

# ALBERTA SECURITIES COMMISSION

## BLANKET ORDER 51-516

**Citation: Exemption from Paper Delivery Requirements During a Postal Service Disruption, 2016 ABASC 185** **Date: 20160630**

### Background

1. Alberta securities laws impose requirements for the delivery of documents by an issuer to registered holders or beneficial owners of its securities. In many cases these requirements are satisfied using the postal service.
2. It is appropriate to address the possibility of a disruption to regular postal service in Canada.

### Definitions and Interpretation

3. Terms defined in the *Securities Act* (Alberta) (the **Act**), in National Instrument 13-101 *System for Electronic Document Analysis and Retrieval (SEDAR)* or in National Instrument 54-101 *Communication with Beneficial Owners of Securities of a Reporting Issuer* have the same meaning in this Blanket Order unless otherwise defined herein.

### Order

4. Considering that it would not be prejudicial to the public interest, the Alberta Securities Commission orders:
  - (a) under section 213 of the Act that, subject to paragraph (b) below, an issuer required under Alberta securities laws to deliver a paper document (a **Document**) to a registered holder or beneficial owner of securities is exempt from that requirement when regular postal service is not available in Canada, provided that the issuer:
    - (i) files the Document, as required under Alberta securities laws;
    - (ii) files and disseminates a news release stating:
      - A. if the Document is required to be filed through SEDAR, that an electronic version of the Document has been filed and is available on the SEDAR website at [www.sedar.com](http://www.sedar.com);
      - B. that the issuer will deliver by means (which may include electronic means) other than regular postal service a copy of the Document to each registered holder or beneficial owner who requests the Document and who but for this Blanket Order would be entitled to delivery thereof; and

- C. how a registered holder or beneficial owner can direct a request referred to in paragraph B; and
- (iii) as soon as practicable after the resumption of regular postal service, and in any event within ten days after such resumption, delivers the Document to each registered holder or beneficial owner of its securities who was entitled to delivery thereof unless the Document was delivered to that person or company by other means while regular postal service was not available;
- (b) the exemption under paragraph (a) is not available in respect of a requirement under Alberta securities laws to deliver proxy-related materials; and
- (c) under section 214 of the Act that Blanket Order 51-510 *Re Exemption from the Requirement to Send Financial Statements and Related Disclosure to Securityholders During a Disruption in Postal Service*, 2011 ABASC 311 is revoked.

**For the Commission:**

“original signed by”  
Tom Cotter  
Vice-Chair

“original signed by”  
Stephen Murison  
Vice-Chair