



## Proposed Amendments to MWPA Constitution & By-Laws

Water Polo Canada is recommending changing language from “Annual General Meeting” to “Annual Meeting” to be in compliance with the Canadian Sport Governance Code.

This affects:

Article 1.3(b)

Article 2.3.3

Article 3 (all affected clauses)

Article 4.13

Article 5.5.2

Article 7.4

Article 7.5

Article 7.6

Article 7.14

## A person's membership pending investigation:

Amendments presented for clarity and to cover circumstances where investigation is still pending at the end of the membership year.

### Current section:

2.1 A "Member in Good Standing" is a Member who:

- (d) is not subject to a disciplinary investigation or action by the MWPA or a member, or if subject to a disciplinary action previously, has fulfilled all terms and conditions of such disciplinary action to the satisfaction of the Board;

### Change to:

- (d) is not subject to a disciplinary investigation or action by the MWPA, ~~or a member,~~ *WPC or another agency, including but not limited to OSIC or a police agency*; or if subject to a disciplinary action previously, has fulfilled all terms and conditions of such disciplinary action to the satisfaction of the Board;

### Current section:

2.5.3 Membership in the MWPA will terminate immediately upon:

- (a) The expiration of the Member's annual membership, unless renewed in accordance with these By-laws.

### Change to:

- (a) The expiration of the Member's annual membership, unless ~~renewed in accordance with these By-laws~~
  - i. renewed in accordance with these By-Laws; or*
  - ii. the Member is subject to a disciplinary investigation that is still pending or has not concluded by the end of the membership year.*

## Elections, Directors and Delegates

These suggested changes are to clarify some issues that were raised before the Special Meeting in July.

- Adopting voting allocations style used by Water Polo Canada where votes are assigned to Member PSOs at their Annual Meetings based on number of registered members in each province.
- More inclusive for the Manitoba Federation of Independent Schools who ought to be treated like a School Division within our School League now that we have at least one school participating (and looking to include more in the future!). As another example, MPI for Driver Z has MFIS listed in the drop-down menu as a “School Division” but is not a School Division under *The Public Schools Act*.
- Address the fact that the Club designate is not elected or appointed but delegated by the Club for the membership year (September 1 – August 31). The individual does has a voice and an equal vote at the MWPA Board table for regular meetings.
- Provides for elections to proceed by acclamation if there is an equal number or fewer nominees than board positions available.
- Suggestion to delete the School League Liaison position.
- More specificity with respect to the role of Past President.

### Current section:

3.9 Members will have the following voting rights at all meetings of Members:

3.9.1 MWPA Board of Directors:

3.9.1.1 Each Board member who is present shall be entitled to one vote.

3.9.2 Clubs:

3.9.2.1 Clubs with one (1) to fifty (50) Members are entitled to appoint one (1) Delegate who will have one (1) vote.

3.9.2.2 Clubs with fifty-one (51) to one hundred (100) Members are entitled to appoint two (2) Delegates who will have one (1) vote each.

3.9.2.3 Clubs with one hundred and one (101) or more Members are entitled to appoint three (3) Delegates who will have one (1) vote each.

3.9.3 School League:

3.9.3.1 Each School Division, as designated by legislation, with one or more schools participating in School League is entitled to appoint one Delegate who will have one vote.

Change to:

3.9 Members will have the following voting rights at all meetings of Members:

3.9.1 MWPA Board of Directors:

3.9.1.1 Each *elected* Board Member who is present shall be entitled to one vote.

3.9.2 Clubs:

3.9.2.1 Clubs with one (1) to fifty (50) Members are entitled to *delegate* one (1) *person* who will have one (1) vote.

3.9.2.2 Clubs with fifty-one (51) to one hundred (100) Members are entitled to *delegate one (1) person* who will have *two (2) votes*.

3.9.2.3 Clubs with one hundred and one (101) or more Members are entitled to *delegate one (1) person* who will have *three (3) votes*.

3.9.3 School League:

3.9.3.1 each School Division as designated by legislation *and the Manitoba Federation of Independent Schools (MFIS)* ~~with one or more schools participating in School League~~, is entitled:

*3.9.3.1.1 to delegate one (1) person who will have one (1) vote when one (1) to fifty (50) Members are registered.*

*3.9.3.1.2 to delegate one (1) person who will have two (2) votes when fifty-one (51) to one hundred (100) Members are registered; and*

*3.9.3.1.3 to delegate one (1) person who will have three (3) votes when one hundred and one (101) or more Members are registered.*

Current section:

- 3.10 Clubs and School Divisions shall appoint in writing to the MWPA forty-eight (48) hours prior to the meeting of Members the name of the Delegate(s) to represent the Club or School Division. Delegates must be at least eighteen years of age, of sound mind, and be acting as the Club or School Division's representative. Once appointed, a Delegate may not vote by proxy.

Change to:

- 3.10 *The names of Delegates as described in 3.92 and 3.93, shall be provided* in writing to the MWPA forty-eight (48) hours prior to the meeting of Members. Delegates must be at least eighteen years of age, of sound mind and *agree to* acting as *a Delegate*. A Delegate may not vote by proxy.

Current section:

- 3.12.4 Elections for each Director will be decided by Ordinary Resolution of the Members as follows:

- 3.12.4.1 Equal number of Nominations and Available Positions: Winners to be elected by ordinary resolution.

Change to:

- 3.12.4.1 Equal number *or fewer* Nominations *than* Available Positions: Winners to be elected by *acclamation*.

Current section:

- 4.5 Each Club must provide one individual from their Club Executive or Board to fulfil the role and perform the duties of an active Director. This individual may only fulfil the role of “Director at Large” and not be a member of the Executive Committee of the MWPA Board of Directors.
  - 4.5.1 The Club must provide the name of the person fulfilling this role no later than September 30 of each year.
  - 4.5.2 Failure to do so may result in the Club losing its status as a Member.

Change to:

- 4.5 Each club *with more than 101 athletes* must provide one individual from their Club Executive or Board to fulfil the role and perform the duties of an active Director **each membership year**. This individual may only fulfil the role of “Director at Large” and **cannot occupy a role on** the Executive Committee of the MWPA Board of Directors.
  - 4.5.1 The Club must provide the name of the person fulfilling this role no later than September 30 of each year, **unless an extension is granted in exceptional circumstances**.
  - 4.5.2 Failure to do so may result in the Club losing its status as a Member.
  - 4.5.3 **The designation expires on August 31 or the date that is considered the last day of the membership year.**
  - 4.5.4 ***For certainty, the Club representative is not elected or appointed and therefore does not have the ability to vote as a Board Member at an Annual Meeting or Special Meeting under 3.9.1, but could be delegated to represent the Club at an Annual Meeting or Special Meeting under 3.9.2.***

**ADD:**

- 4.\_\_\_\_ *Clubs with 100 or fewer athletes may send a representative to attend MWPA Board meetings, however they are not considered a Director and do not have the ability to vote.***

Current section:

- 4.7 The School League must appoint one individual to fulfil the role of School League liaison. This individual must be a Member in good standing. They may not vote at Board meetings.

Change to:

**DELETE:** *We have not had a person in this role for 2 years. With a School League Coordinator and a Director position dedicated to School League, it makes this position redundant.*

Current section:

- 4.14 The office of the Past President shall be filled by the outgoing President of the MWPA for one year with the option of remaining for a second year.

Change to:

- 4.14 The office of the Past President shall be filled by the outgoing President of the MWPA for one year with the option of remaining for a second year. *The Past President may not vote on resolutions of the Board and does not have a vote as a Director at an Annual Meeting or Special Meeting.*