

Amendments to National Instrument 33-109 *Registration Information*

- 1. *National Instrument 33-109 Registration Information is amended by this Instrument.***
- 2. *The definition of “NI 31-103” in section 1.1 is amended by replacing “Registration Requirements and Exemptions” with “Registration Requirements, Exemptions and Ongoing Registrant Obligations”.***
- 3. *Paragraph (a) in the definition of “permitted individual” in section 1.1 is amended by replacing “and” with “or”.***
- 4. *Paragraph 2.3 (2)(b) is amended by adding “resigned voluntarily,” after “resign,”.***
- 5. *Subsection 2.5 (2) is amended by replacing “sponsoring and” with “sponsoring firm and”.***
- 6. *Subsection 4.1 (4) is amended by adding the following after paragraph (b):***
 - (c) the removal or the addition of a category of registration.
- 7. *Section 4.2 is amended***
 - (a) *in paragraph (1)(b) by replacing “or retirement of the individual or the completion or expiry of an employment or agency contract” with “of the individual”, and***
 - (b) *by replacing “person or company” wherever it occurs with “registered firm”.***
- 8. *Subsection 5.1 (1) is amended by adding “sponsoring” after “A”.***
- 9. *Section 6.2 is amended by replacing “instrument” wherever it occurs with “Instrument”.***
- 10. *Form 33-109F1 is amended***
 - (a) *in the general instructions under “Terms” by replacing “;” with “.”,***
 - (b) *in the general instructions under “When to submit the form” by replacing “five business days” with “seven days”,***
 - (c) *in the general instructions under “When to submit the form” by replacing “termination date” with “effective date of the termination”,***

(d) in Item 5 by replacing the instructions above “[For NRD Format only:]” with the following:

Complete Item 5 except where the individual is deceased. In the space below:

- state the reason(s) for the cessation / termination and
- provide details if the answer to any of the following questions is “Yes”.

(e) in Item 5 under “[For NRD Format only:]” by replacing “completed temporary employment contract, retired or” with “individual is”, and

(f) by repealing Item 6.

11. Schedule A to Form 33-109F1 is repealed.

12. Form 33-109F2 is amended

(a) by replacing Item 2 with the following:

Item 2 Registration jurisdictions

1. Are you filing this form under the passport system / interface for registration?

Choose “no” if you are registered in:

- (a) only one jurisdiction in Canada
- (b) more than one jurisdiction in Canada and you are requesting a surrender in a non-principal jurisdiction or jurisdictions, but not in your principal jurisdiction.
- (c) more than one jurisdiction in Canada and you are requesting a change only in your principal jurisdiction

(b) by replacing Item 4 with the following:

Item 4 Adding categories

1. Categories

What categories are you seeking to add?

2. Professional liability insurance (Québec mutual fund dealers and Québec scholarship plan dealers)

If you are seeking registration as a representative of a mutual fund dealer or of a scholarship plan dealer in Québec, are you covered by your sponsoring firm's professional liability insurance?

Yes No

If "No", state:

The name of your insurer _____

Your policy number _____

3. Relevant securities experience

If you have not been registered in the last 36 months and you passed the required examination more than 36 months ago, do you consider that you have gained 12 months of relevant securities industry experience during the 36 month period?

Yes No N/A

If you are an individual applying for IIROC approval, select "Not Applicable" above.

If "yes", complete Schedule A.

13. Schedule A to Form 33-109F2 is replaced with the following:

SCHEDULE A

Relevant securities experience (Item 4)

Describe your level of responsibility in areas relating to the category you are applying for:

What is the percentage of your time devoted to these activities?

_____ %

Indicate the continuing education activities which you have participated in and which are relevant to the category of registration you are applying for:

14. The following is added after Schedule A to Form 33-109F2:

**Schedule B
Contact information for
Notice of collection and use of personal information**

Alberta

Alberta Securities Commission,
4th Floor, 300 - 5th Avenue SW
Calgary, AB T2P 3C4
Attention: Information Officer
Telephone: (403) 355-4151

British Columbia

British Columbia Securities Commission
P.O. Box 10142, Pacific Centre
701 West Georgia Street
Vancouver, BC V7Y 1L2
Attention: Freedom of Information Officer
Telephone: (604) 899-6500 or (800) 373-6393 (in BC)

Manitoba

The Manitoba Securities Commission
500 - 400 St. Mary Avenue
Winnipeg, MB R3C 4K5
Attention: Director of Registrations
Telephone (204) 945-2548
Fax (204) 945-0330

Nunavut

Legal Registries Division
Department of Justice
Government of Nunavut
P.O. Box 1000 Station 570
Iqaluit, NU X0A 0H0
Attention: Deputy Registrar of Securities
Telephone: (867) 975-6590

Ontario

Ontario Securities Commission
Suite 1903, Box 55
20 Queen Street West
Toronto, ON M5H 3S8
Attention: FOI Coordinator
Telephone: (416) 593-8314

Prince Edward Island

Securities Registry
Office of the Attorney General B Consumer,
Corporate and
Insurance Services Division
P.O. Box 2000
Charlottetown, PE C1A 7N8
Attention: Deputy Registrar of Securities
Telephone: (902) 368-6288

New Brunswick

New Brunswick Securities Commission
Suite 300, 85 Charlotte Street
Saint John, NB E2L 2J2
Attention: Director, Regulatory Affairs
Telephone: (506) 658-3060

Newfoundland and Labrador

Securities NL
Financial Services Regulation Division
Department of Government Services
P.O. Box 8700, 2nd Floor, West Block
Confederation Building
St. John's, NL A1B 4J6
Attention: Manager of Registrations
Tel: (709) 729-5661

Nova Scotia

Nova Scotia Securities Commission
2nd Floor, Joseph Howe Building
1690 Hollis Street
P.O. Box 458
Halifax, NS B3J 2P8
Attention: Deputy Director, Capital Markets
Telephone: (902) 424-7768

Northwest Territories

Government of the Northwest Territories
P.O. Box 1320
Yellowknife, NWT X1A 2L9
Attention: Deputy Superintendent of Securities
Telephone: (867) 920-8984

Québec

Autorité des marchés financiers
800, square Victoria, 22e étage
C.P. 246, tour de la Bourse
Montréal (Québec) H4Z 1G3
Attention: Responsable de l'accès à l'information
Telephone: (514) 395-0337 or (877) 525-0337 (in Québec)

Saskatchewan

Saskatchewan Financial Services Commission
Suite 601, 1919 Saskatchewan Drive
Regina, SK S4P 4H2
Attention: Director
Telephone: (306) 787-5842

Yukon

Yukon Securities Office
Department of Community Services
P.O. Box 2703 C-6
Whitehorse, YT Y1A 2C6
Attention: Superintendent of Securities
Telephone: (867) 667-5225

Self-regulatory organization

Investment Industry Regulatory Organization of Canada
121 King Street West, Suite 1600
Toronto, Ontario M5H 3T9
Attention: Privacy Officer
Telephone: (416) 364-6133
E-mail: PrivacyOfficer@iirc.ca

15. Form 33-109F4 is amended

(a) *in the definition of “Approved person” under “Terms” by replacing “member of the IIROC (Member)” with “member (Member) of the Investment Industry Regulatory Organization of Canada (IIROC)”*,

(b) *in section 2 of Item 8 by adding the following after “Advocis (formerly CAIFA):_____”*:

RESP Dealers Association of Canada:

Other:

(c) *in Item 8 by adding the following after section 3:*

4. Relevant securities experience

If you are an individual applying for IIROC approval, select “Not Applicable below”.

If you have not been registered in the last 36 months and you passed the required examination more than 36 months ago, do you consider that you have gained 12 months of relevant securities industry experience during the 36 month period?

Yes No N/A

If “yes”, complete Schedule F.

(d) *in Item 14 by replacing “Immigration Act” with “Immigration and Refugee Protection Act”, and*

(e) *in Item 14 by replacing “Young Offenders Act” wherever it occurs with “former Young Offenders Act”.*

16. Item 1.3 of Schedule A to Form 33-109F4 is amended by adding the following after “No ”:

N/A

17. Schedule C to Form 33-109F4 is amended by replacing “Investment Industry Regulatory Organisation of Canada” with “IIROC”.

18. Schedule F to Form 33-109F4 is amended

(a) in the heading by replacing “Item 8.3” with “Items 8.3 and 8.4”, and

(b) by adding the following after Item 8.3:

Item 8.4 Relevant securities experience

Describe your level of responsibility in areas relating to the category applied for:

What is the percentage of your time devoted to these activities?

_____ %

Indicate the continuing education activities which you have participated in and which are relevant to the category of registration you are applying for:

19. Schedule G to Form 33-109F4 is amended by replacing section 5 with the following:

5. Conflicts of interest

If you have more than one employer or are engaged in business related activities:

A. Disclose any potential for confusion by clients and any potential for conflicts of interest arising from your multiple employment or business related activities or proposed business related activities.

B. Indicate whether or not any of your employers or organizations where you engage in business related activities are listed on an exchange.

C. Confirm whether the firm has procedures for minimizing potential conflicts of interest and if so, confirm that you are aware of these procedures.

D. State the name of the person at your sponsoring firm who has reviewed and approved your multiple employment or business related activities or proposed business related activities

E. If you do not perceive any conflicts of interest arising from this employment, explain why.

20. Paragraph (b) of Schedule N to Form 33-109F4 is amended by replacing “market value” with “fair value”.

21. The instructions to Form 33-109F6 are amended

- (a) in the definition for “NI 31-103” by replacing “Registration Requirements and Exemptions” with “Registration Requirements, Exemptions and Ongoing Registrant Obligations”.**
- (b) under “Contents of the form” by replacing “Alberta and Manitoba” with “Alberta, Manitoba, and New Brunswick”.**
- (c) under “How to complete and submit the form” by deleting “and fees” after “all supporting documents”.**

22. Part 1 of Form 33-109F6 is amended

- (a) in section 1.3 by replacing “Questions 1.1, 1.2, 1.4, 1.5, 2.4, and Part 9” with “Questions 1.1, 1.2, 1.4, 1.5, 2.4, 3.9, 5.4, 5.6*, and Part 9”,**
- (b) in section 1.3 by replacing “Questions 1.1, 1.2, 1.4, 1.5, 5.1, 5.4, 5.5, 5.6, 5.7, 5.8, Part 6 and Part 9” with “Questions 1.1, 1.2, 1.4, 1.5, 3.1, 5.1, 5.4, 5.5, 5.6, 5.7, 5.8, Part 6 and Part 9”,**
- (c) in section 1.3 by adding the following after “Part 6 and Part 9”:**

* If the firm is adding Québec as a jurisdiction for registration in the category of mutual fund dealer or scholarship plan dealer, complete question 5.6.

- (d) in the table in section 1.4 under “Jurisdiction” by replacing “NT” with “NS”,**
- (e) in the table in section 1.4 under “Jurisdiction” by replacing “NS” with “NT”,**
- (f) in the table in section 1.5 under “Jurisdiction(s) where the firm has applied for the exemption” by replacing “NT” with “NS”, and**
- (g) in the table in section 1.5 under “Jurisdiction(s) where the firm has applied for the exemption” by replacing “NS” with “NT”.**

23. Part 2 of Form 33-109F6 is amended

- (a) in the table in paragraph 2.2 (b) by replacing “NT” with “NS”,**
- (b) in the table in paragraph 2.2 (b) by replacing “NS” with “NT”, and**

(c) by replacing

Title

wherever it occurs with the following:

Officer title
Telephone number
E-mail address

24. Section 3.3 in Part 3 of Form 33-109F6 is amended by replacing “Alberta or Manitoba” with “Alberta, Manitoba, or New Brunswick”.

25. Part 5 of Form 33-109F6 is amended

(a) by replacing section 5.1 with the following:

5.1 Calculation of excess working capital

Attach the firm’s calculation of excess working capital.

- Investment dealers must use the capital calculation form required by the Investment Industry Regulatory Organization of Canada (IIROC).
- Mutual fund dealers must use the capital calculation form required by the Mutual Fund Dealers Association of Canada (MFDA), except for mutual fund dealers registered in Québec only
- Firms that are not members of either IIROC or the MFDA must use Form 31-103F1 *Calculation of Excess Working Capital*. See Schedule C.

(b) in section 5.4 by replacing “NT” with “NS”,

(c) in section 5.4 by replacing “NS” with “NT”,

(d) in section 5.5 by adding the following after “Annual aggregate coverage (\$)”:

Total coverage (\$)	
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(e) in section 5.5 by replacing “Renewal date” with “Expiry date”,

(f) *in section 5.6 by adding the following after* “Annual aggregate coverage (\$)”:

Total coverage (\$)	
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(g) *in section 5.6 under “Jurisdictions covered:” by replacing* “NT” with “NS”, and

(h) *in section 5.6 under “Jurisdictions covered:” by replacing* “NS” with “NT”.

26. Schedule C to Form 33-109F6 is amended by replacing “market value” *wherever it occurs with* “fair value”.

27. The notes in Schedule C to Form 33-109F6 are amended by adding the following after “basis.”:

Line 5. Related-party debt – Refer to the CICA Handbook for the definition of “related party” for publicly accountable enterprises..

28. Schedule 1 of Schedule C to Form 33-109F6 is amended

(a) *in paragraph (d) by replacing* “Where securities” *with* “Securities”,

(b) *in paragraph (d) by striking out* “, the margin required is”,

(c) *after the heading in paragraph (e) by replacing* “On securities (other than bonds and debentures) including rights and warrants listed on any exchange in Canada or the United States” *with the following*:

In this paragraph, “securities” includes rights and warrants and does not include bonds and debentures.”

(i) On securities listed on any exchange in Canada or the United States:

(d) *by replacing subparagraph (e)(ii) with the following*:

(ii) For positions in securities that are constituent securities on a major broadly-based index of one of the following exchanges, 50% of the fair value:

- (a) Australian Stock Exchange Limited
- (b) Bolsa de Valores de Sao Paulo
- (c) Borsa Italiana
- (d) Euronext Amsterdam

- (e) Euronext Brussels
- (f) Euronext Paris S.A.
- (g) Frankfurt Stock Exchange
- (h) London International Financial Futures and Options Exchange
- (i) London Stock Exchange
- (j) New Zealand Exchange Limited
- (k) Swiss Exchange
- (l) The Stock Exchange of Hong Kong Limited
- (m) Tokyo Stock Exchange

29. Form 33-109F7 is amended

- (a) *in the general instructions by adding* “the end of” *after* “on or before”,
- (b) *in the general instructions by replacing* “termination” *with* “cessation”,
- (c) *in the general instructions by deleting* “dismissed, or was”,
- (d) *in the general instructions by adding* “resigned voluntarily or was dismissed,” *after* “resign,”,
- (e) *in the definition for “you”, “your” and “individual” under “Terms” by adding* “or their status as a permitted individual” *after* “registration”,
- (f) *in section 5 of Item 5 by deleting* “Date on which you will become authorized to act on behalf of the new sponsoring firm as a registered individual or permitted individual _____YYYY/MM/DD)”,
and
- (g) *in paragraph 2 (b) of Item 9 by adding* “or resigned voluntarily” *after* “resign”.

30. Schedule B to Form 33-109F7 is amended by replacing “Investment Industry Regulatory Organization of Canada” *with* “IIROC”.

31. Section 5 of Schedule D to Form 33-109F7 is replaced with the following:

5. Conflict of Interest

If you have more than one employer or are engaged in business related activities:

A. Disclose any potential for confusion by clients and any potential for conflicts of interest arising from your multiple employment or business related activities or proposed business related activities.

B. Indicate whether or not any of your employers or organizations where you engage in business related activities are listed on an exchange.

C. Confirm whether the firm has procedures for minimizing potential conflicts of interest and if so, confirm that you are aware of these procedures.

D. If you do not perceive any conflicts of interest arising from this employment, explain why.

32. Paragraph (b) of Schedule E for Form 33-109F7 is amended by replacing “market value” with “fair value”.