

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

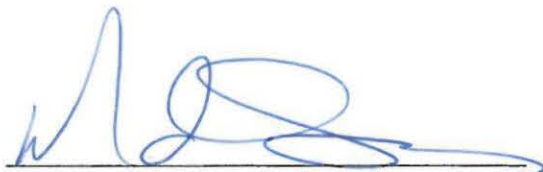
Order in Council No. 252, Approved and Ordered April 29, 2016


Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective November 28, 2016,

- (a) the Societies Transitional Interim Regulation, B.C. Reg. 217/2015, is repealed, and
- (b) the attached Societies Transitional Interim Regulation is made.


Minister of Finance


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Societies Act*, S.B.C. 2015, c. 18, ss. 228 and 251

Other: OIC 677/2015

March 23, 2016

R/156/2016/25

SOCIETIES TRANSITIONAL INTERIM REGULATION

Definition

- 1 In this regulation, “Act” means the *Societies Act*.

Special resolutions under former Act

- 2 A reference in the Act to a special resolution is to be read as including a special resolution, as defined in section 1 of the *Society Act*, R.S.B.C. 1996, c. 433, passed or consented to, as the case may be, before November 28, 2016.

Higher voting threshold in bylaws of society

- 3 (1) A provision of the bylaws of a society that provides for a higher voting threshold, referred to in section 11 (4) [*bylaws*] of the Act, to effect an action referred to in that section prevails in accordance with that section only if the provision
 - (a) sets out the higher voting threshold as a fraction or percentage of the votes cast or as a specific number of votes,
 - (b) establishes the higher voting threshold by requiring a unanimous decision of all the voting members, or
 - (c) sets out a formula for calculating the higher voting threshold.
- (2) For certainty, an action referred to in section 11 (4) of the Act includes altering all or part of one or more provisions of a society’s constitution or bylaws.

Timing of special resolution authorizing alteration to previously unalterable provision or reporting society provision in bylaws

- 4 A society must not submit to the registrar for filing a bylaw alteration application referred to in section 17 [*alterations to bylaws*] of the Act in relation to a provision in the society’s bylaws that is
 - (a) identified in the bylaws, in accordance with section 240 (2) (b) (iii) [*pre-existing society must file transition application*] of the Act, as having previously been unalterable, or
 - (b) a reporting society provision included in the bylaws under section 240 (2) (b) (iv) of the Act

unless the special resolution referred to in section 17 (2) of the Act authorizing the alteration is passed or consented to, as the case may be, after the society has filed the society’s transition application under section 240 of the Act.