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Re: **Canada Gazette, Part I, June 14, 2008, Telecommunications Act, Notice No. DGTP-002-2008 — Petition to the Governor in Council concerning Telecom Decision CRTC 2008-6, Vol. 142, No. 24.**

I am writing today to express the deep concern of CARE Canada regarding new regulatory fees and obligations imposed by the Canadian Radio and Telecommunications Commission (CRTC) on charities under federal telemarketing rules, and to support the above-referenced Petition to Cabinet regarding that CRTC decision.

CARE Canada is one of the country's largest and most recognized international humanitarian agencies. CARE Canada operates programs in nearly 50 countries around the world. We are one of the Canadian International Development Agency's (CIDA) key partners in delivering Canadian humanitarian assistance around the globe. CARE's mission is to serve individuals and families in the poorest communities around the world. CARE provides long-term development and economic empowerment to communities facing challenges like HIV and AIDS, poverty, gender inequality, environmental degradation, natural disasters and conflict. CARE places special focus on working alongside poor women because, equipped with the proper resources, women have the power to help whole families and entire communities escape poverty.

Canada has a long-standing tradition of global generosity and a belief in the need for humanitarian involvement. This belief has always been expressed in part by government policies that acknowledge and make special provision for Canadian charitable organizations. Charities are exempt from income tax

under the *Income Tax of Canada*; charities that own real estate, such as churches, are overwhelmingly exempt from property tax; charities are exempt from many corporate governance duties and benefit from distinct corporations law regimes; and in the telemarketing arena, charities secured an express statutory exemption to the national DNCL, to avoid placing new constraints on the ability of charities to raise charitable donations and fund our work in our communities. Just this past June your government continued to uphold those public policy principles by introducing Bill C-62, a *Not-for-Profit Corporations Act* aimed at reducing the red tape burden placed by governments and regulatory bodies on Canada's charities and nonprofits – a move very much appreciated and applauded by CARE. However this new ruling by the CRTC effectively undermines the spirit and impact of this important legislative initiative. It also undermines the spirit of Parliament's decision to exempt registered charities from the national Do-Not-Call List (DNCL), which is the principle component of the telemarketing rules that the new CRTC investigative body was set up to enforce.

The CRTC ruling will impact all charities like CARE in a number of important ways. As with most charitable organizations, CARE Canada operates with a relatively small number of staff and volunteers. This allows CARE to devote significantly more human and financial resources to effectively delivering programs that enhance Canada's reputation abroad as a humanitarian leader. Meeting the new requirements under the *Telecommunications Act* created by the CRTC ruling will place a serious additional administrative burden on all charitable organizations like CARE, negatively impacting our ability to deliver those programs.

In addition to the administrative burden, the ruling will subject Canada's charities to unnecessary fees. It is effectively implementing a new tax on charity. Charities are not businesses – they cannot pass the burden of additional costs on to customers. Every year 22.2 million Canadians make donations to charities – over \$9 billion a year according to the CRA. Those millions of Canadians who support humanitarian work through their donations expect their contributions to go to meeting humanitarian objectives. Those millions of Canadians will not consider financing a new enforcement body at the CRTC to be a humanitarian objective.

For those reasons CARE Canada is joining with all other Canadian charitable organizations in urging you to rescind the CRTC ruling insofar as it applies to charities. We understand it is an exceptional request to ask Cabinet to intervene in a decision made by a regulatory body. However, as already noted, there is precedent in the long history of federal, provincial and municipal forbearance and exemption of charities from fees and regulations that are burdensome and undermine our charitable missions. More importantly, this is an opportunity for Canada to continue to demonstrate its world leadership in the humanitarian arena by showing the priority you, the Government of Canada, places on charity.

CARE Canada sincerely appreciates this opportunity to make known to you, the key decision and policy makers of the Canadian government, these serious concerns with the CRTC decision. CARE values the long history of partnership and cooperation it has maintained with the Government of Canada and the willingness it has always shown to hear and discuss our issues.

Sincerely,



Kevin McCort  
President and CEO  
CARE Canada

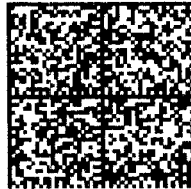
cc. The Honourable Diane Ablonczy P.C., M.P.  
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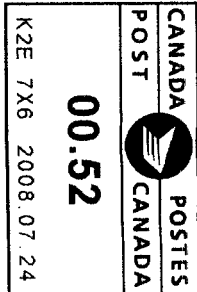


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