

# Canada Revenue Agency & Public Policy Dialogue & Development Activities

Canadian Unitarian Council

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# Disclaimer

*The information in this presentation does not constitute formal or legal advice, and is provided as information only.*

*Always refer to the Canada Revenue Agency website for guidance and policies, and consult a charity law firm if necessary.*

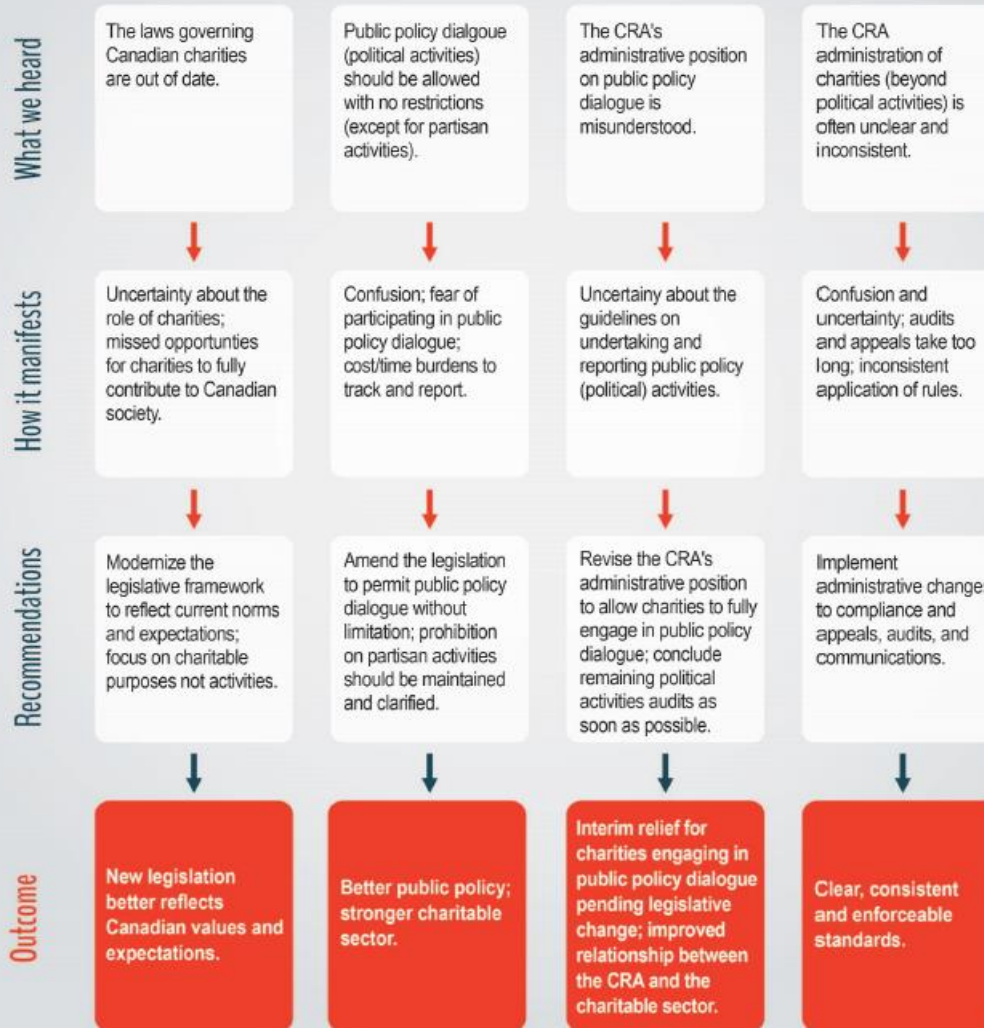
# Background to new Public Policy Dialogue & Development Activities

- 2012 – 2013:
  - Political activity audit program by federal government
  - 60 charities were audited, including the CUC
- 2015:
  - Election platform
  - Mandate letters
- 2016 – 2017:
  - Consultation panel
  - In-person consultations, attended by 167 from charitable sector
  - CRA received over 19,900 submissions, 460 from charitable sector

# Background to new Public Policy Dialogue & Development Activities (cont.)

- 2016 – 2017 (cont.)
  - Report presented in March 2017 with 4 recommendations:
    - Revise the CRA’s administrative position and policy (including CPS-022, Political Activities) to enable charities to fully participate in public policy dialogue and development.
    - Implement changes to the CRA’s administration of the ITA provisions governing charities in the following areas: compliance and audits, appeals, and communication and collaboration.
    - Amend the ITA by deleting any reference to non-partisan political activities to explicitly allow charities to fully engage without limitation in non-partisan public policy dialogue and development, provided that it is subordinate to and furthers their charitable purposes.
    - Modernize the legislative framework governing the charitable sector

# Summary of consultation themes and recommendations



# Changes to the Income Tax Act

- “Political activity” removed
- 10% limit removed
- Redefined as Public policy dialogue & development activities (PPDDAs)
- Must further a charitable purpose: together with the charitable purpose, would provide a benefit to the public
- Should be written to focus on the charitable purposes the PPPDDAs are meant to achieve, rather than PPDDAs themselves
- **All PPDDAs must be non-partisan**

# Changes to the ITA

- Public policy:
  - laws, policies, or decisions of a government, in Canada or a foreign country
- Must keep records that show primary purpose of PPDDAs is to further charitable purpose
  - Internal communications, eg emails
  - External communications, eg website material, newsletters, social media
  - Motions at board or annual meetings
- PPDDAs include:
  - Providing information
  - Research
  - Disseminating opinions
  - Advocacy
  - Mobilizing others
  - Representations
  - Providing forums and convening discussions
  - Communicating on social media

# Prohibited

- Supporting or opposing a political party or candidate
  - Direct or indirect support or opposition
    - Eg attending a demonstration that opposes a policy is acceptable, but not if the demonstration is focused on a specific party or candidate
      - Check the organizers of events & make sure their event is non-partisan
    - Endorsing a candidate
    - Making a donation to a political party or candidate
    - Buying tickets to a fundraiser
    - Allowing staff to work for a political party
    - Allowing a political party to use charity's resources



# Allowed

- Communication about policy issues that support or oppose a law, policy, or decision of government that a political party or candidate also supports or opposes, without identifying the political party or candidate
- A charity's PPDDAs are not considered support or opposition if a political party or candidate:
  - Has a specific view on the same issue
  - Publicly communicates a view on the same issue
  - Adopts a charity's approach
  - Comments on a charity's PPDDAs

# Examples of PPDDAs

- **ALLOWED:** The CUC as a Sponsorship Agreement Holder supports newly arrived refugees in Canada. We post on social media about experiences working with the newcomers, and our opinions on the refugee system, an issue on which a provincial political party has expressed differing views.
- **PROHIBITED:** Telling people to vote for a candidate with a particular view of Canada's refugee system

# Examples of PPDDAs

- **ALLOWED:** Making known, impartially, the policy positions of all political parties, and their responses to policy questions
- **PROHIBITED:** Highlighting, supporting or opposing the policy position of a specific political party or candidate
- **ALLOWED:** Hosting a public forum where all candidates are invited to share their platforms and address policy questions
- **PROHIBITED:** Holding a public forum where only specific candidates have been invited

# Personal activities

- Representatives of a charity are allowed to engage in activities in their own personal time
- Charities not allowed to use its resources to support individual activities
- Example: a staff person volunteers for a candidate in an election
  - No charitable resources
  - No paid time
  - No promotion of candidacy within charity's network

# CUC's Charitable Purpose

- **The Statement of Purpose of the Corporation is to promote Unitarian Universalism, Unitarianism and Universalism, in Canada and internationally, by:**
  - Affirming and promoting the principles, practices, and traditions of the Unitarian Universalist, Unitarian and Universalist faiths;
  - Supporting the development and growth of Unitarian Universalist, Unitarian and Universalist religious communities;
  - Nurturing, supporting and enhancing religious communities and other groups to work together on mutual concerns for the benefit of the community; and
  - Providing basic necessities of life, including food, clean water, clothing, medical and dental care and supplies, shelter, and education, tuition and school supplies to those in need.

# Example of PPDDA to further CUC's charitable purpose

- Nurturing, supporting and enhancing religious communities and other groups to work together on mutual concerns for the benefit of the community
  - Working with another charity to advance environmental justice issues through an uncolonizing lens, in partnership with Indigenous Elders
  - Advances these Principles:
    - The goal of world community with peace, liberty, and justice for all
    - Respect for the interdependent web of all existence of which we are a part
    - Individual and communal action that accountably dismantles racism and systemic barriers to full inclusion in ourselves and our institutions



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# Resources

- Canada Revenue Agency: Public Policy Dialogue & Development Activities - <https://www.canada.ca/en/revenue-agency/services/charities-giving/charities/policies-guidance/public-policy-dialogue-development-activities.html>
- Carter's Charity Law: "PPDDA" In, "Political Activities" Out: CRA's New Draft Guidance On PPDDA Open For Comment - <http://www.carters.ca/pub/bulletin/charity/2019/chylb438.pdf>
- Imagine Canada: New Public Policy Advocacy Rules for Charities - <http://www.imaginecanada.ca/who-we-are/whats-new/news/new-public-policy-advocacy-rules-charities>
- Government Response to the Report of the Consultation Panel on the Political Activities of Charities - <https://www.canada.ca/en/revenue-agency/services/charities-giving/charities/whats-new/government-response-report-consultation-panel-political-activities.html>