



LUNENBURG ROD AND GUN CLUB
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Lunenburg Rod and Gun Club

Special Resolution

Incorporation of the Club into the NS Registry of Joint Stock Companies as a Non-Profit Organization AGM, 14th December 2021

Background

Following inception in 1954, the Lunenburg Rod and Gun Club (Club) was formally incorporated in the Nova Scotia Legislature by Chapter 101 of the Acts of 1961, An Act to Incorporate the Lunenburg Rod and Gun Club.

The operation of the club is currently governed by the Federal Shooting Clubs and Shooting Ranges Regulations (SOR/98-212). Compliance against the regulations is assured by the Chief Firearms Officer (CFO) of Nova Scotia. The regulations require that we are able to demonstrate non profit status, detailed in Section 4(2)(a). During the course of a regular five year re-approval, the CFO generated a finding against the club stating that he could find no reference (in our incorporation or any other information provided) to the club being a non profit and there was no reporting mechanism to confirm that status as is found in the Societies Act.

Path Forward

The Executive Committee reviewed options open to the club to address the CFO finding on non-profit status.

1. Do nothing - this is not really a viable option since the CFO would not grant approval of any of the Club ranges without us addressing the deficiency.
2. The Club could contest the finding. This would require we demonstrate to the satisfaction of the CFO that we are indeed a non profit by providing documentary evidence to that effect.

Positives

This option maintains the club legal set up as is with no changes.

Negatives

Extensive work required developing a documentation package that could meet the CFO requirements.

No guarantee the CFO will accept our submission meaning we could still have a finding and no approval.

CFO unlikely to see our challenge supportively which will strain our ongoing relationship.

3. The Club could incorporate into the NS Registry of Joint Stock Companies as a Society (non profit). If registered in this way, we would have to change the incorporation of the club in the Nova Scotia legislature (from the Acts of 1961 to the present day under the Societies Act). Under our existing Club bylaws, any changes to the Act of Incorporation proposed to the Legislature of Nova Scotia requires approval by club members under a Special Resolution.

Positives

Incorporation of the Club as a non-profit fully meets the requirements of the Regulation Section 4(2)(a). There would be no justifiable reason in maintaining the finding, removing a hurdle to our recertification.

Our willingness to meet the Regulations in a transparent and straightforward way would enhance our reputation as a law abiding organization.

Our relationship with the CFO would be improved by a collaborative rather than adversarial approach.

Joining the NS Registry of Joint Stock Companies legally protects the club name. In addition, many organizations which provide grants often insist on a receiving club incorporating as a non-profit. We would make ourselves eligible to receive future grants. The quality of our club documentation would be improved to meet the Societies Act standard.

Negatives

The original club incorporation would have to be changed in the NS Legislature although several similar local organizations have carried out this transition easily.

The club bylaws would need to be reformatted to fully comply with that required by the Societies Act.

The annual reporting requirements for the club would be increased and the quality of our club documentation would have to be improved to meet the Societies Act standard.

Recommendation

After seeking legal advice on the work and costs involved in pursuing options 2 and 3, and our need to re-establish and maintain good working relationships with the CFO to obtain recertifications now and into the future, the Executive is recommending adoption of option 3. We are seeking membership support under this Special Resolution to be discussed at the AGM, 14th December 2021.