

## Notice: Bank Wrongdoing and Opportunity to Cure

I \_\_\_\_\_ attended at \_\_\_\_\_ located at \_\_\_\_\_ location \_\_\_\_\_ and requested the opening of a “personal deposit account” as defined in the *Bank Act (Canada)* s. 441.(1) and 439.1 and 563 “in the name of a natural person”. I specifically did NOT request the “opening a retail deposit account” and did NOT request a “low fee retail deposit account”

I presented my self in my status as a natural person to Bank employee \_\_\_\_\_ and manager \_\_\_\_\_ and informed them/ him/her that I wished the Bank to open a “personal deposit account” in my name as a natural person, kept for the purposes other than that of carrying on business and I required the Bank to perform the opening of such an account for my use.

It is my understanding and belief that pursuant to the *Bank Act (Canada)* the Bank has no power to exercise a demand/requirement to produce “pieces of identification” for a “personal deposit account that is not a retail deposit account” per s.15. (2) as the identification demand/permission that is granted to a Bank via the “*Access to Banking Regulations*” 3. (1) is applicable ONLY to an “individual opening a retail deposit account”, a type of account that I specifically was NOT requesting to be opened.

Bank employee \_\_\_\_\_ (and Bank manager) \_\_\_\_\_ continued to demand identification they claim pursuant to “*Access to Banking Regulations*” but such regulations do not apply to the type of account I wished to open. Such demand I found insulting and a denial of basic rights to access a service the Bank is mandated by law to provide in the name of a natural person. I also note that such a demand for identification requires the Bank employee to make the following accusations against my good character, and in this case, with NO apparent evidence in support of such false assertions said employee(s) has made such accusations.

The Bank employees, claiming at the behest of lawyers unidentified, by refusing to open a “personal deposit account” that is not a “retail deposit account” and being “in the name of a natural person” [441.(1)] NOT “through a natural person” [448.1(1)] while **falsely** claiming I was requesting a “retail deposit account” have without evidence, investigation or substance (known as reasonable grounds) have besmirched my good name by in effect claiming that:

- (a) the member bank has reasonable grounds to **believe that the retail deposit account will be used for illegal or fraudulent purposes;**
- (b) the **I have a history of illegal or fraudulent activity** in relation to providers of financial services and if the most recent instance of such activity occurred less than seven years before the day on which the request to open a retail deposit account is made;

- (c) the member bank has reasonable grounds to believe that I, for the purpose of opening the retail deposit account, **knowingly made a material misrepresentation in the information** provided to the member bank;
- (d) the member bank has reasonable grounds to believe that it is necessary to refuse to open the retail deposit account **in order to protect the customers or employees of the member bank from physical harm, harassment or other abuse**; [source: *Access to Basic Banking Services Regulations* 3. (1) ]

I wish to make a formal complaint that Bank employees are acting in a conspiratorial manner to deny a natural person access to a “personal deposit account” in the “name of a natural person” for “purposes other than that of carrying on business” which I believe the Bank is required by law to provide and without the requirement of a customer providing identification.

The Bank staff have either been untrained, improperly trained on purpose, or are active co-conspirators in this type of denial of access to a basic account mandated by law.

The legal department of the Bank also is either untrained, improperly trained on purpose or are active co-conspirators in this denial of access to a basic account mandated by law.

### **Opportunity to Cure and Compensation**

I require the Bank within three days of receipt of this Notice to provide the opening of the required account as per my wishes and in compliance with the *Bank Act (Canada)* s. 439.1, 440, 457, 441. (1), 445. (1), 447. (1), 455. (1), 563.

I require the amount of \$10,000 CDN be deposited into said account as compensation for the time, embarrassment and emotional stress this matter has caused me.

I also wish to receive letters of apology from the Bank Manager and Bank President that also assures me that they shall each ensure that all their legal people and bank employees will be properly retrained to respect the private rights of every natural person who wishes to open a “personal deposit account” in the “name of a natural person” for “purposes other than that of carrying on business” while treating said people with the utmost respect.

Failure to privately provide the requested remedy and compensation by not honourably fulfilling the Bank’s prescribed powers, and/or by choosing to continue to exercise a power contrary to the Bank Act per s. 15.(2), will result in an action at law to be brought against the Bank and it’s employees for trespass and damages in the amount of \$10,000 per day to be sought from the date of the failure (in three days time).

Govern yourself accordingly,

Respectfully,

.....  
Fred Smith, *natural person*

Date ..... A.D.