



June 21, 2021

Via the FSRA website:

Dear Sirs/Mesdames,

Re: Proposed Rule [2020-001] – Financial Professional Title Protection (“FPTP Rule”)

This comment letter is being submitted by RBC Dominion Securities Inc. and RBC Phillips, Hager & North Investment Counsel Inc. (on behalf of RBC Wealth Management), Phillips, Hager & North Investment Funds Ltd., Royal Mutual Funds Inc. and RBC InvestEase Inc. (collectively, “RBC” or “we”). We are writing in response to the Financial Services Regulatory Authority of Ontario’s (“FSRA”) Second Consultation Report [ID: 2021-003] – Financial professionals title protection rule and guidance second consultation (the “Consultation Paper”) published on May 11, 2021.

RBC appreciates the opportunity to comment on the Consultation Paper, and commends the initiative of the FSRA to promote clarity and standardization for the provision and supervision of financial planning and advice in Ontario’s financial services industries.

RBC is fully supportive of the Investment Industry Association of Canada’s (IIAC) comment letter submission in response to the Consultation Paper.

As is noted by the FSRA in the Consultation Paper, RBC recognizes that there are individuals who may hold themselves out as financial planners or financial advisors without the necessary proficiency requirements and appropriate oversight, and we welcome a framework to regulate these titles; however, we continue to express concern with some elements of the proposal. In particular, we offer below recommendations on two key aspects of the proposal, similar titles and oversight.

RBC appreciates the list of titles FSRA has provided that would not reasonably be confused with Financial Planner (FP) and Financial Advisor (FA), such as Wealth Manager and Investment Counsellor. In addition to the examples provided we firmly believe that the following titles should be included in Appendix I under *Examples of titles that likely would not reasonably be confused with FP and FA* for additional clarity:

- “Investment Advisor”
- “Securities Advisor”
- “Portfolio Advisor”
- “Wealth Advisor”
- “Investment Funds Advisor”

These titles are widely used in the securities industry and thus if included, would result in a more complete and instructive list for industry participants. Furthermore, providing a determinative list of titles, rather than relying on complaints-based decisions regarding individual titles, will reduce uncertainty for firms and minimize future costs should a title currently in use be deemed too similar to FP or FA.

RBC notes that the proposed supervisory approach states: “in the administration of the title protection framework, FSRA is not overseeing the conduct or activities of individual title users. Approved credentialing bodies are responsible for overseeing the conduct of their credential holders.” We strongly urge FSRA to recognize that Investment Industry Regulatory Organization of Canada (“IIROC”) and Mutual Fund Dealers Association (“MFDA”) regulated dealers, as well as other securities registrants including provincially regulated portfolio managers are

already governed in proficiency and conduct matters by their respective regulators.¹ As a result, they should be exempted from the FSRA proposal and should not be subject to duplicative oversight and unnecessary regulatory burden.

The responsibilities that FSRA has assigned to the credentialing bodies; for example, complaints adjudication and a disciplinary process, are already undertaken by securities regulators. It is not clear how the two regimes will interact and how client confusion will be mitigated. We submit that in the event an exemption is not provided, FSRA and approved credentialing bodies should show deference to the existing oversight frameworks of IIROC, MFDA and provincial securities regulators.

Finally, we look forward further to future consultation in respect of fees, and respectfully request consideration that fees for those subject to existing SRO and securities regulatory oversight be of a minimal or reduced nature.

We appreciate the opportunity to provide comments and welcome the opportunity to discuss the foregoing with you in further detail in the near future. If you have any questions or require further information, please do not hesitate to contact the undersigned.

Sincerely,

“Nick Cardinale”

Nick Cardinale
Chief Compliance Officer
RBC Dominion Securities Inc.

“Yvonne Chang”

Yvonne Chang
Chief Compliance Officer
RBC InvestEase Inc.

“Gary Lutke”

Gary Lutke
Chief Compliance Officer
Phillips, Hager & North Investment Funds Ltd.

“Martha Rafuse”

Martha Rafuse
Chief Compliance Officer
Royal Mutual Funds Inc.

“Angela Salmon”

Angela Salmon
Chief Compliance Officer
RBC Phillips, Hager & North Investment Counsel Inc.

¹ See examples: MFDA Rules 1.2.2, 1.2.3, 1.2.5, IIROC Rule 38, IIROC Rule 2900, IIROC Notice 14-0073 - Rules Notice - Guidance Note - Use of Business Titles and Financial Designations, National Instrument 31-103 Registration Requirements, Exemptions and Ongoing Registrant Obligations: Part 3 Registration Requirements – Individual, new Client Focused Reforms rule 13.18 Misleading Communications