

**SPORT LAW**



# **Ontario Not-for-Profit Corporations Act (ONCA) 2010**

**A guide for services**

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# ABOUT SPORT LAW

## OVERVIEW

Founded in 1992, Sport Law is a team of professional consultant who are passionate about making a difference in sport. Our dedicated consultants have years of experience working within the sport sector and provide exceptional sport management, leadership development and governance services including organizational reviews and audits, strategic and operational planning and evaluation, communications and crisis management, cultural transformation and Integral Coaching, risk management, dispute resolution, policy development, legal issues, safe sport implementation, stakeholder engagement, human resources, and so much more. Sport Law is the one stop shop for sport organizations who want to elevate their business performance through humanistic leadership practices.

## MISSION

Our Mission is to support sport leaders in achieving clarity and purpose.

## VISION

Our Vision is to elevate sport.

## VALUES



### EMPATHY

- We care about our clients and the achievements of your goals.
- We are committed to elevating sport.
- We believe that healthy, human sport strengthens communities.



### DELIVERY

- We go the extra mile to find simple solutions to complex situations.
- We support our clients in resolving challenges.
- We get the job done on time and within budget.



### STEWARDSHIP

- We act as catalysts to inspire our clients, challenge conventional thinking, and push boundaries.
- We establish high-trust and enduring relationships to bring clarity and purpose to sport organizations.
- We use legal knowledge and deep wisdom to provide customized and sustainable solutions.

## LET SPORT LAW HELP WITH ONCA REQUIREMENTS

### Background? New Not-for-Profit Act

The Corporations Act, originally enacted in 1907 was long overdue for an update. That update occurred in 2010 when the new Ontario Not-for-Profit Corporations Act (ONCA) received Royal Assent.

Although the Act received Royal Assent in 2010, it only came into force, October 19, 2021. At that time existing not-for-profit corporations had 3 years to update their articles and amend their bylaws.

With the deadline drawing near, it is recommended that all not-for-profit corporations, previously governed under the Corporations Act, review and update their documents, (by-laws and Articles of Incorporation), **prior to Oct 19, 2024.**

### Ontario Business Registry

The Ontario Business Registry (OBR) was also launched on October 19, 2021.

The OBR enables not-for-profit corporations (together with for-profit corporations) that are registered, incorporated or licensed to do business in Ontario to complete over 90 transactions online:

- Registering a new business
- Dissolving
- Annual Filings
- Notice of Change - Directors
- Articles of Amendment

You are required to register and ascertain a corporate key and login from the OBR to access records.

Register at [Ontario.ca/BusinessRegistry](https://www.ontario.ca/page/ontario-business-registry)  
<https://www.ontario.ca/page/ontario-business-registry>.

### Changes introduced under ONCA

- Membership structures must be outlined in the corporation's articles
- Members can put forward proposals at annual general meetings and special meetings
- Allows a not-for-profit corporation to provide in its by-laws other means of voting (by mail, telephone or electronic means) in addition to, or in place of, voting by proxies
- Allows a member of a corporation to appoint a proxy holder, but only if the articles or the by-laws of the corporation permit it
- New eligibility criteria for directors
- Minimum number of directors and maximum terms for directors
- Distinction between public benefit corporations and other not-for-profit corporations
- Greater accountability for financial reporting



### PLEASE NOTE:

The services outlined are general guidelines and can be adapted to the needs of your organization.



# SERVICES

## SPORT LAW ONCA SERVICES

Sport Law has been assisting sports transition to comply with ONCA and we are offering customizable options to assist your organization and a discounted rate for Ontario Cycle Association Member Associations.

### SUMMARY

#### Package A

\$500 - \$750  
plus  
\$130 filing  
fee

- Update current sport organization By-laws to comply with ONCA requirements
- Create and File Articles of Amendment

#### Package B

\$750 - \$1,000  
plus  
\$130 filing  
fee

- Provide Sport Law ONCA compliant By-laws while maintaining the organization's governance structure
- Create and File Articles of Amendment

#### Package C

\$1,000 - \$2,000  
plus  
\$130 filing  
fee

- Package A or Package B while undertaking a governance review with a Sport Law team member to review organizational governance, including:
  - Membership Structure and Voting Rights
  - Board Composition, Terms, Positions, Portfolios
  - Election Procedures
  - Officers
  - Etc.
- Create and File Articles of Amendment

**Parties interested in incorporating a for-profit organization, please use the contact information below to discuss options. For more information, please contact Steven Indig below:**

By-laws and Policies – Steve Indig, LL.B ([sindig@sportlaw.ca](mailto:sindig@sportlaw.ca))  
(647-348-3080)





[WWW.SPORTLAW.CA](http://WWW.SPORTLAW.CA)

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We are experts in law and leadership.  
Let's resolve your challenges and realize  
your vision together.

