



**AUTORITÉ  
DES MARCHÉS  
FINANCIERS**

## **Declaration of Distribution Guide Amendment or Withdrawal**

Distribution without a representative

February 2008

# DECLARATION OF DISTRIBUTION GUIDE AMENDMENT OR WITHDRAWAL

Distribution without a representative

Name of insurer: \_\_\_\_\_

Name of guide : \_\_\_\_\_

File number of insurer : \_\_\_\_\_

File number of the AMF : \_\_\_\_\_

## Instructions

Where a **compliance return** has already been completed and filed with the *Autorité des marchés financiers* (the “AMF” or the “Authority”) along with a **distribution guide** and the relevant documents for a given product, the insurer must complete this *Declaration of Distribution Guide Amendment or Withdrawal* (hereinafter called the “Declaration”) if it makes one or more changes that do not affect the information provided in the compliance return.

Whenever an insurance product offered through distribution without a representative is withdrawn from the market, the insurer will also have to complete “Termination of distribution of an insurance product other than through a representative” in this Declaration.

May we remind you that the insurer is accountable for the compliance of its product and of all relevant documents. This Declaration constitutes a “declaration of compliance.”

The documents to be sent with this Declaration must meet the AMF requirements with respect to form and content specified in the *Act respecting the distribution of financial products and services* (R.S.Q. chapter D-9.2) (hereinafter called the “Act”) and in the *Regulation respecting distribution without a representative*. Insurers must also comply with the *Act respecting insurance* (R.S.Q. chapter A-32), the *Regulation respecting the application of the Act respecting insurance* (chapter A-32, R. 1) and the *Civil Code of Québec*. This in no way limits the information to be provided with this Declaration. The insurer must include any additional information that would be necessary to properly understand the amendment or withdrawal involved.

The insurer may be asked to provide additional clarification when the information and the documents submitted do not allow the determination of whether the Declaration has been duly completed or when the information provided in this Declaration is different from the information in the documents submitted. To this end and for the purposes of the examinations performed by the AMF, the insurer must collect and retain all the relevant information that could be required at a later date.

If it considers it relevant, the AMF can request that a new compliance return be completed.

**Please check the applicable box and sign this Declaration after having answered the relevant questions.**

This is a situation requiring :

A) an amendment to the distribution guide;

**OU**

B) the withdrawal of an existing distribution guide.

### A) Amendment to a distribution guide :

“The insurer must, before furnishing a distribution guide to distributors, forward a copy of the guide to the Authority. A copy must also be forwarded following any amendment to the guide (s. 414, par.1 of the Act). The insurer must also provide the following information and documents (use extra pages if necessary):

1) What exactly are the changes made to the guide or to the insurance product?

2) Do these changes affect the declaration signed in the compliance return?

Yes                      No

If yes, in what manner?

3) Where are these changes to be found?

	Changes	Page(s)
Insurance policy (or the master policy, if applicable)		
Application		
Insurance certificate		
Existing distribution guide		

4) If an English version of the guide is available, has it been amended accordingly?

Yes                      No

If no, explain :

5) When will the new version be distributed?

6) What measures will the insurer take to ensure that distributors have a good understanding of the changes made?

7) Will the insurer use transitional measures? If so, specify.

**B) Termination of distribution of an insurance product other than through a representative:**

When an insurer decides to stop distributing an insurance product, it must immediately provide the AMF with the following information :

1) From when will this product no longer be offered in Québec through distribution without a representative?:

2) What measures has the insurer taken to recover without delay the outdated guides and the blank contract forms relating to this product?

**C) Signature of person who performed the compliance audit:**

We, the insurer, declare that we have verified the compliance of the amended guide attached to this ***Declaration of Distribution Guide Amendment or Withdrawal*** with respect to the applicable legislation in Québec, or that the above-mentioned product is no longer offered in Québec through distribution without a representative, as the case may be. We also declare that all the above information is accurate and true and that the documents provided comply with the applicable legislation.

Date the compliance audit was performed:

Signature: \_\_\_\_\_  
(Authorized official of the insurer)

Name (please print):