

Updating Charities and Not-For-Profit Organizations on recent legal developments and risk management considerations.

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HIGHLIGHTS

Update on Christian Brothers

Employment Issues for Non-Profit Organizations

2003 Annual Church & the Law Seminar

Law Society of Upper Canada's 6th Annual Estates
and Trusts Forum

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NEW PUBLICATIONS

Update on Christian Brothers

by Terrance S. Carter and R. Johanna Blom in *Charity Law Bulletin* No. 24, September 30, 2003.

Charity Law Bulletin No. 3, posted at www.charitylaw.ca in March of 2001, highlighted the potential impact of the decision of the Ontario Court of Appeal in the case of *Christian Brothers of Ireland in Canada (Re)* [2000] O.J. No. 117 (QL) and the subsequent refusal of the Supreme Court of Canada to grant leave to appeal from that decision. Specifically, *Charity Law Bulletin* No. 3 focused on the impact of the Court of Appeal's decision not to recognize a special purpose charitable trust as a separate trust distinct from the general corporate assets of a charity for exigibility purposes, resulting in creditors of a charity being able to seize the assets of a special purpose charitable trust held by a charity, in addition to its general corporate assets.

Read More:

[PDF] www.carters.ca/pub/bulletin/charity/2003/chylb24.pdf

[WEB] www.carters.ca/pub/bulletin/charity/2003/chylb24.htm

IN THE PRESS

Mervyn F. White, of Carter & Associates, quoted in **LawPro** warning "you'd better get your privacy policy in place - this issue is not going away."

[Excerpt: LawPro, Summer 2003] www.carters.ca/news/2003/lawpro/summer03.htm

RECENT EVENTS AND PRESENTATION MATERIALS

Carter & Associates is pleased to announce that John M.C. Latham, B.A., LL.B., has joined the firm's solicitors group and will be practicing in the area of Charity Law as well as Corporate and Commercial Law. (September, 2003)

[CV] www.carters.ca/lawyers/jlatham.html

"Recent Initiatives by CBA National Charity and Not-For-Profit Law Section with CCRA and Finance" presented by Terrance S. Carter at an **Ontario Bar Association Luncheon** of the Charity and Not-For-Profit Law Section on Thursday, September 25, 2003.

"Employment Issues for Non-Profit Organizations" presented by Mark J. Wong of Carter & Associates to the **United Way of Peel Region**. September 17, 2003

[PDF] www.carters.ca/pub/seminar/charity/2003/mjw0917.pdf

[WEB] www.carters.ca/pub/seminar/charity/2003/mjw0917.htm

UPCOMING EVENTS AND PRESENTATIONS

"Key Legal Responsibilities Of Charities In Planned Giving" to be presented by Terrance S. Carter for the **Canadian Cancer Society** in Ottawa on October 8, 2003.

Criminal Code amendments regarding hate propaganda (Bill C-250) as they affect churches and religious charities, will be discussed by Bruce W. Long as part of his presentation at "The 2003 Annual Church & the Law™ Seminar".

The 2003 Annual Church & the Law™ Seminar to be held on Wednesday, November 12th, 2003.

Held every year since 1994, The Annual Church & The Law™ Seminar is designed to provide churches & religious charities with practical information on current legal issues in order to assist them in avoiding unnecessary exposure to legal liability. While the topics presented are directed at churches & religious charities, they also have general application to non-religious charities and not-for-profit organizations. More than 560 people attended the 2002 Church & The Law™ Seminar (www.carters.ca/pub/seminar/chrchlaw/2002/index.html).

Register NOW! Deadline is November 4, 2003, SPACE IS LIMITED!

[PDF] www.carters.ca/pub/seminar/chrchlaw/2003/brochure.pdf

[WEB] www.carters.ca/pub/seminar/chrchlaw/2003/brochure.htm

"Current Changes to the Income Tax Act and Rules Relating to Charities and Charitable Gifts" to be presented by Terrance S. Carter at the **Law Society of Upper Canada's 6th Annual Estates and Trusts Forum** being held on November 19th & 20th, 2003.

[Flyer] <http://ecom.lsuc.on.ca/pdf/flyers/estatesandtrusts.pdf>

"Recent Changes Under The Income Tax Act and Related Policies Affecting Charities" to be presented by Terrance S. Carter for the **Ottawa Chapter of the Canadian Association of Gift Planners** on November 26, 2003.

CONTRIBUTORS



Terrance S. Carter – Practices primarily in the area of Charity and Not-for-Profit Law, Mr. Carter is member of the Charities Advisory Committee and the Technical Issues Committee advising Canada Revenue Agency, as well as a consulting editor of *Charities Law*, 2003/2004 Ed. published by Butterworths, contributing author to Industry Canada's *Primer for Directors of Not-For-Profit Corporations*, and editor of www.carters.ca, www.charitylaw.ca and www.antiterrorismlaw.ca.



Mark J. Wong – Practices in Intellectual Property, focusing on Trade-Marks, Copyrights, and Privacy and Information Protection, Employment law and General Litigation. Mr. Wong has been an invited speaker for charitable organizations and also contributes regularly to www.charitylaw.ca and the *Charity Law Bulletin*, having written articles ranging anywhere from Employment to Privacy and Trade-Mark Law.



R. Johanna Blom – Practices litigation in charity and not-for-profit law and human rights. Ms. Blom has developed a particular interest and experience in the area of international human rights, especially in reference to religious freedom, as well as antiterrorism law. She has also written on various legal topics for *The Lawyers Weekly*, and *Charity Law Bulletin*, as well as *Antiterrorism* and *Charity Law Alert*.

ACKNOWLEDGEMENTS, ERRATA AND OTHER MISCELLANEOUS ITEMS

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