

Administrative version
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(chapter D-9.2, r. 1)

**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

(chapter D-9.2, s. 228)

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.

O.C. 831-99, s. 1.

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 (chapter D-9.2).

O.C. 831-99, s. 2.

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.

O.C. 831-99, s. 3.

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.

O.C. 831-99, s. 4.

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, (chapter V-1.1);
- (6) a mutual fund;

(7) a firm, an independent representative or an independent partnership;

(8) a representative.

O.C. 831-99, s. 5.

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.

O.C. 831-99, s. 6.

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.

O.C. 831-99, s. 7.

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

O.C. 831-99, s. 8.

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

O.C. 831-99, s. 9.

O.C. 831-99, 1999 G.O. 2, 2091