

Information Provided by CRA

RE: Ineligible Individuals

September 13, 2023

From: Media Relations-PAB / Relation avec les médias-DGAP (CRA/ARC) cra-arc.media@cra-arc.gc.ca

Subject: RE: Ineligible Individuals

Date: September 13, 2023 at 9:05:11 AM

To: Vivian Krause vivian.krause@me.com

Cc: CRA Media Relations CRA cra-arc.media@cra-arc.gc.ca

Hello Vivian,

The confidentiality provisions of the Income Tax Act (the Act) prevent the Canada Revenue Agency (CRA) from commenting on specific cases. As such, the CRA does not have a publicly available list of individuals who are designated as ineligible. However, we can provide you with the following general information.

The ineligible individuals provisions of the Act, which came into force on January 1, 2012, give the CRA the authority to revoke an organization's registration, refuse to register an organization, or to suspend an organization's receipting privileges, when an ineligible individual is a board member or otherwise controls or manages the organization.

In general terms, the Act describes an ineligible individual as someone who was connected to an organization that had its registered status revoked for a serious breach of the requirements for its registration. Individuals that were involved in the charity during the periods of non-compliance that led to revocation of registration are ineligible individuals for five years from the date of revocation.

It is important to note that the Act does not prohibit an ineligible individual from being a director, trustee or like official of a registered charity. Rather, the Act allows the CRA to consider whether or not to take any action in relation to a registered organization or an applicant in such circumstances. Factors that the CRA might consider include:

- What made the person an ineligible individual?
- What roles and responsibilities does the ineligible individual have in the organization?
- Is there an opportunity for the ineligible individual to repeat the conduct?
- If repeated, what impact would that conduct have (on beneficiaries and assets)?

The CRA maintains records of charities revoked following an audit, including a list of board members and individuals that may otherwise control or manage an organization. The CRA uses these records for decision making in order to prevent individuals who may pose a risk to the assets and/or beneficiaries of a registered charity from being in a controlling or managing capacity within the organization.

Thank you.

Kim Thiffault

Media Relations | Relations avec les médias

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De : Vivian Krause <vivian.krause@me.com>

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À : Media Relations-PAB / Relation avec les médias-DGAP (CRA/ARC) <cra-arc.media@cra-arc.gc.ca>

Objet : Ineligible Individuals