

EAST KOOTENAY COMMUNITY CREDIT UNION

**SPECIAL RESOLUTION OF MEMBERS
TO APPROVE AMENDMENT TO RULES**

BE IT RESOLVED, as a special resolution, that the Rules of East Kootenay Community Credit Union be altered as follows:

1. The definitions in paragraphs (a) to (h) of the Definitions Rule be deleted and replaced with the following:
 - “(a) “BC Business Corporations Act” means the BC Business Corporations Act of British Columbia from time to time in force and all amendments thereto and regulations made pursuant thereto;
 - (b) “chair” means the chair of the directors;
 - (c) “credit union” means East Kootenay Community Credit Union;
 - (d) “Credit Union Incorporation Act” means the Credit Union Incorporation Act of British Columbia from time to time in force and all amendments thereto and regulations made pursuant thereto;
 - (e) “director” mean a director of the credit union for the time being;
 - (f) “directors”, unless the context otherwise requires, means the board of directors of the credit union;
 - (g) “Electronic Transactions Act” means the Electronic Transactions Act of British Columbia from time to time in force and all amendments thereto and regulations made pursuant thereto;
 - (h) “Financial Institutions Act” means the Financial Institutions Act of British Columbia from time to time in force and all amendments thereto and regulations made pursuant thereto.”
2. In Rule 2.12, the reference to “Rule 2.9 or 2.10” be deleted and replaced with a reference to “Rule 2.8 or 2.9”.
3. The word “or” be added to the end of Rule 4.5(c).
4. The following words be deleted from the end of Rule 4.5:

“is eligible to hold office as a director and, if holding office as a director, shall vacate office forthwith.”
5. Rule 5.11 be hereby deleted.

6. The following be added as new Rules 9 and 10:

“RULE 9 – SPECIAL RESOLUTIONS

- 9.1 **Special Resolution Voting** - Voting on a special resolution will occur by voting by mail ballot and voting by ballot at a branch office, whichever method the member chooses, and may occur by electronic means if the directors determine to permit voting by electronic means and such means are made available.
- 9.2 **Notice of Special Resolution** - On any special resolution to be voted on, the directors shall, at least eighteen (18) days prior to the date set for close of voting on the special resolution, provide to all members entitled to vote a notice setting forth:
- (a) such required or permitted information as the directors deem necessary or advisable in connection with the special resolution;
 - (b) notice of when voting will take place;
 - (c) clear and precise instructions for voting; and
 - (d) notice of how a member may access or obtain a ballot.
- 9.3 **Member Declaration** - Every member desiring to vote on a special resolution shall:
- (a) provide such proof and particulars of membership as the directors or the returning officer, if any, may prescribe; and
 - (b) provide a declaration, in the form prescribed by the directors, that the member is a member in good standing and has not previously voted on the special resolution.

RULE 10 - MISCELLANEOUS

- 10.1 **Electronic Communications** - Subject to the Credit Union Incorporation Act, the Financial Institutions Act and the Electronic Transactions Act, unless these Rules expressly provide otherwise:
- (a) where these Rules require the use of documents that are “written”, “in writing” and other similar words, the directors may in their discretion permit the use of documents in such electronic forms as the directors consider desirable in the circumstances, provided that such electronic documents are accessible in a manner useable for subsequent reference;
 - (b) where these Rules require the provision or delivery of documents, the directors may in their discretion permit the provision or delivery of such documents in such electronic form and by such electronic means (including, without limitation, making such electronic documents accessible to the intended

recipient by an electronic means notified to the intended recipient) as the directors consider desirable in the circumstances, provided that such electronic documents are accessible by the recipient in a manner useable for subsequent reference and capable of being retained by the recipient in a manner useable for subsequent reference; and

- (c) for the purposes of this Rule 10.1, “document” includes, without limitation, notices, instruments, resolutions and ballots.”