
BYLAW NUMBER ONE

OF

THE ROYAL ASTRONOMICAL SOCIETY OF
CANADA 1968, HAMILTON CENTRE

THIS COPY ISSUED TO:

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Revised Draft 2005-09-13 by Colin Haig

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BYLAW NUMBER ONE
OF
THE ROYAL ASTRONOMICAL SOCIETY OF CANADA 1968, HAMILTON CENTRE

This Bylaw, approved in the year 1989 and amended in the year 1992, and amended in 2004, and amended in 2005, supersedes all previous bylaws of the Centre.

ARTICLE 1 - DEFINITIONS

In this Bylaw, and in all other bylaws of the Centre, unless the context requires a different meaning,

(1) "Society" means The Royal Astronomical Society of Canada -- La Societe Royale d'Astronomie du Canada,

(2) "Centre" or "Corporation" means the corporation of The Royal Astronomical Society of Canada, 1968, Hamilton Centre,

(3) "member" means a member of the Centre under Article 4,

(4) "voting member" of the Centre is referred to in Article 4.02(4),

(5) "Constitution" means the Letters Patent and all Bylaws of the Centre,

(6) "Board of Directors" or "Board" means the administering body of the Centre, pursuant to Article 5,

(7) "Director" means a member of the Board of Directors, pursuant to Article 5.01,

(8) "Executive Officer" is a member of the board of directors, pursuant to Article 6.01,

(9) "ordinary resolution of the Centre" means a resolution passed by a majority of those members of the Centre present or represented by proxy and voting at a meeting of the Centre,

(10) "special resolution of the Centre" means a resolution passed by two-thirds of those voting members present, or represented by proxy and voting at a meeting of the Centre,

(11) "ordinary resolution of the Board" means a resolution passed by a majority of those members of the Board present and voting at a meeting of the Board,

(12) "special resolution of the Board" means a resolution of the Board passed by two-thirds of those members of the Board present and voting at a meeting of the Board,

(13) "National Council" means the National Council of the Society,

(14) "National Office" refers to the National Office of the Society.

ARTICLE 2 - HEAD OFFICE

The head office of the Corporation shall be in the City of Hamilton, in the Province of Ontario, and at such a place therein as the Board may from time to time determine.

ARTICLE 3 - SEAL

The corporate seal of the Centre shall be such as the Board may by ordinary resolution from time to time approve.

ARTICLE 4 - MEMBERSHIP

4.01 ELIGIBILITY

All persons who are interested in astronomy as provided by the Letters Patent of the Centre are eligible to apply for membership.

4.02 CLASSES OF MEMBERS

(1) There shall be four classes of membership as defined in the Bylaws of the Society.

(i) An ordinary member is a member who has paid the ordinary membership fee.

(ii) A youth member is a member who has paid the youth membership fee and who was less than twenty-one years of age at the time of such payment. Eligibility for youth membership terminates with the end of the membership year in which the person turned twenty-one.

(iii) A life member is a person who has been elected to membership, whether directly as a life member or previously as an ordinary or youth member, and has paid the life membership fee, or a member upon whom the National Council has conferred life membership in recognition of specified meritorious service to the Society or to a Centre. A life member shall be a member of the Society and, if he or she is attached to a Centre, of the Centre to which he or she is attached, for the duration of his or her life.

(iv) An associate member is

(a) One or more family members of an ordinary, youth, or life member attached to the Centre may be elected by ordinary resolution of the Board as associate members of the Centre, provided each has paid the fee for associate membership.

(b) A member, in good standing, of another organization with essentially the same aims and goals as the Centre, may be elected as an associate member of the Hamilton Centre by ordinary resolution of the Board of Directors, provided that the associate membership fee has been paid. Such organizations are to be recognized by ordinary resolution of the Board of Directors.

(2) Every ordinary, youth, or life member of the Hamilton Centre is a member of the Society, and is attached to the Hamilton Centre.

(3) An associate member of the Centre is not a member of the Society.

(4) Ordinary, youth, life and associate members are voting members of the Centre, subject to the provisions of Article 4.05 (3).

4.03 ADMISSION OF MEMBERS

(1) A person who has submitted an application and the fee as set by the Centre according to the bylaws of the Centre may be admitted as a member of the Centre by a special resolution of the Board.

(2) Each member shall promptly be informed by the Treasurer of admission as a member.

(3) Any person whose nomination for membership is defeated shall be entitled to immediate repayment of the fee submitted with the application.

(4) New members are subject to a 6 month probationary period during such time their membership may be terminated by the board by ordinary resolution.

4.04 RESIGNATION OF MEMBERS

(1) Members may resign in writing which shall be effective upon acceptance of the resignation by the Board.

(2) In case of resignation, a member shall remain liable for payment of any fees or other sums levied or which became payable by the member to the Centre prior to acceptance of the resignation.

4.05 MEMBERSHIP FEES

(1) The annual fees payable by members shall be set by the Centre.

(2) In addition:

(i) The Board may, by special resolution, set one or more general surcharges applicable to its members or any class thereof.

(ii) The Board may by special resolution set one or more user fees applicable to its members or any special interest group.

(iii) The Board may by special resolution set an annual fee for associate members.

(iv) The Centre is entitled to retain for its own use 100% of any surcharges, user fees and associate member fees.

(3) The Treasurer shall notify the members of the dues or fees payable by them and, if any are not paid within 30 days of the date the fee is due, the members in default shall thereupon automatically cease to be members of the Centre, but any such members may on payment of all unpaid dues or fees be reinstated by special resolution of the Board. During such time as members are in default they are not entitled to any rights or services.

4.06 MEMBERSHIP YEAR

The membership year of the Centre commences on the first day of the month following admission to membership and expires on the anniversary thereof.

4.07 ENTITLEMENT OF MEMBERS TO SOCIETY RIGHTS AND SERVICES

Subject to Article 4.05(3), every ordinary, youth, and life member has the right

(i) to receive notice of, to attend, and to vote at all meetings of the Society,

(ii) to attend all meetings of National Council,

(iii) to receive all publications of the Society, (excluding Centre publications),

(iv) subject to the Bylaws of The Royal Astronomical Society of Canada, to stand for appointment to every committee of the National Council,

(v) to stand for election or appointment to any office of the Society or as a member of the National Council provided the member is not less than twenty-one years of age.

(vi) where he or she is twenty-one years of age or more, to stand for election as a National Council Representative as defined in By-Law Number One of The Royal Astronomical Society of Canada.

4.08 ENTITLEMENT OF MEMBERS TO CENTRE RIGHTS AND SERVICES

(1) Subject to Article 4.05(3), every voting member is entitled to exercise the right, in respect of the Centre

(i) to attend and to vote at all Centre meetings,

(ii) to attend all meetings of the Board,

(iii) to receive publications of the Centre,

(iv) where eligible, an ordinary, youth, or life member may stand for election to the Board,

(2) Every member paying a fee is entitled to the rights, or services for which the fee was established. The Centre shall first require the member to demonstrate necessary competence before permitting the use of Centre buildings or equipment.

4.09 TERMINATION

(1) All members of the Centre are expected to act reasonably to other members of the Centre and to members of the public in the achieving of the aims of the Society.

(2) Where a member of the Centre has acted so unreasonably as to require it, the board may terminate the membership of that person by special resolution, or call by ordinary resolution a general meeting vote to terminate the membership of that person.

(3) The membership fee and any other fees are not refundable following termination of Centre membership or Society membership.

(4) A person whose membership has been terminated is not entitled to any rights or services pertaining to Centre membership.

ARTICLE 5 - BOARD OF DIRECTORS

5.01 COMPOSITION

The Board shall be composed of up to twelve Directors, each of whom at the time of election and throughout the term of office must be a voting member of the Centre.

5.02 POWERS AND DUTIES

(1) The Board shall administer the property and business of the Corporation.

(2) The Board may, by written contract, bind the Corporation for goods or services.

(3) The Board may from time to time purchase, lease or otherwise acquire, alienate, sell, exchange or otherwise dispose of shares, stocks, rights, warrants, options and other securities, lands, buildings and other property, movable or immovable, real or personal, or any right or interest therein owned by the Corporation, for such consideration and upon such terms, and conditions as they may deem advisable.

[REDACTED]

(4) The Board may designate any Director to transfer any securities from time to time for the Centre, and may affix the seal to any such transfers, and may make execute and deliver under the corporate seal any and all instruments in writing necessary or proper for such purposes, including the appointment of an attorney or attorneys to make or accept transfers of shares, bonds or other securities on the books of any company or corporation.

(5) The Board may from time to time

(i) borrow money on the credit of the Corporation; or

(ii) charge, or pledge any of the property of the Corporation to secure any money borrowed by the Corporation,

(iii) delegate to any Director any powers conferred by this Article to such an extent and in such manner as the Board shall specify.

(6) The Board shall ensure that all necessary books and records of the Centre be regularly and properly kept.

5.03 ELIGIBILITY

Every ordinary, youth, or life member has the right to stand for election or appointment to the Board provided that the member

(i) shall be eighteen years of age or older at the time of election or appointment,

(ii) shall have been a member of the Centre for at least one year at the time of election or appointment.

5.04 NOMINATIONS

Any member of the Centre may make nominations to the Board. Such nominations shall be submitted by the member to the Secretary of the Centre in writing at least ten (10) days before the annual meeting, and shall contain the name of the nominator and the written consent to the nomination by the nominee.

5.05 ELECTION OF DIRECTORS

(1) The secretary shall prepare a ballot listing in alphabetical order all eligible nominees for which an election must be held at the annual meeting. A private ballot will be distributed at the annual meeting to each voting member in attendance and for each proxy vote.

(2) Each nominee must receive a majority vote to be elected to the Board of Directors. There shall be no more than twelve candidates elected to the board.

(3) All marked ballots shall be counted by two scrutineers appointed by the members in attendance. A majority of votes for each candidate is required to elect that candidate to the board. The candidates receiving the greatest number of votes shall be declared elected to the Board of Directors at the annual meeting; in the event of a tie vote there will be a run off vote for the remaining positions.

5.06 TERM OF OFFICE

(1) Each Director shall be elected to hold office until the next annual meeting.

(2) The whole Board shall be retired at each annual meeting, but each Director shall be eligible for re-election if otherwise qualified.

5.07 REMUNERATION OF DIRECTORS

The directors shall receive no remuneration for acting as such.

5.08 REMOVAL OF DIRECTORS

(1) The members of the Centre may, by special resolution remove any Director before the expiration of the term of office and may, by ordinary resolution elect an eligible replacement to serve for the remainder of the term. Notice of such a general meeting, specifying the intention to consider such resolution or resolutions must be given in writing to the Secretary at least ten (10) days prior to the said general meeting. The Director whose removal is proposed has the right to receive notice of the meeting at which such removal shall be proposed and of the intention to propose such removal, and is entitled to make representations at the meeting before the vote is taken.

(2) A member of the board may be removed by special resolution of the remaining board.

(3) A director who has been removed from the board by (1) or (2) will not be eligible for election to the board for 3 years.



5.09 VACANCIES

(1) Except as in 5.08, vacancies on the Board may, so long as a quorum of elected Directors remain in office, be filled by the Directors from among the qualified members.

5.10 BOARD MEETINGS

(1) The Board may hold its meetings at such place or places as it may from time to time determine.

(2) Directors meetings shall be on the direction of the President, Vice-President or two directors.

(3) The Directors may transact any business of the Corporation at any meeting of the Board, consistent with these bylaws.

5.11 QUORUM

Fifty percent (50%) of the Directors shall form a quorum for the transaction of business at any meeting of the Board.

5.12 VOTING

(1) All votes at any Board meeting shall be taken by ballot if so demanded by any director present, but if no demand be made, the vote shall be taken in the usual way by assent or dissent.

(2) In case of a tie vote by Directors, the Chairperson, shall have a second or deciding vote.

(3) All votes at any such meeting shall be taken by ballot if so demanded by any director present, but if no demand be made, the vote shall be taken in the usual way by assent or dissent.

(4) A record in the minutes that a resolution has been carried or defeated without a record of the number of votes cast shall be accepted as prima facie proof.

5.13 CONDUCTING OF BUSINESS

Except where otherwise prescribed in the bylaws the Board shall act by ordinary resolution and the conduct of Centre meetings shall be governed by Robert's Rules of Order.

5.14 NOTICE OF BOARD MEETINGS

(1) Notice of such meetings shall be communicated to each director not less than seven (7) days before the meeting is to take place. Failure of any director to receive such notice shall not affect the validity of any action taken at such meeting.

(2) No formal notice of any meeting shall be necessary if all the directors are present, or if those absent have signified their consent to the meeting being held in their absence.

(3) The Board may set regular meetings at an hour and day of the month to be named and of such meetings no notice need be sent.

(4) A Board meeting may also be held, without notice, immediately following the annual meeting of the Centre.

ARTICLE 6 - EXECUTIVE

6.01 EXECUTIVE OFFICERS

The executive officers shall form the Executive Committee and shall consist of the President, Vice-President, Secretary, Recorder and Treasurer. No person may hold more than one office. To be eligible for the offices of President, Secretary or Treasurer a Director must be a member of the Society. The President must have served two years as a member of the Board.


6.02 ELECTION OF EXECUTIVE OFFICERS

The executive officers shall be elected by the Board from among their own number. This election may be a show of hands unless a ballot be demanded by any member.

6.03 DUTIES OF THE PRESIDENT

The President shall

- (1) Preside at all general meetings and Board Meetings, when present,
- (2) manage and supervise the affairs and operations of the Centre,
- (3) with the Secretary or other officers appointed by the Board for such purpose sign all bylaws and membership certificates,
- (4) represent and speak for the Centre when appropriate,

- 
- (5) chair meetings of the Executive Committee, when present,
 - (6) be an ex-officio member of all committees of the Board,
 - (7) have other duties as determined by the Board.

6.04 DUTIES OF THE VICE-PRESIDENT

The Vice-President shall

- (1) During the absence or inability of the President, assume the duties and powers of the President, subject to the Board's direction,
- (2) be a member of the Executive Committee,
- (3) have other duties as determined by the Board.

6.05 DUTIES OF THE SECRETARY

The Secretary shall

- (1) conduct the official correspondence of the Centre and report thereon to the Board at its next meeting,
- (2) send all notices required to be sent to members,
- (3) act as custodian of the seal of the Corporation and of all documents belonging to the Centre,
- (4) deliver the documents to a successor or to a person authorised by the Board,
- (5) be a member of the Executive Committee,
- (6) have other duties as determined by the Board.

6.06 DUTIES OF THE TREASURER

The Treasurer shall

- (1) keep full and accurate accounts of all receipts and disbursements, assets and liabilities of the Centre in proper books of account,
- (2) deposit all monies or valuables in the name of and to the credit of the Centre in such financial institutions as the Board may direct,

- (3) disburse Centre funds as the Board may direct, taking proper vouchers therefore,
- (4) render to the Board of Directors at an account of all transactions, when so requested,
- (5) conduct the financial business of the Centre as the Board directs,
- (6) prepare the annual financial statements,
- (7) be custodian of the keys of the Centre,
- (8) be a member of the Executive Committee, and chairperson of the Finance Committee,
- (9) have other duties as determined by the Board.

6.07 DUTIES OF THE RECORDER

The Recorder shall

- (1) record or be responsible for the recording of minutes of all proceedings of the Executive Committee, the Board, and the Annual Meetings,
- (2) surrender the record of minutes to the secretary at the end of the Recorder's term of office,
- (3) be a member of the Executive Committee,
- (4) have other duties as determined by the Board.

ARTICLE 7 - COMMITTEES

7.01 EXECUTIVE COMMITTEE

(1) The Executive Committee shall

(i) consist of the President, Vice President, Secretary, Treasurer, and Recorder,

(ii) transact business requiring immediate action when the Board is not able to meet,

(iii) appoint or dismiss, and shall fix the remuneration and benefits to be paid to the employees of the Centre,

(iv) hold Meetings called by any member of the Committee, and notice of the meeting shall be sent in a form as determined by the board, and three members of the committee shall constitute a quorum.

(2) All actions taken and decisions made by the Executive Committee shall be reported by the President at the next meeting of the Board.

7.02 FINANCE COMMITTEE

The Finance Committee shall

(1) consist of the Treasurer, as Chairperson, and two other members of the Centre, appointed by the Board,

(2) prepare the annual budget of the Centre for the Board,
and

(3) have other duties as determined by the Board.

7.03 OTHER COMMITTEES

The Board may establish any special Committee for a specified purpose, and set a date for receiving its report, and set the committee dissolution date, subject to extension by the board.

ARTICLE 8 - MEETINGS OF THE CENTRE

8.01 LOCATION

Meetings shall be held usually at the head office of the Centre or other location in the City of Hamilton, but may be held elsewhere, as determined by the Board.

8.02 VOTING

(1) Each member of the Centre at all meetings of members is entitled to one vote.

(2) A member may vote by proxy through another member after depositing with the Secretary his or her signed appointment.

(3) At all meetings of members every question shall be decided by Ordinary Resolution unless otherwise required.

(4) Every question shall be decided in the first instance by a show of hands. Unless a poll be demanded a declaration by the Chairperson that a resolution has been carried or defeated shall be acceptable as prima facie proof.

(5) In case of an equality of votes, the Chairperson shall have a second or deciding vote.

8.03 ANNUAL MEETINGS

(1) The Centre shall hold an Annual Meeting of its members in the month of October.

(2) At every Annual Meeting the report of the Directors and the Financial Statements for the Centre's previous fiscal year shall be submitted for adoption by the members.

(3) If required, the auditors shall be appointed for the ensuing year and the remuneration of the auditors shall be fixed.

(4) The election for the Board of Directors shall be held at the Annual Meeting.

(5) At least ten (10) days before the Annual Meeting the Secretary shall notify each voting member of the Annual Meeting specifying its time, place and agenda.

(6) At any Annual Meeting of the Centre only such business as is specified in the agenda shall be conducted.

8.04 SPECIAL MEETINGS

(1) The President or Vice-President may at any time call a Special Meeting of the Centre for any purpose.

(2) At least ten (10) days before Special Meeting, the Secretary shall notify each voting member of the meeting agenda, time and place.

(3) Upon requisition in writing, signed by at least ten (10) percent of the voting members of the Centre, the President shall call a special meeting to consider the business specified in the requisition.

(4) At any Special Meeting of the Centre, only such business as is specified in the agenda shall be conducted.

8.05 GENERAL MEETINGS

(1) Except in unusual circumstances there shall be at least nine (9) general membership meetings per year. The Board may designate a day or days in any month or months for regular meetings at an hour and place to be named and notice to the members of any decision shall be sufficient.

[REDACTED]

(2) Members may transact any business at General Meetings, provided that business is on the agenda.

(3) Proposed agenda items must be submitted in writing to the Secretary, at least ten (10) days in advance of the meeting.

(4) The Secretary shall inform the executive of the business to be considered at least seven (7) days in advance of the meeting.

8.06 ERROR IN NOTICE

Failure of any member to receive notice of any meeting shall not affect the validity of any action taken at such meeting.

8.07 CONDUCTING OF BUSINESS

Unless otherwise prescribed in the Bylaws, the Centre shall act by ordinary resolution and the conduct of Centre meetings shall be governed by Robert's Rules of Order.

ARTICLE 9 - FINANCES

9.01 FISCAL YEAR

The Fiscal Year of the Centre commences on October 1 and ends on September 30.

9.02 ANNUAL FINANCIAL STATEMENTS

The Centre's annual financial statements shall consist of a balance sheet and a statement of revenues and expenses, in accordance with generally accepted accounting principles, and such other statements as are required by the Board.

9.03 AUDITOR

At every Annual Meeting the Centre may elect an auditor who is not a member to hold office until the end of the next Annual Meeting. If necessary, the auditor shall conduct an audit of the Centre's financial records and shall express an opinion on the annual financial statements to the members of the Centre.

ARTICLE 10 - SIGNING AUTHORITY

10.01 CHEQUES

Any two of the President, Treasurer and one other Director appointed by the Board for the purpose may sign cheques of the Centre for the conducting Centre business.

ARTICLE 11 - ADJOURNMENTS

Any meeting may be adjourned from time to time. Notice of the new time and place shall be given as required. Such adjournment may be made notwithstanding that no quorum is present.

ARTICLE 12 - AMENDMENT OF THE CONSTITUTION

12.01 REPEAL, AMENDMENT AND ENACTMENT

The By-laws of the Centre may be repealed or amended, supplementary Letters Patent may be enacted and other Bylaws may be enacted, by special resolution of the Board and of the Centre, at any meeting held under Article 8.03 or 8.04, or alternatively under Article 8.05, providing that notice of such intention has been communicated to every voting member as required.

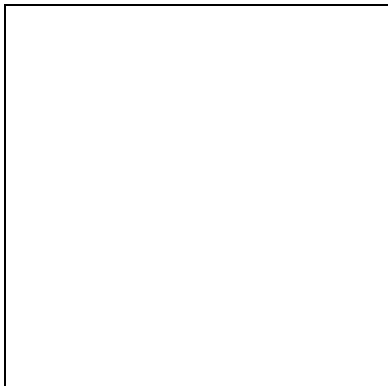
12.02 REPEAL OF PREVIOUS BY-LAWS

All previous By-laws of the Centre are repealed as of the coming into force of this By-law. Such repeal shall not affect the previous operation of any By-law so repealed or affect the validity of any act done, or right, or privilege, obligation or liability acquired or incurred under, or the validity of any contract or agreement made pursuant to, or the validity of any charter documents of the Centre obtained pursuant to, any such By-law prior to its repeal. All officers and persons acting under any By-law so repealed shall continue to act as if appointed under the provisions of this By-law and all resolutions of the Centre or the Board of Directors or a committee of the Board of Directors with continuing effect passed under any repealed By-law shall continue good and valid except to the extent inconsistent with this By-law and until amended or repealed.

SIGNATURES

OFFICIAL SEAL AND SIGNATURES

SEAL OF THE CORPORATION



PRESIDENT:

SECRETARY:

DATE:

*** NOTES ***

Revised Draft 2005-09-13 by Colin Haig incorporates clarifications of 5.05(3) raised at Board and Centre meetings.

Revised Draft E 2005-09-08 by Colin Haig for proposal to the Board and Centre, subject to ratification by the Membership at the October 2005 general meeting.

Revised Draft 2005-09-07 by Colin Haig based on Les Nagy Draft B

Revised 2004-10-07 - includes change in number of persons on disciplinary committee 4.10, as ratified at October 7th annual general meeting.

Typographical corrections were made to correct errors or editing problems pointed out in sections 4.07(vi), 5.02(2), 5.02(4), 5.02(5iii), 5.02(5iv), 5.03, 6.07, 7.01(i), 7.02(2), 8.02(2), 8.05(3).

Revised Draft 2004-09-23 - Subject to ratification by the Membership at the October 2004 general meeting.

Initial Draft 2004-08-31

The following were embedded comments from WordPerfect, which was used to do the edits on the bylaws in the past. This was brought into Microsoft Word 2000, in September 23, 2004 by Colin A. Haig. The bylaw committee also included John Williamson and Michael Spicer.

31MAY92: This file (BYLAWS01.NEW) is the newly amended wording and layout to be approved by the membership at the October 1st 1992 Annual Meeting.

The amendments are the results of the meetings of the BYLAWS COMMITTEE of the Hamilton Centre, from the recommendations made by National Council's Bylaws Committee.

The amendments were approved by Hamilton B. O. D., prior to presentation at the 1992 Annual Meeting.

oct92: Approval given by membership 01OCT92, and reported at B. O. D.

31oct92: Approved Amendments added in.

07FEB93: Formatting & layout edit complete. WORD COUNT 5361.

11FEB93: Copies of Bylaws issued to directors at RASCBD meeting as following:

1 MASTER REFERENCE COPY (PARCHMENT): TO SAFETY DEPOSIT BOX

1 MASTER REFERENCE COPY (PARCHMENT): TO SECRETARY'S FILES

1 MASTER REFERENCE COPY (PARCHMENT): TO HAMILTON CENTRE LIBRARY

*6 COPIES (WHITE): TO EXECUTIVE POSITIONS

*7 COPIES (WHITE): TO DIRECTORS POSITIONS

*Each copy to be passed on to new person as position is vacated.

END: E. Golding.

The title pages used in final document were recreated with CorelDRAW 3.0 and printed out with a BJ200 bubble-jet printer.