



## **Membership**

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This Fact Sheet provides information about the membership in a non-profit in the Yukon. Who are the members of the non-profit and why are they the members?

### **Definition**

Membership in a non-profit is not a right; it is a privilege. Members have an interest in the governance of the non-profit and are the people to whom the non-profit is ultimately legally accountable.

Members of a non-profit are defined in its bylaws. Members does not mean “directors” who are also known as “members of the board” or “board members”. Members are the individuals who become members to support the society in any number of ways. They are the ones who will vote at each annual general meeting (AGM).

Many non-profits have bylaws requiring the board to have the final say on whether an individual can become a member. However, others have gotten out of the habit of taking this important step. Having a membership policy is a good idea to help keep track of who is a member and how long the membership lasts. In many cases the ideal membership expires annually.

### **Classes of Membership**

Non-profits can have “classes” of membership. Classes are groups of members that have different sets of rights. For example, some non-profits have voting and non-voting classes of members. If a non-profit has more than one class of members, it is required to describe the class and list its respective rights in the non-profit’s bylaws. At least one class of members must be voting members.

Classes are different from categories of members. Classes define different rights; categories are merely descriptive. For example, your non-profit may have gold and silver memberships. Members within these categories usually have the same membership rights as all other categories.

## **Rights of Membership**

Members elect the directors of the non-profit and have a right to attend members' meetings. These include the AGM and any special general meetings (SGM). Non-voting members, if any, have the right to come to members' meetings and otherwise participate but they do not vote.

An important right that voting members have is the right to requisition a special members' meeting, provided they meet the required threshold of 10% of voting members (or less if the bylaws provide). Voting members also have the right to submit a members' proposal, provided they fulfill the requirements of the *Societies Act*, including meeting the minimum threshold of two voting members or 5% of members (or less if the bylaws provide), whichever is greater.

All members have the right to inspect (and seek copies of) records listed under section 22 of the *Societies Act*, though the non-profit may impose a procedure for handling such requests including the time, and place, for providing those records to non-directors. A non-profit cannot charge members or directors, but can charge a reasonable fee for the inspection of records by a person who is not a member or director.

## **Considerations for Membership**

Some non-profits will require prospective members to volunteer before they can apply to become members. Having that in a policy is a good way to establish the ground rules for members. This practice may help protect the non-profit from conflicts that result from individuals joining the organization who do not share its mission or values. Best practice is to have a code of conduct that applies to members as well as the Board and staff.

## **Expulsion of Members**

Once a person is a member, if the bylaws are silent on expulsion, the *Societies Act* provides that members may only be expelled by way of a [special resolution](#) at a general meeting.



The non-profit must give that member written notice of the general meeting that contains the reasons for expulsion. Further, it must allow that member to make reasonable representations to the non-profit regarding their expulsion.

## Register of Members

A non-profit must know which memberships are active so it can keep its member register up to date, send notices of general meetings, and know who is eligible to vote. This information can be tracked in a Register of Members. A Register of Members is best kept in the non-profit's official records folder.

## Summary

<b>Do's</b>	<b>Don'ts</b>	<b>Best Practices</b>
Have a membership policy that addresses who the members are and why	Confuse the term "member" with board member or director	Have and follow a membership policy with a member approval procedure
Specify membership duration	Use the term "classes" for different "categories" of membership	Engage the board in the membership process in at least a supervisory role e.g., approve membership policy/new members
Clarify membership discipline and termination process		Create a Register of Members and keep it in your non-profit's official records folder