

CANADIAN BULLETIN

REF: AD-16-017

DATE 2016-07-25

RECIPIENT Stakeholders writing business in New Brunswick

SUBJECT **Bill 45, *An Act Respecting the Enforcement of Financial and Consumer Services Legislation***

<i>Purpose:</i>	To inform stakeholders of Bill 45 which harmonizes compliance, investigation and enforcement provisions for eight New Brunswick Acts including an increase of penalties in the <i>Insurance Act</i> .
<i>Affects:</i>	Stakeholders writing business in New Brunswick
<i>Line of Business:</i>	All
<i>Jurisdiction :</i>	New Brunswick
<i>Effective:</i>	In force

What you need to know

Bill 45, *An Act Respecting the Enforcement of Financial and Consumer Services Legislation* received Royal Assent on July 8, 2016. This Bill harmonizes compliance, investigation and enforcement provisions across the following eight New Brunswick Acts: *Collection Agencies Act*, *Co-operative Associations Act*, *Credit Unions Act*, *Direct Sellers Act*, *Insurance Act*, *Pension Benefits Act*, *Pre-arrange Funeral Services Act*, and *Real Estate Agents Act*.

What's changed

The new legislation may be viewed [here](#). Some key changes from the *Insurance Act* relating to penalties are:

- Increase in Quasi-Criminal offences (section 386(1)), including but not limited to, making misleading/untrue statements; contravention in producing required documentation and failure to comply with the Act:
 - Individuals: not more than \$100,000 on first offence
 - Corporations: not more than \$250,000 on first offence
- Administrative Penalties (section 393(1)), including but not limited to, disciplinary actions and failure to comply with the Act:
 - Individuals: not more than \$100,000 on first violation
 - Corporations: not more than \$500,000 on first violation

What this means to you

Lloyd's stakeholders are reminded to take note of the increased penalties.

For further information, please contact info@lloyds.ca.

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