

BC Soccer New Soccer Club Membership Applications

Drafted October 2014

BC Society Act

Section 6(1) of the BC Society Act (the “Act”) provides that the bylaws of a society must contain provisions for the following:

- a) the admission of members, their rights and obligations and when they cease to be in good standing;
- b) the conditions under which membership ceases and the manner, if any, in which a member may be expelled;
- c) the procedure for calling general meetings;
- d) the rights of voting at general meetings, whether proxy voting is allowed, and if proxy voting is allowed, provisions for it;
- e) the appointment and removal of directors and officers and their duties, powers and remuneration, if any;
- f) the exercise of borrowing powers;
- g) the preparation and custody of minutes of meetings of the society and directors.

Based on this, the Act requires that societies include provisions for the admission of members within their bylaws. The relevant section is 6(1)(a) above.

Important note:

Societies must file their Bylaws (and any amendments to the bylaws) with the Registrar. Societies must also file Annual Reports and make other filings (such as changes in directors and special resolutions passed by the members) with the Registrar to ensure that the society keeps in good standing. However it is important to be aware that the Registrar is a filing body, rather than a compliance body; this means that the Registry ensures that the documents are completed properly, but does not review the bylaws to ensure compliance with the Act.

BC Soccer review of Member Association Bylaws

BC Soccer's Constitution and Bylaws provides the following:

ARTICLE 12 - YOUTH DISTRICT AND ADULT LEAGUE BOARDS AND DISTRICT ASSOCIATIONS

2) Youth District Associations

- i) Each Youth District Association shall submit a copy of their Constitution Bylaws, Rules and Regulations annually, duly amended, to this Association for approval.

This is a BC Soccer requirement of all members, in addition to the compliance requirements of the Act. BC Soccer is working to support all member associations in this regard which is why, in consultation with our legal partners, BC Soccer has developed Constitution and Bylaws templates and user guides for its members (more information below on these).

BC Soccer is responsible for overseeing the sport among its members in the Province of BC. It is ultimately responsible to the Canadian Soccer Association, along with its provincial counterparts (such as Via Sport and the Provincial Government). For this reason, it is BC Soccer's responsibility to monitor its members own corporate structure, as set out in their Constitution and Bylaws. This also allows BC Soccer to ensure consistency among the various jurisdictions in the provinces, to ensure fairness to players throughout BC. Providing access to a member's Constitution, Bylaws and rules is one of the factors considered by BC Soccer in granting membership. Also, the Constitution and Bylaws are publicly available from the Registrar in any event.]

Individual Societies

Each Youth District Association is unto itself a society and has the right to outline and agree the bylaws that best meet their needs; however the bylaws of every society must adhere to the Act, BC Soccer and ultimately the Canadian Soccer Association. As long as the minimum requirements are met, each society has the ability to put in place whatever process/obligations for any new member to apply to join.

The Act and the Courts have indicated that BC societies have the right to control membership, subject to the terms set out in its bylaws. BC Soccer recommends that as a good practice, bylaws don't just simply state that persons or organizations can "subsequently become members", but how this is to occur. The flexibility of the Act allows societies to decide how membership admission is to occur, but this also comes with the responsibility to the society of setting this out in the bylaws. This could be as brief as stating members are admitted "on resolution of the Board".

Further from a good governance and transparent perspective, this allows each Youth District Association to ensure they are acting for the good of the players and game for the region in which they govern.

Guidance on Process for Receiving and Reviewing New Member Applications

BC Soccer has specific clauses within its Bylaws to receive and review new member applications and accept and/or deny membership. To support these clauses, BC Soccer has membership application forms in place for any potential new member to access and submit.

Reference - [Full Member Application](#) and [Associate Member Application](#)

BC Soccer recommends all members to request the following information (at a minimum) as part of their new member application process.

- 1) Description of the applying organization, including identifying the jurisdiction represented, and why you are applying for membership.
- 2) The current Constitution and Bylaws (If a proposed member is not yet incorporated, consider requesting a proposed Constitution and Bylaws or a finalized set once incorporation is complete.).
- 3) Their current Rules and Regulations or Operational Manual (Alternatively, it could be a statement that those of the governing body applies.).
- 4) The current Privacy and Harassment Policy (Alternatively, it could be a statement that those of the governing body applies.).
- 5) The minutes from their last AGM and pervious XXX number of Board Meetings (If you deem important).
- 6) The complete listing of their current Officers/Directors and contact information, including the contact particulars for the designate delegate who the governing body deals with and who attends meetings of the governing body.
- 7) The complete listing of current employees of the applying organization, including titles/roles and contact information.
- 8) A complete listing of the committees and appointments made to each committee.
- 9) The organization most recent financial statement or the organization's most recent financial statements, as reviewed by an independent review committee consisting of not less than three persons (If the organization has not yet completed its financial statements, consider requesting a budget.).
- 10) Written documentation that they are a registered society (or proof of working towards)
- 11) Written evidence that they have player registrations or intent of player registrations for a certain number of players, which would lead to a certain number pf teams

- a. this could be the form of, once the initial application has received provisional approval, the club has by XXXX date to provide XXX number of player registrations before the club is fully approved (or something along those lines)
- 12) Written statement that the applying organization will adhere to all governing body bylaws and rule/regulations, including the governing District, BC Soccer and Canada Soccer.

Important note:

- All new member applications must be reviewed and processed in accordance to the accepting organisation's bylaws, rules and regulations.
- It is recommended that all new member applications are reviewed by an appointed panel of individuals who do not have a conflict of interest or perceived conflict of interest in the outcome of the decision.

Decisions on new members

When taking decisions regarding new member applications the Youth District must ensure to not pre judge or prejudice the decision making process. Decisions on any new member must be communicated in writing to the applying organization. In doing so, the communication must provide the requirement information regarding the appeal process of the decision. The reason for this is that all decisions are subject to the appeal process as defined in the BC Soccer rules and regulations.

Should an application be denied, the Youth District must ensure that it is being denied for 'good reason'.

It is important to note, the decisions in 2014 by BC Soccer and CSA which were made upon appeal of a district decision to not allow a new member club to join their association. BC Soccer and the CSA over turned the district decision. A new club applied to join a district association and the district association rejected the application. The club appealed the decision to BC Soccer, who over turned the district's decision. The district then appealed BC Soccer's decision to Canada Soccer, who upheld BC Soccer's decision.

Additional comments

To ensure consistency and fairness to soccer players across the Province, BC Soccer recommends that all member associations and their affiliate clubs access and implement the BC Soccer Constitution and Bylaws templates that we developed in conjunction with our legal counsel to ensure compliance with the Act. These templates are a good practice guide/template to ensure all organizations at the various levels have compliant bylaws with the Act and BC Soccer bylaws.



Constitution and Bylaws templates and user guides

To assist all BC Soccer Youth District (and their affiliate soccer clubs) and Adult League Members, BC Soccer is pleased to provide a Constitution and Bylaw Template and User Guide for the Youth Districts and Adult Leagues and also a Template and User Guide for Soccer Clubs.

These templates, which were developed in conjunction with BC Soccer's legal partner Alexander Holburn Beaudin and Lang LLP, are designed to assist member organizations, regardless of the level (i.e. club, district, league, etc.) in drafting their Constitution and Bylaws. The wording within the documents are chosen specifically to meet the criteria of the Act while reflecting all levels of governance, including the rules, policies and bylaws of the BC Soccer Association and the higher governing bodies (i.e. Canadian Soccer Association and FIFA).

[Youth District and Adult League - Constitution and Bylaw Template](#)

[Youth District and Adult League - Constitution and Bylaw User Guide](#)

[Soccer Club - Constitution and Bylaw Template](#)

[Soccer Club - Constitution and Bylaw User Guide](#)

Should you have any questions regarding this, please feel free to contact:

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