

By e-mail: [REDACTED]

February 14, 2017

[REDACTED]

RE: Access request – Financial statements provided by insurance companies

Our Ref: GDC05-06-01-2508

[REDACTED]

This is further to the access request you sent to the Corporate Secretariat of the *Autorité des marchés financiers* (the “AMF”) on February 10, 2017 regarding the above-mentioned matter.

In response to your request, we invite you to consult the latest *Annual Report on Financial Institutions*, an English excerpt of which is available on the AMF’s website at <http://www.lautorite.qc.ca/files/pdf/publications/autorite/rapports-annuels/autorite/excerpt-annual-report-financial-institutions-2015.pdf> (The complete version is available in French only at <http://www.lautorite.qc.ca/files/pdf/publications/autorite/rapports-annuels/autorite/amf-rapport-annuel-institutions-financieres-2015.pdf>).

This report contains all publicly available financial information regarding insurers governed by *An Act respecting insurance*, CQLR, c. A-32.

Any other financial information that we have on these insurers is confidential and cannot be communicated pursuant to section 16 of *An Act respecting the Autorité des marchés financiers*, CQLR, c. A-33.2, and section 16 of *An Act respecting insurance*, CQLR, c. A-32, which apply notwithstanding section 9 of *An Act respecting Access to documents held by public bodies and the Protection of personal information*, CQLR, c. A-2.1 (“Access Act”).

Under section 135 of the Access Act, you have the right to apply to the *Commission d’accès à l’information* for a review of this decision. Attached is information on how to exercise this right.

Yours truly,

Original signé

M^e Benoit Longtin
Assistant Corporate Secretary
Autorité des marchés financiers

Encl

Section 16 of An Act respecting the Autorité des marchés financiers (CQLR, c. A-33.2)

16. No person employed by the Authority or authorized by the Authority to exercise the powers to make an inspection or inquiry shall communicate or allow to be communicated to anyone information obtained under this Act or a regulation made by the Government, or allow the examination of a document filed under this Act or the regulation, unless the person is authorized to do so by the Authority. The same applies to any information or document relating to the application of guidelines and provided voluntarily to the Authority.

Notwithstanding sections 9, 23, 24 and 59 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), only a person generally or specially authorized by the Authority may have access to such information or such a document.

Section 16 of An Act respecting insurance (CQLR, c. A-32)

16. No person employed by the Government or the Authority or authorized by the Authority to exercise the powers conferred by sections 10 to 12 or to make an inquiry shall communicate or allow to be communicated to anyone information obtained under this Act, or allow the examination of a document filed under this Act, unless the person is authorized to do so by the Authority. The same applies to any information or document relating to the application of guidelines and provided voluntarily to the Authority.

Notwithstanding sections 9 and 59 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), only a person generally or specially authorized by the Authority may have access to such information or such a document.

No person shall be prosecuted on information he has given in good faith to the Authority in accordance with this Act.

NOTICE OF RECOURSE

(Pursuant to a decision rendered in accordance with the *Act respecting Access to documents held by public bodies and the Protection of personal information*)

REVIEW

a) Power

Article 135 of the Act stipulates that every person whose request has been denied in whole or in part by the person in charge of access to documents or of the protection of personal information may apply to the Commission d'accès à l'information for a review of the decision. An appeal may also be brought for a failure to respond within the applicable time limit.

The application for review must be made in writing; it may state briefly the reasons for which the decision should be reviewed (article 137).

The Commission d'accès à l'information may be reached at the following addresses:

QUEBEC

Bureau 1.10
575, rue Saint-Amable
Quebec (Quebec) G1R 2G4

Phone: (418) 528-7741
Fax: (418) 529-3102

MONTREAL

Bureau 18.200
500, boul. René-Lévesque Ouest
Montréal (Québec) H2Z 1W7

Phone: (514) 873-4196
Fax: (514) 844-6170

Toll-free number for both offices: 1 888 528-7741

b) Grounds

An application for review may be based on grounds pertaining to the decision, the time prescribed for processing the request, the mode of access to a document or information, the fees payable, or the application of Article 9 (personal notes written on a document, sketches, outlines, drafts, preliminary notes or other documents of the same nature which are not deemed to be documents held by a public body).

c) Time limit

The application for review must be made to the Commission d'accès à l'information within thirty (30) days of the date of the decision or of the time granted by the Act to the person in charge for processing a request (Article 135).

The Act specifically provides that the Commission d'accès à l'information may, for any serious reason, release the applicant from a failure to respect the thirty-day time limit (Article 135).

APPEAL TO THE COUR DU QUEBEC

a) Power

Article 147 of the Act stipulates that a person directly concerned may bring an appeal from a decision of the Commission d'accès à l'information before a judge of the Cour du Québec on any question of law or jurisdiction. However, an appeal from an interlocutory decision may only be brought with leave of a judge of the Cour du Québec. The judge shall grant leave if the interlocutory decision will not be remedied by the final decision.

b) Time limit

Under Article 149 of the Act, the motion for leave to appeal must be filed in the office of the Cour du Québec, within thirty (30) days of receipt of the decision of the Commission d'accès à l'information by the parties.

c) Procedure

Under Article 151 of the Act, the notice of appeal must be served on the parties and on the Commission within 10 days after its filing at the office of the Cour du Québec.