



**Association canadienne des enseignantes et des enseignants retraités
Canadian Association of Retired Teachers**

**LEGISLATION COMMITTEE REPORT
MARCH 25, 2024**

MEMBERS: Bill Berryman, Chair
Roger Regimbal, Executive Director

THE TERMS OF REFERENCE:

The Legislation Committee shall:

- a) Make recommendations to the Executive Committee for changes in the By-Laws, Constitution, Belief Statements and Protocols
- b) Become familiar with legislation which may have an impact on the status of retired teachers.
- c) Review AGM resolutions received.
- d) Advise the Chair of the interpretation of Bourinot's Rules of Order

The Legislation Committee reviewed the Belief Statements, By-Laws, Constitution and Protocols to see what changes would be necessary due to motions approved at the January 14-15, 2024 Executive meeting in Toronto.

There are no changes necessary in the Belief Statements.

By-Laws

It is moved that in the Bylaws that the word "Observers" be substituted by "Alternates."

It is moved that in the Bylaws, that the word "Representative" be substituted by "Officer."

By-Law 4.04

4.04 Any Member may withdraw from ACER-CART by sending written notice to the Executive Director of ACER-CART. Such withdrawal shall be effective from the date of acceptance ~~thereof by the Annual General Meeting.~~ **by the executive.**

By-Law 6 – Annual General Meeting and Board Meetings

A – Annual General Meeting

6.04 The AGM shall be held in any place in Canada. ~~as the Board may determine.~~

6.05 The AGM shall be held ~~on the first Friday of June~~ **at a date approved by the Executive before the end of June**

By-Law 7 – Board of Directors

7.01 The Board shall be composed as follows:

- a) One (1) Director from each Member with voting rights;
- b) The President;
- c) The Vice-President;
- d) ~~Three (3)~~ **Four (4) Regional Representatives; Officers** and
- e) The immediate Past-President (or the person named to replace the immediate Past-President, each with voting rights

By-Law 8 – Executive Committee

8.03 The officers shall hold office for ~~one year~~ **two years** from the date of the election.

Constitution

It is moved that in the Constitution, the word “Observers” be substituted by “Alternates.”

It is moved that in the Constitution, the word “Representative” be substituted by “Officer.”

ARTICLE 4 MEMBERS

1. The Members of ACER-CART are

- ~~j) Retired Teachers of Ontario – Les enseignantes et les enseignants de l'Ontario (RTOERO)~~
- m) Yukon Retired Teachers (YRTA)

Article 7–Annual General Meeting (AGM) and Meetings of the Board

Commencing in 2024 and continuing in even years the Annual General Meeting shall be in person on a date and location approved by the Executive. Elections will only take place at Annual General Meetings in even years.

Commencing in 2025 and continuing in odd years the abbreviated Annual General Meeting shall be conducted via video conference on a date approved by the Executive. There will be no elections at these meetings. Each region will have an in-person regional conference at a time and place as approved by the Executive upon recommendation from the hosting Member.

Article 7.4

The Annual General Meeting, hereafter called the AGM, shall ~~normally be held in Ottawa on the first Friday in June~~ **be held on a date and location as determined by the Executive.**

Article 7.5

1. Special Circumstances for the AGM

- a) ~~The Annual General Meeting (AGM) or Special Members Meeting will normally be in person, but where special circumstances arise and it is deemed necessary by the Executive, may be held entirely by means of a telephone, electronic or other communications facility that permits all participants to communicate adequately with each other during the meeting.~~
- b) ~~If the AGM is held by one of these communication facilities, the following procedures will apply and have precedence over the existing Bylaws, Constitution and Protocols:~~
- c) ~~The meeting will normally be held on the first Friday of June. Where all issues cannot be dealt with in one session, the AGM may be extended to the Saturday following the Friday session.~~
- d) ~~Timed items will be set by the Executive respecting the time allocated for the AGM.~~
- e) ~~Procedures for AGM elections are as follows:~~
 - I. ~~Call for nominations will end two weeks prior to the AGM.~~
 - II. ~~All nomination forms must be sent to the Chair of the Nominations and Elections Committee prior to the deadline.~~
 - III. ~~There will be no nominations from the floor.~~
 - IV. ~~Candidates will have three minutes to address the assembly.~~
 - V. ~~Voting will be held electronically by secret ballot.~~

Article 8–Executive Committee

1. The Executive Committee shall be composed as follows:
 - a) The President
 - b) The Vice-President
 - c) The Immediate Past-President (or replacement)
 - d) The Regional Representatives
 - i. ~~East : **Two Eastern Representatives Officers** (Newfoundland and Labrador, Prince Edward Island, New Brunswick, Nova Scotia and Quebec)~~
 - ii. ~~Ontario~~
 - iii. ~~West : **Two Western Representatives Officers** (Manitoba, Saskatchewan, Alberta and British Columbia and Yukon)~~
 - e) The Executive Director who acts as an advisor without voting rights

Article 10–Elections

1. Election Guidelines
 - a) The Officers shall be elected ~~annually~~, by secret ballot at the ~~in-person~~ Annual General Meeting **in even years commencing in 2024**
 - b) If at the time of balloting for a particular office, there is a sole nominee for that office, that person shall be declared elected.
 - c) If at the time of balloting for multiple representation, the number of nominees is equal to or fewer than the number of positions available, those nominees shall be declared elected.
 - d) Each Officer shall hold office **for a two-year term, ending at the adjournment of the next in person AGM.**

Article 11 Finances

7. Cheques and other documents shall be signed on behalf of ACER-CART in accordance with the provisions of the By-Laws, Constitution, **Belief Statements** and Protocols.

Protocols

It is moved that in the Protocols, the word "Observers" be substituted by "Alternates."

It is moved that in the Protocols, the word "Representative" be substituted by "Officer."

Protocol 2–Election Procedures

Commencing in 2024 and continuing in even years the Annual General Meeting shall be held in person on a date and place approved by the Executive. Elections will only take place at Annual General Meetings in even years.

Commencing in 2025 and continuing in odd years the abbreviated Annual General Meeting shall be conducted via video conference on a date approved by the Executive. There will be no elections at these meetings. Each region will have an in-person regional conference at a time and place as approved by the Executive upon recommendation from the hosting Member.

1. Nominations

- a) Nominations for officers of the Executive are prepared on the official nominating form and presented to the Chair of the Nominations and Elections Committee no later than one month before the AGM.
- b) Nomination forms received by the advertised deadline will be published in the AGM handbook.
- c) **Forty-five minutes after the beginning of the AGM** the Chair of the Nominations and Elections Committee will **also** call for nominations at **11:00 AM on the first day of the Annual General Meeting from the floor on the second day of the Annual General Meeting.**
- d) **Nominations will close one hour after the beginning of the AGM.**
- e) The following persons are eligible for election **for a two-year term** as Officers:
 - i. ~~The representatives named by the Members as Directors or Alternates.~~
 - ii. ~~The Officers members present or who have indicated in writing their intention to stand for a particular office; and.~~
 - iii. Any retired teacher member of a provincial/territorial association of retired teachers who have been nominated by the member's association.

The Chair of the Nominations and Elections Committee shall report to the Annual General Meeting, on the nominations received, immediately following the close of nominations ~~at 11:00 a.m. on the first day~~ and include matters concerning the application and operation of the Bylaws and Constitution.

Protocol 7–Review of Financial Statements

6. The committee will convene ~~on Wednesday afternoon – the day~~ prior to the AGM.

Bill Berryman
Chair