



## **OKANAGAN MISSION COMMUNITY HALL ASSOCIATION DIRECTOR CONSENT FORM**

**I, \_\_\_\_\_, certify that I am eligible to stand for the position of Director of OMCHA and that I agree to stand for a 2 year term.**

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

### **For Your Information**

#### **Qualifications**

A director must be qualified under the Societies Act and the bylaws of the society.

Generally this is an individual (not an organization or a corporation) who

- Is at least 18 years of age (younger directors may be permitted under certain conditions)
- Capable of managing their own affairs
- Is not undergoing bankruptcy
- Has not been convicted of fraud or corporate offence within the last five years
- Meets any additional qualifications noted in the society's bylaws

**See specific sections of the Societies Act on the page to follow:**

**B.C. Societies Act**  
**Part 5 — Management**  
**Division 1 — Directors**

**Designation, election and appointment of directors**

**42** (2) To become a director of a society, other than a first director, an individual must be elected or appointed to that office in accordance with the bylaws.

(4) A designation, election or appointment of an individual as a director is invalid unless

- (a) the individual consents in writing to be a director of the society, or
- (b) the designation, election or appointment is made at a meeting at which the individual is present and the individual does not refuse, at the meeting, to be a director.

**Directors must be qualified**

**43** (1) A person must not be a director of a society if the person is not qualified under either section 44 or the bylaws to be a director.

(2) A director of a society who is not, or who ceases to be, qualified under either section 44 or the bylaws to be a director must promptly resign.

**Persons qualified to be directors**

**44** (1) A person is qualified to be a director of a society only if the person is an individual who is at least 18 years of age.

(2) Despite subsection (1), an individual who is 16 or 17 years of age is qualified to be a director of a society if provided for in the regulations.

**Note: 44 (2) Not applicable to OMCHA**

(3) Despite subsections (1) and (2), an individual is not qualified to be a director of a society if the individual is

- (a) found by any court, in Canada or elsewhere, to be incapable of managing the individual's own affairs,
- (b) an undischarged bankrupt, or
- (c) convicted in or out of British Columbia of an offence in connection with the promotion, formation or management of a corporation or unincorporated entity, or of an offence involving fraud, unless
  - (i) the court orders otherwise,
  - (ii) 5 years have elapsed since the last to occur of
    - (A) the expiration of the period set for suspension of the passing of sentence without a sentence having been passed,
    - (B) the imposition of a fine,
    - (C) the conclusion of the term of any imprisonment, and
    - (D) the conclusion of the term of any probation imposed, or
  - (iii) a pardon was granted or issued, or a record suspension was ordered, under the *Criminal Records Act* (Canada) and the pardon or record suspension, as the case may be, has not been revoked or ceased to have effect.

**Additional qualifications of directors**

**45** Without limiting section 44, the bylaws of a society may set out requirements that an individual must meet in order to be qualified to be a director. **Note: Not applicable to OMCHA**