

Note: [28 Sep 2009] Consequential amendments to ASC Rules (General) arising from NI 31-103. Refer to Schedule H of CSA Notice announcing NI 31-103 dated 17 July 2009.

**AMENDMENTS TO THE
ALBERTA SECURITIES COMMISSION RULES (GENERAL)**

AMENDMENT INSTRUMENT

1. The *Alberta Securities Commission Rules (General)* are amended by this Instrument.
2. Sections 14 to 27 are repealed.
3. Section 28 is amended
 - (a) in the preamble to clause (1) by striking out "Compensation fund or contingency trust fund – ",
 - (b) in clause (2) by striking out "broker,",
 - (c) in clause (3) by repealing clause (b) and substituting the following:
 - "(b) an exempt market dealer,
 - (c) a restricted dealer,
 - (d) a portfolio manager,
 - (e) a restricted portfolio manager.", and
 - (d) in clause (5) by striking out "a broker, investment dealer" and substituting "an investment dealer".
4. Sections 29 to 36 are repealed.
5. Sections 38 to 46 are repealed.
6. Sections 49 to 51 are repealed.
7. Section 55 is repealed.
8. Section 56 is repealed.
9. Section 58 is repealed and the following is substituted:

"58. If the Executive Director requests an auditor to conduct an audit of the financial affairs of a registrant in accordance with a direction given under Alberta securities laws, all costs relating to the audit shall be paid by the registrant."

10. Sections 59 to 64 are repealed.
11. Sections 68 to 69.5 are repealed.
12. Section 71.1 is amended
 - (a) by repealing clause (1);
 - (b) in clause (2)(h) by striking out "salesman" and substituting "representative";
 - (c) by repealing clauses (3) to (8);
 - (d) in clause (9) by
 - (i) striking out "(1)(d) and (h), and", and
 - (ii) striking out "salesman" wherever it occurs and substituting "representative"; and
 - (e) in clause (10) by striking out " (1) or".
13. Section 71.2 is amended by striking out "71.1(1) or (2)" and substituting "71.1(2)".
14. Section 71.3 is amended
 - (a) by striking out "under section 29(3)(g) and (h), or as the case may be" and substituting "under section 90 of the Act", and
 - (b) in clause (j) by striking out "salesman" and substituting "representative".
15. Section 72 is repealed.
16. Section 127.03 is repealed and the following is substituted:

“127.03. The prospectus requirement does not apply to a distribution of

 - (a) a voting security of a corporation to which the *Rural Utilities Act* applies,
 - (b) membership shares, including member loans deemed to be membership shares as defined in the *Cooperatives Act*, issued by a cooperative to which that Act applies, if the aggregate acquisition cost for membership shares and member loans
 - (i) for the first 18 months following incorporation is not greater than \$10 000 per member and not more than \$1000 of that amount is payable for membership shares, and
 - (ii) in any subsequent year is not greater than
 - (A) \$5000 for cooperatives with 100 members or less, or

- (B) \$2500 cooperatives with more than 100 members, or
- (c) investment shares as defined in the *Cooperatives Act*, issued by a cooperative pursuant to that Act, other than a cooperative under Division 1 or 4 of Part 18 of that Act, if
 - (i) the investment shares are purchased only by members of the cooperative who have been members of the cooperative for at least 12 months before the share purchase, and
 - (ii) the aggregate acquisition cost to the members in any one year is not greater than
 - (A) \$10 000 for cooperatives with 100 members or less, or
 - (B) \$5000 for cooperatives with more than 100 members.
- 17. Form 3 *Application for Registration as Dealer, Adviser or Underwriter* is repealed.
- 18. Form 5 *Application for Renewal of Registration as Dealer, Adviser or Underwriter* is repealed.
- 19. Form 6 *Application for Renewal of Registration as Salesman* is repealed.
- 20. Form 10 *Annual Questionnaire to be Completed by a Portfolio Manager for its Auditor* is repealed.
- 21. Form 11 *Application for Recognition as an Exempt Purchaser* is repealed.
- 22. Form 19 *Surety Bond* is repealed.
- 23. This Instrument comes into force on September 28, 2009.