04 Secretary:**

- a. Shall be responsible to reserve a meeting room for scheduled meetings.
- b. Shall be responsible to provide notice of meetings.
- c. Shall maintain records such as minutes, and other documents as required, as well as the Seal of the Association.
- d. Shall be given duties as may be imposed by the President.
- e. Shall distribute the minutes of the Board / Annual General Meetings within 10 days after such meeting.

**8.05 Treasurer:**

- a. Shall oversee, maintain and present budgets, accounts and financial statements to the Board / Sports Committees / Annual General Meeting
- b. Controls the Association’s and Deaf Sports Clubs’ cash flow, financial ledger books, collection and disbursement
- c. Shall develop an annual budget to be reviewed and approved by the Board of Directors and Council of Representatives.

- d. Coordinates with Board and Committee about financial matters
- e. Ensures that appropriate financial systems and controls are in place
- f. Shall be responsible for financial planning, projected budgeting, banking, bookkeeping and record keeping
- g. Provides monthly financial reports

**8.06 Technical Director:**

- a. Develops and oversees rules and regulations of sports
- b. Shall oversee all activities related to provincial competitions, and try-outs/tournaments.
- c. Shall send out entry forms for all types of sports and collect registrations.
- d. Shall maintain contacts with any affiliated regional/local Deaf Clubs and committees for development, performance and training programs.
- e. Shall review athletes' eligibility in all categories or classes of membership herein as directed by the Board.

**8.07 Website / Social Media Coordinator:**

- a. Develops and oversees all activities of MDSA's website [www.manitobadeafsports.com](http://www.manitobadeafsports.com)
- b. Ensures that MDSA's website and Social Media (ex: Facebook) are updated regularly
- c. Shall be responsible for sending e-Blasts to all MDSA members

**Section 9 – Amendments of By-Laws**

**9.01** The By-Laws of the Association may be revoked, varied, or amended by the Board and members provided that any such repeal, variance, or amendments shall not be in effect until they are ratified at the next Annual General Meeting.

**9.02** All ratified amendments/changes to the By-Laws shall be in effect following the Annual General Meeting.

**Section 10 - Annual Clauses**

**10.01 Fiscal Year:**

The Association's fiscal year shall be from April 1 to March 31.

**10.02 Accountant Records:**

- a. Administrators must keep the following at least six (6) years: bank documentation, account statements, invoices, receipts and items related to the assets and liabilities of the Association and all other financial transactions that could affect the operation of the Association.
- b. Accounting books shall be kept in the Association's file and shall be accessible to all Board of Directors at any time.

**10.03 Audit:**

- a. Nomination, rights and functions of the Association's auditors are subject to the Corporation Law.
- b. The Association's accounts must be audited at least once during each fiscal year, and deposits and expenditures must be substantiated by vouchers/receipts/deposit slips and must balance with the bank statements.
- c. At each Annual General Meeting the members shall appoint an Auditor/Reviewer.

**10.04 Eligible papers:**

All cheques, bank notes and other negotiable bills must be signed by at least two (2) of four (4) Board of Directors (President, Vice President, Secretary and Treasurer), preferably the President and the Treasurer wherever possible.

**Section 11 – Dissolution of the Association**

**11.01** In the event the Association is dissolved, all necessary funds and securities shall be frozen to prevent any payments by the Association without any further authorization. The Board of Directors may appoint a committee of three (3) other members or Officers of the Association to establish a Board of Trustees, by written resolution. The Trustees shall, at any time, establish a trust fund and authorize the investing of the aforesaid funds of the Association and manage any related financial matters .

The trust fund shall, at any time, be returned to the Association to manage if the Association were re-activated for the same purposes or objectives in sport as originally established.