

# Charities and Not-for-Profit Law Conference 2009

Learn how to protect, strengthen, and guide your organization!

Friday, February 13, 2009

There are *three* learning options for this course:

1. a face-to-face live event in Vancouver;
2. a real time live webcast; or
3. a subscription to this course as part of the Webcast Archive.

Pan Pacific Hotel  
999 Canada Place  
Vancouver

9:30 am - 4:30 pm

**WHO SHOULD ATTEND:** All those who advise, volunteer for, or work with charities or not-for-profits, specifically lawyers, directors and officers, executive directors, accountants, trustees, fundraisers, and gift planners.

**LEARNING LEVEL:** All levels

In today's world, advising charities and acting as a volunteer or board member for a not-for-profit or foundation has become a more complicated matter with implications attached. It is critical to understand the rules and responsibilities surrounding these organizations. This conference is designed for lawyers and non-lawyers and includes plenary sessions, a luncheon speaker, and tracked sessions to allow you to get the information that you need!

NOTE: only sessions A. and D. from each Track are available online!

**LAW SOCIETY OF BC REPORTING HOURS:** Attendance at this course can be listed as **7 hours** of continuing education (**30 minutes** involve professional responsibility and ethics, client care and relations, and/or practice management) in completing your Annual Report to the Law Society. A Certificate of Attendance will be issued at the course.

## COURSE CHAIRS

Robert G. Kuhn — *Kuhn & Company, Vancouver*  
Kevin G. Sawatsky — *Professor of Law, Trinity Western University, Langley*

## FACULTY

### Featured Speaker:

Charles Hotel — *Director and Senior Legal Counsel, Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games*

### Faculty:

Thom Armstrong — *Executive Director, Co-operative Housing Federation of British Columbia, Vancouver*  
Kevin Boonstra — *Kuhn & Company, Abbotsford*  
Kari D. Boyle — *Executive Director, BC Dispute Resolution Practicum Society, North Vancouver*  
Murray A. Clemens, QC — *Nathanson Schachter & Thompson LLP, Vancouver*  
D. Geoffrey Cowper, QC — *Fasken Martineau DuMoulin LLP, Vancouver*  
Terry Charles De Jager — *De Jager Volkenant & Company, Surrey*  
John H. Fraser — *Lawson Lundell LLP, Vancouver*  
C. Grant Haddock — *Haddock & Company, North Vancouver*  
Robert B. Hayhoe — *Miller Thomson LLP, Toronto*  
Suzanne M. Kennedy — *Davis LLP, Vancouver*  
Robert G. Kuhn — *Kuhn & Company, Vancouver*  
Meghan A. Maddigan — *Kuhn & Company, Vancouver*  
W. Stanley Martin — *Fasken Martineau DuMoulin LLP, Vancouver*  
Margaret H. Mason — *Bull, Housser & Tupper LLP, Vancouver*  
Bryan McLean — *Acting Director, Policy, Planning and Legislative Division, Charities Directorate, Canada Revenue Agency, Ottawa*  
Anders I. Ourom — *Barrister & Solicitor, Vancouver*  
Susan C. Penner — *Inspector of Independent Schools; Executive Director of International Education,*

*Ministry of Education, Vancouver*

Earl G. Phillips — *McCarthy Tetrault LLP, Vancouver*

Shayne Ramsay — *Chief Executive Officer, BC Housing Management Commission, Burnaby*

Martha Rans — *Barrister & Solicitor, Vancouver*

Kevin G. Sawatsky — *Professor of Law, Trinity Western University, Langley*

Monique P. Trepanier — *Miller Thomson LLP, Vancouver*

Ingrid M. Tsui — *Alexander Holburn Beaudin & Lang LLP, Vancouver*

David B. Wende — *Alexander Holburn Beaudin & Lang LLP, Vancouver*

## CLEBC PROGRAM LAWYER

Catherine Branch

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## PRICING

**EARLY BIRD** (Register **by January 16, 2009** and SAVE)

Regular/Live Webcast: \$495 | Student: \$285 (live course only)

**After January 16, 2009**

Regular/Live Webcast: \$585 | Student: \$325 (live course only) | Webcast Archive: Call Customer Service.

## Gather around one computer and save on live webcast costs!

Pay full price for the first registration and have additional viewers from your firm join you for \$100 each. For more information, contact Customer Service: 604.893.2121 or TF 1.800.663.0437.

Registration includes course materials and lunch.

**ITEM NO.:** 1018808W

## PROGRAM AGENDA

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### Welcome and Introduction

Robert G. Kuhn — *Kuhn & Company, Vancouver*

Kevin G. Sawatsky — *Professor of Law, Trinity Western University, Langley*

### Plenary #1

#### Current Hot Topics in Not-for-Profit Law

- developments in the definition of “charity”
- vicarious and social liability
- liability of lawyers acting as directors
- trust obligations imposed on charities

D. Geoffrey Cowper, QC — *Fasken Martineau DuMoulin LLP, Vancouver*

W. Stanley Martin — *Fasken Martineau DuMoulin LLP, Vancouver*

### Track #1 (choose one—**NOTE: only sessions A. and D. are available online!**)

#### A. Developments in the Law and Regulation of the Not-for-Profit Organization

- reforms of the *Society Act* (BC Law Institute Report and recommendations)
- reform of *Canada Corporations Act* Part II – Bill C-62
- recent cases of note
- common practice issues
- professional issues: lack of LSBC insurance for lawyer directors, new client identification rules, and *Health Professions Act*

Anders I. Ourom — *Barrister & Solicitor, Vancouver*

Margaret H. Mason — *Bull, Housser & Tupper LLP, Vancouver*

OR

## **B. Not-for-Profit Housing—Introduction**

- a comparison of Canadian and US non-market housing models
- overview of BC Housing and PRHC
- overview of the current non-market housing programs
- overview of not-for-profit cooperative housing
  - the model
  - operating fundamentals
  - membership
  - the future
- legal principles of co-op housing
- terminations
- director and member liability
- disputes

C. Grant Haddock — *Haddock & Company, North Vancouver*

Shayne Ramsay — *Chief Executive Officer, BC Housing Management Commission, Burnaby*

Thom Armstrong — *Executive Director, Co-operative Housing Federation of British Columbia, Vancouver*

**OR**

## **C. Education—Independent School Issues**

- the education contract and admissions
- student discipline
- special needs students
- the problem parent
- the role of government in independent schools
- BC programs offshore

Terry Charles De Jager — *De Jager Volkenant & Company, Surrey*

Susan C. Penner — *Inspector of Independent Schools; Executive Director of International Education, Ministry of Education, Vancouver*

**OR**

## **D. Advanced Governance**

- CRA audit developments
- intermediate sanction tax liability

Robert B. Hayhoe — *Miller Thomson LLP, Toronto*

Monique P. Trepanier — *Miller Thomson LLP, Vancouver*

## **Lunch with Featured Speaker: “Volunteerism and the Role of Not-for-Profits”**

Charles B. Hotel — *Director and Senior Legal Counsel, Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games*

## **Plenary #2**

### **ADR in a Not-for-Profit Context**

- designing an ADR process
- how can you use mediation to achieve a confidential, cost-effective, and non-adversarial resolution?
- arbitration—when can it be utilized?

Kari D. Boyle — *Executive Director, BC Dispute Resolution Practicum Society, North Vancouver*

Murray A. Clemens, QC — *Nathanson Schachter & Thompson LLP, Vancouver*

Meghan A. Maddigan — *Kuhn & Company, Vancouver*

## **Track #2 (choose one—NOTE: only sessions A. and D. are available online!)**

### **A. Charities and Current Taxation Issues**

- latest issues for regulation of charities
- highlights of the new T3010 reporting requirements
- recent revocation issues

- taxation issues and the not-for-profit sector

Bryan McLean — *Acting Director, Policy, Planning and Legislative Division, Charities Directorate, Canada Revenue Agency, Ottawa*

OR

**B. Not-for-Profit Housing**

- typical structure
- standard charge lease terms—City of Vancouver
- property transfer tax issues
- s. 35(3) of the *Society Act*
- notice pursuant to Ministry of Lands, Parks and Housing
- negotiating the forms of agreements
- issues to consider
- liability concerns in structure and operating the non-profit housing provider

John H. Fraser — *Lawson Lundell LLP, Vancouver*  
Robert G. Kuhn — *Kuhn & Company, Vancouver*

OR

**C. Education—Employment and Human Rights Issues**

- screening, hiring, and the collection of information
- employment contracts and the terms of employment
- an update on termination issues
- education and the human rights framework
- defending a human rights complaint
- recent developments in human rights law

Kevin G. Sawatsky — *Professor of Law, Trinity Western University, Langley*  
Kevin Boonstra — *Kuhn & Company, Abbotsford*  
Earl G. Phillips — *McCarthy Tetrault LLP, Vancouver*

OR

**D. Privacy and the Charitable or Non-Profit Entity**

- special privacy problems applicable to charity/not-for-profit
- complaints, enforcement, and dispute resolution

Suzanne M. Kennedy — *Davis LLP, Vancouver*  
Martha Rans — *Barrister & Solicitor, Vancouver*

**Plenary #3**

**Insurance**

- types of insurance policies available
- when coverage is triggered
- obligations of the insurer
- obligations of the insured

David B. Wende — *Alexander Holburn Beaudin & Lang LLP, Vancouver*  
Ingrid M. Tsui — *Alexander Holburn Beaudin & Lang LLP, Vancouver*

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**COMPLETE YOUR CHARITIES RESOURCES WITH THESE CORE MATERIALS**

**Charities and Not-for-Profit Conference—2006**

*What you need to know!*

**This book is essential for:** all those who advise, volunteer for, or work with charities or not-for-profits, specifically lawyers, directors and officers, executive directors, accountants, trustees, fundraisers, and gift planners.

The area of charities and not-for-profit law continues to evolve and become increasingly complex. Specially directed to lawyers and non-lawyers alike, these comprehensive materials cover a wealth of information to help you deal with the key issues. Discover strategies to minimize the risk charities face, and tools and traps of fundraising. Receive details on how to set up and maintain your charity, including a checklist for incorporating a society. Explore collaboration opportunities to maximize fundraising, tax benefits, efficiency, and effectiveness for your charity, as well as employment issues, intellectual property protection, and tips for resolving membership disputes. This is a multi-faceted resource for anyone connected with charities and not-for-profits.

5002406C | October 2006 | ISBN 1-55258-479-8 | 164 pp. | \$130

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