

Constitution

Newfoundland and Labrador WTF Tae Kwon Do Association CONSTITUTION

1. Name of Association

The name of this organization shall be the Newfoundland and Labrador WTF Taekwondo Association Inc., hereafter referred to as the NL WTF TKD.

2. Mission Statement

Newfoundland and Labrador WTF Taekwondo Association is to serve in its members best interests and to promote and develop the Olympic sport of Taekwondo in the Province of Newfoundland and Labrador.

3. Objectives of Association

The objectives of the Association are:

- To serve as the official Provincial Sport Organization for the sport of Taekwondo in the Province of Newfoundland and Labrador
- To promote, foster and develop Taekwondo in the Province by assisting in and supporting the development of athletes, coaches, referees and officials
- To provide leadership in the development of Taekwondo both provincially and nationally
- To cooperate with and assist all levels of government so that the best interests of Taekwondo are maintained and served
- To aid and advise its members in the establishment of policies for the development of Taekwondo.
- To establish and maintain liaison and cooperation with the members of the Association

4. Membership

Membership of the NL WTF TKD Association shall consist of:

4.1 Individuals

Those who train in the Martial Art and Sport of Taekwondo and who are enrolled in a Club which is registered, and in good standing with the NL WTF TKD Association.

Definitions:

- Black Belt: one who is in possession of a WTF Kukkiwon Dan/Poom Certificate

- Kukkiwon in Progress: one who has passed black belt exam but has yet to receive the Kukkiwon Dan/Poom Certificate
- Colour Belt: one who is training in Taekwondo but has yet to reach the rank of Black Belt.

4.11 Kukkiwon Certification

The NL WTF TKD Association only recognizes Dan/Poom certification issued by the World Taekwondo Federation (WTF) Headquarters, Kukkiwon. In keeping with WTF Canada policy, all Masters must submit their applications for Kukkiwon certification through the WTF Canada head office. Instructors under the rank of 5th Dan may direct Kukkiwon applications to the National office via their respective Master / Grandmaster.

All members in good standing 18 years of age and older are entitled to attend and vote at the Annual General Meeting (AGM). Parents or legal guardians are entitled to one vote per dependent member under the age of 18. Members under the age of 18 do not need to be present at the AGM for their parent/guardian to vote. A member is considered to be in “good standing“ when membership fees are paid in full by September 30th of that year, and has no levies or other funds owing to the NL WTF TKD and is not under any sanctions or disciplinary actions.

4.13 Membership Fees

All membership fees must be paid when due (September 30th). New members of a registered club are required to immediately register and remit applicable annual dues to the NL WTF TKD Association.

If Individual Members fail to submit all relevant fees and documentation when due they:

- Will not be covered under any insurance policies of the NL WTF TKD Association
- Will be refused participation in all Provincial events and tournaments as well as National tournaments requiring Association approval
- Will not be eligible for any grants or subsidies levied through the Association or requiring Association approval
- Will not be eligible to be elected to the Board of Directors (BOD)
- Will have no voting privileges

4.14 The Association will maintain a database of all individual members in good standing. This database will be used to determine eligibility for all Association sanctioned tournaments, seminars, training sessions, funding, etc., for which membership is required.

4.15 All individual members must be enrolled in a club registered with NL WTF TKD.

4.2 Clubs

Clubs are the primary means of promotion and development of the sport of Taekwondo throughout the Province. A “club” is not a member of the Association and, therefore its owners or chief instructors are not entitled to any additional votes in any affairs of the NL WTF TKD Association.

To be registered by the NL WTF TKD Association, a club must have a fully accredited instructor. A fully accredited instructor is one who:

- Is a resident of Newfoundland and Labrador and 19 years of age or older
- Is a holder of a WTF Kukkiwon Dan Certificate, minimum Second Dan
- Possesses current NCCP coaching courses, Provincial refereeing and First Aid certifications
- Is able to present a Certificate of Conduct of good standing

Any instructor who cannot present a Certificate of Conduct in good standing must disclose this in writing to the Association Executive. The matter will be referred to the Ethics and Sanctions Committee for review and advise the Association of the appropriate course of action. All matters will be kept in strict confidence.

- Branch Club – Any club operated by or affiliated with a club whose instructor is registered with the Association, but operating out of different geographical locations. Branch clubs must have an instructor who:
 - Is a resident of Newfoundland and Labrador and 18 years of age or older
 - Is a holder of a WTF Kukkiwon Dan Certificate, minimum First Dan
 - Possesses minimum NCCP coaching qualification, Level 1, Provincial refereeing and First Aid certifications
 - Presents a Certificate of Conduct of good standing

4.2.2 Club/Branch Club Membership Fees

A club / branch club must remit its annual membership fees when due, no later than September 30, and also ensure its members remit their Association application forms and membership fees when due. Clubs shall assist in the administration of all membership fees and application forms and forward the same to the Association.

For a new club to be approved for membership in the Association, proof of the above criteria must be presented to the Association’s Board of Directors upon application for membership.

4.2.3 Failure of Clubs/Instructors to submit all relevant fees and documentation will result in the following:

- Refused participation in Provincially sanctioned events and tournaments
- Refused participation in Nationally sanctioned events and tournaments requiring Association approval

- Members enrolled with delinquent clubs will be refused participation in all Provincial tournaments as well as National tournaments requiring Association approval
- Members enrolled in delinquent clubs will not be eligible to vote at an AGM or Special meeting
- Will not be eligible to host Provincially sanctioned events and tournaments
- Will not be eligible for any grants or subsidies levied through the Association or requiring Association approval
- Will lose insurance coverage as arranged by the NL WTF TKD Association
- The NL WTF TKD Association reserves the right to notify the membership of delinquent clubs

The Association will maintain a database of all clubs in good standing. This database will be used to determine eligibility for all Association sanctioned tournaments, seminars, training sessions, funding, etc., for which membership is required.

5. Annual General Meeting/Special Meeting(s)

5.1 The AGM of the NL WTF TKD shall be held at a time and location as determined by the membership and/or the BOD at the previous AGM and on a date no later than one year after the previous AGM.

5.2 Notice of each AGM shall be sent to the members via the Clubs as well as posted on the official Association Web page at least thirty (30) days prior to the said AGM.

5.3 The agenda at the AGM shall be arranged by the BOD and is to be sent to all Clubs thirty (30) days prior to said AGM.

5.4 The order of business at the AGM shall be:

- Call to Order
- Roll Call
- Validation of Proxy and Parents of Dependent Members' Vote
- Adoption of Agenda
- Appointment of Resolutions Officer
- Minutes of the Last Annual General Meeting
- Business Arising from Minutes
- President's Report
- Vice-President's Report
- Secretary's Report
- Treasurer's Report
- Special Projects Report
- Committee Reports
- Resolutions
- Election of Board of Directors
- New Business

- Next Annual General Meeting

Changes to the agenda may be made with majority approval of the voting delegates if it is deemed to be in the best interests of the NL WTF TKD.

5.5 The NL WTF TKD Association Membership may request a Special Meeting be convened by submitting a formal request, in writing, to the Association Secretary. The request will follow these procedures:

- A minimum of ten (10) members must request the meeting and state the reason(s) for the meeting.
- The BOD will meet within 30 days of the receipt of the request to review and respond to the issue(s) or concern(s)
- A written response from the BOD will be issued to the requesting party within 60 days of the BOD meeting
- If the requesting party does not consider the response from the BOD satisfactory, the members may file a second request in which a Special Meeting of the membership will be called within 120 days of the receipt of the second request. This Special meeting will take place at a time and place designated by the NL WTF TKD Association BOD.

5.6 A majority consists of 50% plus 1. There will be no proxies allowed at the AGM or Special Meetings except for parents/legal guardians representing their dependent members under the age of 18.

5.7 Club owners/chief instructors may not vote via proxy for any of his/her students unless those students are his or her dependants.

6. Board of Directors

6.1 Eligibility

To be eligible to hold a position on the NL WTF TKD Association Board of Directors the individual must:

- Be a member in good standing 18 years of age or older; or
- Be a parent / legal guardian of a member who is both in good standing and under the age of 18 years.

Sport Newfoundland and Labrador's Policy on Meeting and Maintaining the Requirements for Active Membership states the following:

“The organization must have an elected, volunteer Board of Directors or Executive Committee. The Executive Positions (President, Vice President, Secretary, and Treasurer) on the Board must be held by people who derive no more than one-third of their annual income from their sport.”

Therefore, individuals, as well as their spouses, who derive more than one-third of their annual income, directly or indirectly, from their involvement in Taekwondo will not be eligible for election to any of the Executive positions

When necessary, the Executive Committee may appoint members or non-members to the BOD who have a particular area of expertise. These would be Ex-officio positions with no voting privileges.

- The Board of Directors shall be comprised of:
- Executive Committee:
 - President
 - Vice-President
 - Secretary
 - Treasurer
- Committee Chairs:
 - Membership Director
 - Coaching Chair
 - Referees Chair
 - Competition Chair
 - Strategic Planning Chair
 - Immediate Past President
- Any member of the BOD who fails to attend three consecutive meetings in a fiscal year may be removed from the Board at the Board's discretion.
- Should a position vacancy occur in the BOD for any reason (death, resignation, sanctioning, etc.) and individual may be appointed by the BOD to fill that vacancy until the next AGM, at which time the vacancy shall be filled in the same manner as the election of the BOD is carried out.
- Meetings of the BOD shall be held a minimum of four (4) times each year with one of those meetings scheduled to occur in conjunction with the AGM.
- A Special Meeting of the BOD may be convened at the request of a majority of the BOD. The request shall be made in writing to the Secretary and shall outline the purpose of the meeting. The meeting will be convened within thirty (30) days of receipt of the request and the meeting will only deal with the matter(s) covered in the letter.

- A person shall be permitted to hold only one position on the NL WTF TKD BOD at any time
- If any NL WTF TKD Board Member is elected/appointed to the WTF Association of Canada Executive Committee, he/she may not hold the position of NL WTF TKD President
- All meetings of the BOD shall be closed to the general membership as well as the general public unless invited by the BOD.

7. Board of Directors Voting Procedures and Quorum

7.1 Only members of the BOD who are in good standing shall be entitled to vote at a meeting of the NL WTF TKD

7.2 At all BOD meetings of the NL WTF TKD a quorum shall consist of 50% plus one of its current year's number

7.3 At all meetings of the BOD each member shall be entitled to one vote. The President shall only cast a vote in the case of a tie. No vote by proxy shall be allowed or accepted at any BOD meeting of the NL WTF TKD.

7.4 If, for any reason, where there is a conflict of interest, either real or perceived, the Board member must disclose this conflict to the BOD and abstain from voting on that issue.

7.5 Decisions of the BOD shall be by a majority of votes cast. Voting shall be a show of hands unless the BOD decides upon a secret ballot.

7.6 The President may conduct a vote of the BOD on any matter by telephone, fax or e-mail when the President deems such a vote is necessary due to an urgent situation. In such cases, the votes must be recorded by the President and the BOD informed of the result immediately.

7.7 If the President is not present for the meeting within five (5) minutes of the start time for the meeting, then the Vice-President shall take on the role of Chairperson for that meeting. If this occurs, the Vice-President will only cast a vote in the event of a tie.

8. Duties and Responsibilities of the Directors

8.1 The President shall preside at all meetings of the NL WTF TKD and at all BOD meetings as Chairperson. The President shall have a vote at all general meetings of the NL WTF TKD and be the chief spokesperson for the Association. The President of the NL WTF TKD serves on the Board of Directors of the WTF Taekwondo Association of Canada.

8.2 The Vice-President shall, in the absence of the President, assume all powers and perform all duties of the President. The VP shall Chair the Constitution Committee and be the official Association liaison to Sport Newfoundland and Labrador and the provincial government department of Tourism, Culture and Recreation. In the event where the President is not able to attend National meetings, the Vice president will attend in his/her place.

8.3 The Secretary shall give notice of all meetings of the NL WTF TKD and attend all meetings of the BOD. The Secretary shall record the proceedings of all meetings and maintain such records in a book of minutes and perform any similar duties as may be required.

8.4 The Treasurer shall take charge of all monies belonging to the NL WTF TKD and direct payment of money by cheques, which would normally have been signed by the Treasurer and one of the President, Vice-President or Secretary. The Treasurer shall obtain original receipts and present a yearly audited financial report at the Annual General Meeting of the NL WTF TKD. The Treasurer or designate shall also deposit all monies and other assets of the NL WTF TKD in such depositories as may be designated by the BOD. The Treasurer shall make recommendations to the Board of Directors on all proposed financial matters related to expenditures and other financial issues. The Treasurer shall present a proposed budget at each BOD Meeting at the AGM, recommending membership fees, other revenue sources, expenditures, etc.

In order to facilitate the orderly, timely and accurate preparation of the financial records and reports of the Association, the person seeking the position of Treasurer at an AGM or special meeting must be a qualified and experienced accountant who would hold one of the following professional accounting designations; Chartered Accountant; Certified Managerial Accountant or Certified General Accountant. If no one holding these designations comes forward, the Board will accept someone who has extensive accounting/financial management experience.

8.5 The Membership Director will distribute membership forms and identification cards as well as maintain the provincial membership database. All inquiries regarding membership in the NL WTF TKD Association should be directed through the Membership Director.

8.6 The Coaching Chair shall be responsible for developing and maintaining liaisons with the province of Newfoundland and Labrador's Coaching Coordinator as well as the WTF Taekwondo Association of Canada's Coaching Chair for the coordination of all coaching courses and training. He or she will play a key role in the development of policies and guidelines surrounding the qualifications, ethics and sanctioning of coaches as well as the development of guidelines for selecting coaches for the Provincial Team. The Coaching Chair must be qualified under the National Coaching Certification Program and as an instructor in Taekwondo.

8.7 The Referee Chair shall develop and maintain liaison with the WTF Taekwondo Association of Canada's Referee Chairperson and will be responsible for coordinating all officials' and judges' courses and training. He or she shall be highly involved in developing policies and guidelines for the selection of all officials for provincially sanctioned competitions, in particular those leading to National competitions, as well as maintaining a code of conduct and sanctioning procedures. The Referee Chair must be in possession of current National Referee status and have significant officiating experience.

8.8 The Competition Chair shall coordinate a series of provincially sanctioned competitions, in particular those that lead to national and international competitions. The Competition Chair will be responsible for the development of policies and requirements for those wishing to hold provincially sanctioned events and review all applications to ensure those requirements are met.

8.9 The Immediate Past President is privileged member of the BOD who's main responsibilities are to serve as an advisor to the new BOD and be Chairperson of the NL WTF TKD Nominating Committee. The Immediate Past President shall have voting privileges.

8.10 The Strategic Planning Chair will be responsible for building a strategic plan for the Association in consultation with stakeholders and as approved by the Board of Directors for all facets of Long Term Athlete Development, as well as the development of action plans to further the development of the sport of Tae Kwon Do in the Province of Newfoundland and Labrador, and its presence in the larger Tae Kwon Do community of Canada.

9. Executive Committee

9.1 The Executive Committee shall consist of the President, Vice President, Secretary and Treasurer.

9.2 The Executive Committee has the authority to oversee the implementation of Association policies as well as the day to day operation of the Association during intervals between meetings of the BOD and shall perform such duties as prescribed in the Constitution and By-laws.

9.3 The "Executive" or "President" will not have the right to make unilateral decisions (as they pertain to affairs of the Association) without the Board's consideration and approval. The Executive Committee shall have emergency powers over matters not prescribed in the Constitution and By-laws or matters that require urgent resolution during periods between meetings of the BOD. Those emergency measures are subject to later approval by the BOD or the AGM whichever is appropriate.

9.4 A quorum shall consist of three voting members of the Executive Committee.

9.5 Voting rights – Each member of the Executive Committee is entitled to one vote during a meeting of the Executive Committee. In the event of a tie, the President shall be entitled to a second vote.

9.6 There will be no votes by proxy. Allowances will be made for email or other means of telecommunication.

9.7 All meetings of the Executive Committee will be closed to the BOD, general membership as well as the general public unless they are invited by the Executive Committee.

10. Election of Officers

10.1 Election of Officers will be held every two (2) years

10.2 A “term” is defined as one, two-year period.

10.3 The BOD of the NL WTF TKD shall hold office for a period of two (2) years and shall be eligible for reelection.

10.4 The President shall hold that position for a period of one 2-year term only, following which the Vice President shall automatically be acclaimed to the position of President.

If the Vice President declines the position of President, he/she must advise the Board of Directors in writing no less than forty-five (45) days prior to the AGM. The Board of Directors will then notify the membership of the Vice President’s decision and then call for nominations for President to be voted upon at the next AGM. In this situation, the President may not be eligible for re-election, and shall hold the position of Past President.

10.5 The election of the Officers of the BOD will be held at the Annual General Meeting.

10.6 The newly elected Officers shall take office at the close of the Annual General Meeting.

10.7 All nominees for the BOD must be nominated and seconded by members of the Association who are in good standing, and accompanied supporting signatures of five members in good standing.

10.8 All members accepting a nomination for election to the BOD must submit his or her summary of qualifications to the Nomination Committee no later than 14 days prior to the election of Officers to be held at the AGM.

10.9 If an individual should wish to stand for election but cannot be in attendance, then the individual must signify their acceptance in writing to the Chairperson of the Nominating Committee before the elections proceed.

11. Finances and Audit

11.1 The financial year shall be from the first day of September to the last day of August (1 Sep – 31 Aug) each and every year. A copy of the Annual Financial Statement together with the Auditor's Report and recommendations of the Treasurer shall be presented at the Annual General Meeting of the NL WTF TKD.

11.2 The Annual Membership Fees payable by Clubs and Individuals to the NL WTF TKD shall be as prescribed by the BOD.

11.3 The Auditors of the NL WTF TKD shall be appointed at the AGM each year. The auditors shall, at any time and at the request of the Executive, audit the books and accounts of the NL WTF TKD and shall for this purpose have access to all documents, securities and receipts of the NL WTF TKD. The Treasurer shall give the auditors any assistance they may require.

12. Constitutional Amendments

12.1 Resolutions for discussion and voting must be submitted in writing to the Constitution Committee Chairperson or Secretary no less than twenty-one (21) days prior to the AGM and must be supported by a minimum of ten (10) signatures from the membership. The Chair of the Constitution Committee will present it to the Constitution Committee to determine the merit of the resolution. The proposed amendment will be distributed to the membership via the clubs fourteen (14) days prior to the meeting and will be placed on the agenda for ratification or rejection.

12.2 A Special Resolution is one that requires passage by at least three quarters of the votes cast by members of the NL WTF TKD present at said meeting.

13. Appointment of Committee

The BOD and/or Executive Committee shall each year appoint committees as necessary, and give such committees duties and powers as it sees fit. The direction, purpose and structure of these committees must not be incongruent or inconsistent with existing Association policies or procedures.

14. Conflict of Interest

All Board Members or Committee Chairpersons shall disclose any business, commercial or financial interest where such interest might be construed as being in real, potential, apparent or perceived conflict with their duties of the NL WTF TKD Association. In any circumstance that is determined to constitute a conflict of interest, the Board Member or Committee Chairperson may be removed from their position or reassigned.

On any particular issue, where there is a conflict of interest, either real or perceived, the Board member or Committee member must disclose this conflict and abstain from discussion and voting on that particular issue.

15. General Provisions

The NL WTF TKD Association is established for the purposes expressed in the Constitution and Bylaws of the NL WTF TKD Association. All members agree to abide by this Document and Articles of Association and by any rules and policies created by the members at the Annual General Meeting of the Association as herein set out. The current Board of Directors shall be signatories of the Association and these Articles.

16. Affiliations and Memberships

The NL WTF TKD is recognized by, affiliated with or a member of:

- The World Taekwondo Federation (WTF)
- The WTF Taekwondo Association of Canada
- The Province of Newfoundland and Labrador's Department of Tourism, Culture and Recreation
- Sport Newfoundland and Labrador

The Newfoundland and Labrador WTF Taekwondo Association Incorporated is a fully independent organization and subscribes to directions from those affiliates indicated above as a reference and for guidance in affairs concerning the Martial Art and Olympic Sport of Taekwondo. In all matters involving the conduct of a non-profit organization, the Association shall follow the directions and instructions prescribed in its constitution and bylaws.

17. National Competition Eligibility

Any member of the Newfoundland and Labrador WTF Tae Kwon Do Association wishing to attend WTF Canada sanctioned tournaments as a member of the Provincial Team, junior or senior, may do so with the recommendation of his/her head instructor. This is providing the athlete is a member of the Association in good standing, meets all Association rules and regulations, and (if applicable) whose Kukkiwon certificate is registered with WTF Canada. The Association President or assigned delegate must accept and endorse the athlete's application in a prompt and timely manner.

Concurrent to the above, and as per WTF Canada guidelines, each athlete has the right to an individual coach. Each individual coach must be a member of the NL WTF TKD Association in good standing, Kukkiwon certified, registered with WTF Canada as well as meeting any other WTF Canada criteria. The President or assigned delegate will endorse all appropriate registration forms in a prompt and timely manner.

It is highly recommended that ALL coaches provide a Criminal Record Check (as per WTF Canada National Coaches requirement).