

Proposed
BC Instrument 13-502
Electronic filing of reports of exempt distribution

Part 1 Definitions

1.1 Definitions – In this Instrument

“consent” means a consent of a qualified person that is required to be filed with a technical report under section 8.3 of National Instrument 43-101 *Standards of Disclosure for Mineral Projects*;

“e-services” means an electronic filing system for the submission and payment of a report by a report filer;

“offering memorandum” means an offering memorandum required to be delivered to a purchaser of a security under section 2.9 of National Instrument 45-106 *Prospectus and Registration Exemptions*;

“technical report” means a technical report as defined in National Instrument 43-101 *Standards of Disclosure for Mineral Projects* that is required to be filed to support scientific or technical information in an offering memorandum;

“report” means a report of exempt distribution in Form 45-106F1 required to be filed on or before the 10th day after the distribution of a security under the Act, the regulations or an order made by the Commission or the Executive Director; and

“report filer” means an issuer required to file a report.

Part 2 Electronic filing requirements

2.1 Electronic filing – A report filer must file the following electronically using e-services:

- (a) a report,
- (b) an offering memorandum,
- (c) a technical report, and
- (d) a consent.

2.2 Electronic payment of filing fees – The fees payable to the Commission for filing a report must be paid electronically using e-services at the time the filing is made.

Part 3 Filing exemptions

3.1 Temporary hardship exemption –

- (1) If unanticipated technical difficulties prevent the timely transmission of an electronic filing, the report filer may file the report, offering memorandum, technical report or consent by e-mail as soon as practicable and in any event no later than two business days after the day on which the filing was required.
- (2) A filing under subsection (1) must include the following legend in capital letters at the top of the first page:

THIS REPORT IS BEING FILED UNDER A TEMPORARY HARDSHIP
EXEMPTION.

- (3) If a report, offering memorandum, technical report or consent is filed as prescribed in this section, the specific date by which the document is required to be filed under the Act, regulations or an order made by the Commission or the Executive Director is extended to the date on which the filing is made using e-services.
- (4) A report filer must file a copy of any report, offering memorandum, technical report, or consent filed under this section using e-services as soon as practicable after the unanticipated technical difficulty has been resolved and in any event no later than three business days after the filing has been made by email.

3.2 Exemption – The Commission or the Executive Director may grant an exemption from this Instrument, in whole or in part, subject to such conditions or restrictions as may be imposed in the exemption.