

CLUB BY-LAW No. 1

PART I

The Rotary International "Constitutional Provisions" (RI Constitution), as set out in the RI Manual of Procedure, are hereby adopted as part of the General By-laws of the Rotary Club of North Bay.

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PART II

Article 1 Definitions and Abbreviations

Act: The *Not For Profit Corporations Act, 2010* and where the context requires includes the regulations made under it as amended or re-enacted from time to time.

AE: Attendance Excused.

Board: the Board of Directors of this Club.

Club: means the Corporation that has passed these by-laws under the Act.

Director: A member of this Club's Board of Directors.

Member: a member [Regular, Corporate, Associate] of this Club as outlined in the Club Policy & Procedure Manual.

RI: Rotary International.

Fiscal Year: the 12 (twelve) month period that begins on the 1st of July of each and every year.

Ex-Officio: Members who shall be entitled to attend meetings without voting privileges.

Policy Manual: the policies of this Club as amended from time to time by the Board of Directors.

Article 2 Board of Directors

2.1- Governing Body

The governing body of the Club shall be a Board of Directors, twelve (12) of whom shall be the following:

- the President
- the President-Elect
- the Past President
- the Avenue Directors: Club Service, Vocational Service, Community Service (2), International Service, Youth Service
- the Secretary (or Assistant Secretary) [ex-officio appointment, non-voting]
- the Treasurers: Administrative Fund, Charitable Fund [ex-officio appointment, non-voting]

Together with such additional members as are approved by the Board from time to time. The number of directors shall be determined from time to time by a majority of the Directors at a Board of Directors meeting and sanctioned by an affirmative vote of at least 2/3 (two-thirds) of the Members at a meeting duly called for such a purpose.

2.2 - Term of Office

The term of office of a Director shall be from the date of the meeting at which they are elected or appointed until the next annual meeting or until their successors are elected or appointed. Unless serving as President, President-Elect, Immediate Past President, Secretary or Treasurer, Assistant Secretary or Assistant Treasurer, no Member may remain on the Board for more than five (5) consecutive terms, unless otherwise directed by the Board.

2.3 - Protection of Directors and Officers

No Director, Officer or committee member of the Corporation is to be liable for the acts, neglects or defaults of any other Directors, Officer or committee member or employee of the Corporation or for joining in any receipt or for any loss, damage or expense happening to the Corporation through the insufficiency or deficiency of title to any property acquired by resolution of the Board or for or on behalf of the Corporation or for the insufficiency or deficiency of any security in or upon which any of the money of or belonging to the Corporation shall be placed out or invested or for any loss or damage arising from the bankruptcy, insolvency or tortious act of any person, firm or Corporation with whom or which any monies, securities or effects shall be lodged or deposited or for any other loss, damage or misfortune whatever which may happen in the execution of the duties of his or her respective office or trust provided that they have:

- a. complied with the Act and the Corporation's articles and By-laws; and
- b. exercised their powers and discharged their duties in accordance with the Act.

2.4 - Conflict of Interest

A Director who is in any way directly or indirectly interested in a contract or transaction, or proposed contract or transaction, with the Corporation shall make the disclosure required by the Act. Except as provided by the Act, no such Director shall attend any part of a meeting of Directors or vote on any resolution to approve any such contract or transaction.

2.5 - Remuneration of Directors

The Directors shall serve as such without remuneration and no Director shall directly or indirectly receive any profit from occupying the position of Director; provided that:

- a. Directors may be reimbursed for reasonable expenses they incur in the performance of their Directors' duties;
- b. Directors may be paid remuneration and reimbursed for expenses incurred in connection with services they provide to the Corporation in their capacity other than as Directors, provided that the amount of any such remuneration or reimbursement is: (i) considered reasonable by the Board; (ii) approved by the Board for payment by resolution passed before such payment is made; and (iii) in compliance with the conflict of interest provision of the Act; and
- c. Notwithstanding the foregoing, no Director shall be entitled to any remuneration for services as a Director or in other capacity if the Corporation is a charitable corporation, unless the provisions of the Act and the law applicable to charitable corporations are complied with.

Article 3 Election of Directors and Officers

3.1 - Nominations

At a meeting between December 1st and March 31st in each year, the President shall request from the members, nominations for the Directors of the Club for the ensuing year. Excluded from nominations are the current President, the President-Elect, the President Nominee, and any member who has served as a President during the preceding three (3) years, unless otherwise directed by the Board.

3.2 - Elections

At the annual general meeting held in each year, the President shall announce a slate of no less than two (2) nominations. Where the numbers nominated exceed the number of vacancies, the

nominations shall be placed on a ballot in alphabetical order and shall be voted for at the following meeting.

3.3 - Scrutineers

The President shall appoint two (2) scrutineers to count the ballots and report to the President.

3.4 - Majority of Votes

Those candidates for Directors receiving a majority of the votes shall be declared elected as Directors.

3.5 - The Board

The Directors, so elected, together with the existing President (who will become the past President) and the President-Elect (who will become President) shall constitute the Board for the ensuing year commencing July 1st.

3.6 - Declaration of nominations by President

Where the numbers of persons nominated equal the number of vacancies, the Chair/President shall declare those nominated to be the Directors for the ensuing year.

3.7 - Vacancy and Filling a Vacancy

The office of a Director shall be vacated immediately:

- a) if the Director resigns office by written notice to the Secretary, which resignation shall be effective at the time it is received by the Secretary or at the time specified in the notice, whichever is later;
- b) if the Director dies or becomes bankrupt;
- c) if the Director is found to be incapable of managing property by a court or under Ontario law; or
- d) if, at a meeting of the Members, a resolution is passed by at least a majority of the votes cast by the Members removing the Director before the expiration of the Director's term of office. A vacancy on the Board of Directors, or in any office, shall be filled by the decision of the remaining Directors provided there is a quorum. Such Director shall hold office for the remainder of the replaced Director's term. The replacement may include any member who has been a Past President during the preceding three (3) years. If there is not a quorum of Directors in office, the Directors shall without delay, call a meeting of Members to fill the vacancy and if they fail to call such a meeting, the meeting may be called by any Member.

Article 4 Duties of Officers

4.1 - President

It shall be the duty of the President to preside at meetings of the Club and the Board, and to perform other duties as ordinarily pertains to the office of President.

4.2 - President - Elect

It shall be the duty of the President-Elect who is appointed by the Board of Directors from amongst its members, to serve as a Director and to perform such duties as may be prescribed by the President and/or the Board. In the absence of the President the President-Elect or his/her designate shall preside.

4.3 - Past President

It shall be the duty of the Past President to perform such other duties as are determined by the President and/or the Board.

4.4 - Secretary

The duties of the Secretary (or Assistant Secretary), appointed by the Board of Directors, shall be set out in the Club Policy & Procedure Manual.

4.5 Treasurer

The duties of the Treasurer(s) Administration and Charitable Funds, appointed by the Board of Directors, are to be set out in the Club Policy & Procedure Manual.

4.6 General

Any officer shall cease to hold office upon resolution of the Board. Officers shall be responsible for the duties assigned to them and may delegate to others the performance of any or all such duties.

Article 5 Meetings**5.1 - Regular Meetings**

The regular meetings of the Club shall be held on Monday of each week, at noon hour, local time, and at such location as approved by the Members.

5.2 - Notice of Change of Meetings

Due notice of any changes in, or cancellation of, the regular meeting shall be given to all members of the Club. All members excepting an Honorary Member (or Member excused pursuant to these by-laws) in good standing in this Club on the day of the regular meeting, must be counted as present or absent.

5.3 - Attendance 50%

Attendance must be evidenced by the Members being present for at least fifty (50%) percent of the time devoted to the regular meeting, either at this Club or at any other Rotary Club, or as otherwise provided in the standard Rotary Club constitution or the Club's attendance policy.

5.4 - Quorum for Members meetings

One-third (1/3) of the membership present shall constitute a quorum for the annual and regular meetings of the Club.

5.5 - Directors Meetings

Regular meetings of the Board shall be held at least once a month. Special meetings of the Board shall be called by the President, whenever deemed necessary, or upon the request of two (2) Directors, due notice having been given.

5.6- Quorum for Directors Meetings

A majority of the Directors shall constitute a quorum of the Board.

5.7 - Annual General Meeting

An Annual General Meeting of the Members shall be held on or before December 31st in each year (or such later date as may be approved by the Directors) for the purpose of electing the Board of Directors for the next ensuing fiscal year. No other item of business shall be included on the agenda for the annual meeting unless a Member's proposal has been given to the Secretary prior to the giving of notice of the annual meeting in accordance with the Act, so that such item of new business can be included in the notice of annual meeting. Not less than ten (10) and not more than fifty (50) days written notice of the annual meeting shall be given in the manner specified in the Act to each Member and the auditor (or person appointed to conduct a review engagement).

5.8 – Club Council

The President, in consultation with the Board, shall convene a minimum of two (2) Club Council meetings each Rotary Year, to discuss, review and adopt Club policies, practices and programs.

5.9 – Club Fellowships

The President, in consultation with the Board and the Chair of the Fellowship Committee, may schedule fellowships in place of regular weekly noon meetings of the Club during the Rotary Year.

5.10 - Special Member Meeting

Where at a Regular Meeting it is proposed to bring forth to the membership a special topic of business, i.e. amendment of by-laws, fees, dues, and reimbursement, etc., the Directors may call a special meeting and notice of the special business to be discussed shall be given to each Member at least ten (10) days and not more than fifty (50) days written notice before such meeting. The Board shall convene a special Members meeting on written requisition of not less than 1/10

(one tenth) of the Members for any purpose connected with the affairs of the Corporation not inconsistent with the Act, within 21 (twenty-one) days from the date of the deposit of the requisition. The President may, with the majority consent of any Members' meeting, adjourn the same from time to time and no notice of such adjournment need be given to the Members, unless the meeting is adjourned by one or more adjournments for an aggregate of 30 (thirty) days or more. Any business may be brought before or dealt with at any adjourned meeting, which might have been brought before or dealt with at the original meeting in accordance with the notice calling the same. The only persons entitled to attend a Members' meetings are the Members, the Directors, the auditors of the Corporation (or the person who has been appointed to conduct a review engagement, if any) and others who are entitled or required under any provision of the Act or the articles to be present at the meeting. Any other person may be admitted only if invited by the President of the meeting or with the majority consent of the Members present at the meeting.

Article 6 Method of Voting

6.1 - General Business

The business of this Club shall be transacted by *viva voce* vote (an open forum of yea or nay, or by raising hands in support) unless a written ballot is required. The President of the meeting or any member may demand a written ballot and such ballot shall be as the President of the meeting directs. If there is a tie vote, the President shall require a written ballot and shall not have a second or casting vote. If there is a tie on the written ballot the motion is lost. A declaration of the President that a resolution is carried or lost is evidence of the fact without proof of the vote.

6.2 - When by Ballot

Notwithstanding Section 1 above, if the number of Members nominated for Directorship, exceeds the number of Directors to be elected, then the election of Directors shall be by ballot as set out in Article 3 hereof.

Article 7 Fees, Dues and Reimbursement

The subject of initiation fees, membership dues and payment thereof, as per the applicable membership category, shall be determined by the Board of Directors and set out in Club By-Law #1 – Schedule 1. RI convention expenses, District Rotary Weekend training expenses and other such expenses from time to time, shall be determined by the Board of Directors and set out in the Club Policy & Procedure Manual.

Article 8 Five (5) Avenues of Service

The five (5) Avenues of Service are the philosophical and practical framework for the work of this Rotary Club. They are:

1. Club Service
2. Community Service
3. Vocational Service
4. International Service
5. Youth Service

Article 9 Standing Committees

Subject to limitations on delegation set out in the Act, the Board shall determine the Standing Committees for the Club and the description for these Committees including the composition and terms of reference shall be set out in the Club Policy & Procedure Manual.

Article 10 Committee Responsibilities

10.1

Each Committee shall transact its business as is delegated to it in the Policy Manual and such

additional business as may be referred to it by the President or the Board. Such Committees shall not take action until a Report has been made and properly approved by the Board of Directors.

10.2

Each chair shall be responsible for regular meetings and activities of the Committee, and shall supervise and coordinate the work of the Committee and shall report to the applicable Avenue Director on the Board of Directors on all committee activities.

Article 11 Duties of Committees

11.1

The duties of all Committees shall be established and reviewed by the President for his or her Year, in consultation with the Avenue Directors. In declaring the duties of each, the President shall make reference to appropriate RI materials.

11.2

Each Committee shall have a specific mandate, clearly defined goals, and action plans established by the beginning of each year for implementation during the course of the year. It shall be the primary responsibility of the applicable Avenue Director, in consultation with the President, to provide the necessary leadership to prepare a recommendation for club committees, mandates, goals and plans for presentation to the Board in advance of the commencement of the year as noted above.

Article 12 Leave of Absence

Upon written application to the Board, setting forth good and sufficient cause, leave of absence may be granted excusing a member from attending the meetings of the Club for a specified length of time.

Article 13 Finances

13.1 - Budget

Prior to the beginning of each fiscal year, the Board shall prepare a budget of estimated income and expenditures for the year, which shall stand as the limit of expenditures for these purposes, unless otherwise ordered by action of the Board. The budget shall be broken into two (2) separate parts: (1) one in respect of club administration and (1) one in respect of charitable/service projects.

The Board may put the budget to the Members for their approval, in which case, if approved by the Members, no further approval shall be required for any individual expenditure contemplated by the budget.

13.2 - Banking

The treasurers shall deposit all club funds in banks, named by the Board. The club funds shall be divided into specific accounts: Administrative Account; Charitable Trust Account; Rotary TV Bingo Account; Nevada Lottery Account; and any other such accounts as deemed appropriate and/or required.

13.3 - Authorization for Payment

All bills shall be paid by the applicable Treasurers or other authorized officer only when approved by two (2) other officers or Directors.

13.4 - Accounting Review

A thorough review of all financial transactions by a qualified person shall be made once each year.

13.5 - Fiscal Year

The fiscal year of this Club shall extend from 1 July to 30 June in each year.

13.6 - Rotary International Payment

The payment of per capita dues and RI official magazine subscriptions shall be made on 1 July and

1 January of each year on the basis of the membership of the Club on those dates.

13.7 - Extraordinary Expenditure

Any Resolution or Motion to commit the Club to an extraordinary expenditure shall be subject to the following procedures.

1. Board of Directors

First be submitted to the Board of Directors for consideration and approval in principle.

2. Notification to Members

Be the subject of written notification to the members ten (10) days prior to taking a vote on the subject, and

3. Quorum

At the regular meeting of the members a quorum shall be (2/3) two-thirds vote of all the members present.

13.8 - Execution of Contracts

Deeds, transfers, assignments, contracts, obligations and other instruments in writing requiring execution by the Corporation may be signed by any two (2) of its Officers or Directors. In addition, the Board may from time to time direct the manner in which and the person by whom a particular document or type of document shall be executed. Any person authorized to sign any document may affix the corporate seal, if any, to the document. Any Director or Officer may certify a copy of any instrument, resolution, by-law or other document of the Corporation to be a true copy thereof.

Article 14 New Members

14.1 - Board to be Informed

Club Members shall keep the Board informed of prospective members.

14.2 - Application of New Member

The Sponsor for a new prospective Member shall assist that individual with the completion of a Membership Application, which shall be filed with the Membership Chair. Memberships are not transferable and terminates if the Member resigns or is terminated in accordance with the Act.

14.3 - Classification and Membership Requirements

The Membership Chair shall ensure that the proposed Member meets all the classification and membership requirements of the standard Rotary Club constitution.

14.4 - Procedure on Approval

The prospective Member shall be informed of the purposes of Rotary and of the privileges and responsibilities of membership, following which the prospective Member shall be requested to sign the membership proposal form and to permit his or her name and proposed classification to be published to the Club.

14.5 - No Objections

No written objection to the prospective Member, stating reasons, is received by the Board from any member of the Club within seven (7) days following publication of information about the prospective Member, that person, upon payment of the admission fee, as set out in the Club Policy & Procedure Manual, shall be considered to be elected to membership.

14.6 - Objections Received

If an objection to the proposed Member has been filed with the Club Secretary, the Board shall vote on this matter at its next meeting. If approved despite the objection, the proposed Member, upon payment of the admission fee, shall be considered to be elected to membership.

14.7 - Induction Procedure

The Membership Chair, following the confirmation, shall arrange for the new Member's induction, membership card, and new Member Rotary literature.

14.8 - The "Mentor" System

The Membership Chair shall assign a Member as a "Mentor" to assist with the new Member's assimilation into the Club. The new Member is required to participate in an orientation process as outlined in the Club Policy & Procedure Manual.

Article 15 Attendance**15.1 - Excused attendance**

Attendance is excused for the following:

- A. Approved Absence
for Members who are on an approved leave of absence in accordance with the provisions of Article 12.
- B. Excused Attendance
where the aggregate of the Member's years of age, and years of membership, in one or more clubs, is eighty-five (85) years or more, and the Member has notified the Club Secretary in writing or the Member's desire to be excused from attendance, and the Board has approved.

Article 16 Honorary Membership

The Board may award an Honorary Membership to any person who has demonstrated exemplary commitment and service to the principles of Rotary. Honourary members have all the rights and privileges of a regular member, but are not required to pay annual dues.

Article 17 Resolutions**17.1 - Prior Board Consideration**

Resolutions, prepared by Members, and presented at a Club meeting, shall be referred to the Board of Directors without discussion.

17.2 - Not Objectionable

If the Board determines that the Resolution is not objectionable they shall determine the date that such resolution shall be considered by the Club.

17.3 - Objectionable

If the Board considers the Resolution to be objectionable, they shall discuss this with the Member proposing the Resolution, and explain their reasons.

Article 18 Regular Meetings - Order of Business

The following is a suggested order of business, and may be adjusted, altered or modified from time to time according to directions from the President.

- Call to order
- Singing of 'O Canada'
- Toast to Canada and the Queen
- Rotary Grace
- Introduction of Visiting Rotarians/Rotaractors and Guests
- President's Remarks
- Club Announcements
- Program - Guest Speaker(s); Special Presentation(s)
- Music
- Happy Toonies
- Director and Committee Reports
- Adjournment

Article 19 Discipline/Termination of Membership

The Board may discipline or terminate the membership of any Member:

1. Non-Attendance
for non-attendance (see RI Constitutional Provisions, Article 11, Section 4), or

2. Qualification/Conduct
who ceases to have the qualification for membership in this Club, or whose conduct has been deemed by the Board to be contrary of the principles of the Rotary, the provisions of any by-law, or the Abuse and Harassment Prevention policy (Club and/or District) [as set out in the Club Policy and Procedure Manual].

Subject to the following procedure:

- a.) Upon fifteen (15) days' written notice to a Member, the Board may pass a resolution authorizing disciplinary action or the termination of membership for violating any provision of the articles or By-laws.
- b.) The notice shall set out the reasons for the disciplinary action or termination of membership. The Member receiving the notice shall be entitled to give the Board a written submission opposing the disciplinary action or termination not less than five (5) days before the end of the fifteen (15) day period. The Board shall consider the written submission of the Member before making a final decision regarding disciplinary action or termination of membership, which shall then be put to a vote of not less than 2/3rds of the Club members present, at a meeting called for that purpose.

Article 20 Directors - Limitation of Liability

20.1 - Good Faith

Every member of the Board of Directors of the Club, in exercising his/her powers and discharging his/her duty, shall act honestly, in good faith and for the betterment of the Club.

20.2 - No Liability

Subject to the foregoing, no Director or Officer shall be liable for the acts, deceits, neglects or defaults of any other Director, Officer or Club member over any loss, damage or expense happening to the Club.

20.3 - Indemnity

The Club shall indemnify a Director or Officer or former Director or Officer of his/her errors performed in accordance with Section 20.1 above, and legal representatives against all costs, charges and expenses, including any amount paid to settle an action or satisfy the judgment reasonably incurred in respect of any civil, or administrative action taken.

20.4 - Insurance

The Club shall purchase and maintain such insurance for the benefit of any officer, Director or Member, as the Directors deem necessary. The amount of such coverage shall be set forth in the Policy Manual.

Article 21 By-Law Amendments

21.1 - By-laws

These By-laws may be amended at any regular meeting, a quorum being present, by a 2/3rds vote of all Members present.

21.2 - Notice

Notice of such proposed amendments shall be incorporated into the Bulletin and such meeting should take place least ten (10) days thereafter.

21.3 - Compliance with Rotary International

No by-law, no amendment and no addition to these By-laws shall be made which is not in harmony with the standard Rotary International Club constitution.

Article 22 Service

22.1 - Service

Any notice required to be sent to any Member or Director or to the auditor (or person who has been appointed to conduct a review engagement) shall be provided by telephone, delivered

personally, or sent by prepaid mail, facsimile, email or other electronic means to any such Member or Director at their latest address as shown in the records of the Corporation and to the auditor or the person who has been appointed to conduct a review engagement at its business address, or if no address be given then to the last address of such Member or Director known to the secretary; provided always that notice may be waived or the time for the notice may be waived or abridged at any time with the consent in writing of the person entitled thereto.

22.2 - Computation of Time

Where a given number of days' notice or notice extending over any period is required to be given, the day of service or posting of the notice shall not, unless it is otherwise provided, be counted in such number of days or other period.

22.3 - Error or Omission in Giving Notice

No error or accidental omission in giving notice of any Board meeting or any Members' meeting shall invalidate the meeting or make void any proceedings taken at the meeting.

Article 23 Revocation

The General By-laws of the Club dated July 10, 2005, approved by the Members on the 10th day of July 2005 as amended and signed the 12th day of December, 2006 is revoked.

Article 24 In Force

24.1 - In Force

This By-law shall come into force on the day it is confirmed by the Club Members at a meeting duly called for this purpose.

24.2 - Severability and Precedence

The invalidity or unenforceability of any provision of this By-law shall not affect the validity or enforceability of the remaining provisions of this By-law. If any of the provisions contained in the By-laws are inconsistent with those contained in the Articles or the Act, the provisions contained in the Articles or the Act, as the case may be shall prevail.

Approved by the Directors on the _____ day of _____, 2014.

President _____ Secretary _____

Confirmed by the Club Members at a duly constituted meeting, by a two-thirds (2/3) majority of the Members present, called for that purpose on the _____ day of _____, 2014.

Secretary



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SCHEDULE 1
Membership Categories, Fees, Dues and Payment Schedule

05-Nov-14

CATEGORY		INITIATION FEE (1-time)	DUES (Annual)	SCHEDULE	NOTI
Regular		\$60	\$250 \$260	July 1st Option 2 instalments of \$130 ea - Jul 1, Jan 1	
Regular - 35 and under		\$0	\$250	Option 4 instalments of \$62.50 ea - Jul 1, Oct 1, Jan 1, Apr 1	
Regular - transferring in from Rotaract		\$0	\$150	maximum 3 Yrs, then full dues	Option 4 instalments of \$37.50 ea - Jul 1, Oct 1, Jan 1, Apr 1
Corporate	2 specific individuals (or designates) from individual organization	\$100	\$250	July 1st	1
Honourary		\$0	\$0		2

Note 1 [as per Membership Committee Report dated Sept. 8, 2014]

Parameters of Corporate Category

Covered under RI Insurance.

Club Attendance Requirements - Collective attendance must meet requirement of one (1) member.

Full participation, save and accept non-voting and not eligible to hold Club Office.

Eligibility to Transfer to Regular (Full) Membership.

Note 2

Parameters of Honourary Category

Full participation, save and accept non-voting, not eligible to hold office and exempt from attendance requirements.