



IN THE MATTER OF THE *SECURITIES ACT*, S.N.B. 2004, C. S-5.5 (the “*Act*”)

AND

IN THE MATTER OF

**TEMPORARY EXEMPTION FROM CERTAIN REPORTING REQUIREMENTS FOR REGULATED ENTITIES
CARRYING ON BUSINESS IN NEW BRUNSWICK**

Blanket Order 21-507

Section 208

Definitions

1. Terms defined in the *Act* and National Instrument 14-101 *Definitions* have the same meaning in this Blanket Order unless otherwise defined herein.
2. In this Blanket Order:

“Regulated Entity” means a marketplace, as defined in section 1.1 of National Instrument 21-101 *Marketplace Operation*, a clearing agency, as defined in subsection 1(1) of the *Act*, an information processor, as defined in section 1.1 of National Instrument 21-101 *Marketplace Operation*, and a trade repository, as defined in subsection 1(1) of the *Act*.

Exemptive Relief

3. As a result of the coronavirus disease 2019 (**COVID-19**) outbreak, which was declared a pandemic by the World Health Organization on 11 March 2020 and has led to the declaration by the New Brunswick provincial government of a state of emergency under the *Emergency Measures Act*, R.S.N.B. 2011, c. 147 on 19 March 2020, the Financial and Consumer Services Commission (**Commission**) acknowledges that this pandemic may present challenges for market participants in the meeting of certain obligations under New Brunswick securities law.
4. Specifically, as a result of the outbreak of COVID-19 and the resulting disruptions to travel, access to office facilities and availability of personnel and resources, Regulated Entities carrying on business in New Brunswick may face challenges in providing the Commission with documents and other information under various reporting requirements of New Brunswick securities law, including the documents and other information identified in Exhibit A to this order.
5. Under section 208 of the *Act*, except where exemption applications are otherwise provided for in New Brunswick securities law, the Commission may, on the application of an interested person or the Executive Director or on the Commission’s own motion, and if in the opinion of the Commission

it would not be prejudicial to the public interest, make an order, subject to such terms and conditions as it considers appropriate, exempting, in whole or in part, a person or class of persons from any requirement of New Brunswick securities law.

6. The Commission has delegated to a Panel of at least Two Members of the Commission (**Panel**) the Commission's power under section 208 to exempt, in whole or part, a person or class of persons from any requirement of New Brunswick securities law where exemption applications are not otherwise provided for in New Brunswick securities law, subject to such terms and conditions considered appropriate.
7. The Panel considers that it would not be prejudicial to the public interest to make the following order to assist affected Regulated Entities with the meeting of their obligations under New Brunswick securities law.

IT IS ORDERED pursuant to section 208 of the *Act* that any Regulated Entity carrying on business in New Brunswick that would be required to provide the Commission with a document or other information listed in Exhibit A, as applicable, between the date of this order and 1 June 2020 is exempt from the requirement, subject to the terms and conditions listed below:

8. A Regulated Entity required to provide the Commission with a document or other information listed in Exhibit A, as applicable, between the date of this order and 1 June 2020 must provide the Commission with the document or other information no later than 45 days after the original due date for the document or other information.
 9. For a document or other information listed in Exhibit A, a Regulated Entity required to provide the document or other information to the Commission between the date of this order and 1 June 2020 must disclose to the Commission when it provides the document or other information that it is relying on this order and state the reasons why it could not submit the document or other information by the original due date.
10. This Blanket Order takes effect on 23 March 2020 and remains in effect for a period of 120 days.

Dated at Saint John, New Brunswick, this 23rd day of March 2020.

"original signed by"

Vincent Duff
Commission Member

"original signed by"

Céline Robichaud-Trifts
Commission Member

Exhibit A

The requirements to provide the Commission with documents or other information referred to in this order are in recognition orders, exemptions from recognition orders, registration orders, exemptions from registration orders, National Instrument 21-101 *Marketplace Operation*, National Instrument 31-103 *Registration Requirements, Exemptions and Ongoing Registrant Obligations*, National Instrument 24-102 *Clearing Agency Requirements* and Multilateral Instrument 96-101 *Trade Repositories and Derivatives Data Reporting*.

- Audited annual financial statements
- Unaudited non-consolidated annual financial statements with or without notes
- Unaudited consolidated and unconsolidated interim financial reports and financial viability ratios
- Independent auditor written report on cost allocation model and internal transfer pricing
- Report - Exemptions or waivers granted
- Report - Original listing applications
- Report - Issuer compliance with rules
- List of internal audit reports and risk management reports
- Form 21-101F3 *Quarterly Report of Marketplace Activities*
- Report - Quarterly report of users and activities (including qualitative and quantitative data)
- Report – Quarterly report containing bylaws, rules, circulars made/published during quarter
- SOC 1 Report - Annual
- Annual compliance reports
- Report - Competitors listed on Neo Exchange
- Report - Conflicts with respect to Competitors
- Self-assessment report
- Cost recovery letter
- Governance Committee's comments
- Section 3000 Report
- Independent Systems Review
- Report - List of participants with access to services