

Questions and Answers Relating to OSFI Service Charges

OSFI has prepared responses to a number of common questions that are likely to be raised regarding its service charges.

General Questions and Answers

Q1. When were the service charges implemented?

A1. The service charges are set out in regulations which came into effect on January 1, 1999. On April 28, 2006, the regulations were amended to reduce the number of service charges from 52 to 14. The remaining service charges include those charged to non-federally regulated institutions such as new entrants and foreign institutions, and those charged for rulings, interpretations, capital quality confirmations, and copies of corporate documents. A list of applicable service charges is available on OSFI's website under User Fees/Service Charges.

Q2. Do the service standards relating to the service charges that were repealed still apply?

A2. OSFI believes that service standards enhance its accountability and transparency. The service standards therefore continue to apply, regardless of whether there is an associated fee. The service standards are available on OSFI's website under User Fees/Service Charges.

Q3. How were the amounts of the service charges determined?

A3. Service charges were determined through an internal review program which assessed the time spent on common types of approvals or requests for authorization. OSFI regularly reviews the process to ensure that the service charges continue to be appropriate and equitable for all industry participants.

Q4. How are large or complex requests handled?

A4. Fees for large or complex requests will be handled on an individual basis and a separate contract may be established with the applicant.

Q5. How do I know if my proposal/request is subject to a service charge? If it is, how do I know what the correct fee should be?

A5. OSFI encourages institutions or other external parties to discuss the nature of any requests with a representative from its Legislation and Approvals Division prior to submitting the formal requests. A list of applicable service charges is outlined on OSFI's website under User Fees/Service Charges.

Q6. Where should an application/request be sent?

A6. Applications and requests for approvals should be directed to:

Legislation and Approvals Division, Office of the Superintendent of Financial Institutions, 15th Floor, Kent Square, 255 Albert Street, Ottawa, Ontario K1A 0H2

Q7. Should a copy of the application be provided to the Relationship Manager?

A7. The original application for approval or a request for information should be sent to the Legislation and Approvals Division. With the exception of requests for corporate documents, a copy of the application/request should be forwarded to OSFI's Relationship Manager for the institution.

Q8. At what point in the discussion/formal request process must a party provide a cheque to OSFI?

A8. Payment must be provided with the formal request for approval.

Q9. To whom should the cheque be made out for an application/request that is subject to a service charge?

A9. The cheque should be made out to: Receiver General for Canada

Q10. Does the applicable service charge include GST?

A10. Only certain items in Schedule 2 of the Regulations require GST in addition to the fee. GST is payable on items 1, 3, 4 and 10 of Schedule 2, as listed in the Consolidated Table.

Q11. Does an application/request that is subject to a service charge receive a higher priority status than other applications?

A11. No. Applications for approval will be treated in the same manner regardless of whether they are subject to a service charge. If an applicant or interested party wants information concerning the status of a request or regarding how long the request will take to process, they should discuss the situation with the Legislation and Approvals Division.

Q12. Are service charges refundable if the party subsequently withdraws its request or if approval is not granted?

A12. The normal practice at OSFI is not to refund fees once the review process has commenced, even if the application is subsequently withdrawn or turned down. OSFI encourages all parties to discuss the nature of their requests for approval

with a representative of its Legislation and Approvals Division prior to submitting them to find out if the request meets the general guidelines of the legislation.

Q13. How does a party making a request know if OSFI has received the application?

A13. Receipt of applications and applicable fees will be confirmed in writing by OSFI within 15 days. Should applicants want earlier confirmation, they should contact the Legislation and Approvals Division.

Q14. In respect of the fees charged for corporate documents, how does the applicant determine the fee for multiple documents for the same institution? What is the fee, where the same type of document is requested for multiple institutions?

A14. Here are three illustrative examples:

- a. If a party were to request five certificates of confirmation for only one institution in a single request, the fee would be \$160 plus GST.
- b. If a party were to request five certificates of confirmation for three institutions, in one request letter, the fee would be \$480 (\$160 per institution) plus GST; and
- c. If a party were to request a certificate of confirmation, a certified copy of letters patent and a corporate history for one institution in a single request, the fee would be \$480 (\$160 for each request for the one institution) plus GST.