

*The
Charitable
Fund-raising
Businesses
Regulations*

being

Chapter C-6.2 Reg 1 (effective January 1, 2003).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

	PART I		PART IV
	Title and Interpretation		Exemptions
1	Title	10	Exemption re disclosure by persons making telephone solicitations
2	Interpretation	11	Application of section 22
	PART II		PART V
	Licensing		Records, Documents and other Information
3	Licensing fees	12	Records
4	Proof of registration	13	Copy of fund-raising agreement
5	Term and expiry of licence	14	Annual financial statement
6	Notification of any change in circumstances	15	Content of financial statement
	PART III		PART VI
	Solicitations		Transitional and Coming into Force
7	Information provided to registrar	16	Transitional re solicitations commenced before regulations come into force
8	Identification card	17	Coming into force
9	Disclosure of information		

CHAPTER C-6.2 REG 1

The Charitable Fund-raising Businesses Act

PART I

Title and Interpretation

Title

1 These regulations may be cited as *The Charitable Fund-raising Businesses Regulations*.

Interpretation

2(1) In these regulations, “**Act**” means *The Charitable Fund-raising Businesses Act*.

(2) In the Act and these regulations, “**campaign**” means the period of solicitation covered by a fund-raising agreement.

10 Jan 2003 cC-6.2 Reg 1 s2.

PART II

Licensing

Licensing fees

3 Every applicant for a licence or a renewal of a licence shall pay a fee of \$250.

10 Jan 2003 cC-6.2 Reg 1 s3.

Proof of registration

4 For the purposes of clause 6(d) of the Act, a fund-raising business that wishes to obtain or renew a licence shall provide the registrar with evidence that it is registered as required by law to carry on business in Saskatchewan.

10 Jan 2003 cC-6.2 Reg 1 s4.

Term and expiry of licence

5 For the purposes of section 12 of the Act, a licence is valid for a period of one year and unless the licence is renewed pursuant to section 7 of the Act or cancelled pursuant to section 9 of the Act, it expires on the expiry date stated on the licence.

10 Jan 2003 cC-6.2 Reg 1 s5.

Notification of any change in circumstances

6 For the purposes of subsection 15(1) of the Act, a prescribed change in circumstances consists of a material change in the information previously provided to the registrar in an application for:

- (a) a licence;
- (b) renewal of a licence; or
- (c) reinstatement of a licence.

10 Jan 2003 cC-6.2 Reg 1 s6.

PART III Solicitations

Information provided to registrar

7 For the purposes of section 18 of the Act, a licensee shall provide the registrar with the following information at least 30 days before commencing a campaign:

- (a) the name, address, telephone number, and, if applicable, the e-mail address of a contact person for the licensee with respect to the campaign;
- (b) the name, address, telephone number, and, if applicable, the e-mail address and website address of the charitable organization on whose behalf solicitations are to be made;
- (c) the charitable purpose for which contributions will be used;
- (d) the jurisdiction in which contributions will be used;
- (e) a list of locations in Saskatchewan where the campaign is to be carried out;
- (f) the length of the campaign;
- (g) a reasonable sample of:
 - (i) the identification card to be worn by representatives who will be making door-to-door solicitations;
 - (ii) any publication or other information that will be provided to persons being solicited; and
 - (iii) any telephone script that will be used in making solicitations.

10 Jan 2003 cC-6.2 Reg 1 s7.

Identification card

8(1) The identification card mentioned in section 20 of the Act must:

- (a) be not less than 10.0 centimetres by 14.5 centimetres;
 - (b) contain a picture of the representative's face that is not less than 2.5 centimetres by 3.0 centimetres; and
 - (c) in addition to the requirements contained in subsection 20(2) of the Act, include:
 - (i) the name of the charitable organization on whose behalf solicitations are being made; and
 - (ii) the words "PAID CANVASSER" in capital letters.
- (2) Subject to subsection (3), the information in the identification card must be displayed in not less than 14 point bold type.
- (3) The name of the licensee and the information mentioned in subclause (1)(c)(i) must be displayed in not less than 18 point bold type and the words "PAID CANVASSER" must be displayed in not less than 24 point bold type.
- (4) The identification card must be easily visible and displayed on the chest area of the representative.

10 Jan 2003 cC-6.2 Reg 1 s8.

Disclosure of information

9(1) In addition to the information mentioned in section 21 of the Act, every licensee or representative shall provide the person who is being solicited with the following information prior to accepting a contribution:

- (a) if applicable, the e-mail address and website address of the licensee;
- (b) the name, address, telephone number, and, if applicable, the e-mail address and website address of the charitable organization on whose behalf solicitations are being made;
- (c) the charitable purpose for which contributions will be used;
- (d) the jurisdiction in which contributions will be used.

(2) The information mentioned in section 21 of the Act and subsection (1), other than the name of the representative, shall be provided by the licensee or representative in writing, using not less than 12 point type.

10 Jan 2003 cC-6.2 Reg 1 s9.

PART IV
Exemptions

Exemption re disclosure by persons making telephone solicitations

10(1) Subject to subsection (2), a licensee or representative making a telephone solicitation is not required to provide the information mentioned in section 21 of the Act or subsection 9(1) of these regulations to the person who is being solicited, but shall provide the person with the following information prior to accepting a contribution:

- (a) the licensee's name;
- (b) if a representative is making the solicitation, the fact that the representative is employed by the licensee for the purpose of making solicitations;
- (c) the name of the charitable organization on whose behalf solicitations are being made;
- (d) the charitable purpose for which contributions will be used;
- (e) the jurisdiction in which contributions will be used.

(2) If a person who is being solicited by telephone requests it, the information mentioned in section 21 of the Act and subsection 9(1) of these regulations, other than the name of the representative, shall be provided by the licensee or representative:

- (a) in writing, using not less than 12 point type; and
- (b) within 30 days after the request.

10 Jan 2003 cC-6.2 Reg 1 s10.

C-6.2 REG 1 CHARITABLE FUND-RAISING BUSINESSES**Application of section 22**

11 Section 22 of the Act does not apply to a charitable organization in the circumstance in which an unpaid volunteer is making solicitations on behalf of the charitable organization.

10 Jan 2003 cC-6.2 Reg 1 s11.

**PART V
Records, Documents and other Information**

Records

- 12(1)** In this section and in section 16, “**records**” includes electronic records.
- (2) For the purposes of section 24 of the Act, a licensee shall ensure that the following records are made of its operations in Saskatchewan:
- (a) for each campaign:
 - (i) a statement of the revenues and expenses of the licensee pursuant to the campaign; and
 - (ii) a statement of the total value of contributions received by the licensee on behalf of the charitable organization pursuant to the campaign and the net value of contributions for the charitable organization;
 - (b) records of all transactions in any account in which moneys received as a result of a campaign are deposited, including cheque numbers, cheque dates, cheque payees and their addresses, cheque dollar amounts, deposit and withdrawal dates and dollar amounts, and the purpose of each transaction.
- (3) A licensee shall maintain original records, including invoices, cheques, receipts, deposit records and bank statements with respect to its operations in Saskatchewan.
- (4) A licensee shall record the names of all representatives acting on behalf of the licensee for each of its campaigns in Saskatchewan.
- (5) A licensee shall maintain the records mentioned in this section for at least six years after the last solicitation.

10 Jan 2003 cC-6.2 Reg 1 s12.

Copy of fund-raising agreement

- 13(1)** For the purposes of subsection 26(3) of the Act, a licensee shall provide a copy of the fund-raising agreement to the registrar at least 30 days before commencing a campaign.
- (2) The fund-raising agreement mentioned in subsection (1) must be signed by the licensee and the charitable organization on whose behalf solicitations are to be made.

10 Jan 2003 cC-6.2 Reg 1 s13.

Annual financial statement

14(1) A licensee shall provide the registrar with the licensee's audited annual financial statement within three months after the end of the licensee's fiscal year.

(2) The audited annual financial statement mentioned in subsection (1) must:

(a) be prepared in accordance with generally accepted accounting principles; and

(b) include:

(i) a statement of the assets and liabilities of the licensee in the form of a balance sheet; and

(ii) a statement of the revenues and expenses of the licensee.

10 Jan 2003 cC-6.2 Reg 1 s14.

Content of financial statement

15 An audited annual financial statement provided by a charitable organization to any person who requests it pursuant to clause 42(1)(a) of the Act must:

(a) be prepared in accordance with generally accepted accounting principles; and

(b) include:

(i) a statement of the assets and liabilities of the charitable organization in the form of a balance sheet; and

(ii) a statement of the revenues and expenses of the charitable organization.

10 Jan 2003 cC-6.2 Reg 1 s15.

PART VI**Transitional and Coming into Force****Transitional re solicitations commenced before regulations come into force**

16(1) This section applies if:

(a) solicitations were commenced on behalf of a charitable organization before the coming into force of these regulations; and

(b) the licensee's licence is issued pursuant to the Act on or after the coming into force of these regulations.

(2) Notwithstanding section 12, in the circumstances mentioned in subsection (1) and for the purposes of section 24 of the Act:

(a) the licensee shall ensure that the following records are made of its operations in Saskatchewan:

(i) a statement of the revenues and expenses of the licensee that relate to the period of solicitation on or after the date the licensee's licence was issued;

- (ii) a statement of:
 - (A) the total value of contributions received by the licensee as a result of solicitations on or after the date the licensee's licence was issued; and
 - (B) the net value of contributions for the charitable organization from the date the licensee's licence was issued to the end of the period of solicitation; and
- (iii) records of all transactions that take place on or after the date on which the licensee's licence was issued in any account in which moneys received as a result of solicitations are deposited, including cheque numbers, cheque dates, cheque payees and their addresses, cheque dollar amounts, deposit and withdrawal dates and dollar amounts, and the purpose of each transaction;
- (b) the licensee shall maintain, with respect to its operations in Saskatchewan, original records, including invoices, cheques, receipts, deposit records and bank statements that relate to the period of solicitation that is on or after the date on which the licensee's licence was issued;
- (c) the licensee is required only to record the names of representatives acting on behalf of the licensee with respect to its solicitations in Saskatchewan on or after the date the licensee's licence was issued; and
- (d) the licensee shall maintain the records mentioned in this section for at least six years after the last solicitation.

10 Jan 2003 cC-6.2 Reg 1 s16.

Coming into force

17(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Charitable Fund-raising Businesses Act* comes into force.

(2) If section 1 of *The Charitable Fund-raising Businesses Act* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

10 Jan 2003 cC-6.2 Reg 1 s17.