Registration Requirements Under The New British Columbia Societies Act

June 08, 2016

Under the new British Columbia *Societies Act* (the "New Act"), which is set to come into force on November 28, 2016, a non-share corporation registered outside of British Columbia that conducts activities in British Columbia (an "Extraprovincial Non-Share Corporation") must register in British Columbia within 60 days after beginning to carry on activities in British Columbia.

An Extraprovincial Non-Share Corporation that is already registered in British Columbia prior to the New Act coming into force will be deemed to be registered under the New Act once in force unless its registration is cancelled under the New Act.

An Extraprovincial Non-Share Corporation that was not registered in British Columbia immediately before the New Act comes into force must be registered in British Columbia by November 28, 2018 if it carries on activities in British Columbia.

Section 172 of the New Act sets out the registration requirements for an Extraprovincial Non-Share Corporation. Under subsection 172(a) of the New Act, an Extraprovincial Non-Share Corporation must file a registration statement that includes:

1. if the Extraprovincial Non-Share Corporation is a federal corporation, its name or, in any other case, its reserved named under section 9 of the New Act and the reservation number given for that name;
2. its home jurisdiction;
3. any incorporation or other identifying number given to it by its home jurisdiction and the date of its incorporation, amalgamation, continuation or other formation in that jurisdiction;
4. the delivery address and mailing address proposed for its head office; and for each person, if any, that the Extraprovincial Non-Share Corporation
5. proposes to have as an attorney, the full name of the person and the delivery address and mailing address proposed for that person.

Furthermore, under subsection 172(b) of the New Act, the Extraprovincial Non-Share Corporation must provide to the registrar any other records and information the registrar may require, including proof of the Extraprovincial Non-Share Corporation status in its home jurisdiction.

By

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