



BYLAWS
Approved by the Members
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(Societies Act Transition 2018 11 20)

BYLAWS OF THE
BRITISH COLUMBIA BLIND SPORTS AND
RECREATION ASSOCIATION

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PART 1 - INTERPRETATION

1.1 In these Bylaws, unless the context requires otherwise:

- a) "Association" means the British Columbia Blind Sports and Recreation Association;
- b) "Board" means the Board of Directors of the Association;
- c) "Bylaws" means the Bylaws of the Association;
- d) "CBSA/ACSA" means Canadian Blind Sports Association/
Association Canadienne Des Sports Pour Aveugles;
- e) "Constitution" means the Constitution of the Association;
- f) "CPC" means Canadian Paralympic Committee;
- g) "Director" means a person elected or appointed to serve on the Board pursuant to these Bylaws;
- h) "Executive Committee" means the executive committee of the Association described in section 8.5;
- i) "IBBA" means International Blind Bowls Association;
- j) "IBSA" means International Blind Sports Association;
- k) "IPC" means International Paralympic Committee;
- l) "Member" means a member of the Association;
- m) "Region" means an area within the province whose boundaries are determined in accordance with these Bylaws;

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n) "Societies Act" means the Societies Act of the Province of British Columbia and the regulations made pursuant thereto as amended from time to time.

1.2 The definitions in the Societies Act shall apply to these Bylaws.

1.3 Words importing the singular shall include the plural and vice versa. Words importing the masculine gender shall include the feminine gender and vice versa.

PART 2 - MEMBERSHIP

2.1 Membership in the Association shall be open to any individual interested in furthering and promoting the purposes of the Association. A person may apply to the Executive Committee or its designate for membership in the appropriate category, and on acceptance by the Executive Committee or its designate such person shall become a Member in the appropriate category.

2.2 All Members are in good standing except those Members who have failed to pay their annual membership dues or any other subscription or debt due and owing to the Association and except those Members who have resigned or those who have been suspended or expelled, as per Sections 2.10 and 2.11. A Member not in good standing shall not be eligible to vote at General Meetings, shall not be eligible to serve on the Board, and shall not be entitled to participate in Association-sanctioned sports or recreational activities as long as such Member remains not in good standing.

2.3 Except as stipulated in Bylaw section 2.4, all Members in good standing shall be voting Members and, if elected or appointed, shall be entitled to serve on the Board. Members in good standing shall also be entitled to participate in Association-

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sanctioned sports or recreational activities in whatever capacity, under guidelines established by the Board.

- 2.4 Staff and contractors who work for the Association shall be entitled to become members of the Association in the appropriate category, with the rights and privileges as stipulated in these Bylaws, except that these persons shall not have the right to vote or nominate members for the Board, nor, except for the Executive Directors pursuant to and subject to the limitations stated in section 5.6(f), shall they be eligible to be nominated for the Board or to serve on the Board. Subject to section 5.6(f), if a person who is serving on the Board becomes a staff member or contractor for the Association, such person shall cease to be a Director and the Board shall be entitled to fill the resulting vacancy on the Board under these Bylaws.
- 2.5 Membership categories shall include Blind Members and Supporting Members as follows:
- a) Blind Members shall be those persons who are legally blind, which includes the full range of visual impairment from partially sighted (visual acuity of up to 6/60 or visual field of less than 20°) to totally blind (no light perception) and who apply to join the Association in the Blind Member category. Blind Members shall be required to pay annual membership dues in the Blind Member category, and shall be entitled to services as established by the Board.
 - b) Supporting Members shall be those persons who support the purposes of the Association and who apply to join the Association in the Supporting Member category. Supporting Members shall be required to pay annual membership dues in the Supporting Member category, and shall be entitled to services as established by the Board.

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2.6 Participants in Association sanctioned events/activities shall abide by the amateur codes (national and/or international) governing the specific sport or recreation activity in which they are participating in any capacity whatsoever.

2.7 Every Member shall uphold the Constitution and comply with these Bylaws.

Annual Membership Dues

2.8 The annual membership dues for one or more membership categories may be established or changed by a majority vote at an Annual General Meeting; provided that notice of such proposed changes has been given with the notice of such meeting.

Ceasing to be a Member

2.9 A person shall cease to be a Member:

- a) by mailing or by delivering such person's resignation in writing to the address of the Association; or
- b) on having been a Member not in good standing for six (6) consecutive months; or
- c) on being suspended under Section 2.10 below; or
- d) on being expelled under Section 2.11 below; or
- e) on such person's death

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Suspension

2.10 Member's rights, as outlined in section 2.3, may be suspended by the Executive Committee by a majority vote for a period not exceeding twenty-four (24) months, provided that:

- a) The grounds for suspension shall be conduct or actions which the Executive Committee deems inappropriate or detrimental to the Association, under the policies on suspension as established by the Board;
- b) A notice of the proposal to suspend the Member, accompanied by a statement of the reasons for the proposed suspension, shall be sent to the Member who is the subject of such suspension proposal;
- c) During the deliberations of the Executive Committee on a suspension proposal, the Member who is the subject of the proposed suspension shall be given an opportunity of defense before the Executive Committee;
- d) if suspended, the Member may - within thirty (30) days - appeal the Executive Committee's decision to the Board, and - in such a case - a majority vote in a Board meeting shall be required to uphold the decision of the Executive Committee and make it final, and if such a vote is not attained the decision of the Executive Committee shall be reversed.

Expulsion

2.11 A Member may be expelled from the Association by the Executive Committee by a two-thirds (2/3) vote and - if expelled - such Member shall lose all Member's rights as specified in Section 2.3, provided that:

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- a) The grounds for expulsion shall be conduct or actions which the Executive Committee deems severely detrimental to the Association, under the policies on expulsion as established by the Board;
- b) A notice of the proposal to expel the Member, accompanied by a statement of the reasons for the proposed expulsion, shall be sent to the Member who is the subject of such expulsion proposal;
- c) During the deliberations of the Executive Committee on an expulsion proposal, the Member who is the subject of the proposed expulsion shall be given an opportunity of defense before the Executive Committee;
- d) If expelled, the Member may - within thirty (30) days - appeal the Executive Committee's decision to the Board and - in such a case - a two thirds vote in a Board meeting shall be required to uphold the decision of the Executive Committee and make it final, and if such a vote is not attained the decision of the Executive Committee shall be reversed;
- e) If expelled, the Member shall not be eligible to re-apply for membership in the Association for two (2) years from the date of the Executive Committee's expulsion decision, except that this restriction may be lifted under special circumstances by a two thirds vote at a Board meeting.

PART 3 - MEETINGS OF MEMBERS

- 3.1 Meetings of Members of the Association shall be called “General Meetings”, and shall be held at the times and places, in compliance with the Societies Act, that the Directors decide.
- 3.2 General Meetings shall include Annual General Meetings, Semi-Annual General Meetings and Special General Meetings, and any adjournments thereof.
- 3.3 The Annual General Meeting shall be held once in every fiscal year. At every Annual General Meeting, in addition to any other business that may be transacted, the annual report of the Board and the audited financial statements of the Association shall be presented.
- 3.4 The Directors or the Executive Committee may convene a Semi-Annual General Meeting.
- 3.5 The Directors or the Executive Committee may, when they think fit, convene a Special General Meeting.
- 3.6 On the written requisition of not less than ten percent (10%) of the voting Members, the Executive Committee shall convene a Special General Meeting within twenty-one (21) days of receipt of such requisition. To be acted upon, such requisition for a Special General Meeting shall be required to:
- a) state the purpose of the Special General Meeting and include the resolutions to be proposed during such meeting and copies of any pertinent documents;
 - b) be signed by the Members requisitioning the meeting; and
 - c) be delivered or sent either by:

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- (i) registered mail to the address of the Association;
- (ii) fax to the current fax number of the Association, or
- (iii) email to the current email address of the Association.

Notices of General Meetings

- 3.7 Notice of a General Meeting shall specify the place, day, and time of the meeting, and the business to be transacted. In the case of a Special General Meeting, no resolutions except those specified in the notice of the meeting shall be considered during such a meeting.
- 3.8 Notice of a General Meeting may be given by mail to the most recent mailing address of the recipient known to the Association, fax or email. Notice will be given by email to the auditor of the Association and to any Member who has provided his or her email address to the Association for that purpose. Notice will be given by fax to any Member who has provided his or her facsimile number to the Association for that purpose. No notice need be mailed to the auditor of the Association or Members who receive notice by email or fax.
- 3.9 The accidental omission to give notice of a meeting to, or the non-receipt of a notice by, any of the Members entitled to receive notice shall not invalidate proceedings at that meeting.
- 3.10 In accordance with the Societies Act, a written notice of not less than fourteen (14) days of a General Meeting shall be sent to each Member in good standing and to the Auditor.

PART 4 - PROCEEDINGS AT GENERAL MEETINGS

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- 4.1 A quorum during General Meetings shall be eleven (11) Members in good standing, provided that at least three (3) Sport Groups shall be represented thereat.
- 4.2 If within thirty (30) minutes from the time appointed for a Special General Meeting a quorum is not present, the meeting, if convened on a requisition of Members, shall be adjourned. In all other cases, the Members present may adjourn the meeting or re-schedule it for a future time and place.
- 4.3 If a General Meeting is re-scheduled for a future time and place, no business shall be transacted at the re-scheduled meeting other than the business left unfinished at the original meeting.
- 4.4 If a General Meeting is re-scheduled for a date which is ten (10) days or longer after the original meeting, notice of the re-scheduled meeting shall be given as for the original meeting.

Voting at General Meetings

- 4.5 A Member in good standing present at a General Meeting shall be entitled to one vote.
- 4.6 Voting by Members present in person at a General Meeting shall be by a show of hands AND audible response. A vote by ballot may be ordered by the presiding officer or by the Members present at a General Meeting.
- 4.7 Voting by proxy shall not be permitted.
- 4.8 A Member not present at a General Meeting at which a director of the Association is to be elected, or a motion to pass a resolution is to be voted upon may, subject to these bylaws, vote in such election or on such motion by mail, email or fax.

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4.9 Voting contemplated in section 4.8 may be effected by a Member marking a voting choice in respect of nominees for election, if there is more than one nominee, or approval or disapproval of an ordinary or special resolution on a voting form (a “Voting Form”), containing:

- (a) the nominee’s name and/or a general description of each resolution;
- (b) a box which, if checked by the Member, subject to section 4.12, will be deemed to be a vote cast for the election of such nominee or in favour or against any motion in respect of a resolution as if it were cast at such General Meeting;
- (c) the Member’s name; and
- (d) the date it is sent to the Secretary.

4.10 A Voting Form will be supplied by the Association to all Members by mail, email or fax together with the notice of any General Meeting at which a director is to be elected and/or a resolution is to be voted upon. Whether a Member receives a Voting Form by mail, email or fax will be determined according to the instructions given, from time to time, to the Association by such Member for that purpose.

4.11 In order for a vote marked on a Voting Form to be deemed to be cast at a General Meeting pursuant to section 4.9 (b), it must be sent by mail, email or fax to the Secretary and received at least two (2) business days before the date stated in the notice of such General Meeting for the holding of such General Meeting.

4.12 At any General Meeting in respect of which a Voting form is provided to the Members, the Secretary shall present to the chairperson of such General Meeting a report of all votes deemed to be cast at such General Meeting pursuant to section 4.9(b) certified as correct by the Secretary and the Executive Director.

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4.13 A Voting Form of a Member received by the Secretary can be revoked if a Voting Form of such Member containing different voting instructions dated after the date of such revoked Voting Form is received by the Secretary at least two (2) business days before the General Meeting at which the votes contemplated in such revoking Voting Form will be deemed to be cast.

PART 5 - BOARD OF DIRECTORS

Powers

5.1 The Board of Directors may exercise all such powers and do all such acts and things that the Association may exercise and do, and may delegate its powers and duties to the Executive Committee, except such powers and duties that these Bylaws specifically place in the hands of the Board.

5.2 In exercising its powers, the Board shall be subject to the laws affecting the Association, the Constitution and the Bylaws. The Board shall also be subject to rules made, from time to time, by the Association in General Meetings, except that the Board shall have the exclusive power to:

- a) establish policies on the routine administration of the affairs of the Association;
- b) establish financial policy guidelines, overall budgets and fees for the Association, except the annual membership dues;
- c) evaluate annual budget requests from each member of Association staff managing a Sports Group, and approve them as presented or as amended by the Board; and
- d) establish policies on suspension and expulsion of Members.

5.3 The Board may invest the funds of Association in guaranteed investment certificates of and accounts maintained with Canadian chartered banks or credit unions operating in British Columbia. The Board may also invest funds of the Association in other investments in which a prudent investor might invest; provided that, at any time and from time to time, before any such other investment is made, the Board determines by resolution that such investment is ethically appropriate as an investment of Association funds.

Composition, Eligibility and Term of Office

5.3 The Directors shall include:

- a) the Officers of the Association, under section 5.6; and
- b) four (4) Directors-at-large.

5.4 Only Members in good standing may serve on the Board.

5.5 The terms of office of the Directors shall commence on the adjournment of the Annual General Meeting and shall be for two (2) years or until their successors are elected or appointed.

Officers

5.6 The Officers of the Association shall include the:

- a) President;
- b) Vice-President;
- c) Treasurer;

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- d) Athletes' Representative, who shall be a Blind Member who is an active competitor in blind sports, or one who has recently retired from being such a competitor, with "recently" taken to mean no earlier than two (2) years prior to the date on which such Member is to assume office;
- e) Immediate Past President or an Officer-at-Large, as stipulated in Section 5.10; and
- f) Executive Director, who shall be appointed by the Board as (i) a non-voting Director without any capacity to nominate a person for election as a Director, and (ii) a member of the Executive Committee.

Nominations

5.7 To be eligible to be nominated to serve as a Director, a person must be a Member in good standing.

5.8 The Board shall annually appoint a Nominating Committee which shall include - among others - the Immediate Past President (if one is in place, pursuant to Section 5.10). The Nominating Committee shall issue a call for nominations for available Director positions, and may take other steps to solicit such nominations.

Election of Directors

5.10 Directors who are not Officers, as contemplated in sections 5.3(b) and (c), shall be elected or appointed under sections 5.11 and 5.12. The Officers shall be elected at the Annual General Meeting, as follows:

- a) The Executive Committee shall schedule the elections so that nearly half the Board is elected in even-numbered years and the remaining nearly half the Board is elected in odd-

numbered years.

- b) On the conclusion of a person's term as President, such person shall be eligible to serve as the Immediate-Past-President for only one (1) two (2) year term.
- c) If, upon the conclusion of a person's term as President, such person is re-elected for another term as President, or if such person is unable or unwilling to serve as Immediate-Past-President, the Members at the Annual General Meeting shall elect an Officer-at-Large to serve on the Board and on the Executive Committee instead of the Immediate-Past-President.
- d) If there is more than one nominee for a Director's position, the vote in the election shall be by secret ballot of the Members present in person at the General Meeting and the votes cast pursuant to section 4.9(b), with the nominee receiving the largest number of votes being elected, and with ties - where needed - being resolved by another ballot or by drawing lots, at the discretion of the Members present.
- e) If there is only one nominee for a Director's position, the ballot shall be dispensed with and the nominee shall be elected by acclamation.

5.11 The Directors-at-Large may be elected at the Annual General Meeting under procedures similar to 5.10, but the Members may forego such election - on a case by case basis - and authorize the incoming Board to fill any available Director-at-Large position by appointment after searching for a person who is uniquely qualified in identified areas.

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Vacancies

- 5.13 In the event of a vacancy on the Board or in the event of an incomplete election, the Board may appoint a Member in good standing to fill such vacancy until the next Annual General Meeting, at which time the remainder of the term - if any - shall be filled by the Members.
- 5.14 Notwithstanding 5.13, in the event of a vacancy in the office of President, the Vice-President shall assume the office of President for the remainder of the term, and the vacancy in the office of Vice-President shall be filled as stipulated in 5.13.
- 5.15 If more than one year remains in a vacated term of office, the nomination and election to fill the one-year portion of the vacancy shall, as far as practical, be conducted in a similar manner to other nominations and elections under these Bylaws.

Removal

- 5.16 The Members may, by a Special Resolution, remove a Director before the expiry of such Director's term of office, and may immediately elect a successor to complete the term of office.

Remuneration

- 5.17 No Director shall be remunerated for being or acting as a Director, but a Director shall be reimbursed for all expenses necessarily and reasonably incurred by such Director while engaged in the affairs of the Association, in accordance with expense reimbursement policies adopted by the Board.
- 5.18 A senior manager who is a Director shall be paid the income and receive any benefits to which he or she is entitled pursuant to his or her employment agreement or contract for services with the

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Association but is otherwise not entitled to remuneration for being or acting as a Director.

PART 6 - DUTIES OF OFFICERS

President

6.1 The President shall:

- a) preside over the meetings of the Association, the Board and the Executive Committee;
- b) be the chief spokesperson of the Association and supervise the other Officers in the execution of their duties; and
- c) perform such other duties as are designated by the Board or the Executive Committee.

Vice President

6.2 The Vice-President shall carry out the duties of the President during the President's absence, and shall perform such other duties as are designated by the Board or the Executive Committee.

Treasurer

6.3 The Treasurer shall be responsible for overseeing the financial records of the Association, and shall perform such other duties as are designated by the Board or the Executive Committee.

Athletes' Representative

6.4 The Athletes' Representative shall act in the best interests of the Association as a whole, and shall be responsible for representing

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the needs of the athletes to the Board and the Executive Committee.

Immediate-Past-President

6.5 The Immediate-Past-President (if in place) shall serve in an advisory capacity on the Board and on the Executive Committee, and shall perform such other duties as designated by the Board or the Executive Committee.

Officer-at-large

6.6 The Officer-at-large (if in place) shall perform such duties as designated by the Board or the Executive Committee.

Executive Director

6.7 The Executive Director shall be responsible for the day to day operations of the Association, for the preparation of minutes of General Meetings and Board Meetings, and for other duties as designated by the Board or the Executive Committee.

PART 7 - PROCEEDINGS OF DIRECTORS

Meetings

7.1 The Directors shall meet at least twice a year at the call of the President.

7.2 The President, at the request of two (2) or more Directors, shall convene a meeting of the Directors.

7.3 The quorum for meetings of the Directors shall be a majority of the Directors then in office, provided that at least two (2) of the Directors present shall be from among the Officers, and provided

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that the Executive Director shall not be counted in calculating such quorum or in determining whether such quorum is present.

7.4 The Directors may conduct their business by teleconference calls or by other electronic means, provided that all the Directors have been notified, and provided that a quorum of the Directors participates in such proceedings.

7.5 A resolution in writing, signed by a majority of all the Directors as voting in the affirmative and placed with the minutes of the Directors, shall be as valid as if passed at a meeting of the Directors.

Notices of Board Meetings

7.6 A notice of at least seven (7) days of a Board meeting shall be given to all the Directors.

7.7 Notwithstanding Section 7.6, the notice of a Board meeting may be waived by a two-thirds (2/3) vote of all the Directors then in office. A Director who is present at a meeting is deemed to have agreed to waive the notice requirement.

7.8 Notwithstanding Section 7.6, it shall not be required to give the full seven (7) days notice of a Board meeting to newly elected or appointed Directors if such meeting was previously scheduled to be held within less than seven (7) days of such Directors' election or appointment.

7.9 A Director who may be absent temporarily from British Columbia may send or deliver to the address of the Association a written waiver of notice of any meeting of the Directors and may, at any time, withdraw the waiver. Until the waiver is withdrawn:

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- a) no notice of meetings of Directors shall be sent to that Director;
and
- b) any and all meetings of the Board, notice of which has not been given to that Director shall, if a quorum of Directors is present, be valid and effective.

PART 8 - COMMITTEES

- 8.1 The Members, the Board, the Executive Committee or the President may establish and appoint ad-hoc committees to carry out duties as specified by the appointing body, and such committees shall be dissolved upon concluding their tasks and presenting their final reports or upon being discharged by the appointing body.
- 8.2 The Standing Committees of the Association shall include the Executive Committee, and such other Standing Committees as the Board or the Members may establish.
- 8.3 A Committee may transact its business by teleconference calls, by other electronic means, or by written resolutions signed by a majority of all of its members indicating an affirmative vote, provided that all of its members have been notified, and provided that a quorum of the Committee participates in such proceedings.
- 8.4 With the exception of the Executive Committee, a quorum for a meeting of a Committee shall be a majority of its members.

Executive Committee

- 8.5 The Executive Committee shall consist of the Officers of the Association, and shall be responsible for the management of the affairs of the Association between Board meetings. In carrying out its duties, the Executive Committee shall comply with the Societies

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Act, the Constitution and Bylaws, and any guidelines and policies established by the Board and the Members. The Executive Committee shall report on its activities to the Board.

8.6 The Executive Committee shall meet as it sees fit.

8.7 A quorum for meetings of the Executive Committee shall be three (3) Officers, provided that the Executive Director shall not be counted in calculating such quorum or in determining whether such quorum is present.

PART 9 - SPORT GROUPS

9.1 There shall be Sport Groups, specific to sports or recreational activities, as established, from time to time, by the Board.

9.2 Each Sport Group shall be managed by a member of Association staff appointed to such management role by the Executive Director. Such staff person may carry out such management role with the support of volunteers appointed by the Board, upon the advice of the members of such Sport Group. Such volunteers may be designated as the “Sport Commissioner” or, the “Sport Manager” of such Sport Group or such other title as the Board may determine, from time to time. Such Association staff person, shall be responsible for managing the activities and competitions within the Sport Group's assigned sport, subject to policies set, from time to time, by the Board.

9.3 The Executive Director shall be responsible for providing guidance to each Association staff member appointed to manage a Sports Group in the performance of his or her duties, and for ensuring that such duties are carried out in a manner consistent with the

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policies and goals of the Association, as established by the Board and the Members.

PART 10 - SEAL

- 10.1 The Directors may provide a common seal for the Association and they may destroy a seal and replace it with a new seal.
- 10.2 The common seal shall be affixed only when authorized by a resolution of the Directors and then only in the presence of the persons prescribed in the resolution, or if no persons are prescribed, in the presence of the President and another Officer designated by the Board from time to time.

PART 11 - BORROWING

- 11.1 The Executive Committee may borrow money on behalf of the Association up to a limit set the Board of Directors, subject to the Societies Act.

PART 12 - SIGNING OFFICERS

- 12.1 The signing officers for the Association shall be designated annually by the Board. Two signatures shall be required for cheques and contracts. One signature shall be required for tax receipts.

PART 13 - FISCAL YEAR

- 13.1 The fiscal year of the Association shall be from April 1st to March 31st of the following year.

PART 14 - AUDITOR

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- 14.1 The Association shall have an auditor.
- 14.2 At each Annual General Meeting the Association shall appoint an auditor to hold office until the next Annual General Meeting.
- 14.3 An auditor may be removed by Ordinary Resolution.
- 14.4 An auditor shall be informed forthwith in writing of appointment or renewal.
- 14.5 No Director and no employee of the Association shall be the Association's auditor.
- 14.6 The auditor may attend General Meetings.

PART 15 - JURISDICTION

- 15.1 The Association exists for the governance of recreation and competitive amateur sports and related activities for individuals in British Columbia who are blind or visually impaired.
- 15.2 The Association shall, within the boundaries of British Columbia, be responsible for carrying on the functions of CBSA, IBSA, IBBA, CPC, and IPC as set forth in their respective bylaws.

PART 16 - PARLIAMENTARY AUTHORITY

- 16.1. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with the Societies Act or with the Association's Constitution and Bylaws.

PART 17 - BYLAWS

- 17.1 On being admitted to membership each Member is entitled to and - upon request - the Association shall give such Member, without charge, a copy of the Constitution and Bylaws, in print or in alternate form.
- 17.2 These Bylaws may be amended by a Special Resolution.

PART 18 – ACCESS TO RECORDS OF THE ASSOCIATION

- 18.1 The Board may, by resolution restrict Members' access to some or all the records of the Association which relate to the activities of the Board, including, without limiting the generality of the foregoing, the minutes of meetings of the Board and any committee of the Board.
- 18.2 Subject to legally required access to Association records by operation of law that is proven to the satisfaction of the Board that is provided to a person who is not a Director or Member, no person who is not a Director or a Member is entitled to inspect any record of the Association without the authorization of a resolution of the Board to do so that is specific to any particular application by such person to inspect such record.