

ALBERTA SECURITIES COMMISSION
BLANKET ORDER 21-504

**Citation: Relief from Reporting Requirements for Regulated Entities Carrying on Business
in the Province of Alberta, 2020 ABASC 34** **Date: 20200323**

Definitions

1. Terms defined in the *Securities Act* (Alberta) (the **Act**), and National Instrument 14-101 *Definitions*, have the same meaning in this Blanket Order.
2. In this Blanket Order:

"Regulated Entity" means any of the following:
 - (a) a recognized clearing agency, a recognized exchange, or a recognized trade repository;
 - (b) a person or company carrying on business as an exchange, clearing agency or trade repository in the Province of Alberta that has been exempted under section 213 from the requirements to be recognized as such under the Act.

Background

3. As a result of the coronavirus disease 2019 (**COVID-19**) outbreak, which was declared a pandemic by the World Health Organization on March 11, 2020 and led to the declaration of a "public health emergency" under the *Public Health Act* (Alberta) by the Lieutenant Governor of Alberta on March 17, 2020, the Alberta Securities Commission (the **Commission**) acknowledges that this pandemic may present challenges for market participants in the meeting of certain obligations under Alberta securities laws.
4. Specifically, as a result of the COVID-19 pandemic, certain Regulated Entities may be unable to make certain filings or deliver certain documents and other information required under recognition orders and exemption orders made by the Commission pursuant to sections 62(2), 67(3), 67.3(2) and 213 of the Act, National Instrument 21-101 *Marketplace Operation*, National Instrument 24-102 *Clearing Agency Requirements* and Multilateral Instrument 96-101 *Trade Repositories and Derivatives Data Reporting* identified in Appendix A (**Filings**) to this order.
5. Under section 213 of the Act, the Commission may by order exempt any class or classes of persons or companies from all or any provision of Alberta securities laws.

Order

6. The Commission, considering that to do so would not be prejudicial to the public interest, orders that any Regulated Entity, carrying on business in Alberta that would be required to provide the Commission one or more Filings between the date of this order and June 1, 2020 is exempt from the requirement, provided that the Regulated Entity:

- (a) provides the Commission with the Filings no later than 45 days after the original due date for each of the Filings; and
- (b) discloses to the Commission, when it provides each of the Filings, the reasons why it could not submit the Filing by the original due date.

7. This order takes effect on March 23, 2020.

For the Commission:

"original signed by"

Tom Cotter
Vice-Chair

"original signed by"

Kari Horn
Vice-Chair

Appendix A

Filings required under National Instrument 21-101 *Marketplace Operation*:

- Form 21-101F3 *Quarterly Report of Marketplace Activities* as required under section 3.3 of NI 21-101
- Audited annual financial statements as required under section 4.2 of NI 21-101

Filings required under National Instrument 24-102 *Clearing Agency Requirements*:

- Annual audited financial statements as required under section 2.5(1) of NI 24-102
- Interim financial statements as required under section 2.5(2) of NI 24-102
- Annual reports as required under section 4.3(3)(f) of NI 24-102

Filings required under Multilateral Instrument 96-101 *Trade Repositories and Derivatives Data Reporting*:

- Annual audited financial statements as required under section 5(1)
- Interim financial statements as required under section 5(2)
- Annual report as required under section 11(4)

Filings identified below that are required under the following orders issued pursuant to the Act:

- *Re Canadian Depository for Securities Limited and CDS Clearing and Depository Services Inc.*, 2016 ABASC 283
 - Appendix, section 2
- *Re Bloomberg SEF LLC*, 2016 ABASC 209
 - Section 5(d)
- *Re CBOE Futures Exchange, LLC*, 2015 ABASC 876
 - Sections 4(i), 4(k) and 4(l)
- *Board of Trade of the City of Chicago, Inc., Re*, 2012 ABASC 175
 - Sections 2(i) and 2(k)
- *Re Chicago Mercantile Exchange Inc.*, 2016 ABASC 259
 - Appendix, section 2
- *Chicago Mercantile Exchange Inc., Re*, 2012 ABASC 177
 - Sections 2(i) and 2(k)
- *Commodity Exchange, Inc., Re*, 2012 ABASC 176
 - Sections 2(i) and 2(k)
- *Re DTCC Data Repository (U.S.) LLC*, 2016 ABASC 194
 - Section 13(c)
- *Re Eurex Deutschland*, 2017 ABASC 151
 - Appendix, sections 2 and 3
- *Re ICAP Global Derivatives Limited*, 2016 ABASC 206
 - Section 5(d)

- *ICE Futures U.S., Inc, Re*, 2013 ABASC 41
 - Sections 6(i) and 6(k)
- *Re ICE NGX Canada Inc.*, 2018 ABASC 183
 - Appendix B, sections 9 and 10
- *Re ICE NGX Canada Inc.*, 2018 ABASC 182
 - Appendix, section 9, 10(a), 10(d), 10(e) and 11
- *Re ICE Swap Trade, LLC*, 2016 ABASC 208
 - Section 5(d)
- *Re ICE Trade Vault, LLC*, 2016 ABASC 196
 - Section 10(c)
- *Re Net Energy*, 2019 ABASC 134
 - Appendix B, sections 8 and 9
- *New York Mercantile Exchange, Inc., Re*, 2012 ABASC 173
 - Sections 2(i) and 2(k)
- *Re Nodal Exchange, LLC*, 2017 ABASC 143
 - Appendix, sections 2 and 3
- *Re TW SEF LLC*, 2016 ABASC 198
 - Section 5(d)