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### **CORPORATE AND PRACTICE MANUAL FOR CHARITIES AND NOT-FOR-PROFIT CORPORATIONS**

**Burke-Robertson, Carter and Man**

**Release No. 3, April 2022**

This loose leaf service examines the process of incorporating non-share capital corporations for federal, provincial, and territorial corporations. This publication covers all aspects of corporate maintenance and examines select practice issues relevant to the operation of charitable and not-for-profit corporations, including charities operating outside of Canada, intellectual property, provincial investment power, privacy law, issues when drafting restricted charitable purpose trusts, antiterrorism and money laundering issues for charities, and a discussion on the need for a practice approach to advising charities.

This release features updates to Appendix SL (Selected Legislation) X. Ontario A. Acts and Regulations including the additions of Ont. Reg. 395/21 – General, Ont. Reg. 394/21 – Names and Filings, and Ont. Reg. 396/21 – Corporations Sole – Application of Act and Regulations. This release also features updates to B. Ontario Not-for-Profit Corporations Act Guides including updates to Rules for not-for-profit and charitable corporations, Guide to the Not-for-Profit Corporations Act, 2010, Not-for-Profit Corporations Act, 2010 – Transition Considerations, and the additions of Incorporating a not-for-profit corporation, Not-for-Profit Corporations Act, 2010: Standard organizational by-law, Ontario Business Registry, and Ontario Business Registry: all services.

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## Highlights

- **Selected Legislation – Ontario – Ontario Not-for-Profit Corporations Act Guides - Not-for-Profit Corporations Act, 2010 – Transition Considerations** – The Act came into force on October 19, 2021. Provincially incorporated not-for-profit corporations will need to inform or remind themselves of their new requirements under ONCA. The letters patent of a not-for-profit corporation incorporated under the *Corporations Act* will become its articles under ONCA; however, a corporation will be required to update both its articles and by-laws, as necessary, to comply with ONCA. Though many of ONCA's provisions do take effect on October 19, 2021, the statute includes a three-year transition period to allow corporations time to update their articles and by-laws.
- **Selected Legislation – Ontario – Ontario Not-for-Profit Corporations Act Guides – Ontario Business Registry** – On October 19, 2021, the Ontario Business Registry came into effect. OBR is an online system which will allow Ontario businesses, including not-for-profit corporations, to file forms and notices using OBR's website, rather than having to visit Service Ontario in person or mail documents to the Ministry of Government and Consumer Services. For example, users can access OBR to incorporate an Ontario not-for-profit corporation. The filings will be instantaneous, with users receiving transaction receipts by email. In addition, businesses may use OBR to receive automatic email reminders of upcoming filings deadlines.

## ProView Developments

Your ProView edition of this product now has a new, modified layout:

- The opening page is now the title page of the book as you would see in the print work
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- The Table of Cases and Index are now in PDF with no searching and linking
- The Table of Contents now has internal links to every chapter and section of the book within ProView
- Images are generally greyscale and size is now adjustable
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