

Maintaining your status as a society in BC

Blog
Mark Friesen
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Board: Effective Governance



bulletin

The new and updated Societies Act came into effect November 28, 2016 and governs how societies (not-for-profit organizations) are created and run in B.C. The new Act provides clarity, additional flexibility, and some new obligations for societies in areas such as record keeping, director requirements, and membership rules for different types of societies (ordinary societies and member-funded societies).

As part of the transition to the new Act, every not-for-profit society in BC was required to file a Transition Application by November 28, 2018.

We were curious about what could happen to societies who have not yet completed a transition application now that the deadline has passed.

Here is the response we received:

- "...To remain in compliance with the Societies Act all pre-existing societies must file a Transition Application by November 28, 2018 as per Section 240 (1) of the *Societies Act Legislation*. If a society fails to complete the Transition Application by November 28, 2018 the Registrar may issue a Notice of Commencement of Dissolution as per Section 214 (1)(b) of the Act. The society is considered not in good standing until the outstanding transition application is filed.
- To address your inquiry, at this time the Registrar is not contemplating applying the dissolution proceedings if a society fails to meet the Transition Application deadline of November 28, 2018. We encourage societies to complete the transition application as soon as possible in order to prevent any future issues that may affect their activities such as apply for gaming grants or securing loans and to remain in good standing with BC Registries.
- Please note, if a society is issued a Notice of Commencement of Dissolution for failure to file the Transition Application, the society can request a delay of dissolution at that time for a period of time up to 6 months through our Societies Online Application. The Transition Application must be filed prior to the delay of dissolution expiry date."

In summary:

- If you haven't done so already, your organization should absolutely file a transition application as soon as possible. To find out how, click here: https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/permits-licences-and-registration/registries-guides/inst_01_soc_-_transition_application_filing_guide.pdf
- If you haven't done so, it is possible that the Corporate Registry in BC may file a "Notice of Commencement of Dissolution"
 - If a society is issued a Notice of Commencement of Dissolution for failure to file the Transition Application, the society can request a delay of dissolution at that time for a period of time up to 6 months through our Societies Online Application. The Transition Application must be filed prior to the delay of dissolution expiry date."

Remember, the new Societies Act provides some different options for governing your organization. Filing a transition application is also a great opportunity to review your bylaws and make adjustments to how your organization makes decisions. For some frequently asked questions related to the new Act, download the [Societies Act FAQ resource](#) we've put together.