

Nova Scotia Securities Commission

Rule 31-103 (Amendment)

Registration Requirements, Exemptions and Ongoing Registrant Obligations

-and-

Consequential Amendments to Rule 33-109

-and-

**Amendments to National Instrument 33-109 *Registration Information*
(the Rule Amendment)**

-and-

**Changes to Companion Policy 33-109CP
Registration Information
(the Policy Amendment)**

WHEREAS:

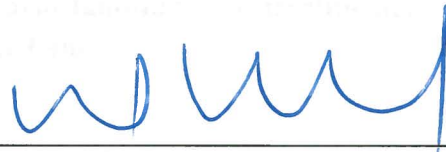
1. Pursuant to section 150 of the *Securities Act*, R.S.N.S. 1989, chapter 418, as amended (the Act), the Nova Scotia Securities Commission (the Commission) has power to make rules subject to compliance with the requirements of the Act;
2. Pursuant to section 19 of the Act, the Commission has power to issue and publish policy statements;
3. The Rule Amendment and the Policy Amendment, copies of which are attached hereto, have been made a rule by one or more of the Canadian securities regulatory authorities; and
4. The Commission is of the opinion that the attainment of the purpose of the Act is advanced by this Instrument.

NOW THEREFORE the Commission hereby:

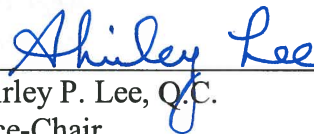
- (a) pursuant to the authority contained in section 150 of the Act and subject to compliance with the requirements of section 150A of the Act, approves the Rule Amendment and makes the same a rule of the Commission;
- (b) pursuant to the authority contained in section 19 of the Act and subject to publication on the Commission's website, issues the Policy Amendment as a policy statement of the Commission; and

- (c) declares that the rule approved and made pursuant to clause (a) and the issuance of the policy statement pursuant to clause (b) shall both take effect on **December 4, 2017**, unless the Minister disapproves the rule or returns it to the Commission in accordance with subsection 150A(3) of the Act in which event the rule and the policy statement shall not be effective until the rule is approved by the Minister.

IN WITNESS WHEREOF this Instrument has been signed by the Chair and the Vice-Chair of the Commission, being the members of the Commission prescribed by the Chair pursuant to subsection 15(3) of the Act to attend the hearing of this matter and the quorum with respect to this matter, on the 27th day of July, 2017.



Paul Radford, Q.C.,
Chair



Shirley P. Lee, Q.C.
Vice-Chair

Attachments

The amendments set out in sections 4, 5, 8, 9, 11 and 15 of this Amending Instrument are not being made in certain CSA jurisdictions because these amendments have already been adopted in those jurisdictions by means of other instruments. This will be reflected in the version of this Amending Instrument that is adopted in those jurisdictions.

Amendments to National Instrument 33-109 Registration Information

- 1. National Instrument 33-109 Registration Information is amended by this Instrument.**
- 2. Subparagraph 2.3(2)(c)(i) is amended by replacing “Item 13.3(c)” with “Item 13.3(a)”.**
- 3. Subsection 7.1 (3) is amended by adding “Alberta and” before “Ontario”.**
- 4. Schedule B to Form 33-109F2 is amended**
 - (a) under the heading “New Brunswick” by replacing “Director of Securities” with “Registration”,**
 - (b) under the heading “Nunavut” by replacing “Deputy Registrar of Securities” with “Superintendent of Securities”, and**
 - (c) under the heading “Prince Edward Island” by replacing “Deputy Registrar of Securities” with “Superintendent of Securities”.**
- 5. Schedule A to Form 33-109F3 is amended**
 - (a) under the heading “New Brunswick” by replacing “Director of Securities” with “Registration”,**
 - (b) under the heading “Nunavut” by replacing “Deputy Registrar of Securities” with “Superintendent of Securities”, and**
 - (c) under the heading “Prince Edward Island” by replacing “Deputy Registrar of Securities” with “Superintendent of Securities”.**
- 6. Form 33-109F4 is amended**
 - (a) in the “General Instructions” by replacing “regulators(s) or in Québec,” with “regulator(s) or, in Québec,” and**
 - (b) in Item 22, under the heading “Individual” and under the heading “Authorized partner or officer of the firm”, by replacing “regulator, or in Québec,” with “regulator or, in Québec,”.**

7. **Schedule C to Form 33-109F4 is amended under the heading “Individual categories and permitted activities” by adding “as described in paragraph (c) of the definition of “permitted individual” in section 1.1 of National Instrument 33-109 Registration Information” after “Permitted Individual”.**
8. **Schedule O to Form 33-109F4 is amended**
 - (a) **under the heading “New Brunswick” by replacing “Director of Securities” with “Registration”,**
 - (b) **under the heading “Nunavut” by replacing “Deputy Registrar of Securities” with “Superintendent of Securities”, and**
 - (c) **under the heading “Prince Edward Island” by replacing “Deputy Registrar of Securities” with “Superintendent of Securities”.**
9. **Schedule A to Form 33-109F5 is amended**
 - (a) **under the heading “New Brunswick” by replacing “Director of Securities” with “Registration”,**
 - (b) **under the heading “Nunavut” by replacing “Deputy Registrar of Securities” with “Superintendent of Securities”, and**
 - (c) **under the heading “Prince Edward Island” by replacing “Deputy Registrar of Securities” with “Superintendent of Securities”.**
10. **Section 4.2 of Form 33-109F6 is amended by adding “(other than those exemptions with respect to which the firm has already notified the securities regulator or, in Québec, the securities regulatory authority in accordance with the applicable exemption)” after “trade or advise in securities or derivatives”.**
11. **Schedule A to Form 33-109F6 is amended**
 - (a) **under the heading “New Brunswick” by replacing “Director of Securities” with “Registration”,**
 - (b) **under the heading “Nunavut” by replacing “Deputy Registrar of Securities” with “Superintendent of Securities”, and**
 - (c) **under the heading “Prince Edward Island” by replacing “Deputy Registrar of Securities” with “Superintendent of Securities”.**
12. **Schedule C to Form 33-109F6 is amended**
 - (a) **in the column entitled “Component” in Line 10 of the table by adding “or, in Québec, for a firm registered only in that jurisdiction and solely in the category of mutual fund dealer, less the deductible under the liability insurance required under**

section 193 of the Québec Securities Regulation” *after* “National Instrument 31-103 *Registration Requirements, Exemptions and Ongoing Registrant Obligations*”,

(b) in subparagraph (a)(i) of Schedule 1 by replacing “Aaa or AAA by Moody’s Canada Inc. or its DRO affiliate, or Standard & Poor’s Rating Services (Canada) or its DRO affiliate, respectively” with “Aaa or AAA, or the short-term ratings equivalent of either of those ratings, by a designated rating organization or its DRO affiliate”, and

(c) in paragraph (d) of Schedule 1 by replacing “Investment Companies Act of 1940” with “Investment Company Act of 1940”.

13. Form 33-109F7 is amended

(a) in the “General Instructions” by replacing “regulator(s) or in Québec,” with “regulator(s) or, in Québec,”

(b) in section 2 of the “General Instructions” and in section 1 of Item 9 by replacing “Item 13.3(c)” with “Item 13.3(a)”, and

(c) in Item 12 under the heading “Individual” and under the heading “Authorized partner or officer of the new sponsoring firm”, by replacing “regulator, or in Québec” with “regulator or, in Québec,”.

14. Schedule B to Form 33-109F7 is amended under the heading “Individual categories and permitted activities” by adding “as described in paragraph (c) of the definition of “permitted individual” in section 1.1 of National Instrument 33-109 *Registration Information*” after “Permitted Individual”.

15. Schedule F to Form 33-109F7 is amended

(a) under the heading “New Brunswick” by replacing “Director of Securities” with “Registration”,

(b) under the heading “Nunavut” by replacing “Deputy Registrar of Securities” with “Superintendent of Securities”, and

(c) under the heading “Prince Edward Island” by replacing “Deputy Registrar of Securities” with “Superintendent of Securities”.

Coming into force

16. (1) This Instrument comes into force on December 4, 2017.

(2) In Saskatchewan, despite subsection (1), if this Instrument is filed with the Registrar of Regulations after December 4, 2017, this Instrument comes into force on the day on which it is filed with the Registrar of Regulations.

The changes set out in this Change Document will not be made in those CSA jurisdictions where those changes have already been made.

Changes to Companion Policy 33-109CP Registration Information

Appendix B to Companion Policy 33-109CP Registration Information is changed as follows:

- (a) under the heading “New Brunswick”, by replacing “Registration Officer” with “Registration”, and***
- (b) under the heading “Nunavut”, by replacing “Deputy Registrar” with “Superintendent of Securities”.***

These changes become effective on December 4, 2017.