

By e-mail: [REDACTED]

April 18th, 2016

[REDACTED]

RE: Access request – Documents related to Amaya Inc.
Our/Ref: GDC05-06-01-2359

[REDACTED]

This is further to the access request you sent to the Secretariat of the *Autorité des marchés financiers* ("AMF") regarding the above-mentioned matter.

As requested, please find attached:

- a copy of the decision rendered by the Bureau de décision et de révision on March 22, 2016 and a copy of the application instituting proceedings made by the AMF;
- a copy of the statements of offence with respect to David Baazov, Benjamin Ahdoot, Yoel Altman, Diocles Capital Inc., Sabada Consulting Inc. and 2374879 Ontario Inc.;

These statements of offence contain personal information which, pursuant to sections 53 and 59 of *An Act respecting access to documents held by public bodies and the protection of personal information*, R.S.Q., c. A-2.1 (the "Access Act"), cannot be disclosed. Therefore we blocked out the said personal information in the documents we are forwarding to you.

Furthermore, in order to obtain the public information regarding the search warrants described in the AMF Press Release, we urge you to communicate directly with the court clerk of the district of Montréal. The numbers of the court files in which the publicly available documents are contained are the following: 500-26-094611-161, 500-26-094609-165, 500-26-094613-167, 500-26-094610-163, 500-26-094605-163, 500-26-094614-165, 500-26-094608-167, 500-26-094606-161, 500-26-094615-162, 500-26-094612-169, 500-26-094607-169, 500-26-094880-162.

Under section 135 of the Access Act, you may apply to the *Commission d'accès à l'information* for a review of this decision. Attached you will find a document explaining how to exercise this recourse. As well, we have attached a copy of the legal provisions referred to previously.

Yours truly,

Original signé

M^e Benoit Longtin
Assistant Corporate Secretary
Autorité des marchés financiers

Section 53 of *An Act respecting access to documents held by public bodies and the protection of personal information* (R.S.Q., c. A-2.1)

53. Personal information is confidential, except in the following cases:

(1) the person to whom the information relates consents to its disclosure; in the case of a minor, consent may also be given by the person having parental authority;

(2) where it relates to information obtained by a public body in the performance of an adjudicative function; the information remains confidential, however, if the body obtained it when holding a sitting *in camera* or if the information is contemplated by an order not to disclose, publish or distribute.

Section 59 of *An Act respecting access to documents held by public bodies and the protection of personal information* (CQLR, c. A-2.1)

59. A public body shall not release personal information without the consent of the person concerned.

Notwithstanding the foregoing, a public body may release personal information without the consent of the person concerned in the following cases and strictly on the following conditions:

1- to the attorney of that body if the information is necessary to prosecute an offence against an Act administered by that body or to the Director of Criminal and Penal Prosecutions, if the information is necessary to prosecute an offence against an Act applicable in Québec;

2- to the attorney of that body, or to the Attorney General where he is acting as the attorney of that body, if the information is necessary for purposes of judicial proceedings other than those contemplated in paragraph 1;

3- to a body responsible by law for the prevention, detection or repression of crime or statutory offences, if the information is necessary to prosecute an offence against an Act applicable in Québec;

4- to a person to whom the information must be disclosed because of the urgency of a situation that threatens the life, health or safety of the person concerned;

5- to a person authorized by the Commission d'accès à l'information, in accordance with section 125, to use the information for study, research or statistics purposes;

6- *(paragraph repealed)*;

7- *(paragraph repealed)*;

8- to a person, body or agency, in accordance with sections 61, 66, 67, 67.1, 67.2, 68 and 68.1;

9- to a person involved in an incident that has been the subject of a report by a police force or by a person or body acting in conformity with an Act that requires a report of the same nature; in the case of information on the identity of any other person involved in the incident, except a witness, an informer or a person whose health or safety could be endangered by the release of such information.

NOTICE OF RECOURSE

(Pursuant to a decision rendered in accordance with the *Act respecting Access to documents held by public bodies and the Protection of personal information*)

REVIEW

a) Power

Article 135 of the Act stipulates that every person whose request has been denied in whole or in part by the person in charge of access to documents or of the protection of personal information may apply to the Commission d'accès à l'information for a review of the decision. An appeal may also be brought for a failure to respond within the applicable time limit.

The application for review must be made in writing; it may state briefly the reasons for which the decision should be reviewed (article 137).

The Commission d'accès à l'information may be reached at the following addresses:

QUEBEC

Bureau 1.10
575, rue Saint-Amable
Quebec (Quebec) G1R 2G4

Phone: (418) 528-7741
Fax: (418) 529-3102

MONTREAL

Bureau 18.200
500, boul. René-Lévesque Ouest
Montréal (Québec) H2Z 1W7

Phone: (514) 873-4196
Fax: (514) 844-6170

Toll-free number for both offices: 1 888 528-7741

b) Grounds

An application for review may be based on grounds pertaining to the decision, the time prescribed for processing the request, the mode of access to a document or information, the fees payable, or the application of Article 9 (personal notes written on a document, sketches, outlines, drafts, preliminary notes or other documents of the same nature which are not deemed to be documents held by a public body).

c) Time limit

The application for review must be made to the Commission d'accès à l'information within thirty (30) days of the date of the decision or of the time granted by the Act to the person in charge for processing a request (Article 135).

The Act specifically provides that the Commission d'accès à l'information may, for any serious reason, release the applicant from a failure to respect the thirty-day time limit (Article 135).

APPEAL TO THE COUR DU QUEBEC

a) Power

Article 147 of the Act stipulates that a person directly concerned may bring an appeal from a decision of the Commission d'accès à l'information before a judge of the Cour du Québec on any question of law or jurisdiction. However, an appeal from an interlocutory decision may only be brought with leave of a judge of the Cour du Québec. The judge shall grant leave if the interlocutory decision will not be remedied by the final decision.

b) Time limit

Under Article 149 of the Act, the motion for leave to appeal must be filed in the office of the Cour du Québec, within thirty (30) days of receipt of the decision of the Commission d'accès à l'information by the parties.

c) Procedure

Under Article 151 of the Act, the notice of appeal must be served on the parties and on the Commission within 10 days after its filing at the office of the Cour du Québec.