

NORTH ISLAND-SUNSHINE COAST REGIONAL ADVISORY COMMITTEE

PROCEDURE BY-LAW

By-Law No. 2, being a by-law to regulate the proceedings of the
North Island-Sunshine Coast Regional Advisory Committee

DEFINITIONS

ACT means the "*NORTH ISLAND-COAST DEVELOPMENT INITIATIVE TRUST ACT, 2005*" (the "Act")

REGIONAL ADVISORY COMMITTEE means the Regional Advisory Committee established for the North Island-Sunshine Coast Region under the Act ("the N.I.-S.C. r.a.c.")

NORTH ISLAND-COAST DEVELOPMENT INITIATIVE TRUST means the corporation ("the N.I.-C. Trust") established under the Act.

The N.I.-S.C. r.a.c. for the purposes of regulating its proceedings enacts as follows:

I. REVOCATION OF BY-LAW NO. 1

Procedure By-Law No. 1 is hereby revoked.

II. PROCEEDINGS OF THE MEETINGS OF THE N.I.-S.C. r.a.c.

1. Statutory Meetings

The first meeting of the N.I.-S.C. r.a.c. in each year shall be held not later than the 31st March and the N.I.-S.C. r.a.c. shall meet on a quarterly basis on dates as the Chair may determine.

2. All meetings of the N.I.-S.C. r.a.c. shall take place in the City of Courtenay or at such times and places as the Chair may determine.

3. Any 10 members of the N.I.-S.C. r.a.c. may at any time by notice in writing directed to the Chair require a meeting to be called, and the Chair shall within two weeks set a date for a meeting, which meeting shall be held no later than thirty days from the date of receipt of the notice in writing directed to the Chair signed by 10 members of the N.I.-S.C. r.a.c. requiring such a meeting to be called.

4. At the first meeting to be held in each year, which is to be held no later than the 31st day of March, the members of the N.I.-S.C. r.a.c. shall elect one of their number as Chair to hold office until a successor is elected, and for this purpose each member shall have one vote.
5. At the first meeting, the Secretary of the N.I.-S.C. r.a.c. shall present to the Chair a certified list of those persons appointed to the regional advisory committees.
6. All By-Laws and Resolutions of the N.I.-S.C. r.a.c. shall be decided by a majority of the votes of the members who are at the meeting and entitled to vote thereon.

7. Quorum

A majority of the members having amongst them the majority of the votes constitute a quorum for the transaction of the business of the N.I.-S.C. rac.

8. Appointment of Vice-Chair

The N.I.-S.C. r.a.c. may from time to time appoint one of its members to be Vice-Chair, and such Vice-Chair has, during the absence or illness or other disability of the Chair, all powers and is subject to the same rules as the Chair.

9. Meetings

Other than a designated meeting, in view of the business discussed, all other meetings shall not be open to the public.

10. Minutes

The minutes of the proceedings of all meetings of the N.I.-S.C. r.a.c. shall be drawn up and entered in a book to be kept for that purpose, and shall be certified as correct by the Secretary of the N.I.-S.C. r.a.c. and shall be signed by the Chair or other member presiding at such meeting or at the next meeting at which they are adopted. The minutes shall be open for inspection by any member of the N.I.-S.C. r.a.c. and by any member of the Board of Directors of the Island Coastal Economic Trust and its employees.

11. Opening Proceedings

Call to Order As soon after the hour of the meeting as there shall be a quorum present, the Chair shall take the Chair and call the members to order.

Non-Attendance of Chair In the event the Chair or Vice-Chair does not attend within fifteen minutes after the time appointed for the meeting, the Secretary shall call the members to order and if a quorum be present, the chairman shall be chosen who shall preside during the meeting or until the arrival of the Chair or Vice-Chair.

No quorum after fifteen minutes In the event there shall be no quorum present within fifteen minutes after the time appointed for the meeting, the Secretary shall record the names of the members then present and the N.I.-S.C. r.a.c. shall then stand adjourned for that meeting.

12. Reading the Minutes

Immediately after the Chair shall have take the Chair, the minutes of the preceding meeting, which shall have been previously circularized, shall be considered for adoption as written, and any mistake therein may be corrected in the adoption of the minutes by the N.I.-S.C. r.a.c.

13. Duties of Presiding Chair

The Chair, if present, shall preside at all meetings of the N.I.-S.C. r.a.c. In all cases where the votes of the members then present are equal for and against the question, the question shall be negatived; and it shall be the duty of the presiding member of the N.I.-S.C. r.a.c. to so declare.

14. Points of Order

The Chair shall preserve order and decide all points of order which may arise, but subject to appeal to the other members of the N.I.-S.C. r.a.c.

15. Appeal from Decision

If an Appeal be taken by a member of the N.I.-S.C. r.a.c. from a decision of the Chair, the question shall be immediately put to him, and decided without debate, "Shall the Chair be sustained?" and the Chair shall be governed by the vote of the majority of the members of the N.I.-S.C. r.a.c. then present (exclusive of himself), and the names of the members of the N.I.-S.C. r.a.c. voting for or against the question "Shall the Chair be sustained?" shall be recorded in the minutes, and in the event of the votes being equal, the question shall pass in the affirmative.

16. Agenda

The Secretary shall distribute, prior to each meeting, an Agenda outlining the business to be transacted at such meeting. The Chair shall has the right to add additional items of business if in his or her opinion he or she considers it to be in the best interest of the N.I.-S.C. r.a.c.

17. Resolutions

- a) All resolutions to be at the meeting of the N.I.-S.C. r.a.c. shall be regularly moved and seconded, and the Chair shall declare the motion to be put and also declare the mover and the seconder without naming the mover and seconder.

- b) A resolution that is approved in writing, or by telex, telegraph, telephone or other similar means of communication confirmed in writing or other graphic communication, by a majority of the members is as valid as if it were passed at a meeting of the members properly called and constituted.

18. Voting

No member shall speak upon any motion or question more than once, save as hereinafter provided. After the motion has been made and seconded, or a question properly put before the meeting, the mover of the motion or the member putting the question to the N.I.-S.C. r.a.c., shall be allowed to speak upon it and thereafter all members who so desire may speak upon the motion or question and when all members have so spoken, or such members of the N.I.-S.C. r.a.c. as may wish to speak upon such question or motion, the mover of the motion or the member raising the question, shall be allowed a reply but shall be confined to replying to matter and things raised by other members of the N.I.-S.C. r.a.c. and when the mover of such motion of the member has put such question to the N.I.-S.C. r.a.c., has been heard in reply, the motion or question shall be put to a vote.

After the question is finally put by the Chair of the meeting, no member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared and the decision of the Chair of the meeting as to whether the question has been finally put and as to the outcome of any vote thereon, shall be conclusive.

Every member who shall be present when the question is put, shall vote and any member when present who abstains from voting shall be deemed to have voted in the affirmative.

19. Motion to Commit

A motion for commitment, until it be decided, shall preclude all amendment of the main question.

20. Motions Allowed During Debate

When a question is under consideration, no motion shall be received unless:

- a) To commit;
- b) To amend;
- c) To lay on the table;
- d) To postpone indefinitely;
- e) To postpone to a certain time;
- f) To move the previous question;
- g) To adjourn.

21. Order of Precedence

These several motions shall be precedence in the order in which they are named in Section 20, and the last five shall be neither amendable nor debatable.

22. Motion to Adjourn

The motion to adjourn the N.I.-S.C. r.a.c. or to adjourn the debate shall always be in order, but if such motion be defeated, no second motion to the same effect shall be introduced until after some other business or proceedings shall have been dealt with and there shall be no debate permitted upon a motion to adjourn and upon a motion to adjourn being moved and seconded, question thereon shall be put forthwith and determined.

23. Amendments in General

Moving Amendments

A member shall have the right of moving an amendment to a motion without giving notice thereof.

The amendment may propose:

- a) To leave out certain words;
- b) To leave out certain words and to insert or add others;
- c) To insert or add certain words.

24. Amendment Negatived

Only one amendment shall be allowed to an amendment, as an amendment once negatived by the N.I.-S.C. r.a.c. cannot be proposed a second time.

25. Motions Ruled Out of Order

Whenever the Chair is of opinion that a motion offered by the N.I.-S.C. r.a.c. is contrary to the rules and privileges of the N.I.-S.C. r.a.c., he shall immediately appraise the N.I.-S.C. r.a.c. of the same and before putting the question thereof, he shall if requested by any member of the N.I.-S.C. r.a.c., cite the rule or authority applicable to the case. No argument or comment shall ensue, except an appeal to the N.I.-S.C. r.a.c. as provided by Section 15 hereof.

26. Division of a Question

When the question under consideration contains distinct propositions, upon the request of any member of the N.I.-S.C. r.a.c., the vote upon each proposition shall be taken separately.

27. Reconsideration

Motion to Rescind

A motion to rescind a resolution passed by the N.I.-S.C. r.a.c. may be made at any time but only by a member of the N.I.-S.C. r.a.c. who declared that he or she voted in the affirmative when such resolution was passed.

After any question except one of indefinite postponement has been decided, any member may at a first meeting held thereafter move for a reconsideration thereof but no discussion of the main question shall be allowed and no debate had thereon unless the motion to reconsider has been adopted.

28. Privilege

Whenever a matter of privilege arises, it shall be immediately taken into consideration.

29. Proceedings Relating to the Passage of By-Laws

No By-Law shall be introduced either in blank or in an incomplete form. Every By-Law shall be printed or typewritten before it is introduced and each member of the N.I.-S.C. r.a.c. shall be provided with a copy thereof. Every By-Law shall be introduced upon motion duly seconded by the question "By-Law No. be now introduced and passed by the North Island-Sunshine Coast Regional Advisory Committee" and upon this motion being carried, the By-Law second motion either at the same meeting or a subsequent meeting where the question is "By-Law No. be now reconsidered and adopted by the North Island-Sunshine Coast Regional Advisory Committee". There shall be no amendments on the motion to reconsider and finally adopt the By-Law.

30. Seal and Signature of the Chair

Every By-Law shall be under the Seal of the N.I.-S.C. r.a.c. and shall be signed by the Chairman or by the person legally presiding at the meeting at which the By-Law has been passed, and by the Secretary of the N.I.-S.C. r.a.c.

III. UNPROVIDED MATTERS

31. In all matters relating to procedure not expressly provided for in this Procedure By-Law, the provisions of the N.I.-S.C. r.a.c. relating to proceedings at municipal council meeting shall be followed and applied insofar as the same shall be applicable. In all other unprovided cases in the proceedings of the N.I.-S.C. r.a.c., in the events that the Community Charter not cover the situation, the provisions of "Roberts Rules of Order" insofar as the same shall be applicable, shall be followed and applied.

IV. AMENDMENT OF THE PROCEDURE BY-LAW

32. This Procedure By-Law relating to the procedure of the N.I.-S.C. r.a.c. shall not be altered or amended except by By-Law passed at a regular meeting of the N.I.-S.C. r.a.c. in pursuance of the notice in writing given and openly announced at a preceding regular meeting of the N.I.-S.C. r.a.c.

INTRODUCED AND PASSED by the NORTH ISLAND-SUNSHINE COAST REGIONAL ADVISORY COMMITTEE on the 1st day of February, 2008.

RECONSIDERED AND FINALLY ADOPTED by the NORTH ISLAND-SUNSHINE COAST REGIONAL ADVISORY COMMITTEE on the 1st day of February, 2008.

Chair

Secretary