

July 31, 2008

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Kevin G. Lynch
Clerk of the Privy Council and Secretary to the Cabinet
Langevin Block, 80 Wellington Street,
Ottawa, ON K1A 0A3

The Honourable Jim Prentice P.C., M.P.,
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235 Queen Street
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The Honourable Gordon O'Connor P.C., M.P.,
Minister of National Revenue,
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Ottawa ON K1A 0L5

Lead SPS-TP	Input: 2008-08-11
Action: DRAFT REPLY	BF: 2008-08-25
Issue: TELECOM-POLICY-GEN	
C.C: MIN, DM, MM, AL	
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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 Trent University regarding the above-referenced CRTC decision and its impact on Canada's charities. Trent University appreciates the opportunity to appeal to Cabinet concerning this CRTC decision, and thanks Cabinet for its consideration of our serious reservations regarding this decision. Trent University believes that this ruling by the CRTC erodes a long history of supportive public policy and undermines the relationship between government and charities. We appeal to you to vary or rescind the CRTC's ruling insofar as it applies to charities.

Trent University is a registered non-profit organization, offering undergraduate and graduate programs to approximately 8,000 students. Our programs, both traditional and inter-disciplinary, seek to advance learning through the creative interaction of teaching and research of the highest quality.

Trent University strives to provide Canadians from all walks of life with access to higher education. Without the support of our many new and ongoing donors, our students and our communities would suffer. Donors to Trent establish scholarships, bursaries and awards that make it possible for students to afford university. Donors are clearly vital to our success and their concerns and interests are already deeply valued. As with Canada's 84,000 charities, Trent's ability to deliver important services to Canadians depends on our capacity to engage these donors creatively, dynamically and readily, while also being respectful, responsible and cost-effective. Filling out new forms under the *Telecommunications Act* and being responsible for additional fees will ultimately mean less time and less money devoted to the betterment of our communities.

Trent University was pleased to see the introduction in June 2008 of Bill C-62, a *Not-for-Profit Corporations Act* aimed at minimizing the red tape burden placed by governments and regulatory bodies on Canada's charities and nonprofits. The CRTC ruling weakens the spirit and impact of this vital legislative initiative. It also weakens the spirit of Parliament's decision to exempt registered charities from the national Do-Not-Call List (DNCL), which is the key component of the telemarketing rules that the new CRTC investigative body was set up to enforce.

Charities are accountable to their donors and the public to apply their funding and resources to charitable objectives. Registering with and financing a new enforcement body at the CRTC is not a charitable objective. And unlike commercial organizations, charities are not able to pass these fees on to customers.

There is a long history of federal, provincial and municipal leniency and exemption of charities from fees and regulations that are burdensome and undermine our charitable missions. Charities are exempt from income tax under the *Income Tax Act of Canada*; 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. Our fundraising activities result in 22.2 million Canadians choosing to make donations to charities each year. The CRA data base demonstrates that Canadians claim \$9B per year in receipted donations to charities. Yet a worrisome trend is emerging of fewer Canadians giving to charity. Clearly, the relationship between charities, donors and the public is vital and needs to be enhanced, not hindered.

For these reasons, we encourage you to vary or rescind the CRTC ruling insofar as it applies to charities. Thank you for your thoughtful consideration of our concerns and your support of Canada's charities.

Yours very truly,



Lee Hays

Annual Giving Coordinator

cc. Dean Del Mastro, M.P. Peterborough, 1840 Lansdowne Street West,
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cc. Director General, Telecommunications Policy Branch, 300 Slater Street, 16th Floor, Ottawa,
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cc. Dianne Lister, VP External Relations & Advancement, Trent University

cc. Don Cumming, Senior Director Public Affairs, Trent University