

AMENDMENTS TO NATIONAL INSTRUMENT 23-101 TRADING RULES

PART 1 AMENDMENTS

1.1 Amendments

- (1) This Instrument amends National Instrument 23-101 Trading Rules.
- (2) Part 3 is amended by repealing subsection 3.1(2) and substituting the following:

In Alberta, British Columbia, Ontario, Québec and Saskatchewan, instead of subsection (1), the provisions of the *Securities Act* (Alberta), the *Securities Act* (British Columbia), the *Securities Act* (Ontario), the *Securities Act* (Ontario), the *Securities Act* (Québec) and *The Securities Act, 1988* (Saskatchewan), respectively, relating to manipulation and fraud apply.
- (3) Part 7 is amended by
 - a. striking out “recognized exchange and its members” and substituting “members of a recognized exchange” in subsection 7.2(a); and
 - b. striking out “recognized quotation and trade reporting system and its users” and substituting “users of a recognized quotation and trade reporting system” in subsection 7.4(a).
- (4) Part 11 is amended by
 - a. adding subsection 11.1(2):

A dealer or inter-dealer bond broker is exempt from this Part if the dealer or inter-dealer bond broker complies with similar requirements, for any securities specified, established by a regulation services provider and approved by the applicable securities regulatory authority.
 - b. in subsection 11.2(1) by striking out “Immediately following the receipt or origination of an order for securities” and substituting “Immediately following the receipt or origination of an order for equity, fixed income and other securities identified by a regulation services provider”;
 - c. in subsection 11.2(1)(q), striking out the word “and”;
 - d. in subsection 11.2(1)(r), striking out “an insider marker” and adding “an insider marker; and”
 - e. adding the following subsection 11.2(1)(s): “any other markers required by a regulation services provider.”;

f. in subsection 11.2(5), deleting “in the format and at the time required by a securities regulatory authority or the regulation services provider” and substituting “, within 10 business days, in electronic form as required by a securities regulatory authority or the regulation services provider”;

g. deleting subsection 11.2(6) and substituting the following:

Electronic Form – The record kept by the dealer and inter-dealer bond broker under subsections (1) through (4) and the transmission of information to a securities regulatory authority or a regulation services provider under subsection (5) shall be in electronic form by January 1, 2010; and

h. adding subsection 11.2(7):

Record preservation requirements – A dealer and an inter-dealer bond broker shall keep all records for a period of not less than seven years from the creation of a record referred to in this section, and for the first two years in a readily accessible location.