

simon fraser
student society

BYLAW UPDATE

OCTOBER 2019

**BC SOCIETIES
ACT
REQUIREMENTS**

RESPONSIBILITIES

BYLAW BASICS

Updating Simon Fraser Student Society's bylaws

Background

In May 2015, the BC Societies Act (Act) was updated. This created an opportunity to review the Simon Fraser Student Society's bylaws, not just to ensure they are compliant with the new legislation, but also to ensure that they are working for SFSS and its student members.

To ensure that new SFSS bylaws are compliant with new legislation, some basic information is provided in this newsletter to give you background on what is needed. Professional assistance has also been contracted to guide SFSS in developing its bylaws.

Within the requirements of the Act, you have areas of choice to shape the bylaws in a way that works for you.

An information and consultative process is underway to help you share what you want to see in your new bylaws – and keep in mind that these will be YOUR bylaws. Stay tuned for an online questionnaire early in 2020 and a town hall to get input from you.

The bylaws will be the result of collective input. As there can be only one set of bylaws, various individual views will be balanced as part of the overall input by you the students.



BC Societies Act Requirements

Requirements of the Act impact what you need in bylaws.

Bylaws must comply with the Act. Also, aspects of the Act that impact regular functioning of an organization are often captured in bylaws for ease of reference.

Bylaws must comply with the Act. Any parts of the bylaws that do not comply have no effect.¹ This can be very confusing, as most people read bylaws and accept that what is there is what is required; they do not cross reference the Act to know that a bylaw part is void.

For example, under the Act the Board sets agenda items/resolutions for general meetings.² Members can also requisition a meeting.³ Current bylaw 11 (1.a) and 18 (4) allows Council to put resolutions to a meeting, which is not allowed under the Act.

The Act requires some basics that impact bylaws directly. A society must have:

- Members (conditions of being a member, rights of members (if there are different rights then a description of each class for the different rights))
- A board (number of directors, election and appointment processes, terms, roles)
 - General meetings (quorum, whether indirect voting is allowed, required reporting to the annual meeting)

The Act puts all the responsibility of managing (or supervising the management) of the affairs of the society with the directors.⁴

The Act does not talk about committees or councils that the society may use to help its directors with their work. You can put a requirement in bylaws that there be certain committees, but the decision making responsibility always rests with the directors.

While this looks like a lot of power for the directors, remember the members elect the directors and can remove the directors as well. The Act also requires that the directors hold general meetings and report on the finances and activities of the society.⁵



¹ (Part 6, Div 2, 11(3))
² (Part 6, Div 2 (71 & 74))
³ (Part 6, Div 2 (81))
⁴ (Part 6, Div 3 (52))
⁵ (Part 6, Div 2)

Bylaw basics

Bylaws should reflect your needs as well as the Act.

Bylaws help people work together by providing the basic rules that govern how an organization is run. They define the basic requirements of things that either must be done or must be avoided.



Think of bylaws as “the rules of the game”. If some friends ask you to come to play a sport game tomorrow afternoon, wouldn't you like to know what kind of game it is? If you think it is soccer and it turns out the game is basketball, you won't be able to play well if you have arrived wearing shoes with cleats and you will damage the court trying to play.

Bylaws should be simple and easy to use or people won't use them. The current SFSS bylaws have grown and evolved since 1968. The new Act is a great opportunity to modernize them and make them easier to understand and use. The Act even provides a model bylaw template to help!

Care should be taken to ensure that the bylaws include the basics required by the Act and as simple a list of other requirements as possible. Often, the risk with bylaws is writing too much, which results in reducing the options you have to actually run the society.

The proposed consultative process is designed to ensure that the bylaws contain what is important to you the student members. The input received will then be used to update the bylaws in a way that they are as simple and easy to use as possible.



Stay tuned for your chance to provide input

An online survey will be provided in early February 2020 to get input from you on what you would like to see in the updated SFSS bylaws. A town hall is also planned for mid February 2020 for more interactive feedback.

In the meantime, please start thinking about some of the following things:

- Are the current bylaws clear and usable?
- Do they work within the requirements of the updated BC Societies Act?
- Do the bylaws reflect good governance practices such as clear lines of authority through the Board per the Act?



You can review the current bylaws and the Act, here:

bit.ly/bclawsbcsocietiesact

bit.ly/SFSSBylaws19

We're looking forward to hearing from you!

If you have any questions, please contact:

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