

# INTERNATIONAL PRACTICAL SHOOTING CONFEDERATION

## SECTION OF NEW BRUNSWICK

### BY-LAW NO, 1

A By-Law relating generally to the conduct and management of the affairs of INTERNATIONAL PRACTICAL SHOOTING CONFEDERATION SECTION OF NEW BRUNSWICK - and to membership therein.

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IT IS HEREBY EXACTED as By-Law No. 1 of International Practical Shooting Confederation - Section of New Brunswick (hereinafter referred to as IPSC New Brunswick) as follows:

#### **1. SHORT TITLE**

This By-Law may be cited for all purposes within IPSC New Brunswick as the "Constitution";

#### **2. DEFINITIONS**

In this By-Law and every other by-law, resolution, proceedings rules and regulations of IPSC New Brunswick, unless otherwise specified or required in the context;

- (a) "Executive" means the Provincial Executive Council of IPSC New Brunswick as established by Section 6 of this Constitution and shall be the governing body of the Section;
- (b) "executive member" means a member of the Executive and is equivalent to "director" for New Brunswick;
- (c) "general goals" refers to the provisions of Section 5.01;
- (d) "general meeting" includes a special general meeting and an annual general meeting of the Executive;
- (e) "in good standing" refers to a member whose annual dues, and any other levies, have been paid and who is otherwise in good standing with IPSC New Brunswick in the judgment of the Executive;
- (f) "IPSC" means the International Practical Shooting Confederation;
- (g) "IPSC Bulletin" means the bulletin periodically published by IPSC Canada;
- (h) "member" means every person who is a member in good standing of any Section, as certified by the Secretary of the relevant Section. Every member is an ex-officio member of IPSC New Brunswick;
- (i) "affiliation" means any body duly constituted in accordance with the applicable provisions of this Constitution which has been formally recognized as such, and accepted for affiliation, by IPSC New Brunswick;
- (j) "Section Coordinator" means the duly and constitutionally elected head of a Section;
- (k) "Section" means the entire Province of New Brunswick, for which IPSC New Brunswick is responsible for administering all affiliations comprising the Section;
- (l) "voting" or "votes" to be taken by the Executive means votes weighted in accordance with the provisions of Article 6.10 unless otherwise specifically stated;
- (m) words importing the masculine gender or the singular number also mean the feminine or neuter genders and the plural number as the case may be, and vice versa;

### **3. STRUCTURE**

3.01 IPSC New Brunswick is an association of participating members whose borders correspond to the provincial borders within New Brunswick. IPSC New Brunswick is an adherent to the principles set forth in Article 5 of this Constitution.

3.02 The Executive shall perform all acts and cause to be done all things necessary to keep the Section's affiliation with IPSC current and in good standing.

3.03 The Executive shall be responsible for the following:

(a) to provide the President of IPSC with whatever information he may require regarding the organization, structure, subdivisions, membership, officers, policies, programs, activities and regulations, or anything whatsoever relate (to the administration or conduct of the Section;

(b) to provide the Secretary of IPSC with a copy of the constitution, rules or by-laws of IPSC New Brunswick, together with such amendments as may from time to time be made thereof, and with two (2) copies of each issue of their official journal or publication, by whatever name, through which the Region communicates with its affiliations;

(c) to provide the Treasurer of IPSC annually, or on reasonable request, with a copy of the Balance Sheet and other Financial Statements of the Section;

(d) to maintain at all times current tables of organizations and lists of members, sections and affiliates;

(e) to ensure that each member receives a copy of the IPSC Bulletin;

(f) to conduct a competitive program in accordance with the IPSC International Handbook of Rules sufficient to designate in each year a Provincial Champion for the Section;

(g) to select by fair and equitable means a Provincial Team to represent the Section at the National and International Championships;

(h) to administer the sport of Practical Shooting vigorously and equitably and in accordance with the principles of IPSC and to create efficient and democratically based throughout the Section and to make Practical Shooting a respected national shooting sport within the Region.

#### **4. MEMBERSHIP AND AFFILIATION**

4.01 IPSC New Brunswick does itself accept individual memberships and Club Affiliations.

4.02 Any individual wishing to associate as a member with IPSC New Brunswick shall address itself to the Section Coordinator and provide whatever information he may require. On notification of acceptance for membership, the individual shall forward to the Treasurer a bank draft for the appropriate and then current membership fee.

4.03 It shall be the responsibility of the Section coordinator to assess and make recommendations to the Executive respecting requests by any individual for membership with IPSC New Brunswick. Before recommending to the Executive acceptance of any individual seeking to obtain membership with IPSC New Brunswick as a member, the section coordinator shall satisfy himself that the individual group meets the following criteria:

(a) must be a recognized member in good standing with a provincially recognized gun club;

(b) must have successfully completed the Black Badge IPSC Training Program;

(c) agrees to respect and adhere to the principals of practical shooting as set forth in article 5.02.

4.04 Any group wishing to associate as an affiliation with IPSC New Brunswick shall address itself to the Section Coordinator and provide whatever information he may require. on notification of acceptance for affiliation, the group shall forward to the Treasurer a bank draft for the appropriate and then current membership fee.

4.05 It shall be the responsibility of the Section coordinator to assess and make recommendations to the Executive respecting requests by any group for affiliation with IPSC New Brunswick. Before recommending to the Executive acceptance of any individual seeking to obtain membership with IPSC New Brunswick as a member, the Section Coordinator shall satisfy himself that the individual group meets the following criteria:

(a) it is democratically constituted and has a formal, written constitution in a form acceptable to the Executive, consistent with the principles of this Constitution which has been duly adopted and ratified by a majority vote of its members;

(b) it is responsible to its membership;

(c) it is representative of the practical shooters within the Section concerned;

(d) it will respect and adhere to the principles of practical shooting as set forth in Article 5.02 hereof and apply them in its championship program;

(e) it will maintain at all times current tables of organization and current lists of members of the Section and submit the same annually to the Regional Director;

(f) it will prepare and issue evidence of membership in the Region to each member of the Section in a form acceptable to the Executive. The certificate evidencing membership shall remain, and is, the sole property of the Region and shall be returned to the Secretary of the Region upon request where the member, or the member's Section, is suspended or

expelled from association with the Region. In event of reinstatement the certificate, or a substitute therefore, shall be given or sent back to the member.

4.06 Acceptance of a member or affiliation shall be at the discretion of the Executive.

4.07 There shall be only one affiliation with IPSC New Brunswick for each club in New Brunswick. In the event of a further application for affiliation from a club in which there is already a recognized and affiliated group, the Section Coordinator shall seek to inform itself regarding the extent to which the existing affiliated group and the applicant meet the criteria enumerated in paragraph 4.03. The Executive may effect a transfer of affiliation from a currently affiliated group to a group applying for affiliation in lieu of the existing Section if such applicant better meets the criteria enumerated in paragraph 4.03 hereof and if the Executive so decides by a vote approved by two-thirds (2/3) of the executive members.

4.08 A group may disaffiliate from IPSC New Brunswick at any time by giving the section Coordinator written notice of its decision to do so and the Section Coordinator shall forthwith declare the affiliation vacant and may consider new applicants for affiliation on behalf of the group.

4.09 The Executive may, by the vote of two-thirds (2/3) of its members, suspend the membership of any individual or group for failure to respect the principles of practical shooting as herein set forth or for any financial defalcation or mismanagement of the affairs of the Section, or for misrepresentation of, or failure to represent, the best interests of the members of the Section or for failure to comply with the conditions of its membership.

4.10 Any affiliation not having a written constitution at the time of the coming into force of this Constitution shall have a period of three hundred and sixty-five (365) days from the date upon which this constitution comes into force to prepare and ratify a written constitution for the Section and provide a copy thereof to the Executive together with proof of its due and democratic ratification by the members of the group. In default of ratifying and adopting a written constitution within the time limited above, the Executive may disaffiliate the group or take such other steps, as it considers appropriate.

(1) defalcation: embezzlement

## **5. GENERAL GOALS**

5.01 The general goals of IPSC New Brunswick are to establish the sport of practical shooting on solid foundations and to promote its growth and safeguard its principles and to regulate its conduct throughout the Section of New Brunswick in order to cultivate the safe and efficient use of firearms by persons of good character.

5.02 The section and members shall adhere to the following principals of IPSC with respect to the sport of practical shooting:

- (a) practical competition is open to all reputable persons without regard to occupations; specifically, it may not be limited to public servants;
- (b) accuracy, power and speed are the equivalent elements of practical shooting and practical competition must be conducted in such a way as to evaluate these elements equally;
- (c) weapon types are not separated, all compete together without handicap. This does not apply to the power of the weapons as power is an element to be recognized and rewarded;
- (d) practical competition is a test of expertise in the use, of functional defensive equipment. Any item of equipment, or modification to equipment, which sacrifices practical functionality for a competitive advantage contravenes the principles of the sport;
- (e) practical competition is conducted using practical targets, which reflect the general size and shape of such objects as the weapons may reasonably be called upon to hit in their primary intended use;
- (f) the challenge presented in. practical competition must be realistic. Courses of fire must follow a practical rationale and simulate sensible hypothetical situations in which weapons might reasonably be used;
- (g) practical competition is diverse. Within the limits of realism problems are constantly changed, never permitting specialization on either technique or equipment. Courses of fire may be repeated, but no course may be repeated enough to all its use as a definitive measure of practical shooting skills;
- (h) practical competition is free-style. In essence, the competitive problem is posed in general and a participant is permitted the freedom to solve it in the manner he considers best within the limitations of the competitive situation as provided.

5.03 IPSC New Brunswick shall be operated and its administration, conducted, in such a manner as to meet the following criteria:

- (a) it shall be democratically constituted and have a formal written constitution which has been duly adopted and ratified by a majority vote of its members;
- (b) it shall be responsible to its memberships;
- (c) it shall be representative of the practical shooters within the section;

(d) it shall respect and adhere, to in principles of practical shooting as set forth in Article 5.02 hereof and apply them in it's championship program.

## **6. EXECUTIVE**

6.01 The Executive shall be composed of duly elected members of IPSC New Brunswick. The Executive shall manage the affairs of IPSC New Brunswick. Upon any executive member ceasing to be a members of IPSC New Brunswick, he shall simultaneously cease to be an executive member and the position formerly occupied by him as an executive member shall forthwith be assumed by whomever succeeds him Interim as appointed by the Section Coordinator.

6.02 The Section Coordinator shall be elected by the memberships for a term of two (2) years and shall be chairman of the Executive and ex-officio a member of all committees of the section.

6.03 The Section Coordinator shall not be entitled to cast a vote at any meeting of the Executive except in the event of a tie in which case the Section Coordinator shall have one (1) weighted tie-breaking vote.

6.04 The Section Coordinator shall appoint a Secretary and a Treasurer, and the Secretary and Treasurer shall be members of the Executive until such time as their appointments are terminated, provided however that neither the Secretary nor the Treasurer shall be entitled to vote in that capacity at any meeting of the Executive.

6.05 The Section Coordinator shall be limited to two consecutive terms of office.

6.06 The Executive may conduct meetings by telephone and may ratify resolutions or by-laws without meeting. provided that all members of the Executive sign such by-laws or resolutions in evidence of their consent to the same.

6.07 Any vacancy in the office of Section Coordinator shall be filled by the Secretary who will become the acting Section Coordinator. The acting Section Coordinator shall, within thirty (30) days of the office of Section Coordinator becoming vacant, call for an election of a section Coordinator to complete the balance of the term of the Section Coordinator who has vacated office. The election of a replacement Section Coordinator shall be conducted, mutatis mutandis (means in the same way).

6.08 Any executive member, including the Section Coordinator, may be dismissed for cause by the vote of a majority Of the Executive. An executive member against whom a motion of dismissal is brought shall be invited to be present and to answer the allegations against him, but shall be required to withdraw before any vote is taken.

6.09 The past Section Coordinator shall be an ex-officio-member of the Executive for the term following the term when he acted as Section Coordinator. Each Section Coordinator shall serve I as an ex-officio member of the Executive f or a term of two (2)

years unless he resigns or is otherwise removed from office in accordance with the provisions of this Constitution. A past Section Coordinator shall be treated in all respects as a full member of the Executive save and except that he shall have no right to cast any vote at a meeting of the Executive.

## **7. DUTIES**

7.01 The Section Coordinator with the advice and consent of the Executive is responsible for the conduct and management of the Section's affairs and is its chief executive officer.

7.02 The Section Coordinator may establish and dissolve the committees of the section which will work within the terms of reference that he established for them. He shall appoint members to the committees of the section and may remove members from such committees.

7.03 The Section Coordinator, shall be responsible for the preparation and publication of a section's newsletter with respect to the affairs of the section to be published at least quarterly. The section's newsletter shall contain information with respect to the affairs of IPSC and the Sections, if such information is provided by the members and affiliations, and such other matters as the Section Coordinator deems appropriate for publication. The section's newsletter shall be sent free of charge to each member and affiliations and shall be sent to such other affiliations who subscribe to the section's newsletter.

7.04 The Secretary will assume the duties of the Section Coordinator in the event of the event of the Section Coordinator's inability or unwillingness to perform the same, and is ex-officio a member of all committees of the section. He will keep an accurate record of the proceedings of the section and will in addition perform such other duties as the Section Coordinator may request.

7.05 The Treasurer shall keep an accurate record of all monies received and disbursed and invested by the section. He will advise the Executive on financial matters and shall present a statement of account to the Executive whenever requested.

7.06 The Executive is the supreme policy making body of the Section.

7.07 Questions arising at any meeting of the Executive shall be decided by a majority of votes. In the case of an equality of votes, the Section coordinator, in addition to any other vote or votes which he may have cast, shall have a second or casting vote. All votes at any such meeting shall be taken by ballot if so demanded by any executive member present, but if no demand be made, the vote shall be taken in the usual way by assent or dissent. A declaration by the Section Coordinator that a resolution has been carried and an entry to that effect in the minutes shall be admissible in evidence as prima facie proof of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution.

7.08 The members of the Executive shall receive no remuneration for acting as such but shall be entitled to reimbursement for all proper expenses incurred on behalf of the section. Reimbursements for any disbursement in excess of \$25.00 shall first be approved by the Executive.

7.09 The Executive shall conduct its Annual Membership Meeting at the Provincial Practical Shooting Championships wherever such Championships may be determined by resolution of the Executive to be held.: The Secretary shall cause to be circulated to each member a notice convening-the meeting not less than thirty (30) days prior to the date so specified.

7.10 The notice convening the Annual General Meeting of the memberships shall include an Agenda and motions may be put to the memberships only on items included in the- Agenda save that this restriction shall not exclude a motion relating to any matter properly raised under the heading of many other business".

7.11 Every member shall be entitled to have placed on the Agenda such items as he may request in writing. Items for inclusion in the Agenda must reach the Section Coordinator not later than forty-five (45) days prior to the Annual General Meeting of the memberships at which the items are intended to be discussed.

7.12 The business of the annual general meeting of the membership will include:

(1) the minutes of the previous meeting;

(2) the Section Coordinator's report;

(3) the Treasurer's Report and presentation of the previous years' accounts and financial statements;

(4) the election of the Section Coordinator if appropriate; and

(5) such other business as the Agenda may prescribe.

7.13 A quorum of the Executive shall consist of executive members, or their proxies, present and representing not less than one third of the aggregate votes of the Executive.

7.15 Any member of the Executive who is unable for any reason to attend a meeting of the Executive may appoint in writing a proxy to represent him provided that a proxy document identifying the proxy holder is delivered to the Section Coordinator prior to the meeting with respect to which the proxy is granted. The proxy holder shall be entitled, unless specifically excluded by the terms of the proxy, to vote upon all matters upon which the absent member of the Executive would have been entitled to vote.

## **8. IMPLEMENTATION OF THE CONSTITUTION**

8.01 Upon the current Section Coordinator having approved a draft of this constitution it shall be circulated to the memberships of the Section. The memberships shall thereafter have thirty (30) days within which to submit comments in writing to the Section Coordinator respecting the provisions contained in the draft Constitution. The Section Coordinator shall consider the comments of the memberships and make such changes to the draft Constitution, as he deems appropriate. A further draft of the Constitution shall, as quickly as possible, be circulated among the memberships for each Section and, within thirty (30) days of such second circulation, a vote shall be taken among the memberships, either approving or disapproving the ratification and adoption of the Constitution. This vote shall be taken by written ballot which may be delivered to the Section Coordinator by mail. Ratification and adoption of the Constitution shall require an affirmative vote of 50% of the responding memberships as set forth in paragraph 6-10 and upon receiving such affirmative vote the Constitution shall forthwith become effective. In the event that the Constitution does not receive such affirmative vote on a first ballot, the Section Coordinator shall make such changes to the draft constitution as he deems appropriate and thereafter circulate such further amended draft of the Constitution among the memberships and within thirty (30) days of such third circulation a vote shall be taken as set forth above, and so on until the Constitution is finally ratified as herein provided.

## **9. AMENDMENT TO THE CONSTITUTION**

9.01 Notice of any motion to amend the Constitution must be given to the Section Coordinator not less than ninety (90) days prior to the Annual General Meeting of the memberships at which the motion is to be entertained.

9.02 Motions for amendment of the Constitution shall require the assent of a (2/3) majority of the Executive, present in person, entitled to vote as members of the Executive.

## **10. FINANCE AND ADMINISTRATION**

10.01 The property and funds of the Section shall be vested in the Executive.

10.02 The financial year of the section will end at such date as the Treasurer, with the consent of the Executive, may determine.

10.03 Annually, within sixty (60) days after the end of each fiscal year, the books and accounts of the Section shall be audited by an auditor appointed by the Executive. The Executive may, by the assent of a 2/3 majority of the memberships entitled to vote as members of the Executive, require a further audit to be performed by a different auditor. The Report of the auditor shall be published in the section's newsletter within one hundred and twenty (120) days after the end of each fiscal year.

10.04 All monies received to the account of, or on behalf of, the section shall be deposited into the section's banking or investment 'accounts and all proper expenditures of the section shall be met by drawing on these accounts.

10.05 Cheques in an amount not exceeding a sum to be stipulated by the Executive may be signed by the Treasurer alone. Cheques exceeding such sums must bear the signatures of the Treasurer together with any other member of the Executive.

10.06 The Executive may hire, retain or appoint such staff or advisors as the sound administration of the section may require And may award such salary, fee, honoraria or reimbursement of expenses as ma,, seem to it to be appropriate.

10.07 There shall be payable, annually, to the section by each member's affiliated club, at such date as the Executive may determine, a membership fee consisting of a base fee in such amount and according to such criteria as may be specified and agreed upon by resolution by the Executive.

10.08 Any member or affiliation in arrears of paying its fee for more than sixty (60) days may be suspended or removed from association with the Section by the Section Coordinator.

## **11. LEGISLATION, INTERPRETATION AND DISCIPLINE**

11.01 The Executive shall have the power to legislate on any matter not provided for in the Constitution and to formulate and promulgate such by-laws, rules and regulations as may be necessary or appropriate provided that the same are not inconsistent with any of the principles contained in this Constitution.

11.02 The Executive shall have the power to expel or suspend from association with the section, or to impose any such lesser penalty as it shall think proper, on any member of affiliation whose conduct is in breach of the by-laws, rules or regulations of the section, or if the member of affiliation is likely, in the view of the Executive, to bring the sport, the Section or the Region to disrepute. The Executive shall likewise have the power to expel, suspend or disbar from competition any member.

11.03 In any such case, the Executive shall serve written notice by registered mail of its intention to consider disciplinary action and the grounds therefore and the relevant member or affiliation, as the case may be, shall be invited to attend a meeting of the Executive, or to send a representative, in order to make representations or call evidence before such meeting. The member or affiliation, may, in lieu of attending or sending a representative to the meeting, submit a written statement in response to the grounds contained in the notice. In no case shall the notice be sent less than thirty (30) days prior to the date of the meeting at which the matter is intended to be considered.

11.04 If 2/3 of the executive members, after due consideration of all relevant evidence including any submissions by the member or affiliation, find the allegations of

misconduct to be substantiated, a motion stipulating penalty shall be proposed and seconded. A motion stipulating penalty must receive a majority of 2/3 in order to take effect. The member or affiliation shall be informed in writing of the Executive's decision.

11.05 As to all matters not provided for in this Constitution, the conduct of the affairs of the section shall be regulated by analogy thereto, to the greatest extent practicable. To the extent that the conduct, or practice to be followed, with respect to any meetings of the Executive is not provided for in this constitution, or ascertainable by analogy thereto, the provisions of the most current edition of General Henry M. Robert's rules of order shall current govern.

11.06 Notwithstanding any other provisions contained in this Constitution, a resolution in writing, signed by all the executive members entitled to vote on that resolution at a meeting of the Executive is as valid as if it had been passed at a meeting of the Executive.

## **12. INDEMNIFICATION**

12. 01 By acceptance of membership in a Section, and thereby of membership in the Region, each ex-officio member is deemed to indemnify and save harmless the section, the Executive and officers of the section against any claims, liabilities, expenses or demands for any injury, damages, or loss, however sustained or causes, whether by negligence or otherwise, to or by himself, his defendants, heirs, or executors at any competition or other event organized or sanctioned by the section.

## **13. TERMINATION**

13.01 A motion to terminate the section shall be treated as constitutional amendment. In the event of a motion for termination being carried, the Executive shall, after settlement of all debts and liabilities of the section, proceed to inventory the remaining assets of the section and shall offer them to the shooting organization or organizations that it shall deem to be the most suitable recipient or recipients of such assets.

13-02 The Executive may, by ordinary resolution, constitute, alter and dissolve such committees as it considers expedient from time to time and may

(a) appoint and remove the 'members thereof; and

(b) establish, modify and resume the respective functions, powers and duties thereof.

13.03 The Executive may appoint any ex-officio member of the section in good standing to a committee and such committee members serve only at the pleasure of the Executive.

13.04 Committee members shall serve without compensation, fee or like remuneration and no committee member shall, directly or indirectly, receive any profit from his

position as such, but a committee member may be reimbursed for reasonable expenses incurred by him in the performance of his duty.

#### **14. INCORPORATION OF IPSC NEW BRUNSWICK**

14.01 In the event that the Executive decides to incorporate IPSC New Brunswick as a body corporate without share capital under the Canada Corporations Act this Constitution, and any valid amendments thereof, shall be adopted and ratified as the first (1st) By-Law of such corporation.

The undersigned hereby certify that the foregoing Constitution was duly ratified and adopted by all Executive Members and the Members present at the Executive IPSC New Brunswick held in Oromocto, October 6, 1991.