



Mark Right
Director, Communications and Stakeholder Relations
401 Bay St., Suite 1505
Toronto, ON, M5H 2Y4
Sent via email:publicaffairs@obsi.ca

May 31, 2018

Dear Sir/Madam:

RE: OBSI Terms of Reference Renewal Project

On behalf of Sun Life Financial Investments Services (Canada) Inc., we appreciate the opportunity to comment on the proposed changes to OBSI's Terms of Reference. We would like to highlight the following areas of concern for your consideration.

Section 2.1 Definitions - Complaint

The proposed revision to the Complaints definition includes "issues identified by OBSI in the course of its investigation whether such issues are raised by the Complainant or not." We do not agree that this reference should be included in the definition of a complaint and included in the OBSI's investigation in order for OBSI to remain independent in the process.

Section 6.5 OBSI to determine whether Complaints fall within mandate

The word "exclusively" is added to this section, specifically "All questions whether a Complaint falls within OBSI's mandate will be determined exclusively by OBSI." It would appear that this change creates broad discretion.

Section 12.2 providing relevant documents, records, and things in a timely manner

We are concerned about the revisions to section 12.2. Specifically, the inclusion of requirements to provide access to any original documents which were submitted and redacted or subject to legal privilege. The provision of documents under legal privilege could have the unintended consequence of deemed waiver of legal privilege by the company. Information is redacted for different reason such as to protect the privacy of other individuals and/or the confidentiality of information belonging to entities that are not subject to the complaint. Specific requirements to provide original documents could breach other laws, some of which are also established to protect the client. We recommend that the changes to this section be reconsidered.

We commend OBSI for examining this important topic and thank you for considering our comments. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Woodman".

Karen Woodman
President, Sun Life Financial Investments Services (Canada) Inc.