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Municipal Pension Retirees' Association



With age, wisdom & power

MPRA Constitution and Bylaws

Revised May 2019

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Constitution

1. The name of the society is: MPRA - Municipal Pension Retirees' Association

2. The purpose of the Association is:
 - a) To promote the interest and welfare of its members,

 - b) To communicate to its members on the activities about the Association and issues of common interest,

 - c) To provide an opportunity for members to meet regularly, and

 - d) Such other purposes as established by the membership.

Bylaws

(As amended June 2011)

Here set out, in numbered clauses, the Bylaws provide for the matters referred to in section 6(1) of the Society Act and any other Bylaws.

Part 1 Interpretation

- a)** In these Bylaws, unless the context otherwise required
 - i.** Provincial Executive means all the Provincial Executive of the Association for the time being;
 - ii.** “Society Act” means the Society Act of British Columbia from time to time in force and all amendments to it;
 - iii.** “Registered address” of a member, means the member's address as recorded in the register of members;
 - iv.** “General Meeting” means the Biennial Convention in odd numbered years and the Biennial Reporting Meeting in even numbered years or an extraordinary General Meeting.

- b)** The definitions in the Society Act on the date these Bylaws become effective apply to these Bylaws.

- c)** Words importing the singular include the plural and vice versa; and words importing a male person include a female person.

Part 2 – Membership

1. Membership
 - a) Membership in the Association shall consist of two categories: Regular and Associate
 - i. A person receiving a pension or survivor's pension from the Municipal Pension Plan administered by the BC Pension Corporation is eligible for regular membership. *(As amended June 2011)*
 - ii. Spouses of Regular members who are not in receipt of a Municipal Pension are eligible for Associate membership.
 - iii. Spouses and/or a person receiving a pension from any public sector pension plan are eligible for Associate membership.
 - iv. Persons currently receiving LTD Disability and who will not be returning to their workplace and who would qualify for a pension under the Municipal Pension Plan are eligible to apply for membership in the MPRA. They shall be considered as Associate members. *(As amended 2006)*
 - v. Effective May 2011 an Associate member who presently holds a District Executive position shall have full rights and privileges of a regular member for as long as they hold that position on the District Executive but shall not be permitted to run for the Provincial Executive at the Convention.
 - b) At no time shall the number of Associate Members be permitted to exceed the number of Regular Members.
2. Application for enrollment as a Member shall be made to the Association accompanied by full payment of dues. District may receive applications of behalf of the Association and forward the application to the Provincial Secretary. New member's information shall be sent to the District deemed most appropriate.

3. The annual membership dues can only be determined at the Convention of the Association.
4. Every member must uphold the Constitution and comply with these Bylaws.
5. At the Provincial and District level of the Association:
 - a) Holding Office shall be a privilege limited to Regular Members.
 - b) Voting at Biennial Convention shall be limited to Provincial Executive and accredited Delegates.
 - c) Voting at District meetings shall be limited to Regular Members.
 - d) All members, upon presentation of a valid membership card of the Association, shall be entitled to attend General Meetings, but shall not be entitled to vote, or to move or second any motion, unless they are a Provincial Executive member or an accredited Delegate.

Part 3 – Resignation, Suspension and Expulsions

6. Any member may terminate his or her membership in the Association by submitting a resignation in writing by mail, facsimile, or email to the Provincial Office. The member's name shall be removed from the Membership roll at the end of the current year. Refunds for annual dues will not be given. (As amended May 2019)

7. Dues
 - a) Members, whose dues are in arrears in the 30th day of September in any year, shall forfeit their good standing and privileges in the Association, will be suspended and they shall be advised in writing of such actions.

 - b) If on the 31st day of December in the same year the dues should remain unpaid, their names shall be removed from the membership roll. They may be reinstated with no lapse in membership, if all arrears and current dues are paid within one month of such notice, any greater delay shall require a new member application.

8. The Provincial Executive shall have the power to remove from the membership roll the name of any person who, in the opinion of the Provincial Executive, is no longer worthy of being connected with the Association. However, before such action is taken, the member affected shall have the right to a hearing before the Provincial Executive. The member shall be notified in writing as to the time and place of his or her appearance before them. (*As amended June 2010*) (*As amended May 2015*)

Part 4 – Meeting of Members

9. Meetings

- a)** General Meetings of the Association shall be held at the time and place as decided by the Provincial Executive.
- b)** Biennial Convention shall consist of the Provincial Executive and delegates.
- c)** There shall be a minimum of two delegates elected by each District to attend the Biennial Convention. The Biennial Convention may determine a formula for District Delegates to attend the Biennial Convention but at no time shall the number of Delegates be less than two Delegates per district.
(As amended May 2015)

10. Notice of the Biennial Convention or the Biennial Reporting Meeting must specify the place, day and hour of the meeting and, in case of special business, the general nature of that business.

11. Every General Meeting, other than a Biennial Convention or a Biennial Reporting Meeting is an extraordinary General Meeting.

12. The Provincial Executive may, when they think fit, convene an extraordinary General Meeting.

13. 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 does not invalidate proceedings at that meeting.

14. Biennial Convention or Biennial Reporting Meeting

- a)** The specific date and place for the Biennial Convention or the Biennial Reporting Meeting shall be decided at a minimum of ninety (90) days prior and the Districts notified.
- b)** Commencing in the year 2012 and every subsequent even-numbered year, the MPRA shall hold a Biennial Reporting Meeting that will consist of President's Message,

Financial Statements, and Provincial Executive Reports. *(As amended June 2011)(As amended May 2015)*

- c) Commencing in the year 2013 and every subsequent odd-numbered year, the MPRA will hold a Biennial Convention that shall consist of President's message, Financial Statements, Provincial Executive Reports, Provincial Executive elections and Resolutions/Amendments. *(As amended June 2011)(As amended May 2015)*

Part 5 – Proceedings at General Meetings

- 15. Special business is:**
- a)** All business at an extraordinary General Meeting except the adoption of rules of order, and
 - b)** All business conducted at a General Meeting except the following:
 - i.** The adoption of rules of order;
 - ii.** The consideration of the financial statements;
 - iii.** The reports of the Provincial Executive;
 - iv.** The report of the auditor or examining committee;
 - v.** The election of Provincial Executive;
 - vi.** The appointment of the auditor or examining committee; and
 - vii.** The other business that, under these Bylaws, ought to be conducted at a General Meeting or business that is brought under consideration by reports of the Provincial Executive issued with the notice convening the meeting.
- 16. Business**
- a)** Business, other than the election of a Chair and the adjournment or termination of the meeting, must not be conducted at a General Meeting at a time when a quorum is not present.
 - b)** If at any time during the General Meeting there ceases to be a quorum present, business, then in progress, must be suspended until there is a quorum present or until the meeting is adjourned or terminated.
 - c)** A quorum shall be two thirds ($\frac{2}{3}$) of registered Provincial Executive and accredited Delegates. This number shall never be less than twenty-five (25).

- 17.** If, within thirty (30) minutes from the time appointed for a General Meeting, a quorum is not present, the meeting if convened on the requisition of members, must be terminated, but in any other case, it must stand adjourned to the same day in the next week, at the same time and place, and if, at the adjourned meeting, a quorum is not present within thirty (30) minutes from the time appointed for the meeting, the members present constitute a quorum.
- 18.** Subject to Bylaw 21, the President of the Association, the Vice-President or, in the absence of both, one of the other Provincial Executive members present, must preside as Chair of a General Meeting.
- 19.** If at a General Meeting:

 - a)** There is no President, Vice-President, or other Provincial Executive member present within fifteen (15) minutes after the time appointed for the holding the meeting, or
 - b)** The President and all the other Provincial Executive members present are unwilling to act as the Chair; the members present must choose one of their numbers to be the Chair.
- 20.** District Meeting

 - a)** A District Meeting may be adjourned from time to time and from place to place, but business must not be conducted at an adjourned District meeting other than the business left unfinished at the District meeting from which the adjournment took place.
 - b)** When a District meeting is adjourned for ten (10) days or more, notice of the adjourned District meeting must be given as in the case of the original District meeting.
 - c)** Except as provided in this bylaw, it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned District Meeting.

21. Resolution

- a)** A Resolution proposed at a meeting must be seconded, and the Chair of a meeting may not propose a Resolution.
- b)** In the case of a tie vote, the Chair does not have a casting or second vote in addition to the vote to which he or she may be entitled as a member and the proposed Resolution does not pass.

22. Voting

- a)** The right to vote shall be vested in Regular Members. An Associate Member shall not have the right to vote or hold office in the MPRA or in any District; however they shall have the right to attend meetings of the Association or District.
- b)** Voting is by show of hands, unless a standing vote or recorded vote is required.
- c)** Voting by proxy is not permitted.

23. Bourinot's Rules of Order, where not inconsistent with these Bylaws, shall apply so far as applicable to all meetings of the Association.

Part 6 - Provincial Executive

24. The Provincial Executive may exercise all the powers and do all the acts and things that the Association may exercise and do and that are not by these Bylaws or by state or otherwise lawfully directed or required to be exercised or done by the Association in a General Meeting, but nevertheless, subject to:
- a) All laws affecting the Association,
 - b) These Bylaws, and
 - c) Policies, not being inconsistent with these Bylaws that are made from time to time by the Association in a General Meeting.
25. The Executive of the Association shall be: *(As amended May 2005) (As amended June 2007)*
- a) The President
 - b) 1st Vice-President
 - c) 2nd Vice-President
 - d) Vice-President at Large #1
 - e) Vice-President at Large #2
 - f) Provincial Secretary
 - g) Provincial Treasurer
 - h) Vice-President of Communication *(As amended May 2015)*
 - i) Regional Vice-Presidents: One member from *(As amended May 2015)*
 - i. Vice-President Vancouver Island
 - ii. Vice-President Lower Mainland
 - iii. Vice-President Fraser Valley
 - iv. Vice-President Thompson/Okanagan
 - v. Vice-President Kootenays/Out of Province
 - vi. Vice-President South Cariboo/Northern BC
 - vii. Vice-President at Large
Lower Mainland/Fraser Valley (2 Positions)
 - j) Past President as an Ex-Officio, non-voting member of the Provincial Executive. *(As amended May 2015)*

26. Duties

- a) The Provincial Executive of the Association shall be responsible for carrying out the day-to-day business of the Association between General Meetings and meetings of the Provincial Executive.
- b) The Regional Vice-Presidents will act as communications liaison between the districts of their region and the Provincial Executive of the MPRA. *(As amended May 2005)(As amended May 2015)*
- c) The Provincial Executive may be automatic Delegates to any meetings. *(As amended June 2010)*

27. Elections

- a) The President, Provincial Secretary, Provincial Treasurer, 1st Vice-President, 2nd Vice-President, Vice-President At Large #1, Vice-President At Large #2, Vice-Presidents of Regions and Vice-President of Communication shall be elected at the Biennial Convention for a two year term. *(As amended June 2007)(As amended May 2015)*
- b) Nominations and elections for Provincial Executive shall be made from the Delegates at the Convention. A regular Member who wishes to run for office must be a Delegate to the Biennial Convention. *(As amended June 2011)(As amended May 2015)*
- c) Nominations and elections for Regional Vice-Presidents shall be made from the Delegates from their regions and ratified by the Delegates of the Biennial Convention. *(As amended June 2011)(As amended May 2015)*
- d) An election may be by acclamation. If more than one Member is nominated for any of these offices, an election by secret ballot shall be held for that office. The President shall appoint three scrutinizers, none of whom shall be a candidate for office, to count the ballots. The candidates receiving the greatest number of votes shall be elected.
- e) All the Provincial Executive shall be elected in odd-numbered years commencing with the year 2013.

28. Vacancy

- a)** A vacancy in the office of President or 1st Vice-President shall be filled by the 1st or 2nd Vice-Presidents moving up one office.
 - b)** A vacancy in the office of 2nd Vice-President shall be filled by the Vice-President At Large #1, moving up, one office.
 - c)** A vacancy in the office of Vice-President At Large #1 or #2, Provincial Secretary, or Provincial Treasurer and Vice-President of Communication shall be filled by appointment, on a Resolution of the Provincial Executive, and shall serve until the next Biennial Convention. *(As amended May 2015)*
 - d)** A vacancy in the office of a Regional Vice-President shall be filled by appointment on a Resolution of the Provincial Executive and the member appointed shall serve as Regional Vice-President until the next Biennial Convention. *(As amended May 2015)*
- 29.** The Provincial Executive shall not receive any remuneration for their services to the Association, but Executive members may be reimbursed for all expenses necessarily and reasonably incurred by a Executive member while engaged in the affairs of the Association. *(As amended May 2015)*
- 30.** A quorum for the Provincial Executive shall be nine including either the President or one Vice-President. *(As amended June 2010) (As amended May 2015)*
- 31.** The members may, by special Resolution, remove a Provincial Executive Member before the expiration of his or her term of office and may elect a successor to complete the term of office.

Part 7 Proceedings of Provincial Executive

(As amended June 2010)

- 32.** There shall be at least Quarterly meetings of the Provincial Executive each year. Notice of the specific date and place of a meeting, as determined by the Provincial Executive, shall be given at least four (4) weeks prior to the date on which it convenes.
- 33.** General questions arising at a meeting of the Provincial Executive or a committee appointed by the Provincial Executive will be decided by a majority of votes cast.

In the case of a tie vote, the Chair does not have a second casting of votes.

- 34.** A Resolution proposed at a meeting of the Provincial Executive or committee appointed by the Provincial Executive must be seconded, and the Chair of a meeting may not move or propose a Resolution.
- 35.** A Resolution in writing signed by all the Provincial Executive and placed with the minutes of the Provincial Executive, is as valid and effective as if regularly passed at a meeting of Provincial Executive.
- 36. Committees**
 - a)** The Provincial Executive may appoint such committees as they determine are necessary to carry on the business of the Association, and may delegate to any such committee so much of their authority as is deemed necessary.
 - b)** The Provincial Executive may appoint a special committee to deal with a matter of a particular nature and determine the Chair of that Committee. If the Chair is not already a Provincial Executive member, then they may be endowed with the status and privileges of a Provincial Executive member during the time such special committee is extant.

- c) The Provincial Executive may appoint a special committee pending the next meeting of Provincial Executive.
 - d) A committee, so formed in the exercise of the power so delegated, must conform to any rules imposed on it by the Provincial Executive, and must report every act or thing done in the exercise of those powers to the earliest meeting of the Provincial Executive held after the act or thing has been done.
 - e) A quorum for a committee appointed by the Provincial Executive shall be two thirds ($\frac{2}{3}$) of the members of the committee.
 - f) The members of a committee may meet and adjourn as they think proper.
37. The President shall be a member ex-officio of all Committees.

Part 8 – Duties of Provincial Executive

38. President

- a) The President presides at all meetings of the Association and meeting of the Provincial Executive. *(As amended May 2015)*
- b) The President is the Chief Executive Officer of the Association and must supervise the other Provincial Executive members in the execution of their duties. *(As amended May 2015)*
- c) The Provincial Executive members shall perform duties as required. *(As amended June 2010)*

39. Vice-President

- a) The 1st Vice-President shall carry out the duties of the President during the President's absence.
- b) The 2nd Vice-President shall carry out the duties of the 1st Vice-President during the 1st Vice-President's absence.
- c) The Vice-President At Large #1 shall chair the nominating committee.
- d) The Vice-Presidents At Large shall perform duties as required.

40. Provincial Secretary

- a) The Provincial Secretary shall do those things required by the Society Act, the Provincial Executive and Officers. *(As amended May 2015)*
- b) In the absence of the Provincial Secretary from a meeting, the Provincial Executive shall appoint another person to act as Secretary at the meeting. *(As amended May 2015)*

41. The Provincial Treasurer shall:

- a) Keep the financial records, including books of accounts, as required by the Society Act, and the Provincial Executive. *(As amended May 2015)*
- b) Render financial statement to the Provincial Executive, members and others when required. *(As amended May 2015)*

- c) The Provincial Treasurer shall submit the Financial Statements at each Biennial Convention or Biennial Reporting Meeting for the previous year. *(As amended June 2010) (As amended May 2015)*

Part 9 – Elections

42. Nomination

- a) The Provincial Executive shall appoint a nominating committee of three (3) including and chaired by the Vice-President At Large #1. In the absence of the Vice-President at Large #1, the Provincial Executive shall appoint the Chair. *(As amended May 2015)*
- b) At least ninety (90) days before the Convention, the Chair of the Nominating Committee shall circulate to all Districts, a call for nominations for elected offices. Nominees must be nominated by a member in good standing, will provide a written consent to stand for office and may submit background information along with their names. Members who wish to run for a Provincial Executive position must be an accredited Delegate to the Biennial Convention. *(As amended May 2015)*
- c) Upon receiving the names of the delegates to the Biennial Convention, the nominating committee will contact each delegate to determine if they are interested in running for any position(s) on the Provincial Executive. All delegates who have indicated their desire to run for a position on the Provincial Executive shall have their names published and circulated at the Biennial Convention. *(As amended May 2015)*
- d) Nominees must be nominated by an accredited delegate of the Biennial Convention, and may submit background information if they wish. *(As amended June 2010)(As amended May 2015)*
- e) At the Biennial Convention any accredited delegate may nominate a nominee from the floor to run for any position. *(As amended May 2015)*
- f) Provincial Executive members who cannot attend may submit a letter indicating their intention to run for a vacancy. *(As amended June 2011) (As amended May 2015)*

Part 10 – Seal

43. The Provincial Executive may provide a common seal for the Association and the Association may destroy a seal and substitute a new seal in its place. *(As amended May 2015)*

44. The common seal must be affixed only when authorized by a Resolution of the Provincial Executive and then only in the presence of the persons specified in the Resolution, or if no persons are specified, in the presence of the President and Provincial Secretary. *(As amended May 2015)*

Part 11 Association Funds

45. The Association shall not exercise any borrowing powers.
46. The financial year of the Association shall end on the 31st of December, in each year, or on a date as determined by the Provincial Executive. *(As amended May 2015)*
47. Funds donated to or acquired by the Association for specific purposes shall be carried in the Treasurer's books as special accounts. The Treasurer shall render itemized statements.
48. The Treasurer shall invest funds of the Association only as authorized by the Provincial Executive and only on instructions to do so. *(As amended May 2015)*
49. The Treasurer shall not disburse funds of the Association without the sanction of the Provincial Executive. *(As amended May 2015)*
50. Signing Authorities
 - a) Annually, the Provincial Executive shall designate one (1) Provincial Executive member who is not a signing Officer, and two voting members, to constitute an examining committee, whose duty it shall be to verify securities and other things of value in custody, and to examine the accounts, vouchers, and bank deposits of the Provincial Treasurer whose books shall be posted as at the end of the fiscal year determined under Part 11 to render a report at the next Biennial General Meeting; or *(As amended May 2015)*
 - b) The delegates at a Biennial Convention Meeting, and/or members attending the Biennial Reporting Meeting may appoint a qualified accountant to be the auditor by ordinary resolution. *(As amended May 2019)*

Part 12 – Notice to Members

- 51.** Notice sent by mail or email is deemed to have been given on the fourth (4th) day on which the notice is posted, and in proving that notice has been given, it is sufficient to prove the notice was properly addressed and put in a Canadian post office receptacle.
- 52.** Notice
- a) Notice of a Biennial Convention Meeting/Biennial Reporting Meeting must be provided as follows:
- i. The Notice shall be posted on the MPRA website at least 21 days before either of those meetings and maintained on the website until the date of those meetings.
 - ii. The Notice shall be sent by email to each of the following between 60 and 14 days before that meeting:
 - a. Each Provincial Executive and every District shown on the register of Districts, and
 - b. The auditor, if appointed under Part 11, and
 - iii. The Notice shall be published in the summer and fall MPRA newsletters and distributed by email to all members.
- b) No other person is required to receive a notice of a Biennial Convention Meeting/Biennial Reporting Meetings. (As amended May 2019)

Part 13 – Districts

53. The Association may establish Districts of the Association throughout the Province of British Columbia covering such areas as they may determine, with the power, not exceeding the powers of the Association, that the Association confers, and providing that a membership of members in good standing will be enrolled upon establishment.
54. Districts shall comply with these Bylaws and all policies and procedures approved by the Association
55. Districts which do not comply with these Bylaws or policies and procedures may be suspended, but only after a hearing by the Provincial Executive. The District can appeal the suspension to the next General Meeting of the Association.
56. A District which fails to maintain a membership in good standing may be closed down and have its remaining members assigned to another District. Termination will not proceed until after a hearing by the Provincial Executive.
57. If a District should wish to cease operation the following steps must be followed:
 - a) A notification in writing to the Provincial Executive of the District's intention. The notice will include the Resolution, the date, time and place of the District meeting in which the Resolution will be considered.
(As amended May 2015)
 - b) All members of the District will be notified in writing of the proposed Resolution and the meeting date, time and location.
 - c) If at the meeting two-thirds of the members present at the meeting, vote in favour of the Resolution.
 - d) Then a District can cease operation of the said District.

- e) Should a District be suspended or cease operations, all books and assets of the District shall become the property of the Association. This clause is alterable. (As amended May 2019)

58. The Provincial office shall provide each District with a District membership list. The membership list held by the District Executive or Provincial Executive shall be for the use of the Association purposes only and shall not be used or given to persons not connected to the Association. *(As amended June 2010)*

Part 14 – Amendments

- 59.** A change to the constitutions and bylaws and/or regulations shall be done by an amendment submitted by the Provincial Executive or District membership and approved by two-thirds of the Delegates seated at the Biennial Convention.
A Resolution can be submitted to the Biennial Convention by the Provincial Executive and/or District membership and passed by a simple majority by the Delegates seated at the Biennial Convention. *(As amended May 2015)*
- 60.** A special Resolution to amend these Bylaws must be submitted in accordance with procedures approved at a Biennial Convention. *(As amended May 2015)*