


PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 653

, Approved and Ordered

December 3, 2018



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective December 30, 2018, the Securities Regulation, B.C. Reg. 196/97, is amended as set out in the attached Schedule.

DEPOSITED

December 3, 2018

B.C. REG. 258/2018



Minister of Finance and Deputy Premier



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Securities Act*, R.S.B.C. 1996, c. 418, s. 183

Other: M244/97

R20274021

SCHEDULE

1 The Securities Regulation, B.C. Reg. 196/97, is amended by adding the following section to Part 7:

Interpretation

- 21.1** (1) In section 22, “**management cease trade order**” means an order that prohibits or restricts trading in securities of a reporting issuer by any of the following:
- (a) the chief executive officer of the reporting issuer or a person acting in a similar capacity;
 - (b) the chief financial officer of the reporting issuer or a person acting in a similar capacity;
 - (c) an officer or director of the reporting issuer or other person who had, or might have had, access directly or indirectly to a material fact or material change with respect to the reporting issuer that has not been generally disclosed.
- (2) For the purposes of items 15 and 15.1 of section 22, if an applicant files more than one application under those items, the applications are considered to be a single application for the purpose of determining the fee if
- (a) the commission or the executive director considers that the applications relate to the same matter, and
 - (b) in the case that the applications are not filed at the same time, the applications are filed before a final decision is made with respect to the first application that was filed.

2 Section 22 is amended

- (a) in Column 2 of item 1 (2) by striking out “\$250” and substituting “\$350”,*
- (b) in Column 1 of item 10 (a) by striking out “0.02%” and substituting “0.025%”,*
- (c) in item 15 by striking out “application, other than an application to revoke a cease-trade order in effect for less than 91 days, to” in Column 1 and substituting “application, other than an application to revoke, revoke in part or vary an order made under section 161 or 164 of the Act, with” and by striking out “\$750” in Column 2 and substituting “\$4 500”,*

(d) by adding the following items as indicated:

Item	Column 1	Column 2
15.1	<p>(1) For filing any of the following applications, unless an application to which item 15 applies is also filed, in which case no fee is payable under this subsection:</p> <p>(a) an application to the commission or the executive director for a decision to revoke, revoke in part or vary an order made under section 164 of the Act if the order has been in effect for less than 91 days;</p> <p>(b) an application for a decision under section 88 of the Act;</p> <p>(c) an application for a decision under National Instrument 31-102 <i>National Registration Database</i>;</p> <p>(d) an application for a decision under National Instrument 33-109 <i>Registration Information</i>;</p> <p>(e) an application for a decision under section 3.3, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 3.14, 9.1 or 9.2 of National Instrument 31-103 <i>Registration Requirements, Exemptions and Ongoing Registrant Obligations</i>;</p> <p>(f) an application under section 164 of the Act for a management cease trade order</p> <p>(2) For filing an application for a decision under section 26 of this regulation</p>	\$1 000
15.2	For filing an application for recognition in respect of an exchange	\$40 000
15.3	For filing an application for an exemption from the requirement to be recognized in respect of an exchange	\$15 000
15.4	For filing an application for recognition in respect of a clearing agency	\$40 000
15.5	For filing an application for an exemption from the requirement to be recognized in respect of a clearing agency	\$15 000
15.6	For filing Form 21-101F2 <i>Information Statement – Alternative Trading System</i> in respect of an alternative trading system if a Form 21-101F2 has not been previously filed with respect to that alternative trading system	\$25 000
15.7	For filing an application for recognition in respect of a trade repository	\$25 000

(e) in Column 1 of item 16 (c) (i) by striking out “\$100” and substituting “\$200”,

(f) in Column 2 of item 20 by striking out “\$750” and substituting “\$4 500”,

(g) by repealing items 29, 30 and 31, and

(h) by adding the following items as indicated:

Item	Column 1	Column 2
32	For the following: (a) submitting Form 31-103F2 <i>Submission to Jurisdiction and Appointment of Agent for Service</i> under section 8.18 (3) (e) or 8.26 (4) (f) of National Instrument 31-103 <i>Registration Requirements, Exemptions and Ongoing Registrant Obligations</i> or under both of those sections if submitted at the same time (b) providing a notification under section 8.18 (5) or 8.26 (5) of National Instrument 31-103 <i>Registration Requirements, Exemptions and Ongoing Registrant Obligations</i> or under both of those sections if the notifications are provided at the same time	\$1 400
33	For a person that is a recognized exchange at any time during the period between April 1 of the previous calendar year and March 31 of the current calendar year, by April 30 of the current calendar year	\$20 000
34	For a person that is a recognized clearing agency at any time during the period between April 1 of the previous calendar year and March 31 of the current calendar year, by April 30 of the current calendar year	\$20 000
35	For a person that is an alternative trading system at any time during the period between April 1 of the previous calendar year and March 31 of the current calendar year, by April 30 of the current calendar year	\$5 000
36	For a trade repository that is recognized under the Act at any time during the period between April 1 of the previous calendar year and March 31 of the current calendar year, by April 30 of the current calendar year	\$15 000