

Citation: **Exemption from Certain Sections of National Instrument 31-103 *Registration Requirements and Exemptions in Connection with Transition and Grandfathering Matters*, 2010 ABASC 76** **Date: 20100226**

ALBERTA SECURITIES COMMISSION

BLANKET ORDER 31-506

February 26, 2010

Definitions

1. Terms defined in the *Securities Act*, R.S.A. 2000, c. S-4 (the **Act**) or in National Instrument 14-101 *Definitions* have the same meaning in this Blanket Order.

Background

2. Certain provisions of Part 16 of National Instrument 31-103 *Registration Requirements and Exemptions* (**NI 31-103**) apply to a person or company registered on September 28, 2009 in a jurisdiction but do not apply to a person or company in any jurisdiction where the person or company was not registered on September 28, 2009.
3. A person or company not registered in Alberta on September 28, 2009 is not exempt from that same sections of NI 31-103 as a person or company registered in Alberta on September 28, 2009.

Order

- 4.(a) The Commission orders under section 213 of the Act that, subject to paragraph (b), the sections of NI 31-103 listed in Appendix A do not apply if the following conditions apply:
 - (i) the person or company has been continuously registered in another jurisdiction of Canada since NI 31-103 came into force;
 - (ii) the person or company remains registered in the jurisdiction referred to in paragraph (i) during their reliance on this exemption;
 - (iii) the person or company registered in Alberta after September 28, 2009 in the same category and, in the case of a registered individual, with the same sponsoring firm as the individual, is registered in the jurisdiction referred to in paragraph (i); and
 - (iv) the person or company is exempt from the same section of NI 31-103 in the jurisdiction referred to in paragraph (i) due to the application of one of the following:

- paragraphs (2) and (3) of section 16.9 [*registration of chief compliance officers*];
 - paragraphs (1) and (2) of section 16.10 [*proficiency for dealing and advising representatives*];
 - section 16.11 [*capital requirements*];
 - section 16.13 [*insurance requirements*];
 - section 16.14 [*relationship disclosure information*];
 - section 16.15 [*referral arrangements*];
 - section 16.16 [*complaint handling*]; and
 - section 16.17 [*client statements – mutual fund dealers*].
- (b) Paragraph (a) does not apply where the person or company was, immediately prior to NI 31-103 coming into force, registered solely as:
- (i) a limited market dealer or salesperson, officer, partner or director of a limited market dealer in Ontario; or
 - (ii) a limited market dealer or sales person, officer or partner of a limited market dealer in Newfoundland and Labrador.

This order takes effect on February 26, 2010.

“original signed by”
Glenda A. Campbell, QC, Vice-Chair
Alberta Securities Commission

“original signed by”
Stephen R. Murison, Vice-Chair
Alberta Securities Commission

Appendix A

- (a) Each section of Divisions 1 and 2 [*proficiency*] of Part 3
- (b) Section 12.1 [*capital requirements*]
- (c) Section 12.2 [*notifying the regulator of a subordination agreement*]
- (d) Section 12.3 [*insurance - dealer*]
- (e) Section 12.4 [*insurance - adviser*]
- (f) Section 12.5 [*insurance – investment fund manager*]
- (g) Section 12.6 [*global bonding or insurance*]
- (h) Section 12.7 [*notifying the regulator of a change, claim or cancellation*]
- (i) Section 14.2 [*relationship disclosure information*]
- (j) Each section of Division 3 [*referral arrangements*] of Part 13
- (k) Section 13.16 [*dispute resolution service*]
- (l) Section 14.14 [*client statements*]