

NON-PROFIT and CHARITY SEMINAR

Legal, Regulatory and Governance Issues

November 23 – 24, 2009 | St. Andrew's Club and Conference Centre | 150 King Street West, Toronto



Important regulatory changes are underway for Charities and Not-For-Profit organizations. Attend this timely conference to hear practical and essential updates from leading practitioners to support your core activities. Topics to be covered include:

- Highlights and benefits of the new Canada Not-For-Profit Corporations Act, including distinction between soliciting/non-soliciting corporations
- Using parallel foundations and multiple corporations to facilitate fundraising and risk management
- Formation of a *USA Friends Organization* for purposes of raising charitable dollars in the U.S.
- Avoiding complaints to the *Ontario Public Guardian and Trustee*
- Understanding the vital difference between qualified donees and non-qualified donees and how it can affect local and foreign activities
- The latest court decisions and what they mean for your charity

and much more...

Plus, two intensive half-day workshops:

WORKSHOP A: Revenue Generation for Charities in Tough Times

- Charities Doing Business – Possibilities and Pitfalls
- How CRA's New Guidance on Fundraising Affects Charities
- Ethical and Standards Issues in Fundraising

WORKSHOP B: Mastering Books, Records and Filings for Charities

- Maintaining Adequate Books and Records
- Processes and Ideas for Assessing Risks for a Charity
- The New T3010B Registered Charity Information Return

PROGRAM CHAIR

Mark Blumberg, B.A., LL.B., LL.M., TEP

Partner

Blumberg Segal LLP

PARTICIPATING ORGANIZATIONS

Blumberg Segal LLP

Charities Directorate, Canada Revenue Agency

Gardiner Roberts LLP

Gowling, Lafleur Henderson LLP

Hodgson Russ LLP

Imagine Canada

Iler Campbell LLP

McMillan LLP

*Office of the Public Guardian and Trustee,
Ontario Ministry of the Attorney General*

PricewaterhouseCoopers LLP

Richard Bridge, Barrister & Solicitor

Ross & McBride LLP

The Salvation Army

William Harper Associates

Marketing Partner

CANADIAN Lawyer

ENROLL TODAY! Call 1 888 777-1707 or fax 1 866 777-1292

Register online at www.insightinfo.com/nonprofitcharityseminar

Dear Colleague,

The non-profit and charity sector accounts for approximately 9% of Canada's GDP and 12% of its workforce. Various stakeholders, including the public, government and the media, are increasingly requiring of the non-profit and charity sector higher levels of accountability, transparency and compliance. The consequence of ignoring legal, regulatory, revenue and other risks can be costly, both financially and to the reputation of the charity.

This **Insight** conference brings together a number of experts in the non-profit and charitable area to provide practical information to non-profits and charities on reducing risk, becoming more legally compliant and maintaining higher ethical standards.

We look forward to seeing you in November for what will be a great opportunity to network, learn and share ideas.

Yours Truly,



Mark Blumberg, B.A., LL.B., LL.M., TEP

Partner, *Blumberg Segal LLP*

MONDAY | NOVEMBER 23, 2009

8:00 | 9:00 **Registration and Continental Breakfast**

9:00 | 9:05 **Welcoming Remarks from Insight**

9:05 | 9:15 **Chair's Opening Remarks**

Mark Blumberg

Partner

Blumberg Segal LLP

9:15 | 10:30

C4 – Transitioning to the New Canada Not-for-profit Corporations Act

Clifford S. Goldfarb

Partner

Gardiner Roberts LLP

Wayne D. Gray

Partner

McMillan LLP

- Highlights and benefits of the new Act/Regulations, including distinction between soliciting/non-soliciting corporations
- Specific issues and challenges of the new Act, such as membership rights and remedies, by-laws, board composition, audit and financial disclosure requirements, dissolution issues
- Legal and governance considerations for existing Canada corporations in determining whether to continue or export to another jurisdiction, and for organizations determining which statute to incorporate under

10:30 | 10:45 **Networking Coffee Break**

10:45 | 11:30

Multiple Corporations and Parallel Foundations

David A. Van Der Woerd

Partner

Ross & McBride LLP

- Considerations for establishment of a parallel foundation
- Risk management and disbursement quota issues
- Using multiple corporations for facilitation of fundraising

11:30 | 12:30

Fundraising by Canadian Charities in the US

Pamela Davis Heilman

Partner

Corporate & Securities Practice Group

Nonprofit Law Practice Group

International/Cross-Border Practice Group

Hodgson Russ LLP

- How a Canadian charity can qualify to raise money in the United States directly and the pros and cons of this approach
- Formation of a US Friends Organization for purposes of raising charitable dollars in the United States:
 - Why form a Friends?
 - Steps required to form a Friends (including choice of jurisdiction and organization structure)
 - US reporting requirements for Friends organizations
 - Process for accepting gifts in the USA and then distributing such gifts (cash and non cash) to the Canadian charity
 - Other alternatives which may be available to Canadians
- Special rules when fundraising in multiple states

12:30 | 1:30 **Networking Luncheon**

1:30 | 2:15

Endowment and Disbursement Quota Issues in a Tough Economy

David P. Stevens

Partner

Gowling, Lafleur Henderson LLP

- What's wrong with the DQ?
- What does CRA think?
- What does Finance think?
- How does the DQ present challenges to charities?
- What can charities do about the challenges?
- What should charities do about the challenges?

2:15 | 3:00

The Ontario Public Guardian and Trustee's (OPGT) Top Ten Good Practice Tips for Charity Directors

Dana De Sante

Counsel, Charitable Property Program

Office of the Public Guardian and Trustee

Ontario Ministry of the Attorney General

- Avoiding complaints to the OPGT
- Know your fiduciary obligations
- Fund-raising tips

3:00 | 3:15 **Networking Refreshment Break**

3:15 | 4:00

CRA's New Guidance on Foreign Activities and Canadian Charities Dealing with Organizations that are Non-Qualified Donees

Mark Blumberg

Partner

Blumberg Segal LLP

- The difference between qualified donees and non-qualified donees – a vital distinction for charities
- How to maintain "direction and control" when charities deal with non-qualified donees
- The effect of the guidance on Canadian charities dealing with partners and intermediaries who are not qualified donees in Canada and abroad

4:00 | 4:30

Overview of Charity Directorate Activities

Carl Juneau

*Director, Client Interface and Service Division
Charities Directorate
Canada Revenue Agency*

- Recently implemented changes
- Changes on the horizon
- Top 10 CRA Compliance Concerns

4:30 | 5:00

The Good, the Bad and the Silly – A Discussion of Interesting Charity or Not-for-Profit Legal Cases

David C.K. Tang

Partner

*Co-Chair, Charities and Not-For-Profit National Practice Group
Gowling Lafleur Henderson LLP*

- Cases you may not have known about
- What have our American neighbours been up to?
- Can we see patterns emerging?

5:00 Chair's Summation and Conference Adjourns

SPONSORSHIP OPPORTUNITIES



Gain additional presence and prestige in front of senior level decision makers through Insight's sponsorship opportunities.

All of our exclusive sponsorship packages include a comprehensive suite of preferential benefits.

For further details, please contact Gene Beil at 416.642.6129 or Gene.Beil@incisivemedia.com

TUESDAY | NOVEMBER 24, 2009 | TWO INTENSIVE HALF DAY WORKSHOPS

8:00 Registration and Continental Breakfast

MORNING WORKSHOP A

9:00 | 12:00

Revenue Generation for Charities in Tough Times – Earning a Buck within Charity Law

Charities Doing Business – Possibilities and Pitfalls

Richard Bridge

Barrister & Solicitor

Making ends meet is an ongoing challenge for charities, and many are considering becoming more entrepreneurial and engaging in business to raise funds. This session will examine:

- The applicable law and regulatory policy
- Permitted and prohibited business activities
- Structural options for charities
- Examples of successful "related businesses"

How CRA's New Guidance on Fundraising Affects Charities

Edward M. Hyland

Barrister & Solicitor

Iller Campbell LLP

This portion of the workshop will examine CRA's Guidance: Fundraising by Registered Charities (CPS-028), with a particular focus on the implications of the Guidance for small and medium sized charities.

Ethical and Standards Issues in Fundraising

Speaker to be confirmed

Imagine Canada

- Imagine Canada's *Ethical Fundraising and Financial Accountability Code*
- New voluntary standards for Canadian charities on the horizon
- Some difficult ethical issues in fundraising and how to deal with them

12:00 | 1:00 Networking Luncheon

AFTERNOON WORKSHOP B

1:00 | 4:00

Mastering Books, Records and Filings for Charities

Maintaining Adequate Books and Records

William Harper, BMath, CA

President

William Harper Associates

- What governance and accounting books and records do you need to keep?
- Issues around retention of books and records
- Computerized accounting system issues

Processes and Ideas for Assessing Risks for a Charity

Patrick Corlett, B.A., LL.B., CFA

Associate Legal Counsel, Director of Estates

The Salvation Army

- Review of pitfalls in major agreements
- Authority to enter agreements
- Staffing and training to minimize risk and maximize revenue

The New T3010B Registered Charity Information Return

Brenda Lee-Kennedy

Associate Partner

Not for Profit Services Practice

PricewaterhouseCoopers LLP

- Review of key changes to the new *T3010B Return*, including fundraising activities, donation receipting protocol, financial reporting, foreign activities, donor and director information
- Impact on recordkeeping and know-your-donor practices for charities
- Providing an audit trail in support of a charity's activities and the information supplied on the *T3010B Return*

4:00 Conference Workshops Conclude

NON-PROFIT and CHARITY SEMINAR

Legal, Regulatory and Governance Issues

FIVE EASY WAYS TO REGISTER Call 1 888 777-1707 | Fax 1 866 777-1292 | Internet: www.insightinfo.com/nonprofitcharityseminar
Email: order@incisivemedia.com | Mail Incisive Media, 214 King Street West, Suite 300, Toronto, Ontario M5H 3S6

November 23 – 24, 2009 | St. Andrew's Club and Conference Centre
150 King Street West, Toronto

Yes! Please register the following delegate(s) (photocopy for additional delegates)

Priority Code: 9455_PDF

Mr. [] Ms. [] Name _____

Title: _____

Area of practice: _____

Company: _____

Business Address: _____

City: _____ Province: _____ Postal Code: _____

Telephone: [] Fax: []

E-mail: _____

Type of Business: _____ #of Employees: _____

Registrant's Signature Required: _____

Signature _____ Date _____

REGISTRATION FEE: (Includes meals, documentation and **INCONFERENCE™**, fully searchable online access to this conference's papers*)

Please check your choice:

Conference and Workshops

Early Bird Special \$1,195.00 + GST (\$59.75) = \$1,254.75
(Register and pay by September 18, 2009)

Regular \$1,395.00 + GST (\$69.75) = \$1,464.75

Workshop A [] or B [] \$600.00 + GST (\$30.00) = \$630.00

Both Workshops \$1,095.00 + GST (\$54.75) = \$1,149.75

I would like to order an extra copy of the conference binder (1 conference binder is included in the registration fee) \$100.00 + 5% GST

Payment enclosed. Payment to follow. (GST Reg. #856568779RT0001)

Charge to my VISA® AMEX® MasterCard®

Card Number: _____ Exp. Date: _____

Card Holder's Name: _____

Signature: _____ Date: _____

* Please allow 4-6 weeks after conference for activation of login and password.

Please Note: Full payment is required in advance of conference dates. Please make all cheques payable to **Incisive Media Canada, Inc.**

INSIGHT reserves the right to change program date, meeting place or content without further notice and assumes no liability for these changes.