

What is the difference between a non-profit organization and a corporation?

A non-profit organization or society is generally formed by a group of individuals whose purpose is to perform or operate a public service. The profits generated by the society are used to benefit the purpose identified by the society. A corporation is generally formed by an individual or individuals who wish to conduct business for profit.

How do I start a non-profit organization?

- a) Review the Naming Guidelines
- b) Select a name, and submit the name on the Name Search Request Form to our office for approval
- c) Decide on whether the society wants to adopt the Schedule A Bylaws or write its own – please be advised that if a society wishes to use its own bylaws, the bylaws must first be reviewed and approved by Corporate Affairs
- d) Prepare and file Application for Incorporation of a Society once name has been approved

Is a non-profit organization automatically a charity?

No, if you wish to obtain charitable status for your registered society, please visit the [Canada Revenue Agency's Charities website](#).

Is there paper work I have to file every year?

Yes, societies are required to do an annual filing. Please refer to the reporting guidelines for information regarding what documents are required.

There's disagreement between me and the board, what should I do?

There should be a section in the society's bylaws regarding disputes. If the society's bylaws make no mention of it, you may refer to section 59 of Schedule A Bylaws. Section 59 states "any dispute concerning the interpretation or application of the bylaws, and any dispute concerning the rights of a member or the powers of a director or officer, shall be submitted to and decided by arbitration under the Arbitration Act of the Yukon".

Can all members have access to minutes of meetings and records?

Yes, the bylaws should state the time and place where records may be examined by members.

Does a Category A society have to have its financials reviewed every year?

No, the registrar may exempt a category A society from the requirement to have its financial statements reviewed and signed by a professional accountant, and such exemption may be subject to such conditions as the registrar thinks appropriate. Please check with your funding agents as what their requirements are, as requirements differ from branch to branch.

How much notice is required for meetings?

Under Schedule A bylaws, the society is required to give between 10 to 60 days' notice for a general meeting, and between 21 and 60 days' notice where a special resolution is to be voted on.

What do we do if a director resigns?

Under Schedule A bylaws, the directors may at any time and from time to time appoint a member as a director to fill a vacancy in the directors. Whenever there is a change in its officers or directors, the society shall, within 30 days of the change, file with the registrar a notice of change of directors stating the names and addresses of all its current officers and directors.

How do I remove a director?

There should be a section in the society's bylaws regarding removal of directors. Under Schedule A bylaws, section 27, "the members may by special resolution remove a director before the expiration of the director's term of office, and may elect a successor to complete the term of office".

What's the process to expel a member?

There should be a section in the society's bylaws regarding expulsion of members. Under Schedule A bylaws, a member may be expelled by a special resolution of the members passed at a general meeting. The notice of special resolution for expulsion shall be accompanied by a brief statement of the reason or reasons for the proposed expulsion. The person or corporation who is the subject of the proposed resolution for expulsion shall be given an opportunity to be heard at the general meeting before the special resolution is put to a vote.