



NOTICE AND REQUEST FOR COMMENTS

The Financial and Consumer Services Tribunal (Tribunal) is proposing to amend its proposed *Rules of procedure*. The proposed *Rules of procedure* were previously re-published for a 30-day comment period from June 28 to July 28, 2017. The proposed amendments add amounts recoverable as investigation and hearing costs pursuant to section 44 of the *Financial and Consumer Services Commission Act* to the *Rules of procedure*. These costs will simultaneously be removed from the Financial and Consumer Services Commission Local Rule 11-501 *Fees*. The applicable costs will remain the same.

The proposed amendments are included in Schedule "A".

How to obtain a copy and provide your comments

A paper copy of the proposed amendments may be obtained by contacting the Registrar of the Tribunal.

Please must submit your comments in writing before September 4, 2017 at the below contact information. A summary of the comments received during the comment period may be published. The identity of persons who provide comments will be kept confidential.

Contact Information:

Christine Bernard
Registrar
Financial and Consumer Services Tribunal
300-85 Charlotte Street
Saint John, NB E2L 2J2
Tel: 506-643-7298
Toll free: 1 (855)267-1454 (within N.B.)
Email: registrar@fcbtribunal.ca

Questions

If you have questions, please contact the Registrar of the Tribunal at the above contact information.

AVIS ET DEMANDE DE COMMENTAIRES

Le Tribunal des services financiers et des services aux consommateurs (Tribunal) propose de modifier son projet de *Règles de procédure*. Le projet de *Règles de procédure* a précédemment été republié aux fins de commentaires du 28 juin au 28 juillet 2017. Le projet de modification ajoute aux *Règles de procédure* les montants recouvrables en tant que frais d'enquête et d'audience en vertu de l'article 44 de la *Loi sur la Commission des services financiers et des services aux consommateurs*. Ces frais seront simultanément supprimés de la Règle locale 11-501 *Droits exigibles* de la Commission des services financiers et des services aux consommateurs. Les frais applicables demeureront les mêmes.

Le projet de modification figure à l'Annexe « A » du présent avis.

Pour obtenir une copie ou fournir des commentaires

Pour obtenir une copie imprimée du projet de modification, veuillez en faire la demande à la greffière du Tribunal.

Veuillez présenter vos commentaires par écrit aux coordonnées ci-dessous avant le 4 septembre 2017. Un résumé des commentaires reçus pendant cette consultation pourrait être publié. L'identité des personnes ayant fourni des commentaires demeura confidentielle.

Coordonnées:

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300-85, rue Charlotte
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Sans frais: 1 (855)267-1454 (au N.-B.)
Courriel: registrar@fcbtribunal.ca

Questions

Si vous avez des questions, veuillez communiquer avec la greffière du Tribunal, aux coordonnées ci-dessus.

**Amendment Instrument to
the Proposed Rules of Procedure**

1. Part 14 is amended:

(a) in section 14.1, by repealing paragraph (1) and replacing it with the following:

“(1) The Tribunal may order a person to pay the following fees and expenses in relation to an investigation pursuant to section 44 of the *Financial and Consumer Services Commission Act*:

- (a) \$50 per hour per person for time spent on an investigation by any employee of the Commission,
- (b) disbursements properly incurred by the Commission for an investigation,
- (c) fees paid or payable for an expert,
- (d) disbursements properly incurred by an expert,
- (e) fees paid or payable for legal services, and
- (f) disbursements properly incurred in connection with the provision of legal services.”

(b) in section 14.1, by adding the following after paragraph (1):

“(2) The Tribunal may order a person to pay the following fees and expenses in relation to a hearing pursuant to section 44 of the *Financial and Consumer Services Commission Act*:

- (a) \$2,000 for each day or partial day of hearing,
- (b) \$50 per hour for each employee of the Commission for time spent at a hearing,
- (c) disbursements properly incurred by any employee of the Commission for a hearing,
- (d) fees paid or payable for an expert or witness,
- (e) disbursements properly incurred by an expert or a witness,

(f) fees paid or payable for legal services,

(g) disbursements properly incurred in connection with the provision of legal services, and

(h) \$50 per hour for each employee of the Commission for time spent preparing for a hearing.”

2. This Instrument comes into force on xx, 2017.