

**From:** CAIRP <cairp\_acpir@cairp.ca>  
**Sent:** Tuesday, December 21, 2021 2:45 PM  
**To:** Jovita Dsa  
**Subject:** CAIRP Newsletter: December 2021



## Chair's Message



It is hard to believe the holiday season is already upon us. Time flies when you are having fun, even when that fun is dampened by yet another surge of COVID, this time with the Omicron variant of concern. We want to provide you with an update since our November newsletter.

As you may be aware, we continue to have regular exchanges with Superintendent Elisabeth Lang, and members of her senior team. We used this platform, among other things, to bring to the OSB's attention a number of questions raised by members following the October 25<sup>th</sup> publication of *Directive No. 8R19 and changes to the Estate Information Summary*. On December 15, 2021 the OSB provided an updated *Guidance to LITs – Self Identification on the Estate Information Summary* in response to CAIRP members' concerns.

You will recall that the OSB circulated draft amendments to *Directive No. 6R3, Assessment of an Individual Debtor* and *Directive No. 1R6, Counselling in Insolvency Matters*, and that CAIRP commented on the draft directives. The Superintendent informed us that CAIRP's suggestions were well received and were taken into consideration in redrafting the directives. The OSB announced on December 20, 2021 that the new *Directive No. 6R4, Assessment of An Individual Debtor*, and *Directive No. 1R7, Counselling in Insolvency Matters*, will come into force on January 1, 2022, with the amended Assessment Certificate coming into force on April 30, 2022.

Earlier this month CAIRP and the OSB published the *OSB/CAIRP Guide to Promote Diversity & Inclusion- Best Practices & Resources to support Licensed Insolvency Trustees*. The guide is a result of an ongoing collaboration between CAIRP and the OSB to stress the importance of and our commitment to diversity and inclusion and to document for LITs, resources that can help with diversity and inclusion initiatives.

The CRA has advised CAIRP that they have received funding to create a new CRA Portal that would allow CAIRP members to EFILE documents with the CRA, allow for two-way communications and provide better integration with other systems such as Ascend, Aryza (formerly Uberbase) and the OSB. CAIRP is pleased to be involved, at CRA's request, and we have pulled together a cross-section of members to participate in a working group to provide input into the Portal development. The project is expected to take 18-24 months before rollout.

In our last newsletter, CAIRP advised the amendments to the *Wage Earner Protection Program Regulations* were coming into effect on November 20, 2021. The WEPP Subcommittee has been working with government officials to review the areas which require clarification and provide input into a communication to address the issues. Based on CAIRP's feedback, the Employment and Social Development Canada (Labour Program) has prepared a bulletin entitled *Changes to the Wage Earner Protection Program* which can be found [here](#).

CAIRP is currently engaged in two active interventions. CAIRP was granted intervenor status in the Sanaa Ismail Abed Ali vs. Attorney General of Canada case in BC and appeared before Justice Basran on December 15, 2021 and we now await the decision. Dentons LLP (Tevia Jeffries) represented CAIRP on the matter. In Quebec, CAIRP's intervention in the Pierre Nolet vs. Attorney General of Canada case moved to a pre-hearing conference on December 12, 2021 before Justice de Blois, where an agreement was reached to consider firstly a threshold issue. The threshold question that will be submitted to the Court is the following: Is the Canada Revenue Agency (CRA) entitled to set-off a tax credit for the year in which a proposal was made, against a claim provable in that proposal? If the response to this question is affirmative, it will end the matter, without the necessity to submit to the Court the other three questions raised by the application. It is expected the case will heard sometime in September 2022. Norton Rose Fulbright Canada LLP (Christian Roy) is representing CAIRP on this file.

On the education front, 51 candidates challenged the CNIE on November 17 and 18<sup>th</sup>. The results have just been posted and this year the pass rate was 45%, which was a disappointing result and highlights the importance of the CQP renewal project. That said, on behalf of all CAIRP members, we want to congratulate the successful candidates on a job well done. We also want to encourage those who were not successful this time to persevere and continue to hone their competencies. The CNIE is a high-level professional examination with strict standards, and while success is a great achievement, failure to achieve a passing mark is just a step in the apprenticeship process. Our thanks to all our members who are involved in the education process including our volunteer markers who dedicate several days of their time to support the CNIE and provide timely results to our candidates. CAIRP couldn't do it without you!

The Professional Development Team has posted all 22 on-demand webinars so that members can ensure they get their MPD requirements for the year. More information is available [here](#). As well, we encourage you to register [here](#) for the 2022 ARIL Virtual Conference, powered by CAIRP and scheduled for February 4, 2022. The Conference Co-Chairs and Committee have pulled together an excellent program.

Each year CAIRP formally recognizes a few extraordinary members. The challenge is identifying the extraordinary among the exceptional. To meet this challenge, CAIRP needs the help of its members and other insolvency and restructuring professionals. If you know a member that you believe has provided CAIRP with extraordinary service, please take the time to nominate her or

him for one of CAIRP's awards: Fellow, Keith G. Collins Memorial Award, New Member Award or the Outstanding Volunteer Award. The detailed criteria for each award along with the nomination forms can be found on the CAIRP website: <https://cairp.ca/cgi/page.cgi/awards-and-research.html>. **The nomination deadline is March 31, 2022.**

As the year closes, I want to thank the CAIRP Executive Committee and Board of Directors along with all our countless volunteers engaged in CAIRP committees for your excellent work on behalf of the profession. I also want to thank the CAIRP Team – Anne, Steve, Natalie, Lynn, Gina, Isabelle, Jovita, Ben, Anh and Josephine for their professionalism, hard work and effort in delivering CAIRP's important work.

On behalf of the CAIRP Board and Team, we want to wish you and yours a safe and enjoyable holiday and a great year ahead.

Stay safe and well,

Jean-Daniel Breton, CPA, CA, FCIRP, LIT  
CAIRP Chair



As part of the FCAC's Financial Literacy Month 2021, CAIRP conducted a free public webinar to help strengthen the financial literacy of Canadians, and to shed light on the role of LITs, for a second year in a row.

The Facebook Live panel discussion took place on November 25, 2021 on CAIRP's Facebook page on the topic "Budgeting in a time of inflation." The session was aimed at providing budgeting tips to help Canadians stretch their dollar and navigate the financial marketplace during a time of inflation.

We would like to sincerely thank our speakers Craig Fryzuk, Crystal Buhler, Mary Ann Marriott, and Sheri Aberback for participating in this session. For those of you who missed the session, you can watch the recording on [CAIRP's Facebook page](#). If you are interested in getting involved in future Facebook Live webinars, please contact [jovita.dsa@cairp.ca](mailto:jovita.dsa@cairp.ca).



## Education

As 2021 draws to a close, the education team has just wrapped up the Competency-based National Insolvency Examination (CNIE) administration. 51 candidates wrote the exam on November 17 and 18, and the results are now posted on our [website](#). Congratulations to all the successful candidates! We are very grateful to all the CIRP members who play a vital role in the CNIE process; we certainly couldn't do it without all of you.

Registration for the next Practical Course in Insolvency Counseling (PCIC) examination is now open until January 17, 2022, with the exam being held on February 17, 2022. This program is intended for individuals who would like to counsel debtors in trustees' offices and offer credit counselling services. More information on PCIC is available on our [website](#).

The new year brings thoughts of renewal, and what better time to think about the renewal of the CIRP Qualification Program (CQP)! We are very much in need of CIRP designated LITs, especially those with corporate experience, to develop cases, exam questions and course content. If you are interested in helping train the next generation of LITs, please contact [Gina Letourneau](#), Senior Advisor, Education. The timeframe for program redevelopment is December 2021 to January 2023, with the launch of the program in January 2023.



## 2022 ARIL Virtual Conference

We are excited to announce the 2022 Annual Review of Insolvency Law Virtual Conference registration is open! We are delighted to invite you to register [here](#) for the 2022 ARIL Conference on February 4, 2022. Please click [here](#) to view the Conference brochure.

Follow ARIL's [LinkedIn page](#) for more updates. If you have any questions, please direct them to Natalie Alfano - [natalie.alfano@cairp.ca](mailto:natalie.alfano@cairp.ca) or Josephine Song - [Josephine.song@cairp.ca](mailto:Josephine.song@cairp.ca). We look forward to seeing you at the virtual conference!



## It's the most wonderful time of the year for on-demand webinars!

All 22 on-demand webinars will be available until March 31, 2022. Please click [here](#) to register. Kindly note that each webinar counts towards one hour of Type 1 MPD. Attendance at CAIRP online events (e.g. webinars) can be counted as Approved Professional Development Program (Type I) activities by which members are expected to have 7 hours of professional development by fiscal year ending March 31, 2022.



## 2021 Honours and Awards: Nominate Someone Exceptional

If you know someone who has done exceptional work for our association, we encourage you to nominate him/her for one of CAIRP's prestigious awards by **March 31, 2022**. Below are the award categories:

- New Member's Award of Merit
- Outstanding Volunteer Award
- Keith G. Collins Award
- Fellow Chartered Insolvency and Restructuring Professional (FCIRP) Recipient Award

The 2022 award nomination forms can be found [here](#). If you have any questions, please contact Anh Nguyen at [anh.nguyen@cairp.ca](mailto:anh.nguyen@cairp.ca).

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