

Amendments to the Alberta Securities Commission Rules
(Effective June 15, 2000)

Amendments to the General Rules

1. The heading "Part 4 Exchanges" is deleted and "Part 4 Exchanges, Self-Regulatory Organization, Quotation and Trade Reporting Systems and Clearing Agencies" is substituted.
2. Section 13 of the Rules is amended by deleting "and 53.4(4)" and substituting "53.4(4) and 53.4(1)".
3. Section 14 of the Rules is amended as follows:
 - a. by repealing clause (d), and
 - b. in clause (l), by deleting "the Alberta Stock Exchange" and substituting "Canadian Venture Exchange Inc".
4. Section 16(b)(ii) of the Rules is amended by deleting the words "Alberta District of".
5. Section 25(6) of the Rules is amended as follows:
 - (a) by deleting clause (a), renumbering clause (b) as clause (a) and adding the following as clause (b):
 - (b) any self-regulatory organization recognized by the Commission under section 53.1 of the Act,
 - (b) in clause (c), by deleting "both" and substituting "more"
6. Section 27(1)(a) of the Rule is amended by adding "advising employees" between "employees" and "and agents of the applicants".
7. Section 30(2) of the Rules is repealed and the following substituted:
 - (2) Brokers and investment dealers may comply with this section by conforming with the by-laws, rules, regulations or guidelines of the Canadian Venture

Exchange Inc. and the Investment Dealers Association of Canada if those by-laws, rules, regulations or guidelines are approved by the Commission.

8. Section 31(4) of the Rules is amended by deleting “the Alberta Stock Exchange” and substituting “Canadian Venture Exchange Inc”.
9. Section 38 of the Rules is amended
 - (a) by deleting “or” at the end of subsection (a) and adding “or” to the end of subsection (b);
 - (b) by adding the following after subsection (b):
 - (b.1) any other self-regulatory organization recognized by the Commission under section 53.1 of the Act,
 - (c) in subsection (c), by deleting “both” and substituting “more”.
10. Section 40(4) of the Rules is amended as follows:
 - (a) in subclause (ii), adding “the Derivatives Fundamentals Course and the Futures Licensing Course” after “the Canadian Futures Examination Program”, and
 - (b) in subclause (iii), by adding “the Derivatives Fundamentals Course and the Options Licensing Course” after “the Canadian Options Course”.
11. Section 42(b) of the Rules is amended as follows:
 - (a) in clause (ii), by deleting the words “ or an underwriter” and substituting the word “or” between “dealer” and “broker”;
 - (b) in clause (iii), by adding “, a self-regulatory organization recognized by the Commission under section 53.1 of the Act” after “with a mutual fund dealer”
.
12. Section 44(1)(b) of the Rules is amended as follows:
 - (a) in subclause (A) of clause (i), by adding “or the Derivatives Fundamentals Course and the Futures Licensing Course” after “the Canadian Futures

Examination Program”; and

- (b) in subclause (A) of clause (ii), by adding “or the Derivatives Fundamentals Course and the Options Licensing Course” after “the Canadian Options Course”.
- 13. Section 45(1) of the Rules is amended by adding “, advising employee” after “a partner”;
- 14. Section 45(1)(b) of the Rules is amended as follows:
 - (a) in subclause (A) of clause (i), by adding “or the Derivatives Fundamentals Course and the Futures Licensing Course” after “the Canadian Futures Examination Program”; and
 - (b) in subclause (A) of clause (ii), by adding “or the Derivatives Fundamentals Course and the Options Licensing Course” after “the Canadian Options Course”.
- 15. Section 45(2)(a) is amended as follows:
 - (a) in subclause (i), by adding “or advising employee” after “an officer”; and
 - (b) in subclause (ii), by adding “or advising employee” after “a partner”.
- 16. Section 47(2) of the Rules is amended by deleting clause (b) and substituting the following:
 - (b) a partner, director or officer of a dealer, or
 - (c) a partner, officer or advising employee of an adviser,
- 17. Section 48 of the Rules is amended by deleting “10 days” and substituting “5 business days”.
- 18. Section 49 of the Rules is amended by striking “expires 1 day less than 1 year from the date on which it was granted” and substituting “expires on the date specified by the Executive Director in the notice of registration or notice of renewal of registration, as the case may be”.
- 19. Section 50 of the Rules is amended by deleting “, adviser or underwriter” and

substituting “or adviser”.

20. Section 54 of the Rules is repealed and the following is substituted:
 - 54 Every notice to the Executive Director under section 63(3) of the Act shall be in a format acceptable to the Executive Director.
21. Section 55 of the Rules is amended by deleting “and underwriter”.
22. Section 62 of the Rules is amended by striking “Statement C of the Joint Regulatory Financial Questionnaire and Report” and substituting “a Statement of Adjusted Liabilities”.
23. Section 65 of the Rules is amended by deleting the words “the Alberta District of”.
24. Section 67 of the Rules is repealed.
25. Section 70 of the Rules is amended by adding “and the Inter-American Development Bank and for the purposes of section 66(a)(vi) of the Act, the International Finance Corporation” after “the Asian Development Bank”.
26. Section 78 of the Rules is revoked.
27. Section 85 of the Rules is amended to strike all references to “summary statements” wherever they occur.
28. Section 89 of the Rules is amended as follows:
 - (a) by deleting subsection (c);
 - (b) by deleting subsection (d);
 - (c) by deleting subsection (e);
 - (d) by deleting subsection (h);
 - (e) by deleting subsection (i);
 - (f) by deleting subsection (k);
 - (g) by deleting subsection (o);

- (h) by adding “except as otherwise provided for in the successor instrument to National Policy Statement 2A, National Instrument 43-101” to the end of subsections (j), (l), (m) and (n).
29. Section 90 of the Rules is amended by adding “except as otherwise provided for in the successor instrument to National Policy Statement 2A , National Instrument 43-101”.
30. Section 97 of the Rules is amended by striking the reference to “, prospectus or a summary statement” and substituting “or prospectus”.
31. Section 98 of the Rules is amended by
- (a) striking the reference to “, prospectus and summary statement” in subsections (1) and (2) and substituting “and prospectus”; and
 - (b) striking the reference to “, prospectus or summary statement” in subsections (2) and (3) and substituting “or prospectus”.
32. Section 100 of the Rules is amended by striking the reference to “, prospectus and summary statement” in the introductory line and by striking the reference to “, prospectus or summary statement” in clause (b) and substituting “or prospectus”.
33. Section 104 of the Rules is amended by striking the reference to “the Trust Companies Act” and substituting “the Loan and Trust Corporations Act”.
34. Section 106 of the Rules is amended as follows:
- (a) in subsection (1) by striking the reference to “and every summary statement of a mutual fund”;
 - (b) by deleting subsection (3) and substituting the following:
 - (3) Notwithstanding subsections (1) and (2), the financial statements described in subsection (1) may be omitted from the prospectus of the mutual fund if a copy of the financial statements that would otherwise be required to be included therein
 - (a) is filed concurrently with the filing of the prospectus, or
 - (b) has previously been filed under section 121 of the Act.

- (c) in subsection (4) by striking the references to both “and a summary statement” and “or summary statement” and deleting the comma after “by” in the introduction;
 - (d) in subsection (5) by striking the reference to “and a summary statement”.
- 35. Section 122 of the Rules is amended by striking the reference to “the Seizures Act” and substituting “the Civil Enforcement Act”.
 - 36. Section 123 is amended by striking the reference to “section 115(d)” and substituting “section 115(c)”.
 - 37. Section 126(3) is amended by striking the reference to “the National Association of Securities Dealers Automated Quotation System” and substituting “the Nasdaq Stock Market or on The Stock Exchange Automated Quotation System of the London Stock Exchange Limited”
 - 38. Revoke sections 134 to 141 of the Rules.
 - 39. Section 142 of the Rules is amended by striking the reference to “section 113(1)(c)” in subsections (1) and (2) and substituting “section 115(1)(b)”.
 - 40. Section 182 of the Rules is amended by striking the reference to “, 148 or 149” wherever it appears .
 - 41. Section 185 is repealed and the following is substituted:
 - 185 A report required to be filed under section 147 of the Act shall contain the manual or facsimile signature of the individual, officer, director, agent, or attorney required to sign the report.
 - 42. Section 188 of the Rules is amended by striking the reference to “and 148” wherever it appears.
 - 43. Section 191.1 of the Rules is amended by striking the reference to “, 30 or 33” and substituting “or 30”.
 - 44. Section 191.3 is repealed and the following substituted:
 - 191.3 Money paid by a person or company pursuant to an agreement with the Executive Director shall be paid to the Commission.

45. Part 17 consisting of sections 193, 194 and 195 is repealed.
46. Section 196(1)(b)(iii) of the Rules is amended by striking “located in another jurisdiction” and substituting “wherever situate”.
47. Part 18 is amended by adding the following after section 197 of the Rules:
 - 197.1 Notwithstanding the requirement for manual or facsimile signatures in sections 117, 160, 169, 185 and 197 of these Rules, a document to be filed in electronic format under the rule entitled National Instrument 13-101 - System for Electronic Document Analysis and Retrieval (SEDAR) that is subject to any of those provisions shall be signed in the manner required under that rule.
 - 197.2 Notwithstanding the requirement to file in duplicate or triplicate in sections 129, 131, 181.92 and 196 of these Rules, a document to be filed in electronic format under the rule entitled National Instrument 13-101 - System for Electronic Document Analysis and Retrieval (SEDAR) that is subject to any of those provisions shall be filed in the manner required under that rule.

Form Amendments

48. Form 1 is amended by striking the reference to “or 33” in the title.
49. Form 3 is amended by
 - (a) in the introductory Note, striking the reference to “Securities Regulation” and substituting “Alberta Securities Commission Rules”;
 - (b) in item 10(c), adding “Executive” before “Director”; and
 - (c) at the end of the Affidavit, revoking the caution and substituting the following:

IT IS AN OFFENCE UNDER THE SECURITIES ACT AND THE ALBERTA SECURITIES COMMISSION RULES FOR A PERSON OR COMPANY TO FILE OR FURNISH AN APPLICATION CONTAINING A STATEMENT THAT, AT THE TIME AND IN LIGHT OF THE CIRCUMSTANCES IN WHICH IT IS MADE, IS A MISREPRESENTATION.

ANY FEE PAYABLE TO THE ALBERTA SECURITIES COMMISSION UNDER THE SECURITIES ACT, THE SECURITIES REGULATION AND THE ALBERTA SECURITIES COMMISSION RULES SHALL BE PAID TO THE ALBERTA SECURITIES COMMISSION IN ACCORDANCE WITH THE REQUIREMENTS OF THE FEE SCHEDULE TO THE SECURITIES REGULATION. ANY FAILURE TO ACCOMPANY A FORM OR APPLICATION WITH THE PRESCRIBED FEE SHALL RESULT IN THE RETURN OF THAT FORM OR APPLICATION.

50. A Personal Information Form, in the attached form, is added after Form 4 as Form 4B.
51. Form 5 is amended
 - (a) in the introductory note, by striking the reference to "Securities Regulation" and substituting "Alberta Securities Commission Rules";
 - (b) in item 1 of the oath, by striking "or officer" in item 1 of the oath and substituting ", officer or director"; and
 - (c) by striking the caution and substituting the following:

IT IS AN OFFENCE UNDER THE SECURITIES ACT AND THE ALBERTA SECURITIES COMMISSION RULES FOR A PERSON OR COMPANY TO FILE OR FURNISH AN APPLICATION CONTAINING A STATEMENT THAT, AT THE TIME AND IN LIGHT OF THE CIRCUMSTANCES IN WHICH IT IS MADE, IS A MISREPRESENTATION.

ANY FEE PAYABLE TO THE ALBERTA SECURITIES COMMISSION UNDER THE SECURITIES ACT, THE SECURITIES REGULATION AND THE ALBERTA SECURITIES COMMISSION RULES SHALL BE PAID TO THE ALBERTA SECURITIES COMMISSION IN ACCORDANCE WITH THE REQUIREMENTS OF THE FEE SCHEDULE TO THE SECURITIES REGULATION. ANY FAILURE TO ACCOMPANY A FORM OR APPLICATION WITH THE PRESCRIBED FEE SHALL RESULT IN THE RETURN OF THAT FORM OR APPLICATION.

52. Form 6 is amended

- (a) in item 3, by striking the reference to “Securities Regulation” and “Alberta Securities Commission Rules” wherever it appears
- (b) under Request of Employer signature line, by striking “or officer” and substituting “, officer or director”; and
- (c) by striking the caution and substituting the following:

IT IS AN OFFENCE UNDER THE SECURITIES ACT AND THE ALBERTA SECURITIES COMMISSION RULES FOR A PERSON OR COMPANY TO FILE OR FURNISH AN APPLICATION CONTAINING A STATEMENT THAT, AT THE TIME AND IN LIGHT OF THE CIRCUMSTANCES IN WHICH IT IS MADE, IS A MISREPRESENTATION.

ANY FEE PAYABLE TO THE ALBERTA SECURITIES COMMISSION UNDER THE SECURITIES ACT, THE SECURITIES REGULATION AND THE ALBERTA SECURITIES COMMISSION RULES SHALL BE PAID TO THE ALBERTA SECURITIES COMMISSION IN ACCORDANCE WITH THE REQUIREMENTS OF THE FEE SCHEDULE TO THE SECURITIES REGULATION. ANY FAILURE TO ACCOMPANY A FORM OR APPLICATION WITH THE PRESCRIBED FEE SHALL RESULT IN THE RETURN OF THAT FORM OR APPLICATION.

53. Form 7 is amended

- (a) in item 1 of the Affidavit, by striking “or officer” and substituting “, officer or director”;

- (b) striking the caution and substituting the following:

IT IS AN OFFENCE UNDER THE SECURITIES ACT AND THE ALBERTA SECURITIES COMMISSION RULES FOR A PERSON OR COMPANY TO FILE OR FURNISH AN APPLICATION CONTAINING A STATEMENT THAT, AT THE TIME AND IN LIGHT OF THE CIRCUMSTANCES IN WHICH IT IS MADE, IS A MISREPRESENTATION.

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54. Form 9A is repealed

55. Form 11 is amended by striking the caution and substituting the following:

IT IS AN OFFENCE UNDER THE SECURITIES ACT AND THE ALBERTA SECURITIES COMMISSION RULES FOR A PERSON OR COMPANY TO MAKE A STATEMENT IN A DOCUMENT REQUIRED TO BE FILED OR FURNISHED UNDER THE ACT OR THE RULES THAT, AT THE TIME AND IN LIGHT OF THE CIRCUMSTANCES UNDER WHICH IT IS MADE, IS A MISREPRESENTATION.

ANY FEE PAYABLE TO THE ALBERTA SECURITIES COMMISSION UNDER THE SECURITIES ACT, THE SECURITIES REGULATION AND THE ALBERTA SECURITIES COMMISSION RULES SHALL BE PAID TO THE ALBERTA SECURITIES COMMISSION IN ACCORDANCE WITH THE REQUIREMENTS OF THE FEE SCHEDULE TO THE SECURITIES REGULATION. ANY FAILURE TO ACCOMPANY A FORM OR APPLICATION WITH THE PRESCRIBED FEE SHALL RESULT IN THE RETURN OF THAT FORM OR APPLICATION.

56. Forms 12, 13, 14 and 15 are amended by striking the caution and substituting the following:

IT IS AN OFFENCE UNDER THE SECURITIES ACT AND THE ALBERTA SECURITIES COMMISSION RULES FOR A PERSON OR COMPANY TO MAKE A STATEMENT IN A DOCUMENT REQUIRED TO BE FILED OR FURNISHED UNDER THE ACT OR THE RULES THAT, AT THE TIME AND IN LIGHT OF THE CIRCUMSTANCES UNDER WHICH IT IS MADE, IS A MISREPRESENTATION.

ANY FEE PAYABLE TO THE ALBERTA SECURITIES COMMISSION UNDER THE SECURITIES ACT, THE SECURITIES REGULATION AND THE ALBERTA SECURITIES COMMISSION RULES SHALL BE PAID TO THE ALBERTA SECURITIES COMMISSION IN ACCORDANCE WITH THE REQUIREMENTS OF THE FEE SCHEDULE TO THE SECURITIES REGULATION. ANY FAILURE TO ACCOMPANY A FORM OR APPLICATION WITH THE PRESCRIBED FEE SHALL RESULT IN THE RETURN OF THAT FORM OR APPLICATION.

57. Form 15A is repealed
58. Form 19 is amended by striking “salesmen” in item 4(b) and substituting “salespersons, advising employees,”.
59. Form 20 is amended by deleting section 4, renumbering section 5 and substituting the following after section 3:
 4. Amount or Number of Securities purchased.
 5. The vendor has prepared, certified and filed with the Commission a list comprising the name and address of each purchaser, the amount or number of securities purchased and the purchase price paid by each purchaser, the exemption relied upon and whether the securities are subject to a reduced hold period under the SHAIIF System and will provide the certified list to security holders who acquired securities pursuant to the prospectus exemptions in sections 107(1)(p) or (q) of the Act.
60. Form 21 is amended

- (a) in item 4, by adding "or section 2.2 of Rule 45-501" after "of the Act";
- (b) in item 3 of the Instructions, by striking "Cheques are payable to the Provincial Treasurer" and substituting "Cheques are payable to the Alberta Securities Commission"; and
- (c) by striking the caution and substituting the following:.

IT IS AN OFFENCE UNDER THE SECURITIES ACT AND THE ALBERTA SECURITIES COMMISSION RULES FOR A PERSON OR COMPANY TO MAKE A STATEMENT IN A DOCUMENT REQUIRED TO BE FILED OR FURNISHED UNDER THE ACT OR THE RULES THAT, AT THE TIME AND IN LIGHT OF THE CIRCUMSTANCES UNDER WHICH IT IS MADE, IS A MISREPRESENTATION.

ANY FEE PAYABLE TO THE ALBERTA SECURITIES COMMISSION UNDER THE SECURITIES ACT, THE SECURITIES REGULATION AND THE ALBERTA SECURITIES COMMISSION RULES SHALL BE PAID TO THE ALBERTA SECURITIES COMMISSION IN ACCORDANCE WITH THE REQUIREMENTS OF THE FEE SCHEDULE TO THE SECURITIES REGULATION. ANY FAILURE TO ACCOMPANY A FORM OR APPLICATION WITH THE PRESCRIBED FEE SHALL RESULT IN THE RETURN OF THAT FORM OR APPLICATION.

61. Form 23 is amended

- (a) in item 5 of the Instructions, by striking "Cheques are payable to the Provincial Treasurer" and substituting "Cheques are payable to the Alberta Securities Commission";
- (b) in item 6, by striking "Regulation" and substituting "Rules"; and
- (c) by striking the caution and substituting the following:

IT IS AN OFFENCE UNDER THE SECURITIES ACT AND THE ALBERTA SECURITIES COMMISSION RULES FOR A PERSON OR COMPANY TO MAKE A STATEMENT IN A DOCUMENT REQUIRED TO BE FILED OR FURNISHED UNDER THE ACT OR THE RULES THAT, AT THE TIME AND IN LIGHT OF THE CIRCUMSTANCES

UNDER WHICH IT IS MADE, IS A MISREPRESENTATION.

ANY FEE PAYABLE TO THE ALBERTA SECURITIES COMMISSION UNDER THE SECURITIES ACT, THE SECURITIES REGULATION AND THE ALBERTA SECURITIES COMMISSION RULES SHALL BE PAID TO THE ALBERTA SECURITIES COMMISSION IN ACCORDANCE WITH THE REQUIREMENTS OF THE FEE SCHEDULE TO THE SECURITIES REGULATION. ANY FAILURE TO ACCOMPANY A FORM OR APPLICATION WITH THE PRESCRIBED FEE SHALL RESULT IN THE RETURN OF THAT FORM OR APPLICATION.

62. Form 24 - Statement of Material Facts is repealed.

63. Form 27 is amended

(a) in item 7(2), by striking the reference to "192(3)" and substituting "192(4)"; and

(b) by striking the caution and substituting the following:

IT IS AN OFFENCE UNDER THE SECURITIES ACT AND THE ALBERTA SECURITIES COMMISSION RULES FOR A PERSON OR COMPANY TO MAKE A STATEMENT IN A DOCUMENT REQUIRED TO BE FILED OR FURNISHED UNDER THE ACT OR THE RULES THAT, AT THE TIME AND IN LIGHT OF THE CIRCUMSTANCES UNDER WHICH IT IS MADE, IS A MISREPRESENTATION.

ANY FEE PAYABLE TO THE ALBERTA SECURITIES COMMISSION UNDER THE SECURITIES ACT, THE SECURITIES REGULATION AND THE ALBERTA SECURITIES COMMISSION RULES SHALL BE PAID TO THE ALBERTA SECURITIES COMMISSION IN ACCORDANCE WITH THE REQUIREMENTS OF THE FEE SCHEDULE TO THE SECURITIES REGULATION. ANY FAILURE TO ACCOMPANY A FORM OR APPLICATION WITH THE PRESCRIBED FEE SHALL RESULT IN THE RETURN OF THAT FORM OR APPLICATION.

64. Forms 31, 32, 33, 34 and 35 are amended by striking the caution and substituting the following:

IT IS AN OFFENCE UNDER THE SECURITIES ACT AND THE

ALBERTA SECURITIES COMMISSION RULES FOR A PERSON OR COMPANY TO MAKE A STATEMENT IN A DOCUMENT REQUIRED TO BE FILED OR FURNISHED UNDER THE ACT OR THE RULES THAT, AT THE TIME AND IN LIGHT OF THE CIRCUMSTANCES UNDER WHICH IT IS MADE, IS A MISREPRESENTATION.

ANY FEE PAYABLE TO THE ALBERTA SECURITIES COMMISSION UNDER THE SECURITIES ACT, THE SECURITIES REGULATION AND THE ALBERTA SECURITIES COMMISSION RULES SHALL BE PAID TO THE ALBERTA SECURITIES COMMISSION IN ACCORDANCE WITH THE REQUIREMENTS OF THE FEE SCHEDULE TO THE SECURITIES REGULATION. ANY FAILURE TO ACCOMPANY A FORM OR APPLICATION WITH THE PRESCRIBED FEE SHALL RESULT IN THE RETURN OF THAT FORM OR APPLICATION.

65. Amending the Rules by striking all references to “the Board” and substituting “the Commission” wherever they occur.
66. Amending the Rules, including the Forms by striking all references to “the Chief of Securities Administration” and substituting “the Executive Director” wherever they occur.
67. Amending the Rules, including the Forms, by striking all references to “the Registrar” and substituting “the Executive Director” wherever they occur.
68. Amending the Rules, including the Forms, by striking all references to “this Regulation” and substituting “these Rules” wherever they occur.
69. Amending the Rules, including the Forms, by striking all references to “Securities Regulation” and substituting “Alberta Securities Commission Rules” wherever they occur.

Amendments to New (National Numbering System) Rules

70. Rule 45-501 and Companion Policy 45-501CP are amended by striking all references to either or both the Alberta Stock Exchange or the Vancouver Stock Exchange and substituting "Canadian Venture Exchange Inc." wherever they occur.
71. Rule 72-501 and Companion Policy 72-501CP are amended by striking all references to either or both the Alberta Stock Exchange or the Vancouver Stock Exchange and substituting "Canadian Venture Exchange Inc." wherever they occur.

Dated June 16, 2000