

**BIATHLON CANADA ANNUAL GENERAL MEETING**  
**22 June 2014**

**Notice of Motion for a Biathlon Canada By-law Amendment**

Biathlon New Brunswick submits a notice of motion to be made at the Biathlon Canada Annual General Meeting on 22 June 2014.

**PREAMBLE**

The in-force Biathlon Canada By-laws passed on 26 November 2013 require that a Division needs to be incorporated in order to be eligible as a member of Biathlon Canada. In the discussions at the Biathlon Canada AGM 2013 and during the Biathlon Canada Special General Meeting held on 26 November 2013, there seemed to be a consensus that incorporation would not be necessary and that the required changes would be made to the By-laws to remove that requirement. Despite those discussions and apparent consensus, the Biathlon Canada By-laws Article 13. a. states:

**13. Divisions shall be accepted into Biathlon Canada as Members upon;**

**a. The Division submitting to the National Office of Biathlon Canada a written application for membership in the form prescribed by the Board, together with a copy of its letters patent or a copy of its certificate of incorporation and a copy of its current By-laws,**

The above article demands incorporation by a Division in order to be eligible as a member of Biathlon Canada.

**MOTION 1 (New Brunswick)**

Be it resolved that Article 13. a. of the Biathlon Canada By-laws be amended to read as follows:

**a. The Division submitting to the National Office of Biathlon Canada a written application for membership in the form prescribed by the Board, together with documented proof that the Division is accepted by the province or territory in which it operates as the organization recognized as the only Provincial/Territorial Sport Organization for biathlon and the Sport Governing Body for biathlon in that province or territory, or a copy of its certificate of incorporation, and a copy of its current By-laws.**

**RATIONALE**

Biathlon Canada has no reason to require incorporation by a Division. There has been no need, or demand, in the over 30 years of Biathlon Canada's existence for incorporation by Divisions. The new federal legislation for federally incorporated not-for-profit organizations does not stipulate a requirement for Division incorporation. As Biathlon New Brunswick has made a deliberate decision that it does want to incorporate for several reasons which have nothing to do with its interaction with Biathlon Canada, such a requirement by Biathlon Canada is an interference in the internal affairs of a Division.

Respectfully submitted on 23 May 2014,

  
Ray Kokkonen  
President  
Biathlon New Brunswick

