

From: [CAIRP](#)
To: [Jovita Dsa](#)
Subject: CAIRP Newsletter: August 2023
Date: Tuesday, August 29, 2023 3:46:02 PM



Chair's Message



I hope you are enjoying the last days of summer. It is hard to believe we are closing in on the end of August. It was great to see so many of you this past spring at the CAIRP Forums across the country and I am looking forward to meeting with members at the CAIRP Exchange in Toronto on Tuesday, September 12, 2023. The Insolvency and Restructuring Exchange Committee has put together a great program this year and the conference is always a wonderful networking opportunity with a broad range of stakeholders attending. If you haven't had a chance to register, you can do so [here](#).

Close on the heels of the CAIRP Exchange is CAIRP's Virtual Annual General Meeting on Thursday September 14, 2023 from 2-4 pm ET and I would encourage your [participation](#).

CAIRP's Strategic Review

CAIRP has had a very productive year including the completion of the consultations on CAIRP's Strategic Review and the development and recent approval by CAIRP's Board of Directors of CAIRP's 2024-2028 Strategic Plan. We want to thank all the members who participated in the consultation process, including the member survey, for your insights and feedback.

Members advised CAIRP that the past five years have presented the insolvency marketplace with a wave of fundamental changes and stressors. These issues are placing pressures on LIT resources, debtor service quality, LIT firm revenues and the integrity of the insolvency system, according to CAIRP's stakeholders. Five priority issues were identified by members during the consultation process including raising the profile of CAIRP members and the industry (45%)^[1], advocating with the OSB and governments to address the lack of regulation of Credit Counsellors and Debt Consultants (42%), advocating for increasing LIT tariffs (40%), developing valued CE opportunities (38%) and pursuing interventions on matters of national importance (31%). The Strategic Planning/Review Committee has developed an ambitious four year plan to address the issues and member concerns. Andre Bolduc, Chair of the Strategic Plan/Review Committee will provide members with an overview of the CAIRP 2024-2028 plan at the AGM. A summary outline presenting the essential elements of the plan will be provided to members. Our thanks to the members of the Strategic Plan/Review Committee for their excellent work over the past year.

CAIRP's Advocacy Efforts

Tariff

The Tariff issue gained significant traction over the summer as a result of CAIRP's ongoing advocacy efforts. The Superintendent has clearly indicated she is prepared to move forward on the Tariff file. CAIRP has put in place a Tariff Review Task Force comprised of Wes Cowan (MNP) as Chair of the Task Force; Crystal Buhler (C. Buhler & Assoc.); Chantal Gingras (Ginsberg, Gingras); Shane Pennell (Farber); Guylaine Houle (Pierre Roy & Associés); Andre Bolduc (BDO); and Virginie Comtois (RCGT). The Task Force is well underway with its work building on previous efforts on this file while addressing current concerns. The OSB and CAIRP are working towards a joint workplan to meet Treasury Board's timing and information requirements to move the file forward. We will keep members posted on our progress on this important issue. Should you wish to provide input for consideration please forward your views to info@cairp.ca.

Surplus Income

The Surplus Income Working Group is continuing their work with the OSB and recently provided feedback on a draft of their discussions to date. Work on the Surplus Income file slowed down due to staffing changes at the OSB. The current timeline is that a draft directive will be prepared by the OSB this fall with a view to launching public consultations early in the new year.

Forms 31, 65, 78 and 79

You may recall in early November 2022 CAIRP provided its response to the OSB Consultation on Proposed Changes to Form 31, *Proof of Claim*, Form 65, *Monthly Income and Expense Statement of the Bankrupt/Debtor and the Family Unit and Information (or Amended Information) Concerning the Financial Situation of the Individual Bankrupt*, Form 78, *Statement of Affairs (Business Bankruptcy/Proposal)* and Form 79, *Statement of Affairs (Non-Business Bankruptcy/Proposal)*. CAIRP has just received a next version of the forms as well as the draft Assessment Certificate and Estate Information Summary from the OSB with a request that CAIRP provide feedback on the current drafts by September 8th, 2023. A number of CAIRP's recommendations were taken. We will be convening the Consumer and Corporate Practice Committees to review the next drafts.

Post-Secondary Education Institutions

CAIRP submitted a response to the Ministry of Innovation, Science and Economic Development (now the Ministry of Innovation, Science and Industry) (**ISED**)'s Consultation on Protecting the Public Interest Functions of Post Secondary Education Institutions (**PSEIs**). The consultation ran from May 1st – June 1st, 2023. CAIRP's response can be found [here](#).

Annual Regulatory Modernization Bill

CAIRP also submitted a response to the *Regulatory Affairs Sector of the Treasury Board Secretariat (TBS)* consultation on the *Annual Regulatory Modernization Bill* on June 19th, 2023. The Annual Regulatory Modernization Bill (**ARMB**) allows the government to address overly complicated, inconsistent or outdated federal regulatory requirements. The submission can be found [here](#).

Fresh Produce Protection Act

Another Private Members Bill is moving quickly through the House of Commons. Bill C-280, titled "*An Act to amend the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act (deemed trust perishable fruits & vegetables)*" sometimes referred to as the Financial Protection for Fresh Fruit and Vegetable Farmers Act or the Fresh Produce Protection Act (**FPPA**) has rapidly received two readings in the House, is undergoing a study in a Committee and should soon be submitted back to the House of a third reading. CAIRP has drafted a response which is going through review and approvals and will be ready to submit when the House and Senate reconvene in early fall.

Relations with OSB

The annual OSB and CAIRP Executive Team Meeting was held on July 6, 2023 as part of ongoing dialogue efforts. The discussion was substantive, frank and productive. CAIRP provided the OSB with an overview of some of the relevant member feedback received during the research phase of the Strategic Review along with a high-level overview of next steps. The OSB shared that, following ongoing advocacy efforts by CAIRP, they would be further ramping up efforts related to the **Debt Advisory Marketplace**. They also advised they looked forward to working with CAIRP on their upcoming regulatory review efforts including the Tariff file.

CAIRP hosted a “Meet and Greet” session for Miranda Killam, the new OSB Deputy Superintendent, Regulatory Policy and Public Affairs on July 17, 2023. Miranda recently took on the role following Sahra Boonstra’s transfer to the CRTC. A cross section of consumer and corporate CAIRP members from across the country participated. Miranda advised she found the session very helpful and she appreciated the members’ insights and candor.

Interventions

CAIRP moved forward with the Poonian et al v. British Columbia Securities Commission intervention. The motion for leave to intervene and related materials was submitted on July 19, 2023 and can be found [here](#). Our thanks to Gowling WLC (Canada) LLP and specifically Haddon Murray and Heather Fisher for their efforts. CAIRP should be advised within the next month whether leave will be granted.

Operations

We will provide a more detailed briefing at the upcoming AGM, however we are pleased to report that CAIRP ended the fiscal 2022-23 year with a better than planned small deficit from regular operations of \$7,096. CAIRP received another clean opinion on its audited financial statements. Our thanks to the Treasurer, Bridget van Wyk, the CAIRP Finance Committee and COO Steve D’Alessandro for their effective management of CAIRP’s finances.

On the Education front, the CQP renewal is proceeding well. The Introduction to Insolvency course was launched in April and the Insolvency Principles, Processes and Practice (**IP3**) Course will launch in early fall. The CNIE Tutorial was held in June and I had the great pleasure of participating in the session. Please check out the Education section of the Newsletter for additional updates.

Other

Further information is provided in the newsletter on CAIRP’s efforts related to professional development, membership and raising the profile of the industry.

I would like to congratulate Anne Wettlaufer, CAIRP’s President & CEO on her recent appointment to the Financial Consumer Agency of Canada’s (**FCAC**) Consumer Protection Advisory Committee. Her seat at the table will be very helpful with our industry’s efforts to raise its profile and with the Debt Advisory Marketplace issues.

My two-year term as Chair of CAIRP is drawing to a close. I want to take this opportunity to thank the tremendous CAIRP volunteers and staff for their efforts. We have accomplished a great deal on behalf of the industry but there is much more to do. I encourage each of you to get involved with CAIRP. You will get much more out of your efforts than you put in.

All the best,

Jean-Daniel Breton

[1] The quoted percentage for each priority represents the percentage of respondents who included this priority as one of their five top priorities.



Media & Communications

In our continued effort to raise the profile of the industry and our members, CAIRP has undertaken a few initiatives over the last few months.

We issued two press releases on the OSB's [Q1 2023 Canadian Insolvency Statistics](#) and [Q2 2023 Canadian Insolvency Statistics](#), which garnered press coverage across national media outlets. The Q1 2023 statistics were covered in [CMP Magazine](#), [Wealth Professional](#), CBC News Network and [Le Devoir](#). The Q2 2023 statistics were covered in [The Globe and Mail](#), [Western Standard News](#), [Wealth Professional](#) and [Le Journal de Montréal](#). These articles were further amplified through promotional postings across CAIRP's social media channels.

Our Media Communications Committee members and guest authors have been busy creating a variety of financial wellness blogs including:

- [How to build a solid family financial plan](#)
- [Protect yourself from financial scams](#)
- [Impact of Inflation and Recession on Debt Repayment](#)
- [What to keep in mind when refinancing your home](#)
- [Life of a Trustee](#)
- [Is there such a thing as "Debt-Free"?](#)

For the full list of blogs, please click [here](#).

Finally, we have recognized our 2022-23 CIRP graduates through an advertisement published on LinkedIn in July. This ad will also be published in the upcoming issue of *Rebuilding Success*. Please click [here](#) to meet our 2022-23 CIRP graduates.



Education

It has been a busy spring and summer for the Education team. In late April, as part of the CQP Renewal, the new Introduction to Insolvency course was launched. This course is also designed as a standalone course for those who are interested in learning about the field of insolvency, but who may not intend to become CIRPs. For more information, please click [here](#).

We recently interviewed and profiled some of our [Insolvency Counsellors](#) and [Insolvency Administrators](#) on CAIRP's website to give future candidates an insight into these roles. They had several great perspectives to share on what the job entails and how to be successful in these roles. Let us know what you think and please share these links with aspiring candidates.

A return to the in-person CNIE Tutorial from June 22-25 saw 30 candidates participate from across Canada. We thank the many CIRPs and lawyers who prepared content for the attendees.



CAIRP has recently partnered with [IRIS](#) to offer all CQP candidates in the Core and Applied Knowledge courses complimentary access to their searchable and comprehensive database of insolvency and bankruptcy court filings. We appreciate IRIS' support of our education programs.

The Practical Course on Insolvency Counselling (PCIC) exam took place on June 29th, with 22 candidates writing the exam. All candidates were successful. The next PCIC exam will take place in February 2024 and we encourage anyone interested in becoming a BIA Insolvency Counselor to click [here](#) for more information.

As a reminder, CAIRP offers an Insolvency Administrator course that covers the administrative process of insolvency from opening a file through to its completion and the discharge of the trustee. Students who successfully complete the course and final examination, and who are employed by a CAIRP member are eligible to become a CAIRP Insolvency Administrator Associate. This Associate category provides access to several benefits including targeted professional development offerings relevant to estate administrations. For more information on the course and Associate category, please click [here](#).

We bid farewell to our Education Director, Lynn Bailey, who has taken a position as Director, Office of the Vice-President External Relations, University of Manitoba. Her last day was Friday, May 12, 2023 and we wish her the very best in her new role.

We are very pleased to announce that Tim Carson, FCIRP, LIT has assumed the role of (Interim) Director, Education Programs. Tim has a long history of involvement with CAIRP's education programs, most recently as Past Chair of the CQP Committee. Tim has also been the lead in driving forward the CQP Renewal, a role which he will continue as we work to finish the CQP Renewal project.

The CAIRP Education programs could not run successfully without our amazing volunteers. We are so grateful for their continued support of future insolvency professionals. If you are interested in becoming involved in any of our education efforts, please reach out to Isabelle Gauthier, Registrar CQP (isabelle.gauthier@cairp.ca) for information.



CAIRP's Toronto Exchange

The 2023 CAIRP Toronto Exchange is back to an in-person event this fall on September 12, 2023. The 2023 Exchange Committee is busy working on a jam-packed program featuring concurrent consumer and corporate professional development sessions and we can't wait to see you there!

Register for the event [here](#). Registration will be closing September 6th, so don't miss out and register today!

Do you have great ideas for future session topics? Consider joining our planning committees. Please email Natalie.Alfano@cairp.ca if you are interested in learning more.



CAIRP's Insolvency and Restructuring Forums

Thank you to everyone who attended CAIRP's Insolvency and Restructuring Forums, which was held for the first time since 2019. It was great to reconnect, learn and network with the insolvency community.

We were joined across the country by Lieutenant-Colonel (Retired) Stéphane Grenier, who gave the keynote presentation on mental health. This session was highly rated by attendees and the majority found the topic timely and important to discuss. We would like to thank all our speakers who generously shared their time and knowledge at the Forums. We greatly appreciate the effort that goes into preparing for these sessions.

Sponsors are an integral part of our events, and we thank them for their tremendous contribution and commitment to the Forums. Thank you to our Cross-Country Sponsors, FCT, Fileassurance and VersaBank, who travelled to every city with CAIRP, and our Event Supporter Sponsors, Eastside KIA, IWIRC, McDougall Auctioneers Ltd, NSAIRP, Parklawn Group and Right Turn Auto.

The events would not be possible without the tireless work and dedication of the 2023 Insolvency and Restructuring Forums Committee: Kristin Gray, Guylaine Houle, Blaire MacNeil, Daniel

Maksymchak, and Philippe Mendelson.

Lastly, we want to give a huge thank you to all the attendees who supported our return to in-person events. We look forward to seeing everyone next year!

In Memoriam

On behalf of CAIRP, we extend our deepest condolences to the family and friends of three individuals, who made a valuable contribution to the insolvency industry.

Timothy Hill passed away on May 8, 2023. Tim was a well-known and beloved insolvency lawyer in the Atlantic provinces, who worked very closely with our members there. Tim also spoke at numerous CAIRP events, both in-person and virtually, and was a speaker at ARIL. To read the obituary notice and share your condolences with his family, please click [here](#).

David Richardson passed away on July 27, 2023. David was a member of CAIRP and a founding member of the Insolvency Institute of Canada (IIC). David worked for Ernst & Young for more than 40 years. To read the obituary notice and share your condolences with his family, please click [here](#).

Michael Salyzyn passed away on July 29, 2023. Mike was a member of CAIRP and had a successful career working for the Federal government at Consumer & Corporate Affairs and The OSB, Industry Canada (Ottawa). Mike founded Salyzyn & Associates Limited in 1996 with his wife Muriel and daughter Leanne joining him in the family business. To read the obituary notice and share your condolences with his family, please click [here](#).

CAIRP also extends our condolences to the family of Scott Hannah, Past President & CEO, Credit Counselling Society, who passed away on June 17, 2023. To read his obituary notice, please click [here](#).

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