



September 9, 2019

**BY EMAIL**

Dean Murrison, Director, Securities Division  
Financial and Consumer Affairs Authority of Saskatchewan  
601, 1919 Saskatchewan Drive  
Regina, SK S4P 4H2  
[finplannerconsult@gov.sk.ca](mailto:finplannerconsult@gov.sk.ca)

Dear Sirs/Mesdames:

**Re: Financial Planner Consultation (the “Consultation”)**

The Canadian Advocacy Council of CFA Societies Canada<sup>1</sup> (the CAC) appreciates the opportunity to provide the following comments on the Consultation. We understand that you are reviewing the regulation of financial planners and advisors in the province, including the use of titles.

We are strongly supportive of the public policy objective that the provision of all types of financial advice in Saskatchewan be regulated, as well as supportive of related initiatives to establish limits on the use of titles to reduce potential for consumer confusion. However, title protection in isolation is not sufficient policy action to accomplish this objective. We believe it is equally important to ensure that any such initiative includes clear minimum standards for professionals that hold themselves out as financial planners and advisors, and be integrated to the greatest degree possible with existing financial regulatory structures. In addition, we encourage collaborative cooperation among the regulatory bodies to ensure transparency and to clarify to consumers how different financial professionals may describe themselves and their services.

The *Financial Professionals Title Protection Act, 2019* has received Royal Assent in Ontario (the “**Ontario Act**”). The Ontario Act, once in force, will prohibit any person from using the title of “financial planner” or “financial advisor” unless the person has an approved credential from a credentialing body approved by the Financial Services Regulatory Authority of Ontario (“**FSRA**”). The Ontario Act provides FSRA with the power to make rules setting out the criteria for credentialing bodies, including the

---

<sup>1</sup> The CAC is an advocacy council for CFA Societies Canada, representing the 12 CFA Institute Member Societies across Canada and over 18,000 Canadian CFA charterholders. The council includes investment professionals across Canada who review regulatory, legislative, and standard setting developments affecting investors, investment professionals, and the capital markets in Canada. Visit [www.cfacanada.org](http://www.cfacanada.org) to access the advocacy work of the CAC. CFA Institute is the global association of investment professionals that sets the standard for professional excellence and credentials. The organization is a champion of ethical behavior in investment markets and a respected source of knowledge in the global financial community. Our aim is to create an environment where investors’ interests come first, markets function at their best, and economies grow. There are more than 165,000 CFA charterholders worldwide in 164 markets. CFA Institute has nine offices worldwide and there are 156 local member societies. For more information, visit [www.cfainstitute.org](http://www.cfainstitute.org).

disciplinary process the body must have for persons holding credentials they have issued, and also gives FSRA powers to set rules regarding the criteria for credentials. Such criteria may include educational requirements, exam requirements, a code of ethics and continuing educational requirements.

As the Ontario Act is not yet in force and there has been no published proposed regulations or guidance, we do not yet have a comment on whether Saskatchewan should follow a similar approach to Ontario.

We are of the view that the details of the criteria should be considered carefully and will be the crux of any new regime governing the provision of financial advice. Any regulation of financial planners and advisors must include an educational component that includes rigorous exam requirements and relevant work experience to ensure a high level of proficiency. Any acceptable certification should also include adherence to a code of ethics and standards of conduct that places client interests ahead of the planner or advisor, to help safeguard investors. The availability of robust continuing education courses, such as those made available by CFA Institute would be an asset. In addition, we believe it is important that a standard be imposed that any conflict or potential conflict of interest always be resolved with the interests of the client placed ahead of those of the advisor. Regulators should also apply the same oversight and disciplinary proceedings to financial planners and advisors as is currently applicable to other registrants, and integrate expectations and procedures to existing disciplinary and conduct regimes to the greatest degree possible.

In addition to regulating the use of titles and the criteria for recognition as a financial planner or financial advisor, we believe it is important to also educate investors with respect to the qualifications and experience required for various designations as an investor protection measure. Consultations such as this highlight that the nature of the provision and regulation of financial services and advice in Canada is complex. There are a large number of designations available to individuals, some of which overlap, and with varying degrees of credibility. To ease confusion for investors it would be helpful if the regulatory framework could simplify expectations consumers can have met relating to the credentials and titles used by their financial advice providers.

We would continue to encourage you to cooperate with the financial sector regulators in other provinces and territories, and self-regulatory organizations, to ensure that any measures taken will have universal application across the country and reduce the potential for regulatory arbitrage or further confusion in industry or the general public. We believe financial planners and advisors can be overseen by existing regulatory bodies, such as in Québec where financial planners are overseen by the AMF as an integrated regulator. Existing securities or other financial regulators are best positioned to develop and implement a regulatory framework for financial planning and non-securities advice, particularly where such work is ancillary or incidental to existing registerable activity where professionals are managing the wealth of Canadians across the financial advice spectrum.

## **Concluding Remarks**

We thank you for the opportunity to provide these comments. We would be happy to address any questions you may have and appreciate the time you are taking to consider our points of view. Please feel free to contact us at [cac@cfacanada.org](mailto:cac@cfacanada.org) on this or any other issue in future.

(Signed) *The Canadian Advocacy Council of  
CFA Societies Canada*

**The Canadian Advocacy Council of  
CFA Societies Canada**