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October 6, 2009

Chairman
The Hon. K. von Finckenstein, Q.C.
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario K1A 0N2

Subject: Telecom Information Bulletin CRTC 2009-282

Dear Sir:

Advocis, The Financial Advisors Association of Canada, would like to provide you with its comments on Telecom Information Bulletin CRTC 2009-282.

Advocis, The Financial Advisors Association of Canada, is a national, voluntary association of financial advisors and planners, representing the interests and views of life and health insurance licensees, mutual fund salespersons and securities registrants. Advocis is the country's largest and oldest voluntary professional membership association of financial advisors and planners in Canada. Our association was founded in 1906 as the Life Underwriters Association of Canada.

Advocis, on behalf of its members, has a keen interest in the establishment of the National Do Not Call List (National DNCL) and has participated in all stages of the consultation process.

Advocis supports the objectives of the CRTC's DNCL, which is to protect the privacy of persons and prevent undue inconvenience and the nuisance associated with unsolicited telecommunications while still allowing legitimate uses of telemarketing communications.

Advocis would like to comment on Telecom Information Bulletin CRTC 2009-282. We submit that this Bulletin should be revised to permit financial advisors who offer insurance products to call existing clients without it constituting a telemarketing call.

We strongly believe that financial advisors who offer life and health insurance products (including life insurance, disability insurance and segregated funds) should be treated no differently than financial advisors who offer mutual funds, securities or other financial services products.

Telecom Circular CRTC 2008-3 issued December 16, 2008, at paragraph 5, expressly is said not to apply to those financial advisors who offer insurance. The Circular also provides (at paragraph 11) that a telecommunication from an advisor in the securities industry to an existing client does not constitute telemarketing within the meaning of the *Unsolicited Telecommunications Rules* and the *Unsolicited Telecommunications Rules* do not apply to such

calls. Telecom Information Bulletin CRTC 2009-282 does not provide similar treatment to those advisors who offer insurance.

We strongly believe that the financial advisor who offers insurance should be treated no differently from the financial advisor who offers mutual funds or other securities-related products. Many of our members are dual licensed to offer both life and health insurance and mutual funds and other securities. It makes little sense, in such cases, to have the application of the Rules dependent on whether they are governed by a Securities Commission and selling a securities-related product or governed by an Insurance Council (or, as in the case of Ontario, the Financial Services Commission of Ontario) and selling an insurance-related product. The rules should be consistent.

Accordingly, we strongly urge the Commission to revise Telecom Information Bulletin CRTC 2009-282 so that financial advisors who offer insurance products can call existing clients without being subject to the *Unsolicited Telecommunications Rules*.

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'G' followed by a long horizontal line that ends in a small arrowhead pointing to the right.

Greg Pollock
President and Chief Executive Officer