



Spina Bifida and Hydrocephalus Association of Canada
Association de spina-bifida et d'hydrocéphalie du Canada

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July 14, 2008

Privy Council and Secretary to the Cabinet
Langevin Block, 80 Wellington Street
Ottawa, ON K1A 0A3

Lead: SPMS-SESU	Input: 2008-07-21
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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 on behalf of Spina Bifida and Hydrocephalus Association of Canada regarding the above-referenced Petition to Cabinet regarding the impact of the above-note CRTC decision on Canadian charities.

Our organization, SBHAC, along with our member associations across Canada, work on behalf of people with spina bifida and/or hydrocephalus. We address the needs of children and families through support, awareness, education, advocacy and research programs.

SBHAC appreciates having access to this right to appeal to Cabinet, and we wish to sincerely thank Cabinet for its consideration of our serious concerns about this decision. We appreciate that our elected officials have ultimate authority over public-policy making in Canada, and SBHAC strongly believes that this ruling by the CRTC erodes important long-standing public policy principles that have underscored the relationship between governments and charities since Confederation. We therefore ask you to vary or rescind the CRTC's ruling insofar as it applies to charities.

Spina Bifida is the #1 physically disabling birth defect in Canada. There is NO cure. The families of babies born with spina bifida need our ongoing support. We are a national charity with 2 full time and one summer support student. We are not well-equipped to execute the necessary forms required under the Telecommunications Act. The T3010 regime is already quite a challenge for many charities.

Our association was pleased to see Bill C-62, a Not for Profit Corporations Act aimed at reducing red tape on Canada's charities and nonprofits. This ruling undermines the spirit of Parliament's decision to exempt registered charities from the national Do-Not-Call List, which is the principle component of the telemarketing rules that the new CRTC investigative body was set up to enforce.

Canada's charities should not be subjected to unnecessary fees, which serve as a *de facto* tax on charities. Under the Income Tax Act, charities are exempt from taxation. We must apply 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. We cannot pass such fees on to customers as would be done in a commercial organization.





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We understand that it is an exceptional request to ask Cabinet to intervene in a decision of a regulatory body. Charities have been exempted of burdensome fees and regulations that undermine our missions. In the telemarketing field, 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.

For these reasons, we urge you to rescind the CRTC ruling as it applies to charities. We would like to thank you for your consideration of our concerns and your support of Canada's charities.

Yours truly,

Bonnie Hidlebaugh
National Communication & Development Coordinator
Spina Bifida & Hydrocephalus Association of Canada

Cc The Honourable Diane Ablonczy P.C, M.P.
Cc Director General, Telecommunications Policy Branch

