

Report to the AGM of Ladysmith Maritime Society

December 6, 2017

Constitution and Bylaws

Background

Most of you will be aware that the B.C. Societies Act was repealed and replaced. That affects some 27,000 registered societies of which LMS is one. The new Act came into force on November 28, 2016 and all societies have 2 years from that date to “transition” to the new Act.

Transition

The transition process required us to remove certain items from the Constitution which were noted as unalterable and place them in the Bylaws. In our case, those items dealt with what would happen on Winding Up or Dissolution of the society. The identical provision now appears in our Bylaws and is noted as being “ previously unalterable”. Such provisions can now be altered by special resolution subject to other Bylaw provisions and the Act.

We are ahead of the game in respect to transition. That was completed on June 20, 2017.

What Now?

The next step in the process is to consider new Bylaws. The old ones remain in effect until that is accomplished. In the interim period, if there is any conflict between the Bylaws and the Act, the Act prevails.

We have prepared a draft set of new Bylaws presently being considered by the Board. Once a final draft is approved by the Board, it will have to be brought before a General Meeting of the members and passed by a 2/3 majority (unless we want to adopt a higher requirement such as the present 3/4).

Once passed it will be filed with the Registry in Victoria. I should note that filing paper is now a thing of the past. Filings are done electronically. Our filed documents take on a slightly different form as a result.

Respectfully submitted by Allan Gould