

# Confirmation of Joint Venture Partnership Agreement



## Overview

Canada Revenue Agency (CRA) provides specific direction to Canadian public foundations regarding grants and distributions to qualified donees (registered charities or qualified not-for-profits). Sudbury Community Foundation is not permitted to grant to organizations that do not meet the definition of qualified donee.

Non-profit organizations, herein called the "Intermediary", wishing to apply for a grant from the Foundation may consider the following:

- Make a formal application to the CRA for registered charitable status, or
- Establish a structured arrangement with a registered charity or qualified not-for-profit. The organization receiving the grant will be the registered charity and as such, have specific obligations.

The Foundation requires confirmation that the registered charity or qualified not-for-profit, herein called the "Charity", is aware of its obligations by signing, along with the Intermediary, a copy of this Confirmation of Joint Venture Partnership Agreement.

Grant applications to the Foundation via a joint venture partnership must include this completed and signed agreement.

## About the CRA Guidelines for Joint Ventures

Note the following information from the CRA:

The Canada Revenue Agency (CRA) requires that a charity take all necessary measures to direct and control the use of its resources when carrying out activities through an Intermediary. When carrying out activities through an Intermediary, the following steps are strongly recommended:

- Create a written agreement with the Intermediary and implement its terms.
- Communicate a clear, complete, and detailed description of the activity to the Intermediary.
- Monitor and supervise the activity.
- Provide clear, complete, and detailed instructions to the Intermediary on an ongoing basis.
- For agency relationships, segregate funds, as well as maintain separate books and records.
- Make periodic transfers of resources, based on demonstrated performance.
- A Charity must maintain a record of steps taken to direct and control the use of its resources, as part of its books and records, to allow the CRA to verify that all of the Charity's resources have been used for its own activities.

To learn more about the CRA's guidelines, please visit their website at:

<http://www.cra-arc.gc.ca/chrts-gvng/chrts/plcy/cgd/ntrmdry-eng.html?eml20110621>

# Confirmation of Joint Venture Partnership Agreement



## Joint Venture Partnership Agreement

The purpose of this agreement is to provide confirmation to the Sudbury Community Foundation that the Charity has entered into formal agreement with the Intermediary and that both understand their accountabilities.

Name of Charity \_\_\_\_\_

Charitable Registered No. \_\_\_\_\_

Contact Person \_\_\_\_\_

Position within Organization \_\_\_\_\_

Mailing Address \_\_\_\_\_

Postal Code \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_ Website \_\_\_\_\_

The Charity has entered into a formal written agreement with

Name of Intermediary Organization \_\_\_\_\_

Incorporation Number \_\_\_\_\_

Contact Person \_\_\_\_\_

Mailing Address \_\_\_\_\_

Postal Code \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_ Website \_\_\_\_\_

# Confirmation of Joint Venture Partnership Agreement



Project Title \_\_\_\_\_

Proposed Start Date \_\_\_\_\_ Proposed End Date \_\_\_\_\_

Project Description

Details of the activities to be carried out by the Intermediary

Description of how this project furthers the Charity's purposes

The parties named above have entered into this written Joint Venture Partnership Agreement, which confirms:

- The Charity's obligation to fulfill reporting requirements of the Foundation,
- The Charity's provision to make payment allocations to the Intermediary by instalments, in full, or to withhold payments, based on satisfactory performance,
- Provision to maintain adequate records at the Charity's address,
- Explanation of how the Intermediary's activities further the Charity's purposes,
- Explanation of how title of any property funded by the Charity is to be vested, and
- The Charity will be responsible to monitor the project and provide satisfactory evidence of this to the Canada Revenue Agency at their request.

Authorized signing officer of the Charity (Print Name & Title) \_\_\_\_\_

Signature of authorized signing officer of the Charity \_\_\_\_\_

Date \_\_\_\_\_

Authorized signing officer of the Intermediary \_\_\_\_\_

Signature of authorized signing officer of the Intermediary \_\_\_\_\_

Date \_\_\_\_\_