



Notice

No: 11-06

APPLICABLE TO:

<input checked="" type="checkbox"/>	Municipal & Private Non Profit
<input checked="" type="checkbox"/>	Co-operatives
<input checked="" type="checkbox"/>	Federal Non Profits
<input type="checkbox"/>	OCHAP/CSHP
<input type="checkbox"/>	Rent Supplement

DATE: July 25, 2011

<input checked="" type="checkbox"/>	Mandatory
<input type="checkbox"/>	For Information

Subject: Legislative Changes: Canada Not-for-Profit Corporations Act 2009 (Federal) & Not-for-Profit Corporations Act 2010 (Provincial)

Background

In 2009, the Government of Canada introduced new legislation to govern not-for-profit corporations who were federally incorporated under the *Canada Corporations Act*.

On October 25, 2010 the Provincial *Not-for-Profit Corporations Act* received royal assent, and is expected to be proclaimed later this year. Once proclaimed, it will replace the current *Ontario Corporations Act*. The new legislation closely follows the federal *Not-for-Profit Corporations Act* in similar reforms.

Report

The main goal of the legislative changes is to modernize the legal framework for incorporated non-profit corporations and includes:

- improving financial accountability;
- clarifying the roles and responsibilities of directors and officers;
- changes to directors' meetings and AGMs;
- new rules for amalgamation and dissolution; and,
- enhancing and protecting the rights of members.

The changes will impact every non-profit in Ontario.

Non-profit corporations have three years to amend and file their letters patent, supplementary letters patent or special resolutions, and to revise by-laws as required, to meet the requirements of the new legislation (federal or provincial). The legislation under which a housing provider was incorporated has nothing to do with program

funding (i.e., being funded under a federal program does not mean that the provider is federally incorporated).

Service Manager's Role

NRH will confirm that housing providers have amended their corporate documents to comply with new legislation during the operational review process.

Housing Provider's Role

Housing providers should review and update their corporate documents to conform to the applicable legislation within the applicable three year time period.

Copies of the relevant Acts can be found at:

www.laws-lois.justice.gc.ca/eng/acts (federal)

www.e-laws.gov.on.ca (provincial)

If you have any questions regarding this Notice, please contact your Housing Administrator.

Lora Beckwith
General Manager