Amendments to National Instrument 33-109 Registration Information


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 Schedule A to Form 33-109F1 is repealed.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@iiroc.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

<table>
<thead>
<tr>
<th>Title</th>
</tr>
</thead>
</table>

wherever it occurs with the following:

<table>
<thead>
<tr>
<th>Officer title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone number</td>
</tr>
<tr>
<td>E-mail address</td>
</tr>
</tbody>
</table>

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 of 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 ($) |

(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 ($)”:

<table>
<thead>
<tr>
<th>Total coverage ($)</th>
</tr>
</thead>
</table>

(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.”:


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
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”.