

Comments Received in Response to Bulletin 23-0096 – Rules Bulletin – Request for Comments – Proposed Clarifying Amendments to Registration and Proficiency Requirements

On August 31, 2023, CIRO issued [Bulletin 23-0096](#) (the **Bulletin**) requesting comments on the proposed clarifying amendments to registration and proficiency requirements (**Proposed Amendments**). We received one comment letter from:

- The Investment Industry Association of Canada (IIAC)

These comments, along with our responses, are summarized below, and available on CIRO's website [here](#).

Summary of Comment		CIRO Response
General Comment		
1.	IIAC noted that the proposed amendments were approved for public comment on June 28, 2023, but were published on August 31, 2023, with a short comment period ending on October 2, 2023. They ask that in future, proposals be published immediately upon approval with a comment period of at least 90 days.	As a general matter, we note that we endeavor to adopt comment periods that reasonably reflect the amount of time required to meaningfully review and make submissions in respect of proposed changes. As a result, more substantive proposals (e.g. proposed new requirements, material changes to existing requirements, or complex changes) will tend to have longer comment periods, than changes that are relatively narrow in scope, and straightforward.
Rule 2553(3)		
2.	Rule 2553(3), subsections (i), (ii), and (iv) no longer exist.	Existing Rule 2553(2)(i), (ii), (iii), and (iv) was renumbered to 2553(3)(i), (ii), (iii), and (iv). Aside from this renumbering, no changes were proposed to the noted subsections of Rule 2553. These subsections still exist but were not included in the published materials as no changes to the text were proposed.

Summary of Comment		CIRO Response
Rule 2602(3)(iii) – Removal of Securities Industry Essentials Exam		
3.	<p>IIAC requests removal of the Securities Industry Essentials Exam (SIE), noting that it is an introductory/entry level course, and that FINRA has a waiver process in place for the SIE.</p> <p>Comment made in relation to Rule 2602(3)(iii) – IIAC comment #2, and repeated in relation to subsections:</p> <ul style="list-style-type: none"> • 2602(3)(iv) – IIAC comment #4 • 2602(3)(x) – IIAC comment#7 • 2602(3)(xi) – IIAC comment#9 • 2602(3)(xix) – IIAC comment#13 • 2602(3)(xxiv) – IIAC comment#16 • 2602(3) (xxvii) – IIAC comment#19 	<p>The reference to the SIE within the noted rules is an existing requirement whose wording we have clarified. With respect to the FINRA waiver process, CIRO proficiency requirements cannot be drafted on the assumption that an applicant has successfully applied for and received the SIE waiver.</p>
Rule 2602(3)(iv)		
4.	<p>For consistency, change reference from “if previously registered’ to “if previously registered <u>or approved</u>”.</p> <p>Comment made in relation to Rule 2602(3)(iv) – IIAC comment #3 and repeated in relation to subsections:</p> <ul style="list-style-type: none"> • 2602(3)(v) – IIAC comment #5 • 2602(3)(x) – IIAC comment#6 • 2602(3)(xi) – IIAC comment#8 • 2602(3)(xii) – IIAC commen#10 • 2602(3)(xix) – IIAC comment#11 • 2602(3)(xxiv) – IIAC comment#14 • 2602(3)(xxvii) – IIAC comment#18 	<p>In the noted sections, the words “if previously registered with” refer specifically to FINRA, and, on a more limited basis, to the National Futures Association (i.e. recognized foreign self-regulatory organizations known to use the word “registered” in relation to individuals and firms over whom they exercise regulatory oversight). The proposed amendments adopt “registered or approved” where the intent is to refer to FINRA or other recognized foreign self-regulatory organizations that may have different ways to refer to registered individuals. Use of the more general term “approved’ is intended to anticipate and accommodate such differences.</p>
Rule 2602(3)(xix)		
5.	<p>The proposed amendments delete the words “<u>or an investment dealer</u>” from the subsection. It was suggested that this deletion not be made.</p>	<p>The proposed amendment to delete <i>or investment dealer</i> is intended to clarify that this paragraph is</p>

Summary of Comment		CIRO Response
	Comment made in relation to 2602(3)(xix) – IIAC comment #12, and repeated in relation to: subsection 2602(3)(xxiv) – IIAC comment #15	applicable to those individuals who were previously registered with FINRA and dealing in options. This is consistent with the language used in the requirements for Registered Representatives (RRs) and Investment Representatives (IRs) dealing with options. The Securities Industry Essentials Exam and the Series 7 Exam are specific to FINRA.
Rule 2602(3)(xxvii)		
6.	IIAC questions the necessity of the Conduct and Practices Handbook (CPH) Course, particularly as dealer/advisor experience is a requirement.	We have added the combination of CPH and other education options, as an alternative to the current requirements in 2602(3)(xxvii). This was in response to previous comments, which noted that the CFA charter should not be the only alternative for satisfying the education requirements for this approval category and that it is not necessary for this role. The changes proposed are consistent with the alternatives generally accepted (as noted in Plain Language Rule Book Project – Registration Changes IIROC). The experience requirement is consistent with experience requirements established for other Supervisors.
Rule 2703(5)		
7.	Provision need not be limited to “retail” trading capacity.	The CE grandfathering provision referenced in Rule 2703(5) was intended to apply specifically to retail approval categories.