

HEPATITIS C
CLASS ACTION SETTLEMENT
1986-1990

YEAR 23

REPORT OF THE JOINT COMMITTEE
FOR THE PERIOD ENDING DECEMBER 31, 2022

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January 1, 1986 to July 1, 1990

HEPATITIS C CLASS ACTION SETTLEMENT

YEAR 23

ANNUAL REPORT OF THE JOINT COMMITTEE

FOR THE PERIOD ENDING DECEMBER 31, 2022

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Annual Report – YEAR 23 (2022)

January 1, 1986 – July 1, 1990 Hepatitis C Class Action Settlement

EXECUTIVE SUMMARY

1. The 1986-1990 Hepatitis C Settlement (the “**Settlement**”) completed its twenty-third year of operations on December 31, 2022.
2. In 2022, the Administrator received 44 new claims¹ under the Transfused HCV Plan and the Hemophiliac HCV Plan (collectively, the “**Regular Benefit Plans**”) as follows:
 - 3 Primarily Infected Transfused Claims
 - 37 Family Member Transfused Claims
 - 4 Family Member Hemophiliac Claims
3. In 2022, the Administrator approved 1 new claim under the Recent HCV Diagnosis court-approved protocol exception to the First Claim Deadline of June 30, 2010 (“**First Claim Deadline**”) and 7 new claims under the other court-approved protocol exception to the First Claim Deadline.
4. In 2022, the Administrator paid about \$24.9 million in claims under the Regular Benefit Plans,² bringing the total benefits paid under the Regular Benefit Plans since inception to about \$1,097,268,510.
5. In 2022, the Administrator paid about \$3.1 million in Special Distribution Benefits, bringing the total benefits paid under the Special Distribution Benefits since inception to about \$104,214,070. As of December 31, 2022, approximately \$4.68 million in special distribution and other payments have been reissued or issued to “missing” claimants, executors and successors who have been located as a result of the various initiatives proposed by the Joint Committee and approved by the Courts.

In 2022, the Settlement paid approximately:

\$24.9 million under the Regular Benefit Plans

\$3.1 million in Special Distribution Benefits

\$2.0 million under the Late Claims Benefit Plan

¹ In 2021, 116 new claims under the Regular Benefit Plans were received. In 2020, 53 new claims were received.

² In 2021, about \$24.9 million was paid out for claims under the Regular Benefit Plans. In 2020, about \$25.2 million was paid.

6. In 2022, the Administrator received 43 new late claim requests under the HCV Late Claims Benefit Plan. Referees approved 17 requests³ and denied 0 requests⁴ to submit a late claim. The Administrator approved 16 late claims⁵ including the following:⁶

- 3 Primarily Infected Transfused Claims
- 0 Primarily Infected Hemophiliac Claims
- 0 Secondarily Infected Hemophiliac Claims
- 9 Family Member Transfused Claims
- 2 Family Member Hemophiliac Claims

About \$2.0 million in Late Claims Benefits was paid in 2022,⁷ bringing the total benefits paid under the HCV Late Claims Benefit Plan since inception to about \$16,063,216.

7. In summary, the Administrator paid about \$29.9 million to claimants in 2022⁸ under all Plans.

8. Since the settlement's inception in 1999, the Administrator has paid about \$1.22 billion⁹ to claimants in response to about 15,142 approved claims.

*Since inception, about
\$1.22 billion in benefits
has been paid to 15,142
approved claims.*

9. Financial Statements of the Trust Fund attached at **Schedule A** indicate that the Trustee held assets of about \$985.4 million and the unpaid liability of the provincial and territorial governments was about \$71.2 million (including interest), so there was a total of about \$1.057 billion available to satisfy class members' claims as at December 31, 2022.

10. In 2022, there was a 7.67% negative return on the invested assets held by the Trustee, which was a substantial decrease over the prior year.¹⁰ This decrease was mainly due to

³ In 2021, 42 requests were approved. In 2020, 29 requests were approved.

⁴ In 2021, 5 requests were denied. In 2020, one request was denied.

⁵ In 2021, 35 late claims were approved. In 2020, 45 late claims were approved.

⁶ There were also two approved late claims made by the estate of deceased primarily infected class members.

⁷ In 2021, about \$8.6 million was paid out in Late Claims Benefits. In 2020, about \$3.7 million was paid out in Late Claims Benefits. In 2019, the first year Late Claims Benefits were paid, the Administrator paid out about \$1.8 million.

⁸ In 2021, the Administrator paid out about \$38.1 million in total in benefits under all Plans compared to about \$32.0 million paid out in 2020.

⁹ This amount includes payments of about \$21.4 million to HIV secondarily infected claimants under EAP2.

¹⁰ In 2021, the overall return on invested assets was 4.71%. In 2020, the overall return on invested assets was 5.73%.

the 7.98% negative return on the Government of Canada real return bonds, which comprise most of the invested assets of the Trust. The invested assets decreased by about \$108.4 million or 9.97% net of payments out.¹¹

11. The expenses incurred to administer the settlement in 2022 totalled approximately \$3.4 million for all service providers. This represents a decrease of about 3.7% over last year.¹²

OVERVIEW

12. This is the twenty-third Annual Report of the Joint Committee to the Supreme Court of British Columbia, the Superior Court of Justice for Ontario, and the Superior Court of Quebec (collectively, the “**Courts**”) on the status of the settlement and its administration.
13. In 2022, the Joint Committee was comprised of David Loukidelis, K.C., Michel Savonitto, Harvey T. Strosberg, K.C., and Kathryn Podrebarac.¹³
14. There are three notional accounts of the Trust Fund: The HCV Regular Benefit Account, the HCV Special Distribution Benefit Account and the HCV Late Claims Benefit Account.¹⁴ The work performed and expenses incurred by service providers are categorized and charged to the applicable account. The provincial and territorial governments do not contribute to claims or expenses paid from the HCV Special Distribution Benefit Account or the HCV Late Claims Benefit Account.
15. The activities of the service providers to the settlement under the three categories – Regular Benefits, Special Distribution Benefits and Late Claims Benefits - are discussed under the appropriate headings below and in their attached reports. Their fees and disbursements are reconciled to their court-approved budgets, where applicable.

¹¹ In 2021, the invested assets increased by about 1.4% net of payments out. In 2020, the invested assets increased by about 2.8% net of payments out.

¹² In 2021, the administration expenses totaled approximately \$3.5 million. In 2020, the administration expenses totaled approximately \$4.3 million.

¹³ Mr. Loukidelis was appointed by Order of the Supreme Court of British Columbia. Mr. Savonitto was appointed by the Order of the Superior Court of Quebec and has been assisted throughout by Martine Trudeau. Mr. Strosberg was appointed by Order of the Superior Court of Justice for Ontario and has been assisted throughout by Heather Rumble Peterson. Ms. Podrebarac was appointed by Orders of each of the Courts.

¹⁴ The three notional accounts of the Trust Fund were established by the Courts in December 2017.

2022 EXPENSES

16. The budgeting process for 2022 commenced in late 2021. Annual budget approval orders were obtained from the Courts in January 2022, except for a few specific budgets that were approved by the Courts on applications filed separately by the Joint Committee.
17. The actual 2022 fees and disbursements of each service provider for each category of work are set out below. All amounts are rounded to the nearest dollar. A detailed review of the activities and expenses of each service provider is found in the next section.

A. Regular Benefit Plans Work

18. The total fees of the service providers supervised by the Joint Committee for work relating to the Regular Benefit Plans in 2022 were \$2,079,210 plus taxes, which was \$415,790 under their approved budgets.
19. The following chart summarizes the budget versus actual expenses for 2022 for the service providers supervised by the Joint Committee for Regular Benefit Plans work plus taxes.

Service Provider	2022 Budget	2022 Actual	Variance from Budget	Note
Epiq				
Administration of the Regular Benefit Plans and EAP2 Activity Level Adjustment	Fixed fee of \$13,100 and \$522,400 As incurred, subject to a +/- 10% variance	\$535,500 (\$25,751) ¹⁵		See paras. 36-37, 40 and Schedules B and C
Disbursements	At cost	\$833		
Third Party Expenses	As incurred	-	-	
Appeal Expenses	As incurred	-	-	
Special Projects				
Fees	\$100,000	\$31,805	(\$68,195)	
Disbursements	At cost	\$2,443	-	

¹⁵ This activity level adjustment took the form of a credit on EPIQ's January 2023 invoice for the administration of the Regular Benefit Plans.

Service Provider	2022 Budget	2022 Actual	Variance from Budget	Note
Deloitte				
Audit, financial statements (exclusive of travel expenses)	\$123,000 ¹⁶	\$144,400	\$21,400 ¹⁸	See paras. 31-32 and Schedule A
Special Projects	\$25,000 ¹⁷	\$0	(\$25,000)	
RBC ITS				
Trustee & Custodian Services	\$125,000	\$28,889	(\$96,111)	See para. 42
CONCENTRA				
Trustee & Custodian Services	\$136,500 ¹⁹	\$130,745	(\$5,755)	See para. 45 and Schedule D

¹⁶ The Courts approved a global budget of not more than \$123,000 as follows: \$103,000 for completing the audit and preparing financial statements for all three accounts of the Trust [to be allocated \$87,000 Regular Benefits, \$10,500 Special Distribution Benefits, \$5,500 Late Claims Benefits]; \$15,000 for the transition to the new Trustee and \$5,000 for the accounting work to be performed until the new Trustee takes over this duty.

¹⁷ The Courts approved a global budget of \$25,000 for Special Projects which was not expended.

¹⁸ This overage was incurred in relation to Deloitte's investigations of errors and issues with the recording of investment transactions by CIBC Mellon, the Trustee and Custodian's subcustodian.

¹⁹ In March 2022, Concentra was appointed by the Courts as Trustee and Custodian effective April 1st, 2022, replacing RBC ITS. This eight-month budget was approved by the Courts for 2022.

Service Provider	2022 Budget	2022 Actual	Variance from Budget	Note
TDAM Investment Services	\$375,000	\$377,798	\$2,798	See paras. 46-50 and Schedules E and F
Eckler Actuarial Services & Investment Review	\$75,000	\$46,737	(\$28,263)	See paras. 61-62 and Schedules G and H
Special Projects	\$50,000	\$35,523	(\$14,477)	
PricewaterhouseCoopers LLP Income Loss annual computer programming update	\$10,000	\$8,925	(\$1,075)	See para. 52
Paula Frederick/ Cohen Hamilton Steger Inc. Specialized Income Loss analysis	\$40,000	-	(\$40,000)	See para. 54
Joint Committee Regular administration and supervision work				See para. 67 and Schedules I and J
Fees	\$900,000	\$764,639	(\$135,361)	
Disbursements	\$75,000	\$45,082	(\$29,918)	

20. The following service providers, who are not supervised by the Joint Committee, also provided services in 2022 relating to the Regular Benefit Plans. They were paid the following amounts (exclusive of taxes) pursuant to applicable orders or the tariff approved by the Courts.

Service Provider	2022 Actual	Note
Fund Counsel		
Fees	\$70,643	See para. 78 and Schedule K
Disbursements	\$359	
Arbitrators and Referees		
Fees	\$5,058	See para. 81 and Schedule L
Disbursements	\$200	
Court Monitor		
Fees	\$11,790	See para. 84
Disbursements	\$1,000	

B. Financial Sufficiency Work

21. Section 10.01(1)(i) of the Settlement Agreement requires the financial sufficiency of the Trust Fund to be assessed every three years.
22. In 2022, the total fees of the service providers supervised by the Joint Committee for work relating to the financial sufficiency²⁰ were \$404,851 which was \$350,149 under budget.

Service Provider	2022 Budget	2022 Actual	Variance from Budget	Note
Eckler				
Fees for preparation work for 2022 Financial Sufficiency Review - Phase 1	\$25,000	\$12,580	(\$12,420)	See paras. 63-64
Fees for 2019 Financial Sufficiency Review – Phase 2 work performed in 2022 and 2023	\$55,000 ²¹	\$43,162	(\$11,838)	
MMWG				
Fees & Disbursements	\$210,000	\$70,893	(\$139,107)	See para. 56

²⁰ This included work regarding the financial sufficiency review triggered on December 31, 2019 (the “**2019 Financial Sufficiency Review - Phase 2**”) and preparation work for the next financial sufficiency review triggered on December 31, 2022 (the “**2022 Financial Sufficiency Review - Phase 1**”).

²¹ This budget was approved retroactively as part of the 2023 budgets approval process.

Service Provider	2022 Budget	2022 Actual	Variance from Budget	Note
Joint Committee				
Fees for 2019 Financial Sufficiency Review – Phase 2 and for preparation work for the 2022 Financial Sufficiency Review– Phase 1	\$450,000 ²²	\$278,216	(\$171,784)	See paras. 68-70 and Schedules I and J
Disbursements	\$15,000	\$2,643	(\$12,357)	

C. Special Distribution Benefits Work

23. The Courts approved budgets for the following service providers in connection with Special Distribution Benefits. Their actual fees and disbursements (exclusive of taxes) are indicated below.
24. In 2022, the total fees of the service providers supervised by the Joint Committee for work relating to Special Distribution Benefits were \$109,748, which was \$13,122 under budget.

Service Provider	2022 Budget	2022 Actual	Variance from Budget	Note
Deloitte				
Fees	\$17,000	\$17,000		See para. 31
Epiq				
Prospective Payments – fixed fee	\$5,000 ²³	\$5,000	-	See para. 38 and Schedule C
Retroactive Payments – activity based fee schedule	Per fee schedule ²⁴	\$13,370	-	
Disbursements	-	-	-	
Joint Committee				
Fees	\$75,000	\$70,674	(\$4,326)	See para.71 and Schedules I and J
Disbursements		\$244	(\$4,756)	

²² For 2022, the Joint Committee had a \$25,000 budget for preparation work of 2022 Financial Sufficiency - Phase 1 and a \$425,000 budget was approved retroactively as part of the 2023 budgets approval process for the remaining work done in 2022 and 2023 regarding the 2019 Financial Sufficiency – Phase 2 since the unused balance of \$35,642 from the interim budget approved in December 2021/January 2022 for the 2019 Financial Sufficiency Review – Phase 2 was insufficient due to unexpected additional work.

²³ The Administrator charges a flat fee of \$5,000 per year to administer Special Distribution Benefits payments on a *prospective* or go forward basis.

²⁴ The Administrator’s fees for making *retroactive* Special Distribution Benefits payments are based on a fee schedule approved by the Courts in the Epiq appointment/budget orders.

Service Provider	2022 Budget	2022 Actual	Variance from Budget	Note
	\$5,000			
Eckler				
Fees	\$12,500	\$3,704	(\$8,796)	See para. 65

D. Late Claims Benefits Work

25. In December 2017, the Courts approved an HCV Late Claims Benefit Plan.
26. In 2022, the Courts approved budgets for the following service providers in connection with Late Claims Benefits. Their actual fees and disbursements (exclusive of taxes) are indicated below.
27. In 2022, the total fees of the service providers supervised by the Joint Committee for work relating to Late Claims Benefits were \$115,178 which was \$95,904 under budget.

Service Provider	2022 Budget	2022 Actual	Variance from Budget	Note
Deloitte				
Fees	\$11,000	\$11,000	-	See para. 31
Epiq				
Fees – fixed fee	\$5,000 ²⁵	\$5,000	-	See para. 39 and Schedule C
Fees – activity based fee	Per fee schedule	\$82,582	-	
Disbursements		\$7,053	-	
Joint Committee				
Fees	\$100,000	\$13,278	(\$86,722)	See para. 72 and Schedules I and J
Disbursements	\$10,000	-	(\$10,000)	
Eckler				
Fees	\$12,500	\$3,318	(9,182)	See para. 65

²⁵ The Administrator's fees and disbursements for services under the HCV Late Claims Benefit Plan include a fixed annual fee of \$5,000 for 2022 in addition to the activity-based fee for which the schedule was approved by the Courts in the appointment/budget orders and reviewed from time to time.

28. The following service providers, who are not supervised by the Joint Committee, also provided services in 2022 relating to appeals filed under the HCV Late Claims Benefit Plan. They were paid the following amounts (exclusive of taxes) pursuant to applicable orders or the tariff approved by the Courts.

Service Provider	2022 Actual	Note
Fund Counsel		
Fees	\$108,168	See paras. 77-78 and Schedule K
Disbursements	\$3,110	
Arbitrators and Referees		
Fees	\$34,828	See para. 81 and Schedule L
Disbursements	\$729	

SERVICE PROVIDERS - DETAILED REVIEW

DELOITTE LLP

29. Deloitte LLP (“**Deloitte**”) was appointed auditor of the Trust Fund pursuant to orders of the Courts.
30. In addition to the audit of the Trust Fund, Deloitte prepares the financial statements on behalf of the Joint Committee. Attached as **Schedule A** is a copy of the Financial Statements prepared and audited by Deloitte for the year ended December 31, 2022.
31. The Courts approved a 2022 budget for Deloitte for the audit and for preparation of the financial reports not to exceed \$123,000 plus travel expenses and taxes as follows: \$103,000 for completing the audit and preparing financial statements for all three accounts of the Trust [to be allocated \$87,000 Regular Benefits, \$10,500 Special Distribution Benefits, \$5,500 Late Claims Benefits]; \$15,000 for the transition to the new Trustee and Custodian and \$5,000 for the accounting work to be performed until the new Trustee takes over this duty. The total amount invoiced by Deloitte for these services exclusive of taxes was \$144,400. The overage of \$21,400 was incurred in relation to Deloitte’s investigations of errors and issues with the recording of investment transactions by CIBC Mellon, the Trustee and Custodian’s subcustodian. Concentra agreed to pay for these charges.

32. The Courts also approved a special projects budget of \$25,000 plus taxes for Deloitte, which was not expended.
33. Deloitte's fees were paid on approval of the Joint Committee pursuant to the 2022 budget approval orders up to the approved budget.

EPIQ CLASS ACTION SERVICES CANADA INC.

34. Epiq Class Action Services Canada Inc. ("**Epiq**") was appointed Administrator by orders of the Courts for a two-year term commencing January 1, 2019. The Courts continued its appointment and approved administration budgets for 2022 and 2023.
35. The Report of the Administrator is attached as **Schedule B**.
36. Epiq's budget for services performed in connection with the Regular Benefit Plans provides for a flat administration fee subject to adjustment if certain activity levels increase or decrease by more than 10% per annum, as applicable. In addition to the flat fee subject to adjustments, there is a flow-through of certain out-of-pocket expenditures incurred by the Administrator relating to appeals and expert fees.
37. **Schedule C** is the Payment Reconciliation for Epiq for 2022. It reflects payments to Epiq in accordance with its budget of \$535,500 relating to the administration of the Regular Benefit Plans, which were paid on approval of the Joint Committee pursuant to the appointment and budget approval orders. As Epiq's cumulative activity level in 2022 was lower than the 10% per annum permitted variance, this resulted in a fee adjustment of \$25,751, which was applied as a credit to reduce the fees payable to Epiq in respect of its services in January 2023. Epiq incurred disbursements of \$833 under the Regular Benefit Plans.
38. Epiq's 2022 budget for administering Special Distribution Benefits on a prospective or go-forward basis was a flat fee of \$5,000. Its fees for making retroactive Special Distribution Benefits payments are based on a fee schedule approved in its appointment/budget orders. Epiq's fees for administering these benefits in 2022 totalled \$18,370 plus taxes, comprised of the \$5,000 flat fee for prospective benefits and \$13,370 in fees for the administration of retroactive payments. These amounts were paid on approval of the Joint Committee pursuant to the appointment and budget approval orders.
39. Epiq's fee schedule for administering Late Claim Benefits was approved by the Courts in its appointment/budget orders. Epiq's fees in 2022 were \$87,582 plus taxes, comprised of a \$5,000 flat fee and \$82,582 of activity-based fees and it incurred expenses of \$7,053

plus taxes. These amounts were paid on approval of the Joint Committee pursuant to the appointment/budget approval orders.

40. A special projects budget of \$100,000 was also approved for the Administrator for 2022. Epiq's fees for special projects in 2022 were \$34,247 and \$2,443 for disbursements plus taxes, which were paid on approval of the Joint Committee pursuant to the 2022 budget approved by the Courts for Epiq. These costs were incurred in connection with the locator project, which locates "missing" claimants who are owed payments, but whose contact information on file is outdated.

RBC INVESTOR SERVICES TRUST

41. In 2005, RBC Investor Services Trust, operating as RBC Investor & Treasury Services ("**RBC**"), was appointed successor Trustee of the Trust Fund pursuant to the orders of the Courts, on the same terms and conditions under which Royal Trust was originally appointed. As discussed below, a successor Trustee and Custodian was appointed effective April 2022.
42. The Courts approved a budget for RBC for 2022 of \$125,000 plus taxes. The actual fees charged by RBC in 2022 prior to its replacement were \$28,889 plus taxes, which were paid pursuant to the 2022 budget approval orders.

CONCENTRA TRUST

43. In March 2022, the Courts appointed Concentra Trust as successor Trustee and Custodian to RBC effective April 1, 2022, and approved Concentra Trust's appointment of CIBC Mellon Global Securities Services Company ("**CIBC Mellon**") to act as its subcustodian.
44. Attached as **Schedule D** is Concentra Trust's Information Brief for the Hepatitis C Trust Fund for 2022.
45. The Courts approved a budget of \$136,500 plus taxes for Trustee and Custodian services for the nine month period from April to December 2022. The actual amount charged for these services was \$130,745 plus taxes. It was paid on approval of the Joint Committee pursuant to the budget approval orders.

TD ASSET MANAGEMENT INC.

46. TD Asset Management Inc. (“**TDAM**”) was appointed Investment Manager of the Trust Fund pursuant to the Orders of the Courts.
47. Attached as **Schedule E** is the Confirmation that TDAM has complied with the court-approved Investment Guidelines.
48. TDAM’s fees for investment services are governed by the court-approved Fee Schedule at Appendix 1 to the Investment Guidelines. The fees depend on the value of the various investment portfolios from time to time. The Courts approved an estimated budget for TDAM for 2022 of \$375,000 plus taxes.
49. TDAM’s actual fees based on the Fee Schedule and the value of the assets under management were \$377,798 plus taxes. As these fees are in accordance with TDAM’s court-approved Fee Schedule, this small overage was paid in the ordinary course as a result of the Courts’ subsequent approval of this change to how investment management fees are paid and accounted for as part of the annual report process.
50. Attached as **Schedule F** is the Portfolio Review of the Trust Fund assets.

PRICEWATERHOUSECOOPERS LLP

51. PricewaterhouseCoopers LLP provides annual updates for tax calculations on software used to calculate income loss, software maintenance for the software used to calculate loss of income claims, and separate software used to calculate and track loss of income payment caps and holdbacks, and advice, assistance and training to the Administrator with respect to both types of software.
52. The budget approved by the Courts for PricewaterhouseCoopers LLP for 2022 was \$10,000 plus taxes. The actual amount charged to the Trust Fund by PricewaterhouseCoopers LLP was \$8,925 plus taxes. It was paid on approval of the Joint Committee pursuant to the 2022 budget approval orders.

COHEN HAMILTON STEGER & CO. INC. – Paula Frederick

53. Cohen Hamilton Steger & Co. Inc. was retained by the Administrator to provide expert accounting services in respect of complex loss of income claims and appeals. Paula Frederick is responsible for this work.

54. The budget approved for Ms. Frederick's services in 2022 was \$40,000. No fees were incurred in 2022.

MEDICAL MODELLING WORKING GROUP

55. The Medical Modelling Working Group ("MMWG") has performed medical modelling work for each of the triennial sufficiency reviews. Dr. Beate Sander and Dr. Yeva Sahakyan have led this group of experts since the retirement of Dr Krahn.
56. The budget approved for the MMWG's services for the 2022 Financial Sufficiency Review – Phase 1 was \$210,000 in fees and disbursements, plus taxes. Only a portion of the MMWG's work was completed in 2022, with the balance, including delivery of its medical modelling report, completed in 2023. The MMWG's actual fees incurred in 2022 were \$70,893 plus taxes which were paid on approval of the Joint Committee pursuant to the budget approval order/judgment. The balance of its budget was carried into 2023.

ECKLER LTD.

57. Eckler Ltd. ("**Eckler**") was retained initially by Class Counsel and subsequently by the Joint Committee to provide actuarial and investment consulting advice in respect of the Trust Fund.
58. Eckler has also provided an annual investment review and advice to the Joint Committee in respect of investments on an as-needed basis since the resignation of the Investment Consultants in 2005.
59. Attached as **Schedule G** is the Report of Eckler regarding its activities during 2022.
60. Attached as **Schedule H** is an Investment Summary provided by Eckler.
61. The Courts approved an annual budget for Eckler's actuarial and investment review services of \$75,000 plus disbursements and taxes for 2022. Eckler's actual charges for these services were \$46,737 plus taxes, which were paid on approval of the Joint Committee pursuant to the 2022 budget approval orders.
62. The Courts also approved a special projects budget of \$50,000. Eckler's actual charges were \$35,523 plus taxes. These fees were incurred for monitoring the performance of the low volatility equities fund and providing advice and recommendations to the Joint Committee regarding a replacement low volatility fund and input regarding the amendments to the Trust's Investment Guidelines and creation of the new Terms of Appointment for a replacement Investment Manager.

63. For 2022, the Courts approved a financial sufficiency budget for Eckler of \$25,000 in fees for the preparation work of the 2022 Financial Sufficiency Review – Phase 1 and Eckler incurred \$12,580 in fees for this work.
64. Eckler’s financial sufficiency work performed in 2022 also included work with regards to the 2019 Financial Sufficiency Review – Phase 2, including finalizing its 2019 Allocation Report. At the request of the Joint Committee, Eckler also prepared a supplemental report which extrapolated the 2019 Phase 1 results to June 30th 2022, calculated the reduced amount of excess capital available for allocation, and costed modifications to the Joint Committee’s proposed allocations necessitated by the reduced excess capital. The total fees incurred by Eckler for the 2019 Financial Sufficiency Review - Phase 2 work performed in 2022 amounted to \$43,162. As part of the 2023 budget approval orders, the Courts approved a retroactive budget of \$55,000 for completing the 2019 Financial Sufficiency – Phase 2 work in 2022 and to be performed in 2023. Eckler’s fees of \$43,162 incurred in 2022 were paid accordingly.
65. Eckler’s 2022 budgets for Special Distribution Benefits and Late Claims Benefit Plan were both set at \$12,500 plus taxes. Eckler’s actual total fees incurred were \$3,704 plus taxes for Special Distribution Benefits and \$3,318 for Late Claims Benefit Plan, which were paid on approval of the Joint Committee pursuant to the 2022 budget approval orders.

JOINT COMMITTEE

66. A Summary Report of the work of the Joint Committee in 2022 is set out in **Schedule I**. As described below, the Joint Committee receives separate budgets for each category of work performed.
67. The 2022 budget for the Joint Committee for administration and supervision services work relating to the Regular Benefit Plans was \$900,000 for fees and \$75,000 for disbursements, exclusive of taxes. The Joint Committee’s actual fees in 2022 for this work were \$764,639 plus taxes, and its actual disbursements were \$45,082 plus taxes.
68. Concerning financial sufficiency, a \$425,000 budget was approved retroactively by the Courts as part of the 2023 budgets approval process for work performed in 2022 and to be performed in 2023 regarding the 2019 Financial Sufficiency Review – Phase 2.
69. The work performed by the Joint Committee in 2022 involved preparing and filing supporting material for the restatement of the Phase 1 - 2019 Financial Sufficiency Review orders, working with the actuaries to prepare and file amended allocation motions/applications with supporting material including an extrapolation of the Phase 1

results to June 30th 2022 and modifications to the recommended 2019 special distribution allocations due to reduced 2019 excess capital available. The Joint Committee's actual fees for the 2019 Financial Sufficiency Review work incurred in 2022 were \$253,566 plus taxes, and its actual disbursements were \$2,643 plus taxes.

70. The Courts also approved a budget of \$25,000 in fees for preparation work to be performed with regards to the 2022 Financial Sufficiency Review triggered at December 31, 2022. The Joint Committee's actual fees incurred for this work were \$24,650 plus taxes.
71. The Joint Committee's 2022 budget for Special Distribution Benefits was \$75,000 plus taxes for fees and \$5,000 plus taxes for disbursements. Its actual fees and disbursements were \$70,674 plus taxes and \$244 plus taxes, respectively.
72. The Joint Committee's 2022 budget for the HCV Late Claims Benefit Plan was \$100,000 plus taxes and \$10,000 plus taxes in disbursements. Its actual fees were \$13,278 plus taxes and no disbursement.
73. All accounts of the Joint Committee are submitted to the Courts or, in the case of British Columbia, the Attorney General for Canada before being paid. A detailed summary by jurisdiction of all fees and disbursements incurred by the Joint Committee is set out in **Schedule J**.

FUND COUNSEL

74. John Callaghan and Belinda Bain were appointed as Fund Counsel in the Ontario Class Actions by Orders of the Superior Court of Justice for Ontario. Mason Poplaw was appointed Fund Counsel in the Quebec Class Actions by Order of the Quebec Superior Court. Gordon Kehler was appointed Fund Counsel in the British Columbia Class Actions by Order of the Supreme Court of British Columbia.
75. Attached as **Schedule K** is the Report of Fund Counsel on their activities and their fees incurred in 2022.

76. In 2022, the following appeals were dealt with in each jurisdiction under the Regular Benefit Plans:

2022 Appeal Status Report – Regular Benefit Plans	ON ²⁶	BC	QUE	Total
Appeals received	2	0	0	2
Appeals completed	4	0	0	4
Appeals withdrawn	1	0	0	1
Denials rescinded	0	0	0	0
Appeals mediated	0	1	0	1
Requests for Judicial confirmation	0	0	0	0
Judicial decisions	0	0	0	0
Appeals pending (including appeals sent back to Referees)	5	0	1	6

77. In 2022, the following appeals were dealt with in each jurisdiction under the HCV Late Claims Benefit Plan:

2022 Appeal Status Report – Late Claims Benefit Plan	ON ²⁷	BC	QC	Total
Appeals Received	4	0	2	6
Appeals Completed (decisions rendered)	4	1	1	6
Appeals Withdrawn	1	0	0	1
Denials Rescinded	0	0	0	0
Appeals Mediated	0	0	0	0
Requests for Judicial Confirmation	1	0	0	1
Judicial Decisions	0	0	0	0
Appeals Pending (including judicial reviews, scheduled hearing and appeals sent back to Referees)	4	1	8	13

78. In 2022, the fees and disbursements charged by Fund Counsel were:

- (a) \$70,643 in fees and \$359 in disbursements, all exclusive of taxes, for services relating to the Regular Benefit Plans; and
- (b) \$108,168 in fees and \$3,112 in disbursements, exclusive of taxes, for services relating to the HCV Late Claims Benefit Plan.

All accounts for Fund Counsel were submitted to the appropriate Court for approval before payment.

²⁶ Ontario covers all provinces and territories other than Quebec and British Columbia.

²⁷ Ontario covers all provinces and territories other than Quebec and British Columbia

REFEREES AND ARBITRATORS

79. Referees and Arbitrators were appointed for each jurisdiction by Court orders.
80. A Summary Report of the work of the Referees and Arbitrators, as well as the fees incurred for 2022, is set out in **Schedule L**.
81. In 2022, the fees and disbursements charged for Arbitrators and Referees were:
- (a) \$5,058 in fees and \$200 in disbursements, all exclusive of taxes, for services relating to the Regular Benefit Plans; and
 - (b) \$34,828 in fees and \$1,016 disbursements, all exclusive of taxes, for services relating to the HCV Late Claims Benefit Plan.

Accounts for the Arbitrators and Referees are paid based upon the tariff set by the Courts.

82. Appeals under the Regular Benefit Plans have decreased in recent years, including in 2022. The number of appeals under the HCV Late Claims Benefit Plan has increased and is expected to stay the same or increase over the next few years.

THE MONITOR

83. Luisa Ritacca of Stockwoods was appointed as Monitor by order of the Ontario Superior Court and by order of the Supreme Court of British Columbia.
84. In 2022, the fees of the Monitor were \$11,790, and the disbursements were \$1,000, all exclusive of taxes.

CANADIAN BLOOD SERVICES

85. The efficient and effective conduct of tracebacks is a crucial component of the administration of the Plans. Canadian Blood Services (“**CBS**”) provides the tracebacks required under the Plans in all provinces but Quebec.
86. In the last several years, the demand for and costs of such tracebacks has reduced significantly. A budget was not sought for CBS for traceback services for 2022, and CBS has not invoiced for any expenses that were incurred. The Joint Committee anticipates that the volume of traceback requests will decrease as the claims made under the Late Claims Benefit Plan decrease.

HÉMA-QUÉBEC

87. Héma-Québec provides the tracebacks required under the Plans in Quebec. No budget was sought for Héma-Québec for 2022 as it agreed to finance the cost and seek reimbursement at year-end if the costs incurred were significantly higher than anticipated.
88. The Joint Committee anticipates that the volume of traceback requests will decrease along with claims made under the Late Claims Benefit Plan.

2023 BUDGETS

89. The chart that follows compares the approved budgets for service providers in 2023 to their 2022 budgets.

	2022 Budget	2023 Budget
EPIQ		
General administration of the Regular Benefit Plans and EAP2		
Fixed fee	\$13,100	\$25,600
Activity-based claims processing fees (subject to adjustment for appeal and third-party expenses and increase or decrease of certain measurable activities by more than 10% per annum)	\$522,400	\$511,300
HCV Special Distribution Benefits administration		
Prospective payments – fixed fee	\$5,000	\$5,000
Retroactive payments - activity-based fee schedule	Per fee schedule	Per fee schedule
Special Projects	Up to \$100,000	Up to \$100,000
HCV Late Claims Benefit Plan administration		
Fixed fee	\$5,000	\$10,000
Activity-based fee schedule	Per fee schedule	Per fee schedule
Deloitte		
Audit and financial statements (exclusive of travel expenses)	Not to exceed \$123,000 (including interim audit & notional accounts reporting)	Not to exceed \$114,000
Special Projects	\$25,000	\$25,000

	2022 Budget	2023 Budget
RBC /CONCENTRA TRUST RBC Trustee Services	\$125,000 annual until the effective date of transition	n/a
Concentra Trust	\$136,500 (for Q2-Q3-Q4)	\$182,000
TDAM Investment Services	\$375,000	\$360,000
Eckler General actuarial services and investment review work, not related to sufficiency (exclusive of disbursements)	\$75,000	\$87,500
Special Projects	\$50,000	\$62,500
Special Distribution Benefits	\$12,500	\$12,500
HCV Late Claims Benefit Plan	\$12,500	\$12,500
2019 Financial Sufficiency Review – Phase 2	\$55,000	Unused 2022 budget
2022 Financial Sufficiency Review – Phase 1	\$25,000	\$797,000
MMWG Updated medical model and medical modelling report for 2022 Financial Sufficiency Review	\$210,000	Unused 2022 budget
PWC Income Loss-annual computer programming update	\$10,000	\$10,000
Paula Frederick / Cohen Hamilton Steger Specialized Income Loss analysis	\$40,000	\$40,000

	2022 Budget	2023 Budget
Joint Committee		
Regular administration and supervision	\$900,000 fees and \$75,000 disbursements	\$900,000 fees and \$75,000 disbursements
Special Distribution Benefits	\$75,000 fees and \$5,000 disbursements	\$100,000 fees and \$5,000 disbursements
HCV Late Claims Benefit Plan	\$100,000 fees and \$10,000 disbursements	\$75,000 fees and \$5,000 disbursements
2019 Financial Sufficiency Review – Phase 2	\$425,000 fees and \$15,000 disbursements	Unused 2022 budget
2022 Financial Sufficiency Review – Phase 1	\$25,000	\$500,000 and \$10,000 disbursements

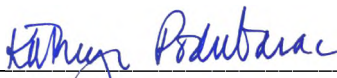
Dated this 28th day of August, 2023


Michel Savonitto (Aug 28, 2023 14:33 EDT)

Michel Savonitto
Savonitto & Ass. Inc.


David Loukidelis (Aug 29, 2023 14:55 PDT)

David Loukidelis, K.C.
CFM Lawyers LLP



Kathryn Podrebarac
Podrebarac Barristers Professional Corporation


H. Rumble Peterson for (Aug 28, 2023 15:55 EDT)

Harvey T. Strosberg, K.C.
Strosberg Sasso Sutts LLP

Financial statements of
États financiers du
The 1986 - 1990 Hepatitis C Fund
Fonds Hépatite C 1986 - 1990

December 31, 2022
31 décembre 2022

Independent Auditor's Report	1-3	Rapport de l'auditeur indépendant
Statement of financial position	4	État de la situation financière
Statement of operations	5	État des résultats
Statement of cash flows	6	État des flux de trésorerie
Notes to the financial statements	7-14	Notes complémentaires

Independent Auditor's Report

To the Joint Committee of the
1986 - 1990 Hepatitis C Fund

Opinion

We have audited the financial statements of the 1986-1990 Hepatitis Fund (the "Fund"), which comprise the statement of financial position as at December 31, 2022, and the statements of operations and of cash flows for the year then ended, and a summary of significant accounting policies (collectively referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Fund as at December 31, 2022, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards ("Canadian GAAS"). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Fund in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Rapport de l'auditeur indépendant

Au comité mixte du
Fonds Hépatite C 1986 - 1990

Opinion

Nous avons effectué l'audit des états financiers du Fonds Hépatite C 1986 - 1990 (le « Fonds »), qui comprennent l'état de la situation financière au 31 décembre 2022, et les états des résultats et des flux de trésorerie de l'exercice clos à cette date, ainsi qu'un résumé des principales méthodes comptables et d'autres informations explicatives (collectivement les « états financiers »).

À notre avis, les états financiers ci-joints donnent, dans tous leurs aspects significatifs, une image fidèle de la situation financière du Fonds au 31 décembre 2022, ainsi que des résultats de ses activités et de ses flux de trésorerie pour l'exercice clos à cette date, conformément aux Normes comptables canadiennes pour les organismes sans but lucratif.

Fondement de l'opinion

Nous avons effectué notre audit conformément aux normes d'audit généralement reconnues (NAGR) du Canada. Les responsabilités qui nous incombent en vertu de ces normes sont plus amplement décrites dans la section « Responsabilités de l'auditeur à l'égard de l'audit des états financiers » du présent rapport. Nous sommes indépendants du Fonds conformément aux règles de déontologie qui s'appliquent à l'audit des états financiers au Canada et nous nous sommes acquittés des autres responsabilités déontologiques qui nous incombent selon ces règles. Nous estimons que les éléments probants que nous avons obtenus sont suffisants et appropriés pour fonder notre opinion d'audit.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian accounting standards not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Fund's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Fund or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Fund's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

Responsabilité de la direction et des responsables de la gouvernance à l'égard des états financiers

La direction est responsable de la préparation et de la présentation fidèle des états financiers conformément aux normes comptables canadiennes pour les organismes sans but lucratif, ainsi que du contrôle interne qu'elle considère comme nécessaire pour permettre la préparation d'états financiers exempts d'anomalies significatives, que celles-ci résultent de fraudes ou d'erreurs.

Lors de la préparation des états financiers, c'est à la direction qu'il incombe d'évaluer la capacité du Fonds à poursuivre son exploitation, de communiquer, le cas échéant, les questions relatives à la continuité de l'exploitation et d'appliquer le principe comptable de continuité d'exploitation, sauf si la direction a l'intention de liquider le Fonds ou de cesser son activité ou si aucune autre solution réaliste ne s'offre à elle.

Il incombe aux responsables de la gouvernance de surveiller le processus d'information financière du Fonds.

Responsabilités de l'auditeur à l'égard de l'audit des états financiers

Nos objectifs sont d'obtenir l'assurance raisonnable que les états financiers pris dans leur ensemble sont exempts d'anomalies significatives, que celles-ci résultent de fraudes ou d'erreurs, et de délivrer un rapport de l'auditeur contenant notre opinion. L'assurance raisonnable correspond à un niveau élevé d'assurance, qui ne garantit toutefois pas qu'un audit réalisé conformément aux NAGR du Canada permettra toujours de détecter toute anomalie significative qui pourrait exister. Les anomalies peuvent résulter de fraudes ou d'erreurs et elles sont considérées comme significatives lorsqu'il est raisonnable de s'attendre à ce que, individuellement ou collectivement, elles puissent influencer sur les décisions économiques que les utilisateurs des états financiers prennent en se fondant sur ceux-ci.

Dans le cadre d'un audit réalisé conformément aux NAGR du Canada, nous exerçons notre jugement professionnel et faisons preuve d'esprit critique tout au long de cet audit. En outre :

- Nous identifions et évaluons les risques que les états financiers comportent des anomalies significatives, que celles-ci résultent de fraudes ou d'erreurs, concevons et mettons en œuvre des procédures d'audit en réponse à ces risques, et réunissons des éléments probants suffisants et appropriés pour fonder notre opinion. Le risque de non-détection d'une anomalie significative résultant d'une fraude est plus élevé que celui d'une anomalie significative résultant d'une erreur, car la fraude peut impliquer la collusion, la falsification, les omissions volontaires, les fausses déclarations ou le contournement du contrôle interne.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Fund's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Fund's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Fund to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Deloitte LLP

Chartered Professional Accountants
Licensed Public Accountants
May 19, 2023

- Nous acquérons une compréhension des éléments du contrôle interne pertinents pour l'audit afin de concevoir des procédures d'audit appropriées aux circonstances, et non dans le but d'exprimer une opinion sur l'efficacité du contrôle interne du Fonds.
- Nous apprécions le caractère approprié des méthodes comptables retenues et le caractère raisonnable des estimations comptables faites par la direction, de même que des informations y afférentes fournies par cette dernière.
- Nous tirons une conclusion quant au caractère approprié de l'utilisation par la direction du principe comptable de continuité d'exploitation et, selon les éléments probants obtenus, quant à l'existence ou non d'une incertitude significative liée à des événements ou situations susceptibles de jeter un doute important sur la capacité du Fonds à poursuivre son exploitation. Si nous concluons à l'existence d'une incertitude significative, nous sommes tenus d'attirer l'attention des lecteurs de notre rapport sur les informations fournies dans les états financiers au sujet de cette incertitude ou, si ces informations ne sont pas adéquates, d'exprimer une opinion modifiée. Nos conclusions s'appuient sur les éléments probants obtenus jusqu'à la date de notre rapport. Des événements ou situations futurs pourraient par ailleurs amener le Fonds à cesser son exploitation.
- Nous évaluons la présentation d'ensemble, la structure et le contenu des états financiers, y compris les informations fournies dans les notes, et apprécions si les états financiers représentent les opérations et événements sous-jacents d'une manière propre à donner une image fidèle.

Nous communiquons aux responsables de la gouvernance notamment l'étendue et le calendrier prévus des travaux d'audit et nos constatations importantes, y compris toute déficience importante du contrôle interne que nous aurions relevée au cours de notre audit.

Deloitte S.E.N.C.R.L./s.r.l.

Comptables professionnels agréés
Experts-comptables autorisés
19 mai 2023

The 1986 - 1990 Hepatitis C Fund**Statement of financial position**

As at December 31, 2022

(In thousands of dollars)

Fonds Hépatite C 1986 - 1990**État de la situation financière**

au 31 décembre 2022

(en milliers de dollars)

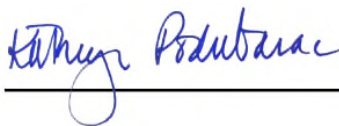
	2022	2021	
	\$	\$	
Assets			Actif
Current assets			Actif à court terme
Cash	3,535	3,114	Encaisse
Contributions receivable	2,359	2,482	Apports à recevoir
	5,894	5,596	
Investments (Note 3)	979,554	1,087,978	Placements (note 3)
	985,448	1,093,574	
Liabilities			Passif
Current liabilities			Passif à court terme
Accounts payable and accrued liabilities	4,424	4,124	Créditeurs et charges à payer
Accrued claims in process of payment	8,416	8,757	Demandes accumulées en cours de paiement
	12,840	12,881	
Funding held for future expenses (Note 4)			Financement pour charges futures (note 4)
Regular	847,129	938,891	Régulier
Late claims benefits	58,427	65,814	Réclamations tardives
Special distribution benefits	67,052	75,988	Indemnités de distribution spéciale
	985,448	1,093,574	

The accompanying notes are an integral part of the financial statements.

Les notes complémentaires font partie intégrante des états financiers.

Approved by the Joint Committee of
The 1986 - 1990 Hepatitis C Fund

Au nom du Comité mixte du Fonds
Hépatite C 1986 - 1990



Heather Rumble Peterson
Heather Rumble Peterson (May 31, 2023 10:21 EDT)



David Loukidellis
David Loukidellis (May 31, 2023 08:40 PDT)

The 1986 - 1990 Hepatitis C Fund**Statement of operations**

Year ended December 31, 2022

(In thousands of dollars)

Fonds Hépatite C 1986 - 1990**État des résultats**

de l'exercice clos le 31 décembre 2022

(en milliers de dollars)

	2022	2021	
	\$	\$	
Expenses			Dépenses
Claims (Note 5)	29,560	38,202	Demands (note 5)
Operating (Note 6)	3,400	3,531	Frais d'exploitation (note 6)
	32,960	41,733	
Revenue	32,960	41,733	Revenus
Excess of revenue over expenses	—	—	Excédent des revenus sur les dépenses

The accompanying notes are an integral part of the financial statements.

Les notes complémentaires font partie intégrante des états financiers.

The 1986 - 1990 Hepatitis C Fund**Statement of cash flows**

Year ended December 31, 2022

(In thousands of dollars)

Fonds Hépatite C 1986 - 1990**État des flux de trésorerie**

de l'exercice clos le 31 décembre 2021

(en milliers de dollars)

	2022	2021	
	\$	\$	
Operating activities			Activités d'exploitation
Excess of revenue over expenses	—	—	Excédent des revenus sur les dépenses
Items not affecting cash			Éléments sans incidence sur l'encaisse
Realized loss (gains) on investments	437	(25,930)	Gains réalisés sur placements
Change in unrealized gains and losses on investments	107,771	5,566	Variation des gains et pertes non réalisés sur placements
	108,208	(20,364)	
Changes in non-cash operating working capital items			Variation nette des éléments hors caisse du fonds de roulement d'exploitation
Contributions receivable	123	134	Apports à recevoir
Accounts payable and accrued liabilities	300	(1,332)	Créditeurs et charges à payer
Accrued claims in process of payment	(341)	82	Demandes accumulées en cours de paiement
Funding held for future expenses	(108,085)	14,864	Financement pour charges futures
	205	(6,616)	
Investing activities			Activités d'investissement
Purchase of investments	(143,308)	(270,949)	Acquisition de placements
Proceeds on sale of investments	143,524	276,613	Produits de la vente de placements
	216	5,664	
Net cash outflow	421	(952)	Augmentation de l'encaisse
Cash, beginning of year	3,114	4,066	Encaisse au début
Cash, end of year	3,535	3,114	Encaisse à la fin

The accompanying notes are an integral part of the financial statements.

Les notes complémentaires font partie intégrante des états financiers.

The 1986 - 1990 Hepatitis C Fund

Notes to the financial statements

December 31, 2022

(Tabular amounts in thousands of dollars)

Fonds Hépatite C 1986 - 1990

Notes complémentaires

31 décembre 2022

(montants dans les tableaux en milliers de dollars)

1. Description of the Fund

The 1986 - 1990 Hepatitis C Fund (the "Fund") was established to hold and invest funds and administer their payment as compensation to claimants who qualify as class members, all pursuant to the terms of the January 1, 1986 - July 1, 1990 Hepatitis C Settlement Agreement (the "Agreement") made as of June 15, 1999 and the Judgments of the Supreme Court of British Columbia, Superior Court of Justice for Ontario and Superior Court of Quebec (the "Courts").

The maximum obligations to the Fund established as at January 10, 2000 were \$1.203 billion, shared between the Government of Canada (72.7273%) and the governments of the provinces and territories (27.2727%), plus interest accruing thereafter on the unpaid obligations.

The Government of Canada has made contributions to the Fund, which totally satisfy its obligation to the Fund. The provincial and territorial governments are required to contribute as and when required for payment of their share of expenses. Provinces and territories may elect to prepay their contributions.

As at December 31, 2022, the provinces and territories prepaid contributions total \$10,900 (\$11,100 in 2021). To the extent, provinces and territories do not prepay their contributions, interest is calculated on their outstanding obligations at treasury bill rates applied quarterly. As at December 31, 2022, those obligations including interest are estimated to be \$71,228,000 (\$77,480,000 in 2021).

In 2017, from the excess capital, the Courts approved funding for Late Claims Benefits and Special Distribution Benefits. The provinces and territories do not contribute towards these new benefits.

The operations of the Fund are subject to various reviews and approvals by the Courts.

The Fund is a trust that is exempt from income tax under the *Income Tax Act*.

1. Description du Fonds

Le Fonds Hépatite C 1986 - 1990 (le « Fonds ») a été constitué dans le but de conserver et d'investir des fonds et de gérer leur versement sous forme d'indemnités aux requérants admissibles comme personnes inscrites au recours collectif, conformément aux modalités de l'entente de règlement relative à l'hépatite C pour la période allant du 1^{er} janvier 1986 au 1^{er} juillet 1990 (l'« entente »), datée du 15 juin 1999, et aux décisions de la Cour suprême de la Colombie-Britannique, de la Cour supérieure de justice de l'Ontario et de la Cour supérieure du Québec (les « Tribunaux »).

Au 10 janvier 2000, les obligations maximales revenant au Fonds s'élevaient à 1,203 milliards de dollars, et elles étaient partagées entre le gouvernement du Canada (72,7273 %) et les gouvernements provinciaux et territoriaux (27,2727 %), plus les intérêts cumulés par la suite sur les obligations impayées.

Le gouvernement du Canada a versé des apports au Fonds, lesquels règlent entièrement son obligation envers le Fonds. Les gouvernements provinciaux et territoriaux sont tenus de verser des apports pour régler leur part des charges au moment où elles deviennent exigibles. Les provinces et les territoires peuvent choisir de verser leurs apports à l'avance.

Au 31 décembre 2022, les apports des provinces et territoires versés à l'avance totalisent 10 900 \$ (11 100 \$ en 2021). Dans la mesure où ils ne versent pas d'apports à l'avance, l'intérêt est calculé trimestriellement sur les obligations impayées aux taux des bons du Trésor. Au 31 décembre 2022, ces obligations, intérêts compris, sont estimées à 71 228 000 \$ (77 480 000 \$ en 2021).

En 2017, les Tribunaux ont approuvé l'allocation de capital excédentaire pour les réclamations tardives et pour les indemnités de distribution spéciale. Les provinces et les territoires ne contribuent pas à ces nouveaux avantages.

Les activités du Fonds sont assujetties à divers examens et approbations des Tribunaux.

Le Fonds est une fiducie exonérée de l'impôt sur le revenu en vertu de la *Loi de l'impôt sur le revenu*.

The 1986 - 1990 Hepatitis C Fund

Notes to the financial statements

December 31, 2022

(Tabular amounts in thousands of dollars)

Fonds Hépatite C 1986 - 1990

Notes complémentaires

31 décembre 2022

(montants dans les tableaux en milliers de dollars)

2. Significant accounting policies

Basis of presentation

The financial statements have been prepared in accordance with Canadian accounting standards for not-for-profit organizations and include the following significant accounting policies:

Financial instruments

Financial instruments include cash, contributions receivable, investments and accounts payable and accrued liabilities and claims payable.

All financial assets and liabilities are initially recognized at fair value and subsequently they are measured at amortized cost with the exception of cash and investments, which are measured at fair value.

Transaction costs

Transaction costs are expensed as incurred.

Liabilities and funding for future payments

These financial statements do not present liabilities for payments to be made to class members in future years nor the related future funding requirements of provincial and territorial governments.

Revenue recognition

The Fund follows the deferral method of accounting for contributions. Revenue is recognized as expenses are incurred and shares of such expenses are allocated to governments, as set out in the Agreement. To the extent that contributions are paid to the Fund in advance of expenses being incurred and allocated, the contributions and the investment earnings thereon are deferred and recorded as funding held for future expenses. Accordingly, the funding held for future expenses includes:

- Funding contributed in payment of the Government of Canada obligation;
- Contributions prepaid by provinces and territories, if any; and
- Investment earnings for the period.

2. Principales méthodes comptables

Méthode de présentation

Les états financiers ont été dressés conformément aux Normes comptables canadiennes pour les organismes sans but lucratif et tiennent compte des principales méthodes comptables suivantes :

Instruments financiers

Les instruments financiers comprennent l'encaisse, les apports à recevoir, les placements, créiteurs et charges à payer et les demandes accumulées en cours de paiement.

Les actifs et passifs financiers sont comptabilisés initialement à la juste valeur et sont ensuite comptabilisés au coût amorti à l'exception de l'encaisse et des placements qui sont comptabilisés à la juste valeur.

Coûts de transaction

Les coûts de transaction sont comptabilisés comme dépenses lorsqu'ils sont encourus.

Obligations et financement pour paiements futurs

Ces états financiers ne présentent aucune obligation pour des paiements futurs devant être faits aux personnes inscrites aux recours collectifs, ni aucune exigence connexe future en matière de financement des gouvernements provinciaux et territoriaux.

Constatation des revenus

Le Fonds comptabilise les apports selon la méthode du report. Les revenus sont comptabilisés à mesure que les charges sont engagées, et une tranche de ces charges est attribuée aux gouvernements, comme le prévoit l'entente. Lorsque les apports sont versés au Fonds avant que les charges ne soient engagées et réparties, les apports et le revenu de placement en découlant sont reportés et constatés à titre de financement pour charges futures. Par conséquent, le financement pour charges futures comprend ce qui suit :

- Apport sous forme de paiement de l'obligation du gouvernement du Canada;
- Apports versés à l'avance par les gouvernements provinciaux et territoriaux, le cas échéant;
- Revenus de placement de la période.

The 1986 - 1990 Hepatitis C Fund

Notes to the financial statements

December 31, 2022

(Tabular amounts in thousands of dollars)

Fonds Hépatite C 1986 - 1990

Notes complémentaires

31 décembre 2022

(montants dans les tableaux en milliers de dollars)

2. Significant accounting policies (continued)

Revenue recognition (continued)

As expenses are incurred and allocated, amounts are deducted from the balance of the funding held for future expenses and are recognized as revenue.

Where provincial and territorial governments have not prepaid contributions and expenses are allocated to them, such amounts are requisitioned by the Fund and are recognized directly as revenue of the Fund.

Claims

A claim is recognized as an expense in the period in which the claim payment approval process has been completed.

Operating expenses

Operating expenses are recorded in the period in which they are incurred. Operating expenses are subject to approval by the Courts.

Use of estimates

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Significant estimates include the fair value of investments and the amount of accrued liabilities. Actual results could differ from these estimates.

Foreign currency

Transactions denominated in foreign currencies are translated into Canadian dollars at the rates of exchange prevailing at the dates of the transactions. Investments and cash balances denominated in foreign currencies are translated at the rates in effect at year-end. Resulting gains or losses from changes in these rates are included in investment earnings.

2. Principales méthodes comptables (suite)

Constatation des revenus (suite)

À mesure que les charges sont engagées et réparties, les montants sont déduits du solde du financement pour charges futures et comptabilisées dans les revenus.

Lorsque les apports ne sont pas versés à l'avance par les gouvernements provinciaux et territoriaux et que des charges leur sont attribuées, ces montants leur sont demandés par le Fonds puis comptabilisés directement dans les revenus.

Demandes

Les demandes sont constatées à titre de charges dans la période au cours de laquelle le processus d'approbation de paiement des demandes a été mené à terme.

Frais d'exploitation

Les frais d'exploitation sont constatés dans la période au cours de laquelle ils sont engagés. Ils sont assujettis à l'approbation des tribunaux.

Utilisation d'estimations

Dans le cadre de la préparation des états financiers, conformément aux Normes comptables canadiennes pour les organismes sans but lucratif, la direction doit établir des estimations et des hypothèses qui ont une incidence sur les montants des actifs et des passifs présentés et sur la présentation des actifs et des passifs éventuels à la date des états financiers, ainsi que sur les montants des produits d'exploitation et des charges constatés au cours de la période visée par les états financiers. Les estimations importantes comprennent la juste valeur des placements et le montant des charges à payer. Les résultats réels pourraient varier par rapport à ces estimations.

Devises étrangères

Les opérations libellées en devises étrangères sont converties en dollars canadiens aux taux de change en vigueur aux dates auxquelles les opérations sont effectuées. Les placements et l'encaisse libellés en devises sont convertis aux taux en vigueur à la fin de l'exercice. Les gains ou les pertes de change découlant de la variation de ces taux sont inclus dans le revenu de placement.

3. Investments

Investments are summarized as follows:

	Fair value Juste valeur \$	2022 Cost Coût \$
Investment earnings receivable and cash	4,549	4,549
Fixed income		
Government of Canada	720,084	671,470
Fixed income pooled funds	114,287	114,406
	834,371	785,876
Equities - Pooled Funds		
Canadian	—	—
International	140,634	135,362
	140,634	135,362
	979,554	925,787

Determination of fair value

Fixed income includes debt obligations of governments and corporate bodies paying interest at rates appropriate to the market at the date of their purchase. Bonds are recorded at prices based upon published bid prices.

Pooled fund units are valued at prices based on the market value of the underlying securities held by the pooled funds.

Investment risk

Investment in financial instruments renders the Fund subject to investment risks. These include the risks arising from changes in interest rates, in rates of exchange for foreign currency, and in equity markets both domestic and foreign. They also include the risks arising from the failure of a counterparty to a financial instrument to discharge an obligation when it is due.

The Fund has adopted investment policies, standards and procedures to control the amount of risk to which it is exposed. The investment practices of the Fund are designed to avoid undue risk of loss and impairment of assets and to provide a reasonable expectation of fair return given the nature of the investments. The maximum investment risk to the Fund is represented by the fair value of the investments. There is no foreign currency risk as the investment are all Canadian.

3. Placements

Les placements se résument ainsi :

	Fair value Juste valeur \$	2021 Cost Coût \$	
Investment earnings receivable and cash	2,015	2,015	Revenus de placement à recevoir et encaisse
Fixed income			Titres à revenu fixe
Government of Canada	660,253	516,343	Gouvernement du Canada
Fixed income pooled funds	61,972	54,660	Fonds communs à revenu fixe
	722,225	571,003	
Equities - Pooled Funds			Actions - Fonds communs
Canadian	217,774	218,060	Canadiens
International	145,964	135,362	International
	363,738	353,422	
	1,087,978	926,440	

Détermination de la juste valeur

Les titres à revenu fixe proviennent de titres de créance de gouvernements et de sociétés qui versent des intérêts à des taux conformes à ceux du marché à la date d'achat. Les obligations sont comptabilisées à des prix offerts publiés.

Les fonds communs sont évalués selon la valeur marchande des titres sous-jacents détenus par les fonds communs.

Risque de placement

Les placements dans des instruments financiers placent le Fonds face à des risques liés aux placements. Ceux-ci incluent les risques provenant des variations dans les taux d'intérêts, dans les taux de conversion de devises et dans le marché boursier, national et international ainsi que ceux provenant du danger éventuel qu'une des parties engagées par rapport à un instrument financier ne puisse faire face à ses obligations.

Le Fonds a adopté des politiques, des normes et des méthodes pour contrôler le niveau de risque auquel il s'expose. Les habitudes du Fonds en ce qui concerne les placements ont pour but d'éviter tout risque inutile de perte et d'insuffisance d'actif et de fournir une espérance raisonnable quant à leur juste rendement, étant donné la nature des placements. Le maximum de risque auquel s'expose le Fonds se trouve dans la juste valeur des placements. Il n'y a pas de risque de change puisque les placements sont tous en dollar canadien.

3. Investments (continued)

Interest rate risk

The fixed income portfolio's sensitivity to a change in market rates is represented by the duration of the portfolio. As at December 31, 2022, the average duration of the bonds and debentures in the portfolio, weighted on fair value, was 10.74 years (10.89 years in 2021).

Concentration risk

Concentration risk exists when a significant proportion of the portfolio is invested in securities with similar characteristics or subject to similar economic, political or other conditions. The relative proportions of the types of investments, in the portfolio are as follows:

3. Placements (suite)

Risque des taux d'intérêt

La sensibilité du portefeuille de titres à revenu fixe aux variations des taux d'intérêt du marché correspond à la durée du portefeuille. Au 31 décembre 2022, la durée moyenne des obligations et des débentures du portefeuille, pondérée selon la juste valeur, était de 10,74 ans (10,89 ans en 2021).

Risque de concentration

Le risque de concentration existe lorsqu'une part importante du portefeuille est investie dans des titres ayant des caractéristiques semblables ou qui sont soumis à des conditions similaires d'ordre économique, politique ou autre. Les proportions relatives des types de placements du portefeuille sont les suivantes :

	2022		2021		
	Fair value		Fair value		
	Juste valeur		Juste valeur		
	\$	%	\$	%	
Investment earnings receivable and cash	4,549	—	2,015	—	Revenus de placement à recevoir et encaisse
Fixed income					Titres à revenu fixe
Government of Canada	720,084	74	660,253	61	Gouvernement du Canada
Fixed income pooled funds	114,287	12	61,972	6	Fonds communs à revenu fixe
	834,371	86	722,225	67	
Equities - Pooled Funds					Actions - Fonds communs
Canadian	—	—	217,774	20	Canadiens
International	140,634	14	145,964	13	International
	140,634	14	363,738	33	
	979,554	100	1,087,978	100	

The 1986 - 1990 Hepatitis C Fund
Notes to the financial statements
December 31, 2022
(Tabular amounts in thousands of dollars)

Fonds Hépatite C 1986 - 1990
Notes complémentaires
31 décembre 2022
(montants dans les tableaux en milliers de dollars)

4. Funding held for future expenses

4. Financement pour charges futures

	Regular Fund	Late claims benefits	Special distribution benefits	
	Régulier	Réclamations tardives	Indemnités de distribution spéciale	2022 Total
	\$	\$	\$	\$
Balance, beginning of year	938,891	65,814	75,988	1,080,693
Changes during the year				
Investment earnings	(71,862)	(5,171)	(5,556)	(82,589)
Amounts recognized as revenue	(19,900)	(2,216)	(3,380)	(25,496)
Balance, end of year	847,129	58,427	67,052	972,608

Solde au début
Variations au cours de l'exercice
Revenus de placement
Montants constatés comme revenus
Solde à la fin

	Regular Fund	Late claims benefits	Special distribution benefits	
	Régulier	Réclamations tardives	Indemnités de distribution spéciale	2021 Total
	\$	\$	\$	\$
Balance, beginning of year	916,620	71,740	77,469	1,065,829
Reallocation of excess capital				
Investment earnings	42,531	3,116	3,352	48,999
Amounts recognized as revenue	(20,260)	(9,042)	(4,833)	(34,135)
Balance, end of year	938,891	65,814	75,988	1,080,693

Solde au début
Réallocation du surplus en capital
Revenus de placement
Montants constatés comme revenus
Solde à la fin

5. Claims

Claims recognized as expenses of the Fund during the current year consist of the following:

	Regular Fund	Late claims benefits	Special distribution benefits	
	Régulier	Réclamations tardives	Indemnités de distribution spéciale	2022 Total
	\$	\$	\$	\$
Approved by the Administrator of the Fund Disbursed	24,858	1,961	3,082	29,901
Net change in accrued claims in process of payment	(454)	(65)	178	(341)
	24,404	1,896	3,260	29,560

Demandes approuvées par l'Administrateur du Fonds
Décaissement
Variation nette des demandes accumulées en cours de paiement

5. Demandes

Les demandes comptabilisées dans les charges du Fonds au cours de l'exercice comprennent ce qui suit :

	Regular Fund	Late claims benefits	Special distribution benefits	
	Régulier	Réclamations tardives	Indemnités de distribution spéciale	2021 Total
	\$	\$	\$	\$
Approved by the Administrator of the Fund Disbursed	24,985	8,564	4,571	38,120
Net change in accrued claims in process of payment	(39)	53	68	82
	24,946	8,617	4,639	38,202

Demandes approuvées par l'Administrateur du Fonds
Décaissement
Variation nette des demandes accumulées en cours de paiement

The 1986 - 1990 Hepatitis C Fund
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December 31, 2022
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6. Operating expenses

6. Frais d'exploitation

	Regular	Late claims benefits	Special distribution benefits		
	Régulier	Réclamations Tardives	Indemnités de distribution spéciale	2022 Total	
	\$	\$	\$	\$	
Administrator	611	99	28	738	Administrateur
Legal (claims' appeal costs, Fund counsel)	181	184	—	365	Frais juridiques (frais de demandes en appel, avocats du Fonds)
Joint committee - Administration	915	15	77	1,007	Comité mixte - Administration
Joint committee - Sufficiency review	318	—	—	318	Comité mixte - Réévaluation de la suffisance
Investment management	427	—	—	427	Gestion des placements
Audit and related services	110	19	11	140	Honoraires d'audit et de services connexes
Custodial trustee	165	—	—	165	Frais de garde
Actuarial - General	145	3	4	152	Honoraires d'actuariat
Actuarial - Sufficiency review	—	—	—	—	Honoraires d'actuariat - Réévaluation de la suffisance
Medical and other consulting	88	—	—	88	Frais médicaux et autres frais de consultation
	2,960	320	120	3,400	

	Regular	Late claims benefits	Special distribution benefits		
	Régulier	Réclamations Tardives	Indemnités de distribution spéciale	2021 Total	
	\$	\$	\$	\$	
Administrator	573	253	114	940	Administrateur
Legal (claims' appeal costs, Fund counsel)	212	25	—	237	Frais juridiques (frais de demandes en appel, avocats du Fonds)
Joint committee - Administration	1,027	129	65	1,221	Comité mixte - Administration
Joint committee - Sufficiency review	246	—	—	246	Comité mixte - Réévaluation de la suffisance
Investment management	425	—	—	425	Gestion des placements
Audit and related services	104	16	16	136	Honoraires d'audit et de services connexes
Custodial trustee	122	—	—	122	Frais de garde
Actuarial - General	94	2	—	96	Honoraires d'actuariat
Actuarial - Sufficiency review	99	—	—	99	Honoraires d'actuariat - Réévaluation de la suffisance
Medical and other consulting	9	—	—	9	Frais médicaux et autres frais de consultation
	2,911	425	195	3,531	

**1986-1990 Hepatitis C Claims Centre
Annual Report for the Period Ending December 31, 2022**

Appointment

Epiq Class Action Services Canada Inc. has been administering the 1986-1990 Hepatitis C Class Action Settlement since our appointment by the Courts January 1, 2019.

Activities of Year 23

1. Complied with all Administrator duties as outlined in Article Five of the Settlement Agreement.
2. Worked in collaboration with the auditors from Deloitte to complete the year-end audit process.
3. Continued to work with the Joint Committee to implement the decisions of the courts to allocate excess capital to Class Members in the form of Special Distributions.
4. Continued work on the Locator Project (Special Project) to identify and locate claimants with outstanding Special Distribution benefits.
5. Met with the Joint Committee in March; provided and discussed updated claim statistics.
6. Continued to work in collaboration with Canadian Blood Services, Héma-Québec, provincial hepatitis c programs, and medical experts.
7. Updated the www.hepc8690.ca as needed.
8. Prepared files for Fund Counsel, Referees, and Arbitrators and attended appeal hearings as required.

Hepatitis C 1986-1990 - Key Statistics as of December 31, 2022

Funds disbursed – HCV Regular Benefit Account	\$1,097,268,510.14
Funds disbursed – HCV Special Distribution Benefit Account	\$104,214,069.56
Claims received	18,228
Claims approved	14,919
Claims denied	3,197
Claims in progress	112
Appeals	512
Decisions Rendered	365
Mediated/Withdrawn/Rescinded/Archived	141
Traceback requests initiated	5,065

HCV Late Claims Benefit Plan - Key Statistics as of December 31, 2022

Funds disbursed – HCV Late Claims Benefit Plan Account	\$16,063,215.67
Claims received	481
Claims approved	223
Claims denied	103
Claims in progress	155
Appeals	26
Decisions Rendered	10
Mediated/Withdrawn/Rescinded/Archived	4
Traceback requests initiated	156

Administrator's 2022 Hepatitis C 8690 Reconciliation

Balance owing as of December 31, 2021		\$	175,679.62
A. Regular Benefit Plan			
Budgeted Fees	\$	535,499.88	
HST	\$	69,614.98	\$ 605,114.86
Activity Adjustment	\$	(25,750.58)	
HST	\$	(3,347.58)	\$ (29,098.16)
Disbursements	\$	832.92	
HST	\$	108.30	\$ 941.22
Third Party Expenses	\$	-	
HST	\$	-	\$ -
Appeals Costs	\$	-	
HST	\$	-	\$ -
Regular Benefit Plan Total 2022 Fees and Disbursements		\$	576,957.92
B. Special Distribution Benefits (SDB)			
Fees	\$	18,370.00	
HST	\$	2,388.11	\$ 20,758.11
Disbursements	\$	-	
HST	\$	-	\$ -
SDB Total 2022 Fees and Disbursements		\$	20,758.11
C. Late Claims Benefit Plan (LCBP)			
Fixed Fee	\$	5,000.00	
Activity Level Fees	\$	75,529.50	
HST	\$	10,468.84	\$ 90,998.34
Disbursements	\$	7,052.64	
HST	\$	916.84	\$ 7,969.48
LCBP Total 2022 Fees and Disbursements		\$	98,967.82
D. Special Projects			
Fees	\$	31,804.50	
HST	\$	4,134.60	\$ 35,939.10
Disbursements	\$	2,442.71	
HST	\$	317.55	\$ 2,760.27
Special Projects Total 2022 Fees and Disbursements		\$	38,699.37
2022 Total		\$	735,383.22
Payments made in 2022			
Towards Budget Year 2021	\$	175,679.62	
Towards Budget Year 2022	\$	653,154.66	
Total Payments made in 2022		\$	828,834.28
Balance to be Debited Against Hep C Fund (as of December 31, 2020)		\$	82,228.56
Balance outstanding as of the date of this report		NIL	

Concentra Trust
fiduciaire et
dépositaire du
Fonds relatif à
l'hépatite C

Section 1 | À propos du fiduciaire et du dépositaire

À propos de Concentra Trust

Concentra Trust est la septième société de fiducie en importance au Canada détenue par une banque et compte plus de 70 ans d'expérience et d'expertise au service de sociétés, de coopératives de crédit et de particuliers. Elle offre une gamme complète de services de fiducie axés sur des besoins spécialisés, notamment des fiducies autochtones, des fiducies de sociétés, des fiducies personnelles à valeur nette élevée et des solutions pour les administrateurs de régimes enregistrés. En tant que société de fiducie sous réglementation fédérale, Concentra Trust se conforme aux programmes fédéraux de lutte contre le blanchiment d'argent, de gestion des risques, de services juridiques et de conformité. Concentra Trust est une filiale de Concentra Bank, acquise en novembre 2022 par Banque Équitable.

À propos de Banque Équitable

EQB Inc. négocie ses actions à la Bourse de Toronto Stock (TSX : EQB et EQB.PR.C) et sert plus de 370 000 personnes partout au Canada par l'entremise de la Banque Équitable, La Banque Qui Défie, sa filiale en propriété exclusive. La filiale en propriété exclusive de la Banque Équitable, Concentra Bank, appuie les coopératives de crédit du Canada qui desservent ensemble plus de 5 millions de membres. La Banque Équitable a plus de 100 milliards de dollars d'actifs sous gestion et administration combinés, avec un mandat clair de favoriser le changement dans les services bancaires canadiens pour enrichir la vie des gens. Fondée il y a plus de 50 ans, la Banque Qui Défie offre des services bancaires diversifiés aux particuliers et aux entreprises et, grâce à sa plateforme de la Banque EQ (eqbank.ca/fr/), a été nommée la meilleure banque de l'annexe 1 au Canada dans les listes publiées par Forbes en 2021 et en 2022. Pour plus de détails, veuillez consulter le site equitablebank.ca/fr.

À propos de notre dépositaire | CIBC Mellon, Compagnie Trust CIBC Mellon et société de services de titres mondiaux CIBC Mellon

CIBC Mellon est un utilisateur autorisé de la marque de commerce CIBC et de certaines marques de commerce BNY Mellon et est la marque de commerce de la société de services de titres mondiaux CIBC Mellon et de la Compagnie Trust CIBC Mellon.

CIBC Mellon offre un mécanisme sécurisé pour la garde d'actions, d'obligations, de billets et d'autres titres, dans des environnements physiques et comptables. Les actifs sont détenus de façon sécuritaire et consignés avec exactitude sur la plateforme de garde de la CIBC. La CIBC effectue une évaluation annuelle des risques liés aux dépôts, ainsi qu'un rapprochement régulier des positions physiques de la chambre forte et des dépôts.

CIBC Mellon a une interface électronique directe avec la Caisse canadienne de dépôt de valeurs (CDS), qui permet d'automatiser l'affirmation et la confirmation de règlement. Cela se traduit par un échange transparent de données entre les plateformes et les dépositaires et offre un maximum de contrôle sur le processus de règlement des titres.

Section 2 | Responsabilités du fiduciaire et du dépositaire

Concentra Trust a été nommée fiduciaire et gardienne du Fonds en fiducie relatif à l'hépatite C par les Cours supérieures de la Colombie-Britannique, de l'Ontario et du Québec à compter du 1er avril 2022. Le Fonds en fiducie relatif à l'hépatite C est administré et géré par une équipe d'administrateurs fiduciaires principaux, de conseillers fiduciaires principaux et de directeurs fiduciaires.

Contributions au Fonds en fiducie

Concentra Trust reçoit des contributions mensuelles des gouvernements provinciaux et territoriaux. Après confirmation du dépôt, les fonds sont transférés au compte de garde du fonds détenu auprès de CIBC Mellon et sont investis par le gestionnaire de placements conformément au mandat de placement.

Décaissements prévus

Tous les débours du régime sont traités en temps opportun conformément aux modalités de notre nomination ou de notre ordonnance du tribunal. Les factures sont reçues par Concentra Trust et Concentra Trust ordonne à la CIBC d'effectuer les paiements directement du compte de garde aux fournisseurs de services.

Tenue des dossiers

Concentra Trust tient des dossiers exacts sur les actifs du Fonds et fournit des rapports en temps opportun à diverses parties, notamment :

Rapports théoriques trimestriels : Concentra Trust tient des comptes théoriques pour chacun des gouvernements provinciaux et territoriaux. Ces comptes sont fondés sur le pourcentage de partage fourni par le gouvernement fédéral. Le rapport fait état des contributions proportionnelles des gouvernements, du montant des intérêts proportionnels et des débours proportionnels. Il indique également quand les paiements sont dus et quand ils sont reçus.

Synthèse financière mensuelle : Le présent rapport résume, à un niveau élevé, la valeur marchande du Fonds en fiducie, le revenu de placement gagné, les paiements versés aux demandeurs et aux fournisseurs de services, et les sommes recouvrées auprès des provinces et des territoires pour ces paiements depuis la création du Fonds en fiducie. Ce rapport comprend une ventilation des trois comptes théoriques, des prestations régulières, des distributions spéciales et des demandes de règlement tardives.

Responsabilités du sous-dépositaire

La nomination par Concentra Trust de la société de services de titres mondiaux CIBC Mellon (« CIBC Mellon ») à titre de sous-dépositaire du Fonds fiduciaire relatif à l'hépatite C a été approuvée par les Cours supérieures de la Colombie-Britannique, de l'Ontario et du Québec le 1er avril 2022.

Garde des titres

Concentra Trust détient en fiducie les espèces et les titres du Fonds fiduciaire par l'entremise de son dépositaire, CIBC Mellon. Les actifs du Fonds fiduciaire sont administrés conformément aux directives du Comité mixte ou du gestionnaire de placements nommé par les tribunaux. CIBC Mellon assure la garde sécuritaire des actifs et, chaque jour, elle concilie les positions en titres dans ses livres en utilisant les services de la CDS.

Traitement des opérations de placement

En tant que dépositaire des placements, CIBC Mellon effectue toutes les opérations de placement de titres en fonction des instructions autorisées reçues du gestionnaire de placements.

Collecte des revenus

CIBC Mellon versera un revenu contractuellement sous forme de dividendes et d'intérêts si le versement est destiné à un marché de revenu contractuel admissible. CIBC Mellon paie les échéances sur une base réelle (une fois le paiement de l'émetteur reçu).

Tenue des dossiers

CIBC Mellon tient des dossiers exacts sur les actifs du Fonds et fournit des rapports en temps opportun à diverses parties, notamment :

Relevés de placement mensuels : Ces relevés présentent le tableau financier du Fonds en fiducie, y compris le rapprochement de l'encaisse, les activités de placement, les recettes et les débours pour la période de déclaration. Les rapports fournissent également une liste des actifs détenus à une certaine date, y compris la valeur comptable, la valeur marchande et le revenu accumulé. Les activités quotidiennes sont rapportées par ordre chronologique.

Résumé des activités du Fonds de la fiducie

Voici un résumé des activités du Fonds de la fiducie de l'hépatite C pour les 12 mois terminés le 31 décembre 2022 23^e année d'exploitation du Fonds de la fiducie.

Du 1^{er} janvier au 31 décembre 2022

Services aux investisseurs et de trésorerie de la RBC – Fiduciaire/dépositaire (de janvier au 31 mars 2022)

Concentra Trust – Fiduciaire/dépositaire (du 1^{er} avril au 31 décembre 2022)

Paielements au Fonds de la fiducie

Contributions des gouvernements provinciaux et territoriaux	7,585,124.77 \$
Gains (y compris les revenus de placements et les gains et pertes en capital réalisés)	18,944,621.76 \$

Paielements du Fonds de la fiducie

Versements à l'administrateur pour les demandeurs	29,899,878.47 \$
Versements aux fournisseurs de services pour les frais et dépenses (y compris les droits payables au fiduciaire et dépositaire)	3,446,237.81 \$
Total	33,346,116.28 \$

1^{er} avril au 31 décembre 2022 – Concentra Trust, fiduciaire/dépositaire

Paielements au Fonds de la fiducie

Contributions des gouvernements provinciaux et territoriaux	4,398,451.72 \$
Gains (y compris les revenus de placements et les gains et pertes en capital réalisés)	15,294,132.16 \$

Paielements du Fonds de la fiducie

Versements à l'administrateur pour les demandeurs	16,899,890.99 \$
Versements aux fournisseurs de services pour les frais et dépenses (y compris les droits payables au fiduciaire et dépositaire Concentra Trust)	2,074,052.29 \$
Total	18,973,943.28 \$

Valeur marchande de clôture du Fonds de la fiducie

Au 31 décembre 2022	980,652,310.46 \$
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Droits payables au fiduciaire et dépositaire

Budget approuvé par les tribunaux - Concentra Trust et CIBC Mellon (sous-dépositaire)	135,500.00 \$
Imputation réelle au Fonds de la fiducie (2022)	101,701.72 \$
Frais pour novembre/décembre (prélevés en janvier 2023)	29,042.80 \$
Total des frais appliqués au budget 2022	130,744.52 \$

Frais par type (pour 2022)

Honoraires du fiduciaire (Concentra Trust)	105,000.03 \$
Taxes (TPS/TVH)	5,249.97 \$
Total	110,250.00 \$
Sous-dépositaire (CIBC Mellon)	25,744.49 \$
Taxes (TPS/TVH)	1,285.97 \$
Total	27,030.46 \$

Ces documents sont fournis par Concentra Trust à titre d'information seulement. Concentra Trust ne fait aucune déclaration ni ne donne aucune garantie et décline toute responsabilité de quelque nature que ce soit quant à leur exactitude, leur fiabilité ou leur exhaustivité ou quant aux mesures prises ou aux résultats obtenus grâce à l'utilisation des documents. Les lecteurs doivent savoir que le contenu de ces documents ne doit pas être considéré comme constituant des conseils juridiques, comptables, financiers, d'investissement ou provenant d'autres professionnels, et qu'il ne doit pas être utilisé à cette fin.

1986-1990 Hepatitis C Settlement Trust Fund

CERTIFICAT ANNUEL DE CONFORMITÉ

Pour l'année se terminant le: 31 décembre 2022

Au meilleur de notre connaissance, nous sommes conformes à votre politique de placement.

Vérifié par :



Michelle Hegeman, CFA
Vice-Président & Directeur
Gestion de portefeuilles

en date du: 12 janvier, 2023

Pour toute question concernant ce document, n'hésitez pas à communiquer avec votre gestionnaire relationnel.

Service à la clientèle institutionnelle de GPTD
1-888-834-6339
inst.info@tdam.com

Solutions de placement mondiales TD



Revue de l'année 2022

1986 - 1990 Hepatitis C
Settlement Trust Fund

21 mars 2023

Anne Giroux, CFA, SIPC
Vice-présidente et directrice

Michelle Hegeman, CFA
Vice-présidente et directrice



Mandat de placement



1986 - 1990 Hepatitis C Settlement Trust Fund

Mandat de placement	Fonds	Indice de référence	Date de création	Valeur marchande
Court terme	Fonds d'investissement à court terme canadien <i>Émeraude</i> TD	Indice des bons du Trésor à 91 jours FTSE Canada	26 oct-18	\$47,227,790
	Compte distinct d'obligations à rendement réel (achat et détention)	s.o.	29 fév-00	\$736,138,248
Long terme	Fonds indiciel d'obligations canadiennes <i>Émeraude</i> TD	Indice obligataire universel FTSE Canada	29 fév-00	\$53,128,404
	FGC à faible volatilité d'actions mondiales élargi <i>Émeraude</i> TD	Indice mondial tous pays MSCI DN (C\$)	25 oct-18	\$130,066,498
Total				\$966,561,025

Remarque : FGC = Fonds en gestion commune. Les chiffres peuvent être arrondis. Au 31 déc. 2022.

Rendement



1986 - 1990 Hepatitis C Settlement Trust Fund

	Rendement du compte			Cible Hep C
Rendements au 31 déc. 2022	1 an	4 ans	Création du compte ¹	
Fonds d'investissement à court terme canadien <i>Émeraude</i> TD	1.78%	1.33%	1.37%	s. o.
Indice des bons du Trésor à 91 jours FTSE Canada	1.81%	1.12%	1.16%	
Différence	-0.03%	0.21%	0.21%	
Compte distinct d'obligations à rendement réel (achat et détention)	-7.98%	2.35%	5.64%	s. o.

	Rendement du compte			Erreur de réplication cible de Hep C (%)	
Rendements au 31 déc. 2022	1 an	4 ans	Création du compte ¹	1 an	4 ans
Fonds indiciel d'obligations canadiennes <i>Émeraude</i> TD	-11.69%	-0.13%	4.30%	± 0.20	± 0.10
Indice obligataire universel FTSE Canada	-11.69%	-0.01%	4.38%		
Différence	0.00%	-0.12%	-0.08%		

	Rendement du compte				Participation au marché baissier	Ratio de Sharpe	Bêta
Rendements au 31 déc. 2022	1 an	4 ans	Création du compte ¹	Volatilité			
Fonds en gestion commune à faible volatilité d'actions mondiales élargi <i>Émeraude</i> TD	-0.58%	4.39%	4.61%	10.67%	61.67%	0.31	0.59
Indice mondial tous pays MSCI DN (C\$)	-12.43%	9.02%	8.39%	13.71%	100.00%	0.58	1.00
Différence	11.85%	-4.63%	-3.78%	-	-	-	-

Cibles Hep C sur 4 ans	1 an	4 ans	70% de l'indice ou moins	80% de l'indice ou moins	Plus grand que l'indice	70% ou moins
Rendement total²	-7.67%	2.35%				

¹ La date de création du compte client distinct d'obligations à rendement réel et celui du Fonds indiciel d'obligations canadiennes *Émeraude* TD est le 29 fév. 2000. La date de création du compte client Fonds d'investissement à court terme canadien *Émeraude* TD est le 26 oct. 2018. La date de création du compte client Fonds en gestion commune à faible volatilité d'actions mondiales élargi *Émeraude* TD est le 25 oct. 2018. ² Correspond au rendement total sur un an et quatre ans des comptes combinés.

Remarque : Les rendements pour les périodes de plus d'un an sont annualisés. Rendement après déduction des dépenses. Les chiffres peuvent être arrondis. Source : Solutions de placement mondiales TD, Directives de placement pour 1986-1990 Hepatitis C Settlement Trust Fund (révisées en 2018), FTSE Global Debt Capital Markets Inc., MSCI Inc. Au 31 déc. 2022.

Rendement

1986 - 1990 Hepatitis C Settlement Trust Fund



Rendements au 31 déc. 2022	Date de création	Annualisés								Depuis la création
		3 mois	Cumul	1 an	2 ans	3 ans	4 ans	5 ans	10 ans	
Fonds d'investissement à court terme canadien <i>Émeraude</i> TD	26 oct-18	0.97%	1.78%	1.78%	1.02%	1.08%	1.33%	-	-	1.37%
Indice des bons du Trésor à 91 jours FTSE Canada		1.00%	1.81%	1.81%	0.99%	0.95%	1.12%	-	-	1.16%
Différence		-0.03%	-0.03%	-0.03%	0.03%	0.14%	0.21%	-	-	0.21%
Fonds indiciel d'obligations canadiennes <i>Émeraude</i> TD	29 fév-00	0.07%	-11.69%	-11.69%	-7.28%	-2.31%	-0.13%	0.17%	1.54%	4.30%
Indice obligataire universel FTSE Canada		0.10%	-11.69%	-11.69%	-7.22%	-2.20%	-0.01%	0.27%	1.63%	4.38%
Différence		-0.03%	0.00%	0.00%	-0.06%	-0.11%	-0.12%	-0.10%	-0.09%	-0.08%
Compte distinct d'obligations à rendement réel (achat et détention)	29 fév-00	2.47%	-7.98%	-7.98%	-2.66%	1.09%	2.35%	1.76%	2.09%	5.64%
Fonds en gestion commune à faible volatilité d'actions mondiales élargi <i>Émeraude</i> TD	25 oct-18	8.37%	-0.58%	-0.58%	8.08%	1.18%	4.39%	-	-	4.61%
Indice mondial tous pays MSCI DN (C\$)		8.24%	-12.43%	-12.43%	1.45%	5.53%	9.03%	-	-	8.39%
Différence		0.13%	11.85%	11.85%	6.63%	-4.35%	-4.63%	-	-	3.78%

Remarque : Rendement après déduction des dépenses. Les chiffres peuvent être arrondis.

Source : Solutions de placement mondiales TD, FTSE Global Debt Capital Markets Inc., MSCI Inc.

Le point sur le marché des obligations univers



Secteur	Pondération (%)	Rendement sur 3 mois (%)	Rendement sur 1 an (%)
Obligations fédérales	37.32	-0.12	-9.34
Obligations provinciales	34.34	-0.31	-15.05
Obligations municipales	2.05	-0.12	-13.54
Ensemble des oblig. de sociétés ¹	26.29	1.00	-9.87
<i>Oblig. de sociétés notées BBB</i>	10.93	1.22	-9.79
Indice obligataire universel FTSE Canada		0.10	-11.69

Commentaire trimestriel

- L'**indice obligataire universel FTSE Canada (l'« indice »)** a augmenté de 0,10 % au quatrième trimestre de 2022. Au sein de l'indice, les obligations d'État ont perdu 0,21 %, soit un résultat inférieur à celui des obligations de sociétés, qui ont pris 1,00 %.
- Du côté des obligations de sociétés, les secteurs des communications et de l'énergie ont été les plus performants, tandis que celui des infrastructures a enregistré le plus faible rendement. Les obligations notées BBB ont enregistré la hausse la plus importante, soit 1,22 %, suivies des obligations notées A, qui ont gagné 0,84 %. Les obligations notées AAA/AA ont enregistré le plus faible rendement (0,79 %). Les obligations provinciales ont enregistré le plus fort recul parmi les obligations d'État, soit 0,31 %. Au cours du trimestre, les écarts de taux des obligations de sociétés de qualité investissement se sont rétrécis de 12 points de base (pdb), passant de 1,80 % à 1,68 %.
- Les obligations à court terme ont enregistré des résultats supérieurs à ceux des obligations à moyen et à long terme. L'indice obligataire à court terme FTSE Canada a augmenté de 0,34 %, tandis que l'indice obligataire à moyen terme FTSE Canada a gagné 0,34 %. L'indice obligataire à long terme FTSE Canada a reculé de 1,01 %.
- Au cours du trimestre, le taux de l'indice a augmenté de 13 pdb pour s'établir à 4,28 %. Les taux des obligations d'État ont augmenté de 14 pdb à 3,92 %, tandis que ceux des obligations de sociétés ont grimpé de 7 pdb à 5,27 %.

¹ Incluant les obligations de sociétés notées BBB.

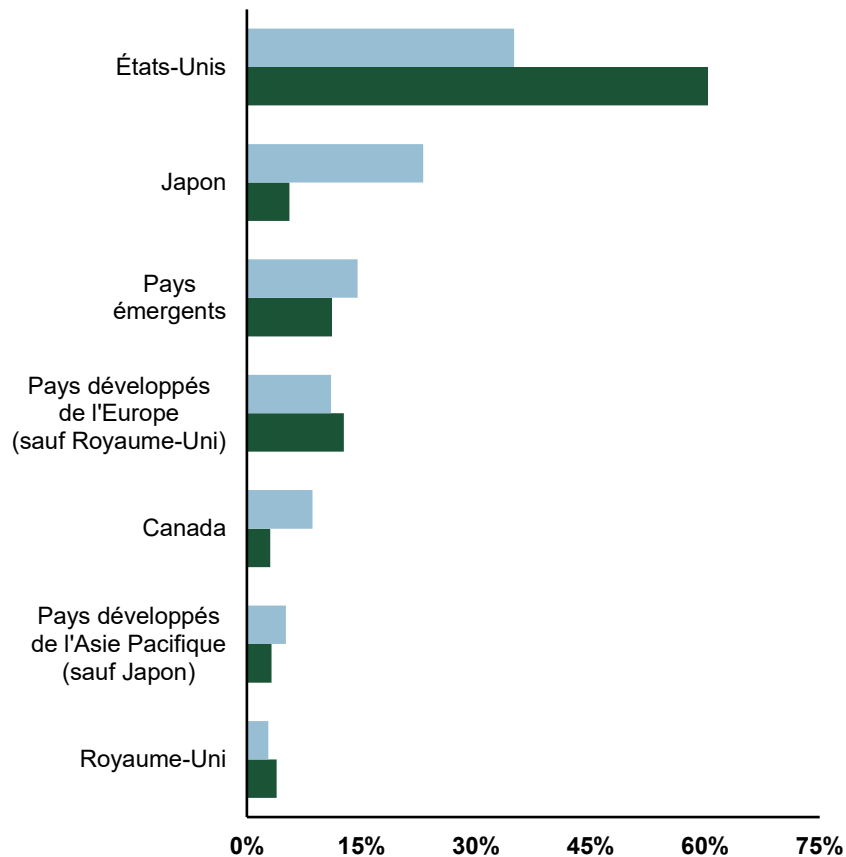
Source : Solutions de placement mondiales TD, FTSE Global Debt Capital Markets Inc. Au 31 déc. 2022..

Composition du Fonds

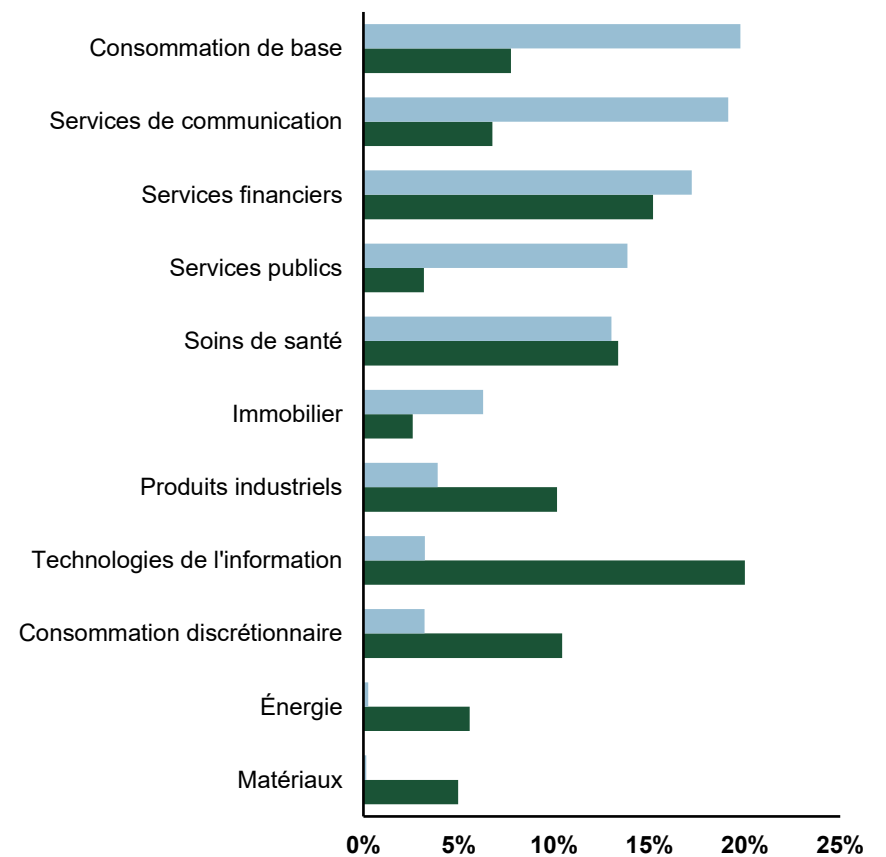
FGC à faible volatilité d'actions mondiales élargi *Émeraude* TD



Pondérations géographiques



Pondérations sectorielles



■ FGC à faible volatilité d'actions mondiales élargi *Émeraude* TD ■ Indice MSCI Monde tous pays d. n. (\$ CA)

Source : Solutions de placement mondiales TD, MSCI Inc. Au 31 déc 2022.

Solutions de placement mondiales TD | Pour les rencontres individuelles – À utiliser avec des professionnels des placements institutionnels uniquement. Pas pour d'autre distribution.

Le point sur le marché des actions mondiales élargi



Région	Pondération (%)	Rendement sur 3 mois (%)	Rendement sur 1 an (%)
États-Unis	60.37	5.49	-14.02
Pays développés d'Europe (excluant le Royaume-Uni)	12.69	18.10	-12.14
Marchés émergents	11.08	8.20	-14.50
Japon	5.56	11.65	-10.59
Royaume-Uni	3.87	15.35	2.08
Pays développés du Pacifique (excluant le Japon)	3.26	14.13	0.77
Canada	3.06	5.93	-6.54
Indice MSCI Monde tous pays (DN, \$ CA)¹		8.24	-12.43

Commentaire trimestriel

- Les actions mondiales, représentées par l'**indice MSCI Monde tous pays (DN, \$ CA)**, ont progressé de 8,24 % au quatrième trimestre de 2022. La confiance à l'égard des actifs à risque a augmenté, les banques centrales du monde entier ayant indiqué leur intention de ralentir leurs hausses de taux d'intérêt en raison du recul de l'inflation. Cette évolution pourrait aussi atténuer les éventuelles répercussions sur l'activité économique mondiale. Néanmoins, le trimestre a été relativement faible dans son ensemble, en particulier aux États-Unis, en Chine et dans l'Union européenne.
- Les actions américaines ont gagné du terrain au quatrième trimestre de 2022; neuf des onze secteurs ont enregistré des rendements positifs. Les actions américaines ont pris de la vitesse au cours du trimestre en réaction à l'intention manifestée par la Réserve fédérale américaine (« Fed ») de commencer à ralentir le rythme de ses hausses de taux d'intérêt. Les secteurs de l'énergie, des produits industriels et des matériaux ont inscrit les meilleurs rendements, tandis que la consommation discrétionnaire, les services de communication et l'immobilier ont affiché les plus faibles résultats.
- Les actions des marchés émergents ont progressé de 8,20 % au quatrième trimestre de 2022. Les signes de ralentissement imminent des hausses de taux d'intérêt dans le monde ont ravivé la confiance à l'égard des entreprises des marchés émergents et de leur potentiel de croissance.
- Les actions européennes ont inscrit un rendement plutôt solide pour le trimestre, principalement en raison des signes d'atténuation des pressions inflationnistes, qui pourraient amener la Banque centrale européenne (« BCE ») à réduire l'ampleur de ses hausses de taux. La croissance économique en Europe a ralenti pour s'établir à 0,3 % au troisième trimestre de 2022, le resserrement des conditions financières ayant pesé sur la consommation et les entreprises européennes. Les tensions géopolitiques liées à l'Ukraine continuent de peser sur les activités commerciales de l'Europe. Au cours de ses deux dernières réunions en 2022, la BCE a relevé son taux directeur de 1,25 % à 2,50 %, dans le but de ramener l'inflation à sa cible de 2 %. Les actions du Royaume-Uni ont progressé durant le trimestre, portées par une stabilité retrouvée au sein de l'exécutif britannique en matière de politiques. Poursuivant ses efforts de réduction de l'inflation élevée qui perdure depuis plusieurs décennies, la Banque d'Angleterre a relevé son taux directeur de 125 pnb au total pour le porter à 3,5 % au cours du trimestre.
- Les actions japonaises ont progressé, l'espoir étant que l'assouplissement des restrictions stimule l'activité économique. Les actions chinoises ont terminé le trimestre en hausse, la croissance économique ayant dépassé les attentes au troisième trimestre alors que le gouvernement assouplissait certaines politiques relatives à la COVID-19.

¹ Selon MSCI Inc. Remarque : Rendements en dollars canadiens (\$ CA). Rendements globaux après déduction des retenues d'impôt.

Source: Solutions de placement mondiales TD, FactSet. Au 31 déc. 2022.

Annexe



Rendement

Fonds *Émeraude* TD



Rendements au 31 déc. 2022	Date de création	Actifs gérés (milliards)	Annualisés								Depuis la création
			3 mois	Cumul	1 an	2 ans	3 ans	4 ans	5 ans	10 ans	
Fonds d'investissement à court terme canadien <i>Émeraude</i> TD	4 juill-91	\$2.48	0.97%	1.78%	1.78%	1.02%	1.08%	1.33%	1.44%	1.25%	3.31%
Indice des bons du Trésor à 91 jours FTSE Canada			1.00%	1.82%	1.82%	0.99%	0.95%	1.12%	1.17%	0.95%	2.91%
Différence			-0.03%	-0.03%	-0.03%	0.03%	0.14%	0.21%	0.26%	0.30%	0.41%
Fonds indiciel d'obligations canadiennes <i>Émeraude</i> TD	7 août-91	\$3.28	0.07%	-11.69%	-11.69%	-7.28%	-2.31%	-0.13%	0.17%	1.54%	5.83%
Indice obligataire universel FTSE Canada			0.10%	-11.69%	-11.69%	-7.22%	-2.20%	-0.01%	0.27%	1.63%	5.89%
Différence			-0.03%	0.00%	0.00%	-0.06%	-0.11%	-0.12%	-0.10%	-0.09%	-0.05%
Fonds en gestion commune à faible volatilité d'actions mondiales élargi <i>Émeraude</i> TD	9 mai-11	\$1.77	8.37%	-0.58%	-0.58%	8.08%	1.18%	4.39%	3.81%	9.92%	9.79%
Indice mondial tous pays MSCI DN (C\$)			8.24%	-12.43%	-12.43%	1.45%	5.54%	9.03%	6.89%	11.36%	10.09%
Différence			0.13%	11.85%	11.85%	6.63%	-4.35%	-4.63%	-3.08%	-1.43%	-0.30%

Remarque : Rendement après déduction des dépenses. Les chiffres peuvent être arrondis.

Source : Solutions de placement mondiales TD, FTSE Global Debt Capital Markets Inc., MSCI Inc.

Les renseignements contenus dans le présent document ne servent qu'à des fins d'information. Les renseignements proviennent de sources jugées fiables. Les graphiques et les tableaux sont présentés uniquement à titre d'illustration; ils ne reflètent pas la valeur ou des rendements futurs. Ces renseignements n'ont pas pour but de fournir des conseils financiers, juridiques, fiscaux ou de placement. Les stratégies de placement, de négociation ou de fiscalité devraient être étudiées en fonction des objectifs et de la tolérance au risque de chacun.

Ce document ne constitue pas une offre destinée à une personne résidant dans un territoire où une telle offre est illégale ou n'est pas autorisée. Ces documents n'ont été examinés par aucune autorité en valeurs mobilières ni aucun autre organisme de réglementation dans les territoires où nous exerçons nos activités et ne sont pas enregistrés auprès de ceux-ci.

Ce document peut contenir des énoncés prospectifs. Les énoncés prospectifs reflètent les attentes et les projections actuelles à l'égard d'événements ou de résultats futurs en fonction des données actuellement disponibles. Ces prévisions et projections pourraient s'avérer inexactes à l'avenir, car des événements qui n'ont pas été prévus ou pris en compte dans leur formulation pourraient se produire et entraîner des résultats sensiblement différents de ceux exprimés ou implicites. Les énoncés prospectifs ne garantissent pas le rendement futur et il faut éviter de s'y fier.

Toute discussion ou opinion générale contenue dans ces documents concernant les titres ou les conditions du marché représente notre point de vue ou celui de la source citée. Sauf indication contraire, il s'agit de points de vue exprimés à la date indiquée et sous réserve de changement. Les données sur les placements, la répartition de l'actif ou la diversification du portefeuille sont historiques et peuvent changer.

Tous les indices mentionnés sont des indices de référence largement acceptés pour les placements et représentent des portefeuilles de placements non gérés. On ne peut investir directement dans un indice. Les renseignements sur les indices permettent de comparer les résultats d'une stratégie de placement à ceux d'un indice boursier largement reconnu. Il n'est pas prétendu qu'un tel indice soit un indice de référence approprié pour une telle comparaison. Les résultats d'un indice ne reflètent pas les commissions et les coûts associés à la négociation. La volatilité d'un indice peut être très différente de celle d'une stratégie, et les placements du portefeuille peuvent différer grandement des titres composant l'indice.

Tous les produits comportent du risque. La notice d'offre contient des informations importantes sur les fonds en gestion commune et nous vous encourageons à la lire avant d'investir. Veuillez vous en procurer un exemplaire. Les taux de rendement indiqués sont les rendements composés annuels totaux historiques incluant les changements dans la valeur unitaire et le réinvestissement de toute distribution. Les taux, rendements et valeurs des parts varient pour tous les fonds. Les données fournies se rapportent aux rendements antérieurs et ne sont pas garantes du rendement futur. Les parts des fonds ne constituent pas des dépôts au sens de la *Loi sur la Société d'assurance-dépôts du Canada* ou toute autre société d'État d'assurance-dépôts et ne sont pas garanties par La Banque Toronto-Dominion. Les stratégies de placement et les titres en portefeuille peuvent varier. Les fonds en gestion commune de la TD sont gérés par Gestion de Placements TD Inc.

Les placements dans les fonds communs de placement peuvent être assortis de frais de gestion et d'autres frais. Avant d'investir, veuillez lire l'aperçu du fonds et le prospectus, car ils contiennent des renseignements détaillés sur les placements. Les taux de rendement mentionnés correspondent au rendement total annuel composé historique pour la période indiquée et ils tiennent compte des variations de la valeur des parts et du réinvestissement des distributions. Les frais de vente, de rachat et de distribution, les frais facultatifs et les impôts sur le revenu payables par tout porteur de parts, qui auraient réduit le rendement, ne sont pas pris en compte. Les fonds communs de placement ne sont pas garantis ni assurés; leur valeur fluctue souvent et le rendement passé peut ne pas se reproduire. Les stratégies et les titres en portefeuille des fonds communs de placement peuvent varier.

Le Fonds indicatif d'obligations canadiennes *Émeraude* TD (le « Fonds ») a été créé entièrement par Gestion de Placements TD Inc. (« GPTD »). Il n'est d'aucune façon lié au London Stock Exchange Group plc et aux entreprises du groupe (collectivement, le « groupe LSE »), ni parrainé, endossé, vendu ou promu par ceux-ci. FTSE Russell est le nom commercial de certaines des sociétés membres du groupe LSE.

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RAPPORT DES ACTIVITÉS D'ECKLER LTÉE

Les services d'Eckler Ltée ont été retenus afin de fournir à la Fiducie des conseils actuariels sur une base continue durant la période de janvier à décembre 2022. Pendant l'exercice financier en question, Eckler a participé à la détermination des coûts liés à la répartition potentielle des prestations en fonction du capital excédentaire découvert pendant l'évaluation de l'autonomie financière de la Fiducie au 31 décembre 2019. L'entreprise a aussi participé à l'administration du versement de prestations de distribution spéciale et du protocole de demandes de règlement tardives, et fourni des conseils relativement à la gestion des placements en actions et en obligations à rendement réel du fonds à long terme. Eckler a prêté son aide sur une base régulière au comité conjoint à l'égard de nombreuses questions : l'examen des rapports sur l'actif de Gestion de placements TD; l'examen des états de l'actif du dépositaire; la vérification des calculs et de l'attribution d'intérêts trimestriels; le rapprochement de divers états d'actifs; l'examen et la mise à jour des résultats de placement; la préparation du sommaire des placements à l'intention du comité conjoint; la modification du montant des paiements en fonction de la variation de l'indice de pension pour 2023; la tenue de divers entretiens avec les conseillers juridiques; et d'autres mandats divers.



ECKLER

FONDS EN FIDUCIE DE LA CONVENTION DE RÈGLEMENT RELATIVE À L'HÉPATITE C

Sommaire des placements
au 31 décembre 2022

23 mars 2023

- L'actif total est réparti entre deux composantes principales :
 - Un fonds d'investissement, composé de deux portefeuilles
 - un portefeuille à long terme qui investit dans des obligations à rendement réel, des actions et d'autres obligations
 - un portefeuille à court terme qui investit dans un fonds d'investissement à courte échéance
 - Un fonds théorique consistant des montants payables par les gouvernements provinciaux et territoriaux
- L'actif à investir a été géré par Gestion de placements TD pendant toute l'année 2022, que ce soit sur une base passive ou indiciaire. Il a été proposé que le portefeuille d'actions soit transféré à MFS au premier trimestre de 2023 pour être investi dans sa stratégie à faible volatilité
- La société Concentra Trust est devenue le dépositaire de l'actif à investir le 1^{er} avril 2022.
- Notre analyse repose sur des relevés obtenus auprès de Concentra Trust (RBC SIT pendant les trois premiers mois) et de Gestion de placements TD
- Plus particulièrement :
 - Tous les montants en dollars, y compris la valeur de l'actif et les flux de trésorerie, proviennent des comptes de Concentra Trust ou de RBC SIT
 - Les rendements proviennent des relevés trimestriels de TD, que nous avons passé en revue pour évaluer leur caractère raisonnable, mais que nous n'avons pas vérifiés de façon indépendante

Aperçu (suite)...

- Gestion de placements TD est tenue de garantir qu'elle a respecté les lignes directrices de placement imposées par les fiduciaires. Nous n'avons pas vérifié que cela a été le cas ou que les lignes directrices ont été respectées
- En 2017, les tribunaux ont approuvé un certain nombre de prestations de distribution spéciale et un protocole de demandes de règlement tardives devant être capitalisés à même le capital excédentaire constitué au 31 décembre 2013
- Suite à cela, le fonds en fiducie a été divisé en trois comptes théoriques :
 - le Compte de prestations régulières
 - le Compte de prestations de distribution spéciale
 - le Compte de prestations de demandes de règlement tardives
- L'actif investi de la fiducie est réparti de façon proportionnelle entre chaque compte
- Les revenus de placement tirés de l'actif total investi sont répartis mensuellement

Sommaire de l'actif (en milliers de dollars)

Fonds	Portefeuille	Stratégie	Min.	Cible	Max.	Déc. 2022			Déc. 2021		
						Valeur	Répart. actif	Répart. fonds	Valeur	Répart. actif	Répart. fonds
Long terme	Obligations à rendement réel	Passive	70,0 %	80,0 %	84,0 %	669 245	71,9 %		661 505	63.8%	
	Obligations universelles	Indicielle	4,0 %	6,0 %	8,0 %	53 124	5,7 %		61 972	6.0%	
	Actions mondiales	Fabile volatiltié	8,0 %	14,0 %	20,0 %	141 038	15,1 %		145 964	14.1%	
	Espèces		0,0 %	0,0 %	10,0 %	67 913	7,3 %		167 399	16.1%	
				100,0 %		931 319	100,0 %	88,3 %	1 036 840	100.0%	88,8 %
Court terme	Fonds de placement à court terme	Indicielle				47 227			51 127		
	Espèces					2 107			11		
						49 334		4,7 %	51 138		4,4 %
Total de l'actif investi*						980 652		93,0 %	1 087 978		93,2 %
Actif théorique des provinces et territoires (moins paiements anticipés/plus paiements non réglés)						73 592		7,0 %	79 960		6,8 %
Actif total						1 054 244		100,0 %	1 167 938		100,0 %

*Le total de l'actif investi comprend les paiements anticipés du Yukon. Les montants ayant été arrondis, leur somme peut ne pas correspondre au total indiqué.

Sommaire de l'actif – suite (en milliers de dollars)

Répartition de l'actif investi entre :	Déc. 2022	Déc. 2021
Portefeuille à long terme	95,0 %	95,3 %
Portefeuille à court terme	5,0 %	4,7 %
Total de l'actif investi	100,0 %	100,0 %

Remarques sur le sommaire de l'actif

Au 31 décembre 2022 :

- La pondération d'obligations à rendement réel est actuellement inférieure de 8,1 % à sa cible de 80 % du portefeuille à long terme
 - Cela représente une hausse par rapport à la position considérablement sous-pondérée du 31 décembre 2021 (inférieure de 16,2 % à la cible)
 - L'augmentation des obligations à rendement réel résulte du réinvestissement d'environ la moitié des produits obtenus à l'échéance de celle datée de décembre 2021
 - La pondération maximale d'espèces a été portée de 4 % à 10 % pour gérer les produits de la liquidation de l'obligation à rendement réel de 2021 et pour permettre à Gestion de placements TD de gérer la durée de la composante d'obligations à rendement réel
- En raison de ce qui précède, les obligations à rendement réel et les espèces respectaient les limites de la politique d'investissement.
- La composante d'obligations universelles représente 5,7 % de l'actif, ce qui est inférieur de 0,3 % à sa cible de 6 %
 - Pondération réduite par rapport au 31 décembre 2021 (6,0 %)
- La proportion d'actions est supérieure de 1,1 % à sa cible
 - Au 31 décembre 2021, elle se situait à 0,1 % au-dessus de sa cible de 14 %
- L'actif théorique des provinces et des territoires ne tient pas compte des paiements anticipés du Yukon
 - Reportez-vous à la page 9 pour plus de détails
- En pourcentage de l'actif investi, le portefeuille à long terme a diminué, passant de 95,3 % à 95,0 %, alors que le portefeuille à court terme a augmenté, étant passé de 4,7 % à 5,0 % pendant l'exercice financier

Évolution de l'actif (en milliers de dollars)

		Actif investi ¹				Actif théorique des provinces/territoires ¹	Actif total
		Port. d'oblig. rend. réel	Autres port. à long terme	Port. à court terme	Total de l'actif investi		
Actif initial, au 31 décembre 2021		828 809	208 031	51 138	1 087 978	79 960	1 167 938
Revenu de placement (réalisé et non réalisé)		(74 933)	(7 254)	892	(81 565)	1 216	(80 349)
Rentrées de capitaux :	Recouvrement auprès des provinces	-	-	7 585	7 585	(7 585)	-
	Paielements anticipés additionnels	-	-	-	-	-	-
Sorties de capitaux :	Versement de prestations	-	-	(29 900)	(29 900)	-	(29 900)
	Dépenses	-	-	(3 446)	(3 446)	-	(3 446)
Transferts entre fonds		(17 044)	(6 021)	23 065	-	-	-
Actif de clôture, au 31 décembre 2022		736 832 ²	194 486 ²	49 334	980 652	73 592	1 053 244

1. L'actif investi comprend les paiements anticipés des provinces et des territoires; l'actif théorique des provinces et des territoires figure déduction faite des paiements anticipés et comprend les paiements non réglés

2. Ces chiffres diffèrent légèrement de ceux de la page 4 en raison de la répartition des soldes de trésorerie

Remarque : Les montants proviennent des relevés de Concentra Trust et de RBC SIT; comme ils ont été arrondis, leur somme peut ne pas correspondre au total indiqué.

Remarques sur l'évolution de l'actif

- L'actif investi total (c.-à-d. exclusion faite de l'actif théorique des provinces et des territoires) a diminué de 107,3 M\$ depuis le 31 décembre 2021
 - En raison du rendement négatif des placements, du paiement de prestations et des frais
- L'actif théorique des provinces et des territoires a diminué de 6,4 M\$
 - En raison du fait que leur part de 3/11^e des paiements du Compte de prestations régulières était supérieure aux crédits d'intérêts aux taux des bons du Trésor
- L'actif total (c.-à-d. tenant compte de l'actif théorique des provinces et des territoires) a diminué de 113,7 M\$
- Les prestations sont versées à même le portefeuille à court terme
- Depuis juin 2002, toutes les sommes recouvrées des provinces sont affectées au portefeuille à court terme
- Gestion de placements TD a effectué des transferts nets de 23,1 M\$ du portefeuille à long terme au portefeuille à court terme
 - 17,1 M\$ des coupons des obligations à rendement réel en juin et décembre 2022
 - 6,0 M\$ d'autres portefeuilles à long terme – répartis sur l'année 2022 entière

Actif théorique des provinces et territoires (en milliers de dollars)

	Actif théorique brut des provinces et territoires	Ajouter les montants payables de la Nouvelle- Écosse	Moins paiements anticipés du Yukon	Actif théorique net des provinces et territoires
Actif initial, au 31 décembre 2021	79 972		(11)	79 960
Crédits d'intérêts	1 216			1 216
Versements anticipés additionnels	-			-
Part de 3/11 ^e des prestations/dépenses	(7 591)	6		(7 585)
Actif de clôture, au 31 décembre 2022	73 597	6	(11)	73 592

Les montants ayant été arrondis, leur somme peut paraître ne pas correspondre au total indiqué.

Rendement des placements

Fonds	Portefeuille	Exercice financier terminé en				Rendements trimestriels de l'exercice financier 2022			
		Déc. 19	Déc. 20	Déc. 21	Déc. 22	Mars 22	Juin 22	Sept 22	Déc. 22
Long terme	Obligations à rendement réel	6,3 %	8,8 %	3,6 %	-9,2 %	-5,5 %	-6,5 %	0,5 %	2,3 %
	Obligations de l'indice universel	6,7 %	8,5 %	-2,7 %	-11,7 %	-7,0 %	-5,7 %	0,5 %	0,1 %
	Actions mondiales à faible volatilité	14,6 %	-11,3 %	17,5 %	-0,6 %	-0,6 %	-4,6 %	-3,3 %	8,4 %
	Total	7,4 %	5,9 %	4,9 %	-8,0 %	-4,9 %	-6,3 %	0,4 %	2,9 %
Court terme	Obligations à court terme/ Fonds de placement	2,1 %	1,2 %	0,3 %	1,8 %	0,0 %	0,2 %	0,6 %	1,0 %
	Total de l'actif investi	7,3 %	5,7 %	4,7 %	-7,5 %	-4,7 %	-6,0 %	0,4 %	2,8 %
	Actif théorique des provinces et des territoires	1,7 %	0,5 %	0,1 %	1,7 %	0,0 %	0,2 %	0,5 %	0,9 %
	Actif total	6,8 %	5,3 %	4,4 %	-6,9 %	-4,4 %	-5,6 %	0,4 %	2,7 %

1. Les rendements annuels et trimestriels des portefeuilles individuels pour 2019, 2020, 2021 et 2022 proviennent des rapports de placement de Gestion de placements TD. Eckler ne les a pas vérifiés de façon indépendante, bien qu'elle les ait comparés avec les évaluations du dépositaire.
2. Les rendements regroupés annuels et trimestriels (Total de l'actif à long terme, Total de l'actif investi et Actif total) ont été calculés par Eckler en tenant compte de la valeur marchande relative, des flux de trésorerie et des rendements des portefeuilles individuels.
3. Les résultats d'Eckler sont approximatifs, ayant été calculés à l'aide des flux de trésorerie moyens; ils peuvent différer légèrement de ceux calculés par un service d'évaluation du rendement à l'aide des flux de trésorerie quotidiens.

Remarques sur le rendement des placements

- Le rendement total de -6,9 % pour l'année civile 2022 est le résultat du rendement de -7,5 % de l'actif investi et de celui de 1,7 % de l'actif théorique des provinces et des territoires
- Les obligations de l'indice universel ont généré un taux de rendement négatif de -11,7 % en 2022, ce qui témoigne de la diminution de leur valeur à la lumière de la forte hausse des rendements au premier semestre de l'année.
- Les obligations à rendement réel ont obtenu un taux de rendement de -9,2 %, ayant aussi été touchées par la hausse des rendements. Cela dit, elles ont aussi tiré parti, dans une certaine mesure, de leur mécanisme de protection contre l'inflation.
- Pour 2022, le rendement du fonds d'actions mondiales à faible volatilité est de -0,6 %. Au cours de l'année, la stratégie à faible volatilité lui a fourni une protection considérable par rapport à l'ensemble du marché. Par comparaison, l'indice mondial MSCI tous les pays a enregistré un taux de rendement de -12,4 % en 2022. Ce mandat sera transféré de Gestion de placements TD à MFS en 2023.
- Pour 2022, le rendement du fonds en gestion commune du marché monétaire est de 1,8 %
- L'augmentation de l'actif théorique des provinces et des territoires découle des intérêts crédités en fonction du taux des Bons du Trésor à 3 mois; en 2022, ces taux étaient supérieurs au rendement de l'actif investi

Écart de suivi (é/s)

		Exercice financier terminé en				4 ans terminés en déc. 2022	Écart de suivi cible	
		Déc. 19	Déc. 20	Déc. 21	Déc. 22		1 an	4 ans
Obligations universelles	Réel	6,7 %	8,5 %	-2,7 %	-11,7 %	-0,1 %		
	Indice	6,9 %	8,7 %	-2,5 %	-11,7 %	0,0 %		
	é/s	-0,2 %	-0,2 %	-0,2 %	0,0 %	-0,1 %	0,20 %	0,10 %

- En 2022, les obligations de l'indice universel ont respecté leur écart de suivi cible sur un an et sur quatre ans

Mesures de risque pour le portefeuille d'actions à faible volatilité

Mesure	Fonds	Indice	Ratio du fonds à l'indice	Objectif de rendement	Commentaire
Écart type	10,7 %	13,7 %	0,78	<0,7	Inférieur à l'objectif
Taux d'encaissement des baisses	62 %	100 %	0,62	<0,8	Atteint à peine l'objectif
Ratio de Sharpe	0,31	0,58	0,53	>1	Piètre rendement rajusté en fonction du risque
Coefficient bêta	0,60	1,0	0,60	<0,7	Atteint l'objectif

- Les objectifs de rendement du portefeuille d'actions à faible volatilité sont mesurés sur une période de 4 ans
- Les chiffres susmentionnés portent sur la période de quatre ans terminée le 31 décembre 2022

Comptes de prestations

	Compte de prestations régulières	Compte de prestations de distribution spéciale	Compte de prestations de demandes de règlement tardives	Total de l'actif investi	Actif théorique des provinces et des territoires	Actif total
Actif initial, au 31 décembre 2021	945 522	74 513	67 943	1 087 978	79 960	1 167 938
Revenus de placement	(70 916)	(5 544)	(5 105)	(81 565)	1 216	(80 349)
Entrées : Recouvrement des provinces et des territoires	7 585	-	-	7 585	(7 585)	
Versements anticipés additionnels	-	-	-	-	-	
Sorties : Paiement de prestations	(24 857)	(3 081)	(1 961)	(29 900)	-	(29 900)
Dépenses	(2 988)	(183)	(275)	(3 446)	-	(3 446)
Actif de clôture, au 31 décembre 2022	854 345	65 705	60 602	980 652	73 592	1 054 244
Rendement brut des placements	-7,5 %	-7,5 %	-7,5 %	-7,5 %	1,7 %	-6,9 %

Les montants ayant été arrondis, leur somme peut paraître ne pas correspondre au total indiqué.

ECKLER

SUMMARY OF JOINT COMMITTEE WORK DURING THE TWENTY-THIRD YEAR OF OPERATIONS (2022)

Executive Summary

1. The Joint Committee has a mandate to:
 - implement the Settlement Agreement including the following Plans:
 - the Regular Benefits Plans
 - the HCV Late Claims Benefit Plan
 - supervise the ongoing administration of claims under the Plans, as well as the EAP2 assistance program for HIV Secondarily Infected Individuals that is included in the Settlement Agreement
 - supervise the administration and payment of Special Distribution Benefits
 - oversee the performance of the investment portfolio of the Trust Fund
 - oversee certain services providers,¹ including making recommendations to the Courts regarding their appointment, negotiating their budgets, obtaining budget approval orders, reviewing and approving their invoices for payment, and instructing, receiving and assessing their advice and reports
 - undertake the triennial fund sufficiency review of the Plans.
2. In 2022, approximately \$29.9 million² was paid to claimants as follows:
 - \$24.9 million under the Regular Benefit Plans
 - \$3.1 million in Special Distribution Benefits
 - \$2.0 million under the HCV Late Claims Benefit Plan

¹ These responsibilities apply to the following service providers: the administrator, the trustee, the investment managers and advisors, the auditors, the Joint Committee's actuaries and physicians who assist in medical modelling.

² The numbers in this report have been rounded. Totals may not add up due to this rounding.

The total amount paid for claims over the life of the settlement now totals approximately \$1.22 billion in response to 15,142 claims.

3. Operating expenses of administration and all service providers in 2022 were approximately \$3.4 million, which was a decrease of about 3.7% over the previous year.
4. In 2022, there was a negative 7.67% return on the total invested assets. The invested assets decreased by about \$108.4 million (net of payments out).
5. As at December 31, 2022, the Trust Fund held assets of approximately \$985.4 million. The unpaid liability of the provincial and territorial governments was approximately \$71.2 million (including interest). This unpaid liability combined with the Trust Fund's assets totals approximately \$1.057 billion available to satisfy the claims of class members.

The Trust Fund

6. The governments' maximum obligation to the Trust Fund established as at January 10, 2000 was \$1.203 billion, shared between the Government of Canada (72.7273%) and the governments of the provinces and territories (27.2727%). The Government of Canada contributed its obligation at the outset. The provincial and territorial governments contribute their respective obligations mostly on a "pay-as-you-go" basis, with interest at the 3-month Treasury Bill rate.
7. As at December 31, 2022:
 - The Trust Fund held assets of about \$985.4 million
 - The obligation of the provinces and territories that fund on a pay-as-you-go basis was estimated to be about \$71.2 million.
8. In December 2017, the Courts established three notional accounts of the Trust Fund:
 - the HCV Regular Benefit Account
 - the HCV Special Distribution Benefit Account
 - the HCV Late Claims Benefit Account.

*As at December 31, 2022, there was **\$1.057 billion** available to satisfy class members' claims*

The work performed and expenses incurred by service providers are categorized and charged to the applicable account. The provincial and territorial governments do not

contribute to claims or expenses paid from the HCV Special Distribution Benefit Account or the HCV Late Claims Benefit Account.

9. The funding, investment earnings, claims paid, and expenses relating to each of the Trust Fund's three accounts are reported in notes 3 - 6 of the Audited Financial Statements at Schedule A of the Annual Report.

Payments to Claimants

10. In 2022, approximately \$24.9 million in claims were paid under the Regular Benefit Plans, which is equivalent to what was paid out in the previous year.³
11. Approximately \$3.1 million in Special Distribution Benefits were paid in 2022, which is 32.6% less than the previous year.⁴ In 2022, the Locator project was expanded to permit the Administrator to locate missing claimants using health insurance number and updated contact information from the provincial health insurance program databases. This project is ongoing and to date, it permitted the Administrator to reissue/issue approximately \$4.68 million in benefit payments to class members and executors successfully located.
12. Approximately \$2.0 million in Late Claims Benefits were paid in 2022, which is substantially less than the previous year⁵ which included payment of the 25% holdback plus interest, paid pursuant to orders/judgments of the Courts following the Courts' reallocation of 2019 excess capital to the HCV Late Claims Benefit Account to ensure that it is financially sufficient.

Operating Expenses

13. A total of approximately \$3.4 million in administration and service provider expenses was paid in 2022, which is a decrease of about 3.7% from the previous year.⁶

³ In 2021, approximately \$24.9 million was paid. In 2020, approximately \$25.2 million was paid.

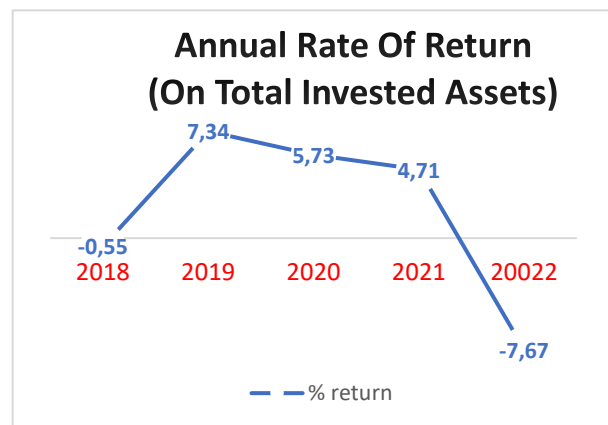
⁴ In 2021, approximately \$4.6 million was paid. In 2020, approximately \$3.1 million was paid.

⁵ In 2021, approximately \$8.1 million was paid. In 2020, approximately \$3.7 million was paid. In 2019, approximately \$1.8 million was paid, which was the first year in which payments were made.

⁶ In 2021, the operating expenses were approximately \$3.5 million. In 2020, the operating expenses were approximately \$4.3 million.

Portfolio Oversight

14. In 2022, the invested portion of the Trust Fund closed at about \$985.4 million, which was down by approximately \$108.4 million from the previous year (net of payments out).
15. The investment portfolio is largely in fixed income instruments, with the greatest portion of the fixed income instruments being in RRBs. A small portion is held in a short term investment fund and in a low volatility equities fund.
16. Overall, there was a negative 7.67% return on the total invested assets in 2022, which was a substantial decrease over the prior year.⁷
17. Most of the assets (about \$736.1 million) are invested in Government of Canada RRBs, which produced a return of negative 7.98% in 2022. This was a substantial decrease over the previous year.⁸ The return on these bonds since inception is 5.64%.
18. The short term investment fund (comprising about \$47.2 million) produced a return of 1.78%, which was an increase over the prior year.⁹ The return on this fund since inception is 1.37%.
19. The “other” invested assets include a bond fund and equities.
- The return on the Canadian bond fund (comprising about \$53.1 million) was negative 11.69%, which was a substantial decrease over the previous year.¹⁰ The return on Canadian bonds since inception is 4.30%.
 - The return on the low volatility all world equity fund (comprising about \$130.1 million) was negative 0.58%, which was a substantial decrease from the previous



⁷ In 2021, the overall return on invested assets was 4.71%. In 2020, the overall return on invested assets was 5.73%.

⁸ In 2021, the return on RRBs was 2.98%. In 2020, the return on RRBs was 9.04%.

⁹ In 2021, the return on the short term investment fund was 0.25%. In 2020, the return on short term investment fund was 1.22%.

¹⁰ In 2021, the return on Canadian bonds was negative 2.66%. In 2020, the return on Canadian bonds was 8.45%. In 2019, the return on Canadian bonds was 6.72%.

year.¹¹ The return on this fund since inception is 4.61%. After closely monitoring the performance of this fund over a few years in consultation with the Investment Consultant, Eckler Ltd., the Joint Committee filed applications at the end of 2022 recommending that these funds be invested in an alternative low volatility equity fund with a new investment manager. The Courts approved those applications in 2023.

20. The Canadian bond fund met the one-year and four-year tracking ranges set in the Investment Guidelines for the Trust Fund.

Summary of Joint Committee Work in 2022

21. In addition to the ongoing close monitoring of the administration of the different Plans and service providers, including monthly meetings with the Administrator, the Joint Committee also performed a significant amount of work on the following matters in 2022:
- Supervising the necessary investment adjustments pursuant to the Courts approval of the Investment Guidelines modifications to realign the asset duration with the liability duration as assessed at December 31, 2019.
 - Finalizing the due diligence and the revised terms of appointment for the replacement of RBC by Concentra Trust as trustee and custodian and coordinating and overseeing the transition and communication among all involved service providers, closely monitoring the reporting and the implementation of payment instructions by Concentra Trust, including reviewing the conclusion of the interim audit of its first 9-month of operation performed by Deloitte.
 - Preparing the 2019 Financial Sufficiency Review – Phase 2 including discussions with the actuaries to elaborate the initial allocation recommendations, discussions with counsel for Canada regarding their position on the Joint Committee’s application for allocation, further discussion with the actuaries regarding the impact of the recent turmoil of the financial markets on the Fund’s investments and available 2019 excess capital, obtaining a supplemental actuarial report confirming this impact, further discussions with counsel for Canada with regards to a step by step approach to update the conclusions of the Phase 1

¹¹ In 2021, the return on the low volatility all world equity portfolio was 17.51% In 2020, the return on the low volatility all world equity portfolio was negative 11.32%. In 2019, the return on the low volatility all world equity portfolio was 14.64%.

sufficiency and to modify the initial allocation recommendations to accommodate the reduced amount of 2019 excess capital available for allocation.

- With the assistance of the Investment consultant and securities legal expert, continuing discussions with the potential additional investment manager for the low volatility portfolio and drafting new terms of appointment for the investment manager and revisions to the Investment Guidelines.
- Coordinating with the Administrator the preparation and transmission of the dataset to the Medical Model Working Group (MMWG) and obtaining the MMWG updated medical model for the 2022 financial sufficiency review.
- Coordinating the expansion of the Locator project involving the collaboration of the different provincial and territorial governments to communicate updated contact information for the “missing claimants” from their health insurance database, including attending a hearing before the Superior Court of Quebec which ordered the RAMQ to do so.
- Drafting applications and supporting affidavits seeking:
 - Approval of modifications to the Investment Guidelines allowing the creation of a larger cash position in the long term fund and addressing the mismatch between asset duration and liability duration.
 - Appointment of an additional investment manager for the low volatility portfolio as per revised and updated Terms of Appointment for the Investment Managers and the approval of the necessary modifications to the Investment Guidelines.
 - Permission to use the multijurisdictional style of cause for the filing of the 2019 Financial Sufficiency – Phase2.
 - Restatement of the conclusions regarding the 2019 Financial Sufficiency – Phase 1 review and allocation of a large portion of the 2019 excess capital to the benefit of the approved class members and their family members.
 - Approval of a budget for the MMWG to proceed to the update of the medical model for the 2022 Financial Sufficiency – Phase 1.
 - An order to force the RAMQ to communicate to the Administrator updated contact information contained in the health insurance database for the purpose of locating “missing claimants”.

- Negotiating the terms of the draft orders for the above-noted applications with the federal, provincial and territorial governments.
- Attending the annual meeting with the auditors and key service providers to review the 2021 financial year.
- Preparing the 2021 Annual Report and the applications and material for its approval.
- Obtaining the 2023 budget proposals from the service providers it supervises and preparing the applications and supporting material for approval of the 2023 annual budgets.
- Reviewing and updating the information displayed on the hepc8690.ca and the hepcclassaction.ca websites by posting regular notices and the proceedings and supporting material with regards to the 2019 Financial Sufficiency – Phase 2.
- Responding to telephone and email communications from class members and family members.
- Providing directions regarding various policy issues raised by the Administrator for the Joint Committee.

YEAR 23 JC FEES**Joint Committee Fees and Disbursements Incurred in the Period from
January 1, 2022 to December 31, 2022****Regular Benefit Plan**

	BC	QUEBEC	ONTARIO (T)	ONTARIO (H)	TOTAL
FEES	\$125,443.75	\$183,384.50	\$200,131.00	\$255,680.00	\$764,639.25
DISB.	\$36,532.46	\$6,258.47	\$1,681.41	\$610.14	\$45,082.48
GST	\$8,074.83	\$9,482.15	\$0.00	\$0.00	\$17,556.98
PST	\$9,523.58	\$18,916.88	\$0.00	\$0.00	\$28,440.46
HST	\$0.00	\$0.00	\$26,235.62	\$33,317.72	\$59,553.34
TOTAL	\$179,574.62	\$218,042.00	\$228,048.03	\$289,607.86	\$915,272.51

Financial Sufficiency

	BC	QUEBEC	ONTARIO (T)	ONTARIO (H)	TOTAL
FEES	\$25,159.50	\$41,380.00	\$142,656.00	\$69,020.00	\$278,215.50
DISB.	\$550.21	\$0.00	\$1,973.29	\$119.68	\$2,643.18
GST	\$1,277.49	\$2,069.01	\$0.00	\$0.00	\$3,346.50
PST	\$1,772.55	\$4,127.65	\$0.00	\$0.00	\$5,900.20
HST	\$0.00	\$0.00	\$15,276.86	\$8,988.14	\$24,265.00
TOTAL	\$28,759.75	\$47,576.66	\$159,906.15	\$78,127.82	\$314,370.38

Special Distribution Benefits

	BC	QUEBEC	ONTARIO (T)	ONTARIO (H)	TOTAL
FEES	\$10,595.00	\$35,429.00	\$15,980.00	\$8,670.00	\$70,674.00
DISB.	\$243.65	\$0.00	\$0.00	\$0.00	\$243.65
GST	\$537.94	\$1,771.46	\$0.00	\$0.00	\$2,309.40
PST	\$742.13	\$3,534.04	\$0.00	\$0.00	\$4,276.17
HST	\$0.00	\$0.00	\$1,571.05	\$1,127.10	\$2,698.15
TOTAL	\$12,118.72	\$40,734.50	\$17,551.05	\$9,797.10	\$80,201.37

Late claim

	BC	QUEBEC	ONTARIO (T)	ONTARIO (H)	TOTAL
FEES	\$466.50	\$5,586.00	\$3,740.00	\$3,485.00	\$13,277.50
DISB.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
GST	\$23.33	\$279.30	\$0.00	\$0.00	\$302.63
PST	\$32.66	\$557.20	\$0.00	\$0.00	\$589.86
HST	\$0.00	\$0.00	\$442.00	\$453.05	\$895.05
TOTAL	\$522.49	\$6,422.50	\$4,182.00	\$3,938.05	\$15,065.04

REPORT OF FUND COUNSEL (FOR 2022 YEAR END)

1. The duties and responsibilities of Fund Counsel are defined by Section 7.01 of the January 1, 1986 – July 1, 1990 Hepatitis C Settlement Agreement. These duties and responsibilities include:
 - (a) defending decisions made by the Administrator;
 - (b) defending and advancing the interests of the Trust Fund;
 - (c) receiving financial statements and actuarial and other reports relating to the financial sufficiency of the Trust Fund from time to time;

if deemed necessary or desirable by Fund Counsel, making applications to courts pursuant to Section 10.01 of the Settlement Agreement.
2. John Callaghan and Belinda Bain have been appointed as Fund Counsel for the Ontario Class Actions by Order of the Ontario Superior Court of Justice. Mason Poplaw was appointed Fund Counsel for the Quebec Class Actions by Order of the Quebec Superior Court. Gordon J. Kehler was appointed Fund Counsel for the British Columbia Class Actions by Order of the British Columbia Supreme Court, replacing William A. Ferguson.
3. During the fiscal period **January 1, 2022 to December 31, 2022**, Fund Counsel were primarily involved in defending decisions made by the Administrator on appeals instituted by claimants. The appeals are conducted either as References or Arbitrations. Appeals can be conducted in writing or in person. In each case, written submissions are delivered to the claimant and the Referee/Arbitrator in advance of the appeal. When the appeal is conducted in person, Fund Counsel attends the hearing. The hearing is held where the claimant resides.
4. If the appeal is conducted by way of Reference, the Referee's decision is final and binding within 30 days of the release of the decision unless a claimant opposes confirmation within the 30 day period. If confirmation of the Referee's decision is opposed by the claimant, the Referee's decision is reviewed by the Court.
5. In addition to the appeals, Fund Counsel have also handled claims where court approval was necessary for payments involving minors or a mentally incompetent adult.
6. Fund Counsel also receive and review financial statements and other reports relating to the financial sufficiency of the Trust Fund.

7. Below is a report of the activities of each Fund Counsel in relation to the appeals conducted:

(a) **Ontario Fund Counsel**

Ontario Fund Counsel handles appeals from Claimants in Alberta, Manitoba, Ontario, Saskatchewan, New Brunswick, Newfoundland, Nova Scotia, Prince Edward Island, Yukon Territory, The Northwest Territories and Nunavut.

Regular Claims

Number of total appeals received from the beginning to Dec 31, 2022	342
Number of appeals received from January 1, 2022 to December 31, 2022	2
Number of total completed appeals (decisions rendered) from the beginning to December 31, 2022	252
Number of completed appeals (decisions rendered) from January 1, 2022 to December 31, 2022	4
Number of total withdrawals from the beginning to December 31, 2022	50
Number of withdrawals from January 1, 2022 to December 31, 2022	1
Number of total rescissions of denial from the beginning to December 31, 2022	22
Number of rescissions of denial from January 1, 2022 to December 31, 2022	0
Number of total Mediated Appeals from the beginning to December 1, 2022	7
Number of Mediated appeals from January 1, 2022 to December 31, 2022	0
Number of Archived Appeals	6
Number of total requests for judicial confirmation from the beginning to December 31, 2022	56
Number of requests for judicial confirmation from January 1, 2022 to December 31, 2022	0
Number of total judicial decisions from the beginning to December 31, 2022	50
Number of judicial decisions from January 1, 2022 to December 31, 2022	0
Number of Appeals Justice Perell sent back to Referee up to December 31, 2022	4

Number of Appeals that have been sent back that are concluded	3
Number of Appeals sent back by Justice Perell that have been withdrawn by claimant up to December 31, 2022	1
Total Number of pending Appeals as of December 31, 2022	5

***Archived** – Represents appeals where the Claimant cannot be located before a decision has been rendered or the Arbitrator or Referee has agreed to an indefinite adjournment.*

Late Claims

Number of total appeals received from the beginning to Dec 31, 2022	14
Number of appeals received from January 1, 2022 to December 31, 2022	4
Number of total completed appeals (decisions rendered) from the beginning to December 31, 2022	7
Number of completed appeals (decisions rendered) from January 1, 2022 to December 31, 2022	4
Number of total withdrawals from the beginning to December 31, 2022	3
Number of withdrawals from January 1, 2022 to December 31, 2022	1
Number of total rescissions of denial from the beginning to December 31, 2022	0
Number of rescissions of denial from January 1, 2022 to December 31, 2022	0
Number of total Mediated Appeals from beginning to December 1, 2022	0
Number of Mediated appeals from January 1, 2022 to December 31, 2022	0
Number of Archived Appeals	0
Number of total requests for judicial confirmation from the beginning to December 31, 2022	1
Number of requests for judicial confirmation from January 1, 2022 to December 31, 2022	1
Number of total judicial decisions from the beginning to December 31, 2022	0
Number of judicial decisions from January 1, 2022 to December 31, 2022	0
Number of Appeals Justice Perell sent back to Referee up to December 31, 2022	0

Number of Appeals that have been sent back that are concluded	0
Number of Appeals sent back by Justice Perell that have been withdrawn by claimant up to December 31, 2022	0
Total Number of pending Appeals as of December 31, 2022	4

***Archived** – Represents appeals where the Claimant cannot be located before a decision has been rendered or the Arbitrator or Referee has agreed to an indefinite adjournment.*

8. Ontario Fund Counsel incurred fees, with respect to Regular Plans (Transfused and Hemophiliac), in the amount of **\$56,870.00** plus GST/HST. Ontario Fund Counsel incurred disbursements in the amount of **\$261.73**. The total amount of taxes incurred was **\$7,427.13**. No expert witness expenses were incurred. With taxes, the total amount of fees and disbursements incurred is **\$64,668.86**.

Ontario Fund Counsel incurred fees, with respect to Late Claims, in the amount of **\$68,685.00** plus GST/HST. Ontario Fund Counsel incurred disbursements in the amount of **\$17.19**. The total amount of taxes incurred was **\$8,931.29**. No expert witness expenses were incurred. With taxes, the total amount of fees incurred is **\$77,633.48**.

(b) Quebec Fund Counsel

Particulars of the appeals are as follows:

Regular Claims

Number of total appeals received from the beginning to December 31, 2022	63
Number of appeals received from January 1, 2022 to December 31, 2022	0
Number of total completed appeals (decisions rendered) from the beginning to December 31, 2022	62
Number of completed appeals (decisions rendered) from January 1, 2022 to December 31, 2022	0
Number of total withdrawals from the beginning to December 31, 2022	20
Number of withdrawals from January 1, 2022 to December 31, 2022	0
Number of total mediated appeals from the beginning to December 31, 2022	2
Number of mediated appeals from January 1, 2022 to December 31, 2022	0

Number of total rescissions of denial from the beginning to December 31, 2022	10
Number of rescissions of denial from January 1, 2022 to December 31, 2022	0
Number of total requests for Judicial confirmation from the beginning to December 31, 2022	22
Number of requests for Judicial confirmation from January 1, 2022 to December 31, 2022	0
Number of total Judicial decisions from the beginning to December 31, 2022	20
Number of requests for Judicial confirmation withdrawn by claimant to December 31, 2022	1
Number of judicial decisions from January 1, 2022 to December 31, 2022	0
Total Number of pending Appeals as of December 31, 2022	1

Late Claims

Number of total appeals received from the beginning to December 31, 2022	9
Number of appeals received from January 1, 2022 to December 31, 2022	2
Number of total completed appeals (decisions rendered) from the beginning to December 31, 2022	1
Number of completed appeals (decisions rendered) from January 1, 2022 to December 31, 2022	1
Number of total withdrawals from the beginning to December 31, 2022	0
Number of withdrawals from January 1, 2022 to December 31, 2022	0
Number of total rescissions from the beginning to December 31, 2022	0
Number of rescissions from January 1, 2022 to December 31, 2022	0
Number of total mediated appeals from the beginning to December 31, 2022	0
Number of mediated appeals from January 1, 2022 to December 31, 2022	0
Number of Archived Appeals	0
Number of Archived Appeals from January 1, 2022 to December 31, 2022	0

Number of pending appeals as of December 31, 2022	0
Number of total request for judicial confirmation from the beginning to December 31, 2022	0
Number of requests for judicial confirmation from January 1, 2022 to December 31, 2022	0
Number of total judicial decisions from the beginning to December 31, 2022	0
Number of judicial decisions from January 1, 2022 to December 31, 2022	0
Total number of pending appeals as of December 31, 2022	8

9. Quebec Fund Counsel incurred fees, with respect to Regular Plans (Transfused and Hemophiliac), in the amount of **\$8,800.00** plus tax. Quebec Fund Counsel incurred disbursements in the amount of **\$72.30** plus tax. The total amount of taxes incurred on fees and expenses is **\$1,153.40**. As per Quebec Fund Counsel, disbursements related to general expenditure and bailiff fees. With taxes, the total amount of fees and disbursements incurred in Quebec is **\$10,025.70**.

Quebec Fund Counsel incurred fees, with respect to Late Claims, in the amount of **\$11,900.00** plus tax. Quebec Fund Counsel incurred disbursements in the amount of **\$314.50**. The total amount of taxes incurred on fees is **\$1,587.89**. As per Quebec Fund Counsel, disbursements related to general expenditure and bailiff fees. With taxes, the total amount of fees and disbursements incurred in Quebec is **\$13,082.39**.

(c) **British Columbia**

Particulars of the appeals are as follows:

Regular Claims

Number of total appeals received from the beginning to December 31, 2022	74
Number of appeals received from January 1, 2022 to December 31, 2022	0
Number of total completed appeals (decisions rendered) from the beginning to December 31, 2022	50
Number of completed appeals (decisions rendered) from January 1, 2022 to December 31, 2022	0
Number of total withdrawals from the beginning to December 31, 2022	17
Number of withdrawals from January 1, 2022 to December 31, 2022	0

Number of total rescissions from the beginning to December 31, 2022	0
Number of rescissions from January 1, 2022 to December 31, 2022	0
Number of total mediated appeals from the beginning to December 31, 2022	0
Number of mediated appeals from January 1, 2022 to December 31, 2022	1
Number of Archived Appeals	6
Number of Archived Appeals from January 1, 2022 to December 31, 2022	0
Number of pending appeals as of December 31, 2022	0
Number of total request for judicial confirmation from the beginning to December 31, 2022	20
Number of requests for judicial confirmation from January 1, 2022 to December 31, 2022	0
Number of total judicial decisions from the beginning to December 31, 2022	19
Number of judicial decisions from January 1, 2022 to December 31, 2022	0
Total number of pending appeals as of December 31, 2022	0

Late Claims

Number of total appeals received from the beginning to December 31, 2022	2
Number of appeals received from January 1, 2022 to December 31, 2022	0
Number of total completed appeals (decisions rendered) from the beginning to December 31, 2022	0
Number of completed appeals (decisions rendered) from January 1, 2022 to December 31, 2022	1
Number of total withdrawals from the beginning to December 31, 2022	2
Number of withdrawals from January 1, 2022 to December 31, 2022	0
Number of total rescissions from the beginning to December 31, 2022	0
Number of rescissions from January 1, 2022 to December 31, 2022	0

Number of total mediated appeals from the beginning to December 31, 2022	0
Number of mediated appeals from January 1, 2022 to December 31, 2022	0
Number of Archived Appeals	0
Number of Archived Appeals from January 1, 2022 to December 31, 2022	0
Number of pending appeals as of December 31, 2022	1
Number of total request for judicial confirmation from the beginning to December 31, 2022	0
Number of requests for judicial confirmation from January 1, 2022 to December 31, 2022	0
Number of total judicial decisions from the beginning to December 31, 2022	0
Number of judicial decisions from January 1, 2022 to December 31, 2022	0
Total number of pending appeals as of December 31, 2022	0

10. B.C. Fund Counsel incurred fees with respect to Regular Plans (Transfused and Hemophiliac) in the amount of **\$4,972.50** plus tax. B.C. Fund Counsel incurred disbursements in the amount of **\$24.87** plus tax. The total amount of taxes incurred on fees and expenses is **\$597.95** (GST was paid in the amount of **\$249.87** and PST in the amount of **\$348.08**). There were no costs incurred with respect to expert fees or travel expenses. With taxes, the total amount of fees and disbursements incurred in B.C. is **\$5,595.32**.

B.C. Fund Counsel incurred fees with respect to Late Claims in the amount of **\$27,582.50** plus tax. B.C. Fund Counsel incurred disbursements in the amount of **\$2,778.64**. The total amount of taxes incurred on fees is **\$3,448.85** (GST was paid in the amount of **\$1,518.07** and PST in the amount of **\$1,930.78**). There were no costs incurred with respect to expert fees or travel expenses. With taxes, the total amount of fees and disbursements incurred in B.C. is **\$33,810.00**.

Appeals that are pending generally fall into one of the following categories:

- (a) Appeals that have been requested but not yet commenced. Some Arbitrators and Referees schedule a pre-appeal conference call before a date for the appeal is set. This can result in the delay in scheduling a date for the appeal. Often, claimants require additional time to collect evidence before commencing the appeal. Fund Counsel generally consent to a reasonable period of delay for the benefit of the claimant.
- (b) Appeals that have been commenced but not yet concluded. Appeals are often adjourned to allow the claimant an opportunity to collect and provide additional evidence. Fund Counsel generally consent to these adjournments. The Referee/Arbitrator usually monitors the adjournment to ensure that the appeal resumes in a reasonable period of time.
- (c) Appeals that have been concluded and the decision from the Arbitrator or Referee is pending.

Pursuant to the Court Approved Protocol for Arbitration/References and subject to the discretion of the Referees and Arbitrators, Fund Counsel endeavor to conduct the appeals in the simplest, least expensive and most expeditious procedure. When practical and reasonable to do so, evidence from witnesses is introduced in writing or by telephone to eliminate the expense of having the witness testify in person. However, in some appeals, it is preferable to have the witness testify in person and on these occasions, the expense is unavoidable.

11. Fund Counsel anticipates that the time required to handle appeals during this fiscal year will likely be at or above last year. The late claims appeals may increase over last year which would increase the time required. The time required will also depend upon the number of appeals which raise complicated medical and other issues including the need for expert evidence.

Annual Report 2022

Prepared for:

The Joint Committee of the Hepatitis C 86-90 Trust Fund

Prepared by:

Reva Devins

Associate Chair, Ontario Roster of Arbitrators and Referees

Duties and Responsibilities of Arbitrators and Referees

1. Under the terms of the Court approved settlement, Arbitrators and Referees are responsible for determining all appeals brought by claimants seeking review of the decision of the Administrator. An appeal may proceed by Arbitration or Reference, either by an in person hearing or by review of the written material submitted by the parties. Arbitrators and Referees are to conduct their review using the simplest, least expensive, and most expeditious procedure.
2. Upon conclusion of the appeal, the Arbitrator or Referee must release their decision within thirty days of completion of an oral hearing or within thirty days following receipt of final written submissions. Reasons for Decision are released in writing to the individual claimant and to Fund Counsel representing the Administrator. In all decisions, the Arbitrator or Referee must state the facts and conclusion without identifying the claimant; decisions are then posted on the Website.

Roster of Arbitrator/Referees

3. There are currently 9 active Court appointed Arbitrator/Referees: one in each of Alberta, Saskatchewan, Manitoba, Nova Scotia, Quebec, and British Columbia, and 3 in Ontario.

Appeal Activity

4. The number of new appeals assigned to Arbitrators and Referees remained extremely low in 2022.

Late Claim Benefit Plan

5. The HCV Late Claim Benefit Plan was launched in January 2018 and allows individuals who missed the first claims deadline to request approval to file a late claim. The Courts approved guidelines for approval, directing that a request should be allowed where the claimant did not have timely notice of the first claim deadline, failed to meet the deadline for reasons beyond their control or where they provide another reasonable explanation for their delay.
6. Two arbitrators were assigned to review the late claim requests and provide written reasons for allowing or denying them, one in Quebec and one in Ontario. Late Claim requests continue to be submitted and reviewed by the relevant arbitrator.

Financial Activity to December 31, 2021

7. The fees and expenses incurred by Arbitrators and Referees under the 1986-90 Hepatitis C Benefit Plans were as follows:

	<u>British Columbia</u>	<u>Quebec</u>	<u>Ontario (includes all remaining provinces)</u>
Fees*:	\$0	\$0	\$5,057.50
Disbursements:	\$0	\$0	\$200.08
Taxes:	\$0	\$ 0	\$758.63
TOTALS	\$ 0	\$0	\$6016.21

*This represents fees and disbursements paid in 2022, however, it may include amounts incurred for work performed in previous years.

In the past fiscal year, no cases were approved for payment in excess of the tariff rate.

8. Referee fees and disbursements in 2022 for administration of the HCV Late Claim Benefit Plan were as follows:

	<u>British Columbia</u>	<u>Quebec</u>	<u>Ontario (includes all remaining provinces)</u>
Fees*:	\$21,225.00	\$7,862.50	\$5,740
Disbursements:	\$606.74	\$121.84	\$0
HST:	\$1152.25	\$1,037.96	\$287
TOTALS:	\$22,983.99	\$9,022.30	\$6027

*This represents fees and disbursements paid in 2022, however, it may include amounts incurred for work performed in previous years.

Proposed Budget

9. As in previous years, the number and complexity of appeals will determine the fiscal needs of appeal administration. There continues to be a marked decrease in cases forwarded for review under the Regular Benefit Plan. There are, however, several outstanding matters that have been recently completed or will be completed in the coming year. The estimated fees for 2023 are \$15,000.
10. The volume of requests to file Late Claims have similarly tapered off. However, many of the underlying facts giving rise to these claims occurred roughly 35 years ago, adding to the complexity of hearing these matters. This was reflected in the fees charged for the appeals conducted under the Late Claim Benefit Plan. The estimated fees for 2023 are \$50,000.