



Mutual Fund Dealers Association of Canada
Association canadienne des courtiers de fonds mutuels

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MFDA Bulletin

Policy

For Distribution to Relevant Parties within your Firm

Amendments to MFDA By-law No. 1 – Section 19.9 (Hearing Panels)

The MFDA Board of Directors and the recognizing securities commissions have approved amendments to MFDA By-law No.1. Members confirmed the amendments at the Annual General and Special Meeting of MFDA Members on December 1, 2006. The amended By-law, attached as Schedule “A”, is effective immediately.

Section 19.9 of MFDA By-law No. 1 currently requires that a hearing panel must always consist of three members of the Regional Council: one public representative who must be the Chair of the hearing panel and two industry representatives who may be either elected or appointed members of the Regional Council but shall not include ex-officio members of the Council.

The amendments to s. 19.9 allow for a hearing panel to continue as a two-member panel should an industry appointed hearing panel member be unable to continue to participate in the hearing. The hearing may continue with a two member panel only where the Chair of the hearing panel is able to continue to participate and decides it is appropriate to do so.

SCHEDULE "A"

19.9 Hearing Panels

The authority of a Regional Council under Sections [20 and](#) 24 shall be exercised on its behalf by a Hearing Panel appointed from the members of the Regional Council. Hearing Panels shall be composed of:

[\(a\)](#) -three members of the Regional Council: one public representative, who will be the Chair of the Hearing Panel, and two industry representatives who may be either elected or appointed members of the Regional Council, but shall not include ex-officio members of the Council; [or](#)

[\(b\) two members of the Regional Council: one public representative who will be the Chair of the Hearing Panel and one industry representative in the event that an industry representative in \(a\) above is unable to continue to serve on a Hearing Panel. The Chair of the Hearing Panel shall decide whether or not to proceed with a two-member Hearing Panel.](#)

Appointments of members to a Hearing Panel shall be made in accordance with the rules of procedures prescribed pursuant to Section 19.12.