

*Note: [28 Sep 2009] – Amendments to 31-102CP arising from NI 33-109. Refer to Schedule D of CSA Notice announcing implementation of NI 33-109 dated 17 Jul 2009.*

## **COMPANION POLICY 31-102CP TO NATIONAL INSTRUMENT 31-102**

### **NATIONAL REGISTRATION DATABASE**

#### **PART 1 APPLICATION AND PURPOSE**

1.1 ~~Application~~ National Instrument 31-102 ("NI 31-102") has been implemented in all jurisdictions.

1.2 ~~Purpose~~ The purpose of NI 31-102 is to establish requirements for the electronic submission of registration information through NRD. References in this policy to "we" mean the securities regulatory authority and regulator.

#### **PART 2 PRODUCTION OF NRD FILINGS**

2.1 The securities legislation of several jurisdictions contains a requirement to produce or make available an original or certified copy of information filed under the securities legislation. ~~Each relevant securities regulatory authority or regulator, as applicable, considers~~ We consider that it may satisfy such a requirement in the case of information filed in NRD format by providing a printed copy or other output of the information in readable form that contains or is accompanied by a certification by the securities regulatory authority or regulator that the printed copy or output is a copy of the information filed in NRD format.

#### **PART 3 DATE OF FILING**

3.1 ~~The securities regulatory authority or regulator takes the view~~ We think that information filed in NRD format is, for purposes of securities legislation, filed on the day that the transmission of the information to NRD is completed.

#### **PART 4 OFFICIAL COPY OF NRD FILINGS**

4.1 For purposes of securities legislation, securities directions or any other related purpose, ~~the securities regulatory authority or regulator takes the view~~ we think that the official record of any information filed in NRD format by an NRD filer is the electronic information stored in NRD.

#### **PART 5 AUTHORIZED FIRM REPRESENTATIVE AS AGENT**

5.1 ~~The securities regulatory authority or regulator is of the view~~ We think that when making an NRD submission an AFR is an agent of the firm or individual to whom the filing relates.

#### **PART 6 ONGOING FIRM FILER REQUIREMENTS**

6.1 ~~The securities regulatory authority or regulator expects~~ We expect that firm filers will follow the processes set out in the NRD Filer Manual User Guide to:

(1) ~~enroll~~(a) enrol with the NRD administrator;

(2) ~~(b)~~ keep their enrolment information current; and

(3) ~~(c)~~ keep their NRD account information current.

## **PART 7 COMMODITY FUTURES ACT SUBMISSIONS**

7.1—In Ontario and Manitoba, if a person or company is required to make a submission under both NI 31-102 and OSC Rule 31-509 (*Commodity Futures Act*), or in Manitoba, MSC Rule 2000-1 (*Commodity Futures Act*), with respect to the same information, the securities regulatory authority is of the view that a single filing on a form required under either rule satisfies both requirements.