



**FAIRFIELD GONZALES**  
COMMUNITY ASSOCIATION  
the place to connect

Carole James  
Minister of Finance  
Room 153 Parliament Buildings  
Victoria, BC V8V 1X4

September 24, 2018

Dear Honourable Carole James,

Re: BC Societies Act, member privacy rights, and Civil Resolution Tribunal

This letter is a follow-up to our letter of May 11, 2018, sent to your constituency office, in which we describe our concerns with member access to our Register of Members, which is set out in the BC Societies Act.

Our Executive Director met in July with the Honourable David Eby as well as the Pacific Legal Education and Outreach Society (PLEO) regarding this issue and the upcoming implementation of the Civil Resolution Tribunal for disputes in non-profit societies. We want to reiterate that legal compliance (in particular bylaws, privacy, and membership structure) is an area in which non-profit societies are significantly under-resourced and uninformed. Non-profit Board members and Executive Directors are expected to be experts in a number of areas: human resources, program delivery, privacy, finance and accounting. We do not think it is realistic to expect us also to be able to interpret legislation, and do not believe that the guidance that is currently available is adequate.

The situation we are currently facing, in which a member has requested the member's register but we do not have consent to disclose it under PIPA, has required us to navigate a number of resources. The advice of the BC Registry office conflicts with the advice of the OIPC. We have had to go outside of our city to find a lawyer with sufficient expertise in this area in order to advise us. Countless hours of Board and staff time as well as financial resources have gone into managing this, and we expect that there are a number of other non-profits doing the same work to navigate this issue.

An overarching strategy of support and guidance for non-profits would be far more effective and efficient way to address the gaps in education, information and advice that we, and PLEO, have identified. This is especially true as we shift to the Civil Resolution Tribunal for dispute resolution, which has the potential to increase the number of disputes that non-profits are managing.

The work we do in this sector is essential to the well-being of British Columbians, and we request that we are consulted in the implementation of any new policy and practice in



1330 FAIRFIELD RD. VICTORIA, BC V8S 5J1

Tel. 250.382.4604 Fax 250.382.4613

[www.fairfieldcommunity.ca](http://www.fairfieldcommunity.ca)

[place@fairfieldcommunity.ca](mailto:place@fairfieldcommunity.ca)

the sector as well as adequately supported when any changes are implemented. We would appreciate the opportunity to meet with you to expand upon these points at your convenience.

Sincerely yours,

Don Monsour  
President, Board of Directors  
Fairfield Gonzales Community Association

cc. Honourable David Eby, Attorney General



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