

British Columbia Securities Commission

BC Instrument 21-505

Temporary Exemption from Certain Reporting Requirements for Regulated Entities Carrying On Business in British Columbia

Definitions

1. Terms defined in the *Securities Act* (British Columbia), or National Instrument 14-101 *Definitions* have the same meaning in this Instrument.
2. In this Instrument:

“Regulated Entity” means a marketplace, as defined in section 1.1 of National Instrument 21-101 *Marketplace Operation*, a clearing agency, as defined in subsection 1(1) of the *Securities Act*, an information processor, as defined in section 1.1 of National Instrument 21-101 *Marketplace Operation*, and a trade repository, as defined under MI 96-101 *Trade Repositories and Derivatives Data Reporting*.

Background

3. As a result of the current coronavirus disease 2019 (COVID-19) outbreak, which was declared a pandemic by the World Health Organization on March 11, 2020, the British Columbia Securities Commission (the Commission) acknowledges that the pandemic may present challenges for market participants in the meeting of certain obligations under securities legislation.
4. Specifically, as a result of the outbreak of COVID-19 and the resulting disruptions to travel, access to office facilities and availability of personnel and resources, Regulated Entities carrying on business in British Columbia may face challenges in providing the Commission with documents and other information under various reporting requirements of securities legislation, including the documents and other information identified in Exhibit A to this order.

Order

5. Considering that to do so would not be prejudicial to the public interest, in light of the COVID-19 pandemic, to assist affected Regulated Entities with the meeting of their obligations under securities legislation and under recognition orders, exemptions from recognition orders, registration orders and exemptions from registration orders, the Commission orders, under sections 33, 48 and 187 of the Act, that any Regulated Entity carrying on business in British Columbia that would be required to provide the Commission with a document or other information listed in Exhibit A, as applicable, between the date of

this order and June 1, 2020 is exempt from the requirement, subject to the terms and conditions listed below.

Terms and conditions

6. A Regulated Entity required to provide the Commission with a document or other information listed in Exhibit A, as applicable, between the date of this order and June 1, 2020 must provide the Commission with the document or other information no later than 45 days after the original due date for the document or other information.
7. For a document or other information listed in Exhibit A, a Regulated Entity required to provide the document or other information to the Commission between the date of this order and June 1, 2020 must disclose to the Commission when it provides the document or other information that it is relying on this order and state the reasons why it could not submit the document or other information by the original due date.
8. This order comes into effect on March 23, 2020.

Dated March 23, 2020

Brenda M. Leong
Chair

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

Authority under which the Order is made:

Act and sections: *Securities Act*, subsections 33(1), 48(1) and paragraph 187(1)(c)

Exhibit A

The requirements to provide the Commission with documents or other information referred to in this order are in recognition orders, exemptions from recognition orders, registration orders, exemptions from registration orders, National Instrument 21-101 *Marketplace Operation*, National Instrument 31-103 *Registration Requirements, Exemptions and Ongoing Registrant Obligations*, National Instrument 24-102 *Clearing Agency Requirements* and Multilateral Instrument 96-101 *Trade Repositories and Derivatives Data Reporting*.

- Audited annual financial statements
- Unaudited non-consolidated annual financial statements with or without notes
- Unaudited consolidated and unconsolidated interim financial reports and financial viability ratios
- Independent auditor written report on cost allocation model and internal transfer pricing
- Report - Exemptions or waivers granted
- Report - Original listing applications
- Report - Issuer compliance with rules
- List of internal audit reports and risk management reports
- Form 21-101F3 *Quarterly Report of Marketplace Activities*
- Report - Quarterly report of users and activities (including qualitative and quantitative data)
- Report – Quarterly report containing bylaws, rules, circulars made/published during quarter
- SOC 1 Report - Annual
- Annual compliance reports
- Report - Competitors listed on Neo Exchange
- Report - Conflicts with respect to Competitors
- Self-assessment report
- Cost recovery letter
- Governance Committee's comments
- Section 3000 Report
- Independent Systems Review
- Report - List of participants with access to services