

# Frequently Asked Questions about the Societies Act Amendments

#### What information can we keep about our members?

The register of members is a document where the society keeps their members organized by different classes of membership (if applicable), names, and contact information. Contact information could be an email address, mailing address, or other contact information. The register of members must not contain any other information about the society's members. The society may choose to keep further information about their members on other documents.

#### Do I need to file a transition application again?

If your society has filed a transition application after the new *Societies Act* came into force in 2016, then the society will not need to file another transition application.

#### Do these changes require amendments to be done to our society's bylaws?

It is a good idea to review the changes made to the *Societies Act* to ensure your society's bylaws continue to comply. A link to the full text of the changes can be found <u>here</u>.

#### Who can extend or convert a limited restoration?

The same applicant who applied for the limited restoration must apply for the extension or conversion of the limited restoration.

## I did a limited restoration by court order. Do I need another court order to extend or convert the limited restoration?

Yes, a court order will be required to extend or convert any limited restoration that was initially done by court order.

#### Does the record keeper need to keep the society's records in BC?

Yes, the records of a dissolved society must be kept in BC, or if the records are electronically stored, they must be available for inspection at a location in BC.

#### How can I change the identity of the record keeper?

A court order is required to change the identity of the record keeper.

#### How long do records need to be kept for after the society dissolves? Can I reduce that time?

The records of a dissolved society need to be kept for three years. A court order must be obtained to shorten the three-year requirement.

#### How do I notify BC Registries of who the record keeper is?

If the society is doing a voluntary dissolution, the record keeper information will be asked for in the voluntary dissolution application. If the society is involuntarily dissolved (e.g., for failure to file annual reports), a Notice of Record Keeper form must be completed and sent to BC Registries.

# What proof do I need to supply with the application to remove oneself as director from a statement of directors/notice of articles?

You must submit a statutory declaration with your application that details why you are not a director under the *Societies Act/Business Corporations Act*, the information about how and when you gave notice to the society that you are not a director and you intend to apply to the registrar to be removed, and any other steps you have taken to be removed from the list of directors. Registry staff will review your application and let you know if further documentation is required.

# How do I need to notify the society/company that I intend to apply to the registrar to be removed as director on the society/company's information?

You must notify the society/company at their registered office address on file with BC Registries. Registered mail may be an ideal choice as you will know if the society has received your notice. You must notify the society at least 60 days before submitting your application to remove yourself as director to BC Registries.

#### Can I remove an attorney for service for my Extraprovincial Non-Share Corporation?

An Extraprovincial Non-Share Corporation (ENSC) must have either a head office address in BC or an attorney for service in BC. If the head office address is in BC, the ENSC will be able to remove their attorney for service on Societies Online.

## Should my register of directors show the dates all the directors started and ceased, or just the current ones?

The Register of Directors should show the names, contact information, and dates directors started and ceased to be directors for all the directors the society has had.

#### What can a member use the register of members for?

A member who obtains a copy of the register of members under section 27 of the *Societies Act* must not use the information obtained from the inspection or copy except in connection with the requisition or calling of a general meeting under section 75, the submission of a proposal under section 81, the calling of a general meeting under section 138, or an effort to influence the voting of members.

#### Can I keep meeting minutes for all gatherings of members?

Meeting minutes should only be kept for general meetings and not for other types of gatherings of members.