

Guidelines for Canadian Investor Protection Fund (“CIPF”) Appeal Committees Hearing Appeals in Writing and By Teleconference

Dated February 1, 2015

A. GENERAL

1. This document is an addendum to the non-binding guidelines for Appeal Committees hearing in-person appeals (the “Guidelines”).
2. Unless defined herein, all defined terms bear the meaning set out in the Guidelines.

B. APPEALS HEARD BY TELECONFERENCE

3. The customer may request to have their appeal heard by teleconference.
4. If the request for a hearing by teleconference is made prior to the scheduling of an in-person appeal, permission of the Appeal Committee is not required to have an appeal heard by teleconference.
5. The Appeal Committee will not hold a hearing by teleconference if CIPF staff satisfies the Appeal Committee that there is a good reason for not doing so.
6. The customer must provide to CIPF any contact information or other information necessary for the hearing by teleconference.
7. The customer must ensure that he or she, as well as any representative participating in the appeal, is available at the scheduled time of the appeal.
8. In a hearing by teleconference, all the participants and the members of the Appeal Committee must be able to hear one another and any witnesses throughout the hearing.
9. The Appeal Committee may, at its own discretion, restrict oral evidence from being given at the hearing in the interests of fairness.
10. The provisions of the Guidelines are to otherwise apply, with any necessary modifications, to hearings by teleconference.

C. APPEALS HEARD IN WRITING

11. The customer may request to have their appeal heard in writing.



12. If the request for an appeal in writing is made prior to the scheduling of an in-person appeal or appeal heard by teleconference, permission of the Appeal Committee is not required to have an appeal heard in writing.
13. The Appeal Committee will not hold a hearing in writing if CIPF staff satisfies the Appeal Committee that there is a good reason for not doing so.
14. An administrative coordinator, under the supervision of the Coverage Committee Chair, will provide the participants and the Appeal Committee in advance with a written submissions schedule, which includes the date upon which each participant's submissions (including any relevant evidence) are due and the address for delivery of the submissions (the "Written Submissions Schedule").
15. The Written Submissions Schedule will generally require submissions in the following order:
 - a. Claimant's (Appellant) submissions
 - b. CIPF's (Respondent) submissions
 - c. Claimant's (Appellant) reply, if any
16. Each Participant is entitled to receive every document that the Appeal Committee receives in the appeal proceeding.
17. After the close of the Written Submissions Schedule, the Appeal Committee may write to the participants with any questions with respect to the submissions or positions taken by any participant.
18. If the Appeal Committee requests any additional evidence or submissions in respect of an issue, all participants will have an opportunity to submit further written submissions on that issue.
19. The provisions of the Guidelines are to otherwise apply, with any necessary modifications, to hearings in writing.