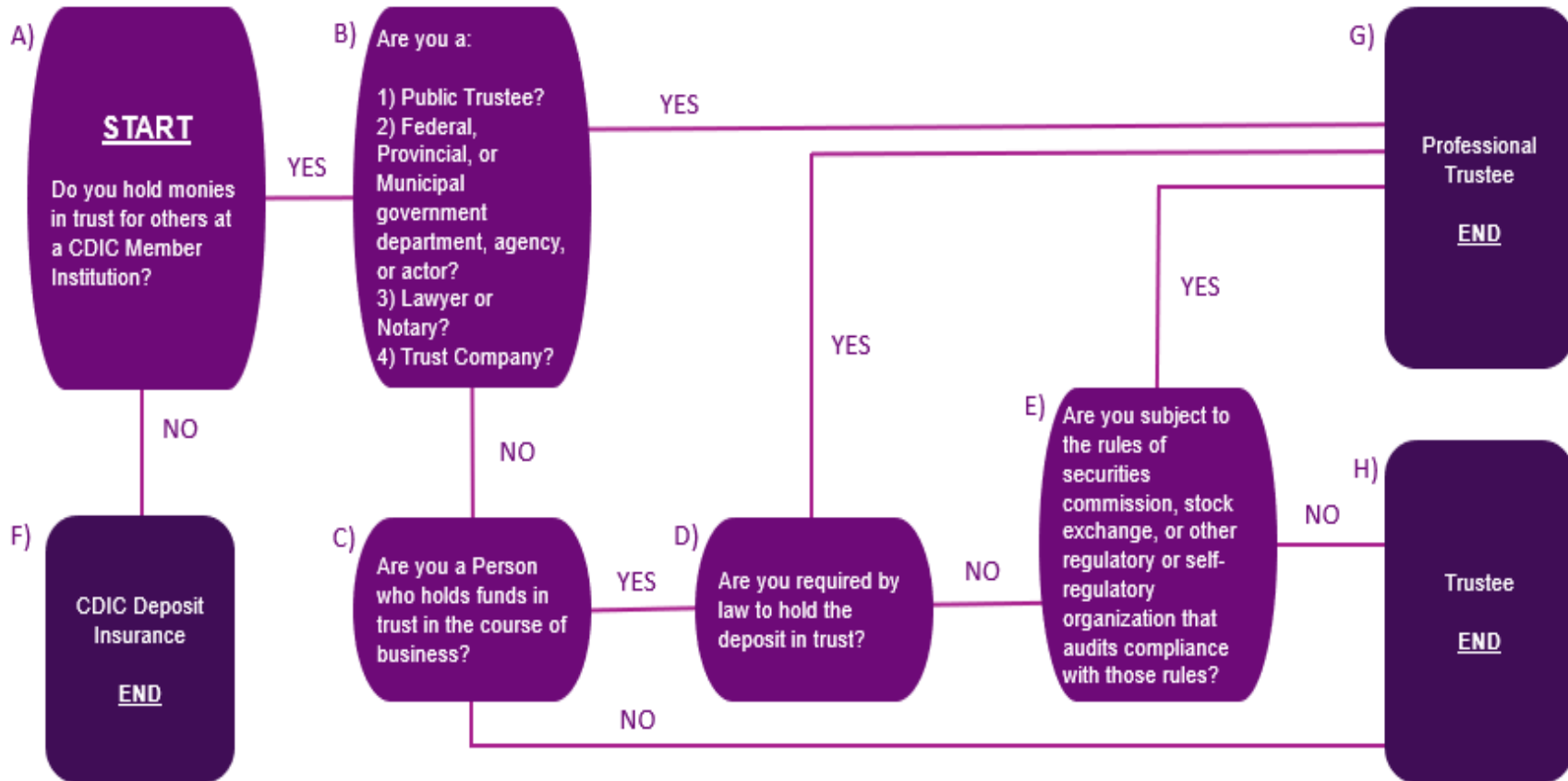


## Trustee Decision Tree – Infographic



## Trustee Decision Tree - Guidance

- A)** “Do you hold monies in trust for others at a CDIC Member Institution?”
- a. CDIC Member Institution
- B)** Are you a: 1) Public Trustee; 2) Federal, Provincial, or Municipal government, department or agency; 3) Lawyer, or Notary; 4) Trust Company?
- a. **Public Trustee:** A public trustee of a province or a similar public official whose duties involve holding moneys in trust for others qualifies as a Professional Trustee.
  - b. **Federal Provincial, or Municipal government, department or agency:** A federal, provincial or municipal government, or a department or agency of such a government qualifies as a Professional Trustee.
  - c. **Lawyer, or Notary:** A lawyer or partnership of lawyers, a law corporation, or a notary or partnership of notaries in the province of Quebec, when they act in that capacity as a trustee of moneys for others qualifies as a Professional Trustees.
  - d. **Trust Company:** A regulated federal or provincial trust company acting in the capacity of a depositor qualifies as a Professional Trustee.
- C)** Are you a Person who holds funds in trust in the course of business?
- a. **Person:** A Person includes an individual, an entity (such as a partnership, association, or corporation) or personal representative.
  - b. **In the Course of Business:** “in the course of business” includes the activities of a Person in their professional capacity. Where the Person is not an individual, this means all normal business activities.
- D)** “Are you required by law to hold the deposit in trust?”
- a. **Required by Law:** A person is “required by law” where by, or under, legislation, regulation, or any other legal enactment a Person is required to hold funds in trust for another or a trustee relationship is created where the Person must act as a trustee for another.
- E)** “Are you subject to the rules of securities commission, stock exchange, or other regulatory or self-regulatory organization that audits compliance with those rules?”
- a. **Rules:** Rules may be found in the form of regulations, bylaws, professional requirements, or any other binding rule that governs the, operation, license, and/or conduct of a person. The rules as set out by the Regulatory or Self-Regulatory Organization do not have to make specific provision for the creation of a trustee relationship, or how and why the money held in trust is deposited or otherwise kept.
  - b. **Other Regulatory or Self-Regulatory Organization:** Regulatory and self-regulatory organizations are those organizations created by, or under, statute with the power to make binding rules or regulations with respect to securities law, or those organizations that have delegated authority to regulate the conduct of their members and/or other securities market participants. Regulatory and self-regulatory organizations must have a mandate to regulate the operation, license and/or conduct of the Person.

- c. **Audits Compliance:** An “Audit” includes any examination, investigation, or other review of the conduct or affairs of the Person. The audit must be conducted by, on behalf of, the Regulatory or Self-regulatory organization. The audit must, at least in part, concern compliance with the rules of the Regulatory or Self-Regulatory organization to which the Person is subject. The Audit may be conducted at set times or may be conducted at the discretion of the Regulatory or Self-Regulatory organization.

**F) “CDIC Deposit Insurance”:**

**CDIC Deposit Insurance**

CDIC insures eligible deposits held at CDIC Member Institutions. CDIC insures eligible deposits to a maximum of \$100,000 per insurance category, one of which is deposits held in trust.

For more information on eligible deposits and how CDIC protects your deposits, visit [“How deposit insurance works”](#).

**G) “Professional Trustee”:**

**Professional Trustee**

The answers provided indicate you may qualify under the CDIC Act as a Professional Trustee.

As of April 30<sup>th</sup> 2022, Professional Trustees who hold deposits in trust at CDIC Member Institutions may opt into the Professional Trustee Disclosure Rules.

For more information on the Professional Trustee Rules and Disclosure Requirements visit [“For Professional Trustees”](#) and refer to [“What you need to know – Professional Trustees”](#).

**H) “Trustee”:**

**Trustee**

The answers provided indicate you do not qualify as a Professional trustee. CDIC continues to insure eligible deposits held in trust at CDIC Member Institutions up to \$100,000 per beneficiary.

Trustees who hold deposits in trust at CDIC Member Institutions must meet certain disclosure requirements to ensure they receive appropriate deposit insurance coverage.

For more information on Trustee disclosure rules and the obligations of trustee depositors visit [“For Trustees”](#) and refer to [“What you need to know – Trustees”](#).