

About the Constitution and By-Laws

1. What kind of organization is the Club? What legislation covers it?

The Grimsby Garden Club is covered under the Agricultural and Horticultural Organizations Act, R.S.O. 1990, chapter A.9.

The Club is also subject to the provisions of the Corporations Act, RSO 1990, c.C.38 that don't conflict with provisions of the Agricultural and Horticultural Organizations Act. The parts that apply are Part III (Corporations without Share Capital) and Part VII (Corporations, General).

The Act provides for every organization to be a 'corporation without share capital'. This is typically called 'not for profit' corporations. It means that the activities of the corporation shall not be carried on for the purpose of gain for its members and any profits shall be used in promoting its objects/purposes.

2. Why are we updating the constitution and by-laws now?

This is a step towards good governance of the Club. The constitution and by-laws give guidance to everyone involved in the Club. They provide a safeguard for the organization by having a comprehensive set of guidelines and rules. This new Constitution brings order to how our organization functions.

3. What is the benefit of a constitution and by-laws?

The constitution sets out the Club's purpose, name and address. The by-laws outline the workings of the Club - what its activities are, how it is to be managed and operate, and what its responsibilities and liabilities are. These are important things for everyone involved: to fulfill the Club's main purpose and operate responsibly within all the laws of Ontario and Canada, with safeguards in place.

4. What are the changes to the constitution?

The OHA gave us a starting point constitution that is comprehensive and complete. It covers what is involved in managing and running a horticultural society today. In addition, it has developed the constitution and by-laws to be flexible to handle day-to-day decisions.

We filled in our Club specifics – name, address, year-end, executive roles, meeting dates, and any other items specific to us. This means that the constitution and by-laws are up to date and stable for our own Grimsby Garden Club.