

Note: [30 Sep 1999] - The following is ASC Rule 45-502 as it was initially implemented. This version of ASC Rule 45-502 is no longer current.

ALBERTA SECURITIES COMMISSION RULE 45-502

TRADE WITH RRSP, RRIF OR RESP

PART 1 DEFINITIONS

1.1 In this Rule:

- (a) "Beneficiary" means an individual who is:
 - (i) for the purpose of section 2.1, the beneficiary of an RRSP, RRIF or RESP to which a security is traded pursuant to that section; or
 - (ii) for the purpose of section 2.2, the beneficiary of an RRSP, RRIF or RESP which trades in a security pursuant to that section;
- (b) "prospectus exemption" means an exemption from the requirements of section 81 of the Act;
- (c) "RESP" means a registered education savings plan within the meaning of the term under the *Income Tax Act* (Canada);
- (d) "RRIF" means a registered retirement income fund within the meaning of the term under the *Income Tax Act* (Canada);
- (e) "RRSP" means a registered retirement savings plan within the meaning of the term under the *Income Tax Act* (Canada).

PART 2 EXEMPTIONS FROM REGISTRATION AND PROSPECTUS REQUIREMENTS

2.1 Exemption for Trade to RRSP, RRIF or RESP by Beneficiary

Sections 54 and 81 of the Act do not apply to a trade in a security that was previously acquired under a prospectus exemption and that is subject to resale restrictions under the Act or the regulations if the trade:

- (a) is made to an RRSP, RRIF or RESP by:
 - (i) the Beneficiary;
 - (ii) a company that is, directly or indirectly, beneficially owned and controlled solely by the Beneficiary; or
 - (iii) another RRSP, RRIF or RESP of which the Beneficiary is the beneficiary; and
- (b) does not otherwise result in a change in the beneficial ownership of the security.

2.2 Exemption for Trade by RRSP, RRIF or RESP to Beneficiary

Sections 54 and 81 of the Act do not apply to a trade in a security that was previously acquired under a prospectus exemption and that is subject to resale restrictions under the Act or the

regulations if the trade:

- (a) is made by an RRSP, RRIF or RESP to:
 - (i) the Beneficiary; or
 - (ii) a company that is, directly or indirectly, beneficially owned and controlled solely by the Beneficiary; and
- (b) does not otherwise result in a change in the beneficial ownership of the security.

2.3 Further Trade a Distribution

A further trade in a security that was previously acquired by an RRSP, RRIF or RESP in a trade made in reliance on the exemptions provided in section 2.1, or previously disposed of by an RRSP, RRIF or RESP in a trade made in reliance on the exemptions provided in section 2.2, shall be a distribution unless made in compliance with the Act and regulations as if the person or company making the further trade had acquired the security on the date and in reliance on the prospectus exemption pursuant to which the security had been acquired by the person or company from whom the RRSP, RRIF or RESP, as applicable, acquired the security.

PART 3 EFFECTIVE DATE

3.1 Effective Date

This Rule comes into force on September 30, 1999.