

Maintaining an MNBC Chartered Community - Processes

A: Protect personal information: Chartered Communities are legally obligated to protect any personal information that they collect, use, or disclose. This includes information about Métis Nation British Columbia forthwith 'MNBC' citizens, self-identifying Métis, employees, or others who may be involved with the Chartered Community.

Some examples of personal information include:

- Name, sex, age, weight, height
- Home address and phone number
- Race, ethnic origin, sexual orientation
- Medical information
- Income, purchases, and spending habits
- Blood type, DNA code, fingerprints
- Marital or family status
- Religion
- Education
- Employment information

Personal information doesn't include the contact information of an individual at a place of business.

"Fair Information Practices," or the ten principles of privacy protection are internationally recognized and are found in most privacy legislation around the world. You can locate and review them here: [Ten Principles of Privacy Protection - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/privacy/ten-principles/)

Your Chartered Community needs to consider how it will comply with and implement these rules.

Compliance can generally be achieved by following four steps:

1. Assign one or more individuals as privacy officers - [Assign Privacy Officers - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/privacy/assign-privacy-officers/)
2. Conduct an audit and self-assessment - [Conduct a Privacy Audit - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/privacy/conduct-a-privacy-audit/)
3. Develop a privacy policy for your Chartered Community - [Develop a Privacy Policy - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/privacy/develop-a-privacy-policy/)
4. Implement and maintain your privacy policy - [Implement & Maintain Your Privacy Policy - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/privacy/implement-maintain-privacy-policy/)

B: Hold an annual meeting and file an annual report: Legislative amendments now allow companies, cooperative associations, and societies the option of holding fully virtual meetings on a

permanent basis. A Chartered Community may choose to hold a meeting either fully electronically, partially electronically or in person and restrict or set out requirements for electronic meetings in its articles, rules, or bylaws.

Each calendar year, incorporated societies must hold an [annual general meeting \(AGM\)](#). To maintain a good standing, they must also file an annual report. The report must be filed **within 30 days after the annual general meeting**. Societies do not need to hold an annual general meeting or file an annual report for the year they incorporate.

*****Important to note: Please ensure your Chartered Community's inclusion of your Regional Director and Senator to your AGM with an invitation to attend*****

Find information about agenda items for annual general meetings in [section 71 of the Societies Act](#).

Steps to follow for filing your AGM:

File an annual report (\$40 fee): Begin by [logging in to Societies Online](#). You will need to know the annual general meeting date and to pay by credit or pre-authorized debit card or use a BC Online account.

When filing an annual report, you can also make changes to address or director information. Financial statements and meeting minutes do not need to be filed with the Chartered Community's annual report. [Keep these documents with other records](#) at your Chartered Community's registered office.

Set up an annual report reminder: [Log in to Societies Online](#) to request a reminder email. It will be sent to any primary and alternate email addresses provided.

Ask for more time: If your Chartered Community is unable to hold an annual general meeting within the year, [log in to Societies Online](#) to request an extension **between November 1 and December 31**. Before submitting the request, make sure the Chartered Community is up to date on holding its annual general meetings and has filed all its annual reports for previous calendar years.

If the request for an extension is granted, your Society must hold an annual general meeting between January 1 and March 31 of the following calendar year. An annual general meeting must still be held (and an annual report filed) for the current calendar year.

If you miss the annual general meeting extension date given, file an annual report within 30 days of the date the meeting should have been held. If your Chartered Community does not hold an annual general meeting, file an annual report by January 31 noting that no annual general meeting was held in the calendar year.

If a Chartered Community does not hold an annual meeting or file an annual report for 2 consecutive years, the Registrar may [dissolve the society](#).

C: Change a Chartered Community's address: File a change of address (\$15 fee). Be sure to keep the Chartered Community's physical (delivery) and mailing addresses up to date. If the address changes, update it as soon as possible online by [logging in to Societies Online](#). You can also update the address when [filing an annual report](#).

The change will take effect the day after the online filing is completed.

Once the filing is complete, copies of the documents will be available to download from your Chartered Community's filing history.

D: Change a Chartered Community's constitution (name or purpose): File a change to a chartered community's name and/or purposes (\$50 fee).

Step 1: Authorize the change by special resolution.

Step 2: Submit a change of name and/or purposes through [Societies Online](#).

What you'll need to complete the change of name and/or purposes:

- The date the special resolution was passed to change the constitution
- An approved name reservation through [Societies Online](#) (\$30 fee)
- If you're changing the purposes of the chartered community, the updated purposes

Constitution changes take effect once the changes have been submitted and filed. Once a filing is complete, certified copies of the documents are available to download from your chartered community's filing history at your convenience.

E: Change directors: Filing changes to directors in the order of the effective date (i.e. file the oldest change first). This will ensure changes in previous filings are carried forward and will prevent delays in other filings. If director changes were filed out of order, contact the BC Registries team: **1-877-526-1526**.

Option 1: If a change in directors occurs at the annual general meeting, update the director information as part of the [annual report filing](#) for that meeting. A separate filing is not required. The effective date of the change is the date of the annual general meeting.

Option 2: If the change occurs outside of the annual general meeting, [log in to Societies Online](#) and file a Change of Directors to add or remove a director (**\$15 fee**). The effective date is the date of change in directors.

Option 3: [Log in to Societies Online](#) to update the legal name or address for an existing director (**no fee**). The effective date is the date of the filing.

Once a filing is complete, copies of the documents are available to download from your chartered community's dashboard or you can choose to have them sent to you by email, mail or courier.

F: Change bylaws: File a constitution alteration application to change bylaws (\$50 fee).

Step 1: Make sure the new or updated bylaws contain the matters (provisions) required by [Section 11 of the Societies Act](#). Seek legal advice if you require assistance in drafting or changing bylaws.

Step 2: Authorize the change by special resolution.

Step 3: [Complete the transition process to the new Act](#) (if your society has not already done so).

Step 4: Submit a constitution alteration application through [Societies Online](#) or by using a community access terminal at a [Service BC location](#).

What you'll need to complete the constitution alteration application:

- The date the special resolution was passed to change the bylaws
- A brief description of the changes, for example: "Changed bylaw 2, 4 and 5; Deleted bylaw 30; Replaced bylaws in their entirety."
- A complete set of updated bylaws in English and in one of the following formats: DOC, DOCX, PDF, RTF, TXT or WPS

Bylaw changes take effect once the bylaw alteration application has been submitted and filed. Once a filing is complete, certified copies of the documents are available to download from your chartered community's filing history at your convenience.

G: Correct a mistake in a filing: A correction is not the same as updating or changing a Chartered Community's address, constitution, directors, or bylaws.

Please use the following links to:

- [File an address change](#)
- [File a change to directors](#)
- [File a change to bylaws](#)
- [File a change to the constitution](#)

Spelling mistakes or typos: Filing a correction **(\$15)**.

Complete the [Corporate Register Correction form \(PDF\)](#) and mail it to the address on the form along with a cheque or money order made payable to the Minister of Finance.

- A correction is completed when an error has been made in a previous filing. The society should remedy the filing mistake and provide the correct information that should have been filed at the time the filing was completed
- If a correction is made to the name or address of a current director or the Chartered Community's registered office address, this information will be updated, and a new Statement of Directors and Registered Office produced. If the correction is not to the most current directors or registered office address, a comment will be added to original filing to show what should have been filed

Once the filing is complete, the correction shows in the Chartered Community's filing history and on the public search indicating that an error occurred and was corrected:

- The original filing includes a comment stating that it has been corrected
- The correction filing includes a comment indicating which filing has been corrected

Errors in the bylaws - File a correction to your Bylaw Alteration Application filing using [Societies Online](#) if you have:

- Uploaded the wrong set of bylaws
- Included an incorrect bylaw
- Missed including a bylaw

Once the filing is complete, a certified copy of the new set of bylaws will be available to download from your Chartered Community's Filing History at your convenience.

Errors in the name or purposes (the constitution) - File a correction to the Constitution Alteration Application filing using [Societies Online](#) to correct a Chartered Community's name or purposes (if the correction is something other than correcting a spelling mistake or typo).

Once the filing is complete, a certified copy of the new constitution will be available to download from your Chartered Community's dashboard at your convenience. If you prefer, you may also choose to receive your copies by email, mail or courier pick-up.

Errors on an annual report filing - File a Correction to the Annual Report using [Societies Online](#) if you have:

- Provided the wrong list of directors moving forward from the annual general meeting
- Provided misspelled director names or incorrect director addresses
- Provided the wrong registered office address for the society
- Provided the wrong date for the annual general meeting

Filing changes to directors out of date order - If director changes were filed out of order, contact the BC Registries team: **1-877-526-1526**.

H: Resolve conflicts: BC Registries and Online Services does not supervise or investigate the conduct of a Chartered Community or get involved in its internal business or procedures. If members are unhappy with how the Chartered Community's being managed or run, they may exercise their rights through the remedies available under the Act.

Resolving a dispute about operation or governance - Members and directors should try to cooperate and resolve the dispute. Taking this approach before resorting to legal remedies can help:

- Resolve disputes quickly
- Reduce legal costs
- Result in a solution that is acceptable to a majority of the parties involved

To resolve a dispute, the parties involved should:

- Be prepared to listen with an open mind to each other's positions and viewpoints
- Focus discussions on resolving the root cause of the dispute instead of unrelated personal disagreements

MNBC Senate – *The Senate shall act as the judicial arm of the Métis Nation British Columbia in accordance with the provisions of the Constitution; Consist of seven (7) appointed Senators, one Senator per Region.*

The Senate is the judicial arm of Métis Nation of British Columbia. It derives its powers from the Senate Act and is responsible for upholding the guiding principles in accordance with the provisions of the Constitution and Legislation.

The Métis Nation British Columbia was founded on the principles of democracy meaning rule by its Métis citizens. There are several guiding principles that act as the foundation of a democracy, such

as rule of law, protected rights and freedoms, free and fair elections, and accountability and transparency of elected officials. Metis citizens have a responsibility to uphold and support these principles.

The Senate fulfills this mandate, in part, by carrying out the following duties:

- Mediation
- Citizenship and Central Registry Appeals
- Election Appeals
- Regional and Community Disputes
- Ceremonial Activities and Exchanges
- Conducting Opening and Closing Prayers
- Directing Swearing-in Ceremonies and Oaths
- Displaying Metis Flags and Sashes
- Natural Resource Appeals
- Citizenship Challenges

Senate Policy & Procedures:

The initial version of the Policies and Procedures developed by the Senate was ratified in March of 2007 by the MNBC Board of Directors. Since that time the policies and procedures (now known as Administrative Standards and Practices) have undergone revisions to reflect changes in MNBC legislation and the associated mandate and responsibilities of the Senate.

The Senate's Policy and Administrative Standards and Practices enable the conduct of business as described within the [MNBC Senate Act](#).

Discuss issues or consider resolutions at a meeting:

- Members can submit a proposal to raise items for discussion or resolution at the [annual general meeting](#)
- Other methods to consider resolutions or proposals can be found under [Section 75 of the Societies Act](#) (not all may apply to your community – check the community bylaws)

Resolving a dispute about access to records - Section 24 of the Societies Act sets out who may request to inspect or obtain copies of the records a Chartered Community is required to keep under section 20 from a Chartered Community including a member and a director. Section 24(4) also allows a member of the public to inspect records that must be kept by a Chartered Community if the Chartered Communities bylaws allow it.

The Act allows any person to request copies of a non-member funded Chartered Communities financial statements under section 24 or section 28.

If you feel that you should have access to a record that a Chartered Community is required to keep, complete the [Request to Inspect or Obtain Copies of Society Documents form \(PDF, 389KB\)](#) and submit it to the Chartered Community's registered office address. Keep proof of mailing.

A person who claims to be entitled under section 24, 25, or 28 to obtain copies of or inspect the records of a Chartered Community who has been denied access may apply in writing to the registrar for an order under section 107 of the Act. A request for a Registrar's Order must include any correspondence between the applicant and the Chartered Community to support the claim that access or copies of the requested records have been denied.

In some cases, an order of the Supreme Court of British Columbia may be required to get access to a Chartered Community record.

They will also need the Chartered Community's **registry key - a password created by the applicant at the time of incorporation.**

- Registry keys must be at least 8 characters long - a combination of letters, numbers and special characters
- Do not use your incorporation number, business number or name in your key
- Only share the key with those who are authorized to complete filings for the society
- Once a key is setup, it will not expire
- Change the key by [logging in to Societies Online](#) > click on Manage Site Access

If you don't have access to the internet, you can:

- Use a community access terminal (computer with internet access) at a [Service BC location](#)

If you require assistance in filing your Chartered Community's paperwork, please contact us at: communityservices@mnbc.ca

[Government standards for information security](#) are the same level as used for internet banking.

Look up information about a society/Chartered Community: Records filed by Chartered Communities can be accessed by the public. [Find out how to submit a search request.](#)

Financial statements and meeting minutes are not part of filed records. You can request this information by contacting a Chartered Community's registered office.

To ask for help, contact the BC Registries helpdesk for help Monday to Friday from 8:30 am to 4:30 pm. The registry does not provide business or legal advice.

Email: BCRegistries@gov.bc.ca
Toll free: 1-877-526-1526

Victoria: 250-387-7848

Contact Information - If you have any questions, or require support please contact Community Services at communityservices@mnbca.ca