



THE CANADIAN
BAR ASSOCIATION
L'ASSOCIATION DU
BARREAU CANADIEN

August 8, 2017

Via email: tony.manconi@cra-arc.gc.ca

Tony Manconi
Director General
Charities Directorate
Canada Revenue Agency
Ottawa, ON K1A 0L5

Dear Mr. Manconi:

Re: Voluntary Disclosures by Canadian Registered Charities

We are writing on behalf of the Charities and Not-for-Profit Law Section of the Canadian Bar Association (CBA Section) concerning voluntary disclosures by Canadian registered charities.

The CBA is a national association representing over 36,000 jurists, including lawyers, notaries, law teachers and students across Canada. The CBA's mandate includes seeking improvements in the law and the administration of justice. The CBA Section has members across Canada practising in all areas of charities and not-for-profit law and in every size of practice, from large national firms to small and solo practitioners. We are dedicated to the evolution of a fair and efficient system reflecting principles of natural justice and Canadian interests.

There is currently no formal voluntary disclosure process for registered charities with CRA (other than in the limited context of employee payroll deductions and HST). While changes have been proposed to the Voluntary Disclosures Program (VDP) in Draft Information Circular – IC00-1R6 – Voluntary Disclosures Program, we believe that charities should not be included in the Draft Circular. Voluntary disclosures by charities should be addressed by the Charities Directorate, not Tax Services Offices as is the case under the VDP. Instead, the CBA Section requests that CRA develop a guidance dealing with voluntary disclosures by registered charities. This would help alleviate existing uncertainty in the charitable sector. The CBA Section would be pleased to assist the Charities Directorate with the development of the guidance.

Thank you for considering our suggestion. Please contact us if you require further information.

Yours truly,

(original letter signed by Gaylene Schellenberg for C. Yvonne Chenier and Linda J. Godel)

C. Yvonne Chenier, Q.C.
Chair, CBA Charities and Not-for-Profit Law Section

Linda J. Godel
Vice-Chair, CBA Charities and Not-for-Profit Law Section