

THE SECURITIES ACT

)

Order No. 4612

)

Section 20(1)

)

November 24, 2004

CIVIL SERVICE SUPERANNUATION BOARD

WHEREAS:

(A) The Civil Service Superannuation Board (the "CSSB") has applied to The Manitoba Securities Commission (the "Commission") for an order pursuant to subsection 20(1) of the Securities Act, R.S.M. 1988, c. S50 (the "Act") to be exempted from sections 6 and 37 of the Act to provide investment management services for the Legislative Assembly Pension Plan ("LAPP").

(B) CSSB has represented to the Commission that:

1. The Civil Service Superannuation Fund ("Fund") was established by provincial legislation and is a registered plan for the purposes of the Income Tax Act (Canada).
2. The CSSB was established by provincial legislation and administers the Fund.
3. The Fund receives contributions from employees and payments from the Government of Manitoba its boards, commissions and corporations that employ them ("Contributions").
4. Contributions are invested as directed by the investment committee of the CSSB and are restricted to investments permitted under the Pensions Benefits Act (Manitoba).
5. Investment decisions are made by the Investment Division of the Fund which is directed by the Chief Investment Officer (the "CIO") and his staff who hold CFA designations, all of whom are employees of the CSSB. Some of the Investment Division staff were formerly registered with the Commission.
6. The Investment Division can make investments on a discretionary basis within the bounds of the investment policy of the Fund. All trades are reported for subsequent approval by the Investment Committee of the Fund.
7. The CSSB has been designated by section 17 of Members of the Legislative Assembly Pension Plan Regulation Manitoba Regulation 226/93 to administer the LAPP.

8. CSSB anticipates taking over administration in early 2005 coinciding with LAPP's approved registration the Canada Revenue Agency.
9. The LAPP consists of Government of Manitoba and employee premiums contributions to the LAPP made on a biweekly basis.
10. The funds in the LAPP are not subject to the Pension Benefits Act (Manitoba) but are subject to the Income Tax Act (Canada).
11. The LAPP Funds will be invested separately from the assets of the Fund.
12. Investment decisions will be made by the CIO and two his staff on a discretionary basis within the bounds of the investment policy of the Fund. The funds from LAPP will be placed into one or more pooled funds managed in accordance with the investment policy approved by the Fund.
13. The CSSB will report to the Minister of Finance all investment transactions, holdings and performance information quarterly and will monitor compliance with the investment policy of the LAPP on an ongoing basis

(C) The Commission is of the opinion that it would not be prejudicial to the public interest to grant the order requested.

IT IS ORDERED:

1. **THAT**, pursuant to subsection 20(1) of the Act, CSSB and its trustees from time to time and the Investment Division of the CSSB be exempt from sections 6 and 37 of the Act with respect to trades of securities made in the course of providing investment management services to the LAPP.
2. **THAT** the fee for this Order is \$1,000.00.

BY ORDER OF THE COMMISSION

Deputy Director – Legal