

PUBLIC POLICY DIALOGUE AND DEVELOPMENT ACTIVITIES POLICY

(This policy replaces the previous policy on Political Activity)

POLICY STATEMENT:

As a registered charity, First Unitarian Congregation of Ottawa (FirstU) will respect the policies of Canada Revenue Agency (CRA) on Public Policy and Dialogue Development Activities, as outlined in Guidance CG-027 issued January 21, 2019. FirstU will ensure that all its activities are non-partisan and that they do not directly or indirectly support or oppose a political party or candidate for public office. In addition, all FirstU's public policy dialogue and development activities (PPDDAs) will be in furtherance of FirstU's charitable purposes and will offer a public benefit. Processes will be in place to ensure that the link between any PPDDAs and FirstU's charitable purposes and the public benefit being provided are documented.

RATIONALE:

The Income Tax Act requires registered charities to be constituted and operated exclusively for charitable purposes, and all the charity's resources must be devoted to charitable activities carried on by the charity itself. Public policy dialogue and development activities (PPDDA) that further a charitable purpose are considered charitable activities. PPDDAs generally involve seeking to influence the laws, policies, or decision of a government, whether in Canada or a foreign country. As long as a PPDDAs are carried on in furtherance of a charity's stated charitable purpose(s), there are no limits on the amount of PPDDAs a charity can engage in.

Taking action on social justice issues is an integral part of FirstU's mission and is one of the ways that we give life to our Unitarian Universalist principles. At times, this means that FirstU will participate in public policy dialogue and development activities that help further its charitable purposes.

BACKGROUND:

In 2019 following consultations with the charitable sector and resulting changes to legislation, the Canada Revenue Agency issued new guidance on the ability of charities to undertake non-partisan political activities, now called 'public policy dialogue and development activities' (PPDDAs). Under the new laws, the restriction on charities to devote no more than 10% of their resources on political activities was eliminated. PPDDAs are now considered charitable activities and must be undertaken in furtherance of a charity's charitable purposes.

POLICY DETAILS:

What is a PPDDA?

A PPDDA is any action which seeks to influence or change the laws, policies or decisions of a government, whether in Canada or in a foreign country.

What is an allowable PPDDA?

A list of what CRA considers allowable PPDDAs is provided in Appendix A.2.

In addition, all PPDDAs undertaken must satisfy both of the following criteria:

- PPDDAs must relate to FirstU's stated charitable purpose (see Appendix A.1) and this link between the PPDDA and FirstU's charitable purposes must be clearly documented.
- PPDDAs, when considered together with the charity's stated charitable purpose, would provide a benefit to the public (see [Policy statement CPS-024, Guidelines for registering a charity: Meeting the public benefit test](#)).

In addition to the CRA requirements, PPDDAs undertaken by FirstU or any of its working groups must be consistent with Unitarian Universalist values and principles and with the views of the congregation.

What PPDDA's are not allowed?

All public policy dialogue and development activities (PPDDAs) must be non-partisan. This means that FirstU cannot, directly or indirectly, support or oppose a particular political candidate or party. For example, hosting a candidates meeting would only be acceptable provided all candidates were invited and given equal opportunities to speak. More information on prohibited PPDDAs is provided in Appendix A.3.

Who can undertake a PPDDA?

Because most PPDDAs will be linked to FirstU's social responsibility work, they will be normally be initiated by social responsibility working groups. Other committees or teams may also initiate PPDDAs that are linked to their terms of reference (e.g. Caring Network on issues relating to medically assisted dying). Individuals who wish to propose a PPDDA will submit their proposal to the applicable working group, committee or team.

Guidance

The Operations Manager and Finance Manager can both provide guidance to social responsibility working groups or others considering PPDDAs on whether the proposed PPDDAs meet the CRA's tests of being in furtherance of FirstU's charitable purposes and provide a public benefits, and where needed, on the appropriate approval authority.

AUTHORITIES:

Social Responsibility working groups and other congregational committees and teams may approve PPDDAs that are consistent with their work plans and meet the above criteria (i.e. are non-partisan, are in furtherance of FirstU's charitable purposes, provide a public good, are consistent with UU values and principles), provided that

- the action does not involve FirstU or the working group/team taking a public stance or position on the matter. A public stance would include any of the following that are undertaken for the purpose of advocating for change in public policy: press release, signing a public statement on behalf of the congregation, submissions or letters to any level of government sent on behalf of FirstU, entering into a partnership with an advocacy organization for the purpose of influencing or changing the laws, policies or decisions of a government, hosting an advocacy speaker at a public meeting where FirstU will be seen as supporting the position being advocated.
- The action generally reflects the views of the congregation and will not be seen as contentious.

Examples of actions which may be approved by working groups or committees/teams include letter writing or other campaigns where congregants may elect whether to participate.

The Executive Committee (Minister and at least two Board officers) will approve PPDDAs that involve FirstU taking a public stand on an issue before any action is taken and will assess and confirm whether the stand generally reflects the views of the congregation and will not be seen as significantly contentious, as described in the previous paragraph. In cases where such actions/activities are deemed to be contrary to these requirements, the approval of the Board of Directors will be sought. The sponsoring group will have the opportunity to address the Board.

MONITORING AND REPORTING:

As a registered charity, FirstU must report annually to CRA by filing a T3010, Registered Charity Information Return. As part of the return, FirstU is required to report on whether it has undertaken any PPDDA; a schedule must also be completed describing those activities and how they relate to FirstU's charitable purposes.

In order to ensure that FirstU is in compliance with CRA policy, social responsibility (SR) working groups and other groups undertaking PPDDAs must ensure that the link between the PPDDA and FirstU's charitable purposes is **clearly documented** in meeting minutes or by other means. Copies of the minutes or emails approving the PPDDA are to be provided to the office for retention. SR working groups and other groups are expected to keep track of the PPDDAs undertaken during the year.

Two months prior to the deadline date for filing the T3010, the Finance Manager will request confirmation of any PPDDAs carried out during the previous fiscal period (ending December 31). The Finance Manager will compile the information on PPDDAs for the T3010 and will table the Return with the Board for approval.

The Finance Manager will monitor PPDDAs to ensure that activities undertaken are consistent with this policy and where necessary, will propose remedial action, including changes to this policy, to the Board.

REFERENCES:

CRA (CG-027): <https://www.canada.ca/en/revenue-agency/services/charities-giving/charities/policies-guidance/public-policy-dialogue-development-activities.html>

WHO IS CONSULTED IN THE DEVELOPMENT AND AMENDMENT OF THIS POLICY:

SRCT, Lead Minister, Governance Committee, Operations Manager, Finance Manager

WHO APPROVES THIS POLICY AND ITS AMENDMENTS: Board of Directors

DATE OF INITIAL APPROVAL BY BOARD: **October 28, 2020**

DATE OF APPROVAL OF AMENDMENT:

Drafting History:

Political Activities Initial Policy: Spring 2016 (Eva Berringer in consultation with SRCT and Marlene Koehler)

Political Activities Policy Amendment: 2017 (Eva Berringer, Board Liaison to the SRCT)

Replacement of Political Activities Policy with PPDDA policy: Fall 2020 (Eva Berringer/Governance Committee)

APPENDIX A

1. FIRSTU CHARITABLE PURPOSES (1967):

- (a) To conduct the affairs of a liberal and democratic religious society;
- (b) To promote a dynamic religious faith wherein man's religious heritage finds ennobling harmony with contemporary truth;
- (c) To promote the spiritual enrichment of the members of the Corporation and the welfare of mankind;
- (d) To foster fellowship, service to others, free inquiry, education and respect for all religious viewpoints;
- (e) Subject to The Mortmain and Charitable Uses Act and The Charitable Gifts Act, to receive, acquire and hold gifts, donations, devises, legacies and bequests.

NOTE: FirstU is in the process of updating its charitable purposes, however, until the new charitable purposes are in place, the existing purposes are to be used.

2. PUBLIC POLICY DIALOGUE AND DEVELOPMENT ACTIVITIES (PPDDA) - ALLOWABLE ACTIVITIES

The Canada Revenue Agency (CRA) considers PPDDA's to include:

Providing information – charities may provide information to their supporters or the general public related to their charitable purposes (including the conduct of public awareness campaigns) in order to inform or persuade the public in regards to public policy. Such information must be truthful, accurate, and not misleading.

Research – charities may conduct research into public policy, distribute the research, and discuss the research and findings with the media and with others as they see fit. Note that to advance education as a charitable purpose, a charity's research must meet the criteria in [Policy statement CPS-029, Research as a charitable activity](#).

Disseminating opinions – charities may express opinions on matters related to their charitable purposes to participate in developing public policy, as long as they draw on research and evidence and are not contrary to hate speech laws or other legitimate restrictions on freedom of expression.

Advocacy – charities may advocate to keep or change a law, policy, or decision, of any level of government in Canada, or a foreign country.

Mobilizing others – charities may call on supporters or the general public to contact politicians of all parties to express their support for, or opposition to, a particular law, policy, or decision of any level of government in Canada or a foreign country.

Representations – charities may make representations in writing or verbally to elected officials, public officials, political parties, and candidates, and appear at parliamentary committees, to bring their views to the public policy development process, and may release such materials publicly. Note that a charity engaging in this type of activity may be required to register as a lobbyist organization. See [Other legal requirements](#).

Providing forums and convening discussions – charities may invite competing candidates and political representatives to speak at the same event, or may request written submissions for publication, to discuss public policy issues that relate to the charity's purposes.

Communicating on social media – charities may express their views, and offer an opportunity for others to express their views, in regards to public policy, on social media or elsewhere.

3. **PROHIBITED PARTISAN ACTIVITIES**

Under the Income Tax Act, a charity is prohibited from devoting any part of its resources to the direct or indirect support of, or opposition to, any political party or candidate for public office. A charity MAY publicly agree or disagree with a decision or position of a government, but in doing so, it must not support or oppose any political party or candidate for public office. In other words, the focus must be on the policy issue under discussion without reference to any candidate or political party.

Meaning of direct and indirect support or opposition

Direct support or opposition means either of the following:

- the charity's external materials (for example, social media messages, website, print publications) communicate a message that supports or opposes a political party or candidate to the public
- the charity transfers any of its resources (for example, financial, human, or physical resources) to a political party or candidate, or allows a political party or candidate to use its resources without compensation

Examples of direct support or opposition could include:

- endorsing a candidate over social media
- telling people on a charity's website not to vote for a political party
- making a donation to a political party or a candidate's election campaign
- buying tickets to a political party's fundraiser
- sending volunteers, paid staff, or board members to accompany a candidate in a door-to-door election campaign, as representatives of the charity (also see [Representatives of a charity involved in politics on their own personal time](#))
- inviting only one candidate in an election to speak to the charity's supporters, without giving all candidates an equal opportunity to present their views and answer questions
- allowing or assigning paid staff or volunteers to work for a candidate's election campaign, rather than carrying on work for the charity
- allowing a political party to use a charity's premises without compensation

Indirect support or opposition means either of the following:

- the charity's records explicitly reveal it carried on an activity to support or oppose a political party or candidate
- the charity transfers any of its resources to a third party, to be used to support or oppose a political party or candidate

