

## Forming a Cooperative in ALBERTA

In order to operate as a cooperative in Alberta, the organization must be incorporated. The words "cooperative," "co-operative" or "co-op" in the cooperative's name reflects a member-based business versus a profit-oriented company.

The incorporation requirements and procedures for all types of cooperatives, except utility cooperatives and credit unions, are detailed in the *Cooperatives Act*.

To incorporate an Alberta-based cooperative, the following is required:

- A set of Articles of Incorporation, which must be signed and verified by an Affidavit of Execution
- A completed Summary of Articles of Incorporation form and Statutory Declaration
- A Newly Upgraded Automated Name Search (NUANS) Report, no more than 91 days old, containing all 6 pages. In Alberta, private search houses prepare the NUANS reports.
- A completed Notice of Address/Change of Address form
- A completed Notice of Directors/Change of Directors/Change of Director's Address form
- An incorporation fee of \$100.00

If a cooperative is already incorporated in another jurisdiction but wishes to do business in Alberta, it must register as an extra-provincial cooperative. The following requirements must be submitted:

- A completed Statement of Registration Extra-Provincial/Foreign Cooperative form
- Certified true copies of the charter documents from the cooperative's home jurisdiction
- A completed Notice of Attorney for Service/Change or Attorney/Alternative Attorney form
- A NUANS Report, not more than 91 days old, containing all 6 pages.
- A registration fee of \$100.00

After the documents have been processed, the Director of Cooperatives will issue either a Certificate of Incorporation or Certificate of Registration, giving the cooperative permission to begin business. The Director will send a copy of the Certificate and a filed copy of the incorporation documents to the applicant.

Within 180 days of issuance of the Certificate of Incorporation for an Alberta-based cooperative, the directors must hold a members' meeting to create the by-laws. These by-laws come into force on the day they are made or on any later date specified in the by-laws or in the resolution adopting them. By-laws must be filed with the Director of Cooperatives within 60 days of the date they come into force.

By-laws are not required for extra-provincial cooperatives registering under the *Cooperatives Act*, as the by-laws in their own jurisdictions apply to their operations.

Completed incorporation documents must be sent to Alberta Government Services, Director of Cooperatives, 3C, Commerce Place, 10155 - 102 Street, Edmonton, Alberta T5J 4L4.

To obtain an information package on how to incorporate under the Cooperatives Act, contact:

### Alberta Government Services

Director of Cooperatives  
3rd floor, Commerce Place 10155 - 102 St.  
Edmonton, AB T5J 4L4  
Telephone: (780) 427-5210  
Fax: (780) 427-3033  
Website: [www.gov.ab.ca/gs](http://www.gov.ab.ca/gs)

The *Rural Utilities Act* governs cooperatives supplying electricity, natural gas, water and sewage disposal. For incorporation information on utility cooperatives, contact:

### Alberta Agriculture, Food and Rural Development

Rural Utilities Branch  
5th fl. Petroleum Plaza  
North Tower  
9945-108 St.  
Edmonton, AB T5K 2G8  
Telephone: (780) 427-0125  
Fax: (780) 415-4732

The *Credit Union Act* governs formation of all credit unions. Incorporation information can be obtained from:

### Alberta Finance

Alberta Superintendent of Financial Institutions  
402 Terrace Building  
9515-107 St.  
Edmonton, AB T5K 2C3  
Telephone: (780) 427-8322  
Fax: (780) 420-0752

