



June 2020

Attention: BC Soccer Members

From: BC Soccer

Subject: Canada Soccer Letter Regarding For-Profit and Not-For-Profit Organizations

Recently, BC Soccer shared a letter it received from Canada Soccer (provided following this memo for reference) providing a clear direction in terms of the incorporation status of an organization and the relevance of this as it relates to inclusion within BC Soccer's membership structure. Specifically, the letter stated that, "Canada Soccer views 'private academies', 'for-profit clubs', and 'non-profit/community clubs' as one in the same". Further, as a member of Canada Soccer, the letter reiterated BC Soccer's obligation to comply with Canada Soccer's bylaws, rules, and policies.

Since then, BC Soccer has also received a letter from a Youth District Member Association, that did not support the amendments at the 2019 AGM, requesting BC Soccer revisit proposed bylaw amendments and rule changes at the 2020 BC Soccer AGM that, "will allow For-Profit Entities providing soccer activities (such as Academies) to be included formally within the sanctioned soccer environments as members of a regional youth soccer district..."

In receiving the above noted communications, looking ahead to the 2020 Annual General Meeting (AGM), BC Soccer, lead by the Chairs of its Governance and Membership Committees (Garry Sangha and Gayle Statton, respectively), will seek to review and/or revise the bylaw amendments related to for-profit inclusion under the full membership structure that were proposed, but did not pass, at the 2019 AGM. As a part of this, BC Soccer will be reaching out to the membership to participate in collaboration and gather feedback to be used in preparing proposed bylaw/rule amendments and any other documentation or resources that would assist members in the transition should the amendments carry.

BC Soccer has consulted its legal partners, Alexander Holburn Beaudin + Lang, LLP and requested them to provide legal opinion to ensure that nothing would prevent a for-profit organization being a member of a non-profit Youth District Association or Adult League; specifically, that the Youth District Association or Adult League's non-profit society status would not be affected by having a for-profit organization as a member. The letter shall be shared with membership once received by BC Soccer.

Should your organization have any questions or feedback, or, like to arrange a meeting with BC Soccer, please feel free to reach out to board member and Governance Committee Chair, Garry Sangha (gsangha@ccigroup.ca), board member and Membership Committee Chair, Gayle Statton (gstatton@shaw.ca) or staff member, Lori D'Andrea, Director of Community Development (loridandrea@bcsoccer.net).



April 22nd, 2020

VIA EMAIL

Jason Elligott, Executive Director
jason.elligott@bcsoccer.net
BC Soccer Association
250 – 3410 Lougheed Highway
Vancouver, BC
V5M 2A4
Phone: 604.299.6401 Ext. 1414

Dear Jason,

First and foremost, my apologies for the delay in getting this to you after our conversations over the past few weeks.

As we discussed, it is the obligation of all Member Associations of Canada Soccer to “*comply with the By-laws, Rules and Regulations, Code of Conduct and Ethics, Disciplinary Code, policies, and decisions of Canada Soccer and the Statutes, regulations, directives and decisions of FIFA and CONCACAF at all times, and with all duties arising therefrom*”.

In addition to this, Member Associations must enact By-laws, Rules and Regulations, etc. that are in accordance with the above.

Regarding one of the areas we discussed, Canada Soccer defines a Club as *an organization operating one or more teams that is subordinate to Canada Soccer or a Member Association*; our Rules and Regulations further go on to state *a Club is an organization operating one or more teams under a common executive*. The ‘Club’s’ status (professional or amateur), its legal form, or its tax status is not and should not be relevant to its inclusion into membership.

For clarity, Canada Soccer views ‘private academies’, ‘for-profit clubs’, and ‘non-profit/community clubs’ as one in the same. For example, the Montreal Impact are a ‘not-for-profit’ club/organization while Toronto FC are a ‘for-profit/private’ club/organization. Both are in the same membership class and afforded the same rights and benefits of membership. Therefore, we’d expect the same regarding membership with a Member Association.

I trust this makes sense and hope you and your family are both safe and healthy.

Kindest regards,

Earl Cochrane
Canada Soccer