Experience Ontario 2024

Program and Application Overview







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What You Need to Know Before You Apply

Before Filling Out the Application:

□ Read the Experience Ontario 2024 Application Guide
□ Watch the Experience Ontario 2024 Program and Application <u>Video</u>
□ Consult with your <u>Tourism Regional Advisor or Northern Regional Development Advisor</u> to discuss your festival or event plan and its alignment with Experience Ontario, or email
ExperienceOntario@ontario.ca with questions.

- ☐ Confirm you are registered with Transfer Payment Ontario (TPON)
 - TPON Administrator is current
 - Organization's email address is correct
 - External Approvers are linked to the organization

Program Overview

The Ministry of Tourism, Culture and Sport (MTCS) supports destination and product development and investment in Ontario's tourism industry.

Experience Ontario 2024 provides support for festivals and events with a tourism economic impact to motivate visitors to discover Ontario, connect people with local experiences, and increase tourism spending.

Experience Ontario is a competitive program. Applications will be measured against program criteria and, as such, there is no guarantee of funding, including to past recipients.

The ministry will only consider one application per organization and one application per event.

Program Objectives

Experience Ontario 2024 supports in-person festivals or events in Ontario that will:

- 1. Offer programming that encourages people to travel, experience events **in-person** and celebrate Ontario.
- 2. Draw tourists and **increase visitor spending** through innovative programming in partnership with businesses and community partners.
- 3. Provide job opportunities for Ontarians in the tourism, culture, and entertainment sectors.
- 4. Increase Ontario's profile through various media channels.

Funding Priorities

The maximum funding amount for Experience Ontario 2024 is determined through a three-tier model based on your previous year's actual festival or event cash expense total:

Tier 1 - Signature	Tourism festivals or events with total event cash expenses of \$1 million or greater will be eligible for 50% of cash expenses up to a maximum of \$125,000.
Tier 2 - Emerging	Tourism festivals or events with total event cash expenses between \$250,000 and \$999,999 will be eligible for up to 50% of eligible cash expenses up to a maximum \$55,000.
Tier 3 - Community	Tourism festivals or events with total event cash expenses of less than \$250,000 will be eligible for up to 50% of eligible cash expenses up to a maximum of \$20,000.

See the Eligible Expense list, Evaluation Process and Assessment Criteria.

- The total event cash expenses described must be for the event itself and not the operating expenses of the applicant organization.
- The value of in-kind expenses is not included in the determination of the event's total event cash expenses.
- Funding formulas and maximums will be re-calculated during final reporting and refunds will be required should maximum funding amounts be reduced.

Number of Applications Permitted

Only one application per organization* and only one application per festival or event will be considered.

*This includes affiliated organizations. Only one organization in a group of affiliated organizations is eligible to apply.

An affiliated organization is one of two corporations that are related to, or associated or affiliated with, each other in one of the following ways if:

- One of the corporations controls the other corporation directly or indirectly, in any manner whatsoever. (e.g., parent corporation),
- Either corporation is controlled directly or indirectly, in any manner whatsoever, by the same business, individual, or group of individuals or businesses. (e.g., subsidiary, parent, shared principle shareholders), or
- The corporations are otherwise affiliates of one another under applicable corporations' legislation.

Corporations established directly by legislation are not affiliates of one another even if they are affiliated with one another as described above.

Multiple location events are eligible as one event ONLY where the programming is offered and marketed as part of a consolidated festival or event and where the experience includes visitation to several locations over the defined consecutive days. (e.g., Harvest Festival with multiple farm locations).

Program Timelines

Item	Time Frame	Note
Application Deadline	January 11, 2024 (5 p.m. EST)	 New applicants must create a My Ontario <u>Account</u>. This may take up to five business days. Please plan accordingly to meet the program's deadline. <u>Tourism Regional Advisors and Northern</u> <u>Regional Advisors</u> are available during the application period for program consultations and the <u>Transfer Payment Ontario Client Care</u> is available to respond to questions about the Transfer Payment System.
Evaluation Period	January to Spring 2024	Applicants are responsible for submitting complete applications
Funding Status Notification	Spring 2024	 Successful and unsuccessful applicants will be notified by email. Please ensure that your organization's contacts are up to date in your Transfer Payment Ontario account.

There is no appeal process for unsuccessful applicants to the program.

Completed applications must be submitted through the Transfer Payment Ontario System. It is your responsibility to ensure that your application is complete and has been successfully submitted along with all mandatory documents. If your application is incomplete or missing any mandatory documents, it will not be considered. If you do not receive a confirmation notice by email within 24 hours of submitting your application, please contact <u>Transfer Payment Ontario Client Care</u>.

Your application must be submitted on or before **January 11, 2024, 5 p.m. EST** .Applications and materials submitted after the deadline will not be considered. **If you are experiencing technical difficulties close to the deadline, you must contact <u>TPON</u> and not your Regional Development Advisor**.

Program Definitions

For the purposes of this program, the ministry defines:

<u>A tourism festival or event</u> as a public, in-person celebration held over consecutive days (minimum of two)*, that is: promoted to and attracts tourists, creates employment in the tourism, culture and entertainment sectors, and has a proven tourism economic impact involving local sponsors, suppliers, and services.

Duration: a tourism festival or event must be offered over consecutive days, minimum of two*. The tourism festival or event may be offered as a series of consecutive days. A series must be offered and marketed as a consolidated, themed festival/event. Applicants cannot combine distinct events into one application.

* Single Day events on Canada Day are eligible for funding.

A priority event as a tourism festival or event that is presented by and delivers programming celebrating one, or more, of the defined priority groups below.

<u>A Francophone tourism festival or event</u> as presented by an organization with a stated mandate to develop initiatives supporting Francophones in Ontario <u>and</u> that delivers programming celebrating Francophone culture.

<u>An Indigenous tourism festival or event</u> delivers programming celebrating Indigenous culture at the local, regional, or provincial level. The applicant organization must be a band council, or an incorporated Indigenous organization.

<u>A 2SLGBTQI+ tourism festival or event</u> as presented by an organization with a stated mandate to develop initiatives supporting Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and gender diverse communities and that delivers programming supporting these communities.

<u>An ethnocultural tourism festival or event</u> as presented by an organization with a stated mandate to develop initiatives supporting people, groups and/or communities of a specific or multiple ethnic or cultural origin(s). The event is delivered as public programming that supports and showcases the cultural and linguistic diversity in Ontario.

<u>A northern tourism festival or event</u> as an event located in the northern Ontario districts (RTO 13) of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay or Timiskaming.

<u>A rural tourism festival or event</u> as an event in a community that meets either of the following criteria:

- has a population of fewer than 100,000 people.
- has a population density of 100 people or fewer per square kilometre.

<u>Ontario's urban municipalities</u> as Ajax, Barrie, Brampton, Brantford, Burlington, Cambridge, Chatham-Kent, Clarington, Guelph, Greater Sudbury, Hamilton, Kingston, Kitchener, London, Markham, Milton, Mississauga, Oakville, Oshawa, Ottawa, Richmond Hill, St. Catharines, Thunder Bay, Toronto, Vaughan, Waterloo, Whitby, and Windsor.

<u>A tourist</u> as an individual (including an Ontario resident) who travels 40 kilometres or more (oneway) or crosses a border into Ontario to attend a festival or event.

<u>Partnerships</u> as tourism organizations, hospitality or local businesses, and sponsors with whom the applicant is collaborating to develop tourism offers, incentives, packages, or marketing/promotional collaborations that contribute to the community economic impacts or financial success of the event. Partners do not include paid supplier relationships.

<u>Fiscal year</u> as the period from April 1 of one calendar year to March 31 of the next calendar year.

An Audited Financial Statement as a set of financial statements consisting of five components: an Income Statement, a Statement of Changes in Financial position, a Balance Sheet, a Statement of Cash Flows, and Notes to Financial Statements; prepared using Generally Accepted Accounting Principles (GAAP) by a Licensed Public Accountant who expresses an opinion on the financial statements in an accompanying Auditor's Report.

<u>A Review Engagement</u> (Reviewed Financial Statement) as a set of financial statements consisting of five components: an Income Statement, a Statement of Changes in Financial position, a Balance Sheet, a Statement of Cash Flows, and Notes to Financial Statements; prepared using Generally Accepted Accounting Principles (GAAP) by a Chartered Professional Accountant (CPA) who expresses some assurance that the financial statements are free of material misstatements in an accompanying Review and Engagement Report.

<u>A Board-Endorsed Financial Statement</u> as an income statement and balance sheet that report on a year's worth of financial activity (e.g., revenues, gains, expenses, losses, net income, assets, liabilities and other totals). The statement must be accompanied by a Board motion that verifies the accuracy and approval of the document and is signed and dated by the Board Chair.

<u>A Treasurer-Certified Financial Statement</u> as an income statement and balance sheet that report on a year's worth of financial activity (e.g., revenues, gains, expenses, losses, net income, assets, liabilities and other totals). The statement must be accompanied by a note that verifies the accuracy and approval of the document and is signed and dated by the Chief Financial Officer.

Eligibility Requirements

Applications that do not meet the following eligibility requirements will be deemed ineligible and will not be considered. Incomplete applications are not eligible.

Eligible Organizations

Eligible applicants must be:

- A legal entity, established by or under legislation; federally or provincially incorporated; First Nation in the province of Ontario.
- An Indigenous community in Ontario, a regional or provincial organization, representing First Nation, Métis, Inuit or urban Indigenous peoples or an Indigenous service provider.
- In existence since January 1, 2023 or before.
- An operating business (e.g. business address, physical presence) in Ontario.
- Not in default of the terms and conditions of any grant or loan agreement with any ministry or agency of the Government of Ontario.
- Conducting business in Ontario and have a Canadian bank account in the legal name of the applicant at a Canadian financial institution.

Ineligible Organizations

- Sole proprietorships, limited partnerships, limited liability partnerships and general partnerships.
- Federal or provincial governments and/or their agencies.

Eligible Tourism Festivals or Events

In addition, your festival or event must meet all of the following requirements:

- Take place between April 1, 2024, and March 31, 2025, over a minimum of two consecutive days*.
- Occur in the province of Ontario.
- Be open to the public at large without membership in a club or group.
- NEW!: Previous year's attendance must include tourist attendance at 30% of overall attendance or 5,000 tourists.
- NEW!: Have been held at least once in the previous three-year period.
- Follow all municipal and provincial guidelines, including health and safety guidelines.

Ineligible Tourism Festivals or Events

Ineligible tourism festivals or events include:

- One-day tourism festivals or events (except for those held on Canada Day).
- Non-consecutive day festivals or events. Festivals or events that offer a series of days, are only eligible for the consecutive days.
- Virtual/broadcast festivals or events.
- Festivals or events that are receiving funding through the <u>Ontario Sport Hosting Program</u>, or the <u>Ontario Music Investment Fund (OMIF)</u>.
- Sporting events offering programming that is of primary benefit to event participants/athletes
 only (e.g., sport tournaments/competitions, marathons), with no ancillary programming for
 visitors, and is not marketed to, or does not attract tourists.
- Festivals or events that seek to attract only a special interest audience, restrict audiences (e.g., students only), or recruit new members (e.g., religious, or political gatherings).
- Festivals or events of a primarily commercial nature, where the main intent of the event is to sell or promote one or multiple products, services, or sponsorships (e.g., trade fairs and shows, business events, consumer shows, artisan, and craft fairs).
- Fundraising events or events with a primarily charitable purpose.
- Symposia, conventions, meetings, conferences, seminars, clinics, workshops, contests, and events that solely consist of an award show.
- Applicants who apply only for marketing funding.

^{*}One-day tourism festivals or events held on Canada Day are eligible for funding.

Eligible Expenses

Expenses must be incurred between April 1, 2024, and March 31, 2025.

Eligible expenses must be incurred for the delivery of the festival or event and do not include costs related to ongoing costs of operation.

Eligible expenses must be linked to programming activities and other services accessible to the public (i.e., not for expenses benefiting VIPs or invitation-only guests).

Examples of eligible expenses include but are not limited to the following:

Programming and Production

- Performance and appearance fees paid to artists, performers and presenters, including travel, accommodation, hospitality (not including alcohol or cannabis-related products) and booking costs.
- Programming costs, including interactive, experiential and/or accessible programming.
- Ontario-based production costs, including audio and visual support (e.g., rental of sound and lighting equipment and rental of event venue).
- Wages for temporary/contract event staff directly related to programming and production for the festival or event.
- For eligible sporting events, programming costs related to attracting and engaging spectators
- SOCAN or other licensing fees.
- Honorarium for Elder/Knowledge Holder.

Marketing

- Targeted paid media or advertising buys (e.g., broadcast, digital, social, print, out-of-home).
- Distribution/shipping costs for printed materials.
- Mobile application and website development and upgrades if promoting or supporting the festival or event.
- Wages for temporary/contract event staff directly related to marketing for the festival or event.

Other

- Translation costs directly related to the programming or marketing of the festival or event.
- Costs related to volunteer training for the event, site/visitor services, or event security.
- Accessibility services and improvements to comply with the <u>Accessibility for Ontarians with</u>
 <u>Disabilities Act, 2005 (AODA)</u> directly associated with the event programming (e.g., ramps, accessible viewing areas).
- Non-capital costs related to strengthening health and safety measures at the event (e.g., technology for digital contactless payment and admission.
- Sanitation services (handwashing stations, hand sanitizer dispensers).
- Economic impact studies.
- Other costs deemed reasonable and directly attributable to the project that have been approved in writing by the ministry.

Ineligible Expenses

Ineligible expenses include those not directly related to the festival or event programming or marketing, including — but not limited — to the following:

• Expenses incurred outside of the eligibility period of April 1, 2024 to March 31, 2025.

Programming and Production

- Production costs incurred outside Ontario.
- Costs for festivals or events held outside Ontario.
- Costs related to the creation of permanent creative assets (e.g., sculptures).
- Competition prizes, prize money, and monies paid to competition participants, as well as awards, trophies, and medals, or costs for gifts, gratuities, honoraria, or other items of personal benefit.
- Costs related to participants in eligible sporting events (i.e., uniforms, travel, hospitality).
- Food, unless for the purpose of a culinary demonstrations

Marketing

- Creative, production, and associated staff costs, contract staff included (This includes photography, videography, graphic design).
- · Printing of publications.
- Booking/packaging costs, corporate sponsorship fees.
- Merchandise (e.g., for inclusion in takeaways for attendees, promotional items, t-shirts for volunteers).

Staffing and Administrative

- Salaries and wages for permanent staff and full-time contract staff.
- Administrative and overhead costs and any other operational or capital expenses related to an organization's activities:
 - Rent, telephone and communication lines/services, insurance, computers, utilities, maintenance costs, credit/debit card fees, membership, printing, and subscription fees
 - Travel costs, meals and incidental expenses for all staff (permanent, contract, and event)
 and volunteers
 - Capital costs (construction materials, motorized vehicles, land acquisition, purchase of equipment, stages, fixed or portable seating, computers/notebooks, depreciable assets)
 - Charitable donations
 - Labour costs not directly related to the event
 - Legal, audit or interest fees
 - Fees relating to grant writers procured for preparing government funding applications
 - o Fees related to audit or engagement review of financial statements
 - Budget deficits, capital repayments or any repayments to other funding programs
- Hospitality costs, excluding those for Canadian or International artists, performers, and presenters.
- Volunteer costs (e.g., t-shirts), other than those specifically for volunteer training for the event.

Other

- Cost of alcohol or cannabis-related products.
- Harmonized Sales Tax or refundable expenses (e.g., security deposits).
- Any expenses not directly paid by the recipient organization or that will be covered by in-kind revenues, in-kind services, or funded by another source.
- Any costs related to transactions by organizations directly affiliated with the applicant or between enterprises under common ownership or control.

How To Apply

The <u>Transfer Payment Ontario</u> system is your one-window access to apply for funding, check the status of your application, e-approve documents and submit reports. The Government of Ontario is changing the way public users access secure government services, including TPON.

IMPORTANT: Effective April 17, 2023: the way you access TPON has changed. You are required to create a My Ontario Account for secure access to TPON.

- For further information, see the Creating a My Ontario Account <u>guide</u> and <u>video</u> in preparation for creating your My Ontario Account. Applicant organizations should ensure they know the email address that is associated with their TPON account.
- Creating a new account may take up to several days, so please begin early.

How Does This Impact Users?

- New users to TPON will need to create a My Ontario Account profile.
- Existing TPON users will have the opportunity to migrate their profile to My Ontario Account by creating an account with their TPON associated email.

Joining an Organization

- The entire TPA process and approval will be done electronically <u>inside the TPON</u>
 <u>system.</u> Persons administering the TPA and signing authorities must all have their own My
 Ontario Account.
- The designated individual with signing authority will require a My Ontario Account to e-approve the TPA. Once your My Ontario Account has been created, you will need to join your existing organization in TPON.
- To register a *NEW* TPON system user visit https://www.app.grants.gov.on.ca/tpon/psLogin
- To add *NEW* authorized users to your account/organization visit the <u>How to Join an Organization in TPON webpage</u> and follow the prompts.

Transfer Payment Ontario Client Care

Technical questions related to TPON must be directed to Transfer Payment Ontario Client Care.

Monday – Friday 8:30 a.m. to 5:00 p.m. (EST, excluding statutory and government holidays)

- Telephone: 416-325-6691 or 1-855-216-3090
- TTY/Teletypewriter (for the hearing impaired): 416-325-3408 / Toll Free: 1-800-268-7095
- Email: <u>TPONCC@ontario.ca</u>

General System Best Practices

- Submitting your application on the last day could potentially result in system delays and high
 user traffic causing technical issues. You are strongly encouraged to submit your
 application earlier to avoid any issues.
- If you encounter any technical difficulties, DO NOT contact your Regional Development Advisor. Contact Transfer Payment Ontario Client Care.
- Any applications submitted after 5 p.m. EST **WILL NOT** be accepted.

NOTE: TPON requires Adobe Acrobat Reader to complete the PDF application form.

Submission Checklist: Mandatory Documents

For an application to be considered complete and eligible for assessment, **all** mandatory documents listed below must be attached to your file in the Transfer Payment Ontario (TPON) system on or before the application deadline.

- 1. **Application Form -** completed, electronically signed, dated, validated, and uploaded.
- 2. **Incorporation documents** for your organization. Must match your organization's legal name as registered in Transfer Payment Ontario (not required from municipalities or First Nations). Acceptable documents include:
 - Certificate of Incorporation (and any related Amendments thereto)
 - Articles of Amalgamation
 - Letters Patent
 - ➤ Business Improvement Areas: In lieu of incorporation documents, are required to submit BIA policies and by-laws as established by the *Municipal Act*, 2001.
 - Agricultural Societies: In lieu of incorporation documents, are required to submit letters of good standing as established by *The Agricultural and Horticultural Organizations Act, R.S.O.* 1990.
- 3. Financial statements (not required from municipalities or First Nation organizations).
 - The previous year's audited financial statements or review engagement report
 - o income statement, balance sheet, and the notes. Audited financial statements must include the auditor's opinion on the statements; for review engagement reports, a professional assurance that the financial statements are free of material misstatements. The statements should be final and signed by the Board of Directors.

If audited financial statements or review engagement reports are not available, please submit:

- The previous year's financial statements (balance sheet and income statement)
 - o a dated and signed, board-endorsed or treasurer-certified, statement that verifies the accuracy and approval of all the information contained therein.

If approved for funding, applicants will enter into a TPA with the ministry and must agree to binding terms and conditions in connection with the grant, including an obligation to repay up to the full amount received if any terms are not complied with.

Applicants that receive funding will be required to carry at least \$2 million commercial general liability insurance coverage, with "His Majesty the King in right of Ontario, His ministers, agents, appointees, and employees" as an additional named insured.

Evaluation Process and Assessment Criteria

The application evaluation process will include a fair and consistent evaluation of the merit of submissions against the stated eligibility requirements and mandatory requirements to ensure that festivals and events meet program priorities. Applications that fail to meet any of the eligibility or mandatory requirements or will not be considered.

Applications that meet all eligibility requirements and mandatory requirements will be scored based on a combination of pre-determined technical criteria.

The Ministry of Tourism, Culture and Sport cannot guarantee funding to all applicants, including to past recipients, nor can the ministry ensure that the total amount requested by successful applicants will be granted. The decision to fund all or part of an applicant request will be based on the demonstrated ability to meet Experience Ontario 2024 program priorities, total of confirmed eligible expenses, assessment criteria and the overall demand for funds in the program.

Applications will be measured against program criteria and scored against the following:

Assessment Criteria	Application Form Section	Scoring Weight
Organizational capacity	E + Financial Statements	20
Event description, alignment with program objectives, risk management and contingency plans	G	20
Marketing plan	Н	15
Partnerships	I	10
Impact: performance measures + tracking of results	J, K	20
Impact: Government Support	L	10
Event budget	L	5
Priority Event		5
Total		105

To be considered for funding, applicants must obtain a minimum score of 50.

Experience Ontario 2024 is a discretionary and non-entitlement program. As such, notwithstanding that an applicant has submitted a complete application and met all program criteria, there is no guarantee, including to past recipients, that the applicant will be approved for funding.

The ministry reserves the right to fund or not fund applications submitted to the program. The decision to fund all or part of an applicant request will depend on its fit to the program objectives and priorities, assessment criteria and the availability of funds in the program.

There is no appeal process for unsuccessful applicants to the program.

Recipient Obligations

Acknowledgement

Applicants are expected to comply with the <u>Ontario Human Rights Code</u> (the "Code") and all other applicable laws. Failure to comply with the letter and spirit of the Code will render the applicant ineligible for a grant and, in the event a grant is made, liable to repay the grant in its entirety at the request of the ministry.

Applicants should be aware that Government of Ontario institutions are bound by the <u>Freedom of Information and Protection of Privacy Act</u>, R.S.O. 1990, c.F.31, as amended from time to time, and that any information provided to the ministry in connection with your Experience Ontario 2024 application may be subject to disclosure in accordance with that Act. Applicants are advised that the names and addresses of organizations receiving grants, the amount of the grant awards and the purpose for which grants are awarded is information made available to the public.

Successful Applications

If an application is successful, the recipient organization will be required to:

- Execute and approve a TPA with the ministry, which will outline the terms and conditions for receiving funding.
- Carry at least \$2 million commercial general liability insurance coverage for the recipient
 organization for the duration of the TPA and add "His Majesty the King in right of Ontario, His
 ministers, agents, appointees and employees" as an additional named insured on this
 coverage before the TPA can be executed (refer to the Certificate of Insurance).
- Report back to the ministry within 90 days following the event on the use of funds, deliverables and outcomes achieved using the final report form and any ancillary documents.
- Permit the ministry to verify/audit information submitted (at the discretion of the ministry) to
 ensure that it is complete and accurate and that funds were used for the purpose(s) intended.
- Agree that if the funds were not used or will not be used for the intended purpose(s), or if specified services were not delivered, or if the intended outcomes were not achieved, the province has the right at a future date to recover all or part of the funds transferred.
- Obtain prior written consent from the ministry for any change to the event once funding is approved.
- Acknowledge Ontario's support in electronic, print, or social media as part of a visibility campaign, and in a form and manner directed by the province.
- Comply with all federal, provincial, and municipal laws and regulations (e.g., health and safety, environmental approvals, zoning by-laws, human rights, animal welfare, accessibility).

Reporting Requirements and Accounting

In addition to completing the final report form, recipients will be expected to provide the following materials as part of the mandatory post-event reporting process:

- 1. A confirmation of actual event expenses. A template will be provided.
- 2. A summary of all invoices for eligible costs associated with the event. The summary should include the invoice date and expense amount (not including tax), the payee and a specific description of each expense. A template will be provided.
- 3. Any other reports and publications produced as part of the event, including media summaries, economic impact studies, or visitor analysis that supports the actual performance metrics reported in the final report.
- 4. Financial Statements as follows:
 - a. For grants of less than \$100,000:
 - A board-endorsed or treasurer-certified financial statement confirming the revenues and expenses for the Experience Ontario 2024 funded project. The document must clearly outline, in a Note or Schedule, the amount of the Experience Ontario 2024 grant and the expenses funded.
 - A representation letter from the recipient's Chief Financial Officer or most senior official confirming that the funding was used only for eligible expenses.

b. For grants of \$100,000 or more:

- O Audited statements of revenues and expenditures for the funded expenses prepared by a third-party Licensed Public Chartered Professional Accountant. The statement must clearly outline, in a Note or Schedule, the amount of the Experience Ontario 2024 grant and the expenses funded and include the auditor's opinion of assurance.
- A review engagement report providing the same information as above may also be accepted.
- 5. Any other details that may be requested by the province.

Failure to provide a complete final report may result in the retention of the final grant payment, and recovery of all or a portion of funding may be requested. Failure to meet any reporting requirements may impact an organization's ability to receive future funding.

Appendix 1

Certificate of Insurance Instructions (not required at time of application)

- All grant recipient organizations are required to carry at least \$2 million commercial general liability (CGL), per occurrence insurance coverage before the legal grant agreement can be executed.
- The insurance must be in the **legal name** of the recipient organization.
- The required insurance coverage limit can be made up of a primary CGL policy with a limit of \$1 million and an umbrella liability policy (commercial) with a limit of \$1 million for a combined limit of \$2 million.
- It is mandatory that "His Majesty the King in right of Ontario, His ministers, agents, appointees and employees" be added as an additional named insured.
- The insurer must have a secure A.M. Best rating of B+ or greater, or the equivalent.

A Certificate of Insurance must:

- 1. State that the Named Insured is the legal recipient organization with whom the ministry has contracted.
- 2. Identify the dates of coverage. Recipients must carry the required insurance for the duration of the TPA and will be required to provide a renewed certificate if it expires before the TPA's expiration date.
- 3. Identify the Ministry of Tourism, Culture and Sport as an additional named insured, represented in the following language, "His Majesty the King in right of Ontario, His ministers, agents, appointees and employees." This phrase should appear on the certificate face under a memo heading or special note box.
- 4. The Certificate of Insurance must evidence (show on the certificate) CGL insurance on an occurrence basis with a limit of no less than \$2 million dollars and shall include:
 - i. "His Majesty the King in right of Ontario, His ministers, agents, appointees and employees" be added as an additional named insured
 - ii. A cross-liability clause; and
 - iii. Contractual liability coverage.
- 5. List the ministry as the Certificate Holder and include the ministry's mailing address in this section of the policy:

Ontario Ministry of Tourism, Culture and Sport

Tourism and Culture Division

Investment and Development Office

400 University Avenue, 5th Floor

Toronto, ON M7A 2R9

- 6. Include a statement that the certificate holder (the ministry) will be notified of any cancellation or material change within 30 days.
- 7. Include the signature* of an authorized insurance representative.

^{*}Signature can be an 'e-signature' for the purposes of the Certificate of Insurance.

Appendix 2

Tax Compliance Verification Instructions (not required at time of application)

Some organizations are required to confirm their good standing with tax laws to receive transfer payment funding from the province.

Confirmation of good standing must be shown through the completion of an attestation and separate tax compliance verification (TCV), which will both be considered before funds are provided.

An attestation and TCV must be submitted if the following apply:

- If your organization received cumulative transfer payment funding of \$10 million or above from the province in the previous fiscal year or is entering into a TPA with a contract value of \$10 million or above; and
- Prior to entering into a net-new agreement, an existing agreement that is being renewed or an
 existing agreement that is being amended to include new time-limited discretionary funding.

Please note that your organization is only required to submit this to the province once prior to entering into a new TPA, renewing an agreement or amending an agreement to receive new discretionary funding; and the attestation is valid one year from the date of submission.

That means, if you had submitted an attestation a year ago, you will only need to re-submit (after the previous attestation has expired) if you intend to enter into another TPA with the province (new, renewed, or amended).

Organizations may choose to complete and submit this form voluntarily.

Completing the TCV

For steps and information on how to verify your tax compliance status, please go to the <u>Check your tax compliance status</u> webpage.

Completing the Attestation on Transfer Payment Ontario (TPON)

1. For New Users

- New users will need to <u>create a My Ontario</u> account in order to log in to TPON.
- The attestation is part of the registration process. Completion of the attestation can be done
 at any time and requires the organization to input information from a completed TCV check.
 Once the completed attestation is submitted, it will be reflected within your organizational
 profile.

2. For Existing Users

- Log into TPON with your My Ontario account.
- Update your organization's information and move to the attestation section.
- Complete the attestation. Completion of the attestation can be done at any time and requires the organization to input information from a completed TCV check. Please check with your funder if the attestation is required.

Appendix 3

Good Standing with All Applicable Ontario Environmental and Labour Laws

Organizations are required to confirm their good standing with all applicable Ontario environmental and labour laws to receive transfer payment funding from the province.

Confirmation of good standing must be shown through the completion of an attestation before funds are provided.

Applicants must undertake that (i) if selected for the contract award, will be in good standing with all applicable Ontario Environmental and Labour Laws at the time of entering into an Agreement and (ii) that they will take all necessary steps prior to entering into an Agreement in order to be in full compliance with those Environmental and Labour Laws at the time of entering into the Agreement.

For the purposes of this Attestation, "Environmental Laws" means all statutes and associated regulations administered by the Ontario Ministry of the Environment, Conservation and Parks, and "good standing" with environment laws means that the organization has not been convicted by a court within the last year and has no ongoing appeals.

For the purposes of this Attestation, "Labour Laws" means all statutes and associated regulations administered by the Ontario Ministry of Labour, Training and Skills Development, and "good standing" in respect of labour laws means that the entity has not been convicted of an offence under the Occupational Health and Safety Act, R.S.O. 1990, c. O.1, the Workplace Safety and Insurance Act, 1997 and the Employment Standards Act, S.O. 2000, c. 41 in a proceeding commenced under Part III of the Provincial Offences Act, R.S.O. 1990, c. P. 33, during the preceding year.

Failure to make that Attestation may result in the Applicant's disqualification.

To complete this Attestation on Transfer Payment Ontario (TPON), follow the instructions outlined in Appendix 2 above.