

**Rules respecting
representations,
banners and
business cards**

Guide

I - INTRODUCTION

Further to the coming into force of the *Act respecting the distribution of financial products and services* and its regulations, you must, as a representative, owner or officer of a firm or partner of an independent partnership, change your business cards and representations to adapt them to the new legal requirements.

In our concern to give out information, we deemed it useful to draw up this document in order to guide you in your steps.

II - AUTHORIZED TITLES

II.1 General rule for firms

According to the sectors in respect of which a firm is registered with the Bureau des services financiers, it may present itself using the following titles¹ :

1. firm in the insurance of persons;
2. firm in the group insurance of persons;
3. firm in damage insurance;
4. firm in claims adjustment;
5. firm in financial planning;
6. firm in group-savings-plan brokerage;
7. firm in investment-contract brokerage;
8. firm in scholarship-plan brokerage;
9. firm in real estate brokerage.

¹ Sect. 11 of the *Regulation respecting the registration of firms, independent representatives and independent partnerships*

If a firm is registered in at least two sectors, it may use the title of “**financial services firm**”².

If a firm is registered in at least three sectors, it may use the title of “**financial services firm**” and indicate the other titles it uses.

II.II Questions-answers



Q.1 You are the owner of a firm pursuing activities in the following sectors:

- insurance of persons;
- damage insurance;
- financial planning.

You wish to have the following mention printed on your business cards: “**firm in damage insurance and financial services firm.**” Is this possible?


A.1 YES.

You are entitled to use the title of “**firm in damage insurance and financial services firm**”, since you are authorized to pursue your activities in more than two sectors.

² Sect. 13 of the Regulation respecting the registration of firms, independent representatives and independent partnerships

Section 13 of the *Regulation respecting the registration of firms, independent representatives and independent partnerships* provides that:

" 13. Instead of using the titles provided at section 11, a firm may also present itself using the title of "**financial services firm**" if it is registered in at least two sectors listed in the second paragraph of section 13 of the Act."

 Q.2 You are the owner of a firm pursuing activities in more than one sector and wish to use the following title: "**multidisciplinary firm**." Is this possible?

A.2 NO.

You may not use the title of "**multidisciplinary firm**", as it is not a title that is provided for in the *Regulation respecting the registration of firms, independent representatives and independent partnerships*.

EXAMPLE :

~~Group ABC Insurance
Multidisciplinary firm
140, Grande-Allée Est
Suite 300
Québec (Québec)
G1R 5M8
Tel.: (418) 000-0000
Fax: (418) 000-0001~~

II.III General rule for an independent partnerships

According to the sectors in respect of which an independent partnership is registered with the *Bureau des services financiers*, it may present itself using the following titles³:

1. independent partnership in the insurance of persons;
2. independent partnership in the group insurance of persons;
3. independent partnership in damage insurance;
4. independent partnership in claims adjustment;
5. independent partnership in financial planning.

If an independent partnership is registered in at least two sectors, it may present itself using the title of “**independent partnership in financial services**”⁴.

If an independent partnership is registered in at least three sectors, it may use the title of “**independent partnership in financial services**” and indicate the other titles it uses.

EXAMPLE :

The mentions in italic are optional.

ABC Insurance & Ass.	
Independent Partnership in Financial Services	
<i>Group Insurance of Persons</i>	2020, University Street
<i>Damage Insurance</i>	Suite 1919
<i>Claims Adjustment</i>	Montréal (Québec)
<i>Financial Planning</i>	H3A 2A5
	Tel. (514) 000-0000
	Fax. : (514) 000-0001
<i>Partner of the CDE Group</i>	

³ Sect. 12 *Regulation respecting the registration of firms, independent representatives and independent partnerships*

⁴ Sect. 14 *Regulation respecting the registration of firms, independent representatives and independent partnerships*

II.IV Question-answer

 **Q.3** You are the owner of an independent partnership pursuing activities in more than one sector. You wish to have the following mention printed on your business cards: **“independent partnership in financial products and services.”** Is this possible?

A.3 NO.

You may not use the title of **“independent partnership in financial products and services,”** since it is not a title that is provided for in the *Regulation respecting the registration of firms, independent representatives and independent partnerships*. You must indicate **“independent partnership in financial services.”**

II.V General rule for a representative


A representative uses one of the following titles, according to the sector or sector class for which he is certified with the Bureau des services financiers⁵:

SECTORS AND SECTORS CLASSES	TITLES
Insurance of persons (1a)	Financial security advisor
Accident and health insurance (1b)	Representative in accident and health insurance
Group insurance of persons (2a)	Advisor in group insurance and group-annuity plans
Group-insurance plans (2b)	Advisor in group-insurance plans
Group-annuity plans (2c)	Advisor in group-annuity plans
Damage insurance (3a agent, 4a broker)	Damage insurance agent or broker
Personal-lines damage insurance (3b and 4b)	Personal-lines damage insurance agent or broker
Commercial-lines damage insurance (3b and 4c)	Commercial-lines damage insurance agent or broker
Claims adjustment (5a and 5d)	Claims adjuster
Claims adjustment in personal-lines damage insurance (5b and 5e)	Personal-lines damage insurance claims adjuster
Claims adjustment in commercial-lines damage insurance (5c and 5f)	Commercial-lines damage insurance claims adjuster

⁵ Sect. 99 to 103, 107 to 112 and 116 of the *Regulation respecting the issuance and renewal of representatives' certificates* Sect. 6 of the *Act respecting the distribution of financial products and services*


SECTORS AND SECTORS CLASSES	TITLES
Financial planning (6)	Financial planner or “F. PI.”
Group-savings-plan brokerage (7)	Group-savings-plan representative or Mutual funds representative
Investment-contract brokerage (8)	Investment-contract representative
Scholarship-plan brokerage (9)	Scholarship-plan representative

II.VI Questions-answers

 **Q.4** You are an independent representative and pursue your activities in at least two sectors. You wish to have the following mention printed on your business cards: “**Michael Soandso, Financial Services Advisor.**” Is this possible?

A.4 NO.

As an independent representative, you must obligatorily use the titles under which you pursue your activities.

 **Q.5** You are an independent representative and pursue your activities in insurance of persons. You wish to have the following mention printed on your business cards: “**Michael Soandso, Independent Representative – Financial Security Advisor.**” Is this possible?

A.5 YES.

You are entitled to indicate that you are an independent representative if you also indicate the title(s) under which you carry on your activities. The Bureau also accepts the use of “**independent advisor**”, instead of “**independent representative**”.

III - BANNER OF A FIRM OR INDEPENDENT PARTNERSHIP

III.1 General rule


A banner is a sign, an illuminated billboard, or a poster outside a building, which carries advertisement on your establishment.

You are entitled, and it is even desirable, to indicate on your banner all the titles under which you pursue your activities.

However, for outdoor advertising, you are not under the obligation to do so.

On the other hand, inside your establishment, it is essential that the titles under which you pursue your activities be prominently displayed and printed in characters that are easily legible by consumers.

III.II Question-answer

 **Q.6** You are the owner of a firm pursuing activities in insurance of persons and in damage insurance. You wish to display “**ABC Insurance**” on your banner. Is this possible?

A.6 YES.

However, inside your establishment, you must post a notice showing the titles under which you pursue your activities.

IV. REPRESENTATIONS AND BUSINESS CARDS

Representation is defined as any manifestation, written or verbal, of the services or products you offer, such as a sales illustration, an explanatory pamphlet describing a product, a trademark, a slogan, a symbol, etc.

IV.I General rule for a representative

A representative must, when he first meets with a client, give him a document, such as a business card, on which the following must appear:

1. his name;
2. the business address where he pursues his activities, as well as his business telephone numbers and, where applicable, his fax number;
3. the titles he is authorized to use;

4. the sectors or sector classes in which he is authorized to act, as indicated on his certificate, unless the titles he uses are representative thereof;
5. the name of the firm or partnership to which he is attached, as the case may be.

IV.II General rule for a firm, an independent partnership or an independent representative

First, it is important to remember that, as a firm, an independent representative or an independent partnership, you are under the obligation to indicate in your representations only the names you use in Québec in the pursuit of your activities and that you may not use a trademark, slogan, symbol or any other thing that is likely to cause confusion⁶.

Thus, an independent representative could not use a name that could be mistaken for that of an insurer:

EXAMPLE: Des Jardins Insurance inc.

In this respect, you must transmit to the Bureau des services financiers all the names that you intend to use in Québec in the pursuit of your activities⁷ and inform it without delay of any change or modification related thereto.

You must also indicate in your representations the titles under which you pursue your activities⁸.

In addition, you must indicate the address of your principal establishment in Québec and your telephone number, so that consumers will be able to reach you easily.


If you add any additional information, you must make sure that they will not cause any confusion.

⁶ Sect. 1 of the *Regulation respecting firm, independent representative and independent partnership*

⁷ Sect. 2, 4 and 6 of the *Regulation respecting the registration of firms, independent representatives and independent partnerships*

⁸ Sect. 1 of the *Regulation respecting firm, independent representative and independent partnership*

IV.III Questions-answers

 **Q.7** You are an independent representative and wish to pursue your activities under the name of “**New Age Insurance Reg.**”. Is this possible?

A.7 YES.

If you register this firm name with the bureau of the Inspector General of Financial Institutions and you declare it to the Bureau des services financiers.


EXAMPLE :

New Age Insurance Reg.

Michael Soandso

Financial Security Advisor

2020, rue University, Suite 1919
Montréal (Québec) H3A 2A5
Tel. (514) 000-0000 Fax: (514) 000-0001

 **Q.8** You are an independent representative who places business with a particular insurer. You wish to have the name or logo of this insurer printed on your business cards. Is this possible?

A.8 YES, UNDER CERTAIN CONDITIONS.

You are entitled to indicate your relations with one or more insurers on your business card, provided that:

1. you indicate after your name that you are an independent advisor (or an independent representative);
2. you indicate the name of such insurer after the mention “**Distributor authorized by...**”

EXAMPLE: **Michael Soandso, independent advisor**
Financial Security Advisor
Distributor authorized by Goodlife Insurance Company

It should be noted that a firm or independent partnership may indicate, in the same manner, its relations with insurers whose products it is authorized to distribute.

EXAMPLE: **ABC, Financial Services Firm**
Distributor authorized by Goodlife Insurance Company

In fact, section 1 of the *Regulation respecting firm, independent representative and independent partnership* provides that:

“ 1. A firm, independent representative or independent partnership must, in all its advertising, representations or client solicitation pertaining to its activities, use its name or, where applicable, the other names it uses in Québec in the pursuit of its activities and may not use a trademark, slogan, symbol or any other thing that is likely to cause confusion. (...)”

It must therefore be evident for consumers that you are an independent representative and that you are not attached to a firm.

Q.9 You are the owner of a firm that has relations with Group ABC, another firm. You wish to indicate these business relations on your business cards. Is this possible?

A.9 YES.

Only the following designations may be used for independent representatives, firms and independent partnerships:

- Firm partner with...;
- Independent advisor (or independent representative) partner with...;
- Partnership partner with...

Here is an example of the business card of a firm that pursues activities in the insurance of persons sector and in the damage insurance sector, and that is a partner of Group CDE.

EXAMPLE:

The mentions in italic are optional.

ABC Insurance Inc.
Financial Services Firm

Life Insurance
Accident/Health Insurance
Damage Insurance

2020, rue University
Suite 1919
Montréal (Québec)
H3A 2A5
Tel. (514) 000-0000
Fax: (514) 000-0001

Partner firm of Group CDE

 Q.10 You are a representative and pursue your activities in the following sectors:

- insurance of persons, attached to firm A;
- damage insurance brokerage, attached to firm B.

You wish to have only one business card. Is this possible?

A.10 YES.

You may have only one business card on which all the information required for each of the sectors appears, or use a business card printed on both sides. Consumers must be able to identify in which sector you act on behalf of Firm A, and in which sector you act on behalf of Firm B.

IV.IV General rule for a securities representative

No securities representative may pursue his activities as such unless he is acting on behalf of one firm only⁹.

However, a securities representative might pursue activities in another sector.

A person who pursues activities in securities and in another sector may use only one business card for both activities, provided that:

- the information relative to a sector is not more prominent than that which concerns the other sector;
- there is no possible confusion on the part of consumers as to the nature of the services rendered by each of the entities.

⁹ Sect. 14 of the *Act respecting the distribution of financial products and services*

On the other hand, you may use a business card printed on both sides: one side showing the information relative to the securities activities, and the other side, the information relative to the activities in the other sector.

IV.V Question-answer

 **Q.11** You are a representative and pursue your activities in the following sectors:

- insurance of persons, as an independent representative;
- group-savings-plan brokerage, attached to a firm.

You wish to have only one business card. Is this possible?

A.11 YES.

You may have only one business card on which all the information required for each of the sectors appears or use a business card that is printed on both sides.

IV.VI General rule for a trainee

A trainee must, at all times, present himself publicly as a trainee¹⁰.

A trainee may never use the titles of representatives. When meeting with clients, he must give them a written document, such as a business card, which must indicate the following:

¹⁰ Sect. 91 of the *Regulation respecting the issuance and renewal of representatives' certificates*

1. his name ;
2. his business address, business telephone number, electronic mail address, if applicable, and his fax number;
3. his title as trainee;
4. the sector(s) or sector class(es) in which he is authorized to act;
5. the name of the firm, independent partnership or independent representative on whose behalf he pursues activities.

IV.VII Questions-answers

 **Q.12** You are a trainee in damage insurance and wish to obtain business cards. Is this possible?

A.12 YES

You may use a business card. However, your title as a trainee and the sector in which you are training at the time must appear on the business card. For example: “**Michael Soandso, trainee in personal-lines damage insurance**”.

IV.VIII Customer service staff

Please note that the staff working in the customer service department of an insurance company, deposit institution, firm or independent partnership may not use the titles of representatives. This representation could cause confusion and lead consumers to believe that the individual in question is authorized to pursue activities as a representative within the meaning of the *Act respecting the distribution of financial products and services*.

OTHER EXAMPLE OF A BUSINESS CARD

Here is an example of the business card of an independent representative who pursues activities in the insurance of persons sector and in the group insurance of persons sector.

EXAMPLE

The mention in italic is optional.



DEADLINE FOR COMPLIANCE

The Bureau and the Chambers expect that the business cards and the representations will be in conformity with the regulations and this guide by **September 5, 2000.**

DESCRIPTION OF THE SUPERVISORY ORGANIZATIONS AND HOW TO REACH THEM

Le Bureau des services financiers (BSF)

The **Bureau des services financiers (BSF)** was created from the *Act respecting the distribution of financial products and services* (Bill 188), which came into force on **October 1, 1999**. The mission of the Bureau is to ensure public protection in the eight sectors under its authority:

- Insurance of persons
- Group insurance of persons
- Damage insurance
- Claims adjustment
- Financial planning
- Group-savings-plan brokerage
- Investment-contract brokerage
- Scholarship-plan brokerage

Through certification and registration, the Bureau issues rights of practice to more than 30,000 professionals across Québec. The BSF is also entrusted with the inspection of the activities of registrants, may take action in cases of illegal practice and acts in matters of distribution without a representative. It enacts most of the regulations pursuant to the Act, and sees to their application.

The Information and Referral Centre of the Bureau des services financiers was set up to allow consumers to obtain answers to their questions at one place. The Centre informs callers while working in partnership with the resources in the field. It acts as a central point for the reception of consumers' complaints, and is also the place where the general public may obtain information concerning the Fonds d'indemnisation des services financiers (financial services compensation fund). The Information and Referral Centre also offers an accompaniment service for the people in the industry.

Bureau des services financiers

140, Grande-Allée Est, Suite 300

Québec (Québec) G1R 5M8

Telephone: (418) 525-6273 or 1 877 525-6273

Fax : (418) 525-9512

Web site: www.bsf-qc.com

E-mail: bsf@bsf-qc.com

The Chambre de l'assurance de dommages (ChAD) and the Chambre de la sécurité financière (CSF)

In their respective sectors, the Chambers pursue the same mission of public protection while assuming a role that is complementary to that of the Bureau. The sectors are divided up as follows:

Chambre de l'assurance de dommages

- Damage insurance
- Claims adjustment

Chambre de la sécurité financière

- Insurance of persons
- Group insurance of persons
- Financial planning
- Group-savings-plan brokerage
- Investment-contract brokerage
- Scholarship-plan brokerage

The Chambers determine the rules of ethics applicable to representatives and make sure that the latter comply with them. When a complaint of an ethical nature is filed against a representative by a consumer or a person from the industry, it is first submitted to the syndic of the Chamber concerned, which decides, after investigation, whether the complaint must be heard by the Discipline Committee. The discipline committees then rule on the cases that have been submitted to them. The Chambers also offer advisory services in quality control and compliance with professional requirements.

The second role of intervention of the Chambers is that of professional development, which became compulsory* with the coming into force of Bill 188. The ChAD and the CSF must determine the rules governing professional development (other than financial planning). In addition, the Chambre de l'assurance de dommages sets the criteria for the obtainment, including equivalence or withdrawal criteria, of the professional titles of Certified Insurance Broker (C.I.B.) and Associate Insurance Broker (A.I.B), whereas the Chambre de la sécurité financière does the same for the titles of Chartered Life Underwriter (C.L.U.) and Registered Life Underwriter (R.L.U.).

* Professional development has been compulsory since January 2000 for contributors to the Chambre de la sécurité financière, whereas it will become compulsory in the fall of 2001 for contributors to the Chambre de l'assurance de dommages

Chambre de l'assurance de dommages

Web site: www.chad.qc.ca
E-mail: info@chad.qc.ca

Chambre de la sécurité financière

300, Léo-Pariseau Street, 26th floor
Montreal (Quebec) H2X 4B8
Telephone: (514) 282-5777
ou 1 800 361-9989
Fax: (514) 282-2225
Web site: www.chambresf.com



FOR FURTHER INFORMATION

— The staff of the Information and Referral Centre of the *Bureau des services financiers*, as well as the staff of the *Chambre de l'assurance de dommages* and the *Chambre de la sécurité financière* are at your disposal if you have any questions concerning your representations, banners or business cards. They will be pleased to help you!

CONCLUSION

— In brief, it is important to remember that you must, at all times, make sure that you comply with the legal requirements in your advertising, your representations or client solicitation.

Legal deposit – Second quarter 2000
ISBN 2-922586-19-7
Bibliothèque nationale du Québec
National Library of Canada

May 2000