

## AMENDMENT INSTRUMENT

### NATIONAL INSTRUMENT 33-109 REGISTRATION INFORMATION

1. *The title of Multilateral Instrument 33-109 Registration Information is amended by striking out “Multilateral” and substituting “National”.*
2. *The table of contents of the Instrument is amended by*
  - (a) *striking out “2.2 Individual Registration” and substituting “2.2 Individual Applicants”,*
  - (b) *striking out “3.3 Addition of Non-registered Individuals” and substituting “3.3 Addition of Permitted individuals”,*
  - (c) *adding “3.4 Changes to Other Registration Information” after “3.3 Addition of Permitted individuals”,*
  - (d) *striking out “PART 5 CHANGES TO NON-REGISTERED INDIVIDUAL INFORMATION” and substituting “PART 5 CHANGES TO PERMITTED INDIVIDUAL INFORMATION”,*
  - (e) *striking out the following:*

PART 8	TRANSITION TO NRD
8.1	Definitions
8.2	Changes to Form 3 Information
8.3	Changes to Business Location
8.4	Addition of Non-registered Individuals
8.5	Changes to Form 4 Information – Registered Individuals
8.6	Termination of Relationship – Registered Individuals
8.7	Changes to Form 4 Information – Non-Registered Individuals
8.8	Termination of Relationship – Non-Registered Individuals
  - (f) *adding the following after “7.1 Exemption”:*

<b>PART 8</b>	<b>INCONSISTENT PROVISIONS</b>
8.1	Inconsistent Provisions

3. *Section 1.1 of the Instrument is amended,*

(a) *in the definition of "Form 4", by adding "*, or in Québec, after January 1, 2005" *after* "February 21, 2003",

(b) *by striking out the definition of "MI 31-102" and substituting the following:*

"MI 31-102" means National Instrument 31-102 *National Registration Database,*

(c) *by striking out the definition of "registered individual" and substituting the following:*

"registered individual" means, for a registered firm, an individual who,

- (a) is registered to trade or advise on behalf of the registered firm, or
- (b) in Québec, is registered to act as a securities dealer or adviser on behalf of the registered firm, **and**

(d) *by striking out the definition of "sponsoring firm" and substituting the following:*

"sponsoring firm" means,

- (a) for a registered individual,
  - (i) the registered firm on whose behalf the individual trades or advises, or
  - (ii) in Québec, the registered firm on whose behalf the individual acts as a securities dealer or adviser,
- (b) for an individual applying for registration,
  - (i) the registered firm, or the person or company applying to become a registered firm, on whose behalf the individual proposes to trade or advise, or
  - (ii) in Québec, the registered firm, or the person or company applying to become a registered firm, on whose behalf the individual proposes to act as a securities dealer or adviser,
- (c) for a permitted individual of a registered firm on whose behalf the individual acts, or

- (d) for a permitted individual of a person or company that is applying for registration, the person or company that is applying for registration.

4. ***In the following provisions of the Instrument, “non-registered individual” is struck out wherever it occurs and “permitted individual” is substituted:***

- (a) *section 1.1;*
- (b) *paragraph 2.1(c);*
- (c) *subsection 2.2(2);*
- (d) *paragraph 2.3(1)(b);*
- (e) *section 3.3;*
- (f) *section 5.1*
- (g) *section 5.2;*
- (h) *section 6.1.*

5. ***In the following provisions of the Instrument, “MI 31-102” is struck out wherever it occurs and “NI 31-102” is substituted:***

- (a) *section 1.1;*
- (b) *section 1.2;*
- (c) *section 2.1;*
- (d) *section 2.2;*
- (e) *section 2.3;*
- (f) *section 3.2;*
- (g) *section 3.3;*
- (h) *section 4.1;*
- (i) *section 4.2;*
- (j) *section 4.3;*
- (k) *section 5.1;*
- (l) *section 5.2.*

6. ***The Instrument is amended by adding the following as a new section after section 3.3:***

**3.4 Changes to other registration information** – A registered firm must notify the regulator of a change in its auditor or financial year-end within 5 business days of the change.

7. ***The Instrument is amended by repealing section 4.1 and substituting the following:***

**4.1 Changes to Form 33-109F4 Information**

- (1) Except as provided in subsections (2) and (3), a registered individual must notify the regulator in accordance with NI 31-102 of a change to any information previously submitted in Form 33-109F4, or under this subsection, within 5 business days of the change.

- (2) Despite subsection (1), a registered individual must notify the regulator in accordance with NI 31-102 of a change to information previously submitted in Item 11 of Form 33-109F4, or under this subsection, within 10 business days of the change.
- (3) Despite subsection (1), a registered individual must notify the regulator in accordance with NI 31-102 of a change to information previously submitted in Item 3 [*personal information*], Item 4 [*citizenship*], or paragraph 1 of Item 8 [*course or examination information*] of Form 33-109F4, or under this subsection, within 20 business days of the change.

8. ***The Instrument is amended by striking out the heading of Part 5 “Changes to Non-Registered Individual Information” and substituting “Changes to Permitted Individual Information”.***

9. ***The Instrument is amended by repealing section 5.1 and substituting the following:***

#### **5.1 Changes to Form 33-109F4 Information**

- (1) Except as provided in subsections (2), (3), (4), and (5), a registered firm must notify the regulator in accordance with NI 31-102 of a change to any information previously submitted in Form 33-109F4, or under this subsection, for a permitted individual within 5 business days of the change.
- (2) Despite subsection (1) and except as provided in subsection (5), a registered firm must notify the regulator in accordance with NI 31-102 of a change to information previously submitted in Item 11 of Form 33-109F4, or under this subsection, for a permitted individual within 10 business days of the change.
- (3) Despite subsection (1) and except as provided in subsection (5), a registered firm must notify the regulator in accordance with NI 31-102 of a change to information previously submitted in Items 3, 4, or paragraph 1 of Item 8 of Form 33-109F4, or under this subsection, for a permitted individual within 20 business days of the change.
- (4) Despite subsection (1) and except as provided in subsection (5), a registered firm must notify the regulator of a change to any information regarding a category of permitted individual listed in Item 6 of Form 33-109F4 for a permitted individual by submitting in accordance with NI 31-102 a completed Form 33-109F2 within 5 business days of the change.
- (5) Despite subsections (1), (2), (3), and (4), a registered firm is not required to notify the regulator of a change to information if another firm has notified

the regulator of the change in accordance with NI 31-102 and within the required time.

10. *Section 7.1 of the Instrument is amended by adding the following subsection after subsection 7.1(2):*

(3) In Québec, this exemption is granted pursuant to section 263 of the *Securities Act* (R.S.Q., c. V-1.1).

11. *Part 8 of the Instrument is repealed and the following is substituted:*

**PART 8 INCONSISTENT PROVISIONS**

**8.1 Inconsistent Provisions** – In Québec, the provisions of this Instrument take precedence over any inconsistent provisions of Title V of the *Securities Regulation*.

12. *Part 9 of this Instrument is repealed.*

13. *This Instrument comes into force on [insert date].*