

# 2003 BCSECCOM 735

## Headnote

Relief from the filings and notification requirements of Multilateral Instrument 33-109 *Registration Information* relating to the bulk transfer of locations and individuals in connection with an amalgamation

## Exemption Order

### Coast Capital Investments and Credential Asset Management Inc.

### Multilateral Instrument 33-109 *Registration Information*

## Background

- ¶ 1 Coast Capital Investments (CCI) and Credential Asset Management Inc. (CAM) (together, the applicants) have applied under Part 7 of Multilateral Instrument 33-109 (MI 33-109) for an exemption from certain provisions of MI 33-109.
- ¶ 2 Staff of the Commission, in connection with staff's activities to address National Registration Database (NRD) transitional issues, has been able in this instance to make alternative arrangements to ensure that the information that would otherwise have been required to be submitted on NRD for the transfer of locations and individuals in the absence of this order will be captured on NRD.

## Representations

- ¶ 3 The applicants represent that:
1. CCI is registered as a mutual fund dealer under the *Securities Act* (British Columbia) and is a member of the Mutual Fund Dealers Association of Canada;
  2. CCI is a partnership between Coast Capital Savings Credit Union (CCSCU) and Coast Capital Insurance Services Ltd. (CCISL);
  3. CCISL is an insurance company governed by the *Financial Institutions Act* (British Columbia) (FIA) and the *Insurance Act* (British Columbia);

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4. CCSCU is a credit union governed by the FIA and the *Credit Union Incorporation Act* (British Columbia);
5. CAM is registered as a mutual fund dealer in each of Alberta, British Columbia, Saskatchewan, Manitoba, Ontario, New Brunswick, Nova Scotia, Newfoundland and Labrador and Prince Edward Island;
6. in 2002, CCSCU (formerly Richmond Savings Credit Union and Pacific Coast Credit Union) amalgamated with Surrey Metro Savings Credit Union (Surrey Metro) (the amalgamation);
7. prior to the amalgamation, Surrey Metro had engaged CAM to provide mutual fund services in its branches through persons registered with CAM, but also employed with Surrey Metro;
8. as a result of the amalgamation and the restructuring of the business units within CCSCU, CCSCU has decided to terminate its contracts with CAM and transfer client accounts to CCI, as the sole provider of mutual fund services to CCSCU; and
9. clients who have been dealing through CCSCU at former Surrey Metro branches will not have their branch location changed and will not have their registered salesperson changed, but will merely have the sponsoring dealer changed to reflect the change in the organizational structure of CCSCU.

### Order

¶ 4 Because it is not prejudicial to the public interest, the Executive Director orders under MI 33-109 that the following requirements of MI 33-109 shall not apply to the applicants:

- (i) the requirement to submit a notice regarding the termination of each employment, partner, or agency relationship under section 4.3 of MI 33-109;
- (ii) the requirement to submit a notice regarding each individual who ceases to be a non-registered individual under section 5.2 of MI 33-109;
- (iii) the requirement to submit a registration application for each individual applying to become a registered individual under section 2.2 of MI 33-109;

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- (iv) the requirement to submit a Form 33-109F4 for each non-registered individual under section 3.3 of MI 33-109; and
- (v) the requirement under section 3.1 of MI 33-109 to notify the regulator of a change to the business location information in Form 33-109F3.

¶ 5 October 30, 2003

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Manager