



Document Type: Emergency Rule

Document N°: 44-805

Subject: March 30, 2004 and May 19, 2005 consequential amendments to 44-101 arising from adoption of NI 51-102

Amendments:

Published Date: 12 September 2005

Effective Date: 12 September 2005

The New Brunswick Securities Commission, being of the opinion that

- a) it is in the public interest to make the proposed rule without delay because there is an urgent need for the proposed rule, and
- b) without the proposed rule being made, there is a substantial risk of material harm to investors or to the integrity of the capital markets

resolves that Implementing Instrument 44-805 is adopted as an emergency rule.

DATED at Saint John, New Brunswick this 12th day of September, 2005.

Donne W. Smith

Chair

EMERGENCY RULE 44-805

IMPLEMENTING MARCH 30, 2004 AND MAY 19, 2005 AMENDMENTS TO RULE 44-101 *SHORT FORM PROSPECTUS DISTRIBUTIONS* ("NI 44-101"), BEING CONSEQUENTIAL AMENDMENTS ARISING FROM THE ADOPTION OF NI 51-102 *CONTINUOUS DISCLOSURE OBLIGATIONS* ("NI 51-102").

PART 1 Definitions and Interpretation

1.1 In this Rule,

"NI 51-102" means National Instrument 51-102 *Continuous Disclosure Obligations*, which came into force on 16 February 2005;

"March 30, 2004 and May 19, 2005 amendments" mean the amendments to National Instrument 44-101 *Short Form Prospectus Distributions*, Form 44-101F3 and Companion Policy 44-101CP and Revocation of Form 44-101F1 and Form 44-101F2, which came into force in part on March 30, 2004 and in full on May 19, 2005.

PART 2 Adoption as a Rule

2.1 The March 30, 2004 and May 19, 2005 amendments are adopted as a rule under the *Securities Act*.

PART 3 Effective Date

3.1 This instrument comes into force on 12 September 2005.