

# **BY-LAWS**

## **TAEKWONDO NB**

Approved at AGM in Moncton, Sept. 17 / 2000

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## **Article 1 –Name**

The name of this provincial sport organization is Taekwondo NB. The abbreviation of this organization shall be TKDNB. The principal office of the organization shall be located where the president and/or secretary resides in the Province of New Brunswick.

## **Article 2 - Type**

The organization is a nonprofit corporation.

## **Article 3 - Members**

There shall be group members and other classes of members. The various classes of members, the qualification for membership, the method of becoming a member, rights, privileges, responsibilities of the member, the liability of the members for dues and assessments, and the termination of membership shall be set forth in the Bylaws. All members shall be bound by the Bylaws and subject to the authority of the organization with respect to the purpose for which it is organized.

## **Article 4 - Purposes**

The purpose of TKDNB is to promote, propagate, regulate and standardize Taekwondo in New Brunswick as a martial art and sport and to act as the Sport Governing Body for WTF Taekwondo.

## **Article 5 - Membership**

a) Membership is open only to the instructors and students of a sanctioned school, who are approved for the membership by the Board of Directors. There will be two categories:

1) **Regular Membership** - All pay yearly fee.

3) **Lifetime Membership** - Any member 5th Dan certified Kukkiwon and above, no fees but must send in form every year.

b) All members shall observe and conform to the rules and regulations of TKDNB.

c) All members of the school, to remain in good standing, must pay such fee as is determined by the Board of Directors.

d) Members in arrears will not be permitted to take part in any competitions, any sanction functions or benefits, and if not paid within 30 days of due date, the membership shall be terminated. Refund of paid dues shall be made at the discretion of the Executive.

e) TKDNB shall not be responsible for any damages or injury or loss of property to any members of TKDNB, or to guests, visitors or spectators at any event or tournaments sanctioned by TKDNB.

f) Any schools or instructors violating by-laws or other rules will be punished by the board as it sees fit which may include the removal of TKDNB membership and privileges.

## **ARTICLE 6 - BOARD OF DIRECTORS:**

a) The Board of Directors shall approve the business of TKDNB and the number of Directors shall not be less than six (6) but not more than nine (9).

b) The previous past President shall be a non-voting member of the Board of Directors of TKDNB.

c) In order for a person to be elected to the Executive of TKDNB, a candidate must have been on the Board of Directors in the previous term. If there are no members from the Board of Directors who wishes to run, then any voting member of TKDNB is eligible.

d) Office Terms for Board of Directors

- 1) All members of the Board of Directors shall hold office for a term of two years and may be re-elected.
  - 2) The President and executive shall hold office for a term of 3 years.
  - 3) Directors not making a reasonable effort to attend meetings will be removed by the board. Directors at large will be appointed and regional directors will be elected by schools of that region.
  - 4) Board members and executives must remain as a member of TKDNB in good standing order throughout their entire term.
- e) The position of Director can be vacated:
- 1) If, by notice in writing to the Board, a Director resigns, or,
  - 2) Upon a no confidence vote of at least six (6) of the nine (9) Directors.
- f) Any vacancy on the Board of Directors may be filled by the Board until the first general meeting of the membership following the occurrence of the vacancy, with the same responsibilities.
- g) A quorum of the Board of Directors shall be six, 5 Directors plus the President, or Vice President if the president is unable to attend.
- h) There shall be two (2) types of directors:
- i) Members serving on the Board of Directors, must hold a 1st Dan Kukkiwon Certificate, be at least 18 years of age and be a TKDNB member in good standing order.
- 1) **Regional** - Regional director must be an instructor or member of a school in the region in which he/she is elected to represent. That one individual will represent only one region. The individual can not represent a vote for any region other than the one they represent. This individual must be a resident of the region they represent.
  - 2) **At Large** - No restriction but must reside in the Province of New Brunswick.
- j) To be eligible to serve on the board of TKDNB, applicants must obtain a letter of clearance within 30 days of the election if they do not have one already on file with the current secretary. Board members are to renew their letter of clearance prior to holding a third consecutive term.

#### **ARTICLE 7 - OFFICERS**

- a) The officers of TKDNB shall be a President, Vice-President, Vice President of Sport and a Secretary-Treasurer and shall be collectively known as the Executive.
- b) The President shall act as Chairperson of all the executive and general meetings, and supervise TKDNB. When unable to do so, the Vice-President shall act for him. The President shall hold office until his successor has been duly elected at the Annual Meeting.
- c) The President and Vice President shall be an ex-officio member of all committees.
- d) The Vice President of Sport shall ensure there are at least 3 provincial team training (sparring & technical) days per year in three separate regions of the province (can co-ordinate w/MA Committee Chair) Keep track of and inform coach's of athlete ranking. Organize seminars and team trips when funding is available. The VP shall present fundraiser and team proposals to the BOD for discussion and approval. Also to work with and assist the referee chair person, to aid in organizing athletes for the purpose of practicing and training referees. They shall also be responsible for making available the latest rules and regulations of sparring.
- e) f) The Secretary-Treasurer shall keep the minutes of the meetings of the Board of Directors and of TKDNB. He shall attend to all the correspondence of the Board, prepare and receive all notices and documents, draft the minutes of all meetings, investigate applications for membership and report therein to the Board, and generally perform all the ordinary duties of a secretary. He shall have custody of the corporate seal and shall have the power to certify all documents. He shall have charge and custody and be responsible for all funds of TKDNB which he shall deposit in TKDNB's name in such bank as may from time to time be designated by the Board of Directors. He shall submit a financial statement at the end of fiscal year and whenever requested to do so by the President or the Board of Directors. All funds of TKDNB shall be deposited by the Secretary-Treasurer and all disbursements of funds of TKDNB shall be paid by cheque. All duties by the Secretary-Treasurer must conform to the secretary policy and procedures manual.
- g) At the Annual General Meeting, in an election year, the general membership shall elect from its own, its officers and Board members.

- h) A candidate for the Executive of TKDNB must apply, for the position they intend to run, at least 30 days in advance of the Annual General Meeting.
- i) A Candidate can only apply for one position on the Executive
- j) Officers not fulfilling duties of job description will be removed by a non-confidence vote.

### **ARTICLE 8 - DUTIES OF THE BOARD**

- a) The Board of Directors shall be responsible for the general management of the affairs, funds and records of TKDNB.
- b) The Board shall establish committees with the name, designation and responsibilities as are deemed appropriate from time to time.
- c) The Board of Directors is empowered from time to time to establish the structure, schedule of events, entry fee and all other matters generally and appropriately associated with the competitions, displays and exhibitions of TKDNB.
- d) The Board of Directors, through its committee structure, is empowered to seek corporate sponsorship and any donations in support of the objects of TKDNB.
- e) The Board of Directors shall appoint a proper signing officer from its number that resides in the city in which the Treasurer resides other than the Treasurer and President, which the officer shall be responsible for signing all cheques, notes and obligations of TKDNB.
- f) It will be the duty and responsibility of the Board of Directors to ensure that any moneys raised through the team competitions, membership, fund-raisers and team trials be deposited in the TKDNB account. The Board of Directors may delegate any of these duties to the fund-raising committee, but the Board of Directors shall remain ultimately responsible.
- g) The board of directors shall insure that any person acting in an official capacity (team manager, team coach, team trainer, team doctor, etc.) will provide or have provided a letter of clearance to TKDNB prior to be selected.

### **ARTICLE 9 – COMMITTEES**

All rules and regulations brought forth by committees and approved by TKDNB will be binding. Violation of these rules such as tournament sanctioning or athlete misconduct will be punished by the board as it sees appropriate.

- a) The Board of Directors is empowered to employ, either on a full or part-time basis, such personnel as are required from time to time for the proper operation of TKDNB.
- b) All or any expenses paid to the members of the Board of Directors or to committee members shall be determined and approved by the Board of Directors and provide receipts.
- c) The Board of Directors shall have the power to establish committees from the membership and from time to time to carry our work of the Board of Directors, and shall have the power to dissolve such committees.
- d) These committees includes, but are not limited to the following:

#### **1- Judicial Committees:**

Shall be formed from the Board of Directors and a minimum of four (4) members.

#### **2- Competition Committee:**

- i) This committee shall ensure there are provincial tournaments, hereinafter referred to as the Provincials, to determine provincial champions and to determine which Black Belt, Junior and Senior shall represent New-

Brunswick as the WTF Taekwondo Association of Canada National Competition, also referred to as Taekwondo Canada. The competitors must hold a valid Kukkiwon / Poom Certificate registered with the Canadian Black Belt Database and/or having a pending status.

- ii) The committee shall ensure that TKDNB sanctions any TKDNB tournaments and that W.T.F. Taekwondo rules are followed.

**3- Refereeing Committee:**

- i) The Refereeing Committee shall ensure that all competition shall be held according to WTF Competition rules currently in effect.
- ii) Only those who have taken at least an official Level 3 refereeing or Level “C” provincial course may act as referee. This is to take effect by 01/01/2001.
- iii) Judges will be Black Belts. Red belts may judge a match should the need arise and providing the referee is comfortable with the qualification of that person who shall be acting as a judge.

**4- Fund-raising Committee:**

- i) The Fund-raising Committee shall deal with the Fund-raising of all monies by TKDNB, including the seeking of corporate sponsorship and any donations in support of TKDNB.
  - ii) The Treasurer shall be a member of the Fund-raising Committee.
  - ii) The related training costs will be provided to the competitors, coaches and trainers. No profit is to be made from the sales of said equipment to TKDNB.
  - iii) 5 Martial Art Committee: The Martial Art Chair shall ensure there at least 3 provincial team-training (poomse) days per year (can co-ordinate w/VP SP) Organize and make available poomse seminars to the members of TKDNB. To inform the membership of the format, and organize applications for Hanmadang Championships. Also to work with referee chair to assist in poomse judging and training and organize an annual provincial Hanmadang Championship.

**ARTICLE 10- MEETINGS**

**Annual General Meetings**

- a) The Annual General Meetings of TKDNB shall be on a rotating basis in the Province of New Brunswick, in the first quarter of each fiscal year. Special meeting of the TKDNB may be held at the call of the Chairman, or at the request of any six (6) Directors of TKDNB. Notice of all Annual general Meetings or Special meetings are to be sent to the voting membership 90 days prior to the date of such meeting.
- b) A quorum shall be 30% of the Voting Membership, with the presence of at least 5 directors plus the President and/or the Vice President if the President is unavailable to attend.
- c) The floor of the Annual General Meeting of TKDNB shall only be open to voting members and authorized guests.
- d) The votes will be calculated from this formula:

| <u>#students</u> | <u>#votes</u> |          |
|------------------|---------------|----------|
| 0 – 9            |               | no votes |
| 10 – 24          |               | 1        |
| 25-49            | 2             |          |
| 50-74            | 3             |          |
| 75-99            | 4             |          |
| 100-125          | 5             | etc....  |

- 1) If a TKDNB school has more than 50 students, it will have 2 votes plus the instructor may appoint a

kukkiwon certified black belt, 18 years old or over from that school to represent that school's second, third and fourth votes. That black belt must be registered as a student at that school through TKDNCB (as of January 1st 2006.)

- 2) If a school cannot satisfy the above criteria, the instructor may apply in writing to the Secretary General, 30 days prior to the AGM, to assume the additional votes for that school.
- e) Any school not operating during the month in which the AGM is held shall forfeit all voting status for that school.

## **2 - Board Meetings**

There will be at least 4 quarterly meetings

- b) The Board of Directors of TKDNCB shall meet at any time at the call of the Chairperson, or at the request of six (6) members of the Board of Directors.
- c) The presence of a 5 of the Board of Directors shall be necessary to constitute a quorum at all meetings of the Board of Directors of TKDNCB. Any member of the Board of Directors shall be entitled to vote at such meetings.
- d) Notice of all meetings of Taekwondo or of the Board of Directors of TKDNCB shall be given at least 30 days in advance of such meeting, in such manner as is deemed appropriate (written notice, fax, e-mail, phone...) by the Chairperson of TKDNCB.
- e) The Board of Directors cannot convene with out the Executive Committee.
- f) The Board may hold special votes and meetings via e-mail and/or phone throughout the year.

## **ARTICLE 11- FISCAL YEAR END**

TKDNCB fiscal year shall be at the calendar year extending from the September 01<sup>st</sup> to August 31<sup>st</sup>.

## **ARTICLE 12 - SIGNING AUTHORITY**

- a) All contracts, documents, cheques, drafts or orders for payment of money, notes, acceptances, and bills of exchange drawn, accepted, endorsed and signed by the proper signing officers of TKDNCB shall be binding on TKDNCB without any further authorization or formality.
- b) The Board of Directors shall have the power from time to time by resolution to appoint any other officer or officers or Directors of TKDNCB to sign specific contracts, documents or instruments in writings.
- c) Signing officers must include the current President, Secretary-Treasurer, and one board member residing in the same city as the secretary-treasurer as elected by the Board of Directors. If no board member is elected upon by the board, then they may vote from the general membership within the same city as the Secretary-Treasurer.

## **ARTICLE 13 - AMENDMENTS**

- a) Any and all amendments, additions to the constitution, and by-laws of TKDNCB, provided they are not in conflict with the foregoing purposes and objects of TKDNCB, may be adopted at any annual or special general meeting of TKDNCB. A majority vote of the member in good standing present at such meetings, provided that the proposed amendment is filed with the TKDNCB Secretary Treasurer, in writing, at least thirty (30) days before the scheduled meeting date. So that it may be circulated to the club members no later than fourteen (14) days before the schedule meeting.
- b) Any amendment so adopted shall immediately become effective unless otherwise provided.

## **ARTICLE 14 – AUDITORS**

- a) An independent person shall make an audit of the financial transactions of TKDNCB each year by a firm qualified to do so as designated by the Executive.
- b) The treasure shall provide a financial statement and can be requested by any Board Members.

## **ARTICLE 15 - ORGANIZATION SEAL**

The Board of Directors shall order a seal for TKDNB which shall be kept in the custody of the Secretary Treasurer.

## **ARTICLE 16 - DISSOLUTION**

Upon the dissolution of TKDNB and after payment of all debts and liabilities, its remaining property shall be distributed or disposed to charitable organizations which carry on their work solely in Canada and which are recognized under the Income tax act of Canada. Any organization in existence at the time of dissolution whose objectives are substantially similar to those of TKDNB and which carries out or plans to carry out those objectives within the Province of New Brunswick.

## **ARTICLE 17 - SANCTIONING**

- a) All sanctioned TKDNB competitions advertised including posters, brochures or flyers, must contain the following statement: "This event is sanctioned by Taekwondo NB".
- b) Schools recognized by provincial bodies that are recognized by TKD Canada are sanctioned by TKDNB.

## **ARTICLE 18 - SANCTIONING INSTRUCTORS / SCHOOLS**

In order to be considered as a qualified instructor, each candidate must have the following:

- 1) Kukkiwon Certificate - First Dan or higher registered with the Canadian Black Belt Database.
- 2) Have paid the annual membership from TKDNB.
- 3) Sanctioned school instructors will have a minimum of level 1 / "A" theory of National Coaching Certification Program (NCCP)
- 4) Must be at least 18 years of age
- 5) All instructors must have a letter of clearance from the police on file with the Secretary Treasurer, to be re-done every five (5) years. To be paid for by the applicant
- 6) The board retains the right to refuse sanctioning on reasonable grounds i.e. instructors not following the purpose and aims of TKDNB as in article 4 of the by-laws or any one deemed a risk to work with children.
- 7) Have a master or be one recognized by TKD Canada
- 8) Schools must register the instructor and all students with TKDNB.
- 9) Sanctioned instructors may not be changed until September 1<sup>st</sup> of each year
- 10) All school must have a certificate in CPR First Aid.

## **ARTICLE 19 - SANCTIONING OF NEW SCHOOLS:**

They Must:

- 1) Formally apply in writing stating their intent to join TKDNB by way of TKDNB's official application form.
- 3) Photocopies of all certificates proving the above criteria in article 18 are to be provided with the initial application to TKDNB.

Upon satisfactory completion of all aforementioned conditions the BoD of TKDNB will then vote on the acceptance of the school as per articles 17 and 18 of the By-Laws. If accepted, then privileges, except voting will be given. New sanctioned schools have a one (1) year probationary period from the date of being accepted by the board of directors before being given voting privileges.

DATED at Fredericton, York County, Province of New-Brunswick, this day 26 of November, A.D. 2005.

WITNESS: President: Master Allie Vaughan

Secretary Treasurer: Larry Nason

Approved at AGM in Moncton, November 21 17 / 2004

UPDATED September 29, 2001 AGM Saint John

UPDATED October 19, 2002 AGM Moncton

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Proposed Update for Nov. 26, 2005 AGM Saint John (including Selection Criteria and Process for TKDNB Kyorugi Athletes (Schedule B), Competition Committee Framework Schedule C).