

Note: [30 Sep 2016] – Amendments to MI 91-101. Refer to Annex B of the CSA Notice announcing amendments to MI 91-101 dated 30 Jun 2016.

**Amendments to
Multilateral Instrument 91-101 Derivatives: Product Determination**

- 1. *Multilateral Instrument 91-101 Derivatives: Product Determination is amended by this Instrument.***
- 2. *Paragraph 1(4)(b) is replaced with the following:***
 - (b) it is a “security”, as defined in securities legislation, solely by reason of it being one or more of the following:
 - (i) a document evidencing an option, subscription or other interest in a security;
 - (ii) in British Columbia and Newfoundland and Labrador, a futures contract;
 - (iii) an investment contract;
 - (iv) in British Columbia and Newfoundland and Labrador, an option;
 - (v) in Northwest Territories, Nunavut, Prince Edward Island and Yukon, a derivative..
- 3. *Subsection 2(1) is amended by***
 - (a) *adding the following paragraph:***
 - (h.1) in Alberta, a contract or instrument that is a derivative and is a security unless the contract or instrument is a security only by reason of it being an investment contract or an option, **and**
 - (b) *inserting “Alberta,” before “British Columbia” in subsection (i).***
- 4. *Subsection 3(2) is amended by inserting the words “British Columbia and” before the word “Saskatchewan”.***
- 5. This Instrument comes into force on September 30, 2016.**