

BOARD OF DIRECTORS GOVERNANCE MANUAL AND APPLICABLE POLICIES

CONTENTS

Governance Manual	Page 2-12
Appendix 1: Applicable Policies	
KHLF Donor Relations and Recognition Policy	Page 14-17
KHLF Fundraising Practices Policy	Page 18-19
KHLF Personal Information Protection Policy	Page 20-14
KHLF Gift Acceptance and Receipting Policy	Page 25-29
KHLF Workplace Harassment Policy	Page 30-37
Appendix 2: Articles of Incorporation	Page 38-46
Appendix 3: CRA Charity Registration	Page 47-53

BOARD OF DIRECTORS GOVERNANCE MANUAL

Kids' Health Links Foundation (KHLF)

PURPOSE

The purpose of this guide is to describe the core governance roles and responsibilities of the Kids' Health Links Foundation directors. This manual provides a broad governance framework to guide the members of the Board in defining and fulfilling their roles.

DEFINITION OF GOVERNANCE

In a charitable foundation, governance is the framework of rules, relationships, systems, and processes within and by which authority is exercised and controlled. It is the system of stewardship of the assets and purposes of the Foundation for public benefit, specifically, the Foundation's:

- mission
- financial assets
- risks
- human resources, particularly leadership and
- impact

Directors have a twofold responsibility:

- to ensure that an organization complies with its legal and regulatory requirements
- and**
- to ensure that it is working to achieve its charitable purpose.

CRA description of good governance practices for directors of registered charities:

"By exercising due diligence, organizations can identify potential risks and help to minimize exposure by eliminating the most obvious risks. Due diligence can be demonstrated by showing that directors, trustees, officers, or like officials:

- *exercise continued vigilance over the organization's affairs;*
- *are familiar with all activities;*
- *are aware of possible risk areas in the day-to-day work and programs of the organization and its donors, agents, and affiliated organizations;*
- *develop and implement practices and policies to protect the organization's interests and*
- *supervise staff to ensure they meet the organization's policy requirements."*

This GOVERNANCE MANUAL defines the organization's operating manual:

- Size of the Board and how it will function.
- Roles and duties of directors and officers
- Rules and procedures for holding meetings, electing directors, and appointing officers, terms of office
- Committees
- Conflict of interest policies and procedures
- How grant monies will be distributed

ARTICLE I. NAME OF ORGANIZATION

The name of **KHLF** is Kids' Health Links Foundation.

The Letters Patent of Incorporation was issued on September 3, 2004.

ARTICLE II. CORPORATE PURPOSE

(the following was submitted to CRA in **2004** when the Foundation was registered)

To support those affected by debilitating diseases, illnesses, and conditions by offering education and counseling and establishing mutual support groups.

Specifically:

Research has shown that fear, anxiety, and stress experienced by children and youth in medical care can affect treatment outcomes. The potential for adjustment difficulties is inherent regardless of the illness (Lynch 1994). Similar research demonstrated mental health illness in children, youth, and teens has major impacts on their quality of life, often resulting in substance abuse and, tragically, at times, death or suicide.

Through innovation, education, and communication, Kids' Health Links Foundation's Mission, Purpose, and Programs help children and youth suffering from mental illness and chronically ill children and youth, in hospital or at home, by alleviating their stress, isolation, and loneliness.

Details regarding KHLF can be found at www.kidshealthlinks.org. Our Programs include;

www.UPOPOLIS.com for those chronically ill in pediatric care institutions or treatment centers across Canada

www.UPEDIA.ca is for child life specialists across Canada dedicated to helping them deal with their hospital experiences.

www.UMIND.ca is for mental health professionals across Canada, helping children and youth deal with their illness and associated stigma.

ARTICLE III. BOARD OF DIRECTORS (the BOARD)

Section 1. General Powers

The Board shall direct KHLF's affairs. The Board shall have control of and be responsible for oversight of KHLF's affairs and property.

The Board is responsible for developing and reviewing fiscal procedures, fundraising plans, and the annual budget. The Board must approve the budget, and all expenditures must be within budget. The Board must approve any major change in the budget.

The fiscal year shall be the calendar year. Annual reports showing income, expenditures, and pending income must be submitted to the Board. Audited Financial Statements must be submitted to the Board For approval no later than six months after the end of a Fiscal Year. The Fiscal year of KHLF is January 1 to December 31. The organization's financial records are public information and shall be made available to the membership, board members, and the public.

Section 2. Number, Tenure, Requirements, and Qualifications

The number of Directors shall be fixed from time to time by the Directors but shall consist of no less than five (5).

All elected Directors are Voting Members of the Board. The members of the Board shall, upon election, immediately enter upon the performance of their duties and shall continue in office until their successors shall be duly elected and qualified. No vote on new members of the Board shall be held unless a quorum is present.

Each member of the Board shall hold office for a five (5) year term and be eligible for reappointment for one (1) term as submitted by the Chair.

Each member of the Board shall attend at least four (4) Board meetings per year.

Section 3. Ex-officio Members

From time to time, The Board may appoint ex-officio, nonvoting members.

Section 4. Regular and Annual Meetings

An annual meeting of the Board shall be held at a time and day in June of each calendar year and a location designated by the Chair of the Board.

The Board shall meet for regular meetings no less than four (4) times per year.

Teleconference will constitute an appropriate place for a meeting, and attendance by telephone will constitute attendance. Notice of these meetings shall be sent to all members of the Board no less than ten (10) days before the meeting date.

Section 5. Special Meetings

Special meetings of the Board may be called by or at the request of the Chair or any two (2) members of the Board. The person or persons authorized to call special meetings of the Board may fix any location as the place for holding any special meeting of the Board called by them.

Section 6. Notice

Notice of any special meeting of the Board shall be given a one-week notice in advance of the meeting by telephone, email, or written notice. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted nor the purpose of any regular meeting of the Board need be specified in the notice or waiver of notice unless specifically required by law or by these bylaws.

Section 7. Quorum

The presence, in person or by telephone, of a majority of Directors of the Board shall be necessary at any meeting to constitute a quorum to transact business. Still, a lesser number shall be able to adjourn to a specified later date without notice. The act of a majority of the members of the Board present at a meeting at which a quorum is present shall be the act of the Board unless the act of a greater number is required by law or by these bylaws.

Section 8. Vacancies

Any vacancy on the Board may be filled by a majority vote of the remaining Directors of the Board at a regular meeting. If there are less than four (4) Directors on the Board when a vacancy occurs, the Director must be replaced within six months. In this event, the remaining Directors are empowered to fulfill the duties of the Board during the time the additional Director is recruited and retained.

Section 9. Compensation

Members of the Board shall not receive any compensation for their services as Directors.

Section 10. Informal Action by Directors

Any action required by law to be taken at a meeting of the Directors, or any action which may be taken at a meeting of Directors, may be taken without a meeting if consent in writing is signed by two-thirds (2/3) of all of the Directors following notice of the intended action to all members of the Board.

Section 11. Confidentiality:

Directors shall not discuss or disclose information about **KHLF** or its activities to any person or entity unless such information is already a matter of public knowledge, such person or entity has a need to know, or the disclosure of such information is in furtherance of **KHLF's** purposes, or can reasonably be expected to benefit **KHLF**. Directors shall use discretion and good business judgment in discussing **KHLF's** affairs with third parties. Without limiting the preceding, Directors may discuss upcoming fundraisers and the purposes and functions of **KHLF**, including but not limited to accounts on deposit in financial institutions.

Section 12. Friends of the Foundation ("FoF"): The Board may create a council known as the Friends of the Foundation. The Board shall elect members of the **FoF**, but the **FoF** shall have voting privileges. **FoF** members may attend said meetings at the invitation of a member of the Board—members of the **FoF** desire to support the work of **KHLF** by providing expertise and professional knowledge. Members of the **FoF** shall comply with the confidentiality policy set forth herein.

Section 13. Removal: Any member of the Board may be removed with or without cause, at any time, by a vote of three-quarters (3/4) of the members of the Board if, in their judgment, the best interest of **KHLF** would be served thereby. Each member of the Board must receive written notice of the proposed removal at least ten (10) days before the proposed action. An officer who has been removed as a member of the Board shall automatically be removed from office.

ARTICLE IV. OFFICERS of the Board of Directors

The officers of the Board shall be the Chair, Secretary/Treasurer. All officers must have the status of active members of the Board.

Section 1. Chair

The Chair shall have the following duties:

- a. They shall preside at all meetings of the Board
- b. They shall have general and active management of the business of the Friends of the Foundation Council
- c. They shall see that all recommendations and motions of the Council are brought to the Board.
- d. They shall have general superintendence and direction of all other officers of this Corporation and see that their duties are properly performed.
- e. They shall be Ex-officio member of all standing committees and shall have the power and duties usually vested in the office of the Chair.

Section 2. Secretary/Treasurer

The Secretary/Treasurer shall attend all Board meetings. The Secretary/Treasurer's duties are:

- a. They shall record all votes and minutes of all proceedings in a book to be kept for that purpose. In concert with the Board Chair, they shall arrange all Board meetings, including the organization's annual meeting.
- b. Assisted by a staff member, they shall send notices of all meetings to the Board members and record responses.
- c. They shall perform all official correspondence from the Board as may be prescribed by the Board or Chair.
- d. They shall support committee chairs, as required, to ensure governance framework, work plans, and timelines are met.
 - e. They shall submit all expenditures and funds raised for the Chair's or his designate's approval.
 - f. They shall present a complete and accurate report of the finances raised at each Board meeting.
- g. They shall have the right to inspect the funds raised, including budgets and subsequent audit reports.
- h. They shall assist in direct audits of the funds according to funding source guidelines and generally accepted accounting principles.
- i. They shall convene an audit committee if directed by the majority vote of the Board.
- J They shall perform such other duties as may be prescribed by the Board or the Chair under whose supervision they shall be.

Section 3. Election of Officers: The Board shall submit the names of those persons for the respective offices of the Board at the meeting before the Annual Meeting. The election shall be held at the Annual Meeting of the Board. Those officers elected shall serve a term of one (1) year, commencing at the next meeting following the annual meeting.

Section 4. Removal of Officer: The Board, with the concurrence of 3/4 of the members voting at a meeting, may remove any officer of the Board and elect a successor for the unexpired term. No officer of the Board shall be expelled without an opportunity to be heard, and notice of such motion of expulsion shall be given to the member in writing twenty (20) days before the meeting at which the motion shall be presented, setting forth the reasons of the Board for such expulsion.

Section 5. Vacancies: The Board shall also be responsible for nominating persons to fill vacancies between Annual Meetings, including those of officers. Nominations shall be sent in writing to members of the Board at least two (2) weeks before the next meeting at which the election will be held. The elected persons shall hold membership or office for the unexpired term regarding such vacancy.

ARTICLE V. COMMITTEES

Committee Formation: The Board may create permanent or ad hoc committees for purposes the Board determines, as needed, such as executive, finance, fundraising, nominating, etc. The Board will elect all committee chairs.

Section 2. Committee Composition: Each Committee shall include at least two (2) other board members unless otherwise determined by the Board.

ARTICLE VI. STAFF

Section 1: Executive Director: The Board may hire an Executive Director who shall serve at the will of the Board. The Executive Director shall have immediate and overall management of the operations of **KHLF** and direct the day-to-day business of **KHLF**, maintain the properties of **KHLF**, hire, discharge, and determine the salaries and other compensation of all staff members under the Executive Director's management, and perform such additional duties as may be directed by the Board. No officer or member of the Board may individually instruct the Executive Director or any other employee. The Executive Director shall make such reports at the Board and Executive Committee meetings as shall be required by the Board. The Executive Director shall be an ad-hoc member of all committees.

The Executive Director may not be related by blood or marriage/domestic partnership within the second degree of consanguinity or affinity to any member of the Board or Friends of the Foundation Council (unless approved by unanimous decision by the Board with any relation as described above recusing themselves from this vote). The Executive Director may be hired at any meeting of the Board by a majority vote (unanimously by independent directors if related) and serve until removed by the Board upon an affirmative vote of three-quarters (3/4) of the members present at any meeting of the Board Directors. Such removal may be with or without cause.

ARTICLE VII. – Conflict of Interest

Section 1: Purpose: The purpose of the conflict-of-interest policy is to protect the organization's interest when it is contemplating entering a transaction or arrangement that might benefit the private interest of an officer, Director, or staff member. This policy also includes the perception of conflict by any director or member of staff. Should this occur, the Director or staff member must declare this to the Board, or if a third-party member of the Foundation determines this, this third party must bring this potential conflict to the Board's attention. This policy is intended to supplement but not replace any applicable provincial and federal laws governing conflict of interest applicable to non-profit and charitable organizations.

Section 2: Definitions

a. Interested Person

Any director, officer, or committee member with Board delegated powers, including members of Foundation Staff, who has a direct or indirect financial interest, as defined below, is an interested person.

b. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

1. An ownership or investment interest in any entity with which the organization has a transaction or arrangement,
2. A compensation arrangement with the organization or with any entity or individual with which the organization has a transaction or arrangement, or
3. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration and gifts or favors that are not insubstantial.

Section 3. Procedures

a. Duty to Disclose. In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be allowed to disclose all material facts to the directors and members of committees with governing Board delegated powers considering the proposed transaction or arrangement.

b. Determining Whether a Conflict of Interest Exists. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, they shall leave the governing Board or committee meeting. In contrast, determining a conflict of interest is discussed and voted upon. The remaining Board or committee members shall decide if a conflict of interest exists.

c. Procedures for Addressing the Conflict of Interest

1. An interested person may present at the governing Board or committee meeting. Still, after the presentation, they shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
2. The Chair of the Governing Board or Committee shall, if appropriate, appoint a disinterested person or Committee to investigate alternatives to the proposed transaction or arrangement.
3. After exercising due diligence, the governing Board or Committee shall determine whether the organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

4. If a more advantageous transaction or arrangement is not reasonably possible under the circumstances not producing a conflict of interest, the governing Board or Committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the organization's best interest, for its benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall decide whether to enter into the transaction or arrangement.

d. Violations of the Conflicts of Interest Policy

1. If the governing Board or Committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and allow the member to explain the alleged failure to disclose.
2. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing Board or Committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Section 4. Records of Proceedings

The minutes of the Board and all committees with Board delegated powers shall contain the following:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest existed.
- b. The names of the persons present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Section 5. Annual Statements regarding Conflict of Interest

Each Director shall annually affirm the following:

- a. Has read and understands ARTICLE VII. – Conflict of Interest and Compensation
- b. They have no known conflicts with Article VII.
- c. Has agreed to comply with the policy and
- d. Understand the organization is charitable, and to maintain its tax exemption, it must engage primarily in activities that accomplish one or more of its tax-exempt purposes.

ARTICLE VIII. INDEMNIFICATION

Section 1. General:

To the full extent authorized under the laws of the Province of Ontario, **KHLF** shall indemnify any director, officer, Employee, or agent, or former member, Director, officer, Employee, or agent of **KHLF**, or any person who may have served at **KHLF**'s request as a director or officer of another corporation (each of the preceding members, directors, officers, employees, agents, and persons is referred to in this Article individually as an "indemnitee"), against expenses actually and necessarily incurred by such indemnitee in connection with the defense of any action, suit, or proceeding in which that indemnitee is made a party because of being or having been such member, Director, officer, Employee, or agent, except concerning matters as to which that indemnitee shall have been adjudged in such action, suit, or proceeding to be liable for negligence or misconduct in the performance of a duty. The preceding indemnification shall not be deemed exclusive of any other rights to which an indemnitee may be entitled under any bylaw, agreement, resolution of the Board, or otherwise.

Section 2. Expenses:

Expenses (including reasonable attorneys' fees) incurred in defending a civil or criminal action, suit, or proceeding may be paid by **KHLF** in advance of the final disposition of such action, suit, or proceeding if authorized by the Board upon receipt of an undertaking by or on behalf of the indemnitee to repay such amount if it shall ultimately be determined that such indemnitee is not entitled to be indemnified hereunder.

Section 3. Insurance:

KHLF may purchase and maintain insurance on behalf of any person who is or was a member, Director, officer, Employee, or agent against any liability asserted against such person and incurred by such person in any such capacity or arising out of such person's status as such, whether or not **KHLF** would have the power or obligation to indemnify such person against such liability under this Article.

ARTICLE IX. BOOKS AND RECORDS

The Secretary of **KHLF** (or her/his delegate) shall keep complete books and records of accounts and minutes of the Board's proceedings.

ARTICLE X. AMENDMENTS

Section 1. Articles of Incorporation:

The Articles may be amended in any manner at any regular or special meeting of the Board, provided that specific written notice of the proposed amendment of the Articles setting forth the proposed amendment or a summary of the changes to be effected thereby shall be given to each Director at least three (3) days in advance of such a meeting if delivered personally, by facsimile, or by email or at least five (5) days if delivered by mail. As required by the Articles, any amendment to Article III or Article VI

of the Articles shall require the affirmative vote of all directors then in office. All other amendments of the Articles shall require the affirmative vote of an absolute majority of directors then in office.

Section 2. Bylaws:

The Board may amend these Bylaws by majority vote at any Board meeting. Written notice setting forth the proposed amendment or summary of the changes to be effected thereby shall be given to each Director within the time and the manner provided for giving notice of directors' meetings.

We, the undersigned, consent to and hereby do adopt this Governance Manual of this Corporation.

ADOPTED AND APPROVED by the Board of Directors on this **1st day of February 2021**.



Basile Papaevangelou, Chair on Behalf of the Board of Directors

APPENDIX 1

KIDS'S HEALTH LINKS FOUNDATION

Applicable Policies

KHLF Donor Relations and Recognition Policy	Page 14-17
KHLF Fundraising Practices Policy	Page 18-19
KHLF Personal Information Protection Policy	Page 20-24
KHLF Gift Acceptance and Receipting Policy	Page 25-29
KHLF Workplace Harassment Policy	Page 30-37

Donor Relations and Recognition Policy

1.0 Purpose & Goals Description

To outline how Kids Health Links Foundation interacts with donors and prospective donors, including recognition

2.0 Equipment

None

3.0 Policy Statements

Kids Health Links Foundation seeks to ensure that the organization honors donors and prospective donors and that recognition is appropriate, equal, and flexible.

KHLF appreciates all gifts and contributions and will honor all individuals, corporations, service clubs, community organizations, and philanthropic foundations who make monetary and in-kind donations or contributions.

3.1 Donor Bill of Rights

- 3.1.1 KHLF adheres to the Association of Fundraising Professionals' Donor Bill of Rights.

3.2 Contact with donors and prospective donors

- 3.2.1 KHLF will honor donors' and prospective donors' requests to
- limit the frequency of contact;
 - not be contacted by telephone or other technology;
 - receive printed material concerning the organization; and
 - discontinue contact.

3.3 Anonymity

- 3.3.1 Every reasonable effort is made to ensure that a donor's wish to remain anonymous is respected if requested.

3.4 Privacy of Donor Lists

- 3.4.1 KHLF does not sell, rent, exchange, or share its donor list.

3.5 Independent Advice

- 3.5.1 KHLF encourages donors to seek independent advice if the proposed gift is a Planned Gift and/or KHLF has any reason to believe the proposed gift might significantly affect the donor's financial position, taxable income, or relationship with other family members.

Donor Relations and Recognition Policy-continued

Page 2 of 4

3.6 Official Income Tax Receipts

- 3.6.1 KHLF will prepare and issue Official Income Tax receipts for monetary gifts and gifts-in-kind in compliance with all regulatory requirements and accordance with the Gift Acceptance and Receipt Policy.

3.7 Recognition of Gifts and Contributions

- 3.7.1 KHLF will recognize gifts and contributions in accordance with the recognition procedures and the donor's request for anonymity.
- 3.7.2 Recognition requests not outlined in the recognition procedure may be considered by the Board of Directors, provided such request does not contravene the law, this policy, or the Fundraising Practices Policy.

3.8 Memorial, Tribute and Appreciation Gifts

- 3.8.1 Gifts received as a memorial, tribute, or in appreciation will be recognized under the procedures for recognizing annual gifts.
- 3.8.2 Donors are recognized separately from the person(s) for which the gift was received in memory, tribute, or appreciation.

3.9 Bequests and Other Deferred Gifts

- 3.9.1 Contributions made through a gift from an estate or other future gift are recognized at the value of the gift when received by KHLF.
- 3.4.2 Donors informing KHLF of their intention to make a gift through a bequest or other deferred vehicle are recognized as Legacy Donors.

3.5 Naming Opportunities

- 3.5.1 KHLF will work to determine appropriate dedication opportunities for donors and contributors.
- 3.5.2 Naming and dedication opportunities are first come, first served.
- 3.5.3 Contributions of \$10,000 and above may be offered customized naming and dedication opportunities.
- 3.5.5 If it becomes impractical or impossible to maintain a naming or dedication because of changed circumstances, KHLF will continue celebrating the donor's gift electronically.
- 3.5.6 KHLF reserves the right to remove/decline any dedication or naming opportunity in the event of a disreputable or illegal act on the part of the donor or, by association, the name would reflect negatively on KHLF or for a failure to complete a pledge commitment

Donor Relations and Recognition Policy-continued

Page 3 of 4

4.0 Procedure

4.1 Recognizing Annual Gifts and Contributions

- 4.1.1 Annual gifts are acknowledged through a minimum listing in the annual report, at appropriate donor events, and through other appropriate mediums as may be determined from time to time by the Board of Directors.
- 4.1.2 A thank you Letter will be sent with all donation receipts. The administrator will prepare the receipt and Letter within 30 days of KHLF receiving the contribution.
 - 4.1.3 The Chair or designate will sign each Letter.
 - 4.1.4 Letter signed by the Chair will acknowledge bequest gifts.
- 4.1.5 Gifts received in memory of an individual will be acknowledged as per 4.1.1. Also, a family member or other appointed person will receive acknowledgment of the gift(s) received in memory and a list of Names and Addresses of those persons who made gifts unless the donor has requested otherwise.
- 4.1.6 Where a multi-year pledge for support is made, KHLF and the donor will enter into a non-binding Letter of Agreement that outlines the terms and conditions related to the pledge for both parties.

4.2 Recognizing Sponsorships

- 4.2.1 Sponsorship of an event is recognized following the sponsorship agreement.
 - 4.2.2 The value of Sponsorship will not be receipted for tax purposes per CRA regulation.
 - 4.3.2 When groups require a license to run an event to benefit KHLF, it may be necessary for KHLF to apply for that license. KHLF must ensure that all legal requirements are fulfilled by applying for and receiving a license. All guidelines outlined in the document "Third Party Events Requiring Licensing" must be agreed and adhered to by all third-party groups
 - 4.3.3 In all third-party events or cause-related marketing cases, using the KHLF logo, charitable business number, or any other logo associated with KHLF is restricted to individuals, parties, groups, or entities who have received explicit written permission from KHLF.

Donor Relations and Recognition Policy -continued

Page 4 of 4

5.0 Documentation

Third-Party Event Agreement

6.0 Definitions

Gift In-Kind – non-cash donations of new or used material items.

7.0 Cross References

Gift Acceptance and Receipt Policy

8.0 Approved By

Board of Directors

9.0 Posting Dates

Initial Posting Date: Y-mm-dd

The date that the document was originally published. **Review/Revision Posting Date:** Y-mm-dd

These are the dates that the document was subsequently reviewed and/or revised.

END OF DOCUMENT

Fundraising Practices Policy

1.0 Purpose & Goals Description

To outline how Kids Health Links Foundation will conduct fundraising activities to support the organization

2.0 Equipment None

3.0 Policy Statements

Kids Health Links Foundation ensures that the organization conducts its fundraising activities following legal, ethical, and moral principles.

3.1 Code of Ethics

- 3.1.1 KHLF adheres to the Association of Fundraising Professionals' Code of Ethical Standards.
- 3.1.2 KHLF adheres to the Imagine Canada Ethical Code for Fundraising Practices.

3.2 Fundraising Activities

- 3.2.1 All fundraising activities conducted by or on behalf of KHLF must:
 - be truthful,
 - accurately describe the organization's activities
 - disclose the organization's name,
 - disclose the purpose for which funds are requested,
 - disclose the organization's policy concerning issuing Official Income Tax receipts, including any policy on minimum amounts for which a receipt will be issued; and,
 - disclose, upon request, whether the individual or entity seeking donations is a volunteer, Employee, or contracted third party

3.3 Truthful Claims

- 3.3.1 KHLF does not make claims that cannot be upheld or are misleading.

3.4 Payment of Fundraiser

- 3.4.1 KHLF does not, directly or indirectly, pay finder's fees, commissions, or percentage compensation based on contributions.

3.5 Responsibility of Fundraisers

- 3.5.1 KHLF defines a fundraiser as anyone seeking or receiving funds on behalf of the organization, including volunteers, employees, or third parties, concluding contracted third parties.

Fundraising Practices Policy-continued

3.5.2 Anyone acting as a fundraiser for KHLF must:

- act with fairness, integrity, and follow all applicable laws;
- cease contacting a prospective donor who states that they do not wish to be contacted;
- disclose immediately to the organization any actual or apparent conflict of interest or loyalty; and
- not accept donations for purposes inconsistent with the organization's mission.

3.5.3 KHLF reserves the right to terminate or otherwise prevent a fundraiser from continuing to fundraising using KHLF's name if the fundraiser violates this policy and/or the AFP Code of Ethical Standards.

4.0 Documentation

None

5.0 Definitions

Fundraiser - anyone seeking or receiving funds on behalf of the organization, including volunteers, employees, or third parties, concluding contracted third parties.

6.0 Cross References

Gift Acceptance and Receipt Policy

7.0 Approved By

Board of Directors

8.0 Posting Dates

Initial Posting Date: Y-mm-dd

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END OF DOCUMENT

Personal Information Protection Policy

Page 1 of 5

1.0 Purpose & Goals Description

To outline how Kids Health Links Foundation will safeguard personal information gathered during activities.

2.0 Equipment

None

3.0 Policy Statements

Kids Health Links Foundation is committed to safeguarding the personal information entrusted to the organization by our donors, event participants Upopolis, UPedia, UMind (herein referred to as 'online programs') members, and interested parties.

We manage personal information following the Freedom of Information and Protection of Privacy Act (FIPPA), Personal Information Protection and Electronic Documents Act (PIPEDA), and other laws as they apply to KHLF laws. This policy outlines the principles and practices KHLF follows in protecting this personal information.

This policy applies to the Kids' Health Links Foundation (KHLF) and anyone providing services on our behalf. A copy of this policy is provided upon request.

3.1 Collection of Personal Information

3.1.1 KHLF collects information that is needed for the purposes of:

- Fundraising and donor outreach
- Enrolment of a member in one or more of our online programs, including webinars offered by these programs
- Soliciting participation and new membership in our online programs

3.1.2 KHLF may collect and use information from publicly available sources to fulfill the purposes 3.1.1. Even if identified from publicly available sources, once collected by KHLF, the organization will treat it as personal information.

3.1.3 KHLF will inform members, participants, donors, and fundraising participants, before or when collecting personal information, of the purposes for which KHLF collects the information. This notification will only be provided when a member, donor or participant volunteers information for an obvious purpose, such as producing a credit card; the information will be used only to process the payment.

Personal Information Protection Policy-continued

Page 2 of 5

3.2 Consent

3.2.1 KHLF asks for consent to collect, use, or disclose personal information, except in specific circumstances where collection, use, or disclosure without consent is authorized or required by law. KHLF assumes consent in cases where information is volunteered for an obvious purpose, e.g., participating in a fundraising event.

3.2.2 KHLF assumes consent to continue to use and, where applicable, disclose personal information already collected for the purpose for which the information was collected.

3.2.3 Because KHLF is a charitable organization, information related to fundraising activities may be distributed occasionally to individuals whose personal information has been collected for purposes other than fundraising, such as information on upcoming charitable events or donation requests.

3.2.4 Individuals whose personal information has been collected for purposes other than fundraising may opt out of receiving targeted fundraising requests. KHLF may, however, provide information on charitable activities as part of its broader communications, such as a newsletter.

3.2.4 KHLF asks for express consent for some purposes and may be unable to provide certain services if the person or persons are unwilling to consent to collecting, using, or disclosing certain personal information. Where express consent is needed, KHLF will ask for consent in writing (as required by signing a consent form).

3.2.5 Withdrawal of consent to the use and disclosure of personal information can be made at any time unless the personal information is necessary for KHLF to fulfill its legal obligations. KHLF will respect the individual's decision, but KHLF will not be able to provide the individual with KHLF program services (access to programs) if it does not have the necessary personal information.

3.2.6 KHLF may contact persons without a previous relationship with the organization to provide information about the organization and its activities. They will have the right to opt out of receiving future communication.

3.3 Use and Disclosure of Personal Information

3.3.1 KHLF uses and discloses personal information only for the purpose for which the information was collected, except as authorized by law or as expressly outlined in this policy.

3.4 Personal Employee Information

3.4.1 Employee refers to any employee, volunteer, or Contractor carrying out the purposes of KHLF.

Personal Information Protection Policy-continued

Page 3 of 5

3.4.2 Personal employee information is personal information about an employee or volunteer that is collected, used, or disclosed solely to establish, manage, or terminate an employment or volunteer work relationship. Personal employee information may sometimes include a social insurance number, a performance review, or other information.

3.4.3 KHLF can collect, use, and disclose personal employee information without consent to establish, manage, or end the employment or volunteer relationship. KHLF will provide current employees and volunteers with prior notice about what information we collect, use, or disclose and our purpose for doing so.

3.4.4 KHLF may collect, use, and disclose personal employee information to meet the following purposes:

- Determining eligibility for employment or volunteer work, including verifying qualifications and references
- Establishing training and development requirements
- Assessing performance and managing performance issues if they arise
- Administering pay and benefits (paid employees only)
- Processing employee work-related claims (e.g., benefits, workers' compensation, insurance claims) (paid employees only)
- Complying with the requirements of funding bodies
- Complying with applicable laws (e.g., Canada Income Tax Act, Ontario Employment Standards Code)

3.5 Employment/Volunteer References

3.5.1 In some cases, after employment or volunteer relationship with KHLF ends, the organization will be contacted by other organizations and asked to provide a reference.

KHLF will not disclose personal information about employees and volunteers to other organizations who request references without consent. The personal information normally provided in a reference includes:

- Confirmation that an individual was an employee or volunteer, including the position and date range of the employment or volunteering
- General information about an individual's job duties and information about the employee or volunteer's ability to perform job duties and success in the employment or volunteer relationship.

3.6 Safeguarding Personal Information

3.6.1 KHLF will make every reasonable effort to prevent any disclosure, loss, misuse, or modification of personal information, such as unauthorized access to personal information.

Personal Information Protection Policy

Page 4 of 5

3.6.2 KHLF uses appropriate security measures when destroying personal information, including shredding paper records and permanently deleting electronic records.

3.6.3 KHLF retains personal information only as long as it is reasonable to fulfill the purposes for which the information was collected or for legal or business purposes.

3.7 Access to Records Containing Personal Information

3.7.1 Individuals have a right to access their personal information in a record in the custody or under the control of KHLF, subject to some exceptions.

3.7.2 KHLF may refuse to provide access to personal information if that access would reveal personal information about another individual.

3.8 Questions and Complaints

3.8.1 KHLF will appoint a Privacy Officer. Questions or complaints will be directed to this person for response.

4.0 Procedures

4.1 Requesting Access to Records Containing Personal Information

4.1.1 A request for access to personal information must be directed to the Privacy Officer of KHLF in writing. The request must include

- Individual's name
- Phone number
- Address
- Email address
- Reason for request
- Sufficient information to allow KHLF to identify the information being requested

4.1.2 Currently, the Privacy Officer for KHLF is Christina Papaevangelou. They can be reached at christina@kidshealthlinks.org or by mail at (address).

4.1.3 The Privacy Officer will respond to a request within 45 calendar days following their verification of the identity of the person requesting access.

4.1.4 An individual may also request information about how KHLF uses personal information and any disclosure of that information to persons outside KHLF. In addition, an individual may request a correction of an error or omission in their personal information.

4.1.5 An individual may request that KHLF no longer contact them. However, KHLF will continue to retain personal information under 3.6.3 of the policy.

4.2 Questions or Concerns Beyond 4.1

4.2.1 If an individual is not satisfied with a response and wishes to file a complaint with the Information and Privacy Commission of Ontario, they should fill out the Privacy Complaint Form (<https://www.ipc.on.ca/wp-content/uploads/Resources/cmpfrm-e.pdf>). This form can be submitted to the IPC Registrar, who will open a complaint file and assign an intake analyst to proceed with the complaint. Forms should be sent to:

Registrar

**Information and Privacy Commissioner of Ontario 2 Bloor Street East,
Suite 1400 Toronto, ON**

5.0 Documentation

Privacy Complaint Form

(<https://www.ipc.on.ca/wpcontent/uploads/Resources/cmpfrm-e.pdf>)

6.0 Definitions

Personal Information – For purposes of this policy, personal information includes any factual or subjective information, recorded or not, about an identifiable individual, as per the Personal Information Protection and Electronic Documents Act (PIPEDA).

7.0 Cross References

Donor Relations and Recognition Policy

8.0 Approved By

Board of Directors

9.0 Posting Dates

Initial Posting Date: Y-mm-dd

The date that the document was originally published. **Review/Revision Posting Date:** Y-mm-dd

These are the dates that the document was subsequently reviewed and/or revised.

END OF DOCUMENT

Gift Acceptance and Receipt Policy

Page 1 of 5

1.0 Purpose & Goals Description

To outline how Kids Health Links Foundation accepts gifts to fulfill its mission further.

2.0 Equipment None

3.0 Policy Statements

Kids Health Links Foundation seeks to ensure that the organization accepts and processes gifts that benefit KHLF's operations, programs, and services in a legal, ethical, moral, and consistent manner.

3.1 Code of Conduct

- 3.1.1 KHLF will only accept contributions that are deemed legal under applicable law.
- 3.1.2 KHLF adheres to the Imagine Canada Ethical Code and the Association of Fundraising Professionals' Code of Ethical Standards.

3.2 Restrictions on Gifts

- 3.2.1 KHLF will not accept gifts that:
 - Would result in KHLF violating its Letters Patent or any bylaw;
 - Would jeopardize the charitable status of KHLF
 - Would result in any unacceptable consequences KHLF; or
 - Are for purposes outside KHLF's mission.

3.3 Use of Legal Counsel

- 3.3.1 KHLF will seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate. Review by counsel is recommended for:
 - Gifts of securities that are subject to restrictions or buy-sell agreements.
 - Documents naming KHLF as trustee or requiring KHLF to act in any fiduciary capacity.
 - Gifts requiring KHLF to assume financial or other obligations.
 - Transactions with potential conflicts of interest.
 - Gifts of property that may be subject to environmental or other regulatory restrictions.
- 3.3.2 Decisions on the restrictive nature of a gift and its acceptance or refusal will be made by the Board of Directors.

Gift Acceptance and Receipt Policy

Page 2 of 5

3.4 Charitable Donations – Tax Considerations

- 3.4.1 For CRA purposes, a charitable donation "is a voluntary transfer of money or property for which the donor expects and receives nothing of value in return" (CRA). Donors to KHLF are eligible for a charitable tax receipt.
- 3.4.2 No benefit may be provided to the donor or to anyone designated by the donor where the benefit is considered to provide an advantage as defined by CRA.
- 3.4.3 The following transactions do not constitute philanthropy and are not eligible for charitable tax receipts:
- A gift of service;
 - The purchase of an item or service;
 - Gift certificates provided by a business for its goods or services; or,
 - Sponsorship of projects for which the donor retains the right of property, including intellectual property.
- 3.4.4 Regarding fundraising events where the admission price includes a donation and a purchase of service(s), KHLF follows CRA's guidelines in determining the eligible amount for a charitable tax receipt.

3.5 Types of Gifts Accepted

- 3.5.1 Gifts may be in many forms. These include cash, securities, and personal and real property, either through gift or endowment or planned gift vehicles. Planned gifts include bequests, life insurance policies, charitable trusts, and gift annuities.
- 3.5.2 Receipting for gifts is in accordance with CRA guidelines and outlined below in 4.0 Procedures.

3.6 Donation Designation

- 3.6.1 Donors may direct their donation to a specific program or project provided that:
- No benefit accrues to the donor;
 - The directed donation does not benefit any person not dealing at arm's length with the donor, and
 - Decisions regarding the use of the donation within a program rests with KHLF recognizing that, where possible, KHLF will act in concert with and respect the donor's wishes.
- 3.6.2 A donation may be declined due to limitations proposed by the donor.

Gift Acceptance and Receipt Policy - continued

Page 3 of 5

3.7 Responsibility to Donors: KHLF holds all donors in high esteem. While seeking donations to support priorities, staff, the Board of Directors, and volunteers have an ethical responsibility to uphold the interests and well-being of KHLF's benefactors. Without exception, donor relationships are of utmost priority.

4.0 Procedures: Receipts for charitable donations are issued in accordance with CRA IT-110R3- Gifts and Official Donation Receipts.

Procedures for accepting, processing, acknowledging, and receipting donations to KHLF are as follows:

4.1 Cash Donation

4.1.1 Donations of "cash" -- cash, cheque, money order, and credit card -- are accepted by KHLF. A receipt for the value of the "cash" gift will be issued to the individual or entity making the gift. In the case of a cheque, the receipt must be issued to the person listed on the cheque.

4.2 Bequests

4.2.1 A bequest is a provision in a will directing assets from an estate to KHLF. The bequest may be either a gift to KHLF or it may establish an endowment.

4.2.2 There are several types of bequests accepted:

- (i) A specific bequest provides KHLF with a specific sum of money, a stated percentage of an estate, or a specific property such as real estate or securities.
- (ii) A residual bequest leaves some or all of the remaining estate to KHLF after debt repayment and specific bequests, if any.
- (iii) A contingent bequest ensures that KHLF receives all or a share of the estate in the event of the prior death of certain other beneficiaries.
- (iv) A residual bequest subject to life interest applies when the donor chooses to have KHLF receive the bequest following the death of certain other beneficiaries who have used the assets in the estate for their lifetime.

4.2.3 Bequests are eligible for a charitable tax receipt. The receipt is issued to the estate. KHLF always recommends that donors consult a lawyer or estate planner before completing a will and retains the right to decline a donation if the donor does not retain independent counsel.

Gift Acceptance and Receipt Policy - continued

Page 4 of 5

4.3 Life Insurance

4.3.1 Donations of life insurance may be contributed to KHLF in several ways, with resulting specialized tax treatment. For example:

(i) A donor may donate an existing policy by designating KHLF as the beneficiary and owner of the policy. KHLF issues a charitable tax receipt for the policy's cash surrender value, including accumulated dividends and interest. If the policy is not fully paid, the donor will receive tax receipts for any additional premium payments made after the policy is assigned. Upon the donor's death, KHLF receives the value of the policy.

(ii) In donating a new policy that names KHLF as owner and beneficiary, the donor will receive charitable tax receipts for the full amount of each annual premium. Upon the donor's death, KHLF receives the value of the policy.

(iii) Donors may also choose to direct the insurance proceeds from an existing or new policy to their estate and to name KHLF as the beneficiary of those proceeds in their wills. Per other specific bequests, the donor's estate would receive a charitable tax receipt for the policy's proceeds.

4.3.2 The tax rules regarding donations by way of Life Insurance are complex and subject to change, so donors should always seek independent professional advice.

4.3.3 A revocable life insurance policy is not eligible for a charitable tax receipt.

4.4 Public and Private Securities

4.4.1 Two types of donations of securities may be accepted:

(i) A donation of public securities traded on a recognized stock exchange, including stocks, bonds, bills, and mutual funds. The value of such a donation is determined by the value of trading at the close of business the day received by KHLF. In the case of electronic transfer, this means the day KHLF's custodian received the securities. Donations of public securities may be handled in one of two ways:

- Transfer of securities: the donor is asked to open a no-obligation, one-time-only account with KHLF's brokerage firm and to direct, in writing, the internal transfer of the donated securities to KHLF's account.
- Presentation of certificate: the donor may mail or deliver endorsed certificates to KHLF or KHLF's agent. In some instances, the donor's signature requires bank notarization. Instructions are on the reverse of the certificate.

Gift Acceptance and Receipt Policy - continued

Page 5 of 5

(ii) Donors may also contribute to private securities. A professional, independent valuation determines the value of the donations and resulting charitable tax receipts. Valuation is at the donor's expense.

4.5 Donations-in-Kind

- 4.5.1 KHLF may accept donations of tangible and intangible property. The responsibility of determining acceptance lies with the Board of Directors or its designate.
- 4.5.2 A charitable tax receipt is issued for all property donations for the fair market value at the date of transfer per CRA guidelines.
- 4.5.3 For new items, the donor may present a bill of sale indicating the paid value of the item. The donor will be issued a charitable tax receipt for this value.
- 4.5.4 For used items, the fair market value may be determined only by a competent and qualified appraiser. The donor must provide this appraisal before a charitable tax receipt is issued.
- 4.5.5 Respecting the donor's wishes and KHLF's programs, plans, and needs, KHLF may retain the donation or sell any property and apply the proceeds as appropriate. (Where possible, consult with the donor.)

4.0 Documentation None

5.0 Definitions

Fundraiser - anyone seeking or receiving funds on behalf of the organization, including volunteers, employees, or third parties, concluding contracted third parties.

7.0 Approved By

Board of Directors

8.0 Posting Dates

Initial Posting Date: Y-mm-dd

The date that the document was originally published **Review/Revision Posting Date:** Y-mm-dd

These are the dates that the document was subsequently reviewed and/or revised.

END OF DOCUMENT

Workplace Harassment Policy

Page 1 of 8

KHLF is committed to providing a work environment where all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace.

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome or workplace sexual harassment. **Workplace sexual harassment** means:

- a) Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity, or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- b) Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant, or deny a benefit or advancement to the worker, and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Workers are encouraged to report any incidents of workplace harassment to Kathy Sabo, a member of the KHLF Board of Directors.

Management will investigate and deal with all complaints or incidents of workplace harassment fairly, respectfully, and promptly. Information about an incident or a complaint will not be disclosed except as necessary to protect workers, investigate the complaint or incident, take corrective action, or as otherwise required by law.

Managers, supervisors, and workers are expected to adhere to this policy and will be held responsible by the employer for not following it. Workers should not be penalized or disciplined for reporting an incident or participating in an investigation involving workplace harassment.

Signed or Approved by: Basile Papaevangelou, Chairman Kids' Health Links Foundation

Date: _____

Workplace Harassment Policy – continued

Page 2 of 8

Schedule A – Workplace Harassment Program

The workplace harassment program applies to all workers, including managers, supervisors, temporary employees, students, and subcontractors.

1. Workplace Harassment: Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome or workplace sexual harassment.

Workplace sexual harassment means:

- a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity, or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome or
- b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant, or deny a benefit or advancement to the worker, and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

2. Reporting Workplace Harassment

A. How to Report Workplace Harassment: Workers can report incidents or complaints of workplace harassment verbally or in writing. When submitting a written complaint, please use the workplace harassment complaint form (see attached). When reporting verbally, the reporting contact, along with the worker complaining of harassment, will fill out the complaint form.

The report of the incident should include the following information:

- i. Name(s) of the worker who has allegedly experienced workplace harassment and contact information
- ii. Name of the alleged harasser(s), position, and contact information (if known)
- iii. Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known)
- iv. Details of what happened including date(s), frequency and location(s) of the alleged incident(s)
- v. Any supporting documents the worker who complains of harassment may have in his/her possession that are relevant to the complaint.
- vi. List any documents a witness, another person, or the alleged harasser may have in their possession that are relevant to the complaint.

Workplace Harassment Policy – continued

Page 3 of 8

B. Who to Report Workplace Harassment To: An incident or a workplace harassment complaint should be reported immediately after experiencing or witnessing an incident.

- i. Report a workplace harassment incident or complaint to Kathy Sabo, Member of the Board Of Directors of KHLF, email sabork@bell.net.
- ii. Kathy Sabo shall be notified of the workplace harassment incident or complaint so that they can ensure an investigation that is appropriate in the circumstances is conducted. If the incident or complaint involves the owner, senior executive, or an external person qualified to conduct a workplace harassment investigation who knows the relevant workplace harassment laws, will be retained to conduct the investigation.
- iii. All incidents or complaints of workplace harassment shall be kept confidential except to the extent necessary to protect workers, investigate the complaint or incident, and take corrective action or otherwise as required by law.

3. Investigation

- A. Commitment to Investigate:** KHLF will ensure that an appropriate investigation is conducted when the employer, human resources, manager, or supervisor becomes aware of an incident of workplace harassment or receives a complaint of workplace harassment.
- B. Who Will Investigate:** The Board of Directors shall determine who will investigate the incident or complaint of workplace harassment. Suppose the allegations of workplace harassment involve senior leadership, the president, and others. In that case, the Board of Directors, as advised by Kathy Sabo, will refer the investigation to an external investigator to conduct an impartial investigation.
- C. Timing of the Investigation:** The investigation must be completed promptly and generally within 90 days or less unless there are extenuating circumstances (i.e., illness, complex investigation) warranting a longer investigation.
- D. Investigation Process:** The person conducting the investigation, whether internal or external to the workplace, will, at minimum:
- i. Ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.
 - ii. The investigator must thoroughly interview the worker who allegedly experienced workplace harassment and the alleged harasser(s) if the alleged harasser is an employee. If the alleged harasser is not an, the investigator should make reasonable efforts to interview the harasser.

Workplace Harassment Policy – continued

Page 4 of 8

- iii. The alleged harasser(s) must be allowed to respond to the specific allegations raised by the worker. In some circumstances, the worker who allegedly experienced the workplace harassment should be given a reasonable opportunity to reply.
- iv. *The investigator must interview any relevant witnesses employed by the employer who may be identified by either the worker who allegedly experienced the workplace harassment, the alleged harasser(s), or as necessary to conduct a thorough investigation. The investigator must make reasonable efforts to interview any relevant witnesses who are not employed by the employer if there are any identified.*
- v. *The investigator must collect and review any relevant documents.*
- vi. *The investigator must take appropriate notes and statements during interviews with the worker who allegedly experienced workplace harassment, the alleged harasser, and any witnesses.*
- vii. *The investigator must prepare a written report summarizing the steps taken during the investigation, the complaint, the allegations of the worker who allegedly experienced workplace harassment, the response from the alleged harasser, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and conclude whether workplace harassment was found.*

E. Results of the Investigation: *Within 10 days of the investigation being completed, the worker who allegedly experienced the workplace harassment and the alleged harasser, if he or she is a worker of the employer, will be informed in writing of the results of the investigation and any corrective action taken or that will be taken by the employer to address workplace harassment.*

F. Confidentiality: *Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect workers, investigate the complaint or incident, and take corrective action or otherwise as required by law.*

While the investigation is ongoing, the worker who has allegedly experienced harassment, the alleged harasser(s), and any witnesses should not discuss the incident or the investigation with each other or other workers or witnesses unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation. All records of the investigation will be kept confidential.

Workplace Harassment Policy – continued

Page 5 of 8

G. Handling Complaints

The Board of Directors, as advised by Kathy Sabo, will set out any interim measures that will be taken after the complaint is received and during the investigation. The Board of Directors, as advised by Kathy Sabo, will also set out how they might deal with the complaint of harassment if harassment is found. This may include discipline up to and including termination.

4. Record Keeping

The employer (human resources or designated person) will keep records of the investigation, including:

- a) A copy of the complaint or details about the incident;
- b) a record of the investigation, including notes;
- c) A copy of the investigation report (if any);
- d) A summary of the results of the investigation that was provided to the worker who allegedly experienced the workplace harassment and the alleged harasser, if a worker of the employer;
- e) A copy of any corrective action taken to address the complaint or incident of workplace harassment.

All records of the investigation will be kept confidential. The investigation documents, including this report, should not be disclosed unless necessary to investigate an incident or complaint of workplace harassment, take corrective action, or otherwise, as required by law.

Records will be kept for a minimum of 5 years from the date of complaint.

Workplace Harassment Policy – continued

Page 6 of 8

Schedule B - Workplace harassment complaint form

Whether the worker uses this complaint form or not, the KHLF is still obligated to ensure an investigation appropriate in the circumstances is conducted into an incident of workplace harassment.

Name and contact information of worker who has allegedly experienced workplace harassment (your name):

Name of alleged harasser(s) and contact information, if available:

Details of the Complaint of Workplace Harassment

Please describe in as much detail as possible the bullying and harassment incident(s), including (a) the names of the parties involved, (b) any witnesses to the incident(s), (c) the location, date, and time of the incident(s); (d) details about the incident(s) (behavior and/or words used); (e) any additional details. (Attach additional pages if required)

Relevant Documents/Evidence

Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted. If you cannot attach documents relevant to your complaint, please list the documents below. If someone else has relevant documents, please note them below.

Signature: _____ Date: _____

Workplace Harassment Policy – continued

Page 7 of 8

Schedule C – Investigation Template

The person conducting the investigation must not have been involved in the incident or complaint of workplace harassment and must not be under the direct control of the alleged harasser.

Name of investigator: _____

Date of investigation: _____

A. Background Information: Who are the people involved? Are they workers as defined by OHSA? Who reported and when? (Attach more pages if necessary)

1. Name of person who reported workplace harassment:
2. If not the same person as above, the name of the person who allegedly experienced workplace harassment:
3. Date complaint/concern raised and how:
4. Name of worker(s) (complaining or possibly exposed to workplace harassment): Position/Department:
5. Name of the respondent(s) (alleged harasser); Position/ Department: If not a worker –provide details:

B. Investigation Plan: PLEASE NOTE: The investigator must take detailed notes.

1. Obtain the worker(s) harassment concerns in writing, if possible. Assistance should be provided in completing the form where necessary.
2. An investigator needs to interview the worker who allegedly experienced workplace harassment and the alleged harasser (if a worker of the employer). If the alleged harasser is not an employer's Employee, the investigator should make reasonable efforts to interview them.
3. Make a list of possible relevant witnesses. The worker who allegedly experienced workplace harassment and the alleged harasser should be asked for the names of any relevant witnesses.
4. Interview relevant witnesses. Ask specific questions about what they observed, are aware of, or have personally experienced. If the witnesses are not employees, the investigator should make reasonable efforts to interview those witnesses.
5. Collect and review relevant documents from the worker, alleged harasser, witnesses, and the employer.
6. Keep the investigation confidential. Instruct the worker who allegedly experienced workplace harassment, the alleged harasser and witnesses not to talk to others about the investigation unless it is necessary, for instance, to obtain advice or counseling.

Workplace Harassment Policy – continued

Page 8 of 8

C. Worker (s) Concerns/Workplace Harassment Allegations (Attach more pages if necessary): When did the incident(s) occur? Confirm the date of the first incident and any subsequent behaviors or conduct. Note that recalling events of harassment can be stressful for the complainant.

Date of first incident: _____

Date of last incident: _____

Date of other incident(s): _____

D. Alleged harasser(s) Response: (The alleged harasser(s) will likely need details of the allegation of harassment to be able to respond. Attach more pages if necessary)

E. Interview Relevant Witnesses (Attach more pages if necessary): List witnesses. Interview relevant witnesses and make notes.

F. Collected documentation (Attach more pages if necessary): List the documents collected for the investigation and how or from whom they were obtained.

G. Investigation Result(s) (Attach more pages if necessary): The investigator's summary report should set out who was interviewed, what evidence was obtained, and an analysis of the evidence to determine whether workplace harassment occurred.

Summary of key evidence:

Recommended Next Steps:

The report provided to:

END OF DOCUMENT

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du ministère

Ontario Corporation Number
Numéro de la société en Ontario

1624146

1.



Ministry of
Consumer and
Business Services

APPENDIX 2:
KIDS'S HEALTH LINKS FOUNDATION

LETTERS PATENT / LETTRES PATENTES
ARTICLES OF INCORPORATION

This application for the charter of the corporation which is issued by these Letters Patent dated this
Le présent acte de constitution de la compagnie est issu de ces lettres patentes datées du

SEPTEMBER 03 SEPTEMBRE, 2004

FILE COPY

Minister of Consumer
and Business Services

per/par
Director(A) / Directeur(Le)

Le Ministre des Services
aux consommateurs et aux entreprises

APPROVED AS A CHARITY - MCBS
OEUVRE DE BIENFAISANCE APPROUVÉE-MSCE

Form 2
Corporations
Act
Formule 2
Loi sur les
personnes
morales

APPLICATION FOR INCORPORATION OF A CORPORATION WITHOUT SHARE CAPITAL
REQUÊTE EN CONSTITUTION D'UNE PERSONNE MORALE SANS CAPITAL-ACTIONS

1. The name of the corporation is: (Set out in BLOCK CAPITAL LETTERS)
Dénomination sociale de la société : (Écrire en LETTRES MAJUSCULES SEULEMENT)

K	I	D	S	'		H	E	A	L	T	H		L	I	N	K	S		F	O	U	N	D	A	T	I	O	N

2. The address of the head office of the corporation is:
Adresse du siège social:

1066 Masters Green

(Street & Number or R.R. Number & if Multi-Office Building give Room No.)
(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)

Oakville

(Name of Municipality or Post Office)
(Nom de la municipalité ou du bureau de poste)

Ontario L 6 M 2 P 1

(Postal Code)
(Code postal)

3. The applicants who are to be the first directors of the corporation are:
Requérants appelés à devenir les premiers administrateurs de la personne morale :

First name, middle names and
surname
Prénom, autres Prénoms et nom de
famille

Address for service, giving Street & No. or R.R. No., Municipality,
Province, Country and Postal Code
Domicile élu, y compris la rue et le numéro, le numéro de la R.R. ou
le nom de la municipalité, la province, le pays et le code postal

Basile Papaevangelou

1066 Masters Green
Oakville, ON, L6M 2P1

Christina Rose
Papaevangelou

1066 Masters Green
Oakville, ON, L6M 2P1

John Michael Howard

3870 Tintern Road, R.R. #1
Vineland, ON, LOR 2C0

4. The objects for which the corporation is incorporated are:
Objets pour lesquels la personne morale est constituée:

To receive and maintain a fund or funds and to apply all or part of the principal and income therefrom, from time to time, to charitable organizations that are also registered charities under the Income Tax Act (Canada).

To provide support for those affected by debilitating diseases, illnesses and conditions by offering education and counselling and by establishing mutual support groups.

5. The special provisions are:
Dispositions particulières:

The corporation shall be carried on without the purpose of gain for its members, and any profits or other accretions to the corporation shall be used in promoting its objects.

La personne morale doit exercer ses activités sans rechercher de gain pécuniaire pour ses membres, et tout bénéfice ou tout accroissement de l'actif de la personne morale doit être utilisé pour promouvoir ses objets.

- a. The corporation shall be carried on without the purpose of gain for its members and any profits or other accretions to the corporation shall be used in promoting its objects.
- b. The corporation shall be subject to the Charities Accounting Act and the Charitable Gifts Act.
- c. The directors shall serve as such without remuneration and no director shall directly or indirectly receive any profit from their positions as such, provided that directors may be paid reasonable expenses incurred by them in the performance of their duties.
- d. The borrowing power of the corporation pursuant to any by-law passed and confirmed in accordance with section 59 of the Corporations Act shall be limited to borrowing money for current operating expenses, provided that the borrowing power of the corporation shall not be so limited if it borrows on the security of real or personal property.
- e. If it is made to appear to the satisfaction of the Minister, upon report of the Public Guardian and Trustee, that the corporation has failed to comply with any of the provisions of the Charities Accounting Act or the Charitable Gifts Act, the Minister may authorize an inquiry for the purpose of determining whether or not there is sufficient cause for the Lieutenant Governor to make an order under subsection 317(1) of the Corporations Act to cancel the letters patent of the corporation and declare them to be dissolved.
- f. Upon the dissolution of the corporation and after payment of all debts and liabilities, its remaining property shall be distributed or disposed of to charities registered under the Income Tax Act (Canada), in Canada.
- g. To invest the funds of the corporation in such manner as determined by the directors, and in making such investments the directors shall not be subject to the Trustee Act, but provided that such investments are reasonable, prudent and sagacious under the circumstances and do not constitute, either directly or indirectly a conflict of interest.
- h. For the above objects, and as incidental and ancillary thereto, to exercise any of the powers as prescribed by the Corporations Act, or by any other statutes or laws from time to time applicable, except where such power is limited by these letters patent or the statute or common law relating to charities.

6. The names and address for service of the applicants:

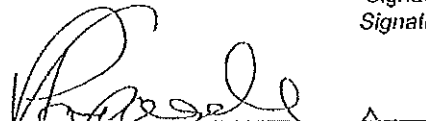
4.

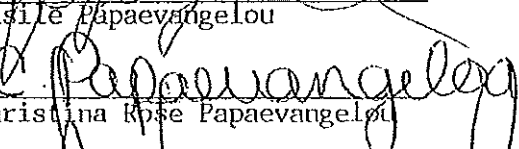
Nom et prénoms et domicile élu des requérants :

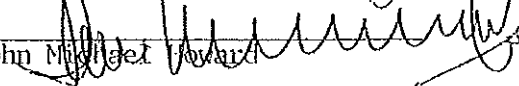
First name, middle names and surname <i>Prénom, autres Prénoms et nom de famille</i>	Address for service, giving Street & No. or R.R. No., Municipality, Province, Country and Postal Code <i>Domicile élu, y compris la rue et le numéro, le numéro de la R.R. ou le nom de la municipalité, la province, le pays et le code postal</i>
Basile Papaevangelou	1066 Masters Green Oakville, ON, L6M 2P1
Christina Rose Papaevangelou	1066 Masters Green Oakville, ON, L6M 2P1
John Michael Howard	3870 Tintern Road, R.R. #1 Vineland, ON, LOR 2C0

This application is executed in duplicate.
La présente requête est faite en double exemplaire.

Signatures of applicants
Signature des requérants


Basile Papaevangelou


Christina Rose Papaevangelou


John Michael Howard

**BYLAWS RELATING TO THE TRANSACTION OF THE BUSINESS
AFFAIRS OF KIDS' HEALTH LINKS FOUNDATION**

1 HEAD OFFICE

The head office of the Kids' Health Links Foundation shall be in Mississauga or Oakville Ontario

2. BOARD OF DIRECTORS

The affairs of the Kids' Health Links Foundation shall be managed by a Board of 7 Directors

3. ELECTION AND APPOINTMENT OF THE BOARD OF DIRECTORS

Candidates for election to the Board of Directors shall be nominated by the Chairman and Founder.

The Members of the Board of Directors shall be elected by unanimous consent of the existing Directors.

4. TERMINATION OF OFFICE; The office of a Director shall be vacated forthwith:

4.1 If they resign their office by delivering a written resignation to the Chair of the Kids' Health Links Foundation or, if the resigning director is the Chair, by delivering the written resignation to the Secretary;

4.2 upon a decision of the Board of Directors;

4.3 if bankrupt or have suspended payment to creditors;

4.4 If convicted of a criminal offence;

5. MEETINGS OF THE BOARD OF DIRECTORS

5.1 An annual meeting of the Directors shall be held at a location as Directors may designate. Seven days written notice of the annual meeting shall be given to each Director. At the annual meeting, the Directors shall elect the Officers and appoint the Auditor of the Foundation and shall receive the report of the Chairman.

5.2 Additional meetings of Directors may be held at any time and place or by any means determined by the Chairman provided that appropriate notice of any such meetings shall be given to each Director.

5.3 Four Directors present in person or by proxy at any meeting of Directors shall constitute a quorum. Each Director shall have the right to exercise one vote with the exception of the Chair who shall vote only in the event of and to break a tie vote. All questions shall be determined by majority vote except where the Act or these bylaws otherwise provide.

6. EXPENSES OF BOARD MEMBERS

Board Members shall not receive any remuneration for their services to the Kids' Health Links Foundation and shall cover all personal costs incurred while serving as Directors of Kids' Health Links Foundation.

7. INDEMNIFICATION TO DIRECTORS, OFFICERS AND OTHERS

Every Director or Officer of the Kids' Health Links Foundation or any other person who has undertaken or is about to undertake any liability on behalf of the Kids' Health Links Foundation and his or her heirs, executors and administrators, and estate and effects, respectively, shall from time to time and at all times, be indemnified and saved harmless out of the funds of the Kids' Health Links Foundation, from and against:

8. DONATIONS

The Board of Directors shall take such steps as it deems necessary to enable the Kids' Health Links Foundation to receive donations and gifts in kind for the purpose of furthering the objects of the Kids' Health Links Foundation,

9. MINUTES

The Board of Directors shall cause proper minutes to be made of the proceedings of all meetings of the Kids' Health Links Foundation and of the Board of Directors, and any such minutes of any meeting upon being approved as a true record at such meeting.

10. AUTHORIZATION OF EXPENDITURES

The Board of Directors may authorize expenditures on behalf of the Kids' Health Links Foundation from time to time.

11. OFFICERS

11.1 The officers of the Kids' Health Links Foundation shall be the Chair, a Secretary, and a Treasurer. Officers are elected by the Board of Directors from among the members of the Board of Directors.

11.2 The officers of the Kids' Health Links Foundation shall hold office until their successors are elected.

11.3 An officer may be removed from office by a resolution of the Board of Directors.

11.4 The Chair shall preside at all meetings of the Kids' Health Links Foundation and of the Board of Directors. They shall ensure that all decisions of the Board of Directors are put into effect.

11.5 The Treasurer shall be responsible for the fiscal affairs of the Kids' Health Links Foundation, ensure that all appropriate regulations are followed, appropriate records are maintained, the Board are kept apprised regularly of the fiscal affairs of the Kids' Health Links Foundation, and perform such other duties as are assigned by the Chair. In the absence or disability of the Chair, he/she shall perform the duties and exercise the powers of the Chair.

11.6 The Secretary shall be responsible for the preparation of minutes of all meetings of the Board of Directors, the safekeeping of approved minutes and all other formal documents of the Foundation, and such other duties as are assigned by the Chair.

12. CHANGES IN BYLAWS

These Bylaws may be repealed, added to, or amended by the Board of Directors in accordance with the governing statutory provisions.

13. AUDITORS

The Auditor shall be appointed at the Annual Meeting. The remuneration of the auditor is subject to approval by the Board of Directors.

14. FISCAL YEAR

The fiscal year of the Kids' Health Links Foundation begins January 1 and terminates December 31 of each year.

12. EXECUTION OF INSTRUMENTS

Contracts, documents or any instruments in writing requiring the signature of the Kids' Health Links Foundation shall be signed by the Chair of the Board of Directors upon approval by the Board.


13. GENERAL

In these Bylaws the words 'in writing' mean written; including email and fax, printed and other modes of representing or reproducing words in a visible form..

Dated this 7th day of August, 2006


Chairman

Secretary

 Canada Revenue Agency
Agence du revenu du Canada
Friday, January 22, 2021

APPENDIX 3 KIDS' HEALTH LINKS FOUNDATION CRA Charity Registration

Mr. Rick Hesp
Authorized Representative
Kid's Health Links Foundation
35 Duke Street
St. Catharines ON L2R 5W4

our file *Votre référence*

Our file *Notre référence*

3036127

September 20, 2007

SUBJECT: NOTIFICATION OF REGISTRATION
Kid's Health Links Foundation

Dear Mr. Hesp:

We are pleased to inform you that, based on the information supplied, and assuming that the activities will be as stated in the application, we have determined that the organization qualifies for tax-exempt status as a registered charity under paragraph 149(1)(f) of the *Income Tax Act* (the *Act*).

Reason for Registration

Kid's Health Links Foundation has been registered as a charity because it benefits the community by providing educational, counselling, and communication services that address and prevent specific problems or issues faced by youth while staying in hospitals.

New and Future Activities

Registration has been granted on the understanding that Kid's Health Links Foundation will not undertake any activity(ies) beyond those described in the application for charitable registration, unless it has received prior approval to do so from our office. Accordingly, if at some future time the organization wishes to pursue a new activity/program that was not described in its application for charitable registration, it must provide our office with a detailed description of the proposed activity/program so that we may determine whether or not it is acceptable. This is necessary to ensure that the organization will operate within the limitations imposed by the *Income Tax Act*.

- 2 -

Gifting – Foundations – Ontario

Kid's Health Links Foundation is registered on the understanding that any gifts it makes to other organizations will be limited to organizations that are registered charities under the *Income Tax Act* (Canada). Additional requirements are set out below, under the heading "Gifting by the Charity (During its Lifetime and Upon Dissolution or Winding-Up)".

REGISTRATION INFORMATION

- the charity's Business Number is 86441 0634 RR0001;
- the charity is registered effective June 25, 2007;
- the charity is designated as a Charitable Organization;
- the charity's fiscal year end has been established as December 31;
- the charity will have to file its first annual return on or before June 30, 2008, for the fiscal period ending December 31, 2007.

The following paragraphs and the documents attached to this letter will further explain the operational requirements the charity must meet, its filing requirements, the issuance of receipts, etc. Please take a few minutes to look over this information, and refer to this letter for any questions relating to the charity's status.

To ensure that you receive information in a timely manner, we strongly encourage you to go to our website at www.cra-arc.gc.ca/eservices/maillist/subscribecharities-e.html and subscribe to our Electronic Mailing List (EML). This is a free service. By subscribing to the EML, you will be automatically notified, via e-mail, of the latest information available for charities, such as up-dates to policies, new forms, roadshow information, newsletters, etc. Being registered to the EML allows you to pick and choose which items are of interest to you and to visit the site for additional information on those particular topics.

The website provides access to many subjects, some of which we have mentioned above. The site will equip you with extensive information related to the requirements for continued registration as a charity.

General Information

Enclosed is a copy of a document entitled *Registered Charities and the Income Tax Act* which will assist you in complying with the operational and filing requirements that must be satisfied in order to maintain the organization's registered charity status. If you have any questions or require further assistance, please do not hesitate to contact our Client Assistance Group, either by phone at (613) 954-0410 or toll-free 1-800-267-2384, or by mail to the Charities Directorate, Canada Revenue Agency, Ottawa,

- 3 -

ON K1A 0L5. Any questions pertaining to the GST may be addressed by telephoning toll-free at 1-800-959-5525.

Official Name of the Charity

Your organization has been registered under the name that appears on your governing document: Kid's Health Links Foundation. This name must be reproduced in full on all official donation receipts issued by your organization.

The Charity's Business Number

The Business Number (BN) system was implemented in April 1997. The BN consists of a nine-digit root, followed by a two-letter, four-digit account identifier. The nine-digit root is the same for each account the organization may have with Canada Revenue Agency (CRA). However, the two-letter, four-digit account identifier will be different for each account. The organization's charitable status is acknowledged by the RR0001 - account identifier. Please note that the charity's BN should be written in full, including its charity account identifier, on all receipts it issues.

The Charity's Designation

We have determined that the organization is a **Charitable Organization** because it meets the requirements of that definition as set out under subsection 149.1(1) of the *Act*. This designation determines the operational requirements that the charity will have to meet under the *Act*. These requirements are described in the information document referred to above. If you think this designation does not accurately reflect the present structure, source of funding or mode of operation of your organization, please write to us within sixty days of the mailing of this letter, clearly setting out your reasons.

At a later date, if the charity undergoes any of the modifications described in the next section, it may be required to change its designation. You may also wish, for other reasons, to see the organization's designation changed. In both cases, you would have to apply for re-designation by completing form T2095.

Changes in the Charity's Purposes, Activities, Sources of Support or Directors

We have registered the organization based on the information provided with the application. If the organization wishes to formally change its stated purposes or objects, it should obtain our prior approval, because this may affect its status. If the organization wishes to undertake programs and activities that are materially different from those in the information already submitted to us, it should make sure that they are within the scope of the organization's stated purposes. Moreover, if the programs or activities are different from those we reviewed, they may not be charitable. As a precaution, we recommend that you check with us beforehand. If the organization actually undertakes programs that are not charitable, its registration may be revoked.

- 4 -

Furthermore, if the charity's sources of support, character, or method of operation were to change, you are required to advise us immediately, so that we may consider any impact this may have on its registered status. In addition, you are required to advise us if the relationships (by blood, marriage or adoption) among the directors and officials change.

These types of changes might affect the charity's designation and the operational requirements it has to meet under the *Act*.

Issuing Receipts Acknowledging Gifts to the Charity

In order for donors to benefit from the tax incentives associated with gifting to a charity, they must receive an official receipt issued by a registered charity. Official receipts are those issued by a registered charity that meet the requirements set out under Regulation 3501 of the *Income Tax Act Regulations*.

Official receipts can only be issued to acknowledge gifts to the charity. A gift is defined as a voluntary transfer of property (including money) by a donor with "donative intent". "Donative intent" will be deemed to exist where the donor does not receive anything of a value exceeding 80% of the fair market value of the transferred property in return for the gift. A receipt can only be issued for the "eligible amount", which is the amount exceeding the value of anything the donor received in return.

A contribution of services (for example, time, skills or effort) does not qualify as a gift since services are not property. However, a charity can pay for services rendered and later accept the return of all or a portion of the payment as a gift, provided it is returned voluntarily.

For more information on what constitutes a gift in charity law and issuing receipts, please refer to our website at www.cra-arc.gc.ca/charities or call our toll free line at 1-800-267-2384.

Books and Records

A registered charity must keep adequate books and records so that we can establish that it continues to comply with the requirements for registration as a charity. For further details please see the enclosed Information Circular No. 78-10R4 entitled "*Books and Records Retention/Destruction*" and visit our website at <http://www.cra-arc.gc.ca/tax/business/topics/ecommm/books-e.html> for information on electronic books and records.

- 5 -

Filing the Charity's Annual Information Return

Every registered charity must file an information return each year and it must be filed no later than six months after the end of its fiscal period. Beginning with fiscal periods ending in 2003 and after, an information return includes:

- Form T3010A, *Registered Charity Information Return*, and the *Registered Charity Basic Information Sheet*;
- The list of directors/trustee or like officials, with all the required information;
- The list of qualified donees, with all the required information (if applicable); and
- A copy of the registered charity's financial statements.

The information that must be included annually in the return may differ substantially from that available in your current books and records. Here are some items of information you will have to provide on the return:

- a breakdown of gifts including those for which official tax receipts were issued and those from other registered charities;
- disbursements, including amounts spent on fund-raising, administrative expenditures, political activities, and those spent specifically on charitable programs; and,
- a breakdown of remuneration to directors, executive officers, to employees engaged in charitable activities and to employees engaged in other activities.

Although the information return forms are forwarded annually to all registered charities for their use and to remind them that the return must be filed, it is the charity's responsibility to ensure that it meets its annual filing requirements, without prior notice by CRA. It is important, therefore, for the Charities Directorate to always have the current address of the charity. Failure to file the return within the prescribed six-month period following each fiscal year end could result in the revocation of the organization's registered status (see below).

Gifting by the Charity (During its Lifetime and Upon Dissolution or Winding-Up)

A registered charity may gift only to qualified donees described in subsection 149.1(1) of the *Act* (see appendix attached). In Ontario, registered charities may only gift to those "qualified donees" that are also registered *charitable organizations* under the *Act*. In all cases, once the Minister of National Revenue has issued a notice of intention to revoke the organization's registration as a charity under the *Act*, the charity may subsequently divest itself of its assets only to eligible donees described in subsection 188(1.3) of the *Act* (see appendix attached). Further information about gifting and disposing of assets can be obtained from our Client Assistance Section (613-954-0410 or toll-free 1-800-267-2384).

- 6 -

Use of Resources/Conduct of Activities

According to the *Act*, a registered charity may only use its resources (funds, personnel and/or property) in two ways, both inside and outside of Canada:

1. For charitable activities undertaken by the registered charity itself - *its own charitable activities*. These are activities/programs that are conducted under the charity's direction and control. Such activities may be conducted by the charity's employees or volunteers, or by its "intermediaries" (agents, contractors or partners). At all times, the charity must be able to demonstrate direction and control over, and fully account for, all resources used.
2. For gifting to "qualified donees" as defined in the *Act*. For the most part, "qualified donees" are other registered Canadian charities. Individuals, and most organizations outside Canada such as foreign charities and international aid agencies, are not "qualified donees". The attached appendix contains a complete list. For registered charities that are designated as charitable *organizations*, gifts to "qualified donees" must not exceed 50% of the charity's income for that year. *Public foundations* will gift over 50% of their income to qualified donees on an annual basis. Please refer to page 3 of this letter for your charity's designation, and to page 4-5 of the enclosed Guide entitled *Registered Charities and the Income Tax Act* for additional information.

This means that a registered charity can only:

- a. use its resources for its own charitable activities, which are carried out by its employees or volunteers;
- b. transfer its resources to an individual or organization that is its intermediary according to a structured arrangement. The arrangement must clearly show that the registered charity maintains direction and control over the use of its resources. Please refer to our Guide: *Registered Charities Operating Outside Canada* for more information, and for details about the type of arrangement needed; or
- c. transfer its resources to an organization that is a "qualified donee". A registered charity must make sure that any organization to which it gifts is a "qualified donee". In Ontario, registered charities may only gift to those "qualified donees" that are also registered *charitable organizations* under the *Act*. The CRA would be pleased to help in cases of doubt.

Remuneration of Directors/Trustees

Subsection 149.1(1) of the *Income Tax Act* states that no part of the income of a registered charity can be payable to, or otherwise available for the personal benefit of any of its proprietors, members, shareholders, trustees, or settlors. This means that directors/trustees of registered charities must not receive any income from the charity simply for being named as director/trustee. However, the tax legislation does permit the charity to reimburse its directors/trustees for any expenses they incur while performing their duties. As well, directors/trustees can receive reasonable remuneration for the actual

- 7 -

- time, effort and services devoted to the charity's affairs, provided that compensation is in accordance with the organization's governing documents, by-laws and/or provincial legislation. Registered charities are responsible for ensuring that they are in compliance with all legal requirements.

Other Possible Requirements Associated with Charitable Status

- The organization is now registered for federal income tax purposes.
- However, depending on which part of Canada it carries on its activities, there may be provincial legislation or municipal by-laws that could govern its operations. These rules may require you to file reports or annual returns, or to apply for licenses in connection with various aspects of its activities, such as fund-raising. If you are unfamiliar with these requirements, you should contact the appropriate provincial and municipal authorities to determine the relevant requirements. Please note that if you intend to issue receipts to residents of Québec for Québec provincial income tax purposes, the charity must also be formally registered with Revenu Québec.

Other Filing Requirements

If the registered charity is a corporation, it is not required to file a *T2 Corporation Income Tax Return* during the period it has registered charitable status. Should the registered charity lose its registered charitable status, it will be required to resume filing the T2 return. For information regarding T2 filing requirements with regards to charities please call Business Enquiries at 1-800-959-5525.

Charity Audits

Through ongoing audit and review programs, CRA endeavours to ensure that the requirements for continued registration are met. Further, a number of registered charities are verified by CRA each year on the basis of random sampling and a review of the annual returns filed by charities. Where the charity is not complying with the *Act*, its registration may be revoked.

Revocation of Charitable Status

In the event that the charity loses its charitable status, either on a voluntary basis or for cause, it would lose its tax-exempt status as well as its authority to issue official receipts for income tax purposes. Further, it would be subject to a tax equal to the value of any remaining assets not disposed of in a prescribed manner. Please refer to the section entitled *Revocation of a charity's registration* at page 13 of the document entitled *Registered Charities and the Income Tax Act*.

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