



June 26, 2013

The Honourable Gail Shea
Minister of National Revenue
Room 556, Confederation Building
Ottawa , Ontario K1A 0A6

Delivered via email.

Dear Minister Shea,

Enclosed with this letter please find a petition signed by over 700 taxpayers. The petition is relatively self explanatory and is respectfully asking for your intervention to resolve complaints from taxpayers. The complaints are regarding taxpayer treatment by the Canada Revenue Agency, Compliance Service Initiative, out of the Winnipeg Tax Centre.

Also attached is a copy of a May 14, 2013 Federal Court judgement; Ficek vs. the Attorney General, Docket T-1933-11, Citation 2013 FC 502 regarding this issue. In spite of this ruling, the Canada Revenue Agency continues to send letters to taxpayers asking for them to waive their rights to charitable donation tax credits achieved through registered gifting arrangements in return for assessing their returns with all due dispatch. This is in defiance of the Federal Court judgement by the Honourable Judge Michael L Phelan. He determined this tactic to be a deterrence tactic, not a requirement for assessment of the taxpayers return. More than 30 days after the Judgement, taxpayers are still not being given any option to have their returns assessed without delay of up to two years.

Additionally , this deterrence tactic by the CRA is in contradiction to new provisions in the 2013 Federal Budget. The Budget assumes the CRA will assess taxpayers with all due dispatch and prior to audit. If the audit results in reassessments being issued for gifting arrangements, the CRA has been given authority to collect 50% of the tax reassessed even if a notice of objection has been filed by the taxpayer.

We are respectfully asking you to intervene and stop the Winnipeg Tax Centre from employing these deterrence tactics and direct them to process taxpayers' 2012 tax returns "with all due dispatch", as required by law.

Thank you in advance for your assistance and cooperation.

Yours truly,

J. Jaye Torley
President
Profitable Giving Canada

Copies via email/fax to:

The Honourable James Flaherty, Minister of Finance
The Honourable Michael L Phelan, Federal Court Judge
F. Caligiuri, Winnipeg Tax Centre