

May 17, 2024

Delivered via Email

Attention:

Michelle Conroy
Chair of Standing Committee on Economic Policy
Email: Michelle.Conroy@gnb.ca

Mr. Ernie Steeves
Minister of Finance and Treasury Board
Email: Ernie.Steeves@gnb.ca

Dear Chair Conroy and Minister Steeves:

RE: REGULATION OF FINANCIAL ADVISOR AND FINANCIAL PLANNER TITLES

The Investment Industry Association of Canada (IIAC) is the national association representing investment firms that provide products and services to Canadian investors. Our members manufacture and distribute a variety of securities and provide a diverse array of portfolio management and advisory services.

We appreciate that the Financial and Consumer Services Commission (FCNB) is currently considering comments to its [proposed rules](#) for applications, criteria and ongoing obligations of credentialing bodies, along with educational requirements for financial advisors and planners, pursuant to New Brunswick's *Financial Advisors and Financial Planners Title Protection Act*¹ (the "FAFPTP Act"). The FAFPTP Act received Royal Assent on June 16, 2023 and will come into force on a future date.

The IIAC fully supports the need to regulate unqualified individuals who hold themselves out as financial advisors or planners.

However, an exemption from the FAFPTP Act should be provided for individuals registered by the Canadian Investment Regulatory Organization (CIRO), the FCNB and the other members of the Canadian Securities Administrators (CSA) to provide investment advice.

We note that section 5(3) of FCNB's proposed rule, Rule TPA-001 *General*, provides an exemption from the credentialing body approval process, which may apply to CIRO. You are undoubtedly aware that on January 23, 2024, the Ontario Securities Commission (OSC), CIRO, and the Financial Services Regulatory Authority of Ontario (FSRA) announced FSRA's approval of CIRO as a credentialing body under Ontario's

¹ *Financial Advisors and Financial Planners Title Protection Act*, SNB 2023, c 3.

*Financial Professionals Title Protection Act, 2019*² (“Ontario FPTP Act”). While we acknowledge the efforts made to address FSRA’s authority over the Ontario FPTP Act and to minimize the impact of the Ontario framework on securities registrants, we encourage New Brunswick to take a more harmonized approach than the Ontario model.

The qualification of CIRO as a credentialing body is unnecessary administration without added benefit. Rather, an exemption from the FAFPTP Act should apply to all individuals registered with the CSA and CIRO. These licensed individuals possess the appropriate qualifications to call themselves financial advisors or planners. The CSA and CIRO have long ensured their qualifications through registration, continuing education, and rigorous oversight.

We would be pleased to discuss this further with you.

Respectfully submitted by,

INVESTMENT INDUSTRY ASSOCIATION OF CANADA

Laura Paglia

Per: Laura Paglia, President & Chief Executive Officer

² *Financial Professionals Title Protection Act, 2019*, S.O. 2019, c. 7, Sched. 25.