

# Regulatory Statement

## Filing Requirements for B.C. Incorporated Trust Companies

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<b>Regulatory Statement Number</b>	21-014
<b>Legislation:</b>	(Replaces Information Bulletin TR-20-001)
<b>Related Forms:</b>	<i>Financial Institutions Act</i> <i>Financial Institutions Fees Regulation</i> <i>Business Corporations Act</i>
<b>Date:</b>	September 1, 2021
<b>Distribution:</b>	All British Columbia Incorporated Trust Companies

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### PURPOSE

The purpose of this Regulatory Statement is to provide British Columbia incorporated trust companies with the latest filing requirements from BC Financial Services Authority (“BCFSA”).

This communication outlines the monthly, quarterly, annual, and other statutory filing requirements for companies and the appropriate deadlines.

### FILING REQUIREMENTS

Please refer to Appendix 1 for the filings required from trust companies.

### ELECTRONIC FILING

Unless otherwise stated, all filings must be filed in PDF or Excel format as appropriate through BCFSA’s Integrated Regulatory Information System (“IRIS”) portal.

### ANNUAL FEES

Annual fees must be received by BCFSA within 90 days after fiscal year end. Please access the IRIS portal to calculate the annual fees. For more information on annual fees calculation and payment methods, refer to the [Annual Fee Schedule for B.C. Incorporated Trust Companies](#).

### BC REGISTRY REQUIREMENTS

Please note that in addition to filing with this office, *Business Corporations Act* Section 375(1) requires all provincially authorized companies to be registered with the Corporate Registry office. Details regarding the filings required by the Corporate Registry can be found at [BC Registry Services](#).

Failure to comply with the filing requirements of the Corporate Registry may result in the cancellation of your provincial registration with that office.

### ADDITIONAL INFORMATION

Please note that some filing requirements are subject to the [Administrative Penalties Regulation](#). It is the responsibility of the financial institution to be fully aware of its regulatory obligations, including its filing requirements, and to comply with them.

Classification: **Public**

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If there are any questions about this regulatory statement, please contact BCFSA at [filings@bcfsa.ca](mailto:filings@bcfsa.ca).

## APPENDIX 1

### Filing Requirements for B.C. Incorporated Trust Companies

Filing Requirements	Legislative Reference	Due Date	Format Required
<b>Monthly</b>			
Regulations Reporting ( <a href="#">Regulations Reporting Form</a> )	Criminal Code S. 83.11 and <i>Justice for Victims of Corrupt Foreign Officials Act s7</i>	By 15 <sup>th</sup> of Each Month	PDF
<b>Quarterly</b>			
BC Trust Quarterly Financial and Capital Return	FIA <sup>1</sup> s127(3)(a)	Within 30 Days of Quarter End	Excel
<b>Annual</b>			
BC Trust Annual Financial and Capital Return	FIA s127(1)	Within 90 Days of Fiscal Year-End	Excel
Audited Financial Statements (consolidated and/or Non-Consolidated incl. Auditor's Report)	FIA s127(1)(b) & (c)	Within 90 Days of Fiscal Year-End	PDF
Financial Statements for each Subsidiary (incl. any Auditor's Report)	FIA s127(1)(b)	Within 90 Days of Fiscal Year-End	PDF
Director's Resolution Approving the Year-End Annual Filings	FIA s127(1)(d)	Within 90 Days of Fiscal Year-End	PDF
Annual Report (if published)	FIA s127(3)(c)	Within 150 Days of Fiscal Year-End	PDF
Corporate Information Form ( <a href="#">Corporate Information Form</a> )	FIA s127(3)(c)	Within 90 Days of Fiscal Year-End	Fillable PDF
List of shareholder and entity owning 10% or more of any class of shares (incl. names and percentage of ownership)	FIA s127(3)(d)	Within 90 Days of Fiscal Year-End	PDF

<sup>1</sup> *Financial Institutions Act*

Filing Requirements	Legislative Reference	Due Date	Format Required
If a financial institution is a subsidiary, and the parent is a corporation, the audited financial statements with the auditor's report for that financial year for the parent corporation	FIA s127(1)(e)	Within 90 Days of Fiscal Year-End	PDF
Most Recent Business or Strategic Plan and Annual Budget	FIA s127(3)(a) & (c)	Within 90 Days of Fiscal Year-End	PDF
List of Directors and Senior Officers	FIA s127(3)(d)	Within 90 Days of Fiscal Year-End	PDF
<b>Other</b>			
Notice of Annual and Special General Meeting (incl. materials provided to shareholders)	FIA s127(3)(d)	Minimum 18 Days Prior to the Meeting	PDF
Board and Committee Meeting Package (incl. minutes, on-table items and materials provided to directors) <sup>2</sup>	FIA s127(3)(d)	Promptly After the Mailing	PDF
Investment and Lending Policy ("ILP") and Director's Resolution Approving the ILP and/or Amended ILP	FIA s127(2)(c) and s136(6)	Within 5 Days from Approval of Amendment	PDF
Personal Information Return ("PIR") ( <a href="#">PIR Form</a> ) for Directors, Senior Officers, Subscribers, and Shareholders <sup>3</sup>	FIA s13(2)(e), s22(2)(c) and s105	Before Commencing Duties	Fillable PDF
<ul style="list-style-type: none"> <li>• Most recent resume for PIR</li> </ul>		Before Commencing Duties	PDF
<ul style="list-style-type: none"> <li>• Criminal Record Check for PIR</li> </ul>		When it Becomes Available	PDF
<ul style="list-style-type: none"> <li>• Bankruptcy and Insolvency Check for PIR</li> </ul>		When it Becomes Available	PDF
Written Notice to the Superintendent of the Resignation, Removal, Election or Appointment of a Director or Senior Officer	FIA s99(4)	Immediately After the Effective Date	PDF

<sup>2</sup> Where BCFSA has access to the information through a service provider website, submission of the board material in PDF via the IRIS Portal is not required.

<sup>3</sup> For filing, please follow the instructions on the linked PIR form.

Filing Requirements	Legislative Reference	Due Date	Format Required
Written Statement from Director Outlining the Reasons for Resignation	FIA s109(1)	Immediately After Receiving the Statement	PDF
Written Notice to the Superintendent of the Appointment, Removal or Resignation of an Auditor	FIA s117(1)	Promptly After	PDF
Written Statement Outlining the Reasons for the Auditor's Resignation	FIA s119(2)	Promptly After	PDF
Amended Financial Statements	FIA s121(a)	Promptly After	PDF
Statement concerning Financial Affairs that is filed with or delivered to the British Columbia Securities Commission or a similar authority outside British Columbia	FIA s127(2)(a)	Within 5 Days of Filing a Statement	PDF
Certificate on Subordinated Note	FIA s87(1)	Immediately Prior to Issuing the Subordinated Note	PDF