

**Presentation to the Private Bills Committee Re Proposed Amendments to the
Saskatoon Foundation Act, 1994
April 28th, 2021**

To: Members of the Private Bills Committee

I have volunteered with the Saskatoon Community Foundation by serving on the Board and various Board committees, including the Governance Committee, since 2004.

Our Vision is to make Saskatoon a vibrant community where everyone belongs.

Our Mission is to contribute to quality of life by building endowments, strategic grant making, and community leadership.

The Act of Incorporation of the Saskatoon Foundation received royal assent on April 18th, 1970. The Act was amended in 2005, to reflect the change of the organization's name from Saskatoon Foundation to Saskatoon Community Foundation.

The Act includes sections defining the Foundation's Purpose and Objectives (Section 5), its Powers (Section 6), The responsibilities, composition, term of office and appointment of board members (Section 7), the requirement that Board members be appointed by a panel of "Appointers" consisting of the Mayor of Saskatoon, the President of the University of Saskatchewan and the Senior Judge of the Court of Queen's Bench using "Appointers" (Section 8), Auditing of Accounts (Section 16) and requirements to publish our investment details (Section 17)

There has been general agreement among the staff and Board members that several sections of our Act required amending and I agreed to lead this process.

The primary purpose of the review of the Act was to remove the requirement to use external "Appointers" to appoint board members and bring this process in line with generally accepted governance processes for appointing board members. This is traditionally described in an organization's bylaws or board policies. (Sections 7 and 8)

The second reason for amending the Act was to recognize the role the Foundation plays in helping some charitable organizations registered under the *Canadian Income Tax Act* make better use of their funds by providing a Managed Fund service. The Foundation and the charity entered into an agreement that allows the charity to retain ownership of the funds, but the funds are added to the Foundation's pool of investments allowing the charity to benefit from the returns of a \$60 million dollar investment pool. (Section 5).

The third reason for amending the Act was to eliminate stilted and outdated language from the Foundation's Purpose and Objectives. The references such as "needy men women and children", "sick destitute and helpless", "underprivileged or delinquent persons" and "human suffering". The terms are not in general use today and could be viewed as being restrictive. (Section 5)

The fourth reason is the requirement in Section 17 to 'annually publish in a newspaper published in Saskatoon a condensed report from the audited financial statements. The Foundation agrees that we have an obligation to keep the public informed of our financial position and other activities, but newspaper advertising has become very expensive, and readership is dropping. We feel it is better to use our website or other electronic means to keep the public informed. This approach makes better use of the Foundation's financial resources and makes the information available 24 hours a day, 365 days a year. (Section 17).

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Since we were going to Petition the Legislature to amend our Act, we decided it was a good opportunity to include credit unions in the list of financial institutions that the Foundation could use (Section 6) and to recognize the accounting profession's change in the designation of its members and the change in their governing body's name (Section 16).

After the proposed amendments to the Act were approved by our Board, they were forwarded to the Canada Revenue Agency for their comments and approval. They did respond with four recommendations. However, the Foundation did not receive their final approval until after our Bill 901 had passed First Reading it was necessary to prepare amendments.

Through my employment and volunteer activities, I have had a significant exposure to working with Articles of Incorporation and bylaws. However, this was my first experience amending an Act. I would be remiss if I did not thank Ken Ring for his advice and guidance throughout this year long process.

I would also like to thank Ken Cheveldayoff for agreeing to sponsor this private bill for the Foundation.

While I am sorry that I did not have the opportunity to meet with the Private Bills Committee in person, I am in complete agreement with their decision not to include members of the public due to the Covid-19 restrictions. I would like to thank the Committee for continuing to meet under these difficult circumstances and consideration to our petition to amend our Act.

Ian Sutherland

I have attached a link to the Foundation's website.

The funding for the website and our current marketing program was paid for by an anonymous donor so the Foundation can direct our granting to charities that are experiencing financial pressures because of Covid-19.

<https://saskatooncommunityfoundation.ca/>