

	Replaced contract		Proposed contract	
<b>Partial disability</b>	yes	no	yes	no
<b>Maximum period of compensation</b>				
PARTIAL LOSS OF EARNINGS	yes	no	yes	no
Maximum period of compensation				
<b>INCREASE OF BENEFIT</b>				
Option to increase benefit without evidence of insurability	yes	no	yes	no
Amount		\$		\$
Date of options				
Possibility to exercise options during disability	yes	no	yes	no
<b>Accidental death and dismemberment</b>	yes	no	yes	no
Amount		\$	Amount	\$

COMMENTS: Write in this section any other item comparing or contrasting the replaced contract(s) with the proposed contract.

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Gouvernement du Québec

**O.C. 831-99, 7 July 1999**

An Act respecting the distribution of financial products and services (1998, c. 37)

**Fonds d'indemnisation des services financiers**  
— Eligibility of a claim submitted

Regulation respecting the eligibility of a claim submitted to the Fonds d'indemnisation des services financiers

WHEREAS under subparagraph 4 of the first paragraph of section 228 of the Act respecting the distribution of financial products and services (1998, c. 37), the Bureau des services financiers shall, by regulation, determine the conditions governing the eligibility of a claim presented to the Fonds d'indemnisation des services financiers and the maximum amount of compensation that may be paid;

WHEREAS under that section, the Bureau made the Regulation respecting the eligibility of a claim submitted to the Fonds d'indemnisation des services financiers;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in the *Gazette officielle du Québec* of 12 May 1999, with a notice that it could be submitted to the Government for approval upon the expiry of a 45-day period following that publication;

WHEREAS it is expedient to approve the Regulation, with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for the Economy and Finance and Minister of Finance:

THAT the Regulation respecting the eligibility of a claim submitted to the Fonds d'indemnisation des services financiers, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

### **Regulation respecting the eligibility of a claim submitted to the Fonds d'indemnisation des services financiers**

An Act respecting the distribution of financial products and services  
(1998, c. 37, s. 228 par. 1, subparagraph (4))

1. A claim submitted to the Fonds d'indemnisation des services financiers must:

- (1) be in writing;
- (2) set out the facts upon which it is based;
- (3) indicate the name of the firm, the independent representative or independent partnership concerned, or the representative involved, as the case may be;
- (4) indicate the amount claimed;
- (5) be sworn and filed with the Secretary of the Board of Directors of the Fonds.

2. A claim must be filed within one year of the date on which the claimant becomes aware of the fraud, fraudulent tactics or embezzlement, as the case may be, referred to in section 274 of the Act respecting the distribution of financial products and services (1998, c. 37).

3. The Board of Directors of the Fonds may extend the time limit provided for in section 2 if the claimant shows that, for reasons beyond his control, he was unable to file his claim within the required time limit.

4. A decision handed down by a discipline committee referred to in section 352 of the Act and which recommends compensation constitutes a claim within the meaning of section 1, provided that the complaint lodged under section 336 of the Act was filed within the time limit provided for in section 2.

5. The following persons may not submit a claim to the Fonds, unless they are or would have been clients, had they not been the victims of the fraud, fraudulent tactics or embezzlement:

- (1) an insurer;
- (2) a deposit institution;
- (3) a trust company;
- (4) any other financial institution;
- (5) a securities dealer or securities adviser governed by the Securities Act, (R.S.Q., c., V-1.1);
- (6) a mutual fund;
- (7) a firm, an independent representative or an independent partnership;
- (8) a representative.

6. Upon request by the Secretary of the Fonds or of one of its directors, the claimant, the firm, the independent representative, or the independent partnership concerned must provide all details and documents relating to the claim, and produce all relevant evidence.

7. A claim is not admissible if the Fonds had previously determined the eligibility thereof and, as the case may be, had set an amount of compensation.

8. The maximum compensation payable by the Fonds is \$200,000 per claim.

9. This Regulation comes into force on October 1, 1999.  
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Gouvernement du Québec

### **O.C. 832-99, 7 July 1999**

An Act respecting the distribution of financial products and services  
(1998, c. 37)

#### **Firms, independent representatives and independent partnership**

Regulation respecting firms, independent representatives and independent partnerships

WHEREAS under section 196, subparagraphs 6 to 10 of the first paragraph of section 223 and section 224 of the Act respecting the distribution of financial products and services (1998, c. 37), the Bureau des services financiers may make regulations on the matters listed therein;