

**NATIONAL INSTRUMENT 33-109
REGISTRATION INFORMATION
AMENDMENT INSTRUMENT**

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”:***

PART 8	INCONSISTENT PROVISIONS
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:***

“NI 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.**
- 3. 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.**
- 4. 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.
- 5. 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.~~

6. ***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”.***

7. ***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.~~

8. 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).

9. 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*.

10. Part 9 of this Instrument is repealed.

11. This Instrument comes into force on [insert date].