

Articles of Association

Article 1

Name The name of this Association shall be “The Estate Planning Council of Vancouver”.

Article 2

Objects The objects of the Council are to provide an opportunity for its members to discuss all the subjects necessary in the planning and administration of estates, and to promote discussion of (these and other) topics of mutual interest;

To develop a knowledge of the functions of the various professions so engaged, and the relationship of each to the other for the benefit of all, and to strive for the fullest co-operation and understanding of each other’s function in the interests, protection, and enlightenment of its members, their mutual clients, and the general public;

To study legislation and amendments concerning tax and other matters pertaining to the administration of estates, and to submit to other groups proposals respecting such legislation or proposed amendments thereto.

Article 3

Membership The membership of the Council shall consist of not more than two hundred (200) persons, each of whom shall be a member of one (1) of the following eight (8) groups, plus life and honorary members:

Amended:
Feb. 25/92
April 25/95
Oct. 26/04
Oct. 30/07
Oct. 28/08

- a) Barristers and Solicitors
- b) Accountants
- c) Chartered Life Underwriters
- d) Trust Company Representatives
- e) Financial Planners
- f) Portfolio Managers
- g) Gift Planners
- h) Designated Others (not including life and honorary members)

Each member of groups (a), (b), (c), (d), (e), (f), (g) and (h) shall have his or her place of business within Greater Vancouver, British Columbia, and the boundaries of the area of Greater Vancouver shall be in the discretion of the Executive Committee.

Groups (a) and (b) shall be represented in the Council by no fewer than twenty-five (25) but not more than thirty (30) members.

Groups (c), (d), (e), (f), (g) and (h) shall be represented in the Council by no fewer than twelve (12) but not more that twenty (20) members.

Each category is assured of a minimum number of members in the Council equal to the lower figure in the range of the maximum permitted membership. However, to the extent that other categories have not filled their minimum allotment, the membership in a category may increase but not so as to exceed the higher figure in the range.

No more that four (4) members of any group shall be members of one organization unless they are existing members of the Council whose firms or organizations have merged or amalgamated.

General Qualifications

Amended:
Oct. 24/06 The applicant must have a minimum of three years of relevant experience in estate planning to be considered for membership;

The applicant must meet the minimum criteria for eligibility for his/her category of member as defined below; applicant will be categorized based on the type of work performed;

The applicant must be sponsored by two sponsors, both of whom must be members of the Council in good standing and only one of whom may be from the same category as the applicant.

Lawyers: Member of the British Columbia Bar who holds a current practice certificate from the Law Society of British Columbia.

Amended:
Oct. 28/08 Accountants: Member of one or both of the Institute of Chartered Accountants of British Columbia or the Certified General Accountants Association of British Columbia

Amended:
Oct. 26/04 Chartered Life Underwriter: Member in good standing of one or both of the Financial Advisors Association of Canada (Advocis) or the Canadian Institute of Financial Planners who holds the Chartered Life Underwriter designation.

Trust Company Representative: Current occupation and area of expertise in estate and trust administration in a trust company.

Amended:
Oct. 26/04 Financial Planners: Member in good standing of one or more of the Financial Advisors Association of Canada (Advocis), the Institute of Advanced Financial Planners or the Financial Planners Standards Council who holds one or more of the following designations:

- a) Certified Financial Planner;
- b) Registered Financial Planner;
- c) Chartered Financial Consultant.

Gift Planners: Member of the Canadian Association of Gift Planners and the individual must work for or be retained by a registered charity.

Portfolio Managers: Licensed with the B.C. Securities Commission as a Portfolio Manager.

Designated Others:

Academics – Member of the academic staff of any University, Community College, or other post-secondary institution within the Province of British Columbia.

Pension Consultants – Fellow of the Canadian Institute of Actuaries who specializes in pension consulting, or otherwise experienced in the field of pension consulting.

Others - an applicant who

- a) does not meet the criteria for any other category of membership;
- b) has specific qualifications, knowledge or experience which the Executive Committee considers will contribute towards the advancement of the Council and
- c) is approved for membership by at least a two thirds (2/3) majority of the Executive Committee.

Amended:
Oct. 26/04

Life members shall be entitled to membership for life; while Honourary Members shall be entitled to membership from the time of their appointment to the end of the current year. Life Members shall have the option of paying dues or paying for each meeting attended at the prevailing guest rate. Honourary Members shall be guests of the Council at each meeting attended.

Qualifications for Life Members shall be as follows:

- a) Applicant has completed 20 years' membership in the Council, or
- b) Applicant has completed ten years' membership in the Council and is aged 65 or over, or
- c) Applicant has completed 10 years' membership in the Council and has retired from active business.

Qualifications for Honourary Members shall be as follows:

- a) An individual who, in the opinion of the Executive of the Council, has distinguished himself/herself as a practitioner or scholar in the area of estate planning; or
- b) An individual who, in the opinion of the Executive of the Council, has made an outstanding contribution to the Council; or
- c) Where the Executive considers that participation in or affiliation with the Council by the holder of a particular office or position will serve to enhance the Council, the individual from time to time holding such office or position. These positions currently include the Dean of the U.B.C. Law School, the Public Trustee for British Columbia and the B.C. Superintendent of Pensions.

If any member, other than an Honourary Member or Life Member, shall fail to attend personally at least four (4) meetings of the Council during any period commencing in September of a particular year and ending in May of the following year, then the Executive Committee may, in its discretion, cancel his or her membership if in their opinion it is appropriate to do so.

Article 4

Executive Committee
Amended:
May 13/63
Nov. 30/78
May 28/85
June 4/96

The Affairs of the Council shall be managed by an Executive Committee comprising not more than seven (7) members of the Council in good standing, with a broad representation of member groups, (other than honourary or life members) of whom six (6) shall be elected each year at a meeting of the Council selected by the Executive Committee (the "Election Meeting"). The seventh member of the Executive Committee shall be the immediate past president of the Council who shall be a member without election by virtue of the office during the previous year. All members of the Executive Committee shall hold office for one year and until their successors are elected at the Election Meeting.

The whole Executive Committee shall be deemed to be retired at each Election meeting but each member shall be eligible for re-election if otherwise qualified.

Notice of the Election Meeting shall be mailed to all members not less than seven days before the Election Meeting.

Article 5

Officers
Amended:
June 4/96

The Officers of the Council shall consist of an immediate Past President, a President, a Vice-President, a Secretary and a Treasurer. All of the Officers, except the immediate

Past President, shall be elected by the members of the Executive Committee, upon their election at the Election Meeting and shall hold office for one year and until their successors are elected at the Election Meeting.

The offices of President, Vice-President, Secretary, and Treasurer, shall be held by four members of the Executive. The offices of President and Vice-President shall be held for one year only and these officers will not be eligible for re-election to their respective offices.

Article 6

Quorums

Any four members of the Executive Committee shall constitute a quorum for the transaction of business and the Committee shall have the power to fill, for the unexpired term, any vacancy which may occur either in their own body or in the offices, provided however, that at least four members of the Committee are unanimous.

One half of the members of the Council shall constitute a quorum at any regular, special or annual general meeting of the Council.

[FORMER ARTICLE 7 DELETED]

Article 7

Executive Committee Meetings

Meetings of the Executive Committee may be called by the President, or in the absence of the President, by the Vice-President, or by the Secretary, when requested to do so, by any two members of the Committee.

At all meetings of the Council and the Executive Committee, the President shall have a second or casting vote, in the event of an equality of votes.

Article 8

Power of Executive Committee Amended: June 4/96

The Executive Committee shall have power to administer the affairs of the Council in all things, including the establishment of rules or procedures and practice of any meetings of the Council, the establishment of various sub-committees, the administration of the financial affairs of the Council, and generally may exercise all such other powers and do all such other things as may be requisite and necessary in order to carry out the foregoing.

Article 9

Meetings

Meetings for the furtherance of the objects of the Council may be called by the Executive Committee from time to time in their discretion.

Special meetings shall be called at the request of the President, or in his/her absence, of the Vice-President, or upon the written request of three members. At least 7 days' notice of such meetings shall be given to the members by notice mailed by the Secretary, within three days of his receipt of the request for such meetings.

Article 10

President The President shall, when present, preside at all the meetings of the Council and of the Executive Committee. The President shall also be charged with the general management and supervision of the affairs and operations of the Council.

Article 11

Vice-President The Vice-President shall exercise the duties and powers of the President during the absence or inability of the President.

Article 12

Secretary The Secretary shall be responsible for maintaining an accurate list of all members; shall keep minutes of the meetings of the Council and the Executive Committee; shall keep all records of the Council and the Executive Committee other than financial records, and shall give notice of meetings of the Council and the Executive Committee to all members thereof.

Article 13

Treasurer
Amended:
Oct. 25/05 The Treasurer shall have custody of all funds and property of the Council and shall deposit all funds of the Council in a bank or trust company located in the City of Vancouver. All withdrawals of such funds shall be on cheques or orders signed by any two of the President, Vice-President, Secretary and Treasurer. The Treasurer shall prepare and submit an unaudited statement of the financial affairs of the Council at the annual General Meeting, as at the 31st of July in each year.

Article 14

Accountants
Amended:
June 4/96 One or more accountants shall be appointed among the members of the Council at each Annual General Meeting of the Council and shall hold office until the next Annual General Meeting after their appointment.

The accountants shall be engaged, at such fee and upon such other terms as the Executive Committee considers appropriate, to prepare a Review Engagement Report on the annual financial statements of the Council, and shall at all reasonable times have access to all the books and the accounts of the Council for the purpose of preparing such report.

Article 15

Financial Year
Amended:
Oct. 25/05 The fiscal year of the Council shall terminate on the 31st day of July, in each year.

Article 16

Expenses and Dues The expenses of the Council shall be provided for by annual dues from each member, the amount and due date of which shall from time to time be fixed by the Executive Committee with the approval of Council.

Article 17

Discipline

The Executive Committee shall have the power to expel from the Council, any member guilty of a breach of these Articles or whose conduct is not in keeping with the objects of the Council, provided that at least four members of the Committee are in agreement.

Article 18

Advertising

No member of the Council shall use the Member's Directory for the purpose of advertisement or solicitation of business, without permission of the Executive Committee.

Article 19

Amendments

These Articles of Association may be amended at any annual or special meeting of the council, by a vote of two-thirds of the members present, provided that notice setting forth such proposed amendments shall have been mailed to all members at least seven days prior to the date of such meeting.

Article 20

Notices

Amended:
Oct. 26/04

Any notice required to be given by the Articles of Association may be given to a recipient by mail or e-mail in the discretion of the Executive Committee.