

The CAOAC Bylaws

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(A bylaw relating generally to the transaction of the business and affairs of The Canadian Association of Aquarium Clubs)

BE IT ENACTED as a bylaw of the CANADIAN ASSOCIATION OF AQUARIUM CLUBS (hereinafter referred to as the Corporation) as follows:

1 - OBJECTS

1) The objects of the Corporation as set out in the Letters Patent shall be non-political & non-sectarian and no membership shall be refused any individual or body on the basis of race, colour, creed, sex, religious beliefs or political affiliation.

2 - HEAD OFFICE

1) The Head Office of the Corporation shall be in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, or at such place therein as the Board may from time to time determine.

3 - SEAL

1) The Seal shall be the corporate seal of the Corporation.

4 - FINANCIAL YEAR

1) The fiscal year of the Corporation shall terminate on the thirtieth day of April each year.

5 - AMENDING OF BYLAWS

1) The Bylaws of the Corporation may be amended by passing a motion to do so by a 3/5 majority of votes at any General or Annual Meeting.

2) Any motion to amend the Bylaws of the Corporation must be tabled for 60 days.

3) Any proposed amendment shall be submitted in writing with the following information: an explanation as to why the amendment is worthy of approval; the member or committee who proposes/endorse the amendment; and the section of the Bylaws it is amending.

6 - OFFICERS OF THE CORPORATION

A) Board of Directors

- 1) The affairs of the Corporation shall be managed by a Board of Directors which shall consist of seven Directors, hereinafter called the Executive.
- 2) Each Director shall be, throughout his or her term of office, a member in good standing of a member club of the Corporation.

B) Executive

- 1) The Executive of the Corporation shall be a President, First Vice-President, Second Vice-President, Recording Secretary, Treasurer, Corresponding Secretary, and Webmaster.
- 2) They shall be elected by the member clubs at the Annual Meeting each year.
- 3) They shall hold the position until the end of the next Annual Meeting or until a replacement is duly installed.
- 4) No one person may hold more than one Executive position at any one time.

C) Committee Chairs

- 1) The Executive may from time to time create any committee, either standing or ad hoc and shall nominate a Committee Chair for each one.
- 2) Each Committee Chair shall be nominated by the Executive and approved by the general membership by vote at a General Meeting.
- 3) All Chairs shall hold their positions until the end of the next Annual Meeting or until a replacement is duly installed.

D) Removal of Directors

- 1) Notwithstanding any other Bylaw of the Corporation, the members of the Corporation may remove any Director before the expiration of his or her term of office, by passing a resolution by at least 3/4 of the votes at a General Meeting of which notice to pass such resolution has been given.

E) Vacancies on Board of Directors

i - Executive

- 1) If a quorum of the Executive remains, should interim vacancies occur, for whatever reason, the remaining Executive shall, without delay, establish a Steering Committee to advertise to fill the position/s by formally contacting all member Clubs and by an announcement on social media. The Executive will elect the interim replacement/s from the eligible nominees forty (40) days after all member Clubs have been

informed. Candidates may wish to submit to the Steering Chair a brief resume/platform explaining why he/she is suited to the particular Executive position.

Exceptions: The Executive may make an immediate appointment of a willing qualified member at any time, if after an election has been announced and followed as according to the procedure in section 1 above and produced no candidate for that vacancy, or if the vacancy occurs within six (6) months of the end of the board member's term. If the President's position is vacant, the First or Second Vice President will become the president in that order unless both of those positions are also vacant.

2) If there is not a quorum of Executive remaining in office, the remaining Executive shall forthwith ask the Steering Committee to hold elections to fill the vacancies for all voting CAOAC members to select at a general meeting.

3) If the number of Executive is increased, shared between terms, a vacancy or vacancies, to the number of Executive so increased, shall be deemed to have occurred.

ii - Committee Chairmen

A replacement for a vacant committee chair, however caused, shall be nominated by the Executive and approved by the general membership by show of hands at a General Meeting.

F) Powers

1) The Executive of the Corporation shall administer the day to day affairs of the Corporation.

2) Except in extraordinary circumstances or as stipulated elsewhere in these bylaws, all new endeavours, policy changes or developments, and changes or additions to the Bylaws are to be approved by the general membership before execution.

G) Remuneration of Officers

The Executive shall receive no remuneration for acting as such.

H) Executive Duties

i - President

1) The President or his or her designate shall preside at all meetings except committee meetings.

- 2) The President shall also be charged with the general management and supervision of the affairs and operations of the Corporation.
- 3) The President, with the Recording Secretary or other officer appointed by the Board for the purpose, shall sign all bylaws and membership certificates.
- 4) The President shall be an ex-officio member of all committees and shall have a vote at all committee meetings.

ii - First & Second Vice-Presidents

- 1) Should the President be unable to fulfil his or her duties, the 1st & 2nd Vice-Presidents shall take over in that order.
- 2) They shall also perform such other duties as may from time to time be determined by the Executive.

iii - Recording Secretary

- 1) The Recording Secretary shall be the ex-officio clerk of the Board of Directors. He or she shall record all the facts and minutes of all proceedings in the books kept for that purpose.
- 2) He or she shall be the custodian of the corporate Seal and of all books, papers, records, correspondence, contracts and other documents belonging to the Corporation which he or she shall deliver up only when authorised to do so by a resolution of the Executive and only to such persons as may be named in that resolution.
- 3) He or she shall also perform such other duties as may from time to time be determined by the Executive.

iv - Treasurer

- 1) The Treasurer shall keep full and accurate accounts of all receipts and disbursements of the Corporation in proper books of account and shall deposit all monies or other valuable effects in the name and to the credit of the Corporation in such bank or banks as may from time to time be designated by the Executive. He or she shall disburse the funds of the Corporation under the direction of the Executive, taking proper receipts therefore and shall render a financial report at each General and Annual Meeting or whenever required.
- 2) He or she shall arrange for an annual audit of the financial records to be presented at the Annual Meeting.

v - Corresponding Secretary

- 1) The Corresponding Secretary shall receive all the general correspondence of the Corporation and report on such correspondence at each General and Annual Meeting.
- 2) He or she will bring correspondence to the attention of the relevant member of the Executive or Committee Chairs and respond to all enquiries of a general nature on behalf of the Corporation.
- 3) He or she shall also perform such other duties as may from time to time be determined by the Executive.

vi - Webmaster

- 1) Shall maintain the CAOAC website. He or she shall suggest and implement necessary structural, technological and design changes with input and oversight from both the Executive and the membership to create awareness, maximise the user experience and encourage frequent visits to the site.
- 2) Shall perform periodic updates as necessary to communicate with the membership and the general public on the activities of CAOAC, relevant links and social media.
- 3) Shall identify the necessary resources and technologies needed to support CAOAC objectives.
- 4) Shall delegate, supervise and direct others who are assigned tasks associated with the duties of the CAOAC Webmaster.
- 5) Shall perform such other duties as may from time to time be determined by the Executive.

vii - General Officer Duties

- 1) The duties of all of the officers of the Corporation shall be to attend all of the Executive and General Meetings and any officer who is absent for three consecutive meetings without showing good cause therefore, after being notified shall have their office declared vacant.
- 2) The duties of any other officers not set out herein shall be such as the terms of their engagement call for.

viii - Standing Committees:

Past President Advisory Committee

- 1) The President shall serve as the Past President following his or her term as President. The Past President, as a committee chair, shall act as an advisor to the Executive and assist the President as requested, but has no vote on the Executive.

- 2) The Past President shall serve as a sounding board to the Executive and offer organisational history, provide guidance from past experience and knowledge that helps in decision-making.
 - 3) When asked by the President, the past president may serve in different capacities, including assisting with and serving on committees, making contacts on behalf of CAOAC, or other duties as assigned.
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7 - ELECTORAL PROCESS

A) Steering Committee

- 1) The Chair of the Steering committee or his or her designate, hereinafter known as the Steering Chair, may appoint other committee members and shall enlist qualified applicants and accept valid nominations for all positions on the Executive, publish the slate, arrange for mail-in votes, as well as at least two scrutineers and all supplies needed to run the annual elections in accordance with the rules as set out in the Bylaws of the Corporation.

B) Nominations

- 1) Nominations for the Executive will close at the end of the break at the regularly scheduled April meeting. If there is only one nomination to any position, the person so nominated will be acclaimed to the position for the following year. If there are no nominations, nominations will be requested at the Election at the Annual meeting.
- 2) Each nominee must declare positions for which he or she will stand and may submit to the chair a resume/platform no larger than a single page 8½" x 11".

C) Eligibility

- 1) Any member in good standing of any CAOAC member club in good standing, including CAOAC private members, may nominate him or herself or any other club member in good standing.
- 2) A nominee may run for more than one position but can be elected to only one.
- 3) The Steering Chair will contact all nominees and only those wishing to stand for election will have their names published.

D) Mailing of Ballots

- 1) Only member clubs or societies in good standing at the end of the April General Meeting shall be entitled to vote in the Annual Elections.
- 2) The Steering Chair will email to each member club's President the slate, resumes and one ballot for each vote entitled to the club no later than the end of the first week of May.

- 3) The ballots will list each office in the order of voting and the candidates for each office alphabetically.
- 4) Clubs may vote at the Annual Election by either; using the mailed out ballot(s) which must be returned to the Steering Chair before the call to order of the Annual Meeting and must be properly filled out and signed by the club President and either the Club Rep or another Executive officer of that club, or by exercising their vote(s) in person at the Annual Election.

E) Order of Voting

- 1) The order of voting shall be President, First Vice-President, Second Vice-President, Recording Secretary, Treasurer, Corresponding Secretary and Webmaster.

F) Marking of Ballots

- 1) Ballots are to be marked in accordance with instructions provided by the Steering Chair with each ballot. Clubs should indicate their preference for officers by marking their ballot(s) with their choice for 1st, 2nd, 3rd etc. depending on the number of nominees.
- 2) The Steering Chair may declare any ballot which is improperly filled out or which is unclearly marked to be a "spoiled" ballot, which shall not be counted.

G) Counting of Ballots

- 1) The Steering Chair, with his or her scrutineers, will retire to a private place after the call to order of the Annual Meeting.
- 2) They will validate each ballot and then, commencing with the election of the President and following through the order of voting, they will tabulate the votes.
- 3) Once a candidate is elected, his or her name will be stricken from any subsequent positions for which he or she may have run. Second & third choices for these positions would then move up accordingly.

H) Majority

- 1) Election will be by simple majority of the valid ballots cast. If no candidate receives a majority and there are more than two candidates for the position, the candidate with the least amount of votes shall be dropped and the second (or third or fourth etc.) choices will be tabulated. This process shall be repeated until one candidate receives a majority of the valid votes cast.

I) Results

- 1) No vote counts shall be announced, but the Steering Chair shall notify the Chair of the Annual Meeting when the results have been finalised. The results will be announced by the Steering Chair as the final piece of new business at the Annual Meeting.
 - 2) The Steering Chair will retain all ballots and materials of record in a safe place until at least the end of the September meeting or until any and all questions arising out of and concerning the elections have been resolved. In no case shall he or she release any information or data to anyone except as noted below.
 - 3) Each candidate may ask for and receive the vote tabulations for any office in which he or she ran. If the candidate ran for more than one office, he or she may only receive the vote tabulations for those offices up to and including the one to which he or she was elected.
 - 4) Each club may find out from the Steering Chair whether their ballot or ballots were received and whether they counted. If they were received and not counted, the Steering Chair will explain why.
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8 - EXECUTION OF DOCUMENTS

A) General

- 1) Deeds, transfers, licences, contracts, and engagements on behalf of the Corporation shall be signed by either the President or First Vice-President and the Recording Secretary and the Recording Secretary shall affix the seal of the Corporation to such instruments as required.
- 2) Contracts in the ordinary course of the Corporation's operations may be entered into on behalf of the Corporation by the President, First Vice-President, or any person authorised by the Board.
- 3) Notwithstanding any provisions to the contrary contained in the Bylaws of the Corporation, the Board may at any time, by resolution, direct the manner in which and the person or persons by who, any particular instrument, contract or obligations of the Corporation may or shall be executed.

B) Cheques etc.

- 1) All cheques, bills of exchange, or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation, shall be signed by any two of the following officers: President, First Vice-President, Second

Vice-President or Treasurer and any one of them may endorse cheques for deposit with the Corporation's bankers for the credit of the Corporation or the same may be endorsed "for collection" or "for deposit" with the bankers of the Corporation by using the Corporation's rubber stamp for the purpose.

- 2) Any one of these officers may arrange, settle, balance & certify all books and accounts between the Corporation and the Corporation's bankers and may receive all paid cheques and vouchers and sign all bank's forms or settlement of balances and release or verification slips.
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9- DEPOSIT OF SECURITIES FOR SAFEKEEPING

- 1) The securities of the Corporation shall be deposited for safekeeping with one or more bankers, trust companies, or other financial institutions to be selected by the Board.
 - 2) Any and all securities so deposited may be withdrawn from time to time only upon the written order of the Corporation signed by such officer or officers, agent or agents of the Corporation, and in such manner as shall from time to time be determined by resolution of the Board and such authority may be general or confined to specific instances.
 - 3) The institutions which may be so selected as custodians of the Board shall be fully protected in acting in accordance with the directions of the Board and shall in no event be liable for the due application of securities so withdrawn from deposit or the proceeds thereof.
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10- NOTICE

- 1) Whenever under provisions of the Bylaws of the Corporation notice is required to be given, such notice may be given either personally, electronically (by means of email sent to the address provided by the Director or member) or by depositing same in a post office or a public letter box in a prepaid, sealed envelope addressed to the Director or member at his or her address as the same appears in the books of the Corporation.
- 2) A notice or other document sent by post shall be held to be sent at the time when the same was deposited in a post office or public letter box as aforesaid or if emailed at the time of the email.

- 3) For the purpose of sending any notice, the address of any Director or member (including his or her email address) shall be his or her last address as recorded on the books of the Corporation.
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11- BOOKS AND RECORDS

- 1) The Board shall see that all necessary books and records of the Corporation required by the Bylaws of the Corporation or by any applicable statute or law are regularly and properly kept.
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12 - MEETINGS

A) General Information

- 1) All meetings except committee meetings shall be chaired by the President or someone designated by him or her.
- 2) Committee meetings shall be chaired by the committee Chair or someone designated by him or her.
- 3) All meetings must be held in venues where it is certain that reliable telephone access exists to encourage and maximise meeting participation/volunteerism from all member clubs; holding video meetings over the internet is preferred, but not mandatory.

B) Quorum

- 1) 3 Executives shall be required to form a quorum for the transaction of business at any Executive Meeting.
- 2) A majority of the Executive and at least 1 representative of a minimum of 1/4 of the member clubs in good standing shall be required to form a quorum for the transaction of business at any General or Annual Meeting.

C) Regular Meetings

- 1) There shall be at least six Executive Meetings held each year, at a time to be decided by the Executive.
- 2) There shall be at least three General Meetings held each year.
- 3) Wherever possible the schedule of regular meetings shall be set in May for the following year.

- 4) In May the Annual Meeting will take place instead and must be held not more than thirty days following the fiscal year end of the Corporation.
- 5) Meeting dates may from time to time be changed, for whatever reason, by motion passed at a General Meeting.

D) Special Meetings

- 1) A special Executive Meeting may be called by the Executive at any time provided that reasonable notice of such meeting is provided to all members of the Board of Directors.
- 2) A special General Meeting may be called by the Executive at any time provided that reasonable notice of such meeting is sent to all members and Directors.
- 3) Notwithstanding other regulations set out in these Bylaws, a notice of a special General Meeting published in an issue of the Corporation Newsletter, which can be reasonably expected to be delivered to all members prior to meeting date, will constitute sufficient notice.
- 4) The Board may be requested to hold a special General Meeting by not less than one-quarter of the number of society members of the Corporation entitled to vote at the meeting proposed to be held.
- 5) The requisition shall state the general nature of the business to be presented at the meeting and shall be sent by the requisitioners and deposited with the President.
- 6) Only that business set out in the requisition shall be dealt with at the special General Meeting called pursuant thereto.
- 7) Upon receipt of the requisition, the Board shall, within twenty-one days, call and hold such a meeting.
- 8) In the event that the Board does not call such a meeting, any of the requisitioners may call such a meeting, which shall be held within sixty days of the receipt of the requisition.

E) Committee Meetings

- 1) Committee meetings may be called at any time by the Chair of said committee provided reasonable notice is sent to all committee members.

F) Annual Meeting

- 1) The Annual Meeting of the members shall be held at the Head Office of the Corporation or elsewhere as the Board may determine.

- 2) The Annual Meeting must be held within thirty days of the fiscal year end of the Corporation.
- 3) At every Annual Meeting the Annual Report of the Board of Directors and Committee Chairs, including the financial statement and the report of the auditors shall be presented and a new Executive elected for the ensuing year.

G) Error of Omission in Notice

- 1) No error of omission in giving notice of any Annual or General Meeting or Notice any adjourned meeting of the members of the Corporation, whether Annual or General, shall invalidate such meeting or make void any proceedings taken at such meeting and any member may at any time waive notice of any such meeting and may ratify, approve and confirm any or all proceedings taken or had at such meetings.
- 2) For the purpose of sending notice to any member or Director for any meeting or otherwise, the last address and phone number recorded in the books of the Corporation shall be taken as correct.

H) Voting

i - Executive Meetings

- 1) All members of the Executive in good standing are entitled to one vote.
- 2) Questions arising at an Executive Meeting shall be decided by a majority of votes. In case of a tie, the Chair shall cast a second & deciding vote.
- 3) All votes at any such meeting shall be taken by show of hands and a declaration by the Chair of the resolution of that vote and an entry to that effect in the minutes shall be admissible as evidence of prima facie proof of the fact without proof of the number or proportion of the votes in favour or against such resolution.
- 4) A recorded vote may be requested by any Board member and a declaration by the Chair of the resolution of that vote including those for, against and abstaining, and an entry to that effect in the minutes shall be admissible as evidence of prima facie proof of the fact.

ii - General & Annual Meetings

- 1) Each club shall be entitled to as many reps and votes as set out in the Membership section of the Bylaws.
- 2) Each Executive Officer and Committee Chair is entitled to one vote.
- 3) No member of the Executive can also be a Club Rep.
- 4) A Committee Chair may be a Club Rep except in the case that the Committee Chair is also a member of the Executive.
- 5) Each Club Rep must be a member in good standing of the club they represent.

- 6) No one person can represent more than two clubs at any one meeting.
- 7) No one person can cast both votes for a single club or cast more than one vote as an Executive/Committee Chair.
- 8) Questions arising at a General Meeting shall be decided by a majority of votes. In case of a tie, the Chair shall cast a deciding vote.
- 9) All votes at any such meeting shall be taken by show of hands and a declaration by the Chair of the resolution of that vote and an entry to that effect in the minutes shall be admissible as evidence of prima facie proof of the fact without proof of the number or proportion of the votes in favour or against such resolution.
- 10) A recorded vote may be requested by anyone entitled to vote and a declaration by the Chair of the resolution of that vote including those for, against and abstaining, and an entry to that effect in the minutes shall be admissible as evidence of prima facie proof of the fact.
- 11) Proxy votes will be accepted on motions which have been tabled for that purpose provided those proxies are duly and properly filled out, authorised and submitted to the Club Liaison Officer prior to the vote being held.
- 12) The proxy must be on the official CAOAC Proxy Ballot or a reasonable facsimile thereof.
- 13) Motions may be made and seconded by any Club Rep, Executive Officer, or Committee head.

I) Procedural Matters

- 1) For any Procedural Matter not contemplated by these by-laws, *Robert's Rules of Order, Newly Revised*, shall be the guide used by the Chair.

J) Electronic Meetings

- 1) Meetings of the Executive, General Meetings and Committee Meetings may be held by electronic means and any combination of in person and electronic means as is approved by the Executive. Members and Executive may participate in meetings by electronic means and such participation shall be counted for the purposes of achieving quorum. Electronic means includes but is not limited to using chat rooms, web conferencing, or other means as the Executive have approved but shall not include the simple exchange of emails.
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13 - MEMBERSHIP

A) Eligibility

- 1) Membership shall be open to all individuals, corporations, partnerships, and other legal entities whose objects are similar to those of the Corporation.

- 2) All applications for membership in the Corporation shall be submitted to the Membership Chair accompanied by the prescribed dues and properly filled out forms.

B) Types of Memberships

There shall be three classes of membership in the Corporation, namely Honorary Membership, Private Membership and Society Membership.

i - Honorary Membership

- 1) Honorary Membership may be conferred by the Board, subject to any resolution of the Board relating to admissions of Honorary Members being confirmed by a 3/4 vote at a General Meeting providing that the said vote is announced in the CAOAC Newsletter 60 days in advance.
- 2) The Honorary Members shall have no vote, nor be entitled to participate in the distribution of the property of the Corporation upon dissolution of the Corporation but shall receive the CAOAC Newsletter.

ii - Private Membership

- 1) Private Membership may be conferred by the Board, subject to any resolution of the Board relating to admissions of Private Members being confirmed by a majority vote at a General Meeting.
- 2) The Private Members shall have no vote, nor be entitled to participate in the distribution of the property of the Corporation upon dissolution of the Corporation but shall receive the CAOAC Newsletter.
- 3) The CAOAC Information Binder and updates may be purchased at the current rates.

iii - Society Membership

- 1) Society Membership may be conferred by the Board, subject to any resolution of the Board relating to admissions of Society Members being confirmed by a majority vote at a General Meeting.
- 2) Society Membership shall be open to Societies or Clubs made up of more than 1 individual, having objects similar to the objects of the Corporation.
- 3) Each Society or Club that has 2 to 30 members shall be entitled to 1 delegate and 1 vote. Each Society or Club with 31 to 60 members shall be entitled to 2 delegates and 2 votes. Each Society or Club with more than 60 members shall be entitled to 3 delegates and 3 votes.
- 4) Society Membership dues vary by category as determined by the number of members in a society or club. Only members who have paid current dues in full,

correct for their membership category, shall be considered members in good standing and shall be allowed to vote at meetings.

- 5) All Society Members will be entitled to participate equally in the distribution of the property of the Corporation upon dissolution of the Corporation.

C) Term

i - Annual

- 1) Each membership shall run from January 1 to December 31 annually and is due and payable each January 1 and shall be deemed to have lapsed if not paid by the end of the January General Meeting.

ii - Mid-Term

- 1) New memberships beginning in mid-term will be prorated based on ten General Meetings per year and begin upon acceptance at a General Meeting.
e.g. A membership which is accepted at the May meeting would pay for June, September, October, November & December or 5/10 of the annual fee.
- 2) New memberships beginning after the May meeting will also be required to pay in advance for the next year's dues based on the current rates. However, should the rates change, an adjustment will be made and the amount of the adjustment shall become due or refundable at the January meeting.

D) Lapsed Membership

- 1) A membership that has lapsed will result in immediate loss of all privileges such as voting, newsletters etc.
- 2) A lapsed membership may be reinstated if dues are paid in full and such membership will be backdated to the beginning of the year. *NOTE: If the society has taken out the CAOAC 3rd party liability insurance, that insurance becomes invalid while the society's membership is in a lapsed condition.*

E) Financial Distress

- 1) Societies who for various reasons are unable to afford the dues may apply in writing to the Executive for a full or partial subsidy. Such an application must give enough particulars for the Executive to make an informed decision.

F) Removal of a Member

- 1) The Board may remove any undesirable member from membership in the Corporation by motion confirmed by 3/4 vote at a General Meeting providing that the said vote is announced in the CAOAC Newsletter 60 days in advance.

G) Resignation

- 1) Members may resign by giving not less than 30 days notice in writing to the Membership Chair and said resignation shall become effective upon acceptance thereof by the Board of Directors.

H) Property

1. In the event of a resignation or cancellation of membership for whatever reason, a member shall remain liable for payment of any assessment or other sum levied which became payable by the member to the Corporation prior to the resignation or cancellation of membership.
 2. The member must also return any and all Corporation property within 30 days of the event.
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14 - DUES AND FEES

- 1) All dues and fees may be set from time to time by the Board, subject to any resolution of the Board relating to dues and/or fees being confirmed by a majority vote at a General Meeting provided that said vote is announced in the CAOAC Newsletter 60 days in advance.
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{Signed by Nancy Egelton, President, & Dave Holland, Recording Secretary, on December 20, 2020}