

*The
Credit Union
(Extrajurisdictional
Forms)
Regulations, 2016*

being

[Chapter C-45.1 Reg 2](#) (effective July 10, 2016).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER C-45.1 REG 2

The Credit Union Act, 1985

Title

1 These regulations may be cited as *The Credit Union (Extrajurisdictional Forms) Regulations, 2016*.

Interpretation

2 In these regulations:

“**Act**” means *The Credit Union Act, 1985*;

“**document**” means a document required to be sent to the registrar pursuant to the Act;

“**home jurisdiction**”, with respect to an extrajurisdictional credit union, means the jurisdiction in which the extrajurisdictional credit union is incorporated, continued or amalgamated;

“**signature**” includes a signature that consists of one or more letters, characters, numbers or other symbols in digital form that is incorporated in, attached to or associated with a form, notice, document or other information required to be provided or submitted in accordance with these regulations.

30 June 2016 cC-45.1 Reg 2 s2.

Application for registration of an extrajurisdictional credit union

3 For the purposes of section 206 of the Act, an application for registration of an extrajurisdictional credit union must include the following:

- (a) the name of the credit union;
- (b) the home jurisdiction of the credit union;
- (c) any unique identification number or code assigned to the credit union in its home jurisdiction;
- (d) the date of incorporation or amalgamation of the credit union in its home jurisdiction;
- (e) the proposed registration date, if a specified future date is requested;
- (f) the fiscal year end of the credit union;
- (g) for each officer of the credit union:
 - (i) his or her full name;
 - (ii) his or her physical address;
 - (iii) his or her mailing address, if different from the physical address;
 - (iv) his or her email address, if any; and
 - (v) the name or title of the office held by him or her;

- (h) for each director of the credit union:
 - (i) the information mentioned in subclauses (g)(i) to (iv); and
 - (ii) the name or title of any office held by the director;
- (i) the physical address of the registered office in Saskatchewan or in its home jurisdiction, consisting of:
 - (i) the street address of the registered office, if any; or
 - (ii) if there is no street address, a legal land description of the land on which the registered office is located, including the rural municipality name and number;
- (j) the mailing address of the registered office, if different from the physical address;
- (k) subject to subsection 6(4), the email address of the credit union, if any;
- (l) confirmation that the credit union is registering in Saskatchewan for the purposes of:
 - (i) becoming eligible for membership in the Co-operative Superannuation Society;
 - (ii) registering a security in Saskatchewan; or
 - (iii) taking steps for the purposes of collecting a loan that is owed to it;
- (m) if the credit union was incorporated or amalgamated in its home jurisdiction more than six months before registering in Saskatchewan, an attached copy of a certificate of status or certificate of compliance from the home jurisdiction;
- (n) an attached copy of the incorporation or amalgamation documents, amendments and bylaws of the credit union that have been filed in its home jurisdiction;
- (o) an attached affidavit of two of the credit union's directors or officers in accordance with clause 206(2)(a) of the Act, except if the application for registration of an extraprovincial credit union is with respect to an extraprovincial credit union mentioned in section 219 of the Act;
- (p) confirmation that a necessary review of the corporate history has been conducted and the credit union is eligible to be extraprovincially registered in Saskatchewan;
- (q) the name and contact information of the individual submitting the application for registration of an extraprovincial credit union;
- (r) a statement by the individual submitting the application for registration of an extraprovincial credit union that the individual acknowledges that:
 - (i) the registrar must be notified of any change to the credit union's status in its home jurisdiction; and
 - (ii) if the credit union is struck off the register in its home jurisdiction, it must be restored to the register in that jurisdiction in order to continue to do business in Saskatchewan;

- (s) a statement by the individual submitting the application for registration of an extraprovincial credit union that:
 - (i) the contents of the application for registration of an extraprovincial credit union are true; and
 - (ii) the individual has authority to file the application for registration of an extraprovincial credit union with the registrar;
- (t) the signature of the individual submitting the application for registration of an extraprovincial credit union.

30 Jne 2016 cC-45.1 Reg 2 s3.

Power of attorney

4(1) For the purposes of section 210 of the Act, the form of a power of attorney is provided in this section.

(2) A power of attorney must include the following with respect to the extraprovincial credit union:

- (a) the name of the credit union;
- (b) the number assigned to the credit union by the registrar;
- (c) any unique identification number or code assigned to the credit union in its home jurisdiction;
- (d) for each attorney appointed for the credit union:
 - (i) the full name of the attorney and the name of his or firm, if applicable;
 - (ii) the physical address of the attorney;
 - (iii) the mailing address of the attorney, if different from the physical address;
 - (iv) the email address of the attorney, if any; and
 - (v) a signed declaration of the attorney, declaring that he or she has consented to act as attorney pursuant to subsection 210(7) of the Act;
- (e) the date on which the power of attorney becomes effective, if applicable;
- (f) the name and contact information of the individual submitting the power of attorney;
- (g) a statement by the individual submitting the power of attorney that:
 - (i) the contents of the power of attorney are true; and
 - (ii) the individual has authority to file the power of attorney with the registrar;
- (h) the signature of the individual submitting the power of attorney.

(3) For each attorney who is added or with respect to whom a change is made, a notice of change of power of attorney must include the following:

- (a) the name of the credit union;
- (b) the number assigned to the credit union by the registrar;
- (c) any unique identification number or code assigned to the credit union in its home jurisdiction;
- (d) the full name of the attorney and the name of his or her firm, if applicable;
- (e) if applicable:
 - (i) confirmation that the person is added as an attorney for the credit union;
 - (ii) confirmation that there has been a change to the attorney's name or to any of the information mentioned in subclauses (iii) to (v);
 - (iii) the physical address of the attorney;
 - (iv) the mailing address of the attorney, if different from the physical address;
 - (v) the email address of the attorney, if any;
 - (vi) a signed declaration of the attorney, declaring that he or she has consented to act as attorney pursuant to subsection 210(7) of the Act;
- (f) the date on which the addition or change becomes effective;
- (g) the name and contact information of the individual submitting the notice of change of power of attorney;
- (h) a statement by the individual submitting the notice of change of power of attorney that:
 - (i) the contents of the notice of change of power of attorney are true; and
 - (ii) the individual has authority to file the notice of change of power of attorney with the registrar;
- (i) the signature of the individual submitting the notice of change of power of attorney.

(4) For each attorney who is removed or who resigns, a notice of change of power of attorney must include the following:

- (a) the name of the credit union;
- (b) the number assigned to the credit union by the registrar;
- (c) any unique identification number or code assigned to the credit union in its home jurisdiction;
- (d) the full name of the attorney and the name of his or her firm, if applicable;

- (e) confirmation that:
 - (i) the attorney is removed as an attorney for the credit union; or
 - (ii) the attorney has resigned as an attorney for the credit union;
 - (f) in the case of an attorney who has resigned, a copy of the written resignation pursuant to subsection 210(6) of the Act;
 - (g) the date on which the removal or resignation becomes effective;
 - (h) the name and contact information of the individual submitting the notice of change of power of attorney;
 - (i) a statement by the individual submitting the notice of change of power of attorney that:
 - (i) the contents of the notice of change of power of attorney are true; and
 - (ii) the individual has authority to file the notice of change of power of attorney with the registrar;
 - (j) the signature of the individual submitting the notice of change of power of attorney.
- (5) The requirement to file a power of attorney pursuant to section 210 of the Act does not apply to an extraprovincial credit union mentioned in section 219 of the Act.

30 Jne 2016 cC-45.1 Reg 2 s4.

Application to restore name to the register

5(1) For the purposes of subsection 240(4) of the Act, the form of an application to restore the name of an extraprovincial credit union to the register is provided in this section.

(2) An application to restore the name of an extraprovincial credit union to the register must include the following:

- (a) the name of the credit union;
- (b) the number previously assigned to the credit union by the registrar;
- (c) the new fiscal year end of the credit union;
- (d) the name and address of the last auditor of the credit union;
- (e) the date of the last annual meeting since the annual return for the previous year was filed;
- (f) confirmation that the credit union is applying to restore the name of the credit union to the register for the purposes of:
 - (i) becoming eligible for membership in the Co-operative Superannuation Society;
 - (ii) registering a security in Saskatchewan; or
 - (iii) taking steps for the purposes of collecting a loan that is owed to it;

- (g) subject to subsection (3), confirmation that the registrar has current and accurate records regarding the following:
 - (i) the registered office of the credit union;
 - (ii) the directors and officers of the credit union; and
 - (iii) any power of attorney of the credit union, as required by section 4;
 - (h) the proposed restoration date, if a specified future date is requested;
 - (i) the name and contact information of the individual submitting the application to restore the name of the extraprovincial credit union to the register;
 - (j) a statement by the individual submitting the application to restore the name of the extraprovincial credit union to the register that:
 - (i) the contents of the application to restore the name of the extraprovincial credit union to the register are true; and
 - (ii) the individual has authority to file the application to restore the name of the extraprovincial credit union to the register;
 - (k) the signature of the individual submitting the application to restore the name of the extraprovincial credit union to the register.
- (3) If the registrar does not have current and accurate records respecting one or more of the items mentioned in clause (2)(g), the credit union must include with the application to restore the name of the extraprovincial credit union to the register any of the following that is necessary to ensure that the registrar has current and accurate records for all of those items:
- (a) a notice of change of registered office;
 - (b) a notice of change of directors and officers;
 - (c) a power of attorney, in accordance with section 4.

30 Jne 2016 cC-45.1 Reg 2 s5.

General rule re notices, etc.

- 6(1) If a person is required to provide two or more notices or other documents to the registrar at the same time in accordance with the Act and these regulations, the registrar may require the prescribed contents of the notices and other documents to be provided within a single, consolidated form.
- (2) A requirement to provide information in a notice or other document in accordance with these regulations, other than a signature or statement by the individual submitting the notice or document, is satisfied by providing the information as an attachment to the notice or other document in a manner that is satisfactory to the registrar.
- (3) A requirement that a signature is to be provided according to these regulations is satisfied if it meets the requirements, if any, of the registrar as to the method of making the signature and as to the reliability of the signature.

(4) Any notice or other document required by the Act or these regulations to be provided to the registrar must contain a statement that if a corporate email address is provided in the notice or other document, the registrar may use the email address for the purpose of providing any notice or document required to be sent by the registrar, by the Act or these regulations, except a notice of default pursuant to subsection 240(2) of the Act sent by the registrar in accordance with subsection 233(4) of the Act.

(5) The registrar may require a notice or other document required by the Act or these regulations to be provided in electronic form, in accordance with any directions that the registrar considers appropriate.

(6) Nothing in these regulations prohibits the registrar from requiring additional information or documentation to be submitted with a notice or other document if that information or documentation is necessary to directly support any information that is required in the notice or other document in accordance with these regulations.

30 Jne 2016 cC-45.1 Reg 2 s6.

R.R.S. c.C-45.1 Reg 1 repealed

7 *The Credit Union Regulations* are repealed.

30 Jne 2016 cC-45.1 Reg 2 s7.

Coming into force

8(1) Subject to subsection (2), these regulations come into force on July 10, 2016.

(2) If these regulations are filed with the Registrar of Regulations after July 10, 2016, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

30 Jne 2016 cC-45.1 Reg 2 s8.

