







**RULES OF PRACTICE AND PROCEDURE**  
**FOR**  
**PROCEEDINGS BEFORE**  
**THE FINANCIAL SERVICES TRIBUNAL**

These Rules are made under the authority of the *Statutory Powers Procedure Act* and the *Financial Services Commission of Ontario Act, 1997*.

<b>PART I</b> <b>GENERAL</b>
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**1. Application and Interpretation of Rules**

- 1.01 These Rules apply to all proceedings before the Financial Services Tribunal, subject to any Practice Direction issued under Rule 2.04 or Rule 47.01, including the Practice Direction regarding Financial Hardship Proceedings.
- 1.02 Subject to the requirements of the *Financial Services Commission of Ontario Act, 1997*, and the *Statutory Powers Procedure Act*, the Tribunal may amend these Rules from time to time if it considers that such amendment is appropriate.
- 1.03 These Rules shall be broadly interpreted to produce the quickest, most just and least expensive determination of the issues before the Tribunal.

**2. General Authority of the Tribunal**

- 2.01 Where procedures are not provided for in these Rules, the Tribunal may do whatever is necessary and permitted by law to effectively determine the matter before it, including making a procedural order under Rule 13.
- 2.02 The Tribunal may exercise any of its powers under these Rules on its own initiative or at the request of a party.
- 2.03 A defect in form or other technical breach in a proceeding or in any step, document or order in a proceeding will not make the proceeding or the step, document or order in the proceeding invalid.

August 1, 2004





**5. Extending or Abridging Time**

- 5.01 The Tribunal may, before or after the expiration of a prescribed time period and on such conditions as it considers just, extend or abridge the time prescribed for the performance of anything required under the Rules.
- 5.02 Where a party cannot meet a time limit prescribed by the Rules or proposes the abridgement of such a time limit, the party shall promptly file a request for an extension or abridgement of time, including the reason why it is necessary, the specific relief sought and an indication of whether the other parties consent or oppose the request.

**6. French Language Services**

- 6.01 A person has the right to communicate with the Registrar's office and at hearings in French as provided in the *French Language Services Act*.
- 6.02 If a person intends to communicate in French as a party in a proceeding, the person shall indicate this intention in the Notice of Hearing, the Notice of Appeal, the Application for Party Status, or in a letter filed with the Registrar as early as is practicable.

**7. Notice of Constitutional Question**

- 7.01 A party who intends to raise a question as to the constitutional validity or constitutional applicability of the Act, of a statute of the Parliament of Canada or of the Ontario Legislature, of a regulation or by-law made under the Act or statute, of a rule of common law, or to assert a remedy under subsection 24(1) of the *Canadian Charter of Rights and Freedoms*, shall file and serve notice of a constitutional question on the Attorney General of Canada and the Attorney General of Ontario and the other parties to the proceeding at least 15 days before the day on which the question is to be heard by the Tribunal.
- 7.02 The notice referred to in Rule 7.01 must clearly set out the basis for raising the question or asserting the remedy and any evidence that the party intends to rely upon must be attached to the notice.

<b>PART II</b> <b>FILING AND SERVICE OF DOCUMENTS</b>
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**8. Filing Documents**

- 8.01 Filing means the effective delivery of a document to the Registrar and its receipt by the Registrar.















































