

# NORTHERN HEIGHTS SPORT CLUB

## CONSTITUTION

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# NORTHERN HEIGHTS SPORT CLUB

## CONSTITUTION

### ARTICLE 1 NAME

The name of this CLUB shall be the "NORTHERN HEIGHTS SPORT CLUB" hereinafter referred to as the NHSC.

### ARTICLE 2 OBJECTIVES

The NHSC shall provide competitions for teams in all appropriate age divisions in SAULT STE MARIE according to the following principles:

2.1 To provide all players registered with NHSC the opportunity to play within the means of the NHSC.

2.2 To provide development for all players and to allow all players to strive to be the best that they can, by providing several levels of play.

2.3 To provide a system which strives to provide balanced competition and recreation for all participants.

2.4 To provide a system whereby each team is encouraged to take interest in sportsmanship, team play and player development, ahead of personal goals.

### ARTICLE 3 HEAD OFFICE

The NHSC will have its Head Office in the Municipality of Sault Ste. Marie, Ontario.

### ARTICLE 4 AFFILIATIONS

4.1 The NHSC shall be a member of the Sault Amateur Soccer Association hereinafter referred to as SASA and shall follow the published rules of the SASA and The Ontario Soccer Association, hereinafter referred to as The OSA, and The Canadian Soccer Association, hereinafter referred to as the CSA. The NHSC is subject to the published rules in declining order of authority of the following bodies to which it is affiliated:

- i) The CSA
- ii) The OSA
- iii) The SASA

### ARTICLE 5 MEMBERSHIPS

5.1 There are two classes of members

Namely: Regular members and Life Members.

## 5.2 Regular Member

A regular member is either:

- i)** A player registered with NHSC who is in good standing.
- ii)** A Coach or his/her representative of any team playing for the NHSC.
- iii)** An elected member of the Board of Directors.
- iv)** A person who volunteers for NHSC and has been recognized as a member
- v)** Although an individual may qualify for, and be registered under, more than one of the above categories, each individual holds only one membership in NHSC, and is entitled to one vote at a meeting of members (Members' meetings).
- vi)** An administrator shall become a regular member upon election or appointment by the directors of the NHSC. An administrator is an individual who is registered with the OSA to be responsible for one or more of the functions required to operate a Club. For purposes of this definition, a Team Manager and a Director shall be classified as an administrator.
- vii)** Every regular voting member aged 18 and over shall have the right to attend, speak and cast one vote at Members' meetings of the NHSC.
- viii)** Every regular voting member aged under 18 shall have the right to attend and speak at Members' meetings, but any vote must be cast by a parent or guardian who shall also have the right to attend and speak on behalf of that voting member at Members' meetings.
- ix)** Every regular voting member, or parent or guardian of a regular voting member under the age of 18, entitled to vote at a meeting of Members may by means of a proxy appoint a person, who need not be a member, as the member's nominee to attend and act at the meeting in the manner, to the extent, and with the power conferred by the proxy.

## 5.3 Membership Renewal

- i)** A players Membership renewal shall become effective when they pay their registration fee set by the Board of Directors.

## 5.4 Life Member

- i)** The Board of Directors may designate an individual as a life member.
- ii)** A life member is afforded all rights of membership, including the right to attend and speak at Members' meetings but is not entitled to vote unless they are still registered/active players in the NHSC, Coach, manager or a member of the Board of Directors.
- iii)** The founders of NHSC are life members of the NHSC. (see appendix)
- iv)** Life members will be admitted from time to time at the discretion of the BOARD OF DIRECTORS on nominations received in writing.
- v)** The admission of new life members shall require a 2/3 majority vote by the BOARD OF DIRECTORS.

## 5.5 Fees

- i) Membership fees for regular voting members shall be set at a Budget meeting by the Board of Directors and shall be included in their registration fee for the season.
- ii) Membership fees can be amended by the membership at a General meeting.

## 5.6 Discipline of Member

- i) A Member may be fined, censured, suspended or expelled from membership for cause and only after charges have been laid in accordance with the NHSCs published rules and a hearing held in accordance with the NHSC's and OSA's published rules. An individual whose membership has been suspended loses all rights of membership until the suspension has been terminated.
- ii) Player, team and team official discipline for game infractions is governed in accordance with the procedures published by the OSA.
- iii) Any Member who infringes the Articles or rules of the NHSC, or brings the NHSC into disrepute, may be reprimanded, suspended or expelled from the NHSC after a hearing by the Board of Directors of the NHSC at which hearing the member is entitled to attend.

## 5.7 Termination of Member

A member shall be deemed to have terminated his or her membership in NHSC:

- i) if the member submits a signed letter of resignation to NHSC
- ii) if the member is expelled by the NHSC Board of Directors
- iii) if the member is no longer registered with NHSC
- iv) if the member is delinquent in their registration fee by (30)thirty days.

## ARTICLE 6 BOARD OF DIRECTORS

6.1 The NHSC shall be governed by a Board of Directors of twelve (12) that may be amended from time to time according to NHSC's by-laws. The Board of Directors shall consist of individuals holding the following positions.

President  
Vice President  
Secretary  
Treasurer/Registrar  
Director of Media Relations  
Director of Sponsors  
Director of Equipment  
Director of Referees  
Director of Coaching  
Director of Grass Roots  
Director of Boys  
Director of Girls

- i) A Director may hold one elected position and one or more appointed positions.
- ii) A Director shall be 18 years of age or older, shall not be an undischarged bankrupt and shall be a regular member of the NHSC.

**iii)** A Director shall serve for a term of two years or until his or her successor is elected or appointed.

**iv)** After an initial Board of Directors have been appointed, the positions of President, Treasurer/Registrar, Director of Equipment, Director of Media Relations & Director of Boys shall be elected in odd numbered years while the positions of Vice President, Secretary, Director of Sponsors, Director of Referees, Director of Coaching, Director of Grass Roots & Director of Girls shall be elected in even numbered years.

**v)** Six of the 12 members, if they include the President, shall form a quorum. Seven of these eleven members shall form a quorum otherwise.

## **6.2 Director Vacancy**

**i)** A Director has the right to resign her or his position by submitting a signed letter of resignation to NHSC.

**ii)** A vacancy on the Board of Directors and their respective positions held, caused by death, or resignation which has been accepted by the Board of Directors, shall be filled by a majority vote of the Board of Directors. The successor Director shall hold his or her incumbent position for the remainder of the term being filled.

## **6.3 Removal of A Member Of The Board Of Directors**

No member of the Board of Directors shall be removed for arbitrary reasons but may be removed if:

**1.** they are unable to perform the duties expected of their position due to, but not limited to, any of the following reasons:

**i)** if they become incapable of performing the business of the NHSC as seen fit by 2/3 of the remaining Board of Directors.

**ii)** if they are absent from, consecutively, three or more meetings of the board without satisfactory reason.

**iii)** if they no longer reside in reasonable proximity to NHSC or reside outside the district of Algoma.

**iv)** if they become, or are discovered to be, an undischarged bankrupt

**OR**

**2.** they have compromised the integrity of the NHSC due to, but not limited to, any of the following reasons:

**i)** if they have been found guilty of an offence under the Harassment Policy of the OSA.

**ii)** if they have been found guilty of an offence involving violence under the Discipline Policy of the OSA.

**iii)** if they have failed to properly account for monies or other property belonging to NHSC.

**iv)** if they have been found guilty of a criminal offence regardless of whether or not the offence directly affected the NHSC.

#### 6.4

a) A member of the Board of Directors holding his or her respective position(s), as Director or other position(s), may be removed from office by the Board of Directors for good and sufficient cause by a 2/3's vote of the Board of Directors present, provided notice to remove the Director has been given to all Directors of the NHSC no less than 14 days of the Board of Directors meeting. If a Director is removed by the Board of Directors, the Board of Directors may appoint a successor to the position for the remainder of the term being filled.

b) A member of the Board of Directors may also be removed from office for good and sufficient cause at a meeting of the members of NHSC provided notice to remove the Director has been given to persons entitled to attend the members meeting, no less than 14 days of the Members Meeting. A 50% plus one of members present, entitled to vote is required for the removal of a Director. If a Director is removed at a Members Meeting, the members entitled to vote may elect a successor to fill all position(s) held by the removed Director for the remainder of the term being filled.

#### 6.5 Duties of Board of Directors

i) The Board of Directors shall conduct the business of the NHSC during the periods between general meetings of the NHSC and in accordance with the authority granted to it in the published rules of the NHSC.

ii) The Board of Directors shall be responsible for the appointment and renewal of appointments of all positions within the NHSC except for those positions elected by the membership of the NHSC. This shall include the appointment of volunteer and paid positions for coach and administrator positions within the NHSC's operations. The selection process and the appointments shall be based on procedures outlined in the NHSC's published rules.

iii) The Board of Directors may also revoke, for cause, any appointment providing that it has followed the procedures for the revoking an appointment as outlined in the NHSC's published rules.

#### 6.6 Duties of Directors and Executive Members

i) The President shall preside at all General Meetings of NHSC and of the Board of Directors and shall be ex officio a member of all committees, except for a nominations committee; shall appoint all chairs of standing and special committees subject to ratification by the Board of Directors: coordinate all duties of the Board of Directors, committees, staff, and shall be the spokesperson for NHSC.

ii) The Vice-President shall act in the absence of the President and shall preside at all meetings in the President's absence and shall have such other duties as prescribed by the President or Board of Directors.

iii) The Secretary shall maintain a record of all minutes of NHSC, maintain copies of all committee reports, notify officers and committee members of their election or appointment, furnish committees with those documents required to perform their duties, sign all certified copies of acts of the organization (unless otherwise specified in the NHSC's published rules), maintain record books in which bylaws, published rules and minutes are entered and have the current record books available at each meeting, send to the membership a notice of each General Meeting, send to the Board of Directors notices of each meeting, conduct the general correspondence of the organization that is not the proper function of another office or committee, prepare, prior to each meeting in consultation with the presiding officer an order of business, and, in the absence of the President and Vice President, preside until the immediate election or appointment of a new presiding officer.

- iv) The Treasurer/Registrar shall ensure that full and accurate records are kept of the account of NHSC, shall report to the Board of Directors at least once per quarter, and shall submit an Annual Report at the Annual General Meeting. The NHSC Registrar shall register all players, coaches, game officials and administrators with the NHSC and with the District Association for indoor and outdoor seasons, shall maintain statistics on all player registration, shall report to the Board at each NHSC meeting, and shall submit an Annual Report at the Annual General Meeting.
- v) The Director of Sponsors shall pursue all forms of sponsorship. Perform special assignments as requested from time to time by the executive. Assist with evaluation and draft. Oversee the organization of all league banquets. Oversee media relations.
- vi) The Director of Referees shall be responsible for scheduling all referees for regular season, pre-season, tournaments and playoff games. Responsible for Discipline by Review. Reviewing outdoor rules with Board of Directors annually. Responsible for making sure all referees have taken training for Indoor rules.
- vii) The Director of Equipment shall order new uniforms for all teams on an annual basis. Maintain, store, distribute all uniforms to league teams. Maintain, store, distribute all league equipment such as soccer balls, practice equipment, first aid kits, etc. Purchase trophies, medals, crests and awards for all league functions, including tournaments.
- viii) The Director of Coaching shall be responsible for working with the Directors of Boys and Girls, to choose and screen coaches. It will also be the responsibility of the Director of Coaching to communicate with the coaches and to provide support and training when required or requested.
- ix) The Director of Girls/Boys shall be responsible for choosing a Convenor in each division. It will also be the responsibility for each of the Directors to communicate and support the Convenors and to act as the first point of communication between the Convenors and parents.
- x) The Director Grassroots shall be responsible for choosing a Convenor and/or coaches for the mini program. The Director of Grass Roots will also work with the Directors of Boys/Girls to bring the Grassroots ages into the Grassroots program.
- xi) The Director of Media Relations shall using the various social media, print and other media promote NHSC, it's programs and events. The Director of Media Relations shall also monitor and respond to the various social media feeds.

## **6.7 Nominations and Elections**

- i)** Nominations for positions on the Board of Directors may be made by any member at the Annual General Meeting or at a Special General Meeting called for that purpose.
- ii)** Nominations and elections for positions open shall be held in the order of the positions listed in the Constitution,
- iii)** Election shall be by secret ballot, but in the event only one candidate is nominated, a vote of 50% plus one of the voting members present is required, for this candidate to be declared elected.
- iv)** In the event that this candidate is not declared elected, the position will be opened again for nominations and if no further nominations are received at

this time the position will remain vacant until this position is advertised and a meeting held to elect someone to fill this position. In the interim or if nobody is elected to fill this position, the Executive Committee may appoint a member of NHSC to fill this term.

v) A majority of the votes cast shall be required to elect Directors. In the event no candidate receives a majority, the candidate with the least votes shall be dropped from the ballot and another vote shall be held.

## **ARTICLE 7 MEETINGS**

### **7.1 General Meetings**

i) An official notice of each meeting shall be given to all members at least 14 days before the meeting is to be held, at such place, and at such date as the Board of Directors may determine.

Such notification shall be by,

- regular mail
- phone
- e-mail
- posting notice at Indoor Facility
- posting a notice at SASA's office
- a list given to each member annually of dates and times of the meetings

ii) The majority of the Board of Directors plus one voting member shall form a quorum at all General Meetings of the NHSC. Any questions shall be decided by a majority of the votes unless otherwise required by this by-law or other law.

### **7.2 Annual General Meeting**

i) The Northern Heights Sport Club shall hold its Annual General Meeting not later than 45 days after April 31st of the following year. The agenda of the Annual General Meeting shall include:

Order of Business at Annual General Meetings:

- 1) Roll call
- 2) Minutes of previous Annual General Meeting
- 3) Business Arising
- 4) President's Address
- 5) Secretary's Report
- 6) Other Reports
- 7) Treasurer/Registrar's Report and Financial Statement
- 8) Internal Auditor's Report
- 9) Correspondence
- 10) Amendments to the Constitution
- 11) Roll Call
- 12) Election of Officers and Directors
- 13) Any Other Business
- 14) Adjournment

ii) The secretary shall give notice of the date of the AGM to all voting members in good standing no less than 14 days prior to the meeting by

- regular mail
- phone
- e-mail
- posting notice at Indoor Facility
- posting a notice at SASA's office
- a list given to each member annually of dates and times of the meetings



iii) The Chairperson may at his/her discretion introduce any special business for discussion after the approval of the minutes.

iv) A quorum for a meeting is defined as a majority of the Board of Directors plus one (1) voting member present at the meeting.

v) All voting members in good standing are entitled to one (1) vote.

### **7.3 Special General Meeting**

A Special General Meeting of NHSC:

a) A Special General Meeting may be called by the President or

b) Shall be called by the Board of Directors upon receipt of a written request submitted to the NHSC by registered mail, certified mail, trace mail, courier service, hand delivery, fax or e-mail, signed by not less than 25 Members or 25% of the voting membership, whichever is less, setting out the items of business to be conducted at the Special General Meeting. The Special General Meeting shall be held within 30 days of receipt of the written request from the members.

c) Only the business set out in the notice of the Special General Meeting shall be considered, except with the unanimous consent of those present.

### **7.4 Board of Directors Meeting**

i) The Board of Directors shall meet at least four (4) times per year upon 14 days notice given by the President and Secretary, at such place and time as the Board of Directors may determine.

ii) The Board of Directors shall hold a meeting at least every three (3) months (60 days)

iii) A majority of the members of the Board of Directors shall form a quorum at all meetings of the Board. Questions arising at any meeting shall be decided by a majority of votes where each director is entitled to cast one vote except the presiding officer who shall cast the deciding vote.

iv) All members may attend the Board of Directors Meetings and shall have the right to speak but do not have a vote.

### **7.5 Budget Meetings**

i) A Budget Meeting for the NHSC shall be held in July of the current year.

## **ARTICLE 8 EXECUTIVE COMMITTEE OF THE BOARD**

8.1 The President, Vice-President, Treasurer and Secretary shall serve as the Executive Committee. Two of these four members if they include the President and Vice-President, shall form a quorum. Three of these four Members shall form a quorum otherwise.

8.2 During the intervals between meetings of the Board of Directors, the Executive Committee shall possess, and may exercise, all the powers of the Board in the management and direction of the affairs of the Club.

8.3 The Executive Committee must obtain permission from the Board of Directors For non-budgeted expenditures above one thousand (\$1000.00) dollars.

8.4 Meetings of the Executive Committee shall be held at the call of the President or at the call of any member of the Executive Committee in writing to the rest of the Executive Committee.

#### **ARTICLE 9 COMMITTEES**

The membership, at any general meeting or the Directors, at any meeting of the Board of Directors may establish a standing committee or special committee to carry out specific business or programs of NHSC.

#### **ARTICLE 10 PROCEDURES GOVERNING MEETINGS**

All meetings of the NHSC shall be conducted in accordance with the most recently published Roberts Rules of Order Newly Revised except as may be otherwise stipulated in this By Law or other Rules and Regulations of the NHSC.

#### **ARTICLE 11 AMENDMENTS TO THE CONSTITUTION**

11.1 All proposed amendments to the constitution shall be forwarded in writing to the NHSC no later than twenty-one (21) days prior to the Annual General Meeting or a Special General Meeting called for that purpose.

11.2 Copies of proposed amendments to the constitution shall be sent to all Members no less than fifteen (15) days prior to the General Meeting at which they will be considered.

11.3 Amendments to the constitution will require a two-thirds (2/3) majority vote of all members present at the General Meeting of which they will be considered.

11.4 Amendments to the constitution become effective immediately upon approval at the General Meeting, unless otherwise stipulated.

#### **ARTICLE 12 BY-LAWS AND AMENDMENTS**

(a) By-law amendments to:

**Article 1:** The Club's name

**Article 5:** the number of its Board of Directors, the additional positions a director may hold and the election year for the additional positions:

**Article 6:** the method of notification of a General Meeting and about proposed amendments to the By-Laws: and

**Article 12:** the financial year end of the NHSC

i) may be proposed by the Board of Directors, or submitted by a Member of the NHSC in writing at least 21 days prior to a General Meeting of the NHSC: and

ii) must be approved by a majority vote of the Board of Directors, and by a 2/3's vote of the membership voting in person at a Special General Meeting of the NHSC duly called for that purpose

b) subject to the foregoing, all by-laws of the NHSC shall be adopted or amended, as the case may be, by a majority vote of the Board of Directors, and by a 2/3's vote of the-membership voting in person at a Special General Meeting of the NHSC duly called for that purpose, provided such by-laws or amendments conform to The OSA published rules

c) By-Laws or amendments thereof required by changes to The OSA published rules shall be considered at the next members' meeting of the NHSC following at

least 45 days after notification of the required change has been published by The OSA

d) all members entitled to vote shall be notified with the NHSC's notice of the said members' meeting about by-law amendments referred to in subparagraph (a) and proposed by-laws or amendments referred to in subparagraph (c).

Such notification shall be by:

- regular mail
- phone
- e-mail
- notice posted at indoor Facility
- notice posted at SASA's office

#### **ARTICLE 13 RULES AND REGULATIONS**

13.1 The Board of Directors may approve and publish Rules and Regulations which are not inconsistent with this by-law.

13.2 Amendments to the rules and regulations may be made by a majority vote of the Board of Directors or the Members at a General Meeting.

13.3 If a change in the rules and regulations is made, it can not be amended or changed for a period of six (6) months unless the change is made by the person voting for the original change.

#### **ARTICLE 14 INDEMNITY**

Members of the Board of Directors or other servants to NHSC, their heirs, executors, administrators and estate and effects respectively shall be indemnified and saved harmless at all times by the NHSC against all costs, losses and expenses incurred by them respectively in or about the discharge of their respective duties, except such as happens from their own respective willful neglect or default.

#### **ARTICLE 15 FINANCE**

The accounts of the NHSC shall;

##### **15.1**

a) Be audited annually by a Chartered Accountant if the annual Gross Revenue is greater than \$150,000 or

b) Be reviewed annually through a Financial Review Engagement completed by a Certified General Accountant, Certified Management Accountant or Certified Accountant, if the Annual Gross Revenue is \$30,000 or less; or

c) With the consent of all its Members, be exempt from any audit or Financial Review Engagement if the Annual Gross Revenue is less than \$10,000.

d) The audit or the Financial Review Engagement statement shall be presented to the Annual General Meeting for adoption.

e) At the Annual General Meeting of NHSC, a chartered accountant firm shall be appointed to perform the audit or the Financial Review Engagement.

**15.2 The fiscal year of NHSC shall end on December 31st of each year**

## **ARTICLE 16 DISPUTE RESOLUTION**

**16.1** The NHSC shall adhere to the Dispute Resolution process as published and approved by The OSA from time to time.

**16.2** Any member of the NHSC may initiate the Dispute Resolution process by communicating in writing to The OSA, with a copy to the NHSC and SASA, the nature and facts of the dispute. The OSA, at its discretion, may proceed with the Dispute Resolution process by assigning one or more neutral persons to the dispute.

**16.3** The Dispute Resolution process shall not be used for game discipline which follows the normal discipline and appeals process.

**16.4** The NHSC shall make available to any member the Dispute Resolution process when requested

## **ARTICLE 17 HARASSMENT**

**17.1** NHSC shall adhere to a Harassment Policy as published and approved by The OSA from time to time.

**17.2** The Harassment Policy shall apply to all employees, directors, officers, volunteers, coaches, game officials, administrators, players, members and registrants of the NHSC.

**17.3** Harassment is defined as any comment conduct or gesture directed toward an individual or group of individuals which is insulting, intimidating, humiliating, malicious, degrading or offensive. It includes, but is not limited to, sexual harassment.

**17.4** NHSC shall make available to any member the Harassment Policy when requested.

## **ARTICLE 18 APPEALS**

**18.1** Any member or registrant of NHSC directly affected by a decision of the Board of Directors may appeal such decision. The denial or termination of membership in NHSC may be appealed by a non member.

**18.2** A decision of Board of Directors of NHSC may be appealed to SASA with which the NHSC is affiliated. The appeal shall be conducted in accordance with The OSA's and SASA's published rules.

**18.3** An individual shall not appeal a decision made by the Board of Directors regarding the appointment, non appointment, re-appointment or reinstatement of an appointment of an individual to any coach or administrator position within NHSC's operations, except where the selection, appointment and reclamation process outlined in NHSC's published rules has not been followed. The appeal shall be in accordance with OSA & SASA's published rules and the appeal must prove Rules and Regulations were not followed

**18.4** An individual shall not appeal a decision made by the NHSC regarding a player's team assignment.

**ARTICLE 19 DISSOLUTION OF ORGANIZATION**

In the event of dissolution of NHSC, and after payment of all debts and liabilities, its remaining property shall be distributed or disposed of by the Board of Directors to one or more not-for-profit soccer related organizations, or any not-for-profit athletic community organizations, which operate solely in Sault Ste. Marie or district of Algoma.

**ARTICLE 20 DEFINITIONS/TERMINOLOGY**

20.1 Terminology used in this by law shall have the same meaning as utilized by The OSA in its letters patent, by-laws and published rules.

20.2 Members in good standing are those set out in Article 5.

20.3 Current year is the year prior to the Annual General Meeting.

**CURRENT LIFE MEMBERS**

1. John Jefferson
2. Ken MacKenzie
3. Ian MacKenzie
4. Raymond Mooney
5. George Adams
6. Iain Little