

TABLE OF CONTENTS

<i>Preface</i>	lxxxix
<i>Acknowledgments</i>	xci
<i>Dedication</i>	xciii
<i>Recent Developments</i>	xcv
<i>Key Elements of the Bank Act</i>	xcix
<i>Table of Cases</i>	cxxx
<i>Table of Regulations</i>	cxxxvii
<i>Table of Regulatory and Other Guidance</i>	cxlv
<i>List of Referenced Policy Documents and Legislation</i>	clvii
<i>Table of Concordance</i>	clxi

BANK ACT

PREAMBLE

Preamble	2
----------------	---

SHORT TITLE

1 Short title	6
---------------------	---

PART I — INTERPRETATION AND APPLICATION (SS. 2–14.2)

Definitions

2 Definitions	6
---------------------	---

Interpretation

2.1	References to “authorized foreign bank”	34
2.2	Major shareholder	34
2.3	Widely held	35
2.4	Regulations — distributing bank or bank holding company	35
3	Control	37
4	Holding body corporate	40
5	Subsidiary	40
6	Affiliated entities	40
7	Shareholder	41
7.1	Holder of membership share	41
8	Significant interest	42

Annotated Bank Act

9	Acting in concert	43
9.1	Acting in concert — members’ rights to vote	45
9.2	Acting in concert — shareholders and members’ right to vote	45
10	Substantial investment in body corporate	46
11	[Repealed 2005, c. 54, s. 3.]	50
11.1	WTO Member resident	50
12	Exemption from foreign bank status	51
12.1	Cooperative basis	52
12.2	Member who is shareholder	53
	Application	
13	Application of Act	53
14	Schedule I and Schedule II banks	54
14.1	Schedule III authorized foreign banks	56
14.11	Schedule IV	57
14.2	Exemption of foreign banks	57
	PART II — STATUS AND POWERS (SS. 15–21)	
15	Corporate powers	57
16	No invalidity	59
17	By-law not necessary	60
18	No personal liability	60
19	No constructive notice	60
20	Authority of directors and officers	61
21	Sunset provision	62
	PART III — INCORPORATION AND CONTINUANCE (SS. 22–44)	
	Formalities of Incorporation	
22	Incorporation of bank	64
23	Restrictions on incorporation	65
24	Subsidiary of foreign bank	65
25	Application for incorporation	66
26	Objections to incorporation	68
27	Matters for consideration	69
28	Contents of letters patent	71
29	Letters patent of incorporation on application of certain companies	72
30	Notice of issue of letters patent	74
31	First directors	74
31.1	First members of federal credit union	74
32	Effect of letters patent	74
	Continuance	
33	Federal corporations	74

Table of Contents

34	Application for continuance	76
35	Power to issue letters patent	77
35.1	Power to issue letters patent	78
36	Effect of letters patent	79
37	Copy of letters patent	79
38	Effects of continuance	80
39	Transitional	82
39.01	Transitional — federal credit unions	84
39.02	Transitional — loan guarantee	84
	<i>Discontinuance</i>	
39.1	Transferring to other federal Acts — banks	85
39.2	Transferring to other federal Acts — federal credit union	87
39.3	Act ceases to apply	88
	<i>Corporate Name</i>	
40	Prohibited names	88
40.1	Name of federal credit union	90
41	Affiliated bank	90
42	French or English form of name	91
43	Reserved name	92
44	Directing change of name	92
PART IV — ORGANIZATION AND COMMENCEMENT (SS. 45–58)		
	<i>Organization Meetings</i>	
	Banks Other Than Federal Credit Unions	
45	First directors’ meeting	93
46	Calling shareholders’ meeting	94
47	Term of first directors	95
	Federal Credit Unions	
	<i>Meeting of First Directors</i>	
47.01	Organizational meeting	95
	<i>First Meeting of Members</i>	
47.02	Calling members’ meeting	96
	<i>Membership in a Federal Credit Union</i>	
	Conditions of Membership	
47.03	Membership governed by by-laws	97
47.04	Subscription deemed application	98
	Withdrawal and Termination	
47.05	Withdrawal of membership	99
47.06	Expulsion	99

Annotated Bank Act

47.07	Inactivity	100
47.08	Redemption	100
47.09	Termination by members	100
47.1	Winding-up proceedings in respect of member	101
General Provisions — Federal Credit Unions		
47.11	Prohibition	101
47.12	Provision of services	101
47.13	Right to vote	101
47.14	Members under 18	102
47.15	Membership not transferable	102
47.16	Reinstatement — section 47.06	102
47.17	Transfer of membership shares	102
47.18	Obligation to have at least five members	102
47.19	Exemption	103
Commencement and Carrying on of Business		
48	Order to commence and carry on business	103
49	Authority to make order	105
50	No payments before order	105
51	Deposits and investments before order	106
52	Conditions for order	106
53	Conditions of order	107
54	Variations	108
54.1	Limit on assets	109
55	Permission to subsidiary of foreign bank	111
56	Public notice	112
57	Cessation of existence	112
58	Allowed disbursements	112
PART V — CAPITAL STRUCTURE (SS. 59–135)		
Share Capital		
59	Power to issue shares	113
60	Common shares	114
60.1	Shares of federal credit union	115
60.2	Designation of shares	116
61	Classes of shares	117
62	Shares issued in series	117
63	One share, one vote	119
64	Shares non-assessable	119
65	Consideration for share	119
66	Stated capital account	120
67	Stated capital of continued bank	122
68	Pre-emptive right	122

Table of Contents

69	Conversion privileges	123
70	Holding of own shares	124
71	Purchase and redemption of shares and membership shares	126
72	Holding as personal representative	127
72.1	Exception — conditions before acquisition	128
73	Cancellation of shares and membership shares	129
74	Subsidiary holding shares	129
75	Reduction of capital	129
76	Recovery by action	131
77	Adjustment of stated capital account	132
78	Addition to stated capital account	133
79	Declaration of dividend or patronage allocation	133
	Membership Capital	
79.1	Membership shares	135
79.2	Membership shares	136
79.3	Issue of certificates	137
79.4	Authorized capital	138
79.5	Membership shares non-assessable	138
79.6	Continued body corporate	138
	Subordinated Indebtedness	
80	Restriction on subordinated indebtedness	139
	Security Certificates and Transfers	
81	Definitions	140
82	Provisions governing transfers of securities	142
83	Security a negotiable instrument	142
84	Status of guarantor	142
85	Rights of holder	143
86	Signatures	144
87	Contents of share certificate	144
88	Restrictions and charges	145
89	Particulars of class	146
90	Fractional share	146
91	Scrip certificates	147
92	Holders of fractional shares	147
93	Dealings with registered owner	147
94	Minors	149
95	Joint shareholders	149
96	Transmission of securities	149
97	Over-issue	151
98	Burden of proof	152
99	Securities fungible	152

Annotated Bank Act

100	Notice of defect	152
101	Unauthorized signature	153
102	Completion or alteration	154
103	Warranties of agents	154
104	Title of purchaser	155
105	Deemed notice of adverse claim	156
106	Notice of fiduciary duty	156
107	Staleness as notice	156
108	Warranties to issuer	157
109	Right to compel endorsement	158
110	Definition of “appropriate person”	158
111	Endorsement	159
112	Immunity of endorser	159
113	Partial endorsement	160
114	Effect of failure by fiduciary to comply	160
115	Effect of endorsement without delivery	160
116	Endorsement in bearer form	161
117	Effect of unauthorized endorsement	161
118	Warranties of guarantor of signature	161
119	Constructive delivery of a security	162
120	Constructive ownership of security	163
121	Delivery of security	163
122	Right to reclaim possession	165
123	Right to requisites for registration	165
124	Seizure of security	166
125	No conversion if good faith delivery	166
126	Duty to register transfer	166
127	Assurance of endorsements	167
128	Notice from additional documentation	168
129	Limited duty of inquiry	169
130	Inquiry into adverse claims	170
131	Duration of notice of adverse claim	171
132	Limitation on issuer’s liability	171
133	Lost or stolen security	172
134	Authenticating agent’s duty	173
135	Notice to agent	173

PART VI — CORPORATE GOVERNANCE (SS. 136–369)

Shareholders and Members

136	Place of meetings	173
137	Calling meetings	174
138	Notice of meeting	176
139	Notice not required	178

Table of Contents

140	Notice of adjourned meeting	178
141	Special business	179
141.1	Nominations for directors	179
142	Waiver of notice	180
143	Proposals	181
144	Notice of refusal	185
144.1	Proposals — members of federal credit union	185
144.2	Refusal to include proposal	187
145	List of shareholders entitled to notice	188
146	Quorum	190
147	One shareholder meeting	191
148	One share — one vote	191
149	Representative of shareholder or member	192
150	Joint shareholders	192
151	Voting by hands or ballot	193
152	Resolution in lieu of meeting	194
153	Requisitioned meeting	195
154	Court may order meeting to be called	196
155	Court review of election	197
156	Notice to Superintendent	198
<i>Proxies</i>		
156.01	Definitions	198
156.02	Appointing proxyholder	201
156.03	Deposit of proxies	202
156.04	Mandatory solicitation	202
156.05	Soliciting proxies	203
156.06	Attendance at meeting	205
156.07	Duty of intermediary	206
156.071	Regulations	208
156.08	Restraining order	208
<i>Restrictions on Voting</i>		
156.09	Meaning of “eligible votes”	209
<i>Directors and Officers</i>		
<i>Duties</i>		
157	Duty to manage	211
158	Duty of care	216
Qualification and Number — Directors		
159	Minimum number of directors	217
159.1	Directors as members	218
160	Disqualified persons	218
160.1	[Repealed 2013, c. 40, s. 162.]	220

Annotated Bank Act

161	No shareholder requirement	220
162	Affiliated person	220
162.1	Affiliated director determination	221
163	Unaffiliated directors	222
164	Limit on directors	224
	Election and Tenure — Directors	
165	Number of directors	224
165.1	Election or appointment as director	225
166	Term of directors	226
167	Determining election of directors	227
168	Cumulative voting	227
168.1	No cumulative voting	230
169	Re-election of directors	230
	Incomplete Elections and Director Vacancies	
170	Void election or appointment	230
171	Directors where elections or appointments incomplete or void	232
172	Ceasing to hold office	233
173	Removal of director	234
174	Statement of director	235
175	Circulation of statement	235
176	Shareholders filling vacancy	236
177	Directors filling vacancy	237
178	Class vacancy	238
179	Unexpired term	239
179.1	Additional directors	239
	Meetings of the Board	
180	Meetings required	240
181	Notice of meeting	240
182	Quorum	241
183	Resident Canadian majority	242
183.01	Directors of federal credit union	243
183.1	Presence of unaffiliated director	243
184	Electronic meeting	244
184.1	Resolution outside board meeting	244
185	Dissent of director	245
186	Record of attendance	246
187	Meeting required by Superintendent	246
	By-laws	
188	By-laws	246
189	Shareholder proposal of by-law	248

Table of Contents

190	By-laws of existing bank	248
191	By-laws re remuneration	248
192	Deemed by-laws	249
192.01	By-laws — mandatory provisions	250
192.02	Copies	251
192.03	Making or amendment of by-law by members	252
192.04	Proposal of by-law	253
192.05	Effective date of by-law	254
192.06	By-laws of continued body corporate	254
192.07	Existing resolutions	255
192.08	Deemed by-laws	255
192.09	Rights preserved	256
192.1	By-laws binding	256
	Committees of the Board	
193	Committees	256
194	Audit committee	257
195	Conduct review committee	259
195.1	Committee	261
	Directors and Officers — Authority	
196	Chief executive officer	262
197	Appointment of officers	263
198	Limits on power to delegate	264
198.1	Limits on power to delegate	265
199	Remuneration of directors, officers and employees	267
200	Validity of acts	268
201	Right to attend meetings	268
	Conflicts of Interest	
202	Disclosure of interest	268
203	Director to abstain	270
204	General notice	271
205	Avoidance standards	272
206	Court may set aside or require accounting	273
	Liability, Exculpation and Indemnification	
207	Director's liability	274
208	Contribution	275
209	Limitation	276
210	Directors liable for wages	276
211	Defence — due diligence	277
212	Indemnification	278
213	Directors' and officers' insurance	281
214	Application to court for indemnification	281

Annotated Bank Act

Fundamental Changes

Amendments — Letters Patent

215	Incorporating instrument	282
216	Letters patent to amend	282

Conversion into Federal Credit Union

216.01	Conversion into federal credit union	283
216.02	Shareholder approval of conversion proposal	283
216.03	Right to vote	284
216.04	Time of application	284
216.05	Criteria for issuance of letters patent	285
216.06	Effect of letters patent	285
216.07	Regulations	286

Conversion into Bank with Common Shares

216.08	Conversion into bank with common shares	287
216.09	Approval of conversion proposal	287
216.1	Right to vote	288
216.11	Time of application	288
216.12	Criteria for issuance of letters patent	288
216.13	Effect of letters patent	289
216.14	Regulations	289

Amendments — By-laws

217	By-laws	291
218	Class vote	294
219	Separate resolutions	295
220	Revoking resolution	295
221	Proposal to amend	295
222	Rights preserved	296

Amalgamation

223	Application to amalgamate	296
224	Amalgamation agreement	300
225	Approval of agreement by Superintendent	302
226	Approval	302
226.1	Members of amalgamated federal credit union	304
227	Vertical short-form amalgamation	304
228	Joint application to Minister	305
229	Issue of letters patent	308
229.1	Court enforcement	309
230	Effect of letters patent	309
231	Transitional	310

Transfer of Business

232	Sale by bank	312
-----	------------------------	-----

Table of Contents

233	Agreement to Superintendent	314
234	Shareholder approval	314
235	Abandoning sale	315
236	Application to Minister	315
	Corporate Records	
	Head Office and Corporate Records	
237	Head office	316
238	Bank records	317
239	Place of records	319
240	Lists	321
241	Option holders	323
242	Use of list	323
243	Form of records	323
244	Protection of records	324
245	Requirement to maintain copies and process information in Canada	325
246	Retention of records	327
247	Regulations	327
	Securities Registers	
248	Central securities register	328
249	Branch registers	330
250	Agents	330
251	Location of central securities register	330
252	Effect of registration	331
253	Particulars in branch register	331
254	Destruction of certificates	331
	Members Register	
254.1	Members Register	332
254.2	Branch members registers	333
254.3	Agents	333
254.4	Location of members register	334
254.5	Particulars in branch members register	334
254.6	Cancelled membership share certificates	334
	Corporate Name and Seal	
255	Publication of name	334
256	Corporate seal	335
	[Heading repealed 1997, c. 15, s. 30.]	
257	[Repealed 1997, c. 15, s. 30.]	335
258	[Repealed 1997, c. 15, s. 30.]	335
259	[Repealed 1997, c. 15, s. 30.]	335
260	[Repealed 1997, c. 15, s. 30.]	335

Annotated Bank Act

261	[Repealed 1997, c. 15, s. 30.]	335
262	[Repealed 1997, c. 15, s. 30.]	335
263	[Repealed 1997, c. 15, s. 30.]	335
264	[Repealed 1997, c. 15, s. 30.]	335
	Insiders	
265	Definitions	335
	Insider Reporting	
266	Insider report	337
267	Exemption by Superintendent	338
267.1	[Repealed 2005, c. 54, s. 56.]	338
268	Regulations	338
269	[Repealed 2005, c. 54, s. 56.]	338
	Insider Trading	
270	Meaning of “insider”	339
	Civil remedies	
271	Extended meaning of “insider”	340
271.1	Tipping — compensation to sellers and purchasers . . .	344
272	Measure of damages	344
	Prospectus	
273	Distribution	346
273.1	Distribution — federal credit union	347
274	Order of exemption	348
	Going-private Transactions and Squeeze-out Transactions	
275	Going-private transactions	349
276	Squeeze-out transactions	350
277	Right to dissent	350
278	[Repealed 2005, c. 54, s. 57.]	355
279	[Repealed 2005, c. 54, s. 57.]	355
280	[Repealed 2005, c. 54, s. 57.]	355
281	[Repealed 2005, c. 54, s. 57.]	355
282	[Repealed 2005, c. 54, s. 57.]	355
	Compulsory Acquisitions	
283	Definitions	355
284	Right to acquire shares	357
285	Offeror’s notice to dissenters	357
286	Share certificates and election	358
286.1	Deemed election	359
287	Payment to offeree bank	359
287.1	Fiduciary capacity of bank	360
288	Duty of offeree bank	360
289	Court may fix fair value	361

Table of Contents

290	Parties and notice	362
291	Powers of court	362
292	Status of dissenter	363
292.1	Obligation to acquire shares	363
293	Payment of unclaimed money	364
	Trust Indentures	
294	Definitions	364
295	Application	365
296	Exemption	365
297	Conflict of interest	366
298	Validity despite conflict	366
299	Removal of trustee	366
300	Trustee qualifications	366
301	List of security holders	367
302	Compliance with trust indentures	368
303	Trustee may require evidence	369
304	Notice of default	369
305	Duty of care	370
306	No exculpation	370
	Financial Statements and Auditors	
	Annual Financial Statement	
307	Financial year	370
308	Annual financial statement	371
309	Annual statement — approval	375
310	Statements — subsidiaries	375
311	Distribution of annual statement	376
312	Copy to Superintendent	377
	Auditors	
313	Definitions	378
314	Appointment of auditors	378
315	Qualification of auditors	379
316	Duty to resign	382
317	Revocation of appointment	382
318	Ceasing to hold office	383
319	Filling vacancy	383
320	Right to attend meetings	384
321	Statement of auditor	385
322	Duty of replacement auditor	386
323	Auditors' examination	386
324	Right to information	387
325	Auditors' report and extended examination	388

Annotated Bank Act

326	Auditors' report	389
327	Report on directors' statement	390
328	Report to officers	390
329	Auditors of subsidiaries	392
330	Auditors' attendance	392
331	Calling meeting	393
332	Notice of errors	393
333	Qualified privilege for statements	394
	Remedial Actions	
334	Derivative action	394
335	Powers of court	396
336	Status of approval	397
337	No security for costs	397
338	Application to rectify records	398
	Liquidation and Dissolution	
339	Definition of "court"	399
340	Application of subsection (2) and sections 341 to 368	399
341	Returns to Superintendent	399
	Simple Liquidation	
342	No property and no liabilities	400
343	Proposing liquidation	400
344	Resolutions	401
345	Approval of Minister required	401
346	Dissolution instrument	402
	Court-supervised Liquidation	
347	Application for court supervision	403
348	Court supervision thereafter	403
349	Powers of court	403
350	Cessation of business and powers	405
351	Appointment of liquidator	406
352	Vacancy in liquidator's office	406
353	Duties of liquidator	406
354	Due diligence	408
355	Examination of others	408
356	Costs of liquidation	409
357	Final accounts	409
358	Final order	410
359	Right to distribution of money	410
360	Dissolution by letters patent	411

Table of Contents

	General	
361	Definition of “shareholder”, “member” and “incorporator”	411
362	Continuation of actions	412
363	Limitations on liability	412
364	Persons who cannot be found	413
365	Vesting in Crown	414
366	Unclaimed money on winding-up	414
367	Liability of Bank of Canada	415
368	Custody of records after dissolution	416
369	Insolvency	416
	PART VII — OWNERSHIP (SS. 370–408)	
	DIVISION I — DEFINITIONS AND INTERPRETATION	
370	Definitions	418
371	Associates	422
371.1	Associates	423
	DIVISION II — OWNERSHIP OF BANKS	
	<i>Constraints on Ownership</i>	
372	Significant interest	424
372.1	[Repealed 2001, c. 9, s. 98.]	425
373	Acquisition of significant interest	425
373.1	[Repealed 1999, c. 28, s. 18.]	427
374	Limitations on share holdings	427
374.1	Exception	432
375	Limitation on share holdings	434
376	Obligation of widely held bank	435
376.01	Obligation of widely held bank	437
376.1	Prohibition against significant interest	438
376.2	Prohibition against significant interest	439
377	Prohibition against control	440
377.1	Restriction on control	442
377.2	Prohibition against control — federal credit union	443
378	Former Schedule I banks with equity of less than five billion dollars	445
378.1	Prohibition	446
378.2	Prohibition	448
379	Constraint on registration	449
380	Exemption	450
380.1	Exemption — federal credit unions	450
381	Exception — small holdings	451
382	When approval not required	451

Annotated Bank Act

382.1	When approval not required — federal credit union	455
383	When approval not required	457
384	Pre-approval	458
385	Public holding requirement	458
385.1	Public holding requirement	460
386	Limit on assets	461
387	Increase of capital	462
388	Exemption by order of the Minister	462
389	Exception	463
390	Acquisition of control permitted	464
391	Application of section 385	465
392	Restriction on voting rights	465
393	Loss of control — banks and bank holding companies	467
393.1	Loss of control — other entities	469
394	Change in status	470
	Approval Process	
395	Application for approval	471
396	Matters for consideration	472
396.1	[Repealed 1994, c. 47, s. 19.]	476
397	Terms and conditions	477
398	Certifying receipt of application	477
399	Notice of decision	478
400	Reasonable opportunity to make representations	479
401	Notice of decision	480
401.1	Deemed approval	481
401.11	Federal credit union constraints	481
401.2	Constraining registration: Crown and foreign governments	482
401.3	Suspension of voting rights held by governments	485
	DIVISION V — DIRECTIONS	
402	Disposition	487
402.1	Permission to become another body corporate	488
403	Application to court	489
	General Provisions	
404	Interest of securities underwriter	490
405	Arrangements to effect compliance	490
406	Reliance on information	492
407	[Repealed 1994, c. 47, s. 23.]	492
408	Competition Act	492

Table of Contents

PART VIII — BUSINESS AND POWERS (SS. 409–463)

General Business

409	Main business	493
410	Additional activities	498
411	Networking	505
411.1	[Proposed] Regulations	507
412	Restriction on fiduciary activities	507
413	Restriction on deposit taking	508
413.1	[Repealed 2018, c. 27, s. 319.]	511
413.2	Deposits less than \$150,000	511
413.3	Shared premises	512
414	Restriction on guarantees	513
415	Restriction on securities activities	513
415.1	Prohibition	514
415.2	Derivatives and eligible financial contracts — regulations	516
415.3	Benchmarks — regulations	517
416	Restriction on insurance business	518
417	Restriction on leasing	522
418	Restriction on residential mortgages	523
418.1	Restriction on charges to borrowers	526
419	Policies re security interests	528
419.1	Regulations and guidelines	529
419.2	Exception	530
420	Restriction on receivers	530
421	Restriction on partnerships	530
422	. . . . .	532
422.1	Definition of “non-WTO Member bank subsidiary”	532
422.2	Limitation on branches in Canada of non-WTO Member bank subsidiaries	532
422.3	[Repealed 1994, c. 47, s. 25.]	532
422.4	[Repealed 1994, c. 47, s. 25.]	532
422.5	[Repealed 1994, c. 47, s. 25.]	532
423	[Repealed 1994, c. 47, s. 25.]	532
424	[Repealed 1994, c. 47, s. 25.]	533

Special Security

425	Definitions	533
426	Loans on hydrocarbons and minerals	538
427	Loans to certain borrowers and security	541
428	Priority of bank’s rights	556
429	Conditions under which bank may take security	561

Annotated Bank Act

430	Loans to receiver, liquidator, etc.	562
431	Securities may be sold	563
432	Rights in respect of personal property	563
433	Purchase of realty	563
434	Bank may acquire absolute title	564
435	Warehouse receipts and bills of lading	565
436	When previous holder is agent	566
436.1	Regulations — aircraft objects	566
	Deposit Acceptance	
437	Deposit acceptance	567
	Unclaimed Balances	
438	Unclaimed balances	572
439	Notice of unpaid amount	575
	Miscellaneous	
439.1	[Repealed 2018, c. 27, s. 321.]	577
440	[Repealed 2018, c. 27, s. 321.]	577
441	[Repealed 2018, c. 27, s. 321.]	577
442	[Repealed 2018, c. 27, s. 321.]	577
443	[Repealed 2018, c. 27, s. 321.]	577
444	[Repealed 2001, c. 9, s. 115.]	577
445	[Repealed 2018, c. 27, s. 321.]	577
446	[Repealed 2018, c. 27, s. 321.]	577
447	[Repealed 2018, c. 27, s. 321.]	577
448	[Repealed 2018, c. 27, s. 321.]	577
448.1	[Repealed 2018, c. 27, s. 321.]	577
448.2	[Repealed 2018, c. 27, s. 321.]	577
448.3	[Repealed 2018, c. 27, s. 321.]	577
449	[Repealed 2018, c. 27, s. 321.]	577
449.1	[Repealed 2018, c. 27, s. 321.]	577
450	[Repealed 2018, c. 27, s. 321.]	577
451	[Repealed 2018, c. 27, s. 321.]	577
452	[Repealed 2018, c. 27, s. 321.]	577
452.1	[Repealed 2018, c. 27, s. 321.]	578
453	[Repealed 2018, c. 27, s. 321.]	578
454	[Repealed 2018, c. 27, s. 321.]	578
455	[Repealed 2018, c. 27, s. 321.]	578
455.01	[Repealed 2018, c. 27, s. 321.]	578
455.1	[Repealed 2018, c. 27, s. 321.]	578
456	[Repealed 2018, c. 27, s. 321.]	578
457	[Repealed 2018, c. 27, s. 321.]	578
458	[Repealed 2018, c. 27, s. 321.]	578

Table of Contents

458.1	[Repealed 2018, c. 27, s. 321.]	578
458.2	[Repealed 2018, c. 27, s. 321.]	578
458.3	[Repealed 2018, c. 27, s. 321.]	578
459	[Repealed 2018, c. 27, s. 321.]	578
459.1	[Repealed 2018, c. 27, s. 321.]	578
459.2	[Repealed 2018, c. 27, s. 321.]	578
459.3	[Repealed 2018, c. 27, s. 321.]	578
459.4	[Repealed 2018, c. 27, s. 321.]	578
459.5	[Repealed 2018, c. 27, s. 321.]	578
460	Transmission in case of death	581
461	Branch of account with respect to deposits	581
462	Effect of writ, etc.	582
463	Deemed loan	586
PART IX — INVESTMENTS (SS. 464–484)		
<i>Definitions and Application</i>		
464	Definitions	588
<i>General Constraints on Investments</i>		
465	Investment standards	595
465.1	Limit — business growth fund	597
466	Restriction on control and substantial investments	597
467	Regulations re limits	605
<i>Subsidiaries and Equity Investments</i>		
468	Permitted investments	605
468.1	[Proposed] Regulations	627
469	Approval for indirect investments	627
470	Undertakings	628
<i>Exceptions and Exclusions</i>		
471	Temporary investments in entity	629
472	Loan workouts	631
473	Realizations	634
474	Regulations restricting ownership	636
<i>Portfolio Limits</i>		
475	Exclusion from portfolio limits	638
<i>Real Property</i>		
476	Limit on total property interest	639
<i>Equities</i>		
477	Limits on equity acquisitions	641
<i>Aggregate Limit</i>		
478	Aggregate limit	642

Annotated Bank Act

Miscellaneous

479	Regulations	644
480	Divestment order	644
481	Deemed temporary investment	646
482	Asset transactions	647
483	Transitional	650
484	Saving	650

PART X — CAPITAL, LIQUIDITY AND CAPACITY TO ABSORB LOSSES
(SS. 484.1–485.02)

484.1	Domestic systemically important bank	651
485	Adequacy of capital and liquidity	654
485.01	Prescribed conditions	664
485.02	Regulations and guidelines — disclosure of information	665

PART XI — SELF-DEALING (SS. 485.1–506)

Interpretation and Application

485.1	Definition of “senior officer”	665
486	Related party of bank	666
487	Non-application of Part	671
488	Meaning of “transaction”	674

Prohibited Related Party Transactions

489	Prohibited transactions	675
-----	-----------------------------------	-----

Permitted Related Party Transactions

490	Nominal value transactions	676
491	Secured loans	677
492	Deposits	678
493	Borrowing, etc., from related party	678
494	Acquisition of assets	678
495	Services	680
495.1	Transactions with holding companies	681
495.2	Restriction	683
495.3	Assets transactions	684
496	Directors and officers and their interests	687
497	Board approval required	690
498	Margin loans	693
499	Exemption by order	693
500	Prescribed transactions	693

Restrictions on Permitted Transactions

501	Market terms and conditions	694
502	[Repealed 1997, c. 15, s. 74.]	695

Table of Contents

503	[Repealed 1997, c. 15, s. 74.]	695
	Disclosure	
504	Bank obligation	695
505	Notice to Superintendent	695
	Remedial Actions	
506	Order to void contract or to grant other remedy	696
	PART XII — FOREIGN BANKS (SS. 507–522.33)	
	DIVISION 1 — INTERPRETATION AND APPLICATION	
507	Definitions	698
508	Application	719
509	[Repealed 2007, c. 6, s. 49.]	725
509.1	[Repealed 2007, c. 6, s. 49.]	725
	DIVISION 2 — GENERAL PROHIBITIONS AND EXCEPTIONS	
510	Prohibited activities	726
510.01	Limit — business growth fund	733
510.02	Business growth fund	734
510.1	Exception re real property holding and management	736
511	Exception re accessing accounts	737
512	Exception re quotations	737
513	Exception re automated services	738
514	[Repealed 2007, c. 6, s. 53.]	739
515	[Repealed 2007, c. 6, s. 53.]	739
516	Change of status	739
517	Change of status	740
517.1	Restriction	741
518	Prohibition re guarantee and acceptance of securities and bills	741
519	Prohibited activities — non-bank affiliates	744
519.1	Borrowing from the public — non-bank affiliates	745
520	Prohibition re deposits	747
520.1	Borrowing from the public	748
521	Regulations	751
522	Permitted Canadian offices	751
522.01	Examination of representative offices	753
522.011	Name of representative office	754
522.02	Cancellation of registration	754
522.03	Business conducted from head office in Canada	755
	DIVISION 3 — NO FINANCIAL ESTABLISHMENT IN CANADA	
522.04	Permitted investment — foreign bank	757
522.05	Permitted Canadian commercial branch	758

Annotated Bank Act

522.06	Permitted branches re leasing	759
DIVISION 4 — FINANCIAL ESTABLISHMENT IN CANADA		
<i>Investments</i>		
522.07	Investment in a financial institution	761
522.08	Permitted investments	762
522.081	[Proposed] Regulations	771
522.09	Investment in a limited commercial entity — foreign bank	771
522.1	Acquisition of other investments	774
522.11	Indirect investments through federal institutions	776
522.12	Investments through provincial institutions	777
522.13	Indirect investments through provincial institutions	778
522.14	Temporary investments	779
522.15	Acquisition by loan workout or realization of security	782
<i>Branches</i>		
522.16	Bank branches	783
522.17	Insurance branches	784
522.18	Business of a cooperative credit society and dealing in securities	785
522.19	Limited commercial branches	786
DIVISION 5 — APPROVALS		
<i>Application</i>		
522.2	Non-application	790
<i>Approval to Have a Financial Establishment in Canada</i>		
522.21	No financial establishment without approval — foreign bank	790
522.211	No financial establishment without approval — associated entity	793
<i>Approvals in Respect of Investments and Activities</i>		
522.22	Minister's approval	796
DIVISION 6 — ADMINISTRATION		
522.23	Regulations	801
522.24	Application of regulations	803
522.25	Divestiture	804
522.26	Publication	805
522.27	Obligation to provide information	805
DIVISION 7		
522.28	[Repealed 2007, c. 6, s. 72.]	806

Table of Contents

DIVISION 8 — TRANSITIONAL	
522.29	Definitions 807
522.3	Former s. 507(4) 808
522.31	Former par. 518(3)(b) or s. 521(1) 808
522.32	Former s. 521(1) 809
522.33	Investments 812
PART XII.01 — NON-APPLICATION OF THE INVESTMENT CANADA ACT (S. 522.34)	
522.34	Investment Canada Act 813
PART XII.1 — AUTHORIZED FOREIGN BANKS (SS. 523–627)	
<i>Application</i>	
523	Application to authorized foreign banks 816
<i>Formalities of Authorization</i>	
524	Order permitting carrying on of business in Canada, etc. 816
524.1	Prohibition 818
524.2	Prohibition 819
525	Application procedure 820
526	Factors to be considered by Minister 821
527	Contents of order 822
528	Amended order 823
529	Transitional 824
530	Prohibited names 827
531	Publication of name 828
532	Directing change of name 828
532.1	[Repealed 1999, c. 28, s. 35.] 829
532.2	[Repealed 1999, c. 28, s. 35.] 829
532.3	[Repealed 1999, c. 28, s. 35.] 829
532.4	[Repealed 1999, c. 28, s. 35.] 829
533	Other name 829
<i>Commencement and Carrying on of Business in Canada</i>	
534	Order approving commencement and carrying on of business in Canada 830
<i>Principal Office and Principal Officer</i>	
535	Principal office 832
536	Principal officer 833
<i>Transfer of Liabilities</i>	
537	Transfer of liabilities not permitted 835
537.1	[Repealed 1999, c. 28, s. 35.] 836

Annotated Bank Act

Business and Powers

538	Main business	836
539	Additional activities	838
539.1	Regulations apply	841
540	Restrictions	842
541	Application of certain provisions	845
541.1	Guarantees and acceptances	845
542	Payment clearing and settlement	846
543	Networking	846
543.1	[Repealed 1999, c. 28, s. 35.]	848
544	Restriction on fiduciary activities	848
545	Deposits that fall below \$150,000	849
546	Deposits less than \$150,000	851
547	Shared premises	852
548	Restriction on securities activities	853
549	Restriction on insurance business	853
550	Restriction on leasing	854
551	Restriction on residential mortgages	855
552	Restriction on charges to borrowers	856
553	Restriction on receivers	857
553.1	Restriction on partnerships	858
554	Definition of “non-WTO Member authorized foreign bank”	858
555	Special security	859
555.1	[Repealed 1999, c. 28, s. 35.]	859
	Deposit Acceptance	
556	Deposit acceptance	859
	Unclaimed Balances	
557	Unclaimed balances	860
558	Notice of unpaid amount	863
	Miscellaneous	
559	[Repealed 2018, c. 27, s. 327.]	865
560	[Repealed 2018, c. 27, s. 327.]	865
561	[Repealed 2018, c. 27, s. 327.]	865
562	[Repealed 2018, c. 27, s. 327.]	865
563	[Repealed 2018, c. 27, s. 327.]	865
564	[Repealed 2018, c. 27, s. 327.]	865
565	[Repealed 2018, c. 27, s. 327.]	865
566	[Repealed 2018, c. 27, s. 327.]	865
566.1	[Repealed 2018, c. 27, s. 327.]	865
567	[Repealed 2018, c. 27, s. 327.]	865

Table of Contents

567.1	[Repealed 2018, c. 27, s. 327.]	865
568	[Repealed 2018, c. 27, s. 327.]	865
569	[Repealed 2018, c. 27, s. 327.]	865
570	[Repealed 2018, c. 27, s. 327.]	865
570.1	[Repealed 2018, c. 27, s. 327.]	866
571	[Repealed 2018, c. 27, s. 327.]	866
572	[Repealed 2018, c. 27, s. 327.]	866
573	[Repealed 2018, c. 27, s. 327.]	866
573.1	[Repealed 2018, c. 27, s. 327.]	866
574	[Repealed 2018, c. 27, s. 327.]	866
574.1	[Repealed 2018, c. 27, s. 327.]	866
575	[Repealed 2018, c. 27, s. 327.]	866
575.1	[Repealed 2018, c. 27, s. 327.]	866
576	[Repealed 2018, c. 27, s. 327.]	866
576.1	[Repealed 2018, c. 27, s. 327.]	866
576.2	[Repealed 2018, c. 27, s. 327.]	866
576.3	[Repealed 2018, c. 27, s. 327.]	866
577	Transmission in case of death	866
578	Branch of account with respect to deposits	867
579	Effect of writ, etc.	868
580	Deemed loan	870
581	Investment standards	870
	Deposit Requirements	
582	Requirement to maintain assets on deposit	871
	Financial Year	
583	Financial year	872
	Auditors	
	Interpretation	
584	Definitions	873
	Appointment	
585	Appointment of auditor	873
586	Disqualification of auditor	875
587	Revocation of appointment	875
588	Ceasing to hold office	876
589	Filling vacancy	876
590	Statement of auditor	877
591	Duty of replacement auditor	877
	Examinations and Reports	
592	Examination of annual return	878
593	Right to information	879
594	Auditor's report to principal officer	880

Annotated Bank Act

595	Additional reports to principal officer	881
596	Qualified privilege for statements	881
	Records	
597	Records	882
598	Application of sections 244 to 247	885
	Termination of Business in Canada	
599	Release of assets in Canada	885
	Supervision	
	Returns	
600	Required information	887
601	Annual return	888
602	[Repealed 2007, c. 6, s. 98.]	888
603	[Repealed 2007, c. 6, s. 98.]	888
604	[Repealed 2007, c. 6, s. 98.]	888
605	Production of information and documents	888
606	Confidential information	889
607	Regulations	890
608	Evidentiary privilege	890
608.1	No waiver	891
609	Disclosure by Superintendent	892
610	Disclosure by an authorized foreign bank	892
611	Exceptions to disclosure	892
612	Report respecting disclosure	893
	Inspection of Authorized Foreign Banks	
613	Examination of authorized foreign banks	893
614	Power of Superintendent on inquiry	894
	Remedial Powers	
	Prudential Agreements	
614.1	Prudential agreement	895
	Directions of Compliance	
615	Superintendent's directions to authorized foreign bank	895
616	Court enforcement	896
	Asset Maintenance	
617	Order re: asset maintenance	896
	Disqualification and Removal of Principal Officers	
617.1	Application	898
617.2	Removal	899
	Supervisory Intervention	
618	Meaning of "assets"	900

Table of Contents

619	Superintendent may take control	901
620	Expiration of control	904
621	Superintendent may request winding-up	905
622	Requirement to relinquish control	905
623	Advisory committee	906
624	Expenses payable by authorized foreign bank	906
625	Priority of claim in liquidation	906
626	Application of assessment	907
627	Order of priority for payment of claims	907

**PART XII.2 — DEALINGS WITH CUSTOMERS AND THE PUBLIC (SS.
627.01–627.998)**

DIVISION 1 — INTERPRETATION

627.01	Definitions	909
--------	-----------------------	-----

DIVISION 2 — FAIR AND EQUITABLE DEALINGS

Responsible Business Conduct

General Requirements

627.02	Training	912
627.03	False or misleading information	912
627.04	Prohibited conduct	913
627.05	For greater certainty	913
627.06	Policies and procedures — appropriate products or services	913
627.07	Remuneration, payment or benefit	914
627.08	No provision without express consent and agreement	914
627.09	Obtaining express consent	915
627.1	Cancellation periods — products or services	915
627.11	Cancellation — certain products or services	916
627.12	Imposition of charges or penalties	916
627.13	Alert	917
627.14	Advertisements	918
627.15	Arrangements with affiliates, etc.	918
627.16	Intermediary for another entity	919

Access to Basic Banking Services

Retail Deposit Accounts

627.17	Opening	919
627.18	Non-application	921
627.19	Refusal to open	922

Funds

627.2	Application	922
-------	-----------------------	-----

Annotated Bank Act

627.21	Availability	922
627.22	First amount available	923
627.23	Non-application	923
627.24	Non-application	924
Cashing Government Cheques or Other Instruments		
627.25	Cashing	925
627.26	No charges	926
Documents		
627.27	General	927
Credit		
627.28	Prepayment	927
627.29	No minimum credit balance without express consent	928
627.3	Default charges	928
627.31	Renewal of mortgages	929
627.32	No increase or provision without express consent	929
627.33	Liability for unauthorized use	930
627.34	Credit card statement	930
627.35	Different interest rates — allocation of payment	931
627.36	No charge — holds	932
627.37	Debt recovery	932
Prepaid Payment Products		
627.38	No expiry unless promotional product	933
627.39	Maintenance charges	933
627.4	No overdraft charges without express consent	933
Optional Products or Services		
627.41	Independent agreement	934
627.42	Express consent — temporary offer	934
Complaints Process		
627.43	Procedures for dealing with complaints	935
627.44	Record of complaint	936
627.45	Access to Commissioner	937
627.46	Report to Commissioner	937
627.47	Annual information	937
627.48	Approval of body corporate	938
627.49	Maintaining approval	939
627.5	Notice of transfer of membership	941
627.51	Designation of body corporate	941
627.52	Provision of information — external complaints body	942
627.53	Provision of information	942

Table of Contents

627.54 Content of Commissioner’s report 942

DIVISION 3 — DISCLOSURE AND TRANSPARENCY FOR INFORMED DECISIONS

Key Product Information

General Requirements

627.55 Disclosure of information 943
 627.56 Disclosure — customers and the public 944
 627.57 Information box 944
 627.58 Resource person 945
 627.59 Other products or services 945
 627.6 Renewal or rollover 946
 627.61 Promotional and other offers 947
 627.62 Prescribed amendments to agreements 948
 627.63 Advertisements 948
 627.64 Prohibited conduct 948
 627.65 Complaints procedures 949
 627.66 Voluntary codes of conduct and public commitments 949

Deposit Accounts, Financial Instruments and Notes

Deposit Accounts

627.67 Member banks — customers and the public 950
 627.68 Institutions — customers and the public 950
 627.69 Opening of deposit account 951
 627.7 Changes to holding periods 952
 627.71 Change in rate of interest or manner of calculation 952
 627.72 Increase or new charge 953

Deposit Insurance

627.73 Authorized foreign banks — customers and the public 953
 627.74 Authorized foreign banks — customers and the public 954
 627.75 Authorized foreign banks — deposit accounts and agreements for prescribed products 954
 627.76 Certain banks — deposit accounts and agreements for prescribed products 955

Financial Instruments and Notes

627.77 Availability of information 956
 627.78 Issuance 956
 627.79 Principal-protected note — no interest 958
 627.8 Current value 958

Annotated Bank Act

627.81	Amendments — deposit-type instruments or prescribed products	958
627.82	Amendments — principal-protected notes	959
627.83	Redemption or purchase before maturity	959
627.84	Manner	960
	Advertisements	
627.85	Rate of interest	960
627.86	Uninsured deposits	961
627.87	Financial instruments and notes	961
	Credit	
627.88	Availability of information	962
627.89	Agreement — natural persons	962
627.9	Calculating borrowing costs	964
627.91	Advertisements	965
	Prepaid Payment Products	
627.92	Issuance	966
627.93	Increase or new charge	967
	Optional Products or Services	
627.94	Agreement — natural persons	967
627.95	Promotional and other offers	968
627.96	Amendments	968
627.97	Cancellation	969
	Registered Products	
627.98	Availability of list of charges	969
627.99	Agreement — persons	969
627.991	Amendments	970
	Mortgage Insurance	
627.992	Availability of information	970
	Public Notices	
	Notice of Branch Closure	
627.993	Written notice	971
627.994	Exemptions	972
627.995	Meeting	972
	Public Accountability Statements	
627.996	Content	973
	DIVISION 4 — REDRESS	
627.997	Credit or refund of charge or penalty	974
	DIVISION 5 — REGULATIONS	
627.998	Regulations	975

Table of Contents

**PART XIII — REGULATION OF BANKS — SUPERINTENDENT (SS.
628–656)**

Supervision

Returns

628	Required information	977
629	[Repealed 2007, c. 6, s. 102.]	977
630	[Repealed 2007, c. 6, s. 102.]	977
631	[Repealed 2007, c. 6, s. 102.]	977
632	Names of directors and auditors	978
633	Copy of by-laws	979
634	Register of banks	980
634.1	Certificate	981
635	Production of information and documents	981
636	Confidential information	982
637	Regulations	983
638	Evidentiary privilege	984
638.1	No waiver	986
639	Disclosure by Superintendent	987
640	Disclosure by a bank	988
641	Exceptions to disclosure	989
642	Report respecting disclosure	989

Inspection of Banks

643	Examination of banks	989
644	Power of Superintendent on inquiry	990

Remedial Powers

Prudential Agreements

644.1	Prudential agreement	991
-------	--------------------------------	-----

Directions of Compliance

645	Superintendent’s directions to bank	991
646	Court enforcement	993

**Disqualification and Removal of Directors or Senior
Officers**

646.1	Meaning of “senior officer”	993
647	Application	994
647.1	Removal of directors or senior officers	997

Supervisory Intervention

648	Superintendent may take control	1000
649	Powers suspended	1002
650	Expiration of control	1003
651	Superintendent may request winding-up	1004

Annotated Bank Act

652	Requirement to relinquish control	1004
653	Advisory committee	1005
654	Expenses payable by bank	1005
655	Priority of claim in liquidation	1006
656	Application of assessment	1006

**PART XIV — REGULATION OF BANKS AND EXTERNAL COMPLAINTS
BODIES — COMMISSIONER (SS. 657–661)**

657	Required information	1006
658	Confidential information	1007
659	Examination of banks	1009
660	Power of Commissioner on inquiry	1012
661	Compliance agreement	1012
661.1	Commissioner’s directions	1013
661.2	Court enforcement	1014

PART XV — BANK HOLDING COMPANIES (SS. 662–964)

Purpose

662	Purpose	1014
-----	-------------------	------

DIVISION 1 — INTERPRETATION

663	Definitions	1015
-----	-----------------------	------

DIVISION 2 — STATUS AND POWERS

664	Corporate powers	1016
665	No invalidity	1016
666	By-law not necessary	1017
667	No personal liability	1017
668	No constructive notice	1017
669	Authority of directors, officers and representatives	1018
670	Sunset provision	1018

DIVISION 3 — INCORPORATION AND CONTINUANCE

Formalities of Incorporation

671	Incorporation of bank holding company	1019
672	Restrictions on incorporation	1020
673	National treatment	1020
674	Application for incorporation	1020
675	Matters for consideration	1021
676	Contents of letters patent	1021
677	Letters patent of incorporation on application of banks	1022
678	Proposal involving fundamental change	1023
679	Notice of issue of letters patent	1025

Table of Contents

680	First directors	1025
681	Effect of letters patent	1025
	<i>Continuance</i>	
682	Federal corporations	1026
683	Application for continuance	1026
684	Power to issue letters patent	1026
685	Effect of letters patent	1027
686	Copy of letters patent	1027
687	Effects of continuance	1027
688	Transitional	1028
	<i>Discontinuance</i>	
689	Transferring to other Acts	1029
690	Meaning of “bank holding company without a bank subsidiary”	1029
691	Act ceases to apply	1030
692	Withdrawing application	1030
	<i>Corporate Name</i>	
693	Prohibited names	1030
694	Affiliated bank holding company	1031
695	Restriction	1031
696	French or English form of name	1032
697	Reserved name	1032
698	Directing change of name	1033
	<i>Publication of Information</i>	
699	Publication of information	1033
	DIVISION 4 — ORGANIZATION AND COMMENCEMENT	
700	First directors’ meeting	1034
701	Calling shareholders’ meeting	1034
702	Term of first directors	1035
	DIVISION 5 — CAPITAL STRUCTURE	
	<i>Share Capital</i>	
703	Power to issue shares	1035
704	Common shares	1035
705	Classes of shares	1036
706	Shares issued in series	1036
707	One share, one vote	1037
708	Shares non-assessable	1037
709	Consideration for share	1037
710	Stated capital account	1038
711	Stated capital of continued bank holding company	1039

Annotated Bank Act

712	Pre-emptive right	1039
713	Conversion privileges	1040
714	Holding of own shares	1041
715	Purchase and redemption of shares	1041
716	Holding as personal representative	1042
716.1	Exception — conditions before acquisition	1043
717	Cancellation of shares	1043
718	Reduction of capital	1043
719	Recovery by action	1045
720	Adjustment of stated capital account	1045
721	Addition to stated capital account	1046
722	Declaration of dividend	1047
	Subordinated Indebtedness	
723	Restriction on subordinated indebtedness	1048
	Security Certificates and Transfers	
724	Sections 81 to 135 apply	1049
	DIVISION 6 — CORPORATE GOVERNANCE	
	Shareholders	
725	Place of meetings	1049
726	Calling meetings	1050
727	Notice of meeting	1051
728	Notice not required	1052
729	Notice of adjourned meeting	1052
730	Special business	1052
731	Waiver of notice	1053
732	Proposals	1053
733	Notice of refusal	1055
734	List of shareholders entitled to notice	1056
735	Quorum	1057
736	One shareholder meeting	1057
737	One share — one vote	1057
738	Representative shareholder	1057
739	Joint shareholders	1058
740	Voting by hands or ballot	1058
741	Resolution in lieu of meeting	1058
742	Requisitioned meeting	1059
743	Court may order meeting to be called	1060
744	Court review of election	1060
745	Notice to Superintendent	1061
	Proxies and Voting Restrictions	
746	Sections 156.01 to 156.09 apply	1061

Table of Contents

Directors and Officers

Duties

747	Duty to manage	1062
748	Duty of care	1064

Qualification and Number — Directors

749	Minimum number of directors	1065
750	Disqualified persons	1065
751	No shareholder requirement	1066
752	Limit on directors	1066

Election and Tenure — Directors

753	Number of directors	1067
753.1	Election or appointment as director	1067
754	Term of directors	1067
755	Determining election of directors	1068
756	Cumulative voting	1068
757	Re-election of directors	1070

Incomplete Elections and Director Vacancies

758	Void election or appointment	1070
759	Directors where elections incomplete or void	1071
760	Ceasing to hold office	1071
761	Removal of director	1072
762	Statement of director	1072
763	Circulation of statement	1072
764	Shareholders filling vacancy	1073
765	Directors filling vacancy	1073
766	Class vacancy	1073
767	Unexpired term	1074
768	Additional directors	1074

Meetings of the Board

769	Meetings required	1074
770	Notice of meeting	1075
771	Quorum	1075
772	Resident Canadian majority	1076
773	Electronic meeting	1076
774	Resolution outside board meeting	1076
775	Dissent of director	1077
776	Record of attendance	1077
777	Meeting required by Superintendent	1078

By-laws

778	By-laws	1078
779	Shareholder proposal of by-law	1079

Annotated Bank Act

780	Deemed by-laws	1079
	Committees of the Board	
781	Committees	1079
782	Audit committee	1079
	Directors and Officers — Authority	
783	Chief executive officer	1081
784	Appointment of officers	1081
785	Limits on power to delegate	1082
786	Remuneration of directors, officers and employees	1082
787	Validity of acts	1083
788	Right to attend meetings	1083
	Conflicts of Interest	
789	Disclosure of interest	1083
790	Director to abstain	1084
791	General notice	1085
792	Avoidance standards	1085
793	Court may set aside or require accounting	1086
	Liability, Exculpation and Indemnification	
794	Director liability	1086
795	Contribution	1087
796	Limitation	1088
797	Directors liable for wages	1088
798	Defence — due diligence	1089
799	Indemnification	1089
800	Directors' and officers' insurance	1090
801	Application to court for indemnification	1091
	Fundamental Changes	
	Amendments	
802	Sections 215 to 222 apply	1091
	Amalgamation	
803	Application to amalgamate	1092
804	Amalgamation agreement	1093
805	Approval of agreement by Superintendent	1094
806	Shareholder approval	1094
807	Vertical short-form amalgamation	1095
808	Joint application to Minister	1095
809	Issue of letters patent	1097
810	Court enforcement	1097
811	Effect of letters patent	1098
812	Transitional	1098

Table of Contents

	Transfer of Business	
813	Shareholder approval	1099
	Corporate Records	
	Head Office and Corporate Records	
814	Head office	1101
815	Bank holding company records	1101
816	Place of records	1102
817	Shareholder lists	1104
818	Option holders	1105
819	Use of shareholder list	1105
820	Form of records	1105
821	Protection of records	1106
822	Requirement to maintain copies and process information in Canada	1106
823	Retention of records	1107
824	Regulations	1108
	Securities Registers	
825	Central securities register	1108
826	Branch registers	1109
827	Agents	1109
828	Location of central securities register	1110
829	Effect of registration	1110
830	Particulars in branch register	1111
831	Destruction of certificates	1111
	Corporate Name and Seal	
832	Publication of name	1111
833	Corporate seal	1112
	Insiders	
834	Ss. 265 to 272 apply	1112
	Prospectus	
835	Ss. 273 and 274 apply	1112
	Going-private Transactions and Squeeze-out Transactions	
835.1	Ss. 275 to 277 apply	1113
	Compulsory Acquisitions	
836	Ss. 283 to 292.1 apply	1113
837	Recovery	1114
	Trust Indentures	
838	Sections 294 to 306 apply	1114

Annotated Bank Act

Financial Statements and Auditor

Annual Financial Statement

839	Financial year of bank holding company	1115
840	Annual financial statement	1115
841	Annual statement — approval	1116
842	Statements — subsidiaries	1117
843	Annual statement — distribution	1117
844	Copy to Superintendent	1118

Auditors

845	Definitions	1118
846	Appointment of auditor	1119
847	Qualification of auditor	1119
848	Duty to resign	1121
849	Revocation of appointment	1121
850	Ceasing to hold office	1122
851	Filling vacancy	1122
852	Right to attend meetings	1123
853	Statement of auditor	1123
854	Duty of replacement auditor	1124
855	Auditors' examination	1124
856	Right to information	1125
857	Auditor's report and extended examination	1125
858	Auditor's report	1126
859	Report on directors' statement	1127
860	Auditor of subsidiaries	1127
861	Auditor's attendance	1127
862	Calling meeting	1128
863	Notice of errors	1128
864	Qualified privilege for statements	1129

Remedial Actions

865	Sections 334 to 338 apply	1129
-----	-------------------------------------	------

Liquidation and Dissolution

866	Definition of "court"	1129
867	Non-application of certain provisions	1129
868	Returns to Superintendent	1130

Simple Liquidation

869	Sections 342 to 346 apply	1130
-----	-------------------------------------	------

Court-supervised Liquidation

870	Sections 347 to 360 apply	1130
-----	-------------------------------------	------

General

871	Sections 361 to 365 and 368 apply	1131
-----	---	------

Table of Contents

872	Unknown claimants	1131
	DIVISION 7 — OWNERSHIP	
	<i>Constraints on Ownership</i>	
873	Sections 370 to 371.1 apply	1132
874	Significant interest	1132
875	Acquisition of significant interest	1132
876	Limitations on share holdings	1133
877	Exception	1134
878	Limitation on share holdings	1135
879	Obligation of widely held bank holding company	1136
879.1	Obligation of widely held bank holding company	1137
880	Prohibition against significant interest	1137
881	Prohibition against significant interest	1137
882	Prohibition against control	1138
883	Restriction on control	1138
884	Deeming	1139
885	Prohibition	1139
886	Prohibition	1140
887	Constraint on registration	1140
888	Exemption	1141
889	Exception — small holdings	1141
890	When approval not required	1141
891	When approval not required	1143
892	Pre-approval	1144
893	Public holding requirement	1144
894	Public holding requirement	1145
895	Limit on assets	1145
896	Increase of capital	1145
897	Exemption by order of the Minister	1146
898	Exception	1146
899	Acquisition of control permitted	1147
900	Application of section 893	1147
901	Restriction on voting rights	1147
902	Loss of control — bank and bank holding company	1148
903	Loss of control — other entities	1149
904	Change in status	1150
	<i>Approval Process</i>	
905	Application for approval	1150
906	Matters for consideration	1151

Annotated Bank Act

907	Terms and conditions	1152
908	Certifying receipt of application	1152
909	Notice of decision	1153
910	Reasonable opportunity to make representations	1153
911	Notice of decision	1154
912	Deemed approval	1154
913	Constraining registration: Crown and foreign governments	1154
914	Suspension of voting rights held by governments	1156
915	Disposition of shareholdings	1156
916	Appeal	1157
917	Application to court	1157
918	Interest of securities underwriter	1157
919	Arrangements to effect compliance	1157
920	Reliance on information	1158
921	Competition Act	1158
	DIVISION 8 — BUSINESS AND POWERS	
922	Main business	1159
923	Restriction on guarantees	1160
924	Restriction on partnerships	1160
	DIVISION 9 — INVESTMENTS	
	<i>Interpretation</i>	
925	Definitions	1161
	<i>Investments</i>	
926	Investments	1162
	<i>General Constraints on Investments</i>	
927	Investment standards	1163
927.1	Limit — business growth fund	1163
928	Restriction on control and substantial investments	1164
929	Regulations re limits	1166
	<i>Subsidiaries and Equity Investments</i>	
930	Permitted investments	1167
930.1	[Proposed] Regulations	1178
931	Approval for indirect investments	1178
932	Undertakings	1179
	<i>Exceptions and Exclusions</i>	
933	Temporary investments in entity	1179
934	Loan workouts	1181
935	Realizations	1182
936	Regulations restricting ownership	1183

Table of Contents

	Portfolio Limits	
937	Exclusion from portfolio limits	1185
	Real Property	
938	Limit on total property interest	1186
	Equities	
939	Limits on equity acquisitions	1187
	Aggregate Limit	
940	Aggregate limit	1188
	Miscellaneous	
941	Regulations	1190
942	Divestment order	1190
943	Deemed temporary investment	1191
944	Asset transactions	1192
945	Transitional	1194
946	Saving	1195
947	Meaning of “non-bank entity”	1195
948	Prohibited activities	1195
	DIVISION 10 — ADEQUACY OF CAPITAL AND LIQUIDITY	
949	Adequacy of capital and liquidity	1197
	DIVISION 11 — REGULATION OF BANK HOLDING COMPANIES	
	Supervision	
	Returns	
950	Required information	1200
951	Names of directors and auditor	1201
952	Copy of by-laws	1202
953	Register of bank holding companies	1202
954	Production of information and documents	1203
955	Confidential information	1204
956	Regulations	1205
956.1	Evidentiary privilege	1205
956.2	No waiver	1206
	Inspection of Bank Holding Companies	
957	Examination of bank holding companies	1206
958	Power of Superintendent on inquiry	1207
	Remedial Powers	
	Prudential Agreements	
959	Prudential agreement	1207

Annotated Bank Act

	Directions of Compliance	
960	Superintendent's directions to bank holding company . . .	1208
961	Court enforcement	1209
	Disqualification and Removal of Directors or Senior Officers	
962	Meaning of "senior officer"	1210
963	Application	1210
964	Removal of directors or senior officers	1212
	PART XVI — ADMINISTRATION (SS. 964.1–979)	
	Notices and Other Documents	
964.1	Execution of documents	1213
965	Notice to directors, shareholders and members	1213
966	Presumption from return	1214
967	Presumption of receipt	1215
968	Service on a bank, bank holding company or authorized foreign bank	1215
969	Certificate	1216
970	Entry in securities register	1217
971	Verification of documents or fact	1217
972	Alternative means of publication	1218
	Approvals	
973	Definition of "approval"	1218
973.01	Matters to take into account — Minister	1219
973.02	Minister — terms, conditions and undertakings	1220
973.03	Revocation, suspension or amendment of approval — Minister	1222
973.04	Effect of non-compliance on approval	1223
973.05	Multiple approval — other approvals	1224
973.06	Exemption in relation to notices of intention	1224
	Exceptions to Generally Accepted Accounting Principles	
973.07	Calculations — generally accepted accounting principles	1224
	Short-term Exemption Order	
973.1	Short-term exemption order	1225
	Orders to Exempt or Adapt	
973.2	Order	1226
	Orders and Directives	
974	Not statutory instruments	1230
975	Form	1231

Table of Contents

	<i>Applications to Superintendent</i>	
976	Content of applications	1231
	<i>Applications for Certain Approvals</i>	
976.1	Application for certain approvals	1233
	<i>Appeals</i>	
977	Appeal to Federal Court	1235
	<i>Regulations</i>	
978	Power to make regulations	1236
	<i>Delegation</i>	
979	Delegation	1240
	PART XVI.1 — WHISTLEBLOWING (SS. 979.1–979.4)	
979.1	Definition of “wrongdoing”	1240
979.2	Whistleblowing	1241
979.3	Procedures — wrongdoing	1242
979.4	Prohibition	1243
	PART XVII — SANCTIONS (SS. 980–991)	
980	Offence	1244
980.1	False or misleading information	1244
981	Undue preference to creditor	1245
982	Failure to provide information	1245
983	Use of name	1246
984	Making false statements	1261
985	Punishment	1263
986	Liability of officers, directors, etc.	1264
987	Limitation period	1265
988	Effect of offence on contracts	1265
989	Compliance or restraining order — bank	1266
989.1	Production of information and documents	1268
989.2	Superintendent’s directions	1268
989.3	Court enforcement	1269
990	Appeal of final order	1269
991	Recovery and application of fines	1270
	PART XVIII — DOCUMENTS IN ELECTRONIC OR OTHER FORM (SS. 992–1005)	
992	Definitions	1270
993	Application	1270
994	Use not mandatory	1271
995	Consent and other requirements	1271
996	Creation or provision of information	1273
997	Creation of information in writing	1273

Annotated Bank Act

998	Provision of information in writing	1274
999	Multiple copies	1275
1000	Registered mail	1275
1001	Statutory declarations and affidavits	1276
1002	Signatures	1277
1003	Regulations — provision and receipt of documents	1277
1004	Content and form of notices and documents	1278
1005	Exemption	1279

SCHEDULE I

SCHEDULE II

SCHEDULE III

SCHEDULE IV

REGULATIONS

CAN. REG. 2012-24 — ACCESS TO FUNDS REGULATIONS

	INTERPRETATION	
1	.....	1289
	APPLICATION	
2	.....	1289
	MAXIMUM CHEQUE HOLD PERIOD	
3	.....	1290
	AVAILABILITY OF FIRST \$100	
4	.....	1290
	EXCEPTIONS	
5	.....	1290
6	.....	1291
	DISCLOSURE OF POLICY	
7	.....	1291
8	.....	1291
	NOTICE OF CHANGE IN POLICY	
9	.....	1291
	REPEAL	
10	.....	1292

Table of Contents

	COMING INTO FORCE	
11	.....	1292
	CAN. REG. 92-325 — AFFILIATED PERSONS (BANKS) REGULATIONS	
	SHORT TITLE	
1	.....	1293
	INTERPRETATION	
2	.....	1293
	CIRCUMSTANCES UNDER WHICH A NATURAL PERSON IS AFFILIATED	
3	.....	1294
	CAN. REG. 2001-363 — AGGREGATE FINANCIAL EXPOSURE (BANKS) REGULATIONS	
	INTERPRETATION	
1	Definition of “Act”	1295
	AGGREGATE FINANCIAL EXPOSURE	
2	Aggregate financial exposure	1295
	COMING INTO FORCE	
3	Coming into force	1295
	CAN. REG. 2007-201 — AGRICULTURAL PRODUCT PRIORITY CLAIM (BANKS) REGULATIONS	
	PRESCRIBED AMOUNT	
1	.....	1296
	COMING INTO FORCE	
2	.....	1296
	CAN. REG. 2008-109 — AIRCRAFT OBJECTS REGULATIONS	
	EXEMPTION	
1	.....	1297
2	.....	1297
	COMING INTO FORCE	
3	.....	1297

Annotated Bank Act

**CAN. REG. 2010-230 — ANNUAL STATEMENT (BANKS AND
BANK HOLDING COMPANIES) REGULATIONS**

	CONTENTS OF ANNUAL STATEMENT	
1	.....	1298
	COMING INTO FORCE	
2	.....	1298

**CAN. REG. 2004-199 — BANK HOLDING COMPANY
PROPOSAL REGULATIONS**

	INTERPRETATION	
1	.....	1299
	CONTENTS OF A PROPOSAL	
2	.....	1299
	DISTRIBUTION OF PROPOSAL	
3	.....	1300
	SPECIAL MEETING AND APPROVAL BY BANK'S SHAREHOLDERS	
4	.....	1300
5	.....	1300
6	.....	1300
7	.....	1301
8	.....	1301
9	.....	1301
10	.....	1301
	APPLICATION TO MINISTER	
11	.....	1301
12	.....	1302
13	.....	1302
14	.....	1302
15	.....	1303
	AMENDMENT	
16	.....	1303
	COMPLETION OF TRANSACTIONS	
17	.....	1303
	EXTENSION	
18	.....	1303
	COMING INTO FORCE	
19	.....	1303

Table of Contents

**CAN. REG. 2018-58 — BANK RECAPITALIZATION (BAIL-IN)
ISSUANCE REGULATIONS**

	SHARES AND LIABILITIES	
1	Prescribed shares and liabilities	1304
	TERMS OF ISSUANCE	
2	Prescribed liability	1304
3	Prescribed share	1304
4	Disclosure	1304
5	Promotion as deposit — prohibition	1305
	COMING INTO FORCE	
6	180th day after registration	1305

**CAN. REG. 2006-299 — CIVIL REMEDIES (BANKS AND
BANK HOLDING COMPANIES) REGULATIONS**

	INTERPRETATION	
1	. . . . .	1306
	CIVIL REMEDIES	
2	. . . . .	1306
2.1	. . . . .	1306
3	. . . . .	1306
4	. . . . .	1306
	COMING INTO FORCE	
5	. . . . .	1307

SCHEDULE [1] — TAKE-OVER BID

**CAN. REG. 2008-57 — CORPORATE INTERRELATIONSHIPS
(BANKS AND BANK HOLDING COMPANIES) REGULATIONS**

	INTERPRETATION	
1	. . . . .	1309
	CORPORATE INTERRELATIONSHIPS	
2	. . . . .	1309
3	. . . . .	1310
4	. . . . .	1310
	COMING INTO FORCE	
5	. . . . .	1310

Annotated Bank Act

**CAN. REG. 2009-257 — CREDIT BUSINESS PRACTICES
(TRUST AND LOAN COMPANIES, RETAIL ASSOCIATIONS,
CANADIAN INSURANCE COMPANIES AND FOREIGN
INSURANCE COMPANIES) REGULATIONS**

	INTERPRETATION	
1	.....	1311
	APPLICATION	
2	.....	1312
	MINIMUM GRACE PERIOD FOR NEW PURCHASES	
3	.....	1312
	ALLOCATION OF PAYMENTS	
4	.....	1312
	OVER-THE-LIMIT FEES DUE TO HOLDS	
5	.....	1313
	CONSENT FOR INCREASES IN CREDIT LIMITS AND TO PROVIDE CREDIT CARD CHEQUES TO BORROWER	
6	.....	1313
6.1	.....	1313
6.2	.....	1313
	DEBT COLLECTION PRACTICES	
7	.....	1313
	COMING INTO FORCE	
8	.....	1316

**CAN. REG. 2011-98 — DEPOSIT TYPE INSTRUMENTS
REGULATIONS**

	INTERPRETATION	
1	Definitions	1317
	MANNER OF DISCLOSURE	
2	Clear and simple language	1317
	DISCLOSURE IN RESPECT OF THE ISSUANCE OF A DEPOSIT TYPE INSTRUMENT	
3	Information to be disclosed	1318
4	Calculation of time — disclosure by mail	1319
	SUBSEQUENT DISCLOSURE	
5	Information — amendments	1319
6	Information — current value	1319
7	Information — redemption before maturity	1319

Table of Contents

	ADVERTISEMENTS	
8	Required content — all advertisements	1319
	CANCELLATION PERIODS FOR CERTAIN INSTRUMENTS	
9	New instruments issued without further agreement	
	.....	1320
	CONSEQUENTIAL AMENDMENT	
10	.....	1320
	COMING INTO FORCE	
11	November 1, 2011	1320

**CAN. REG. 2012-267 — DISCLOSURE ON CONTINUANCE
REGULATIONS (FEDERAL CREDIT UNIONS)**

	NOTICE AND DISCLOSURE	
1	.....	1321
2	.....	1321
3	.....	1322
4	.....	1322
5	.....	1322
6	.....	1322
	COMING INTO FORCE	
7	.....	1322

**CAN. REG. 2006-303 — DISTRIBUTING BANK AND
DISTRIBUTING BANK HOLDING COMPANY REGULATIONS**

	INTERPRETATION	
1	.....	1323
	DISTRIBUTING	
2	.....	1323
	COMING INTO FORCE	
3	.....	1324

Annotated Bank Act

SCHEDULE [1] — REPORTING ISSUER

**CAN. REG. 2010-239 — ELECTRONIC DOCUMENTS (BANKS
AND BANK HOLDING COMPANIES) REGULATIONS**

INTERPRETATION

Definition

1 1325

Non-application

2 1325

ELECTRONIC DOCUMENTS

Documents Provided By the Originator

3 1325

Electronic Documents Through Website

4 1325

Consent to Provision of an Electronic Document

5 1326

Revocation

6 1326

PROVISION AND RECEIPT

Several Addressees

7 1327

Specific Address

8 1327

Document Considered Provided

9 1327

Believed Not To Be Received

10 1327

Document Considered Received

11 1327

ELECTRONIC SIGNATURE

12 1328

COMING INTO FORCE

13 1328

Table of Contents

CAN. REG. 2001-376 — ENTITY ASSOCIATED WITH A FOREIGN BANK REGULATIONS

	INTERPRETATION	
1	Definition of “Act”	1329
	EXEMPTIONS	
2	Exemption from associated status	1329
	MINISTERIAL DEEMING	
3	Minister authorized to make order	1330
	COMING INTO FORCE	
4	Coming into force	1331

CAN. REG. 2002-132 — ENTITY MEMBER OF GROUP REGULATIONS

	ENTITY MEMBER OF A BANK’S GROUP	
1	Entity member of bank’s group	1332
	ENTITY MEMBER OF A BANK HOLDING COMPANY’S GROUP	
2	Entity member of bank holding company’s group	1332
	ENTITY MEMBER OF INSURANCE COMPANY’S GROUP	
3	Entity member of insurance company’s group	1332
	ENTITY MEMBER OF INSURANCE HOLDING COMPANY’S GROUP	
4	Entity member of insurance holding company’s group	1333
	ENTITY MEMBER OF TRUST AND LOAN COMPANY’S GROUP	
5	Entity member of trust and loan company’s group	1333
	COMING INTO FORCE	
6	Coming into force	1333

CAN. REG. 2001-377 — EQUITY OF A BANK OR A BANK HOLDING COMPANY REGULATIONS

	INTERPRETATION	
1	Definitions	1334
	DETERMINATION OF THE EQUITY OF A BANK OR A BANK HOLDING COMPANY	
2	Where an entity’s equity is its financial statement equity	1335

Annotated Bank Act

3	Bank's equity by reference to its group	1335
4	Bank holding company's equity by reference to its group	1335
	COMING INTO FORCE	
5	Coming into force	1336

**CAN. REG. 99-273 — EXCHANGE RATE (AUTHORIZED
FOREIGN BANKS) REGULATIONS**

	RATE OF EXCHANGE	
1	. . . . .	1337
	COMING INTO FORCE	
2	. . . . .	1337

**CAN. REG. 2001-381 — EXEMPT CLASSES OF FOREIGN
BANKS REGULATIONS**

	EXEMPTION	
1	Exempt classes of foreign banks	1338
	COMING INTO FORCE	
2	Coming into force	1338

**CAN. REG. 2001-382 — EXEMPT DEBT OBLIGATION
TRANSACTIONS (BANKS AND BANK HOLDING COMPANIES)
REGULATIONS**

	INTERPRETATION	
1	Definition of "Act"	1339
	INTERNATIONAL AGENCIES	
2	Prescribed international agencies	1339
	DEFINITION OF "WIDELY DISTRIBUTED"	
3	"widely distributed" in respect of a bank	1340
	REPEAL	
4	Repeal	1340
	COMING INTO FORCE	
5	Coming into force	1341

Table of Contents

CAN. REG. 2010-238 — EXEMPTION FOR PUBLIC NOTICES OR DOCUMENTS (BANKS AND BANK HOLDING COMPANIES) REGULATIONS	
INTERPRETATION	
1	..... 1342
EXEMPTION CIRCUMSTANCES	
2	..... 1342
COMING INTO FORCE	
3	..... 1342
CAN. REG. 2003-242 — EXEMPTION FROM APPROVAL FOR CERTAIN INVESTMENTS IN INTRAGROUP SERVICE ENTITIES (BANK ACT) REGULATIONS	
EXEMPTION FROM APPROVAL	
1	Exemption — banks 1343
2	Exemption — foreign banks and associated entities 1343
3	Exemption — bank holding companies 1343
COMING INTO FORCE	
4	Coming into force 1343
CAN. REG. 2001-383 — EXEMPTION FROM RESTRICTIONS ON INVESTMENTS (BANKS, BANK HOLDING COMPANIES AND FOREIGN BANKS) REGULATIONS	
EXEMPTION FROM RESTRICTIONS ON INVESTMENTS	
1	Prescribed circumstances — banks and bank holding companies 1344
2	Prescribed circumstances — foreign banks and entities associated with foreign banks 1344
COMING INTO FORCE	
3	Coming into force 1344
CAN. REG. 2001-387 — FACTORING ENTITY REGULATIONS	
FACTORING ENTITY	
1	Definition of “factoring entity” 1345

Annotated Bank Act

COMING INTO FORCE

2 Coming into force 1345

**CAN. REG. 2012-268 — FEDERAL CREDIT UNION
CONVERSION REGULATIONS**

INTERPRETATION

1 1346

APPLICATION

2 1347

CONVERSION PROPOSAL

3 1347

AMENDMENT OR WITHDRAWAL OF CONVERSION PROPOSAL

4 1349

BY-LAW REQUIREMENTS

5 1349

MATERIAL TO SUPERINTENDENT

6 1350

SUPERINTENDENT’S POWERS

7 1351

RESTRICTIONS ON BENEFITS

8 1352

**RESTRICTION ON ISSUANCE OF MEMBERSHIP SHARES AND
SECURITIES**

9 1352

NOTICE OF RESTRICTIONS

10 1353

APPLICATION TO MINISTER

11 1353

**CONVERTING CREDIT UNIONS SUBJECT TO THE CANADA DEPOSIT
INSURANCE CORPORATION ACT**

12 1354

COMING INTO FORCE

13 1354

CAN. REG. 2001-388 — FINANCE ENTITY REGULATIONS

FINANCE ENTITY

1 Definition of “finance entity” 1355

Table of Contents

COMING INTO FORCE

2 Coming into force 1355

**CAN. REG. 2021-181 — FINANCIAL CONSUMER
PROTECTION FRAMEWORK REGULATIONS**

INTERPRETATION

1 Definitions 1356
2 Interpretation — product or service 1356

PART 1 — FAIR AND EQUITABLE DEALINGS

Responsible Business Conduct

Requirements for Cancelling Agreements

3 Cancellation period — certain deposit accounts 1357
4 Prescribed products and services 1357
5 Cancellation of retail deposit account 1357
6 Cancellation of deposit-type instrument 1357
7 Cancellation of optional product or service 1358
8 Cancellation of principal-protected note 1358

Access to Basic Banking Services

9 Availability 1358
10 Cashing 1358

Credit

11 Prepayment 1359
12 Renewal of mortgages — prescribed period 1359
13 Debt collection practices 1359

Complaints Process

14 Period for dealing with complaints 1359
15 Provision of information after complaint 1360
16 Conditions for maintaining approval 1360
17 Provision of information to customers and public . . . 1360

**PART 2 — DISCLOSURE AND TRANSPARENCY FOR INFORMED
DECISIONS**

Key Product Information

General

18 Disclosure by mail 1361
19 Renewal or rollover 1361

Deposit Accounts, Financial Instruments and Notes

Deposit Accounts

20 Agreement by telephone 1361

Annotated Bank Act

21	Charges for prescribed services	1362
22	Opening of deposit account	1362
23	Non-application — subsection 627.72(1) of Act	1363
	Deposit Insurance	
24	Authorized foreign banks	1363
	Financial Instruments and Notes	
25	Agreement by telephone	1363
26	Availability of information	1364
27	Issuance of principal-protected note	1364
28	Synopsis — principal-protected note	1364
29	New instrument issued without further agreement	1364
30	Advertisements	1364
	Credit Agreements	
	General	
31	Non-application — section 627.89 of Act	1365
32	APR	1365
33	Disclosure statement	1365
34	Time of initial disclosure	1366
35	Initial disclosure — optional services	1366
36	Disclosure to two or more persons	1366
37	Amendments	1367
	Loans	
38	Information box — fixed interest loan for fixed amount	1367
39	Information box — variable interest loan	1368
40	Initial disclosure — fixed interest rate loan	1368
41	Initial disclosure — variable interest loan	1369
42	Amendments — loan for fixed amount	1371
43	Mortgages	1371
44	Time of initial disclosure	1371
45	Renewal	1371
46	Non-renewal	1372
47	Calculating borrowing costs	1372
48	Charges included in cost of borrowing	1373
49	Waiver offer	1374
50	Advertisements	1374
51	Advertisements — transactions financed by institution	1374
	Lines of Credit	
52	Information box	1375

Table of Contents

53	Non-application — paragraph 627.89(1)(a) of Act	1375
54	Initial disclosure	1375
55	Subsequent disclosure	1376
56	Waiver offer	1377
57	Advertisements	1377
	<i>Credit Cards</i>	
58	Agreement by telephone	1377
59	Information box — application form	1378
60	Information box — agreement	1378
61	Solicitation of applications	1379
62	Initial disclosure statement	1379
63	Non-application — paragraph 627.89(1)(a) of Act	1379
64	Initial disclosure	1379
65	Application forms	1380
66	Subsequent disclosure	1380
67	Amendments	1382
68	Other amendments	1382
69	Waiver offer	1382
70	Advertisements	1383
	Prepaid Payment Products	
71	Agreement by telephone	1383
72	Information box	1383
73	Issuance	1383
	Mortgage Insurance	
	<i>Coverage and Business Arrangements</i>	
74	Coverage and calculation of charges	1383
75	Business arrangements	1384
	<i>Payments and Benefits</i>	
76	Receipt on per residential mortgage basis	1384
77	Amount by activity — other basis	1384
78	Expected amount by activity — other basis	1384
79	Manner of disclosure	1385
80	Amount by activity — per residential mortgage basis	1385
81	Amount charged — other basis	1385
82	Expected amount charged — other basis	1385
83	Manner of disclosure	1386
84	Percentage of amount charged — per residential mortgage basis	1386

Annotated Bank Act

85	Amounts paid by insurer — other basis	1386
86	Percentage of expected amount — other basis	1386
87	Manner of disclosure	1386
88	Amounts not included	1386

Public Notices

Notice of Branch Closure

89	Notice given by mail	1387
90	Notice to Commissioner	1387
91	Other notices	1387
92	Non-application — section 627.993 of Act	1388
93	Exemptions	1389

Public Accountability Statements

94	Prescribed affiliates	1389
95	Content of statement	1389
96	Exception — new initiatives and technical assistance programs	1391
97	Exception — identification of firm	1391
98	Exception — identification of firm by province	1391

PART 3 — CONSEQUENTIAL AMENDMENTS, REPEALS AND COMING INTO FORCE

Consequential Amendments

Public Accountability Statements (Banks, Insurance Companies, Trust and Loan Companies) Regulations

99	. . . . .	1392
100	. . . . .	1392
101	Affiliates of declarant	1392

Proceeds of Crime (Money Laundering) and Terrorist Financing Regulations

102	. . . . .	1393
103	. . . . .	1393

Principal Protected Notes Regulations

104	1393
-----	-----------	------

Credit Business Practices (Banks, Authorized Foreign Banks, Trust and Loan Companies, Retail Associations, Canadian Insurance Companies and Foreign Insurance Companies) Regulations

105	. . . . .	1393
106	. . . . .	1393
107	. . . . .	1394

Table of Contents

Mortgage Insurance Disclosure (Banks, Authorized Foreign Banks, Trust and Loan Companies, Retail Associations, Canadian Insurance Companies and Canadian Societies) Regulations

108	.....	1394
109	.....	1394
	Deposit Type Instruments Regulations	
110	.....	1394
111	Exception.....	1394
	Registered Products Regulations	
112	Definition of “registered product”.....	1394
113	Clear and simple language.....	1395
114	Exception.....	1395
	Prescribed Products Regulations	
115	.....	1395
	Negative Option Billing Regulations	
116	.....	1395
	Access to Funds Regulations	
117	.....	1395
	Prepaid Payment Products Regulations	
118	.....	1396
119	Manner and content.....	1396
120	On issuance.....	1396
121	.....	1396
	Repeals	
122	.....	1396
	Coming into Force	
123	Immediately before June 30, 2022.....	1397

SCHEDULE [1] — PRESCRIBED DEBT COLLECTION PRACTICES

CAN. REG. 2001-389 — FINANCIAL LEASING ENTITY REGULATIONS

	DEFINITION AND INTERPRETATION	
1	Definition of “estimated residual value”.....	1401
2	Purposes of definition “financial leasing entity”....	1401
	RELATED ACTIVITIES	
3	Permitted related activities.....	1401

Annotated Bank Act

	RESTRICTIONS AND LIMITATIONS ON ACTIVITIES	
4	Application	1402
5	Restrictions and limitations on activities	1402
6	Warrantees	1403
7	Rate of return	1403
8	Limit	1403
	REPEAL	
9	Repeal	1404
	COMING INTO FORCE	
10	Coming into force	1404

CAN. REG. 92-299 — FOREIGN BANK REPRESENTATIVE OFFICES REGULATIONS

1	[Repealed SOR/99-271, s. 2.]	1405
	INTERPRETATION	
2	.....	1405
	REGISTRATION OF REPRESENTATIVE OFFICES	
3	.....	1405
4	.....	1406
5	.....	1406
	OPERATION OF REPRESENTATIVE OFFICES	
6	.....	1406
	ANNUAL REQUIREMENTS PERTAINING TO REPRESENTATIVE OFFICES	
7	.....	1407
8	.....	1407
	GENERAL	
9	.....	1407

CAN. REG. 2001-390 — FORM OF PROXY (BANKS AND BANK HOLDING COMPANIES) REGULATIONS

	INTERPRETATION	
1	Interpretation	1408
	FORM	
	General	
2	Form	1408
3	Statement	1409
4	Statement	1409

Table of Contents

	Financial Statements	
5	Financial statements	1410
	REPEAL	
6	Repeal	1410
	COMING INTO FORCE	
7	Coming into force	1410

**CAN. REG. 2006-307 — GOING-PRIVATE TRANSACTION
(BANKS AND BANK HOLDING COMPANIES) REGULATIONS**

	INTERPRETATION	
1	. . . . .	1411
	“GOING-PRIVATE TRANSACTION”	
2	. . . . .	1411
	COMING INTO FORCE	
3	. . . . .	1411

**CAN. REG. 2002-163 — GUIDELINES RESPECTING
CONTROL IN FACT FOR THE PURPOSE OF SUBSECTION
377(1) OF THE BANK ACT**

	INTERPRETATION	
1	Definitions	1412
	APPLICATION	
2	Guidelines	1412
	CONTROL IN FACT	
3	Determination	1412
4	Policy objectives	1412
5	Factors	1413
	COMING INTO FORCE	
6	Coming into force	1414

**CAN. REG. 2012-278 — GUIDELINES RESPECTING
CONTROL IN FACT FOR THE PURPOSE OF SECTION 377.2
OF THE BANK ACT**

	INTERPRETATION	
1	Definitions	1415

Annotated Bank Act

	APPLICATION	
2	Acquisition referred to in section 373 of the Act . . .	1415
	CONTROL IN FACT	
3	Determination	1415
4	Policy objectives	1415
5	Factors	1416
	COMING INTO FORCE	
6	S.C. 2010, c. 12	1417

**CAN. REG. 2001-391 — INFORMATION PROCESSING
ACTIVITIES (BANKS AND AUTHORIZED FOREIGN BANKS)
REGULATIONS**

	INTERPRETATION	
1	Definitions	1418
	EXEMPTION FROM THE REQUIREMENT TO OBTAIN THE MINISTER'S APPROVAL	
2	Circumstances where Minister's approval not required	1418
	REQUIREMENT TO PROVIDE INFORMATION TO A CLIENT	
3	Information about client's business	1420
	COMING INTO FORCE	
4	Coming into force	1420

**CAN. REG. 2003-60 — INFORMATION TECHNOLOGY
ACTIVITIES (AUTHORIZED FOREIGN BANKS) REGULATIONS**

	INTERPRETATION	
1	Definition of "Act"	1421
	PRESCRIBED PURPOSE OR CIRCUMSTANCE	
2	Prescribed purpose or circumstance	1421
	COMING INTO FORCE	
3	Coming into force	1421

**CAN. REG. 2003-61 — INFORMATION TECHNOLOGY
ACTIVITIES (BANKS) REGULATIONS**

	INTERPRETATION	
1	Definitions	1422

Table of Contents

	PRESCRIBED PURPOSE OR CIRCUMSTANCE	
2	Prescribed purpose or circumstance	1422
	INVESTMENTS	
3	Prescribed activity	1422
	EXEMPTION FROM RESTRICTIONS ON INVESTMENTS	
4	Exemption from restrictions	1424
	NON-APPLICATION OF SUBSECTION 468(5) OF THE ACT	
5	Non-application	1424
	COMING INTO FORCE	
6	Coming into force	1424

**CAN. REG. 2003-62 — INFORMATION TECHNOLOGY
ACTIVITIES (BANK HOLDING COMPANIES) REGULATIONS**

	INTERPRETATION	
1	Definitions	1425
	INVESTMENTS	
2	Prescribed activity	1425
	EXEMPTION FROM RESTRICTIONS ON INVESTMENTS	
3	Exemption from restrictions	1426
	NON-APPLICATION OF SUBSECTION 930(5) OF THE ACT	
4	Non-application	1426
	COMING INTO FORCE	
5	Coming into force	1427

**CAN. REG. 2003-65 — INFORMATION TECHNOLOGY
ACTIVITIES (FOREIGN BANKS) REGULATIONS**

	INTERPRETATION	
1	Definitions	1428
	INVESTMENTS	
2	Prescribed activity	1429
	EXEMPTION FROM RESTRICTIONS ON INVESTMENTS	
3	Exemption from restrictions	1431
	NON-APPLICATION OF SUBSECTION 522.22(1) OF THE ACT	
4	Non-application	1431
5	Non-application	1431

Annotated Bank Act

COMING INTO FORCE

6 Coming into force 1431

CAN. REG. 2006-310 — INSIDER REPORTS (BANKS AND BANK HOLDING COMPANIES) REGULATIONS

INTERPRETATION

1 1432

INSIDER REPORTS

2 1432

3 1432

EXEMPTION

4 1432

REPEAL

5 1433

6 1433

COMING INTO FORCE

7 1433

SCHEDULE [1] — PROVINCIAL LEGISLATION

CAN. REG. 99-270 — INSURANCE BUSINESS (AUTHORIZED FOREIGN BANKS) REGULATIONS

INTERPRETATION

1 1434

1.1 1437

PERMITTED ACTIVITIES

2 1437

3 1438

PROMOTION

4 1438

5 1438

WEB PROMOTION

5.1 1439

PROHIBITED ACTIVITIES

6 1440

7 1441

8 1441

Table of Contents

	COMING INTO FORCE	
9	.....	1441
	CAN. REG. 92-330 — INSURANCE BUSINESS (BANKS AND BANK HOLDING COMPANIES) REGULATIONS	
1	[Repealed SOR/2002-269, s. 2.]	1442
	INTERPRETATION	
2	.....	1442
2.1	.....	1446
	PERMITTED ACTIVITIES	
3	.....	1446
4	.....	1446
5	.....	1446
	PROMOTION	
6	.....	1447
7	.....	1447
	WEB PROMOTION	
7.1	.....	1448
	PROHIBITED ACTIVITIES	
8	.....	1448
8.1	.....	1449
9	.....	1450
10	.....	1450
	TRANSITIONAL	
11	.....	1450
	CAN. REG. 2001-392 — INVESTMENT LIMITS (BANK HOLDING COMPANIES) REGULATIONS	
	INTERPRETATION	
1	Definitions	1451
2	Book value of interest in real property	1452
	EXEMPTIONS	
3	Exempt bank holding companies	1452
	PRESCRIBED SUBSIDIARY	
4	Prescribed subsidiary	1453
	PRESCRIBED PERCENTAGE	
5	Prescribed percentage	1453

Annotated Bank Act

	VALUATION OF EQUITY	
6	Value equals book value	1453
	INTERESTS OF A BANK HOLDING COMPANY IN REAL PROPERTY	
	General	
7	Definition and value of interest in real property	1453
	Direct Interests — Real Property and Debt Obligations	
8	Direct interests	1454
	Indirect Interests — Real Property, Shares and Ownership Interests	
9	Certain indirect interests	1454
	Indirect Interests — Loans and Debt Obligations	
10	Certain indirect interests	1455
	Indirect Interests — Secured Loans and Debt Obligations	
11	Certain indirect interests	1456
	Other Interests	
12	Other interests	1458
	COMING INTO FORCE	
13	Coming into force	1459

CAN. REG. 2001-393 — INVESTMENT LIMITS (BANKS)

REGULATIONS

INTERPRETATION

1	Definitions	1460
2	Book value of interest in real property	1461

EXEMPTIONS

3	Exempt banks	1461
---	------------------------	------

PRESCRIBED SUBSIDIARY

4	Prescribed subsidiary	1462
---	---------------------------------	------

PRESCRIBED PERCENTAGE

5	Prescribed percentage	1462
---	---------------------------------	------

VALUATION OF EQUITY

6	Value equals book value	1462
---	-----------------------------------	------

INTERESTS OF A BANK IN REAL PROPERTY

General

7	Definition and value of interest in real property	1462
---	---	------

Direct Interests — Real Property and Debt Obligations

8	Direct interests	1463
---	----------------------------	------

Table of Contents

	<i>Indirect Interests — Real Property, Shares and Ownership Interests</i>	
9	Certain indirect interests	1463
	<i>Indirect Interests — Loans and Debt Obligations</i>	
10	Certain indirect interests	1464
	<i>Indirect Interests — Secured Loans and Debt Obligations</i>	
11	Certain indirect interests	1465
	<i>Other Interests</i>	
12	Other interests	1467
	REPEALS	
13	Repeal	1467
14	Repeal	1467
	COMING INTO FORCE	
15	Coming into force	1467
	 CAN. REG. 2001-399 — MANNER OF CALCULATION (FOREIGN BANKS) REGULATIONS	
	INTERPRETATION	
1	Definitions	1469
	PRESCRIBED MANNER	
2	Portion of entity's activities	1469
3	Portion of entity's business in Canada — par. 522.05(a) of the Act	1469
4	Portion of entity's business outside Canada — par. 522.05(b) of the Act	1470
5	Portion of Canadian entity's activities — paragraphs 522.09(1)(b) and (2)(b) of the Act	1470
6	Portion of entity's business in Canada — par. 522.19(1)(a) of the Act	1471
7	Portion of entity's business outside Canada — par. 522.19(1)(b) of the Act	1471
	COMING INTO FORCE	
8	Coming into force	1472
	 CAN. REG. 2008-163 — MATERIAL BANKING GROUP PERCENTAGE REGULATIONS	
	PRESCRIBED PERCENTAGE	
1	Prescribed percentage	1473

Annotated Bank Act

2	Prescribed percentage	1473
	REPEAL	
3	Repeal	1473
	COMING INTO FORCE	
4	Registration	1473

**CAN. REG. 2006-314 — MEETINGS AND PROPOSALS
(BANKS AND BANK HOLDING COMPANIES) REGULATIONS**

	INTERPRETATION	
1	.....	1474
	RECORD DATE	
2	.....	1474
	NOTICE OF MEETING	
3	.....	1474
3.1	.....	1474
	SHAREHOLDER AND MEMBER PROPOSALS	
4	.....	1475
5	.....	1475
6	.....	1475
7	.....	1475
8	.....	1475
9	.....	1475
10	.....	1476
11	.....	1476
	ELECTRONIC VOTING	
12	.....	1476
	COMING INTO FORCE	
13	.....	1476

**CAN. REG. 2001-401 — MINORITY INVESTMENT (BANK
HOLDING COMPANIES) REGULATIONS**

	INTERPRETATION	
1	Definitions	1477
	GENERAL	
2	Permitted substantial investments	1478
3	Restriction concerning investments	1478
4	Restriction concerning loans	1478

Table of Contents

5	Limitation	1478
6	Calculation of “total value” in section 3 or 4	1479
	COMING INTO FORCE	
7	Coming into force	1479

**CAN. REG. 2001-402 — MINORITY INVESTMENT (BANKS)
REGULATIONS**

	INTERPRETATION	
1	Definitions	1480
	GENERAL	
2	Permitted substantial investments	1481
3	Restriction concerning investments	1481
4	Restriction concerning loans	1481
5	Limitation	1481
6	Calculation of “total value” in section 3 or 4	1482
	REPEAL	
7	Repeal	1482
	COMING INTO FORCE	
8	Coming into force	1482

**CAN. REG. 2010-68 — MORTGAGE INSURANCE BUSINESS
(BANKS, AUTHORIZED FOREIGN BANKS, TRUST AND LOAN
COMPANIES, RETAIL ASSOCIATIONS, CANADIAN
INSURANCE COMPANIES AND CANADIAN SOCIETIES)**

	REGULATIONS	
	INTERPRETATION	
1	.....	1483
	APPLICATION	
2	.....	1483
	DETERMINATION OF ACTUAL COST	
3	.....	1484
	PERMITTED ACTIVITIES	
4	.....	1484
	PROHIBITED ACTIVITIES	
5	.....	1484
	COMING INTO FORCE	
6	.....	1485

Annotated Bank Act

**CAN. REG. 2010-69 — MORTGAGE INSURANCE
DISCLOSURE (TRUST AND LOAN COMPANIES, RETAIL
ASSOCIATIONS, CANADIAN INSURANCE COMPANIES AND
CANADIAN SOCIETIES) REGULATIONS**

	INTERPRETATION	
1	.....	1486
	APPLICATION	
2	.....	1487
	MANNER AND TIMING OF DISCLOSURE	
3	.....	1487
4	.....	1487
	GENERAL INFORMATION ON MORTGAGE INSURANCE	
5	.....	1488
	DISCLOSURE OF INFORMATION RELATING TO ARRANGEMENTS BETWEEN INSTITUTIONS AND INSURERS	
6	.....	1488
7	.....	1488
8	.....	1489
9	.....	1489
10	.....	1489
11	.....	1490
	COMING INTO FORCE	
12	.....	1490

**CAN. REG. 2008-158 — NAME USE (AFFILIATES OF BANKS
OR BANK HOLDING COMPANIES) REGULATIONS**

	INTERPRETATION	
1	Definition of “Act”	1491
	CONDITIONS	
2	Application	1491
	REPEAL	
3	.....	1492
	COMING INTO FORCE	
4	S.C. 2007, c. 6	1492

Table of Contents

**CAN. REG. 2008-156 — NAME USE (FOREIGN BANKS)
REGULATIONS**

	INTERPRETATION	
1	Definition	1493
	DISCLOSURE REQUIREMENTS	
2	Non-bank affiliate and foreign bank	1493
3	Non-bank affiliate and entity associated with foreign bank	1493
4	Term and condition re: use of name of foreign bank	1493
	REPEAL	
5	Repeal	1494
	COMING INTO FORCE	
6	S.C. 2007, c. 6	1494

**CAN. REG. 2001-409 — NAME USE IN SECURITIES-
RELATED TRANSACTIONS (BANKS AND BANK HOLDING
COMPANIES) REGULATIONS**

	PERMITTED USE OF NAME	
1	Use of name of bank or bank holding company	1495
	REPEAL	
2	Repeal	1495
	COMING INTO FORCE	
3	Coming into force	1495

**CAN. REG. 2012-23 — NEGATIVE OPTION BILLING
REGULATIONS**

	INTERPRETATION	
1	.....	1496
	APPLICATION	
2	.....	1496
	CONSENT FOR NEW PRODUCTS OR SERVICES	
3	.....	1497
	DISCLOSURE — OPTIONAL PRODUCTS AND SERVICES	
	<i>Manner and Content of Disclosure Statement</i>	
4	.....	1497

	Annotated Bank Act	
5	.....	1497
6	.....	1497
7	.....	1498
	Notice of Changes	
8	.....	1498
	CANCELLATION OF OPTIONAL PRODUCTS OR SERVICES	
9	.....	1498
	COMING INTO FORCE	
10	.....	1499

CAN. REG. 2013-209 — PREPAID PAYMENT PRODUCTS REGULATIONS

	INTERPRETATION	
1	Definitions	1500
	APPLICATION	
2	Issued in Canada by institution	1501
	MANNER OF DISCLOSURE	
3	Clear and simple language	1501
	INITIAL DISCLOSURE	
4	Manner and content	1501
5	Exception — application by telephone	1502
	ADDITIONAL DISCLOSURE	
6	On issuance	1502
7	On product	1502
	PROHIBITIONS	
8	Fee changes	1503
9	Use of funds	1503
10	Maintenance fee	1503
11	Overdraft	1503
	COMING INTO FORCE	
12	May 1, 2014	1503

CAN. REG. 2000-53 — PRESCRIBED DEPOSITS (AUTHORIZED FOREIGN BANKS) REGULATIONS

	INTERPRETATION	
1	.....	1504

Table of Contents

	PRESCRIBED DEPOSITS	
2	.....	1504
	COMING INTO FORCE	
3	.....	1505
 CAN. REG. 2000-54 — PRESCRIBED DEPOSITS (BANKS WITHOUT DEPOSIT INSURANCE) REGULATIONS		
	INTERPRETATION	
1	.....	1506
	PRESCRIBED DEPOSITS	
2	.....	1506
	COMING INTO FORCE	
3	.....	1507
 CAN. REG. 2011-100 — PRESCRIBED PRODUCTS REGULATIONS		
	PRESCRIBED PRODUCTS	
1	.....	1508
	COMING INTO FORCE	
2	.....	1508
 CAN. REG. 2008-180 — PRINCIPAL PROTECTED NOTES REGULATIONS		
	INTERPRETATION	
1	Definitions	1509
	MANNER OF DISCLOSURE	
2	Clear and simple language	1510
	DISCLOSURE BEFORE ISSUANCE	
3	Information that must be disclosed	1510
4	Exception — agreements entered into in person	1511
5	Exception — agreements entered into by electronic means	1511
6	Institutions that have made a public commitment . . .	1511
7	Calculation of time — disclosure by mail	1511
	ADDITIONAL DISCLOSURE	
8	Detailed information	1512

Annotated Bank Act

9	Information — current value	1512
10	Information — amendments	1512
11	Information — index or reference points	1512
12	Information — early redemption	1512
13	Required content — all advertisements	1513
	REPEAL	
14	. . . . .	1513
	COMING INTO FORCE	
15	July 1, 2008	1513

**CAN. REG. 2001-411 — PROHIBITED ACTIVITIES
RESPECTING REAL PROPERTY (FOREIGN BANKS)
REGULATIONS**

	PROHIBITED ACTIVITIES	
1	Prohibited Activities	1514
	COMING INTO FORCE	
2	Coming into force	1514

**CAN. REG. 2006-318 — PROSPECTUS (BANKS AND BANK
HOLDING COMPANIES) REGULATIONS**

	PROSPECTUS	
1	. . . . .	1515
2	. . . . .	1515
	EXEMPTION	
3	. . . . .	1515
	REPEALS	
4	. . . . .	1515
5	. . . . .	1515
6	. . . . .	1516
	COMING INTO FORCE	
7	. . . . .	1516

Table of Contents

SCHEDULE [1] — PROVINCIAL LEGISLATION

**CAN. REG. 2012-265 — PROSPECTUS (FEDERAL CREDIT
UNIONS) REGULATIONS**

DISTRIBUTION OF SECURITIES — GENERAL

Prospectus

1	Contents	1518
2	Other requirements	1518

Exemption

3	Exemption from provincial requirements	1518
---	--	------

DISTRIBUTION OF SECURITIES — INDIVIDUAL MEMBERS

Application

4	Exemption from requirement to provide prospectus	1519
---	---	------

Disclosure

5	Manner	1519
6	Written disclosure before distribution	1519
7	Oral disclosure before distribution	1520
8	Other disclosure	1521
9	Advertisements — required content	1521

COMING INTO FORCE

10	S.C. 2012, c. 5	1521
----	---------------------------	------

SCHEDULE [1] — PROVINCIAL LEGISLATION

**CAN. REG. 92-352 — PROTECTION OF ASSETS (BANKS)
REGULATIONS**

SHORT TITLE

1	1523
---	-----------	------

INTERPRETATION

2	1523
---	-----------	------

APPLICATION

3	1523
---	-----------	------

SAFEGUARDING OF ASSETS

4	1524
---	-----------	------

SAFEGUARDING OF SECURITIES

5	1524
---	-----------	------

	Annotated Bank Act	
6	.....	1524
7	.....	1524
8	.....	1524
	REGISTRATION OF A SECURITY	
9	.....	1525
	BONDING AND INSURANCE	
10	.....	1525
11	.....	1525
12	.....	1526

**CAN. REG. 2002-133 — PUBLIC ACCOUNTABILITY
STATEMENTS (INSURANCE COMPANIES AND TRUST AND
LOAN COMPANIES) REGULATIONS**

	INTERPRETATION	
1	Definitions	1527
	AFFILIATES OF DECLARANT	
2	Affiliates of declarant	1528
	CONTENT OF PUBLIC ACCOUNTABILITY STATEMENT	
3	What statement must contain	1528
	TIME AND MANNER REQUIREMENTS FOR DISCLOSURE	
4	Time requirement	1530
5	Manner of disclosure	1530
	COMING INTO FORCE	
6	Coming into force	1531

**CAN. REG. 99-276 — PUBLIC INQUIRY (AUTHORIZED
FOREIGN BANKS) RULES**

1	.....	1532
	APPLICATION	
2	.....	1532
	NOTICE OF THE INQUIRY	
3	.....	1532
	WITHDRAWAL OF APPLICATION OR OBJECTION	
4	.....	1533
	SERVICE OF DOCUMENTS	
5	.....	1533

Table of Contents

	GENERAL CONDUCT OF THE INQUIRY	
6	.....	1533
7	.....	1533
8	.....	1533
	PUBLIC ACCESS	
9	.....	1534
10	.....	1534
	REPORT	
11	.....	1534
	COMING INTO FORCE	
12	.....	1534

CAN. REG. 2011-99 — REGISTERED PRODUCTS REGULATIONS

	INTERPRETATION	
1	Definitions	1535
	MANNER OF DISCLOSURE	
2	Clear and simple language	1535
	CIRCUMSTANCES UNDER WHICH INFORMATION NEED NOT BE PROVIDED	
3	Exception	1536
	ADDITIONAL DISCLOSURE	
4	Notice of amendments	1537
	LIST OF CHARGES	
5	Branches and websites	1537
	COMING INTO FORCE	
6	August 1, 2011	1537

CAN. REG. 92-301 — REGISTRATION OF BANK SPECIAL SECURITY REGULATIONS

	SHORT TITLE	
1	.....	1538
	INTERPRETATION	
2	.....	1538
	SYSTEM OF REGISTRATION	
3	.....	1538
4	.....	1538

	Annotated Bank Act	
5	.....	1539
6	.....	1539
7	.....	1539
	FORM OF SECURITY FOR LOANS OR ADVANCES	
8	.....	1539
	FORM OF NOTICE OF INTENTION	
9	.....	1539
	PAYMENT OF FEES	
10	.....	1540
	SCHEDULE I — SPECIAL SECURITY IN RESPECT OF HYDROCARBONS OR MINERALS, OR OTHER PROPERTY DESCRIBED IN SECTION 426 OF THE BANK ACT	
	SCHEDULE II — SPECIAL SECURITY IN RESPECT OF SPECIFIED PROPERTY OR CLASSES OF PROPERTY DESCRIBED IN SECTION 427 OF THE BANK ACT	
	SCHEDULE III — NOTICE OF INTENTION	
	CAN. REG. 2001-420 — REGULATORY CAPITAL (BANK HOLDING COMPANIES) REGULATIONS	
	INTERPRETATION	
1	Definitions	1543
	REGULATORY CAPITAL	
2	Definition of “regulatory capital”	1543
3	Definition for investment limits	1544
	COMING INTO FORCE	
4	Coming into force	1545
	CAN. REG. 92-531 — REGULATORY CAPITAL (BANKS) REGULATIONS	
	SHORT TITLE	
1	.....	1546
	INTERPRETATION	
2	.....	1546
	REGULATORY CAPITAL	
3	.....	1547
4	.....	1547

Table of Contents

**CAN. REG. 92-309 — RELATED PARTY TRANSACTIONS
(BANKS) REGULATIONS**

	SHORT TITLE	
1	.....	1549
	INTERPRETATION	
2	.....	1549
	PRESCRIBED RELATED PARTY TRANSACTIONS	
3	.....	1549
4	.....	1550

**CAN. REG. 92-282 — RESIDENT CANADIAN (BANKS)
REGULATIONS**

	SHORT TITLE	
1	.....	1552
	PRESCRIBED RESIDENT CANADIANS	
2	.....	1552

**CAN. REG. 92-308 — RULES GOVERNING PROCEEDINGS
AT PUBLIC INQUIRIES INTO OBJECTIONS (BANKS)**

1	[Repealed SOR/98-532, s. 2.]	1553
	INTERPRETATION	
2	.....	1553
	APPLICATION	
3	.....	1553
	NOTICE OF THE INQUIRY	
4	.....	1554
	WITHDRAWAL OF APPLICATION OR OBJECTION	
5	.....	1554
	SERVICE OF DOCUMENTS	
6	.....	1554
	GENERAL CONDUCT OF THE INQUIRY	
7	.....	1555
8	.....	1555
9	.....	1555
	PUBLIC ACCESS	
10	.....	1555

	Annotated Bank Act	
11	.....	1555
	REPORT	
12	.....	1555
	CAN. REG. 2000-52 — SALES OR TRADES (AUTHORIZED FOREIGN BANKS) REGULATIONS	
	INTERPRETATION	
1	.....	1556
	PRESCRIBED CLASSES OF ENTITIES	
2	.....	1556
	CONDITIONS OF SALES OR TRADES OF FINANCIAL INSTRUMENTS, SECURITIES AND BILLS OF EXCHANGE	
3	.....	1556
	COMING INTO FORCE	
4	.....	1556
	CAN. REG. 99-275 — SECURITIES DEALING RESTRICTIONS (AUTHORIZED FOREIGN BANKS) REGULATIONS	
	RESTRICTIONS	
1	.....	1557
2	.....	1557
	COMING INTO FORCE	
3	.....	1558
	CAN. REG. 92-279 — SECURITIES DEALING RESTRICTIONS (BANKS) REGULATIONS	
	SHORT TITLE	
1	.....	1559
	RESTRICTIONS	
2	.....	1559
3	.....	1559
	CAN. REG. 2001-426 — SECURITY CERTIFICATE TRANSFER FEE (BANKS, BANK HOLDING COMPANIES, INSURANCE	

Table of Contents

**COMPANIES AND INSURANCE HOLDING COMPANIES)
REGULATIONS**

MAXIMUM FEE

1 Maximum fee 1561

REPEALS

2 Repeal 1561

3 Repeal 1561

COMING INTO FORCE

4 Coming into force 1561

**CAN. REG. 2002-339 — SHARED PREMISES REGULATIONS
(BANKS)**

1 Definition of “member institution” 1562

2 Coming into force 1562

**CAN. REG. 2001-477 — SPECIALIZED FINANCING (BANK
HOLDING COMPANIES) REGULATIONS**

INTERPRETATION

1 Definitions 1563

GENERAL

2 Application 1563

ACQUISITION OF SPECIALIZED FINANCING ENTITIES

3 Definition of “non-controlling interest” 1564

4 Control not required 1566

5 Approvals not required — general 1566

COMING INTO FORCE

6 Coming into force 1566

**CAN. REG. 2001-428 — SPECIALIZED FINANCING (BANKS)
REGULATIONS**

INTERPRETATION

1 Definitions 1567

GENERAL

2 Application 1567

CONDITIONS

3 Limits on investments 1568

Annotated Bank Act

4	Length of investment	1568
5	Maximum authorized investment	1568
6	Limit of 10% of regulatory capital	1568
7	Limit of 25% of regulatory capital — investment in a specialized financing entity	1569
	ACQUISITION OF SPECIALIZED FINANCING ENTITIES	
8	Definition of “non-controlling interest”	1569
9	Control not required	1571
10	Approvals not required	1571
	REPEAL	
11	Repeal	1571
	COMING INTO FORCE	
12	Coming into force	1571

CAN. REG. 2001-432 — SPECIALIZED FINANCING (FOREIGN BANKS) REGULATIONS

	INTERPRETATION	
1	Definitions	1572
	APPLICATION	
2	Application	1572
	CONDITIONS	
2.1	Limits on investments	1573
2.2	Length of investment	1573
2.3	Maximum authorized investment	1573
2.4	Maximum authorized investment	1573
	ACQUISITION OF SPECIALIZED FINANCING ENTITIES	
3	Ownership restrictions — foreign banks	1574
4	Ownership restrictions — entities associated with foreign banks	1575
	COMING INTO FORCE	
5	Coming into force	1576

CAN. REG. 92-313 — SUBSIDIARIES HOLDING BANK SHARES (BANKS) REGULATIONS

	SHORT TITLE	
1	. . . . .	1577

Table of Contents

INTERPRETATION
2 1577
HOLDING OF BANK'S SHARES BY SUBSIDIARY
3 1577
EXCEPTION FOR UNDERWRITER
4 1577

**CAN. REG. 2001-433 — SUBSIDIARIES THAT HOLD BANK
HOLDING COMPANY SHARES REGULATIONS**

INTERPRETATION
1 Definitions 1578
HOLDING OF BANK HOLDING COMPANY'S SHARES BY SUBSIDIARY
2 Where subsidiary may hold shares 1578
3 Exception for securities underwriter 1578
COMING INTO FORCE
4 Coming into force 1579

**CAN. REG. 2001-58 — SUPERVISORY INFORMATION
(AUTHORIZED FOREIGN BANKS) REGULATIONS**

PRESCRIBED SUPERVISORY INFORMATION
1 1580
PROHIBITED DISCLOSURE
2 1581
LIMITED DISCLOSURE
3 1581
4 1581
COMING INTO FORCE
5 1581

**CAN. REG. 2001-480 — SUPERVISORY INFORMATION (BANK
HOLDING COMPANIES) REGULATIONS**

SUPERVISORY INFORMATION
1 1582
PROHIBITED DISCLOSURE
2 1583

	Annotated Bank Act	
	LIMITED DISCLOSURE	
3	.....	1583
4	.....	1583
	COMING INTO FORCE	
5	Coming into force	1583
	 CAN. REG. 2001-59 — SUPERVISORY INFORMATION (BANKS) REGULATIONS	
	PRESCRIBED SUPERVISORY INFORMATION	
1	.....	1584
	PROHIBITED DISCLOSURE	
2	.....	1585
	LIMITED DISCLOSURE	
3	.....	1585
4	.....	1585
	COMING INTO FORCE	
5	.....	1585
	 CAN. REG. 2002-264 — SUPPORT ORDERS AND SUPPORT PROVISIONS (BANKS AND AUTHORIZED FOREIGN BANKS) REGULATIONS	
	INTERPRETATION	
1	Definitions of “Act”	1586
	DESIGNATED OFFICES OF BANKS	
2	Designation by bank	1586
	DESIGNATED OFFICES OF AUTHORIZED FOREIGN BANKS	
3	Designation by authorized foreign bank	1586
	PUBLICIZING LOCATIONS OF DESIGNATED OFFICES	
4	Publicizing requirements	1587
5	Internet site	1587
	INFORMATION TO ACCOMPANY ENFORCEMENT NOTICES IN RESPECT OF SUPPORT ORDERS AND SUPPORT PROVISIONS	
6	Information for identification of debtor	1587
	COMING INTO FORCE	
7	.....	1587

Table of Contents

**CAN. REG. 2001-436 — TOTAL ASSETS FOR
SUPERVISABILITY AND PUBLIC HOLDING REQUIREMENTS
(BANKS AND BANK HOLDING COMPANIES) REGULATIONS**

	TOTAL ASSETS	
1	Definition of “total assets”	1588
	REPEAL	
2	Repeal	1588
	COMING INTO FORCE	
3	Coming into force	1588

**CAN. REG. 2001-408 — USE OF THE WORD “BANK” BY
NON-FINANCIAL BUSINESSES (EXCLUDED ENTITIES)
REGULATIONS**

	INTERPRETATION	
1	Definition of “Act”	1589
	PRESCRIBED ENTITIES	
2	Prescribed entities	1589
	COMING INTO FORCE	
3	Coming into force	1590