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FARMERS AND WOMENS INSTITUTES ACT

[RSBC 1996] CHAPTER 133

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Definitions

1 In this Act:

"bylaws" means the bylaws of an institute;

"constitution" means an institute's constitution;

"extraordinary resolution" means a resolution passed by 2/3 of the members entitled to vote who are present in person at a general meeting of which notice specifying the intention to propose the resolution as an extraordinary resolution has been given;

"institute" means a farmers' or women's institute incorporated, or deemed to have been incorporated, under this Act.

Application of Act

2 This Act applies to an existing institute incorporated under the Society Act, or incorporated under an Act repealed by the Society Act, as if the institute had been incorporated under this Act.

Incorporation and objects of an institute

3 An institute may be incorporated under this Act for one or more of the following purposes:

- (a) to improve conditions of rural life so that settlement may be permanent and prosperous;
- (b) to promote the theory and practice of agriculture;
- (c) to arrange on behalf of its members for the purchase, distribution or sale of commodities, supplies or products;
- (d) to act generally on behalf of its members in all matters incidental to agricultural pursuits and rural development;
- (e) to promote home economics, public health, child welfare, education and better schools.

Procedure for incorporation

4 Five or more persons may incorporate an institute

- (a) by signing, in duplicate, on forms provided by the minister, the constitution and bylaws of the institute, and
- (b) by returning the forms to the minister, together with a list of the persons appointed by the subscribers to act as the first directors of the institute, stating their full names, addresses and occupations.

Common seal

5 The common seal of an institute must have its name engraved in legible characters on the seal.

Acquisition and disposal of property

6 An institute may acquire and dispose of property, develop property, and erect and maintain necessary buildings.

Use of institute's funds

7 (1) The funds and property of the institute may be used and dealt with for its legitimate objects only and in accordance with its bylaws.

(2) An institute may invest its funds only in property or securities in which trustees are authorized by law to invest.

Borrowing powers

8 (1) To carry out its objects, an institute may, subject to its bylaws, borrow or secure the payment of money in the manner it thinks proper, including the issue of debentures.

(2) Debentures must not be issued without approval by an extraordinary resolution.

Negotiable instruments

9 To carry out its objects, an institute may, subject to its bylaws, draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange and other negotiable or transferable instruments.

Membership in other societies

10 If authorized by an extraordinary resolution, an institute may subscribe to, become a member of and cooperate with another society or association, whether incorporated or not, if all or some of its objects are similar to the objects of the institute.

Change of constitution

11 An institute, by extraordinary resolution, may change its name or its objects to include an object that may conveniently or advantageously be combined with its existing objects.

Effect of change of name

12 (1) A change of name does not affect a right or obligation of an institute, or make a legal proceeding by or against an institute defective.

(2) A proceeding that might have been continued or commenced against an institute by its former name may be continued or commenced against it by its new name.

Contracts

13 (1) An institute may make, vary or discharge a contract.

(2) A contract that, between private persons, would be required to be in writing and under seal, may be in writing under an institute's common seal.

(3) A contract that, between private persons, would be required to be in writing and signed by the persons to be liable, may be in writing, signed by a person acting under an institute's express or implied authority.

(4) A contract that, between private persons, would be valid although not in writing, may be similarly made, varied or discharged by a person acting under an institute's express or implied authority.

(5) A contract made, varied or discharged under this section is valid and binding on the institute and other parties to it.

(6) A bill of exchange or promissory note is deemed to have been made, accepted or endorsed by an institute if made, accepted or endorsed in the name of an institute, by or on behalf of or on account of an institute, by a person acting under its express or implied authority.

Membership

14 (1) The members of an institute are the subscribers of the constitution and persons admitted to membership under the bylaws.

(2) Subject to the bylaws, a person under 19 years of age may be admitted as a member of an institute or appointed to an office and is liable to pay a subscription as if the person were of full age.

(3) Subject to the bylaws, a corporation admitted to membership in an institute may be represented by a person authorized by the corporation.

Voting

15 (1) Subject to the bylaws, each member has one vote.

(2) Only a member in good standing under the bylaws is entitled to vote on an extraordinary resolution.

(3) A proxy entitling a person or member to vote at other than one meeting or any adjournment is invalid.

Liability of members

16 A member of an institute is not, in his or her individual capacity, liable for a debt or liability of the institute.

Directors

17 (1) Subject to the bylaws, the members of an institute may nominate, elect or appoint members as directors to conduct the business, discipline and management of the institute and its affairs.

(2) Subject to this Act and bylaws, the directors may exercise the powers of an institute.

Security from officers

18 An institute may require a director or officer to give security it believes sufficient for the faithful discharge of the person's duties.

Cancellation of incorporation

19 The minister may cancel the incorporation of an institute and declare the institute dissolved.

Surrender of certificate of incorporation

20 (1) An institute may, by extraordinary resolution, surrender its certificate of incorporation.

(2) If satisfied that sufficient notice of the institute's intention has been given and that no debts, liabilities or obligations of the institute are outstanding, the minister may accept the surrender of the certificate, cancel it and fix a date from which the institute is dissolved.

Grants to institutes

21 (1) Subject to this Act, the minister may grant each institute an allowance.

(2) The grant may be made to the institute or may be applied in the manner the minister directs.

Grants for educational or similar work

22 (1) The minister may devote part of the sum voted by the Legislature for institutes to the promotion and extension of institutes and to associated educational work.

(2) If an association or society incorporated under an Act, although not known as an institute, is carrying on work of substantially the same character as that of an institute, the minister may grant an allowance under this Act to that association or society as if it had been incorporated as an institute.

Conditions of grant

23 Subject to section 22, a grant must not be made to an institute unless the institute

(a) is or is deemed to be incorporated under this Act,

(b) has a name that includes the words "Farmers' Institute" or "Women's Institute",

(c) has objects relating to agriculture, horticulture or arboriculture and have been strictly adhered to and its funds have been devoted solely to those objects,

(d) has members who pay an annual fee, and

(e) has complied with all regulations applicable to it.

Superintendent of Farmers' Institutes

24 A Superintendent of Farmers' Institutes may be appointed under the Public Service Act to discharge the duties assigned by the minister or the regulations.

District institutes

25 (1) The minister may designate a portion of British Columbia as a district for a district farmers' or women's institute, and may reduce or enlarge the district.

(2) A district institute may be incorporated under this Act in the same manner as an institute, except that the subscribers to the constitution and bylaws must be delegates authorized by institutes having members resident in the district.

(3) Each institute may authorize one delegate to the district institute.

(4) A district institute must coordinate the activities of the institutes in the district that are members of the district institute.

(5) Subject to this section, the other provisions of this Act apply to a district institute.

Advisory board

26 (1) An advisory board composed of one delegate from each district farmers' institute may meet, at the times and places determined by the minister, to advise the minister on matters of interest to farmers' institutes.

(2) The members of the advisory board are not entitled to receive remuneration for their services, but actual travelling expenses of a member necessarily incurred on any journey previously approved by the minister and a daily allowance allowed by the minister may be paid out of money voted by the Legislature for farmers' institutes.

British Columbia Provincial Women's Institute

27 (1) The corporation known as the British Columbia Provincial Women's Institute is continued.

(2) Every member in good standing of a women's institute is a member of the British Columbia Provincial Women's Institute.

(3) A general meeting of each women's institute may elect a delegate to represent it at a convention of the British Columbia Provincial Women's Institute.

(4) Only elected delegates may vote at a convention of the British Columbia Provincial Women's Institute, but any member in good standing of a women's institute may be present at a convention and be elected or appointed to office in the British Columbia Provincial Women's Institute.

(5) The board of directors of the British Columbia Provincial Women's Institute consists of at least 6 and not more than 10 members elected at the Provincial convention to hold office for one term, as defined in the bylaws of the British Columbia Provincial Women's Institute.

(6) If there is a vacancy on the board between elections, the directors may appoint a member of the British Columbia Provincial Women's Institute as a member of the board to hold office until the election of a new board of directors.

Objects, powers, grants

28 (1) The objects of the British Columbia Provincial Women's Institute are the following:

(a) to coordinate the work of women's institutes in British Columbia;

(b) to promote discussions with similar organizations in other provinces;

(c) to cooperate with other provincial bodies and the Federation of Women's Institutes of Canada and Associated Country Women of the World;

(d) through its board of directors to advise the minister on matters within the scope of women's institutes under this Act.

(2) The British Columbia Provincial Women's Institute has the powers given to farmers' institutes and women's institutes in sections 5 to 13.

(3) The minister may make a grant to the British Columbia Provincial Women's Institute an amount determined after consultation with the board of directors.

Conversion to association

29 (1) An institute may convert to and become registered as an association under the Cooperative Association Act

(a) by extraordinary resolution,

(b) with the consent of the minister,

(c) on complying with conditions imposed by regulation, and

(d) with the approval of the registrar under the Cooperative Association Act.

(2) For the purpose of a conversion, an institute may provide for the issue of shares to its members.

(3) On conversion and registration as an association under the Cooperative Association Act

(a) the institute must surrender to the minister its certificate of incorporation granted under this Act,

(b) this Act no longer applies to the institute, and

(c) the institute is deemed to have been incorporated under the Cooperative Association Act and to have the rights, powers and benefits of an association under that Act.

Power to make regulations

30 The Lieutenant Governor in Council may make regulations referred to in section 41 of the Interpretation Act.