



Member Records

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Reviewed by: LFNP Contributors

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This Fact Sheet provides information about the legal rules non-profits must follow for keeping official records about its members.

Non-profits must keep and store certain official records about its members. Section 20 of the Societies Act requires a non-profit to keep a Register of Members in its official records folder. This document is different from the Register of Directors. It is also not a membership list or directory or Client Relationship Management (CRM) software; it is a separate record that must be kept.

The Register of Members lists the names of members of the non-profit and the contact information the member has provided for this purpose. No other information should be included in the Register of Members.

The Register of Members is organized by different classes of members if different classes exist. 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 each class and list its respective rights in its bylaws. If applicable, the class of a member is recorded in the Register of Members.

Classes of members are not the same as categories of members. Some non-profits have categories of members such as gold and silver.

The Register of Members is an official record and can be accessed by others so it should not be treated like a contact list. The Register of Members should be stored in the non-profit's official records folder. Non-profits must take special care with its Register of Members.

The members and directors of a non-profit have a right to inspect and obtain copies of the Register of Members.

If the directors are of the opinion that access to the information in the Register of Members would be harmful to the society or to the interests of one or more of its members, then the directors may pass a resolution restricting access to the Register of Members. Once access has been restricted, a member who wishes to inspect the Register of Members must apply in writing to the society, stating the applicant's name and that the information in the Register of Members will not be used for any purpose except to:

- requisition a meeting of members;
- submit a member proposal;
- call a meeting of members under s. 138 of the *Societies Act*; or
- attempt to influence voting members.

As of writing, the courts have not commented on what is considered "harmful" under this section of the Societies Act. The Civil Resolution Tribunal has so far consistently ordered that non-profits give

members access to the Register of Members, even when access to the Register of Members was restricted by directors' resolution. However, the courts have not commented on whether the directors might refuse to share information from the Register of Members if doing so poses an serious risk of harm to person or property.