



## ONCA Presentation Notes

- The [Ontario Not for Profit Corporations Act](#) is new legislation focusing on Not for Profit Corporations
- The deadline to be compliant is **October 19th, 2024**
- The NOHA passed a regulation this season that all Associations must be Incorporated, which will help our Associations be compliant.
- Everyone will need to review their governing documents to make sure they are compliant.
- ONCA is more modern and allows for actions like remote meetings.
- The [Ontario Business Registry](#) is a new system where Corporations can file their documents online instead of going in person or mailing.
- Obtaining legal counsel would assist with reviewing the governing documents and making sure they're compliant.
- You will need to locate any letters patent, By-laws, special resolutions, etc.
  - If you can't find them, the Ministry does have filed copies and can locate them for a fee.
- D'agostino Law has a boilerplate By-Law template that is compliant with ONCA.
- Public Benefit Corporations need to be identified.
  - Talk to your accountant to check whether or not you are one.

### Steps

1. Locate your founding documents and review them for ONCA compliance.
2. Once changes are suggested, the Directors will need to approve them.
3. Then the Membership will need to approve them, likely at an AGM or Special General Meeting.
4. Ensure you have access to the Ontario Business Registry.
5. Ensure the filings are up-to-date.
6. File articles of amendment and restated articles.
7. Review and update other documents and policies.
  - Older companies have “Letters Patent” and newer companies have “Articles of Incorporation”, but they are the same document.



## Questions

- Are Leagues required to be compliant with ONCA?
  - If you are taking funds and putting them back into programming, that is, by definition, a Not for Profit Corporation.
  - We want everyone to avoid liability issues.
  - Based on how the NOHA registers, we treat Leagues the same as MHAs, so they should be compliant with ONCA.
- How can we determine if we are a Public Benefit Corporation?
  - Discuss this with your accountant as they will know best.

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