

Legislation Committee Report January 23-24, 2023

The Legislation Committee reviewed the By-Laws, Constitution and Belief Statements posted on the ACER-CART website to make sure all changes from the last two Annual General Meetings (AGM) were posted.

In reviewing the Constitution, it was noted that there are now inconsistencies in language with certain articles due to the revision of the ACER-CART By-Laws at the June 3, 2022 AGM.

At the AGM the following articles were deleted in whole, or in part. I bring to your attention the following:

- 6.05 The AGM shall be held on the first Friday of June [~~and the following Saturday~~]
- 7.09 The Board shall have the power to:
 - i) take such steps deemed requisite to enable ACER-CART to acquire, accept, solicit, and receive legacies, gifts, grants, settlements, requests, endowments, and donations of any kind whatsoever for the purpose of furthering the objectives of ACER-CART.
- 9.02 The Vice-President shall:
 - a) Perform such duties and exercise such power as may be delegated by the President [~~or by the Board or the AGM~~]
- 9.03 The Regional Representative shall:
 - a) Perform such duties and exercise such powers as may be delegated by the President [~~the Board or the AGM~~]
- 9.04 The immediate Part-President shall:
 - b) Perform such duties and exercise such powers as may be delegated by the President [~~the Board or the AGM~~]
- 9.05 The Executive Director shall:
 - b) Perform such duties and exercise such powers as may be delegated by [~~the Board, the AGM~~] the Executive Committee or the President
- 11.02 By-laws of ACER-CART not embodied in the letters patent may be repealed and amended by the new By-law and shall not be acted upon until the approval of the Minister of Industry Canada has been obtained.

The Legislation Committee therefore seeks approval for the following changes in the ACER-CART Constitution to make language consistent with the By-laws.

1. Article 1 - Definition

- By-Laws

By-laws shall mean the standing rules governing the membership of ACER-CART as determined in the By-laws approved by the Minister of Industry Canada

Motion:

That “as determined in the By-laws approved by the Minister of Industry Canada” be deleted in the definition of By-laws.

2. Article 7 - Annual General Meeting (AGM) and Meetings of the Board

7.04 The Annual General Meeting, hereafter called the AGM, shall normally be held in Ottawa on the first Friday in June and the following Saturday.

Motion:

That “and the following Saturday” be deleted in Article 7.04.

3. Article 11 – Finances

11.01 ACER-CART finances all its activities from –

- c) Acquiring gifts, legacies, settlements, requests, endowments, and donations of any kind (By-law 7.09(i))

Motion:

Delete 11.01(c) in Article 11 Finances and renumber.

4. Article 15 – Duties of Officers and the Executive Director

15.02 The Vice-President shall:

- b) Perform such duties and exercise such power as may be delegated by the President, the Board, or the AGM

15.03 The Immediate Past-President shall:

- b) Perform such duties and exercise such powers as may be delegated by the President, the Board, or the AGM

15.04 The Regional Representative shall:

- 10) Perform such duties and exercise such powers as may be delegated by the President, the Board, or the AGM

15.05 The Executive Director shall:

- b) Perform such duties and exercise such powers as may be delegated by the Board or the AGM, the Executive Committee, or the President

Motion:

That the wording “by the Board or the AGM” be deleted in articles 15.02, 15.03, 15.04 and 15.05.

Respectfully submitted
Bill Berryman
Roger Regimbal