

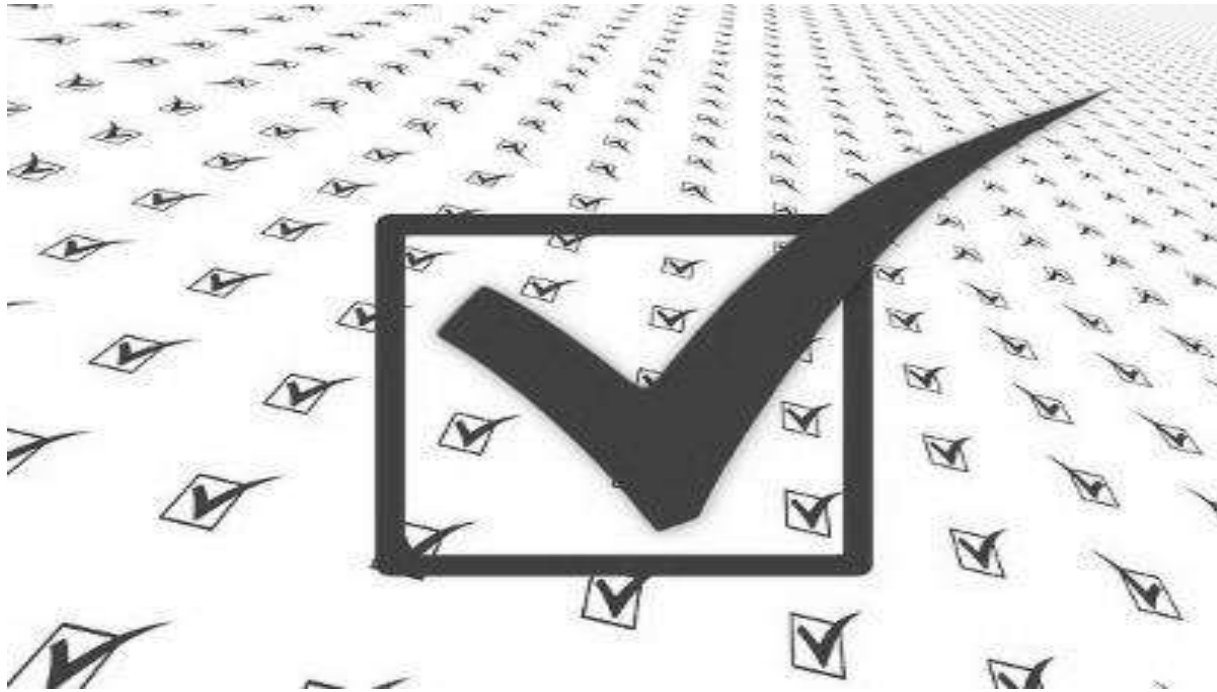
Who's Who in the Compliance Zoo?

Paul Meunier, 30 May 15



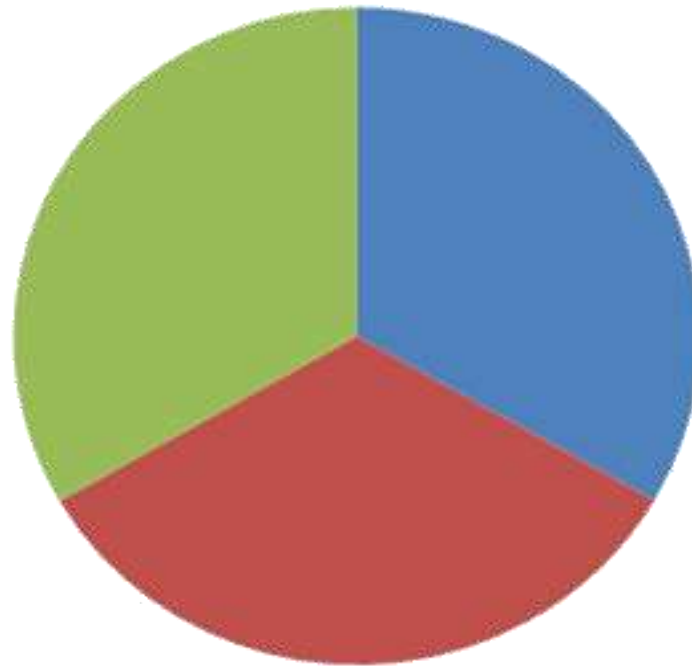
FEDERATION OF
CALGARY COMMUNITIES

Compliance can be overwhelming...



2 Things to Remember:

1. Context
2. Priorities





**Legislation
& Corporate Registry**
(e.g. *The Societies Act*)



BOARD

WHAT you do and

WHO you recruit
to help you do it

MEMBERSHIP



**Canada
Revenue
Agency**



**Assets, Lodging,
Land**

Fiduciary Duties

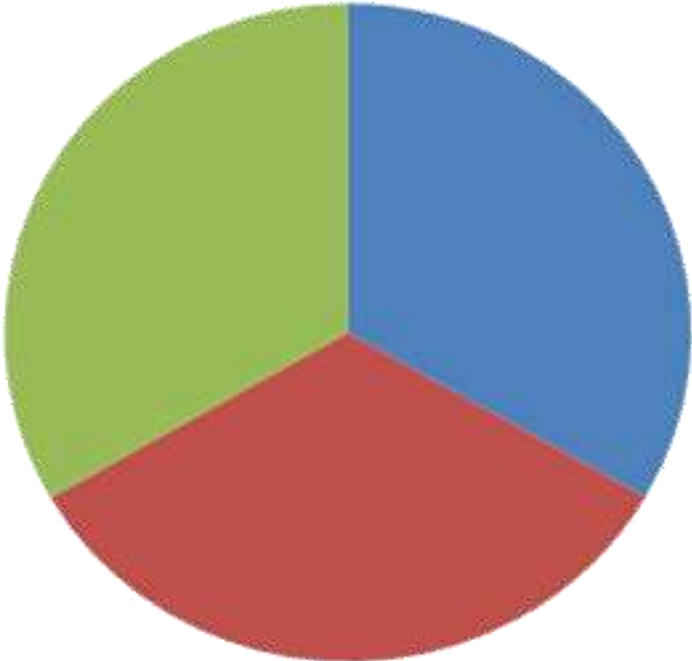
A fiduciary duty is the highest standard of care at either equity or law. A fiduciary (representative) is expected to be extremely loyal to whom they owe the duty.

► Relationships the law recognizes:

- Doctor -----> patient
- Attorney-----> client
- Board -----> Association/membership

Fiduciary Duties

**Duty of
Loyalty**



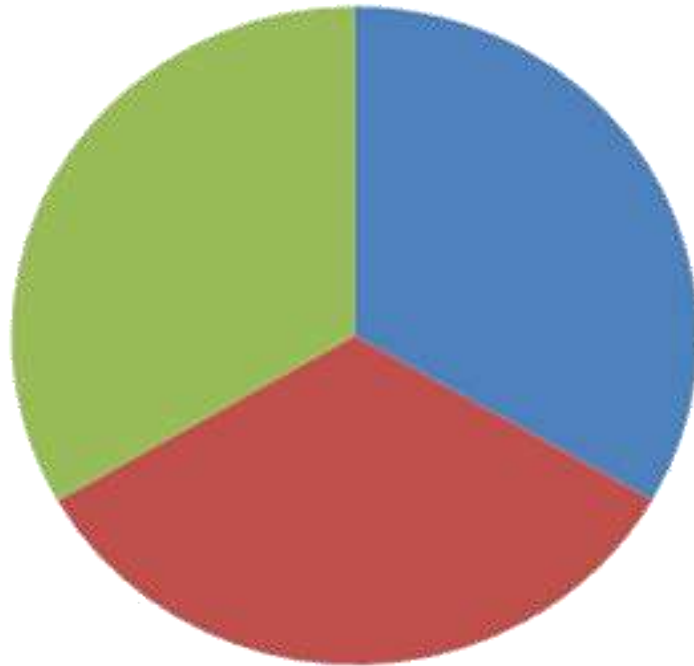
**Duty of
Care**

**Duty to Act Within
Scope of Authority**

Fiduciary Duties

Duty of Loyalty

- Ethics
- Interests of Assoc. come before interests of Individuals



FAQs

- **Legislation / Constitution / Corporate Registry**

1/6

“How do we incorporate?”

Who’s in charge in a not-for-profit?”

FAQs

□ Legislation / Constitution / Corporate Registry

2/6

“What’s the difference between bylaws, policies and procedures?”

FAQs

□ **Legislation / Constitution / Corporate Registry**

3/6

“What are the filings and timelines we need to know?”

FAQs

□ **Legislation / Constitution / Corporate Registry**

4/6

“How long do we have to keep our records?”

FAQs

- **Legislation / Constitution / Corporate Registry**

5/6

“Why should we prioritize ‘members’ over other participants?”

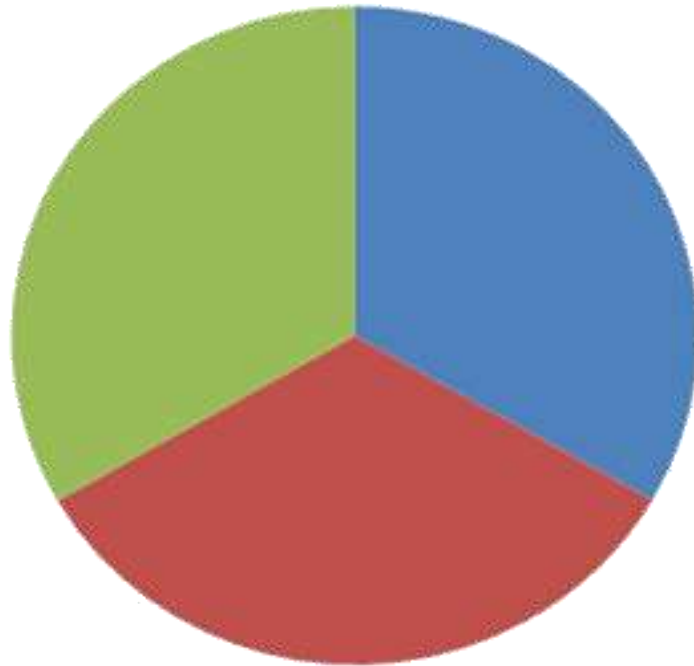
FAQs

- ❑ **Legislation / Constitution / Corporate Registry**

6/6

“What’s the worst thing that can happen? What do we do in a conflict?”

Fiduciary Duties



Duty of Care

- Tend to business
- Due diligence
- Be prudent, thorough, informed

FAQs

□ Canada Revenue Agency

1/3

“What’s the difference between charitable status and not-for-profit status?”

What happens if we lose charitable status?”

FAQs

□ **Canada Revenue Agency**

2/3

“What’s the difference between hiring employees and hiring contractors?”

FAQs

□ **Canada Revenue Agency**

3/3

“What do we need to file?”

- T2
- T3010 (for charities)
- NPO Return (T1044)
- GST (charities/non-charities)
- Source deductions, employment (CPP, EI, Income Tax)

FAQs

□ Financial Health

1/1

*“What are ‘financial internal controls’?
Do we have to do an audit?”*

FAQs

□ Insurance

1/3

*“What’s the difference between
General Liability coverage and D&O?”*

FAQs

□ Insurance

2/3

“Who’s liable when a renter rents space from another facility?”

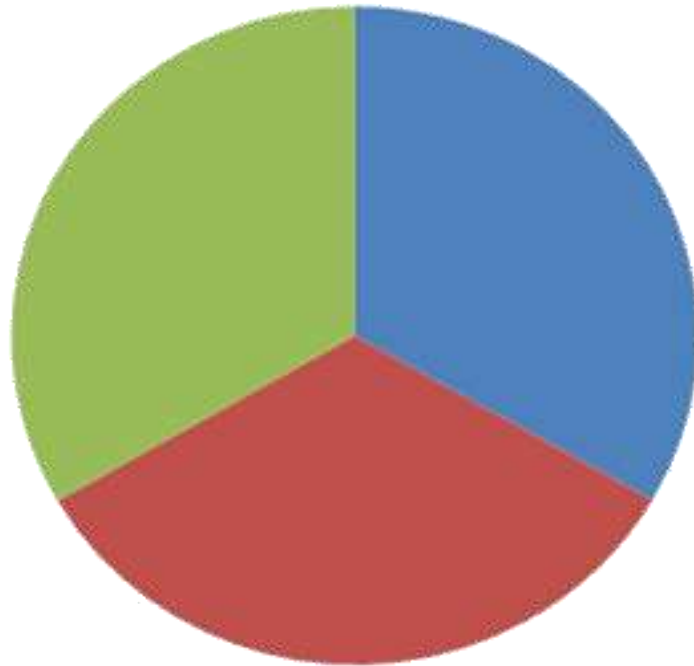
FAQs

□ Insurance

3/3

“What happens if we lose the minimum number of directors to constitute a legally formed board?”

Fiduciary Duties



- Exercise authority
- Delegate
- Dedicate resources

**Duty to Act Within
Scope of Authority**

FAQs

□ **Employment Law**

1.a/2

“What do we need to comply with?”

- Age of Employment
- Minimum Wage, Pay Periods
- Details of Pay/Pay Stubs
- Source Deductions

FAQs

□ **Employment Law**

1.b/2

- Clarity reg. Shift Work
- Rest Breaks and Days Off
- Overtime
- Vacation Pay Accrual
- Working on Holidays
- Internal Org. Rules

FAQs

Employment Law

1.c/2

- Safe Workplace Practices
- Alberta Human Rights Commission

FAQs

Employment Law

2/2

“How much should we pay staff?”

FAQs

❑ Funding for the not-for-profit sector

1/1

“What grant (\$\$\$) opportunities exist for not-for-profits?”

FAQs

□ Alberta Gaming & Liquor Commission (AGLC)

1/1

“How do AGLC gaming funds work?”

Summary - Overview

Associations enter into a legal framework that creates compliance related to:

(a) ethical matters (b) legality (c) new conditions

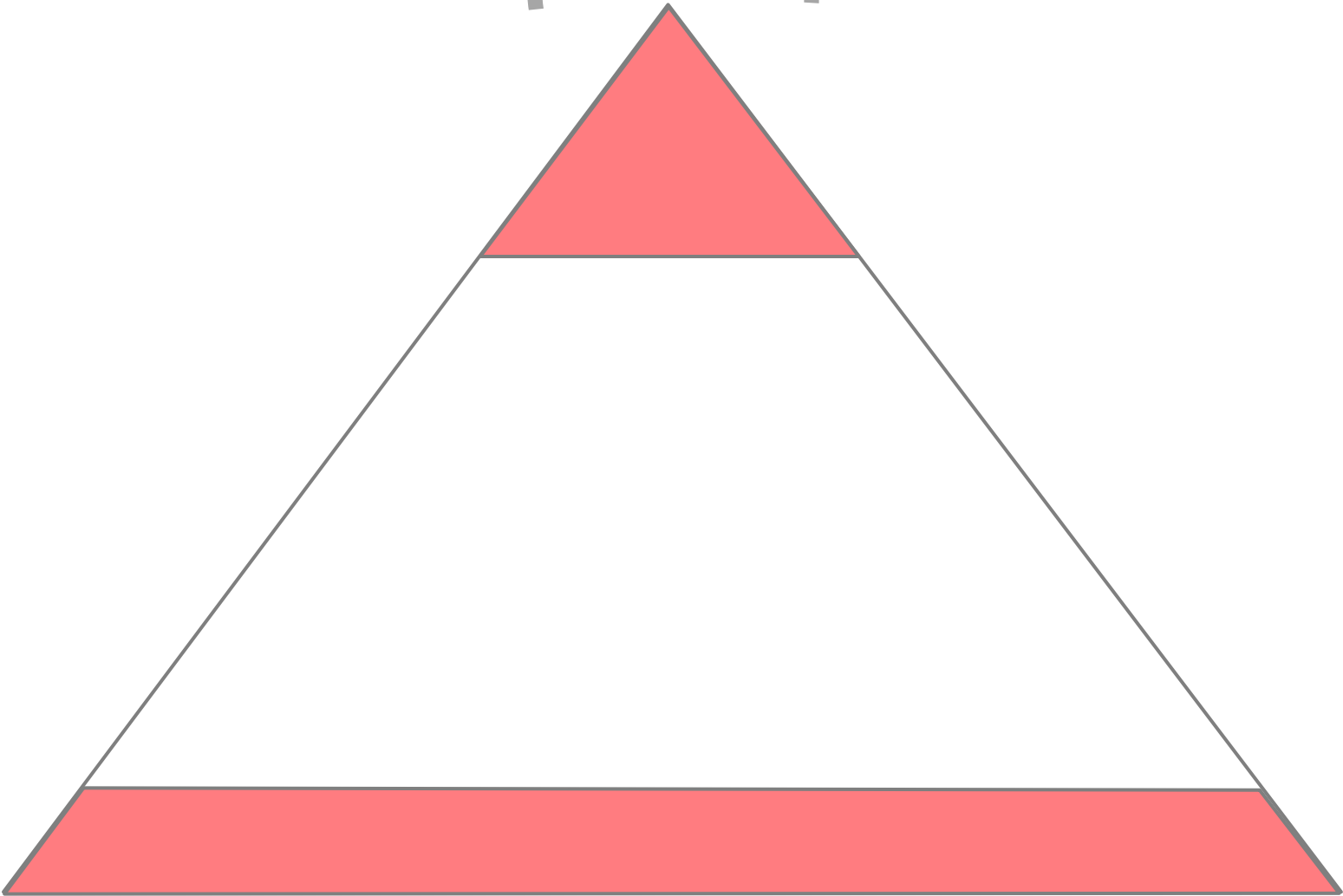
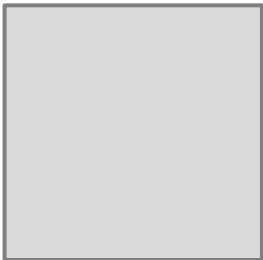
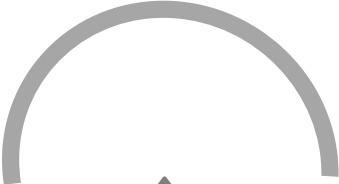
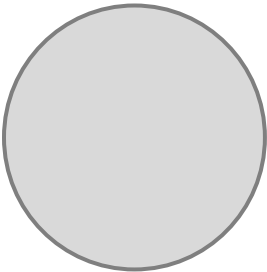
1. Manner in which you're governed
2. Financial accountabilities, audit
3. Responsibilities over personnel
4. New accountabilities you invite:

Grants; Assets/Lodging; Health/Safety; Licensing...

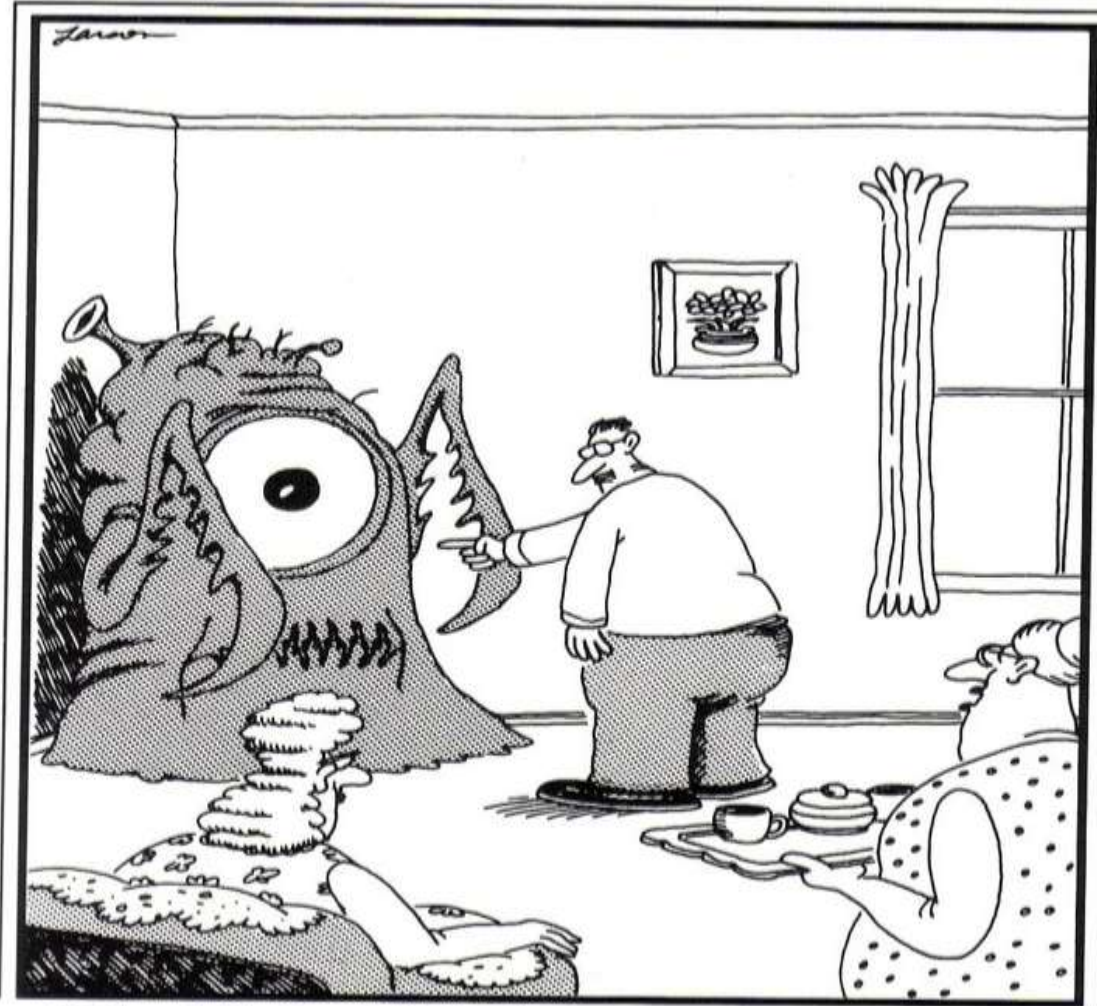
Summary - 'To do' List

- Properly file CRA/other mandatory forms
- Safeguard assets and financial resources
- Keep accurate books and records
- Protect volunteers, staff and those served
- Know your bylaws!
- Create/uphold necessary policies
(conflict of interest, code of conduct,
confidentiality)

Summary - QUIZ!



Don't be Intimidated!



"Whoa! Mr. Lewis! We don't know what that thing is or where it came from, but after what happened to the dog last week, we advise people not to touch it."

Questions?

Please see related “Compliance Checklist” document for web links to important matters referred to in this presentation.