

The logo for Carters Professional Corporation is located in the top left corner. It features the word "CARTERS" in a large, white, serif font on a dark blue background. Below it, in a smaller, white, sans-serif font, are the words "BARRISTERS", "SOLICITORS", and "TRADEMARK AGENTS" stacked vertically.

BARRISTERS
SOLICITORS

TRADEMARK AGENTS

THE 26TH ANNUAL *Church & Charity Law Seminar*[™] Thursday, November 7th, 2019

RECENT DEVELOPMENTS IN THE LAW

WELCOME

Welcome to the 26th Annual *Church & Charity Law Seminar*[™], designed to assist churches and charities in understanding developing trends in the law in order to reduce unnecessary exposure to legal liability. Although the topics presented are directed at churches and charities, many aspects of the presentations will also be of interest to not-for-profits. For legal and accounting professionals, this seminar is eligible for **5 substantive hours LSO CPD credits** and **CPA PD** requirements.

The Annual *Church & Charity Law Seminar*[™], held every year since 1994, is presented by **Carters Professional Corporation (Carters)**, a law firm with offices in Toronto, Ottawa and Orangeville, and experienced in advising churches, charities and not-for-profits across Canada, both locally as well as internationally.

CHECK-IN

If you have REGISTERED AND PAID the registration fee, please obtain your name tag and/or pre-paid handout package at the "Information Centre" on the main level and then help yourself to complimentary coffee and muffins in the Gym.

If you NEED TO PAY the registration fee, please proceed to the "UNPAID AND NEW REGISTRATION" desk as you enter the building. The registration fee can be paid by cash or cheque payable to *Carters Professional Corporation*. Please obtain a handout package from one of our greeters for more information.

LUNCH

While complimentary coffee and tea are provided throughout the day and muffins are provided in the morning, lunch is not included unless shown on your name tag. Our caterer will have assorted sandwiches, salads, assorted cookies, fruit, coffee, tea, water, pop and juice for those who have purchased tickets. The Church has requested that **food and beverages** be consumed only in the Gym, Foyers and overflow areas, **not** in the Auditorium please.

IMPORTANT REMINDERS

Please silence all cell phones and electronic devices. We ask that no photos, videos or recordings be made during the seminar as per our Privacy Policy. For re-cycling purposes, please return your name tag (after removing your receipt), along with your Evaluation Form, before you leave. **Two police officers will be on duty at 3:30 pm to direct traffic in order to and facilitate departure.**

RESOURCE MATERIALS

Included in this handout package are copies of today's presentation materials. These materials, along with numerous other articles, seminar materials, and newsletters of interest to churches and religious charities, including back issues of *Charity Law Bulletins*, *Church Law Bulletins*, and *Charity & NFP Law Updates* are available free of charge at our websites at www.charitylaw.ca, www.churchlaw.ca, www.carters.ca, and www.antiterrorism.ca. Copies of *Church Law* and *Charity & NFP Law Bulletins* are on display at the Carters booth in the entrance Foyer.

Copies of the booklet entitled **October 2019 Legal Risk Management Checklist for Ontario-Based Charities** are available for \$2.00 during breaks, and at no charge on our website at <http://www.carters.ca/pub/checklist/Charity-Checklist.pdf>.

CHARITY & NFP LAW UPDATE

To receive the monthly *Charity & NFP Law Update*, e-mail us at info@carters.ca with "mailing list" in the subject line. Alternatively, please add your name and e-mail address to our Sign-Up List at the Carters booth indicating your consent to receive firm newsletters and information about future seminars. A limited number of copies of the [October 2019 edition](#) of the *Charity & NFP Law Update* are available at the Carters booth today.

QUESTION PERIOD

This year, the question periods are at 12:00 and 3:05 pm. A question sheet is provided at the back of this handout and should be left at the front podium in the Auditorium. Unfortunately, not all questions can be answered due to time constraints.

ACKNOWLEDGEMENTS AND THANKS

We gratefully acknowledge and thank the pastors, leadership, and congregation of the **PORTICO Community Church** for the use of their facilities. We would like to also acknowledge and thank Tony Manconi, Director General of the Charities Directorate of the CRA for his contribution as our guest speaker at this year's seminar, as well as the lawyers who have volunteered their time for this event. We also wish to thank our many sponsors listed below who help to keep the cost of this seminar as low as possible.

Carters Professional Corporation

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www.carters.ca Toll Free / Sans frais: 1-877-942-0001 www.charitylaw.ca

THE 26TH ANNUAL
Church & Charity Law Seminar™
Thursday, November 7th, 2019

AGENDA

| | | |
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| 7:30 a.m. | Check-In (Coffee, Tea, Juice and Muffins provided) | |
| 8:30 a.m. | Opening Remarks and National Anthem | |
| 8:40 a.m. | 2019 Essential Charity and NFP Law Update | Jacqueline M. Demczur |
| 9:05 a.m. | From "PPDDAs" to Lobbying: The New Reality of Public Policy Advocacy by Charities | Ryan M. Prendergast |
| 9:30 a.m. | Real Estate Challenges for Churches & Charities | Nancy E. Claridge |
| 9:55 a.m. | Governance 101 for Churches & Charities: Back to the Basics | Theresa L.M. Man |
| 10:20 a.m. | Morning Break (Coffee and Tea provided) (25 minutes) | |
| 10:45 am | You Can't Fire Me For That: I'm Off Duty! | Barry W. Kwasniewski |
| 11:10 a.m. | New Trademarks Act Now in Force: What it Means for Your Church or Charity | Sepal Bonni |
| 11:35 a.m. | Navigating Privacy Breaches for Churches & Charities | Esther Shainblum |
| 12:00 p.m. | Question Period | |
| 12:10 p.m. | Lunch Break (50 minutes) | |
| 1:00 p.m. | Acknowledgements | |
| 1:10 p.m. | Managing Sexual Abuse Claims: The New Reality for Churches & Charities | Sean S. Carter and Esther S.J. Oh |
| 2:00 p.m. | Evolving Plans & Priorities at the Charities Directorate of CRA, Including Online Services | Tony Manconi and Stéphane Baribault |
| 2:40 p.m. | Legal Challenges Involving Social Media for Churches & Charities | Terrance S. Carter |
| 3:05 p.m. | Question Period [Not all questions can be answered due to time constraints] | |
| 3:30 p.m. | Program Ends | |

Please see **Speaker Biographies** on the following pages, and take a moment to complete the **Evaluation Form** included at the back of this handout to help us make the next Annual *Church & Charity Law Seminar™* even better.

SEMINAR HOSTS

Carters Professional Corporation is a law firm with expertise in the area of church, charity and other not-for-profits and is committed to assisting clients in avoiding legal problems before they occur through effective legal risk management advice, including assistance with:

- Anti-bribery Compliance
- Anti-terrorism Policy Statements
- CRA Charity Audits
- Charitable Organizations & Foundations
- Charitable Incorporation & Registration
- Charitable Trusts
- Charity Related Litigation
- Church Discipline Procedures
- Church Incorporation
- Corporate Record Maintenance
- Director and Officer Liability
- Dissolution and Wind-Up
- Employment Related Issues
- Endowment and Gift Agreements
- Foreign Charities Commencing Operations in Canada
- Fundraising and Gift Planning
- Gift Acceptance Policies
- Governance Advice
- Human Rights Litigation
- Insurance Issues
- International Trade-mark Licensing
- Investment Policies
- Legal Risk Management Audits
- Legal Audits
- National and International Structures
- Privacy Policies and Audits
- Religious Denominational Structures
- Sexual Abuse Policies
- Special Incorporating Legislation
- Charity Tax Opinions and Appeals
- Trade-mark and Copyright Protection
- Transition Under the ONCA

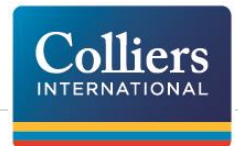
PROTECTION FROM REGULATORY OFFENCES FOR CHURCHES AND CHARITIES

Churches and charities often face significant liability and financial challenges due to increasing enforcement of federal and provincial regulatory legislation dealing with such matters as water, working conditions and environmental issues. Carters is able to provide advice and assistance at all stages from an initial investigation through to a full defence at a trial. For more information, contact Sean Carter at Carters (1-877-942-0001).

SEMINAR SPONSORS

Carters would like to thank the following companies for their sponsorship of the *Annual Church & Charity Law Seminar™* that helps to keep the registration fee to a minimum:

- **LUNCH SPONSOR**
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<http://www.collierscanada.com/en/services/not-for-profit-advisory-group>
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- **LexisNexis Canada Inc.**, 1-800-668-6481, <https://store.lexisnexis.ca>
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- **Guardian Capital Advisors**, 1-800-253-9181, <https://www.guardiancapital.com/>
- **Thomson Reuters**, 1-800-387-5164, <http://store.thomsonreuters.ca>



SEMINAR RESOURCE EXHIBITORS

We are pleased to make resource materials from the following organizations available in the Foyer.

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| <ul style="list-style-type: none">• Colliers International, http://www.collierscanada.com/en/services/not-for-profit-advisory-group• Abundance Canada, www.abundance.ca• BDO Canada LLP, www.bdo.ca• Hogg, Shain & Scheck CPAs, https://www.hss-ca.com/• GMS Chartered Professional Accountants Professional Corporation, www.gmscpa.ca• Guardian Capital Advisors, https://www.guardiancapital.com• Langill & McHenry Investment Advisors at Manulife Securities Incorporated, www.brettlangill.com | <ul style="list-style-type: none">• LexisNexis Canada Inc., https://store.lexisnexis.ca/en• Robertson Hall Insurance, www.robertsonhall.com• Thomson Reuters, http://store.thomsonreuters.ca/• Canada Revenue Agency, GST/HST Outreach Program• Canadian Council of Christian Charities, https://www.cccc.org• Christian Legal Fellowship, www.christianlegalfellowship.org• ONN (Ontario Nonprofit Network), https://theonnc.ca |
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EVALUATION FORMS – PAPER OR ELECTRONIC

We appreciate your evaluation and comments. Feel free to use the Evaluation Form attached to this handout, or email your evaluation or comments to seminars@carters.ca.

UPCOMING CARTERS' SEMINARS OF INTEREST

COMING SOON – Thursday, February 13, 2020 - Ottawa Region *Charity & Not-for-Profit Law Seminar* hosted by Carters at the Centurion Conference Centre in Ottawa, Ontario. More details will be available soon at www.carters.ca.

Carters Webinars: 2020 Spring Series - Details to follow at www.carters.ca.

SAVE THE DATE 2019

The 27th Annual *Church & Charity Law Seminar*™ will tentatively be held on **Thursday November 5, 2020**. More details will be available in the New Year at www.carters.ca.

CARTERS OFFICE LOCATIONS

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GENERAL DISCLAIMER

Please note the following Disclaimer that applies to all presentations: This handout is provided as an information service by Carters Professional Corporation. It is current only as of the date of the handout and does not reflect subsequent changes in the law. This handout is distributed with the understanding that it does not constitute legal advice or establish a solicitor/client relationship by way of any information contained herein. The contents are intended for general information purposes only and under no circumstances can be relied upon for legal decision-making. Readers are advised to consult with a qualified lawyer and obtain a written opinion concerning the specifics of their particular situation.

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SPEAKER BIOGRAPHIES



Stéphane Baribault joined the Charities Directorate in 2004 and is the Director of the Client Interface and Service Division. He is responsible for the delivery of the national call center and responses to written enquiries from the sector; issues management; communications and outreach products, including the charities information sessions. Through continuous business process optimisation, Stéphane strives to offer efficient client service.



Sepal Bonni, B.Sc., M.Sc., J.D., Trade-mark Agent - Called to the Ontario Bar in 2013, Ms. Bonni practices in the areas of intellectual property, privacy and information technology law. Prior to joining Carters, Ms. Bonni articulated and practiced with a trade-mark firm in Ottawa. Ms. Bonni represents charities and not-for-profits in all aspects of domestic and foreign trade-mark prosecution before the Canadian Intellectual Property Office, as well as trade-mark portfolio reviews, maintenance and consultations. Ms. Bonni assists clients with privacy matters including the development of policies, counselling clients on cross-border data storage concerns, and providing guidance on compliance issues. sbonni@carters.ca



Terrance S. Carter, B.A., LL.B., TEP, Trade-mark Agent – Managing Partner of Carters, Mr. Carter practices in the area of charity and not-for-profit law, and is counsel to Fasken on charitable matters. Mr. Carter is a co-author of *Corporate and Practice Manual for Charitable and Not-for-Profit Corporations*, a co-editor of *Charities Legislation and Commentary*, and co-author of *Branding and Copyright for Charities and Non-Profit Organizations*. He is recognized as a leading expert by *Lexpert*, *The Best Lawyers in Canada* and *Chambers and Partners*. Mr. Carter is a member of CRA Advisory Committee on the Charitable Sector, and is a Past Chair of the Canadian Bar Association and Ontario Bar Association Charities and Not-for-Profit Law Sections. tcarter@carters.ca



Sean S. Carter, B.A., LL.B. – Sean Carter is a partner with Carters and the head of the litigation practice group at Carters. Sean has broad experience in civil litigation and joined Carters in 2012 after having articulated with and been an associate with Fasken (Toronto office) for three years. Sean has published extensively, co-authoring several articles and papers on anti-terrorism law, including publications in *The International Journal of Not-for-Profit Law*, *The Lawyers Weekly*, *Charity & NFP Law Bulletin* and the *Anti-Terrorism and Charity Law Alert*, as well as presentations to the Law Society of Ontario and Ontario Bar Association CLE learning programs. scarter@carters.ca



Nancy E. Claridge, B.A., M.A., LL.B. – Called to the Ontario Bar in 2006, Nancy Claridge is a partner with Carters practicing in the areas of charity, anti-terrorism, real estate, corporate and commercial law, and wills and estates, in addition to being the firm's research lawyer and assistant editor of *Charity & NFP Law Update*. After obtaining a Master's degree, she spent several years developing legal databases for LexisNexis Canada, before attending Osgoode Hall Law School where she was a Senior Editor of the *Osgoode Hall Law Journal*, Editor-in-Chief of the *Obiter Dicta* newspaper, and was awarded the Dean's Gold Key Award and Student Honour Award. nclaridge@carters.ca



Jacqueline M. Demczur, B.A., LL.B. – A partner with the firm, Ms. Demczur practices in charity and not-for-profit law, including incorporation, corporate restructuring, and legal risk management reviews. Ms. Demczur has been recognized as a leading expert in charity and not-for-profit law by *Lexpert* and *The Best Lawyers in Canada*. She is a contributing author to Industry Canada's *Primer for Directors of Not-For-Profit Corporations*, and has written numerous articles on charity and not-for-profit issues for the *Lawyers Weekly*, *The Philanthropist* and *Charity & NFP Law Bulletin*, among others. Ms. Demczur is also a regular speaker at the annual *Church & Charity Law Seminar*™. jdemczur@carters.ca



Barry W. Kwasniewski, B.B.A., LL.B. – Mr. Kwasniewski joined Carters' Ottawa office in 2008, becoming a partner in 2014, to practice in the areas of employment law, charity related litigation, and risk management. After practicing for many years as a litigation lawyer in Ottawa, Barry's focus is now on providing advice to charities and not-for-profits with respect to their employment and legal risk management issues. Barry has developed an expertise in insurance law, and provides legal advice pertaining to insurance coverage matters to charities and not-for-profits. bwk@carters.ca



Theresa L.M. Man, B.Sc., M.Mus., LL.B., LL.M. – A partner with Carters, Ms. Man practices in the area of charity and not-for-profit law and is recognized as a leading expert by *Lexpert*, *Best Lawyers in Canada*, and *Chambers and Partners*. In addition to being a frequent speaker, Ms. Man is co-author of *Corporate and Practice Manual for Charitable and Not-for-Profit Corporations* published by Thomson Reuters. She is chair of the CBA Charities and Not-for-Profit Law Section and a member of the OBA Charities and Not-for-Profit Law Section. Ms. Man has also written on charity and taxation issues for various publications. tman@carters.ca



Tony Manconi, B.A. – Tony Manconi was appointed as Director General of the Charities Directorate with the Canada Revenue Agency (CRA) on July 25, 2016. He is responsible for the overall management of the federal regulation of registered charities under the *Income Tax Act*. Mr. Manconi began his career in the Public Service in 1988 at the Secretary of State. Prior to joining the Charities Directorate, Mr. Manconi served as the Director General of the Collections Directorate of the CRA. Mr. Manconi holds a Bachelor's degree from Carleton University with a combined major in Law and Economics.



Esther S.J. Oh, B.A., LL.B. – A partner with Carters, Ms. Oh practices in charity and not-for-profit law, and is recognized as a leading expert in charity and not-for-profit law by *Lexpert*. Ms. Oh has written numerous articles on charity and not-for-profit legal issues, including incorporation and risk management for www.charitylaw.ca and the *Charity & NFP Law Bulletin*. Ms. Oh is a regular speaker at the annual *Church & Charity Law Seminar™*, and has been an invited speaker to the Canadian Bar Association, Imagine Canada and various other organizations. estheroh@carters.ca



Ryan M. Prendergast, B.A., LL.B. - Mr. Prendergast joined Carters in 2010, becoming a partner in 2018, with a practice focus of providing corporate and tax advice to charities and non-profit organizations. Ryan has co-authored papers for the Law Society of Ontario, and has written articles for *The Lawyers Weekly*, *Hilborn:ECS*, Ontario Bar Association *Charity & Not-for-Profit Law Section Newsletter*, *Charity & NFP Law Bulletins* and publications on www.charitylaw.ca. Ryan has been a regular presenter at the annual *Church & Charity Law Seminar™*, Healthcare Philanthropy: Check-Up, Ontario Bar Association and Imagine Canada Sector Source. rmp@carters.ca



Esther Shainblum, B.A., LL.B., LL.M., CRM – Ms. Shainblum practices at Carters Professional Corporation in the areas of charity and not for profit law, privacy law and health law. From 2005 to 2017 Ms. Shainblum was General Counsel and Chief Privacy Officer for Victorian Order of Nurses for Canada, a national, not-for-profit, charitable home and community care organization. Before joining VON Canada, Ms. Shainblum was the Senior Policy Advisor to the Ontario Minister of Health. Earlier in her career, Ms Shainblum practiced health law and corporate/commercial law at McMillan Binch and spent a number of years working in policy development at Queen's Park. eshainblum@carters.ca

ADDITIONAL LAWYERS AT CARTERS



Luis R. Chacin, LL.B., M.B.A., LL.M. - Luis was called to the Ontario Bar in June 2018, after completing his articles with Carters. Prior to joining the firm, Luis worked in the financial services industry in Toronto and Montreal for over nine years, including experience in capital markets. He also worked as legal counsel in Venezuela, advising on various areas of law, including government sponsored development programs, as well as litigation dealing with public service employees. His areas of practice includes Corporate and Commercial Law. lchacin@carters.ca



Adriel N. Clayton, B.A. (Hons), J.D. - Called to the Ontario Bar in 2014, Adriel Clayton rejoins the firm to manage Carters' knowledge management and research division, as well as to practice in commercial leasing and real estate. Before joining Carters, Adriel practiced real estate, corporate/commercial and charity law in the GTA, where he focused on commercial leasing and refinancing transactions. Adriel worked for the City of Toronto negotiating, drafting and interpreting commercial leases and enforcing compliance. Adriel has provided in-depth research and writing for the *Corporate and Practice Manual for Charitable and Not-for-Profit Corporations*. aclayton2@carters.ca



Jennifer M. Leddy, B.A., LL.B. – Ms. Leddy joined Carters' Ottawa office in 2009, becoming a partner in 2014, to practice charity and not-for-profit law following a career in both private practice and public policy. Ms. Leddy practiced with the Toronto office of Lang Michener prior to joining the staff of the Canadian Conference of Catholic Bishops (CCCCB). In 2005, she returned to private practice until she went to the Charities Directorate of the Canada Revenue Agency in 2008 as part of a one year Interchange program, to work on the proposed "Guidelines on the Meaning of Advancement of Religion as a Charitable Purpose." jleddy@carters.ca