

MULTILATERAL INSTRUMENT 31-102
NATIONAL REGISTRATION DATABASE (NRD)

TABLE OF CONTENTS

<u>PART TITLE</u>	<u>PAGE</u>	
PART 1	DEFINITIONS AND INTERPRETATION	
1.1	Definitions	1
1.2	Interpretation	2
PART 2	INFORMATION TO BE SUBMITTED IN NRD FORMAT	
2.1	Registration information	2
PART 3	MAKING NRD SUBMISSIONS	
3.1	NRD submissions	2
3.2	Ongoing firm filer requirements	3
PART 4	ENROLMENT TO USE NRD	
4.1	Firm filer enrolment	3
4.2	Chief AFR enrolment	3
4.3	Reporting changes to firm filer enrolment information	3
4.4	Reporting changes to NRD account holder authorization	4
4.5	Reporting changes to chief AFR information	4
4.6	Reporting changes to other AFR information	4
PART 5	PAYMENT OF FEES THROUGH NRD	
5.1	Payment of submission fees	4
5.2	Payment of annual registration fees	4
5.3	Payment of NRD user fees - annual	4
PART 6	TEMPORARY HARDSHIP EXEMPTION	
6.1	Temporary hardship exemption	5
PART 7	EXEMPTION	
7.1	Exemption	5
PART 8	TRANSITION	
8.1	Definitions	6
8.2	NRD enrolment for transition Firms	6
8.3	NRD submissions before NRD access date	6
8.4	Accuracy of business location information	6
8.5	Individuals included in the data transfer	6
8.6	Individuals not included in the data transfer	7
8.7	Changes to form 4 information - registered individuals	8

8.8	Changes to form 4 information - non-registered individuals	8
8.9	Pending application to change individual's registration category	8
8.10	Currency of form 33-109F4	8
8.11	Termination or cessation of relationship.....	8

PART 9 EFFECTIVE DATE

9.1	Effective date.....	8
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FORM 31-102F1 ENROLMENT FORM - FIRM FILER

**FORM 31-102F2 ENROLMENT OF CHIEF AUTHORIZED FIRM
REPRESENTATIVE**

FORM 31-102F3 ACCOUNT HOLDER AUTHORIZATION

**MULTILATERAL INSTRUMENT 31-102
NATIONAL REGISTRATION DATABASE (NRD)**

PART 1 – DEFINITIONS AND INTERPRETATION

Definitions

1.1 In this Instrument

“**authorized firm representative**” or “**AFR**” means, for a firm filer, an individual with his or her own NRD user ID and who is authorized by the firm filer to submit information in NRD format for that firm filer and individual filers with respect to whom the firm filer is the sponsoring firm;

“**chief AFR**” means, for a firm filer, an individual who is an AFR and has accepted an appointment by the firm filer under paragraph 4.1(a);

“**firm filer**” means a person or company that is required under securities legislation to make an NRD submission in accordance with this Instrument and that is registered as, or has applied for registration as, a dealer, adviser, or underwriter;

“**individual filer**” means an individual that is required under securities legislation to make an NRD submission in accordance with this Instrument;

“**MI 33-109**” means Multilateral Instrument 33-109 Registration Information;

“**NRD**” means the online electronic database of registration information regarding NRD filers and includes the computer system providing for the transmission, receipt, review and dissemination of that registration information by electronic means;

“**NRD account**” means an account with a member of the Canadian Payments Association from which fees may be paid with respect to NRD by electronic pre-authorized debit;

“**NRD administrator**” means a person or company that operates NRD;

“**NRD filer**” means an individual filer or a firm filer;

“**NRD format**” means the electronic format for submitting information through the NRD web site;

“**NRD number**” means, for an NRD filer, the unique number first generated by NRD to identify the NRD filer;

“**NRD submission**” means information that is submitted under securities legislation or securities directions in NRD format, or the act of submitting information under securities legislation or securities directions in NRD format, as the context requires;

“**NRD web site**” means the web site operated by the NRD administrator for the submission of information in NRD format;

“**sponsoring firm**” means,

(a) for a registered individual filer, the firm filer on whose behalf the individual trades or advises,

(b) for an individual filer seeking registration, the firm filer on whose behalf the individual proposes to trade or advise, or

(c) for a non-registered individual of a firm filer, the firm filer.

Interpretation

1.2 Terms defined in MI 33-109 and used in this Instrument have the respective meanings ascribed to those terms in MI 33-109.

PART 2 – INFORMATION TO BE SUBMITTED IN NRD FORMAT

Registration information

2.1 A person or company that is required to submit any of the following to the securities regulatory authority or regulator, must make the submission in NRD format:

1. Form 33-109F1;
2. Form 33-109F2;
3. Form 33-109F3;
4. Form 33-109F4 or a change to any information previously submitted in respect of Form 33-109F4.

PART 3 – MAKING NRD SUBMISSIONS

NRD submissions

3.1(1) An NRD filer that is required under securities legislation to submit information in NRD format must make that NRD submission through the NRD website and in accordance with this Instrument.

3.1(2) A requirement in securities legislation relating to the format in which a document or other information to be submitted must be printed, or specifying the number of copies of a

document that must be submitted, does not apply to an NRD submission required to be made in accordance with this Instrument.

3.1(3) An individual filer must make all NRD submissions using the same NRD number.

3.1(4) An NRD filer must make an NRD submission through an AFR.

Ongoing firm filer requirements

3.2 A firm filer must

- (a) be enrolled to use NRD;
- (b) have one chief AFR; and
- (c) maintain an NRD account.

PART 4 – ENROLMENT TO USE NRD

Firm filer enrolment

4.1 To enrol to use NRD, a firm filer must

- (a) appoint an individual to act as its chief AFR;
- (b) deliver to the NRD administrator, concurrently and in paper format,
 - (i) a Form 31-102F1 completed after an appointment under paragraph (a) has been accepted by the individual;
 - (ii) any Form 31-102F2 completed under section 4.2; and
 - (iii) a completed Form 31-102F3 in respect of the firm filer's NRD account.

Chief AFR enrolment

4.2(1) An individual who accepts an appointment under paragraph 4.1(a) must complete a Form 31-102F2.

4.2(2) Subsection (1) does not apply if the individual is a chief AFR for another firm filer.

Reporting changes to firm filer enrolment information

4.3 Other than a change to the legal name of a firm filer or a change of a firm filer's NRD account, a firm filer must notify the NRD administrator of a change to the information on the most recently submitted Form 31-102F1 by delivering to the NRD administrator a completed Form 31-102F1 in paper format as soon as practicable.

Reporting changes to NRD account holder authorization

4.4(1) Before a firm filer may change its NRD account, the firm filer must notify the NRD administrator of the change by delivering to the NRD administrator a completed Form 31-102F1 and a completed Form 31-102F3 in paper format at least 10 business days before the change.

4.4(2) A firm filer must notify the NRD administrator of any change to the contact information previously submitted in Form 31-102F3 by delivering to the NRD administrator a completed Form 31-102F3 in paper format within 5 business days of the change.

Reporting changes to chief AFR information

4.5 A chief AFR must submit any change to his or her name or other chief AFR information previously submitted in Form 31-102F2, or under this subsection, in paper format within 5 business days of the change.

Reporting changes to other AFR information

4.6 A firm filer must submit any change in the name of an AFR, other than a chief AFR, in NRD format within 5 business days of the change.

PART 5 – PAYMENT OF FEES THROUGH NRD

Payment of submission fees

5.1(1) If a fee is prescribed with respect to an NRD submission, a firm filer must pay the prescribed fee by electronic pre-authorized debit through NRD.

5.1(2) A payment under subsection (1) must be made from the firm filer's NRD account.

Payment of annual registration fees

5.2(1) If a firm filer is required to pay a prescribed annual registration fee, the firm filer must pay the prescribed fee by electronic pre-authorized debit through NRD.

5.2(2) A payment under subsection (1) must be made from the firm filer's NRD account.

Payment of NRD user fees - annual

5.3(1) If a firm filer is required to pay a prescribed annual NRD user fee, the firm filer must pay the prescribed fee by electronic pre-authorized debit through NRD.

5.3(2) A payment under subsection (1) must be made from the firm filer's NRD account.

PART 6 – TEMPORARY HARDSHIP EXEMPTION

Temporary hardship exemption

6.1(1) If unanticipated technical difficulties prevent an NRD filer from making a submission in NRD format within the time required under securities legislation, the NRD filer is exempt from the requirement to make the submission within the specified time period, if the NRD filer makes the submission in paper format or NRD format no later than 5 business days after the day on which the information was required to be submitted.

6.1(2) Form 33-109F5 is the paper format for submitting a notice of a change to Form 33-109F4 information.

6.1(3) If unanticipated technical difficulties prevent an individual filer from applying for registration in NRD format, the individual filer may submit the application in paper format.

6.1(4) If an NRD filer makes a paper format submission under this section, the NRD filer must include the following legend in capital letters at the top of the first page of the submission:

IN ACCORDANCE WITH SECTION 6.1 OF MULTILATERAL INSTRUMENT 31-102
NATIONAL REGISTRATION DATABASE (NRD), THIS [SPECIFY DOCUMENT] IS
BEING SUBMITTED IN PAPER FORMAT UNDER A TEMPORARY HARDSHIP
EXEMPTION.

6.1(5) If an NRD filer makes a paper format submission under this section, the NRD filer must submit the information required in NRD format as soon as practicable and in any event within 10 business days after the unanticipated technical difficulties have been resolved.

PART 7 – EXEMPTION

Exemption

7.1(1) The regulator or the securities regulatory authority may grant an exemption from this Instrument, in whole or in part, subject to such conditions or restrictions as may be imposed in the exemption.

7.1(2) Despite subsection (1), in Ontario only the regulator may grant such an exemption.

PART 8 – TRANSITION

Definitions

8.1 In this Part

“**effective date**” means the day on which this Instrument comes into force;

“**NRD access date**” means, for an NRD firm filer, the date the NRD firm filer first has access to NRD to make NRD submissions;

“**transition firm**” means every dealer, adviser and underwriter that

(a) is a registered firm on the effective date, or

(b) is not a registered firm on the effective date and has applied for registration before January 1, 2003.

NRD enrolment for transition firms

8.2 A transition firm must enroll to use NRD by the later of

(a) 5 business days after the effective date, and

(b) the date that the firm has applied for registration.

NRD submissions before NRD access date

8.3 Despite any requirement in this Instrument to submit information in NRD format, a transition firm may submit information in paper format before the NRD access date.

Accuracy of business location information

8.4 If the information recorded on NRD for a business location of a transition firm is missing or inaccurate on the NRD access date, the transition firm must submit a completed Form 33-109F3 in NRD format in respect of that business location within 30 business days of the NRD access date.

Individuals included in the data transfer

8.5 In respect of individuals who were recorded on NRD as registered or non-registered individuals of a transition firm on the NRD access date, the transition firm must submit completed Forms 33-109F4 in NRD format for

(a) 5 percent of those individuals by the end of March 2004,

(b) 10 percent of those individuals by the end of April 2004,

(c) 15 percent of those individuals by the end of May 2004,

- (d) 20 percent of those individuals by the end of June 2004,
- (e) 25 percent of those individuals by the end of July 2004,
- (f) 30 percent of those individuals by the end of August 2004,
- (g) 35 percent of those individuals by the end of September 2004,
- (h) 40 percent of those individuals by the end of October 2004,
- (i) 45 percent of those individuals by the end of November 2004,
- (j) 50 percent of those individuals by the end of December 2004,
- (k) 55 percent of those individuals by the end of March 2005,
- (l) 60 percent of those individuals by the end of April 2005,
- (m) 65 percent of those individuals by the end of May 2005,
- (n) 70 percent of those individuals by the end of June 2005,
- (o) 75 percent of those individuals by the end of July 2005,
- (p) 80 percent of those individuals by the end of August 2005,
- (q) 85 percent of those individuals by the end of September 2005,
- (r) 90 percent of those individuals by the end of October 2005,
- (s) 95 percent of those individuals by the end of November 2005, and
- (t) all of those individuals by the end of December 2005.

Individuals not included in the data transfer

8.6(1) Except as provided in subsection (2), a transition firm must submit a completed Form 33-109F4 in NRD format within 30 business days of the NRD access date for each individual who was not recorded on NRD on the NRD access date and for whom the transition firm was the sponsoring firm on the NRD access date.

8.6(2) A transition firm is not required to submit a Form 33-109F4 under subsection (1) if the firm has submitted a completed Form 33-109F1 in paper format in respect of the individual.

Changes to form 4 information - registered individuals

8.7 A registered individual who has submitted a completed Form 33-109F5 under section 8.5 of MI 33-109, must submit a completed Form 33-109F4 in NRD format by the later of 15 business days after

- (a) the NRD access date of the individual's sponsoring firm, and
- (b) the date that the individual submitted the Form 33-109F5.

Changes to form 4 information - non-registered individuals

8.8 A transition firm that has submitted a completed Form 33-109F5 for a non-registered individual under section 8.7 of MI 33-109, must submit a completed Form 33-109F4 for the individual in NRD format by the later of 15 business days after

- (a) the NRD access date, and
- (b) the date that the firm submitted the Form 33-109F5.

Pending application to change individual's registration category

8.9 If an individual submitted an application in paper format to change his or her category of registration and the category of registration applied for is not recorded with the individual's record on NRD on the NRD access date, the individual must submit

- (a) a completed Form 33-109F4 in NRD format within 30 business days after the NRD access date of his or her sponsoring firm, and
- (b) a completed Form 33-109F2 in NRD format within 1 business day of submitting the Form 33-109F4 under paragraph (a).

Currency of form 33-109F4

8.10 For greater certainty, a completed Form 33-109F4 that is submitted under this Part must be current on the date that it is submitted despite any prior submission in paper format.

Termination of relationship

8.11 Despite a requirement under this Part to submit a completed Form 33-109F4, a transition firm is not required to submit a Form 33-109F4 in respect of an individual if the firm has submitted a completed Form 33-109F1 in NRD format in respect of the individual.

PART 9 – EFFECTIVE DATE

Effective date

9.1(1) Except for Part 2, this Instrument comes into force on November 20, 2002.

9.1(2) Part 2 comes into force on November 25, 2002.