

MULTILATERAL INSTRUMENT 81-104
COMMODITY POOLS AND COMPANION POLICY 81-104CP
AMENDMENT INSTRUMENT

1. Multilateral Instrument 81-104 *Commodity Pools* is amended by this Instrument.
2. Part 7 is repealed.
3. Part 8 is repealed.
4. Section 9.2 is amended
 - (a) by repealing subsection 9.2(b)(iii) and substituting the following:

“a cross-reference to the disclosure required by paragraph 3.6(2) of National Instrument 81-106 Investment Fund Continuous Disclosure;”;
 - (b) by repealing subsection 9.2(g) and substituting the following:

“(g) provide the disclosure concerning the past performance of the commodity pool that is required to be provided by an investment fund under Item 4 of Part B of Form 81-106F1 Contents of Annual and Interim Management Report of Fund Performance, except that

 - (i) the past performance of the commodity pool, in the bar chart prepared in accordance with Item 4.2 of Part B of Form 81-106F1, must show quarterly, non-annualized returns of the commodity pool over the period provided for in Item 4.2, rather than annual returns, and
 - (ii) the commodity pool may, at its option, in the disclosure required by Items 4.2 and 4.3 of Part B of Form 81-106F1, compare its performance to an index if it describes any differences between the commodity pool and the index that affect the comparability of the performance data of the commodity pool and the index;”;
 - (c) by deleting the words “as required by section 7.3” from paragraph 9.2(n).

5. Section 9.3 is repealed.
6. Section 9.4 is repealed.
7. This Instrument comes into force on 26 August 2005.

AMENDMENTS TO COMPANION POLICY 81-104CP - COMMODITY POOLS

1. *Companion Policy 81-104CP Commodity Pools* is amended by this Instrument.
2. Subsection 3.1(3) is amended by deleting the words "Item 11.3 of Part B of Form 81-101F1" in the third sentence and substituting the words "Item 4.2 of Part B of Form 81-106F1".
3. This Instrument comes into force on 26 August 2005.