

The Charitable Fund-raising Businesses Act

Instructions on Applying for a Charitable Fund-raising Business Licence

To be licensed as an auction sales company you will need:

- a) a registered name;
- b) an appropriate bond, and
- c) a completed application form.

1. Name registration:

All corporations and operating (business) names must be registered with the Corporate Registry of the Information Services Corporation (ISC). Phone 306-787-2962 for information on this procedure.

2. Bonding requirements:

After a review of the application, the registrar, taking into account campaign history of the fund-raising business and the public interest will determine the bond amount. Apply to your insurance agent or to any bonding company licensed under *The Saskatchewan Insurance Act* for a bond under *The Charitable Fund-raising Businesses Act*. See required penal bond wording attached.

The original bond is to be signed and sealed by the insurance company and signed by:

- a Director (if a corporation)
- all Partners (if a partnership)
- an Individual (if a sole-proprietorship)

3.(a) Complete all pages of the application in full.

There are two types of applications:

- Application as a Charitable Fund-raising Business (4 pages)
- Campaign Information

Please note, the **designated mailing address** (section 4 on the application) is used for mailing of correspondence from the Consumer Protection Division for routine correspondence, information, complaints and renewal notice.

The **Saskatchewan address for service** is the Saskatchewan address to be used for official notification of legal documents/actions.

3.(b) Notice required of all changes on the application

Where any changes occur that affect or change the information on the application, written notice to Consumer Protection Division is required.

4. Licence fees are as follows:

Fund Raising Business \$500

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| Make fee payable to the MINISTER OF FINANCE A form is enclosed if paying by credit card |
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Once issued, a licence expires on the expiry date stated on the licence unless otherwise suspended or cancelled.

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5. **Mail** the following to this office:

- Completed application form(s) – with signatures.
- Campaign information form at least **30 days before commencing any period of solicitation covered by a fund-raising agreement.**
- Sample of the identification card carried by salespersons making door to door solicitation.
- Two blank copies of your fund-raising agreement, if standardized.
- Copy of the Agreement(s) from any fund-raising campaign(s) presently underway.
- Licence fee(s) in the correct amount – see #4 above.
- Original bond signed and sealed by bonding company along with the signature(s) of director(s) (if corporation); all partners (if partnership); or the owner (if sole-proprietorship).

Financial and Consumer Affairs Authority of Saskatchewan
Consumer Protection Division
500 - 1919 Saskatchewan Drive
Regina, Saskatchewan S4P 4H2
Telephone: 306-787-5550 • 1-877-880-5550 (toll-free) • Fax: 306-787-9779
Email: consumerprotection@gov.sk.ca
Web address: <http://www.justice.gov.sk.ca/cpb>

6. **General Remarks**

The application information is to be legible or it will be returned.

Every applicant for a licence should become familiar with the Act and Regulations. Also every applicant should exercise care in completing the application form. Extra care will avoid delays which occur when applications must be returned because of incomplete answers, incorrect fees.

A complete copy of [*The Charitable Fund-raising Businesses Act*](#) is available free of charge online at qp.gov.sk.ca or for a nominal fee for a print copy contacting the Office of the Queen's Printer at Telephone: 1-800-226-7302 (Sask. residents only) • 306-787-6894 • Fax: 306-798-0835
E-mail: qprinter@gov.sk.ca

Attachment
The Charitable Fund-raising Businesses Act

Prohibitions

45(1) In this section:

(a) “**associate**” means, with respect to a relationship with a licensee, an officer or director of a licensee, or the spouse of an officer or director of a licensee, as the case may be:

- (i) a body corporate of which the licensee, officer, director or spouse beneficially owns, directly or indirectly, more than 10% of any class of voting equity securities of the body corporate that are outstanding at that time;
- (ii) a shareholder of the licensee;
- (iii) a partner, other than a limited partner, of the licensee, officer, director or spouse;
- (iv) a trust or estate in which the licensee, officer, director or spouse has a beneficial interest or serves as a trustee or in a capacity similar to that of a trustee;
- (v) any person who has the same residence as the licensee, officer, director or spouse; and
- (vi) a former spouse, child, sibling, half-sibling, parent, grandparent, uncle, aunt, nephew or niece of an officer, director or spouse, as the case may be, and where applicable, including step-family relationships;

(b) “**interest**” means ownership or financial interest in a charitable organization and includes:

- (i) an interest as a shareholder, member, director, officer or employee;
- (ii) a security interest; and
- (iii) any other interest that may give the holder of the interest influence over the conduct of the affairs of the charitable organization;

(c) “**spouse**” means the legally married spouse of a person, or a person with whom that person is cohabiting in a spousal relationship.

Application for Charitable Fund-raising Business Licence

Licence fee \$500 (1-year term)

Make cheque payable to the Minister of Finance
or complete credit card information on the enclosed
payment authorization form.
\$10 service charge for any cheque returned from your
financial institution.

1. **Business Name** – must be an active registration with the Corporate Registry of Information Services Corporation
Please print

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2. Legal Name (**select A, B or C which ever applies**) - Please print

- A. Corporation Name – must be an active registration with the Corporate Registry of Information Services Corporation

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- B. Sole Proprietorship – must be legal name

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- C. Partnership – names of **all** partners – must be legal name Check (✓) if additional pages are used.

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| <i>i</i> |
| <i>ii</i> |
| <i>iii</i> |
| <i>iv</i> |
| <i>v</i> |

Application for a Charitable Fund-raising Business Licence

3. Location of the business
(include the full civic address, postal code **OR** legal land description, including R.M. name and number.)

| | |
|-----------|----------|
| Location: | |
| Phone: | Email: |
| Fax: | Website: |

4. Designated mailing address for correspondence from this office **OR** Same as #3 – Yes
(include the full address, postal code, a box number is acceptable)

| |
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| Mailing Address: |
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5. Saskatchewan address for the servicing of legal documents (location of the business or the mailing address may be used). If using an address other than your business address, include the name of the person/law firm as well as their location or mailing address. (Include the full address, postal code, or legal land description, including R.M. name and number)

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|--|------|--------|
| Address for servicing of legal documents | | |
| | | |
| Phone: | Fax: | Email: |

- 6 Annual fiscal year-end:

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7. The applicant acknowledges it may not manage or be responsible for a solicitation on behalf of a charitable organization in which it, or an associate, has an interest (s.45(3)). Yes

Application for a Charitable Fund-raising Business Licence

7. During the past ten years, has the sole proprietor, any partner, or director/officer of the corporation had a business licence refused, suspended or cancelled under the laws of any province, territory, state or country?
No Yes (If "yes", attach details).

8. Has the sole proprietor, any partner, or any director/officer of the corporation been convicted of a criminal offence within the previous 10 years? No Yes

Statements respecting criminal records are subject to verification.

9. **AUTHORIZATION FOR CRIMINAL RECORD CHECK** - include Maiden Names separately if applicable

To be completed by all partners, directors or officers:

I authorize the Registrar or his designate to obtain a criminal record check during the time of application, or period of licence granted pursuant to this application and any renewals:

Check (✓) if additional pages are used.

| Legal Name | Place of Birth | Date of Birth (yyyy/mm/dd) | Signature |
|------------|----------------|-------------------------------|-----------|
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Application for a Charitable Fund-raising Business Licence

DECLARATION

I solemnly declare that the information provided by me in this application is true, and I make this solemn declaration conscientiously believing it to be true and knowing that providing false information may result in sanctions and licence cancellation.

I hereby authorize the Consumer Protection Division to collect additional information from other government regulators and law enforcement agencies, as well as former and current employers (if applicable), to complete and verify information provided in this form.

I will provide the Consumer Protection Division with written notice, when any changes occur that affect or change the information on the application.

I also hereby consent to the Consumer Protection Division sharing information collected under this application and *The Charitable Fund-raising Businesses Act* with regulating authorities in other jurisdictions.

Signed:

Print name of Applicant

Dated _____, _____

}

Signature of Applicant
(must be signed by a person authorized
to sign on behalf of the business)

If the application is not completed properly, or if any of the information requested is not included, processing delays may result.

“Note to Insurance Company “

Wording of the bond must be exactly as stated on this sample

Penal Bond Wording

The Charitable Fund-raising Businesses Act

Bond No. _____

KNOW ALL MEN BY THESE PRESENTS,

that _____ as Principal
(hereinafter called the Principal))

and, _____ as Surety
(hereinafter called the Surety)

are held and firmly bound unto Her Majesty the Queen in right of Saskatchewan (hereinafter called the Obligee) in the penal sum of _____ dollars of lawful money of Canada, to be paid unto the Obligee, her successors and assigns, for which payment well and truly to be made, we jointly and severally bind ourselves, our executors, administrators, successors and assigns firmly by these presents.

SEALED with the respective seals of the Principal and of the Surety and dated the _____ day of _____ .

NOW THE CONDITION of the obligation is such that if the said obligation does not by reason of any act, matter or thing at any time hereafter become or to be forfeit under *The Charitable Fund-raising Businesses Act*, then the said obligation shall be void but otherwise shall be and remain in full force and effect and shall be subject to forfeiture as provided by the said Act.

PROVIDED that if the Principal or Surety at any time gives notice in writing to the Registrar of *The Charitable Fund-raising Businesses Act* of intention to terminate the obligation hereby undertaken then this obligation shall cease and determine in respect only of any act, matter or thing taking place, arising or done subsequent to twenty-seven calendar months after receipt by the Registrar of such notice.

PROVIDED FURTHER that if such notice has been given, any claim hereunder shall be made on the Surety before the expiration of the aforesaid twenty-seven months.

AND PROVIDED FURTHER that no proceeds of this bond shall be paid to any person in respect of a contract entered three calendar months or more after receipt by the Registrar of any such notice.

SIGNED, SEALED AND DELIVERED)

in the presence of)

Witness)

SIGNED, SEALED AND DELIVERED)

Principal(s)
(sole proprietor, all partners,
or Director of the Corporation)

_____ (Seal)
Surety

Campaign Information

The Charitable Fund-raising Businesses Act

A licensee shall provide the registrar with the following information **at least 30 days before commencing** a campaign under *The Charitable Fund-raising Businesses Act*:

1. Name of licensee

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2. Contact Person for the licensee

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Address of the contact person
 (include the full civic address, postal code **OR** legal land description, including R.M. name and number, phone and fax numbers and, if any, email/internet address)

| | |
|-------------------------------|----------|
| Address of the contact person | |
| Phone: | Email: |
| Fax: | Website: |

3. Charitable Organization on whose behalf solicitations are to be made:

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Address of the charitable organization
 (include the full address, postal code or legal land description, including R.M. name and number, phone and fax numbers and if any, email/internet address)

| | |
|--|----------|
| Address of the charitable organization | |
| Phone: | Email: |
| Fax: | Website: |



Campaign Information

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4. BN/Registration Number of the Registered Charity on whose behalf solicitations are to be made:

| | | |
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| | RR | |
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5. The charitable purpose for which contributions will be used: Check (✓) if additional pages are used.

6. The jurisdiction in which contributions will be used:

7. List the Saskatchewan locations where the campaign is to be carried out: Check (✓) if additional pages are used.

8. Campaign Start Date:

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 Anticipated End Date:

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yyyy mm dd yyyy mm dd

9. Include with this form a copy of the campaign agreement, as well as a copy of:
- a) the identification card to be worn by representatives who will be making door-to-door solicitations;
 - b) any publication or other information that will be provided to persons being solicited; and
 - c) any telephone script that will be used in making solicitations.





Payment Authorization

I, _____ authorize the

Consumer Protection Division to charge \$ _____ to my credit card.

Visa

Mastercard

Name appearing on card

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

Card No.

MM YY

Expiry Date

Signature of Card Holder

Date

Please include with your supporting documents.

