

1980 BILL 46

Second Session, 19th Legislature, 29 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 46

THE SOCIETIES AMENDMENT ACT, 1980

THE MINISTER OF CONSUMER AND
CORPORATE AFFAIRS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 46

1980

THE SOCIETIES AMENDMENT ACT, 1980

(Assented to , 1980)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1 The Societies Act is amended by this Act.

2 Section 2 is amended

(a) by repealing clauses (a) and (b) and substituting the following:

(a) “director” means any person occupying the position of director by whatever name called;

(b) by adding the following after clause (d):

(e) “special resolution” means

(i) a resolution passed

(A) at a general meeting of which not less than 21 days’ notice specifying the intention to propose the resolution has been duly given, and

(B) by the vote of not less than 75% of those members who, if entitled to do so, vote in person or by proxy,

(ii) a resolution proposed and passed as a special resolution at a general meeting of which less than 21 days’ notice has been given, if all the members entitled to attend and vote at the general meeting so agree, or

(iii) a resolution consented to in writing by all the members who would have been entitled at a general meeting to vote on the resolution in person or, where proxies are permitted, by proxy;

Explanatory Notes

1 This Bill will amend chapter 347 of the Revised Statutes of Alberta 1970.

2 Section 2 presently reads in part:

2 In this Act,

(a) “director” includes a trustee, officer, member of an executive committee and any person occupying such a position, whatever name the position is called;

(b) “extraordinary resolution” means a resolution passed by a majority of not less than three-fourths of such members entitled to vote as are present in person or, where proxies are allowed, by proxy at a general meeting of which notice specifying the intention to propose the resolution as an extraordinary resolution has been duly given;

The proposed definitions are adopted from The Companies Act.

3 Section 7(1) is amended by striking out “in duplicate”.

4 Section 27 is amended

(a) in subsection (1) by striking out “in duplicate every extraordinary” and substituting “every special”, and

(b) by repealing subsection (2).

5 The following is added before section 36:

35.1(1) A society shall keep a register of its members containing the names of the applicants for incorporation and the name of every other person who is admitted as a member of the society, together with the following particulars of each person:

(a) the full name and residential address;

(b) the date on which the person is admitted as a member;

(c) the date on which the person ceases to be a member;

(d) the class of membership of the person, if the society has classes of members.

(2) A society shall, on and after its date of registration, keep the register of its members at its registered office and shall, on each regular business day during not less than 2 regular business hours as determined by the society at a general meeting, permit a member of the society to inspect the register without payment of a fee.

(3) A society shall, within a reasonable time of receiving from a member of the society a request to provide to him a copy of the register, the annual list of members or an excerpt from any one or more of them and on payment by him of a sum not exceeding 25¢ for every 100 words to be copied, provide to that member the copy of the register, list or excerpt so requested.

3 Section 7(1) presently reads:

7(1) Persons desiring to become incorporated under this Act shall make and subscribe an application according to the form in Schedule A, and also by-laws agreed upon by them for the government of the society, and shall transmit in duplicate the applications and by-laws together with an incorporation fee as set by the regulations, to the Registrar.

4 Section 27 presently reads:

27(1) A society shall file with the Registrar in duplicate every extraordinary resolution passed for any purpose mentioned in this Act.

(2) The Registrar shall register one copy of the extraordinary resolution and return the other copy certified as having been filed.

5 Register of members and inspection and copies of register, membership list and excerpts from them.

6 In the following provisions “extraordinary” is struck out and “special” is substituted:

section 13;
section 16(1);
section 18(2);
section 32(1).

7 Schedule B is amended in subsection (4) by striking out “other”.

8 This Act comes into force on the day upon which it is assented to.

6 This amendment is consequential to section 2 of this Bill. See also
NOTE: 2.

7 Schedule B, subsection (4) presently reads:

*(4) Appointment and removal of directors and other officers and their duties,
powers and remuneration.*