

## RECTIFICATION OF NON-COMPLIANCE REGARDING APPOINTMENT OF BOARD OF DIRECTORS

### Legislative Authorities

- sections 170 and 758 of *Bank Act*
- section 174 of *Trust and Loan Companies Act*
- sections 178 and 805 of *Insurance Companies Act*
- section 177 of *Cooperative Credit Associations Act*

### Information Requirements

- reasons for and circumstances of non-compliance with legislation
- date that non-compliance came to the attention of the company
- plan for rectifying non-compliance, including estimated time of executing the plan

### Administrative Guidance

An application under any of the legislative authorities:

- must be submitted for approval of the Superintendent by the RE within 45 days of discovery of the non-compliance and must be accompanied by the plan developed to rectify the non-compliance; it must be possible to execute the plan within a reasonable time
- should be prudent and reasonable considering the circumstances and, where possible, should include more than one alternative for rectifying the non-compliance