



THE CANADIAN
BAR ASSOCIATION
L'ASSOCIATION DU
BARREAU CANADIEN



ONTARIO
BAR ASSOCIATION
A Branch of the
Canadian Bar Association

2010 National Charity Law Symposium



Presented by the CBA and OBA Charity and
Not-for-Profit Law Sections and the
Continuing Legal Education Committee

**2010 National Charity Law
Symposium**
Friday, April 30, 2010

**Toronto Marriott Downtown
Eaton Centre Hotel**
525 Bay Street, Toronto, ON

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Co-Chairs:

Terrance S. Carter, *Carters Professional Corporation*, Orangeville, ON
Linda J. Godel, *Torkin Manes LLP*, Toronto, ON

Mark your calendar! The Annual National Charity Law Symposium will be back again in the spring of 2010. This joint program of the Canadian Bar Association's and the Ontario Bar Association's Charity and Not-For-Profit Law Sections will bring together leading experts from across Canada to speak about the latest developments in this rapidly changing area. Refreshers on key issues affecting charities in Canada will also be addressed.

Get the lowdown on the new *Canada Not-For-Profit Corporations Act*. Learn about new and unusual gifts. Explore strategies for audits and appeals. Discuss considerations involved with the return of a gift. Listen to new thoughts on administrative and cy-pres judicial scheme-making. Delve into environmental issues under the fourth head of charity. Follow up on the Canada Revenue Agency's Guidance on Activities Outside of Canada.

Plus, get an exclusive update direct from the Canada Revenue Agency on current issues impacting your clients! Don't get caught unaware – mark your calendars today!

Inscrivez cette date à votre agenda! Le Symposium national annuel du droit des organismes de bienfaisance aura lieu au printemps de 2010. Ce programme conjoint de l'Association du Barreau canadien et de l'Association du Barreau de l'Ontario (sections du droit des organismes de bienfaisance et à but non lucratif) rassemblera des experts de l'ensemble du Canada. Le Symposium permettra aux participants de faire le point sur les plus récents développements dans ce domaine de droit en évolution rapide et de se rafraîchir la mémoire quant aux enjeux clés qui concernent les organismes de bienfaisance au Canada.

Renseignez-vous sur les faits essentiels de la nouvelle Loi canadienne sur les organisations à but non lucratif. Découvrez de nouveaux types de dons inhabituels. Étudiez les différentes stratégies de vérification et d'appel. Discutez des aspects à prendre en compte lorsqu'un don est restitué au donateur. Mettez-vous au fait de nouvelles idées sur les stratagèmes administratifs et judiciaires qui sont possibles (dont l'application du principe du respect de l'information du donateur – doctrine du « cy-près »). Examinez les questions environnementales qui se posent dans le cadre du quatrième chef d'activités caritatives. Penchez-vous sur ce qui se passe dans le dossier des lignes directrices de l'Agence du revenu du Canada sur les activités de bienfaisance à l'extérieur du Canada.

De plus, obtenez, directement de l'Agence du revenu du Canada, une mise à jour de questions d'actualité qui intéressent votre clientèle! Ne soyez pas pris au dépourvu - Inscrivez cette date à votre agenda dès aujourd'hui!

Ce programme est offert uniquement en anglais.



Program

8:00 – 8:30 REGISTRATION

8:30 – 8:35 OPENING COMMENTS

Co-Chairs:

Terrance S. Carter, *Carters Professional Corporation*, Orangeville, ON

Linda J. Godel, *Torkin Manes LLP*, Toronto, ON

TIMELY NEW TAX TOPICS TO CONSIDER

8:35 – 9:05 **Reflections on CRA's Foreign Activities Guidance: One Year Later**

James Parks, *Cassels Brock & Blackwell LLP*, Toronto, ON

9:05 – 9:35 **Environmental Issues Under the 4th Head of Charity**

Karen Cooper, *Carters Professional Corporation*, Ottawa, ON

9:35 – 10:05 **The New Internal Appeals Process for Charities: CRA's Perspective**

Ghislaine Landry, *Canada Revenue Agency*, Ottawa, ON

10:05 – 10:35 **The Ins and Outs of Audits and Appeals**

Robert Hayhoe, *Miller Thomson LLP*, Toronto, ON

10:35 – 10:50 REFRESHMENT BREAK

NEW THOUGHTS ON GIFTING

10:50 – 11:20 **New and Unusual Gifts**

M. Elena Hoffstein, *Fasken Martineau*, Toronto, ON

11:20 – 11:50 **The Nuts and Bolts of Gifts Involving Cultural Property**

Florence Carey, *Aikins, MacAulay & Thorvaldson LLP*, Winnipeg, MB

11:50 – 12:20 **Considerations Involved with the Return of a Gift**

Kate Lazier, *Miller Thomson LLP*, Toronto, ON

CRA COMES TO LUNCH

12:20 – 1:10 LUNCH

1:10 – 1:45 **CRA Comes to Lunch**

Cathy Hawara, *Acting Director General, Charities Directorate, Canada Revenue Agency*, Ottawa, ON

1:45 – 1:50 **Short Break (5 minutes)**

REFLECTIONS AND NEW DIRECTIONS IN CHARITY LAW

1:50 – 2:25 **Looking For and Aft: Reflections on Charity Law Reform – The Case of the *Income Tax Act***

W. Laird Hunter, Q.C., *Richards Hunter*, AB

Bob Wyatt, *The Muttart Foundation*, Edmonton, AB

Peter Broder, *The Muttart Foundation*, Edmonton, AB

2:25 – 3:00 **Administrative and Cy-Près Judicial Scheme-Making: When are these Applications of Use in Canada Today?**

Dr. Donovan Waters, Q.C., F.R.S.C., *Horne Coupar*, Victoria, BC

3:00 – 3:15 **REFRESHMENT BREAK**

OPERATIONAL CONSIDERATIONS FOR CHARITIES

3:15 – 3:45 **Compliance Issues Involved with Operating Across Canada**

Adam Aptowitzer, *Drache LLP*, Ottawa, ON

3:45 – 4:15 **Fiduciary Considerations Involving Charitable Property**

Ken Goodman, *Public Guardian and Trustee*, Toronto, ON

4:15 – 5:00 **The New Canada Not-for-Profit Corporations Act: What will it Mean to your Practice**

Moderator: Jane Burke-Robertson, *Carters Professional Corporation*, Ottawa, ON

Panellists: Coleen Kirby, *Industry Canada*, Ottawa, ON

Clifford S. Goldfarb, *Gardiner Roberts LLP*, Toronto, ON

David Stevens, *Gowling Lafleur Henderson LLP*, Toronto, ON

5:00 – 5:10 **QUESTIONS AND ANSWERS AND CLOSING REMARKS OF CO-CHAIRS**

5:10 **WINE AND CHEESE RECEPTION**



ACCREDITATION

This program has been accredited by the Law Specialty Committee of the Law Society of Upper Canada for **7 hours** towards the professional development requirement for certification.

This program has been accredited by the Law Society of Saskatchewan.

This event has been awarded one (1) credit by the Saskatchewan Lawyers Insurance Association.

This event has been approved by the PEI Law Society.

This event has been approved by the Law Society of New Brunswick.

This program has been approved for **7 hours** of Continuing Professional Development (CPD) by the Law Societies of British Columbia and Northwest Territories.

This program has been approved for LawPro CLE Premium Credit.

Further accreditation details will follow on our website at www.cba.org/pd as they become available.

For updates on the program, please visit our web-site at www.cba.org/pd

Speakers subject to change

Registration Form

MEETING VENUE

Marriott Downtown Eaton Centre Hotel
525 Bay Street, Toronto, ON
Telephone: 1-800-905-0667

HOTEL RESERVATION

A block of rooms as been reserved at the Marriott Downtown Eaton Centre Hotel. Please contact the Marriott directly at 1-800-905-0667 to make your reservation. Please quote, "Canadian Bar Association 2010 National Charity Law Symposium," when reserving to obtain the preferred rate. The preferred room rate is available until March 31, 2010.

TRAVEL

Air Canada is the official carrier for all our CBA meetings. In order to receive a 10% discount, you must book your flight on-line at www.aircanada.ca and indicate the **promotion code NC7M PEPI**. The discount is not available if you call Air Canada directly.

CAR RENTAL

AVIS, the official rental car supplier of the CBA, offers several special rates. Call 1-800-331-1600 or visit www.avis.com to reserve your car. You must quote discount number **CI36498**.

REGISTRATION

Pay by credit card (Visa, MasterCard or AMEX), or send cheque or money order made payable to the Canadian Bar Association together with this registration form to:

Ashley Woodford
PD Coordinator
Canadian Bar Association
865 Carling Ave., Suite 500
Ottawa, ON, K1S 5S8 or

Fax to: 613-237-0185
Email: ashleyw@cba.org

PAYMENT MUST BE RECEIVED PRIOR TO THE ACTUAL CONFERENCE TOGETHER WITH A COMPLETED REGISTRATION FORM

INVOICES WILL NOT BE ISSUED

REFUND POLICY: There will be a 20% administrative charge for any cancellation received in writing prior to **March 30, 2010**. No refund will be given after **March 30, 2010**.

There will be no refunds for no-show registrants. The program material will be shipped to registrants unable to attend the program within 15 days of the program.

INFORMATION

For further information about this program, please contact **Ashley Woodford** at the CBA National Office by telephone at **613-237-2925** or **1-800-267-8860 ext. 186**, or by e-mail at ashleyw@cba.org.

Joint CBA / CBA 2010 National Charity Law Symposium
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	FEE	GST (5%)	TOTAL
CBA Members	\$315.00	\$15.75	\$330.75
Students (CBA Members)	\$200.00	\$10.00	\$210.00
Non-Members	\$415.00	\$20.75	\$435.75

Payment due with registration application
All receipts are mailed after the conference

Conference Registration is also available online at www.cba.org/pd

Yes, I would like to join the CBA now and pay the member fee to attend this program. I understand that a membership representative will be contacting me.
Yes, I will be attending the closing reception.

Materials will be available for sale online following the conference. Please visit www.cba.org/store for prices and ordering information.

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