

CRA to fund compliance-related education and training initiatives

On October 26, 2009, the Minister of National Revenue invited charities and certain non-profit organizations to submit project proposals for funding consideration under the Canada Revenue Agency's Charities Partnership and Outreach Program (the "Charitable Funding Program").

The Charitable Funding Program provides qualifying registered charities and non-profit organizations that serve the charitable sector with financial support to develop innovative education and training projects aimed at improving regulatory compliance in the charitable sector.

In 2010-2011, the Canada Revenue Agency (the "CRA") will distribute up to \$3 million to charities and other organizations that qualify for funding under the Charitable Funding Program. Funding of up to \$500,000 per qualifying project (only one-year projects will be considered for funding) will be made available to successful applicants. However, eligible organizations must act fast as funding applications are required to be submitted to the CRA by November 30, 2009.

objectives and funding priorities of the charitable funding program

The overall goal of the Charitable Funding Program is to enhance the ability of the charitable sector to comply with the provisions of the federal *Income Tax Act* (the "Tax Act"). Specifically, the primary objectives of the program are to:

- improve the ability of the charitable sector to develop and deliver sustainable compliance-based education and training programs;
- increase the capacity of the charitable sector to meet regulatory compliance requirements on a sustainable basis; and
- raise awareness among charitable organizations of the regulatory obligations imposed under the Tax Act.

The federal government has announced three priorities that will guide the allocation of the latest round of funding under the Charitable Funding Program (the "Funding Priorities"). Specifically, initiatives aimed at:

1. developing educational materials to enhance the understanding of charities of acceptable fundraising practices in an effort to promote ethical and compliant fundraising practices in the charitable sector;

2. educating registered charities and/or donors about how to avoid, and the consequences of, becoming involved in a false receipting situation and/or a tax shelter scheme; or
3. developing tools to assist charities assess their level of compliance with the Tax Act, and to demonstrate to donors and the public that the charity is operated in a transparent and compliant manner,

will be considered for funding.

eligible initiatives

Projects of all different sizes and breadth will be considered by the CRA for funding. However, the CRA has indicated that preference may be given to projects that are national in scope. The types of projects that may qualify for funding include:

- pilot projects;
- conferences, workshops, and training sessions;
- research or technical studies;
- projects aimed at the development and dissemination of information;
- web-based training and educational products;
- information services; and
- “train-the-trainer” projects.

To qualify for funding, a project must meet at least one of the primary objectives of the Charitable Funding Program and respond to one of the Funding Priorities. Furthermore, funding will only be given to innovative projects that are not currently part of an organization’s normal operations.

Funding received by a qualified applicant may only be used for expenses directly related to an approved project. Examples of eligible expenses include:

- wages and employment-related costs for staff;
- fees for materials and professional services;
- project development costs;
- performance monitoring and evaluation costs;
- reporting costs;
- communication/promotion costs; and
- administrative costs of no more than 15% of the total project costs.

application details

In order to be eligible to obtain funding under the Charitable Funding Program, applicants are required to submit a specialized application for funding, along with other specified documentation. In completing an application, applicants are generally required to:

- a. demonstrate that the proposed project is innovative and meets one or more of the Funding Priorities;

- b. describe the project's activities, objectives and reach;
- c. identify the process through which products or results will be disseminated;
- d. provide a detailed budget of estimated revenues and expenditures;
- e. provide a logic model, which is an illustration of the links between the activities, outputs and outcomes of the project;
- f. provide a work plan outlining the schedule and sequence of the project's activities; and
- g. explain the strategy for ensuring the financial viability and sustainability of the project in the post-funding period.

review and approval process

The CRA will initially conduct a screening process to determine which applications potentially qualify for funding under the Charitable Funding Program. Applications that satisfy the initial screening criteria will then be considered by an Application Review Committee, which includes representatives of the CRA and the charitable sector. All applications considered suitable for funding will then be forwarded to the CRA for approval.

timeline and application deadline

The CRA will accept new funding applications through November 30, 2009. The application review and approval process is expected to last approximately six months from the close of the application period.

For more information, contact any of the lawyers listed below:

Calgary	Michael A. Thackray, QC	403.531.4710	michael.thackray@mcmillan.ca
Toronto	Sheila Crummey	416.865.7017	sheila.crummey@mcmillan.ca
Montréal	Andrew Etcovitch	514.987.5064	andrew.etcovitch@mcmillan.ca

a cautionary note

The foregoing provides only an overview. Readers are cautioned against making any decisions based on this material alone. Rather, a qualified lawyer should be consulted. © McMillan LLP 2009.