

4. Author's memory. It was decided to issue a brochure with the new legislation to give examples of what was related business activity, which included a shop in an art gallery and a cafeteria in a hospital.
5. This is why one notices so many "charity shops" on the "high streets" of England.
6. The American approach, on the other hand, makes the gift shop in an art gallery distinguish between the sales of postcards of works in the gallery's collection (related) and post cards of works in other collections (unrelated).
7. The test has been looked at on a number of occasions vis à vis the issue of GST and charities, though insofar as we are aware, there has been no case law on the subject. It is important to note that the 90% rule is not "absolute" and the courts, in different contexts, have said that this is simply an approximation. Thus, if an organization used only 87% volunteers, it is our view that it would not run afoul of the "substantially all" test.
8. [1987]2C.T.C.70; 87 D.T.C.5306.
9. The Court cited with approval our book *Canadian Taxation of Charities and Donations*. This is a case of mixed emotion...pleased at the citation and wondering how the comments in the book could have been so misinterpreted.
10. Insofar as we are aware, only New Zealand formally uses a "destination" test.
11. [2003] 2 CTC 10.
12. Paragraphs 6 and 7.
13. See paragraphs 26-29.
14. One of the reasons the "volunteer" exception was put in place was to allow churches to continue to run bingo operations. Of course, over the years, the problem of getting the needed volunteers has become more and more of a problem.
15. Most of the auditors come from Consulting and Audit Canada and thus almost certainly do not have the knowledge necessary to conduct an audit on a charity.

New Editorial Board Member

The Philanthropist is pleased to announce that **Peter Broder**, Corporate Counsel and Director, Regulatory Affairs at Imagine Canada, has joined the Editorial Board. Peter edited Industry Canada's *Primer for Directors of Not-for-Profit Corporations* (2002) and has written extensively on policy and regulatory issues related to charities and nonprofit organizations. He holds an LL.B. from the University of Ottawa, and is also a graduate of both Concordia University (Communication Studies) and the University of Toronto (Bachelor of Arts).