

## **Notice of the Autorité des marchés financiers relating to filing of interim returns and other documents for the half year ended April 30, 2012 – Damage (“P&C”) Insurers licensed in Québec**

Under *An Act respecting insurance*, R.S.Q., c. A-32, (the “Act”), every insurer is required to file with the *Autorité des marchés financiers* (the “AMF” or the “Authority”), in such form as the AMF may determine, the documents and information it requires.

To promote environmentally friendly practices and reduce insurers’ administrative burden, the AMF will no longer require paper copies of documents to be filed under the Act, with some exceptions.

**Therefore, electronic filing of all statutory disclosures for fiscal years ending after December 1, 2011 is now mandatory<sup>1</sup>** All documents and other information required under the Act must be sent via the AMF website using the File Transfer Service (“FTS”).

### **Letter dated April 30, 2012 – New data transmission procedure**

The AMF sent a letter by certified mail to insurers licensed in Québec announcing the implementation of the FTS. This new service will enable them to file annual and interim returns, statements and other documents directly via the AMF website. Included with this letter was a sealed enveloped containing the log-in code and password for the contact person designated by the insurer.

### **AMF Notice – Administrative monetary sanctions**

Under section 405.1 of the Act, the AMF may impose an administrative sanction where any of the requested documents are filed late or are not filed. A new Notice relating to administrative monetary sanctions (the “Notice”) was published in the AMF Bulletin dated December 16, 2011 (in French only)<sup>2</sup>. The Notice is applicable to all statutory filings effective January 1, 2012. In order to access the latest English version of the Notice (unofficial translation), we suggest you to visit regularly the AMF website at <http://www.lautorite.qc.ca/en/right-practice-pro.html>.

**The AMF will no longer send a letter listing the documents and information required under the Act.** This information will now be available only through E-mail Info, AMF Bulletins and postings on the AMF website.

In addition, **the AMF will no longer issue personal reminders prior to the filing due dates of these documents and information.** Each insurer is responsible for submitting these statutory filings by the dates stipulated in the Act or determined by the AMF. The AMF will impose the sanctions set out in the Notice on insurers who fail to comply with these obligations.

### **Documents to file**

An Appendix sets out the AMF’s specific requirements for each insurer and filing due dates.

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<sup>1</sup> Section 25.2 of *An Act respecting the Autorité des marchés financiers*, R.S.Q., c. A-33.2.

<sup>2</sup> (2011) Bulletin de l’Autorité, vol. 8, no. 50, B.A.M.F., section 5.1, pp. 95 to 107.

## **Documents to retain**

**A paper copy of the signed P&C-1 must be kept on file at the insurer's premises** so that it is available for examination by the AMF. **This document is identified by an « ♦ » in the Appendix.**

Only the contact person designated by each insurer will receive by e-mail a confirmation of electronic submission. This confirmation is generated by the FTS once the files are submitted via the AMF website. If no contact person has been designated, no confirmation will be sent.

The AMF has developed an "Attestation of Compliance of Versions – interim return" form (**new**). This attestation must be completed in order to confirm that PDF, Excel and ASCII files submitted via the AMF's FTS contain the same financial data as does the hard copy of the interim return kept on file at the insurer's premises. This attestation is mandatory. If you transmit an amended ASCII file, a new attestation must be completed and sent to the AMF.

This form is available on the AMF website at the following address: <http://www.lautorite.qc.ca/en/financial-returns-pro.html>. It will also be included in the interim software package sold by PricewaterhouseCoopers.

## **Updated forms and instructions**

The **Appendix** contains links to the instructions for interim filing and the changes made to the return.

## **Electronic submission of financial returns and other documents**

A User Guide (**new**) explains the procedure for submitting data via the AMF website. To consult this guide, click on the help sign of the FTS, after having accessed the FTS.

The "Guide - Specific File Transfer Service (FTS) Requirements - Revised May 2012" (**new**) outlines the specific requirements of the *Direction de la surveillance des assureurs* (AMF Supervision of Insurers), including **file names to be used**. You can access the latest version of this guide on the AMF website with this link: <http://www.lautorite.qc.ca/en/financial-returns-pro.html>.

These two guides will replace the user guide "Electronic Submission of Insurer Financial Returns".

If you need assistance using the PricewaterhouseCoopers software, contact Catherine MacLellan at 1 (877) 208-7100.

Further information is available by sending an e-mail to [info-divulgations@lautorite.qc.ca](mailto:info-divulgations@lautorite.qc.ca).

**DOCUMENTS TO BE FILED BY DAMAGE ("P&C") INSURERS  
 LICENSED IN QUÉBEC  
 WITH AN OCTOBER 31 YEAR-END  
DOCUMENTS REQUIRED FOR THE HALF YEAR ENDED ON APRIL 30, 2012**

<b>P&amp;C Insurers</b>			
<b>Canadian Charter</b>			
<b>Form description</b>	<b>Form</b>	<b>Suffix</b>	<b>Due <u>before</u></b>
Interim Return P&C-1 <sup>◇</sup> <i>Hyperlink to instructions and updated forms</i> : <a href="http://www.osfi-bsif.gc.ca/osfi/index_e.aspx?DetailID=677">http://www.osfi-bsif.gc.ca/osfi/index_e.aspx?DetailID=677</a>	P&C-1	pdf*, Excel, ASCII	June 15
Attestation of Compliance of Versions (half-yearly) - P&C-1 <sup>◇</sup> <b>(new)</b>		pdf	June 15

◇ The paper version of the complete signed document must be kept on file at the insurer's premises **(new)**.

\* The pdf file for P&C-1 must be complete and in printable format **(new)**. Therefore, it must contain signed documents.