THE MANITOBA
SECURITIES
COMMISSION

THE SECURITIES ACT	)	Order No. 7406
	)	
Section 20(1)	)	March 22, 2017

Exemption for Trade Repositories from certain trade reporting requirements in Manitoba Securities Commission Rule 91-507

WHEREAS:

(A) The Manitoba Securities Commission (the "Commission") may designate an applicant as a trade repository (a "Designated Trade Repository") pursuant to section 31.6(1) of *The Securities Act* RSM 1988, c. S50 (the "Act").

(B) A Designated Trade Repository is subject to obligations under Manitoba Securities Commission Rule 91-507 *Trade Repositories and Derivatives Data Reporting* ("MSC Rule 91-507").

(C) Staff has applied to the Commission under s. 20(1) of the Act, for an order exempting trade repositories from the requirements under subsection 39.3 and section 7 of Appendix C of MSC Rule 91-507 subject to certain conditions.

(D) Subsection 39.3 and section 7 of Appendix C of MSC Rule 91-507 require a Designated Trade Repository to publicly disseminate prescribed transaction-level data for certain derivatives (the "Disseminated Transactions") 48 hours after the time and date represented by the execution timestamp field of the transaction (the "48-Hour Holdback Requirement"). In order to publicly disseminate the Disseminated Transactions and comply with the 48-Hour Holdback Requirement, Designated Trade Repositories may rely on technology infrastructure and resources (the "Designated Trade Repository's Systems").
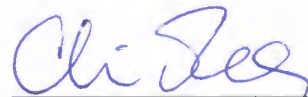
(E) The Designated Trade Repository's Systems, including the technology infrastructure and resources used to publicly disseminate the Disseminated Transactions, may require certain periods of non-operation or downtime ("System Downtime") to comply with system and operational risk control requirements. This includes the requirements set out in section 21 of MSC Rule 91-507 as well as to allow for regular operational maintenance, major system upgrades, disaster recovery exercises and exercises related to regulatory obligations, all of which are necessary for operating the Designated Trade Repository's trade repository services in accordance with safe industry standard practices meant to reduce risk to its operations;

(F) As a result of both scheduled and ad hoc System Downtime, Designated Trade Repositories from time to time may be unable to comply with the 48-Hour Holdback Requirement for certain Disseminated Transactions;

(G) The Commission is satisfied that exempting Designated Trade Repositories from the 48-Hour Holdback Requirement would not be prejudicial to the public interest.

IT IS ORDERED:

THAT, under s. 20(1) of the Act, A Designated Trade Repository is exempted from the 48-Hour Holdback Requirement when the Designated Trade Repository is prevented from publicly disseminating a Disseminated Transaction in accordance with the 48-Hour Holdback Requirement as a result of System Downtime (the "Exemption"), provided that Designated Trade Repository publicly disseminates each Disseminated Transaction that was not publicly disseminated in accordance with the 48-Hour Holdback Requirement as a result of System Downtime as soon as practicable following the conclusion of the period of System Downtime that prevented public dissemination of the Disseminated Transaction in accordance with the 48-Hour Holdback Requirement;

Director