

THIRD SESSION - TWENTY-SEVENTH LEGISLATURE

of the

Legislative Assembly of Saskatchewan

DEBATES and PROCEEDINGS

(HANSARD) Published under the authority of The Honourable Dan D'Autremont Speaker

N.S. VOL. 56 NO. 16A WEDNESDAY, NOVEMBER 20, 2013, 13:30

Bill No. 105 – *The Informal Public Appeals Act, 2013*

Mr. Forbes: Thank you very much, Mr. Speaker. It's a pleasure to rise and enter into the debate on Bill No. 105, *An Act respecting Informal Public Appeals*. This is a very timely Act. I think it's an important one, and of course it's one that we'll have some questions on. But I think that, you know, as the minister talked about in his opening remarks, about this is the kind of thing that is done to assist a bereaved family with future education costs or spontaneous appeals made to the public, for example after a fire or flood. And it doesn't address professional fundraising by established charitable organizations.

And I assume that those organizations, if it's professional, would have some method or some system when they have specific causes. And we're seeing that today unfortunately, with the tragedy, the disaster that happened in Philippines, and organizations are stepping up to fill a real need to help the people in the Philippines in that disaster.

But we see this more locally at home, whether it's a flood that's affected a community or a small group of people, and it's pretty specific. And you know, Saskatchewan citizens are well known for stepping up to the plate and helping. And their helping, that's just what we're known for, and helping our neighbours get through those tough times and whether it's a sudden loss of a loved one or setting up an educational fund, that type of thing. So it is quite timely that this is the case with this Bill No. 105. And we recognize that sometimes there are gaps because . . . especially when it comes to a trustee. What happens when the need is met? What happens if the fundraising drive is extremely successful and there's excess funds? What happens in that case?

So it's interesting to know what the government will be doing, how they designed to address this, who will be charged with this. So we haven't had as much time as we would like to hear from professional fundraisers, people maybe in the know of this. We will be interested to know: who did they consult with? Clearly this is a problem that has been identified. We think that this is an important, a very important issue.

So I think that we will have questions in committee on this, but I do want to say that we look forward to having those conversations. For example, this Act defines what a public appeal is and limits the scope to sporadic or informal appeals, confirms that funds raised through public appeal are held in trust. And often that's an important issue people want to know. So what happens if I do give \$100 or a couple of hundred dollars? What happens to that money? And establish a default scheme where what happens if there's too much money raised or not enough. What will happen in that case?

You know, it talks about establishing a mechanism for disposal of surplus funds and an ability to provide funds when or where needed. They will create a power for the courts to direct the application of surplus funds, set out the powers and duties of trustees, investment of funds, further public appeals, and the transfer of funds to another body. But it . . . Provide for regulatory authority, user-friendly forms, and that type of thing.

So it'll be interesting to see how, when we get into committee, how the government envisions this process. Will it be done through the Public Trustee, public guardians? Is it yet another board or authority that's set up? So these are some of the questions we have. But I am glad to see that it's being tackled, because as Saskatchewan grows and we see that sometimes we can have traumatic, tragic situations happen. And as I said, we are a province that steps up to the plate and we'll do what is needed to be done. But more and more it's important that we don't have people taking advantage of the situation, and unfortunately we have heard of stories of that where, you know, things have gone astray. And we definitely don't want to see that kind of thing.

And when these kind of things happen, sometimes judgment is not always at its best and systems aren't always set up and things aren't always taken into account. And we need to make sure, we need to make sure that they are.

So questions. Who have they consulted? Who haven't they consulted with? Why not? We want to make sure the system is transparent. They have alluded to it, that there will be some access to some information. They're talking about forums, but we have questions about that. Is that the very best way?

We know often these things happen in small communities, and those small communities can be in large cities. But if it's an ethnic community or a neighbourhood community, that's always difficult to ask those difficult questions. But you know, we need to be able to do that.

And so this bill, the informal public appeals, will go a long way we hope to fill the gap of regulations around this, and that people caught in tragic circumstances won't be held in some odd ways. Because you know, I know in small communities there can be a lot of questions. So what happened to the money? Where'd the money go? That there can be accounting for it and then therefore people can be, as you know Saskatchewan people are known for, we are known for being generous people. And this will just support that, and be sure to answer a lot of the questions that might come about because of that.

So as the minister said in his speech, he says:

This bill is careful not to create hurdles for those with good intentions. Individuals who choose not to use the forms to establish a public appeal can proceed without them. The bill will still protect these people, but to a lesser extent.

So it sounds like there will be two, still kind of, you can still do the informal public appeal if it's . . . And now this will be the interesting question. Will there be an amount? Will there have to be some accounting for this? We're not sure. So it sounds like you can do a small appeal, a small informal appeal, but it would be important to have some, still some accountability.

And when he goes on to say rather than hurdles, Mr. Speaker, this bill seeks to remove traps that have evolved . . . so the well-meaning trustees can commence an appeal that are not made victims of their own good intentions. And isn't that the case, Mr. Speaker? Often we're made victims of our own good intentions.

And so with that, Mr. Speaker, I know many people want to speak to this because it does speak to our good intentions. So, Mr. Speaker, at this point in time I would like to move adjournment of Bill No. 105, *The Informal Public Appeals Act*. Thank you very much.