

# GENERAL BY-LAWS

By-laws relating to general conduct of the affairs of

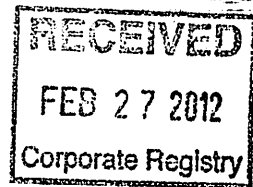
## KHALSA SCHOOL CALGARY EDUCATIONAL FOUNDATION

Located at:  
245228 Range Road 284, Calgary, AB, T2M 4L5 Canada

BE IT ENACTED AND IT IS HEREBY ENACTED as a By-law of

## KHALSA SCHOOL CALGARY EDUCATIONAL FOUNDATION

(hereinafter called the "Foundation") as follows:



### 1. INTERPRETATION

1.01 In this By-law and all other By-laws of the Foundation, unless the context otherwise specifies or requires:

- (a) "Act" means the Societies Act of Alberta, as from time to time amended and every statute that may be substituted therefore and, in the case of each substitution, any reference in the By-laws of the Foundation to the provisions of the act shall be read as references to the substituted provisions therefore in the new statute or statutes.
- (b) "Article" means the Articles of Incorporation or the Articles of Continuance of the Foundation, as the case may be, as from time to time amended, supplemented or restated.
- (c) "Board" means the Board of Directors of the Foundation.
- (d) "By-Laws" means this by-law and all other By-laws of the Foundation from time to time in force and effect.
- (e) "Dashmesh Culture Centre Executive Committee" means the Executive Committee, from time to time in place, at the Dashmesh Culture Centre (here in after referred to as the "DCC").
- (f) "Director" means the Directors of the Foundation.
- (g) "Fiscal Year" shall be a twelve month period ending the last day of June in each year.
- (h) "Good Standing" means a member whose current dues have been paid in accordance with the provisions of these By-laws, and who is not under any disciplinary action.
- (i) "Foundation" or "School" mean Khalsa School Calgary Educational Foundation
- (j) Words importing the masculine shall include the feminine and vice versa.

## **2. NAME**

- 2.01 The name of the Foundation shall be “**KHALSA SCHOOL CALGARY EDUCATIONAL FOUNDATION**”.

## **3. MEMBERSHIP OF THE FOUNDATION**

### **3.01 Membership Types**

- (a) Regular Members (Annual Members) – renewable annually
- (b) Life members

All members shall have the privilege to vote at the meetings/elections or whenever required to do so. If a life member moves away from Greater Calgary Area, they shall have the option to retain the membership without voting privileges.

### **3.02 Membership Fees**

Annual membership fee is \$20.00 (twenty dollars)

Life membership fee is (one-time) \$200.00 (two-hundred dollars)

Receipts for membership fee shall be issued for each individual separately. Fees are subject to change as determined by the Board.

### **3.03 Membership Requirements**

- (a) At least one parent of all students attending the Foundation shall be the member of the Foundation for as long as their children attend school. There are no exceptions to this requirement. Both parents have option to become separate members by paying applicable fees. Parents may become regular or life members. Regular membership is only open to parents of children enrolled in the school.
- (b) All Board members shall become members (regular or life members) of the Foundation with voting privileges and shall pay the applicable membership fees.
- (c) Annual membership will only be open to parents of all students attending the Foundation.
- (d) Life membership will be open to any person living in Greater Calgary Area.
- (e) Submitting completed membership application to the Board.
- (f) Paying of applicable membership fee.

### **3.04 Membership Procedure**

(a) Membership forms will be sent to all parents or can be obtained from the school office.

(b) The membership list shall be completed by the secretary of the Board which shall include names of all the members, their addresses, phone numbers, email address and any other relevant information as deemed necessary before 31<sup>st</sup> of October every year.

### **3.05 Cancellation of Membership**

Any member wishing to withdraw from membership may do so by providing a notice in writing to the Board through its Secretary.

### 3.06 **Expulsion of Member**

- (a) If any member is in arrears for fees or assessments for any year, such member shall be automatically suspended at the expiration of six months from the end of such year and shall thereafter be entitled to no membership privileges or powers in the Foundation until reinstated.
- (b) Any member may be expelled from membership for any cause which the Foundation may deem reasonable upon a majority vote of members of the Foundation in good standing present in the meeting.

## **4. BOARD OF DIRECTORS**

- 4.01 The Board shall, subject to the bylaws or directions given it by majority vote at any meeting properly called and constituted, have full control and management of the affairs of the Foundation, and meetings of the Board shall be held as often as may be required, but at least once every three months, and shall be called by the Chairperson.
- 4.02 Any Director or Officer, upon a majority vote of all members in good standing, may be removed from office for any cause which the Foundation may deem reasonable.
- 4.03 Board member will be replaced if he/she:
  - (a) ceases to act during his term; or
  - (b) is absent from three (3) consecutive Board meetings without any valid reason; or
  - (c) is away (absent) for 3 months without being excused.
  - (d) resigns from their position in the Board.
- 4.04 Any vacancy of the Board may be filled according to the make-up of the Board as outlined in section 4.08.
- 4.05 **Powers of the Board**
  - (a) The Board shall have the power to appoint employees/staff members of the Foundation on merit basis and fix their salaries. This can be done on the recommendations of the Principal of the Foundation.
  - (b) The Board shall have the power to hire or dismiss staff members of the Foundation with or without the recommendations of the Principal.
  - (c) The Principal of the Foundation shall be responsible for the administration of the Foundation including admission process of the students. He will seek the help of the Board members if needed.

#### 4.06 **Term of Board Members**

- (a) Board members will have a term of two (2) years coinciding with DCC committee term. Selection or election of the parent Board members shall be held before November 30<sup>th</sup> of their term ending year.
- (b) Any or all members can be selected or elected again for two (2) year terms.
- (c) At least two of the four members namely, Chairperson, Vice Chairperson, Secretary, Treasurer shall be given the option to continue for second two (2) year term to maintain Board continuity.

#### 4.07 **Board member qualifications and requirements**

- (a) Minimum of three (3) members shall be Amritdhari (Baptized) Sikhs as outlined in section 4.08. Other members shall preferably be Sehjdhari Sikhs.
- (b) Use of alcohol, smoking or other intoxicants is prohibited during their term on the Board.
- (c) Should have clean record, namely no bankruptcy, no criminal record of any kind.
- (d) Members must have good interpersonal skills and be qualified; an educational background is preferred.

#### 4.08 **Board Makeup**

- (a) The Board shall consist of seven (7) members namely, Chairperson, Vice Chairperson, Secretary, Treasurer, and three (3) Directors. Board members shall select the officials among themselves for various positions in the Board as required.
- (c) Three (3) members, shall be from parents of children enrolled in the school at the time, selected or elected by the members of the Foundation, with minimum of one (1) such person being Amritdhari (Baptized) Sikh.
- (c) Remaining four (4) members shall be appointed by the DCC. Up to two (2) of these members may be represented from the DCC Executive Committee. Two (2) of these four (4) members shall be Amritdhari (Baptized) Sikhs.

#### 4.09 **Chairperson**

- (a) Shall be ex-officio a member of all committees. He/she shall, when present, preside at all meetings of the Foundation and of the Board. In his/her absence, the Vice-Chairperson shall preside at any such meetings.
- (a) Shall be an Amritdhari Sikh
- (b) Shall be well versed in written and spoken English and Punjabi.
- (c) Shall call Board or general body meetings when required.

#### 4.10 **Vice-Chairperson**

- (a) Shall assist the Chairperson to carry out his/her work in an efficient manner.
- (b) Shall perform the duties of the Chairperson in his/her absence or disability.

#### 4.11 **Secretary**

- (a) It shall be the duty of the secretary to attend all meetings of the Foundation and of the Board, and to keep accurate minutes of the same in English language.
- (b) Shall have charge of all the correspondence of the Foundation and be under the direction of the Chairperson and the Board.
- (c) Shall maintain updated contact and address information of all the members of the Foundation
- (d) In case of the absence of the Secretary, his/her duties shall be discharged by such officer as may be appointed by the Board.
- (e) Shall be well versed in written and spoken English and Punjabi.

#### 4.12 **Treasurer**

- (a) Every cheque shall be signed by the Treasurer and countersigned by the Chairperson or any other Board member as decided from time to time.
- (b) Shall disburse money and other valuables only upon the consent of the Board of the Foundation.
- (c) Shall properly account for the funds of the Foundation and keep such books as may be directed.
- (d) Shall present a full detailed account of receipts and disbursements to the Board whenever requested and shall prepare for submission to the Annual Meeting a statement duly audited of the financial position of the Foundation and submit a copy of same to the Secretary for the records of the Foundation.

#### 4.13 **Director**

The Director(s) shall perform duties as assigned by the Board from time to time.

#### 4.14 **Board Meetings**

- (d) The Principal and the Vice Principle of the Foundation shall be ex-officio members of the Board and shall attend the meetings of the Board as required by the Board, but in consultant capacity only.
- (e) The quorum of Board shall consist of at least four (4) Board members.
- (f) Meetings may be held without notice if a quorum of the Board is present, provided that any business transacted at such meetings shall be ratified at the next regular meetings of the Board, otherwise if shall be null and void.
- (g) Special meetings may be called by instructions of any four (4) Board members, provided they request the Chairperson is writing to call such a meeting, and state the business to be discussed.
- (h) A resolution signed by four (4) Directors shall have the same force and effect as if passed at duly constituted meeting of the Directors.
- (i) Questions arising at any meeting shall be decided by a majority of the votes. In case of an equality of votes, the Chairperson shall have a second or casting vote.

## 5. APPOINTMENT OF BOARD MEMBERS

- 5.01 As outlined in section 4.08, three (3) Board members shall be selected or elected from all the Parents of students enrolled at the school. Any of the three (s) members can be selected with 100% approval of all voting members present at the general meeting.
- 5.02 If 100% approval is not there, then elections shall be held for the remaining Board members as outlined below:
- (a) School Board by its majority vote shall appoint a Presiding Officer and Assistant Presiding Officer, who are able and competent to hold elections.
  - (b) Presiding Officer or Assistant Officers don't have to be members of the Foundation.
  - (c) Presiding or Assistant Presiding Officer shall not be current member of the Board of the Foundation.
  - (d) Presiding or Assistant Presiding Officer shall not be a candidate for any positions in the Board.
  - (e) The Assistant Presiding Officer shall assist the Presiding Officer in the activities of the election process. In the absence or disability of the Presiding Officer he shall perform the duties of the Presiding Officer and may appoint his own Assistant Presiding Officer.
  - (f) The Presiding and Assistant Presiding Officers shall be appointed at least six weeks in advance of the election date. The names, addresses and phone numbers of the above mentioned appointees along with date, time and place of elections shall be sent in writing (or e-mail) to all the members.
  - (g) The Presiding and Assistant Presiding Officers shall scrutinize the voting list, receive and check nomination papers and conduct the elections in accordance with the provision in the By-laws.
  - (h) The Presiding Officer shall on request provide appropriate nomination forms for nomination purposes.
  - (i) Nominations in order to be valid shall show signed consent of the candidate, his name, address phone number and signature along with date on which the form was submitted.
  - (j) All the nomination forms duly completed must reach the Presiding Officer 21 days before the election date.
  - (k) The Candidate contesting the election shall be the voting member of the Foundation with valid membership.
  - (l) The candidate contesting the election can withdraw his name up to ten (10) days prior to the election date by 6.00pm.
  - (m) The list of candidates for the Board of Directors shall be put on Foundation notice Board and/or Website ten (10) days prior to the voting date.
  - (n) The election of Board members of the Foundation shall be held on or before 30 Nov. every two years.
  - (o) Only persons with valid membership and present at the time of voting and presenting proper identification shall have the right to vote. There shall be no voting by proxy.
  - (p) Election shall be held by secret ballot.
  - (q) Out of the total number of candidates contesting the elections, three (3) candidates getting the majority of votes shall be declared elected.
  - (r) The Presiding Officer shall declare the three Directors elected and submit a list of these to be current Chairperson of the Foundation, who will forward it to the President of DCC.
  - (s) The term of newly elected Directors shall be of two (2) year from Dec 31 of the election year.

## **6. MEETINGS**

- (a) Foundation meetings shall be called by delivering a written notice (by email) at least two (2) weeks before the date of such meeting, to the last known email address of each member.
- (b) The Foundation shall hold an annual general meeting (AGM) once every calendar year within 60 days of the Fiscal Year-end of the Foundation.
- (c) At the first annual general meeting there shall be at least fifty (50) members in good standing present. If there are less than fifty (50) members present at the first annual general meeting, than the second meeting shall be held the following Sunday with at least twenty-five (25) members present.
- (d) General meeting of the Foundation may be called any time by the Secretary upon the instructions of the Chairperson of the Board.
- (e) A Special meeting may be called by the Chairperson upon receipt by him of a petition signed by fifty-one (51) percent of the members in good standing where the reasons for calling such meeting pertain to matter affecting the Foundation business.
- (f) At least fifty (50) members in good standing present constitute quorum at any meeting.

## **7. BORROWING POWERS**

- 7.01 For the purpose of carrying out its objects, the Foundation may borrow or raise or secure the payment of money in such manner as it thinks fit.

## **8. RENUMERATION**

- 8.01 No Officer, Director or member, of the Foundation shall receive any remuneration for their services.

## **9. HANDING OVER AND TAKING OVER THE CHARGE**

- 9.01 The outgoing Board shall hand over the charge in writing from last Sunday of December following the election. The new Board of Directors shall start managing the affairs of the school with effect from following 1<sup>st</sup> of January.

## **10. BY- LAWS**

- 10.01 The Bylaws may be rescinded, altered or added to by a "Special Resolution" done at a General Meeting for which a minimum of twenty-one (21) days' notice has been duly given. A minimum of seventy-five (75) percent of members must vote in favour of this Special Resolution.



## **11. SEAL OF THE FOUNDATION**

11.01 The Khalsa School Foundation will have a seal and it shall be kept in the custody of the Chairperson of the Board.

11.02 Execution of Instruments

Deeds, transfers, assignments, contracts, obligations, certificates and other instruments required by law or otherwise by these By-Laws or any resolution of the Board or Members to be executed under corporate seal may be signed on behalf of the School by one or more persons, who holds the office of Chairperson of the Board, President, Managing Director, Vice-President, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer or any other office created by by-law or by resolution of the Board. In addition, the Board may from time to time direct the manner in which and the person or persons by whom any particular instrument or class of instruments may or shall be signed. Any signing Officer may affix the seal to any instrument requiring the same, but no instrument is invalid merely because the corporate seal is not affixed thereto."

## **12. AUDITING**

12.01 All accounts of the Foundation shall be audited each year by a certified accountant appointed by the Board.

12.02 The annual audit shall be approved by the Board for the purpose of submission to CRA, Ministry of Education or as required and shall be made available at the following annual general meeting.

12.03 The books and record of the Foundation may be inspected by any member of the Foundation by providing fifteen (15) days written notice to the Board.

## **13. LIMITATIONS OF LIABILITY AND INDEMNITY OF DIRECTORS**

13.01 Subject to the By-laws, Khalsa School Foundation shall indemnify a member of the Board, or an employee of the Khalsa School Foundation and its legal representatives, against all costs, charges and expenses, including an amount paid to settle an action or satisfy a judgment, reasonable costs incurred by him in respect of any civil, criminal or administrative action or proceeding to which he is made a party by reason or having been a member of the Board or employee of the Khalsa School Foundation, if he acted honestly and in good faith with a view to the best interests of the Khalsa School Foundation, and in case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, he had reasonable ground to believe that his conduct was lawful.

**14. DISSOLUTION OF THE SCHOOL**

14.01 In the event of dissolution or winding up of the Foundation, all its remaining assets, after payment of liabilities, shall be the property of DCC.

Dated at the City of Calgary, in the Province of Alberta, this 18<sup>th</sup> day of DECEMBER, 2011.

BALWINDER S. KHALON Balwinder  
PRINT NAME SIGNATURE

JASKARAN S. RANDHAWA Jaskaran  
PRINT NAME SIGNATURE

HARDYAL Singh Mann Hardyal  
PRINT NAME SIGNATURE

MANJIT SINGH BEDI Manjit  
PRINT NAME SIGNATURE

NARMAIL SINGH CHANA Narmail  
PRINT NAME SIGNATURE

JASPAL SINGH KANG Jaspal  
PRINT NAME SIGNATURE

SUKHVINDER S. MALHOTRA Sukhvinder  
PRINT NAME SIGNATURE

WITNESS TO ALL SIGNATURES:

Ranbir Singh Parmar Ranbir  
PRINT NAME SIGNATURE

# Society Bylaw Change - Proof of Filing

**Alberta Amendment Date: 2012/02/27**

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**The Bylaws are filed as of 2012/02/27**

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**Service Request Number:** 17617328

**Corporate Access Number:** 5012532122

**Legal Entity Name:** KHALSA SCHOOL CALGARY EDUCATIONAL FOUNDATION

**Legal Entity Status:** Active

**Fiscal Year End:** 06/30

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**Annual returns are outstanding for the 2011 file year(s).**

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## Annual Return

File Year	Date Filed
2010	2010/07/14
2009	2009/08/02
2008	2009/08/02

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## Attachment

Attachment Type	Microfilm Bar Code	Date Recorded
Application	10000206101898954	2006/06/28
Bylaws	10000806101899192	2006/06/28
Consent	10000906101898955	2006/06/28
Nuans	10000606101899193	2006/06/28
Supporting Documentation	10000406101899194	2006/06/28
Correspondence	10000106101899195	2006/06/28
Correspondence	10000106101885080	2006/11/20
List of Director/Officer	10000406102194231	2006/11/29
Correspondence	10000806102194234	2006/11/29
Nuans	10000006102200446	2007/04/25
Correspondence	10000506102200444	2007/04/25

Supporting Documentation	10000206102200445	2007/04/25
Correspondence	10000705101377626	2007/05/16
Correspondence	10000206102360207	2007/07/11
Correspondence	10000907104207832	2008/07/01
Correspondence	10000107104705325	2008/07/21
Correspondence	10000607104474997	2008/08/13
Bylaws & Special Resolution	10000807104474996	2008/08/13
Correspondence	10000107104708734	2008/08/25
Correspondence	10000907104708749	2008/08/28
Correspondence	10000407104481197	2008/08/28
Correspondence	10000007103912166	2008/11/21
Correspondence	10000507105436042	2009/06/26
Notice of Address	10000807106415424	2009/08/02
Audited Financial Statement	10000307106415426	2009/08/02
Annual Return Form	10000707106415429	2009/08/02
Annual Return Form	10000507106415425	2009/08/02
Audited Financial Statement	10000507106415430	2009/08/02
Audited Financial Statement	10000907106415428	2009/08/02
Annual Return Form	10000107106415427	2009/08/02
Annual Return Form	10000707108543514	2010/07/14
Audited Financial Statement	10000507108543510	2010/07/14
Correspondence	10000207109941784	2011/12/21
Bylaws & Special Resolution	10000307112341694	2012/02/27

**Registration Authorized By: SUKHVINDER SINGH MALHOTRA  
CHAIRMAN**

# Society Bylaw Change - Registration Statement

**Alberta Amendment Date: 2012/02/27**

**Service Request Number:** 17617328

**Corporate Access Number:** 5012532122

**Legal Entity Name:** KHALSA SCHOOL CALGARY EDUCATIONAL FOUNDATION

**French Equivalent Name:**

**Legal Entity Status:** Active

**Fiscal Year End:** 06/30

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Nuans	10000006102200446	2007/04/25
Correspondence	10000506102200444	2007/04/25
Supporting Documentation	10000206102200445	2007/04/25
Correspondence	10000705101377626	2007/05/16
Correspondence	10000206102360207	2007/07/11

Correspondence	10000907104207832	2008/07/01
Correspondence	10000107104705325	2008/07/21
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Bylaws & Special Resolution	10000807104474996	2008/08/13
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Audited Financial Statement	10000507106415430	2009/08/02
Audited Financial Statement	10000907106415428	2009/08/02
Annual Return Form	10000107106415427	2009/08/02
Annual Return Form	10000707108543514	2010/07/14
Audited Financial Statement	10000507108543510	2010/07/14
Correspondence	10000207109941784	2011/12/21
Bylaws & Special Resolution	10000307112341694	2012/02/27

**Registration Authorized By: SUKHVINDER SINGH MALHOTRA  
CHAIRMAN**