

## CO-OPERATIVES, 1996

## c. C-37.3

## The Co-operatives Act, 1996

being

Chapter C-37.3 of the Statutes of Saskatchewan, 1996 (effective April 1, 1998) as amended by the Statutes of Saskatchewan, 1998, c.C-45.2 and c.40; 1999, c.25; 2001, c.9; and 2002, c.47 and c.56.

PART X  
Members

## Bylaws to govern

98 Subject to this Act, the bylaws govern membership in a co-operative.  
1996, c.C-37.3, s.98.

## Eligibility

99(1) Every subscriber to the articles of incorporation who has subscribed for at least one common share in the co-operative, has paid any membership fee or has agreed to abide by the bylaws is deemed to have agreed to become a member of the co-operative and, on incorporation of the co-operative, is to be entered on the co-operative's register of members.

(2) Unless the bylaws provide otherwise, no person, other than one described in subsection (1), is eligible to become a member of a co-operative until the written application for membership is approved by resolution of the directors and recorded in the co-operative's register of members.

(3) Where an application for membership is approved within six months after the day the application for membership is received by the co-operative, the directors may make the membership effective as at the day of the application.

(4) The directors shall cause each applicant for membership to be notified in writing that the application has been approved or not approved.

1996, c.C-37.3, s.99.

## Eligible age for membership

100(1) Unless the bylaws provide otherwise, an individual who is 16 years of age or older is eligible to become a member.

(2) A member who is under the age of majority is competent to enter into a contract with the co-operative and, with respect to the contract, has full capacity to act for himself or herself.

1996, c.C-37.3, s.100.

## Place of meetings

101(1) General meetings of members are to be held at the place within Saskatchewan that is provided in the bylaws or, where the bylaws contain no provision, that is determined by the directors.

(2) Notwithstanding subsection (1), a general meeting of a co-operative may be held outside Saskatchewan where all the members entitled to vote at that meeting agree.

(3) A member who attends a general meeting held outside Saskatchewan is deemed to have agreed to hold the meeting outside Saskatchewan, unless the member attends the meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully held.

(4) Notwithstanding subsections (1) to (3), where the articles provide for general meetings to be held outside Saskatchewan, the members may meet at any place specified in the articles.

1996, c.C-37.3, s.101.

#### First general meeting

102(1) This section does not apply to a co-operative that is continued pursuant to this Act.

(2) Within four months after the day of its incorporation, a co-operative shall hold a general meeting at which all members are to be entitled to be present and vote.

(3) Notwithstanding subsection (2), where the directors apply to the registrar, the registrar may extend the time for holding the general meeting.

(4) The business at the general meeting mentioned in subsection (2) must include:

(a) the adoption of bylaws prescribing rules for the administration of the co-operative;

(b) the election of directors; and

(c) the appointment of an auditor in accordance with section 132.

1996, c.C-37.3, s.102.

#### Annual meetings

103(1) A co-operative shall hold an annual general meeting in each year not later than six months after the end of the fiscal year of the co-operative.

(2) Notwithstanding subsection (1) and notwithstanding that the time for holding a general meeting as required in this section is expired, where the registrar receives a written request from the directors, the registrar may authorize the co-operative to hold the annual general meeting at any later day that the registrar considers appropriate.

(3) The authorization of the registrar given pursuant to subsection (2) may be continuing.

(4) The bylaws may provide for holding semi-annual or other periodic meetings.

1996, c.C-37.3, s.103.

#### Special meetings

104(1) The directors may call a special meeting of members at any time.

(2) Subject to subsection (3), the directors shall call a special meeting of the members on receipt of a written request specifying the purpose of the meeting from:

(a) in the case of a co-operative with 1,000 or more members, the lesser of 5% of the membership and 300 members, but in no case less than 100 members; and

(b) in the case of a co-operative with less than 1,000 members, 10% of the membership.

### **Taken from Canadian Legal Institute website:**

The Co-operatives Act, 1996

<http://www.canlii.org/sino/displ/sk/laws/sta/c-37.3/20040212/whole.html>

The Co-operatives Regulations, 1998

<http://www.canlii.org/sk/laws/regu/c-37.3r.1/20040212/whole.html>