

## MAINTAINING YOUR BC SOCIETY

The British Columbia *Society Act* requires all incorporated societies to file information about the society with the Corporate Registry office. These filings are:

### **ANNUAL REPORT** **(Form 11)** **FILING FEE \$25.00**

A British Columbia society must file an annual report each year within 30 days after each annual general meeting. An annual general meeting **must** be held once in every calendar year. Approximately three weeks prior to the anniversary date of the last annual general meeting of the society, an annual report reminder is mailed to the society at the last address we have on file. The society or its solicitor completes the form (if necessary), signs it and returns the form to this office.

### **CHANGE IN ADDRESS OF SOCIETY** **(Form 5)** **FILING FEE \$15.00**

Notice of every change in the address of the society must be filed without delay and the change takes effect on the day after the notice is filed with this office. This address must be a physical address where the society can be served legal documents. It is important to file this form as the registered society address is also the address used for mailing the annual report reminder (Form 11) and any notices concerning the commencement of dissolution of your society. If the physical address is not a mailing address, add a mailing address (e.g., PO Box number) to the Form 5.

### **CHANGE IN DIRECTORS** **(Form 7)** **FILING FEE \$15.00**

Notice of every change in the directors, **other than at an annual general meeting**, must be filed without delay. A separate form is required for each date a change takes place.

### **CHANGE IN CONSTITUTION/BYLAWS** **(Form 10)** **FILING FEE \$50.00**

Any change made to the constitution or bylaws of a society must be filed with the registrar on a special resolution form. These changes do not take effect until the registrar has accepted them for filing.

The Corporate Registry is the repository of the bylaws for public access. Therefore, it is important for you to ensure your bylaws comply with section 6 of the *Society Act* before submitting to this office.

**Failure to comply with the filing requirements of the *Society Act* may result in a society being dissolved and struck from the register.**

## FINANCIAL STATEMENTS

The directors of a British Columbia society must place financial statements before each annual general meeting of the society. The financial statements must be for the period ending not more than six months before the annual general meeting and be approved and signed by two directors. If the society is a reporting society, the financial statements must be professionally audited as well as approved and signed by two directors.

Societies are not required to submit the financial statements to the Corporate Registry, however, under section 95(3) of the *Society Act* the financial statements are to be provided to the public upon request.

## REGISTRAR OF COMPANIES

The primary role of the Registrar of Companies is to make sure that societies comply with the filing requirements of the Act. **The Registrar does not supervise the conduct of societies or intervene in the internal affairs of a society.** If members are unhappy with the society's conduct, they may exercise their rights by calling a meeting or voting for a different board of directors (refer to section 31 and 58 of the Act.)

If a society breaches the Act or does not comply with its constitution or bylaws, section 85 of the Act permits members to seek remedy in the courts.

## ADDITIONAL INFORMATION

For information regarding completion of forms, contact the Society/Cooperative Unit at **250 356-8673** or fax **250 387-3055**. If calling from the Greater Vancouver area, direct dial 604 775-1046.

Forms are available from this office or may also be available from your local government agent's office. In addition, you may download the above mentioned forms from the Corporate Registry Web site at [www.fin.gov.bc.ca/registries](http://www.fin.gov.bc.ca/registries)

Every director should have a copy of the *Society Act* and be aware of its contents. It is a useful source of information and may be purchased from Crown Publications Inc. You may contact them at 250 386-4636, or fax 250 386-0221, or Web site [www.crownpub.bc.ca](http://www.crownpub.bc.ca) or write to 521 Fort Street, Victoria BC V8W 1E7.

An additional source of information is the *Society Guide for British Columbia*. This booklet is produced by the Community Legal Assistance Society and you may contact them to enquire about the purchase of this booklet by calling 604 685-3425 or writing to 300 – 1140 West Pender Street, Vancouver BC V6E 4G1.