

General policy concerning the marketing of the registers of the Bureau

Pursuant to section 239 of the *Act respecting the distribution of financial products and services*, the registers held by the Bureau des services financiers are available for public consultation. Any person may obtain copies of these registers on payment of the prescribed fees.

However, access to the registers may be refused, depending on the use that the applicant will make of these registers.

In accordance with the requirements of the *Act respecting access to documents held by public bodies and the protection of personal information*, a request for access that does not comply with the spirit of the Act may be refused. In addition, according to the recent jurisprudence of the Commission d'accès à l'information, a public body is prohibited from communicating a whole set of information to a person who will likely trade it, even if this information is of a public nature.

Also, a distinction must be made between information that concerns natural persons (representatives) in respect of whom the right to a private life may be put forward and information that concerns legal persons (firms and independent partnerships) for which this right may not be put forward.

By this very fact, the purpose of a request for access to our registers remains the criterion to be considered in granting such access.

Registers held by the Bureau des services financiers

The Bureau holds two types of registers.

1- Register of representatives (individuals who hold a certificate)

This register is accessible only when a person requests it for the following purposes:

- an object referred to in the Act;
- a philanthropic goal, as opposed to a commercial goal.

Ex.: The Canadian Cancer Society wishing to make a fund-raising campaign, as opposed to Bell Mobility, wishing to offer a promotion for a new service.

On the other hand, the Bureau plans to obtain the consent of representatives who accept that their names and addresses be sent for solicitation and marketing purposes.

If the Bureau follows up on this request, the information it may provide is that prescribed under section 234 of the Act, namely with regard to each representative:

- his name;
- the names of each firm for which he acts, where applicable;
- the name of the independent partnership of which he is a partner or an employee, where applicable;
- whether he is registered as an independent representative, where applicable;
- his sectors and sector classes, according to the way he chose to carry on business;
- the addresses of the establishments on behalf of which he acts, according to the sectors and the way he chose to carry on business;
- the conditions and restrictions applicable to his certificate;
- the term of his certificate.

MARKETING OF THE REGISTERS

2- The register of registrants (firms, independent representatives and independent partnerships)

Requests for access to this second register are dealt with in two different manners.

- a) The Bureau may give access to any request for the register of firms and independent partnerships. With regard to independent representatives, the same rules apply as for the register of representatives.

The information that the Bureau may provide concerning a firm or an independent partnership is the following:

- its name;
 - the address of its head office and of any other establishment;
 - its sectors;
 - the name of its correspondent.
- b) Access is not given to the list of representatives attached to firms or those who are partners or employed by an independent partnership, as this would amount to giving access to the register of representatives, which may be done only if the request is made for philanthropic purposes or for an object referred to in the Act.

For a request for access to the registers of the Bureau

Requests must be made in writing. Requests concerning representatives must absolutely indicate the purposes for which the request is made.

Costs relative to such a request

The costs relative to the processing of a request are established by the Regulation respecting the fees payable for the transcription, reproduction and transmission of documents and of nominative information under the *Act respecting access to documents held by public bodies and the protection of personal information*.

Where the request concerns the reproduction and transcription of computerized data, the costs are as follows:

- A) The time for the processing of the request by the computer (including programming time): \$0.82 max./per second

To this are added the fees relative to the type of support for the reproduction

- B) Page of a photocopier or printer: \$0.26 per sheet (if the data must be transcribed manually, fees of \$19 per hour must be added).
C) Floppy disc: \$11.25
D) Stick-on labels: \$0.10 per label
E) **However, the person making the request is exempt from paying these fees if they amount to less than \$5.50.**

In short, depending on the support requested for the reproduction, the calculation of the fees payable is done as follows: $A + (B \text{ and/or } C \text{ and/or } D) - E = \text{Cost of the request}$.

