

Note: [09 Jun 2023] – Changes to NP 11-203 arising from NI 13-103. Refer to Annex E of the CSA Notice announcing NI 13-103 dated 23 Mar 2023.

**CHANGES TO
NATIONAL POLICY 11-203 *PROCESS FOR EXEMPTIVE RELIEF APPLICATIONS IN
MULTIPLE JURISDICTIONS***

- 1. *National Policy 11-203 Process for Exemptive Relief Applications in Multiple Jurisdictions is changed by this Document.***
- 2. *Part 2 is changed by adding “AND INTERPRETATION” at the end of its title.***
- 3. *The Policy is changed by adding the following section:***

2.3 *Electronic transmission* – National Instrument 13-103 *System for Electronic Data Analysis and Retrieval + (SEDAR+)* prescribes that each document that is required or permitted to be provided to a securities regulatory authority or regulator must be transmitted to the securities regulatory authority or regulator electronically through the System for Electronic Data Analysis and Retrieval + (SEDAR+).

The reference to a document includes any report, form, application, information, material and notice, as well as a copy thereof, and applies to documents that are required or permitted to be filed or deposited with, or delivered, furnished, sent, provided, submitted or otherwise transmitted to, a securities regulatory authority or regulator.

To reflect the phased implementation of SEDAR+, the Appendix of National Instrument 13-103 *System for Electronic Data Analysis and Retrieval + (SEDAR+)* sets out securities legislation under which documents are excluded from being filed or delivered in SEDAR+.

National Instrument 13-103 *System for Electronic Data Analysis and Retrieval + (SEDAR+)* should be consulted when providing any document to a securities regulatory authority or regulator under MI 11-102 and this policy..

- 4. *Subsection 3.8(5) is deleted.***
- 5. *Section 4.2 is changed by***
 - (a) *deleting “by letter”, and***
 - (b) *deleting “in the pre-filing”.***
- 6. *Subsections 4.3(1) and 4.4(1) are changed by deleting “in the pre-filing”.***

7. **Section 5.1 is changed by replacing** “In its application, the” **with** “The”.
8. **Section 5.3 is changed**
 - (a) **in its heading by replacing** “sections 4.7 and 4.8” **with** “section 4.7”,
 - (b) **by deleting subsection (2),**
 - (c) **in subsection (3) by deleting** “or 4.8” **and** “and 4.8”,
 - (d) **in paragraph (4)(a) by deleting** “or 4.8(1)”,
 - (e) **by replacing paragraph (4)(b) with the following:**
 - (b) include the date of the decision of the principal regulator for the initial application if the notice is given under section 4.7(1)(c) of MI 11-102., **and**
 - (f) **in subsection (6) by deleting** “or (2)”.
9. **Section 5.5 is replaced with the following:**

5.5 Filing

- (1) As indicated in section 2.3 of this policy, National Instrument 13-103 *System for Electronic Data Analysis and Retrieval + (SEDAR+)* should be consulted when providing any document to a securities regulatory authority or regulator under MI 11-102 or this policy. A filer should consult the Appendix of National Instrument 13-103 *System for Electronic Data Analysis and Retrieval + (SEDAR+)* to determine whether pre-filing or application materials are excluded from being filed or delivered in the System for Electronic Data Analysis and Retrieval + (SEDAR+).
- (2) When pre-filing or application materials are to be transmitted through the System for Electronic Data Analysis and Retrieval + (SEDAR+), a filer should send the application materials together with the fees to
 - (a) the principal regulator, in the case of a passport application,
 - (b) the principal regulator and the OSC, in the case of a dual application, or
 - (c) each regulator from which the filer seeks exemptive relief, in the case of a coordinated review application.
- (3) When pre-filing or application materials are excluded from being transmitted through the System for Electronic Data Analysis and Retrieval + (SEDAR+), a filer should send the application materials together with the fees to
 - (a) the principal regulator, in the case of a passport application,

- (b) the principal regulator and the OSC, in the case of a dual application, or
- (c) each regulator from which the filer seeks exemptive relief, in the case of a coordinated review application.

Filing the application concurrently in all required jurisdictions will make it easier for the principal regulator and non-principal regulators, if applicable, to process the application expeditiously.

When pre-filing or application materials are excluded from being transmitted through the System for Electronic Data Analysis and Retrieval + (SEDAR+), filers should send pre-filing or application materials using the relevant e-mail address or addresses listed below or by following the instructions at the linked web page below:

British Columbia	www.bcsc.bc.ca (click on BCSC e-services and follow the steps)
Alberta	legalapplications@asc.ca
Saskatchewan	exemptions@gov.sk.ca
Manitoba	exemptionsmsc@gov.mb.ca
Ontario	https://www.osc.ca/en/filing-documents-online
Québec	Dispenses-Passeport@lautorite.qc.ca
New Brunswick	Passport-passeport@nbsc-cvmnb.ca
Nova Scotia	nsscexemptions@gov.ns.ca
Prince Edward Island	CCIS@gov.pe.ca
Newfoundland and Labrador	securitiesexemptions@gov.nl.ca
Yukon	Corporateaffairs@gov.yk.ca
Northwest Territories	SecuritiesRegistry@gov.nt.ca
Nunavut	legal.registries@gov.nu.ca

10. Section 5.7 is changed by

- (a) **deleting** “, fax number”, **and**
- (b) **replacing** “tell the filer, in the acknowledgement,” **with** “notify the filer of”.

11. Subsection 5.8(2) is changed by replacing “mark” **with** “treat”.

12. Subsection 7.2(1) is changed by replacing “circulate” **with** “provide”.

13. Subsection 8.1(2) is changed by deleting “or 4.8(1)(c)”.

14. Part 9 is changed by deleting sections 9.2 and 9.3.

Effective Date

- 15. These changes become effective on June 9, 2023.