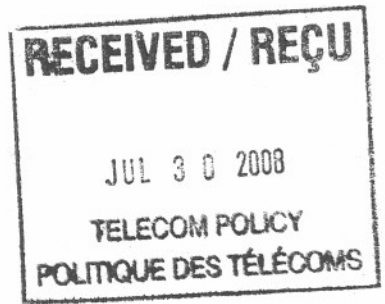




CREDIT VALLEY
THE CREDIT VALLEY HOSPITAL FOUNDATION



July 25, 2008

Director General, Telecommunications Policy Branch,
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telecom@ic.gc.ca

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 to Cabinet on behalf of The Credit Valley Hospital Foundation regarding the above-referenced Petition and would like to express my deep concern regarding the impact of the above-noted CRTC decision on Canada's charities. We are grateful for the opportunity to appeal to Cabinet about this issue and ask that Cabinet seriously consider the ramifications of such a decision for us and other charities in Canada.

The Credit Valley Hospital Foundation is a registered charity and exists to raise funds to benefit the needs of our patients and their families. We are proud of the work we do and the generous support of our community to make The Credit Valley Hospital a world class facility.

We urge the Cabinet to rescind the CRTC's ruling as it applies to charities. This ruling negatively affects the work of Canadian charities in several ways. First, it puts charities in a precarious position by threatening the long-standing protection we've received from various levels of government through the forbearance of various regulatory policies which would negatively impact our ability to raise funds for our cause. Following through on the CRTC ruling would set a precedent that could undermine the work of all charities across this country.

Second, this ruling places burdensome red tape on charities. Charities deliver important services to Canadians. The Credit Valley Hospital Foundation works to provide the best possible health care to those in our community. We cannot keep up with demand for state-of-art equipment and facilities without the financial support of our community. We have a handful of staff that is responsible for raising the necessary funds to improve our hospital and meet the needs of our community and we rely on the help of volunteers to achieve our goals. Filling out forms under the *Telecommunications Act* is not something we are well equipped to execute. As it is, compliance with the T3010 regime at CRA is already quite challenging for many charities.

The Credit Valley Hospital Foundation was pleased to see the introduction of Bill C-62 in June 2008, 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.



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This new ruling by the CRTC effectively undermines the spirit and impact of this important legislative initiative.

Finally, Canada's charities should not be subjected to unnecessary fees, essentially *de facto* taxes. Under the *Income Tax Act*, charities are exempt from taxation. Charities are required to apply their funding and resources to charitable objectives. We and, more importantly, our donors, do not consider registering with and financing a new enforcement body at the CRTC to be a charitable objective. What's more, unlike commercial organizations, charities are not able to pass such fees on to customers.

We understand that it is an exceptional request to ask Cabinet to intervene in a decision of a regulatory body. However, there is a long history of federal, provincial and municipal "forbearance" and exemption of charities from fees and regulations that are burdensome and undermine our charitable missions. Charities are exempt from income tax and many other corporate governance duties and benefit from distinct corporations law regimes. Charities have already been exempted from the national DNCL as it would clearly limit our ability to raise charitable donations and fund the important work in our communities.

For these reasons, we urge you to rescind the CRTC ruling as it applies to charities. Thank you for your consideration of our strongly-felt concerns and your support of Canada's charities.

Sincerely,

Norma Bandler
President & CEO
The Credit Valley Hospital Foundation

cc.

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