



IN THE MATTER OF THE *SECURITIES ACT*, S.N.B. 2004, C. S-5.5

AND

IN THE MATTER OF

***TEMPORARY EXEMPTIONS FROM NATIONAL INSTRUMENT 81-104
ALTERNATIVE MUTUAL FUNDS***

Blanket Order 81-509

Section 208

Definitions

1. Terms defined in the *Securities Act*, S.N.B. 2004, c. S-5.5 (the “**Act**”), National Instrument 81-102 *Investment Funds* (“**NI 81-102**”) and National Instrument 81-104 *Alternative Mutual Funds* (“**NI 81-104**”) have the same meaning in this Blanket Order.

Background

2. Under Part 4 of NI 81-104, no mutual fund restricted individual may trade in a security of an alternative mutual fund unless the mutual fund restricted individual meets the proficiency requirements in subsection 4.1(1) of NI 81-104 (the “**Proficiency Requirements**”), and no principal distributor or participating dealer may trade in a security of an alternative mutual fund in a local jurisdiction unless the individual designated by a principal distributor or participating dealer to be responsible for the supervision of trades of those securities in the local jurisdiction (the “**Supervisor**”) meets the supervisory requirements in subsection 4.1(2) of NI 81-104 (the “**Supervisory Requirements**”). The Financial and Consumer Services Commission (the “**Commission**”) has recognized that the Proficiency Requirements and Supervisory Requirements have limited retail investors’ access to alternative investment strategies through the Mutual Fund Dealers Association of Canada dealer channel.
3. In recognition of the challenges the Proficiency Requirements and Supervisory Requirements have created for the distribution of alternative mutual funds, providing mutual fund restricted individuals and Supervisors with additional course options that offer updated and relevant information on alternative mutual funds that would satisfy their Proficiency Requirements or Supervisory Requirements, respectively, will facilitate access to alternative investment strategies for retail investors while maintaining investor protection. These additional course options will expedite retail investor access to alternative mutual funds and better enable retail investors to benefit from additional portfolio diversification opportunities through alternative investment strategies.
4. The Commission has delegated to the Executive Director of Securities (the “**Executive Director**”) the Commission’s power under section 208 of the *Act* to exempt, in whole or in part, a person or class of persons from any requirement of any National Instrument, Multilateral Instrument or Local Instrument, subject to such terms and conditions considered appropriate.

5. The Executive Director is satisfied that, subject to the conditions of this Blanket Order, it would not be prejudicial to the public interest to provide, on an interim basis, exemptions to the Proficiency Requirements and the Supervisory Requirements that will assist mutual fund restricted individuals, principal distributors and participating dealers in the distribution of alternative mutual funds and facilitate investment diversification for retail investors while continuing to provide investor protection.

IT IS ORDERED pursuant to section 208 of the *Act* that:

6. Subject to the terms and conditions listed below, a mutual fund restricted individual may satisfy their Proficiency Requirements by complying with subsection 4.1(1) of NI 81-104, or by receiving a passing grade in any one of the following courses:

- a) Canadian Securities Institute (“**CSI**”) – Alternative Strategies: Hedge Funds and Liquid Alternatives for Mutual Fund Representatives Course (the “**CSI Bridge Course**”);
- b) IFSE Institute – Investing in Alternative Mutual Funds and Hedge Funds (the “**IFSE Bridge Course**”);
- c) CSI – Investment Funds in Canada Course, provided that the passing grade was received upon course materials and an examination that substantially contains the content of the CSI Bridge Course (the “**Updated CSI Mutual Funds Course**”);
- d) IFSE Institute – Canadian Investment Funds Course, provided that the passing grade was received upon course materials and an examination that substantially contains the content of the IFSE Bridge Course (the “**Updated IFSE Mutual Funds Course**”);

(the CSI Bridge Course, the IFSE Bridge Course, the Updated CSI Mutual Funds Course, and the Updated IFSE Mutual Funds Course are collectively referred to as the “**Alternative Mutual Fund Courses**”).

7. Subject to the terms and conditions listed below, a Supervisor may satisfy their Supervisory Requirements by complying with the relevant requirements in subsection 4.1(2) of NI 81-104, or by receiving a passing grade in any one of the Alternative Mutual Fund Courses.

Terms and conditions

8. A mutual fund restricted individual may rely on the exemption provided in this Blanket Order, provided that
 - a) the mutual fund restricted individual trades only in securities of alternative mutual funds that are approved for sale by their registered dealer, and
 - b) prior to the mutual fund restricted individual relying on this Blanket Order, the mutual fund restricted individual’s registered dealer provides a one-time notification to the Director of the Investment Funds and Structured Products Branch at the Ontario Securities Commission (“**OSC**”) by email at IFSPDirector@osc.gov.on.ca stating that mutual fund restricted individuals registered with the registered dealer intend to rely on this Blanket Order.

9. A Supervisor may rely on the exemption provided in this Blanket Order, provided that
- a) prior to the Supervisor relying on this Blanket Order, the principal distributor or participating dealer provides a one-time notification to the Director of the Investment Funds and Structured Products Branch at the OSC by email at IFSPDirector@osc.gov.on.ca stating that Supervisors registered with the principal distributor or participating dealer intend to rely on this Blanket Order.

Effective Date and Term

10. This Blanket Order comes into effect on 28 January 2021 and will cease to be effective on the day NI 81-104 is repealed.

Dated at Saint John, New Brunswick, this 14th day of October 2022.

“original signed by”

To-Linh Huynh
Executive Director