

Access to Records

The Societies Act clarifies how a Physician Society can restrict access to the records that it must keep. These records include constating documents (certificate of incorporation, constitution, bylaws, filings with BC Registrar), court orders, Register of Directors, director consents to act, director disclosures of interest, Register of Members, member meeting minutes, copies of ordinary and special resolutions, financial statements and auditor's report, director meeting minutes, director resolutions, and accounting records.

1. Society directors can inspect any society record.
2. Society members can inspect any society record. However, their access can be restricted by one of:
 - a) The bylaws, which can restrict member access to director meeting minutes, director written consent resolutions, and society accounting records.
 - b) A directors' consent resolution, which can restrict access to the Register of Members if the directors are of the opinion that such inspection would be harmful to their society or to the interests of one or more members.

Allowing member access to society records fosters better engagement. Societies should consider whether there is any rationale for preventing members from accessing records and, if so, amend their bylaws accordingly. The current model bylaws do not prevent members from accessing society records.

3. Members of the public (i.e., nonmembers and nondirectors) by default under the Societies Act cannot inspect society records. However, they can be granted access:
 - a) To the society's financial statements and auditor's report, if these members of the public request copies.
 - b) If the society specifies in its bylaws that the public can inspect certain or all of the records listed above. Note that the bylaws cannot allow members of the public to inspect the register of members.