

**MSC NOTICE 2001-42**

***THE SECURITIES ACT  
THE COMMODITY FUTURES ACT***

**NOTICE OF PROPOSED MULTILATERAL INSTRUMENT 33-109,  
FORMS 33-109F1, 33-109F2, 33-109F3, 33-109F4, 33-109F5  
AND COMPANION POLICY 33-109CP  
REGISTRATION INFORMATION REQUIREMENTS**

**Substance and Purpose of Proposed Instrument**

The substance and purpose of the proposed Instrument are to consolidate and harmonize requirements regarding the initial submission of registration information and the updating of that information.

The proposed Instrument is expected to be implemented as a rule, regulation or other appropriate instrument in all of the jurisdictions represented by the Canadian Securities Administrators (the "CSA"), except Quebec.

Because this Instrument is not proposed for adoption in all of the jurisdictions of the CSA, it is called a Multilateral Instrument rather than a National Instrument. However, since this Instrument is being adopted in a number of jurisdictions, it is numbered as a national instrument.

The proposed Instrument is expected to be implemented under both *The Securities Act* and *The Commodity Futures Act*.

**Summary of Proposed Instrument**

Section 2.1 provides that a firm applying for registration shall submit a completed Form 3 *Application for Registration as Dealer, Adviser or Underwriter* in paper format. Although staff published for comment a proposed replacement to the current Form 3 on August 4, 2000, staff anticipates that the current form will remain in use until a later release of the National Registration Database ("NRD") permits firms to submit all of their registration information in NRD format.

Under section 2.1, an applicant firm is also required to submit a completed Form 33-109F3 *Business Locations other than Head Office* for each of its business locations. Form 33-109F3 is new and is to be submitted in NRD format in accordance with Multilateral Instrument 31-102 National Registration Database ("MI 31-102"). It provides for the collection of some of the branch and sub-branch information that is currently collected in Form 3. Form 33-109F3 has been created to specify what information regarding business locations is to be submitted to NRD.

Section 2.1 also requires applicant firms to submit a completed Form 33-109F4 *Registration Information for an Individual* for each non-registered individual of the firm in accordance with MI 31-102.

Section 2.2 provides that an individual who is applying for registration shall submit either a completed Form 31-109F4 or, pursuant to subsection (2), a completed Form 33-109F2 *Change of Individual Categories* in accordance with MI 31-102. Form 33-109F2 is to be used for a registration application only if the applicant is applying to become registered with a firm in which the applicant is currently a non-registered individual. Submitting an application in Form 33-109F2 in this circumstance is necessary to ensure that the applicant, who will have already submitted data as a non-registered individual using Form 33-109F4, does not create a second set of data in respect of himself or herself in NRD.

Section 3.1 provides that each registered firm shall notify the regulator of a change to any information previously submitted in Form 3 within five business days of the change. A notice submitted under section 3.1 shall be made by submitting a completed Form 33-109F5 *Change of Registration Information* in paper format. Under subsection 3.1(3), a registered firm is not required to submit a Form 33-109F5 in respect of certain changes to Form 3 information if notice is otherwise provided under the Instrument.

Under section 3.3, a registered firm is required to submit a completed Form 33-109F4 in accordance with MI 31-102 for a non-registered individual within five business days of the individual becoming a non-registered individual of the registered firm.

Section 4.1 provides that each registered individual must notify the regulator of a change to any information previously submitted in Form 33-109F4. Other than information under Item 3 - *Personal Information* or Item 8 - *Proficiency*, registered individuals shall notify the regulator of changes to their Form 33-109F4 information within five business days of the change. Registered individuals shall notify the regulator of changes to information required under Item 3 and Item 8 within one year of the change.

Section 4.2 provides that a registered individual who applies to change his or her registration category shall make the application by submitting a completed Form 33-109F2 in accordance with MI 31-102.

Under section 4.3, a registered firm is required to notify the regulator of the termination of a registered individual by submitting a Form 33-109F1 in accordance with MI 31-102 within five business days of the termination.

Section 5.1 provides that a registered firm must notify the regulator of a change to any information previously submitted in Form 33-109F4 for a non-registered individual. Other than information under Item 3, a registered firm shall notify the regulator of changes to a non-registered individual's Form 33-109F4 information within five business days of the change. Registered firms shall notify the regulator of changes to information required under Item 3 within one year of the change.

Subsection 5.1(3) provides that a registered firm shall notify the regulator of a change to information in Item 6 *Categories of Registered and Non-registered Individuals* of Form 33-109F4 for a non-registered individual by submitting a completed Form 33-109F2 in accordance with MI 31-102 within 5 business days of the change.

Under section 5.2, a registered firm is required to notify the regulator if an individual ceases to be a non-registered individual of the firm by submitting a Form 33-109F1 in accordance with MI 31-102 within five business days of the termination.

Section 6.1 of the proposed Instrument requires that a sponsoring firm exercises due diligence to ensure that information submitted by the firm for a non-registered individual, or by a registered individual or an individual applying for registration, is true and complete. Section 6.1 also requires that documents used by a firm to satisfy its due diligence obligations shall be retained for a period of 7 years and shall be kept at the location of the registered firm at which the individual is working. Subsection 6.1(5) provides that a firm that retains a document under this section in respect of a submission through NRD shall record the NRD submission number on the document.

Part 8 provides that during a period several weeks before the availability of NRD, a registered firm is exempt from several notification requirements under the Instrument if the registered firm submits the required notices within 15 business days of receiving access to NRD.

Section 8.5 provides that a registered individual who has not submitted a Form 33-109F4 shall notify the regulator of a change to any information previously submitted in Form 4. Section 8.5 also provides that if a registered individual provides notice of a change to Form 4 information the individual is required to submit a Form 33-109F4 in accordance with MI 31-102.

Similarly, section 8.7 provides that a registered firm that has not submitted a Form 33-109F4 for a non-registered individual shall notify the regulator of a change to any information previously submitted in Form 4 for the individual. Section 8.7 also provides that if a registered firm provides notice of a change to Form 4 information for a non-registered individual the firm is required to submit a Form 33-109F4 for the individual in accordance with MI 31-102.

### **Related Instruments**

The proposed Instrument is the same under each of *The Securities Act* and *The Commodity Futures Act* and is being published for comment as a rule under each of these Acts.

The proposed Instrument is related to proposed MI 31-102. Staff intends that the proposed Instrument and MI 31-102 will come into force concurrently.

## **Regulations to be Amended and revoked**

Under *The Securities Act*, the Commission intends to recommend that amendments be made to the Securities Regulation (Manitoba Regulation 491/88R) to repeal clauses and forms relating to registration matters included in the Instrument.

Under *The Commodity Futures Act* the Commission will make amendments to the rule under the Act (MSC Rule 2000-11) to repeal clauses and forms relating to registration matters in the instrument.

## **Authority for Proposed Instrument**

Under *The Securities Act*:

- section 149.1 authorizes the Commission to make rules;
- subsection 149(j) permits the Commission to make rules relating to registration matters, including requirements for disclosure of information to the public or the Commission by registrants.

Under *The Commodity Futures Act*:

- section 71 authorizes the Commission to make rules;
- subsection 70(h) permits the Commission to make rules relating to registration matters, including requirements for disclosure of information to the public or the Commission by registrants.

## **Alternatives Considered**

In the process of developing this Instrument, the Commission did not consider any other alternatives.

## **Unpublished Materials**

In proposing the Instrument, the Commission has not relied on any significant unpublished study, report, decision or other written materials.

## **Anticipated Costs and Benefits**

The proposed Instrument will harmonize the notification requirements described in the proposed Instrument in those jurisdictions in which the Instrument is adopted. NRD is expected to make the benefits of this harmonization particularly evident to firms and individuals registered in more than one jurisdiction because NRD will permit those registrants to meet their notification requirements by making a single submission through the system to multiple regulators.

With the submission of Form 33-109F4 through NRD, staff intends no longer to ask that photographs, evidence of proficiency, and appointments of agent for service (“supporting documents”) be submitted for non-registered individuals or applicants for registration. In some circumstances (for example, if an applicant has disclosed a prior bankruptcy), staff will continue to ask that further information be submitted outside NRD. Staff expects that firms will benefit significantly from this reduction in paper filings.

Since staff will no longer receive supporting documents outside NRD in support of Forms 33-109F4 submitted through NRD, Part 6 of the Instrument imposes a positive obligation on a sponsoring firm to exercise due diligence to ensure that information submitted in respect of individuals sponsored by the firm is true and complete. The Companion Policy provides guidance as to the Commission’s view of this due diligence obligation. Part 6 also provides for a record-keeping requirement in respect of documents retained in support of a submission. Staff is of the view that this due diligence and record-keeping requirement will not impose significant additional costs on sponsoring firms since currently most firms likely perform a due diligence review of sponsored individuals.

In Manitoba, the Commission is of the view that the requirement that a sponsoring firm exercise due diligence with respect to the identity of a registrant trading in Manitoba includes retention of a current photograph and signature in the files of the sponsoring firm.

### **Comments**

An earlier version of the forms was published for comment on August 4, 2000. Responses to the comments received are in Appendix A to this notice.

Interested parties are invited to make written submissions with respect to the proposed Instrument. Submissions received by March 18, 2002 will be considered.

Submissions should be sent to all Canadian securities regulatory authorities listed below in care of the Ontario Securities Commission in duplicate, as indicated below:

British Columbia Securities Commission  
Alberta Securities Commission  
Saskatchewan Securities Commission  
The Manitoba Securities Commission  
Ontario Securities Commission  
Office of the Administrator, New Brunswick  
Registrar of Securities, Prince Edward Island  
Nova Scotia Securities Commission  
Securities Commission of Newfoundland  
Registrar of Securities, Northwest Territories  
Registrar of Securities, Nunavut  
Registrar of Securities, Yukon Territory

c/o John Stevenson, Secretary  
Ontario Securities Commission  
20 Queen Street West  
Suite 800, Box 55  
Toronto, Ontario  
M5H 3S8  
[jstevenson@osc.gov.on.ca](mailto:jstevenson@osc.gov.on.ca)

A diskette containing the submissions (in DOS or Windows format, preferably WordPerfect) should also be submitted. As the Act requires that a summary of written comments received during the comment period be published, confidentiality of submissions cannot be maintained.

Questions may be referred to:

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**Proposed Instrument**

The text of the proposed Instrument follows, together with footnotes that are not part of the Instrument but have been included to provide background and explanation.

DATED: December 14, 2001

**Appendix A**  
**Comment Table**  
**Multilateral Instrument 33-109**  
**Form 33-109F4 - Registration Information for Individuals**

**Commentators**

- CMG-Worldsource Financial Services Inc. [CMG-WS]
- Canadian Bankers Association [CBA]
- Investment Funds Institute of Canada [IFIC]
- Investors Group Inc. [Investors Group]
- Scotiabank's Wealth Management Group [Scotiabank Wealth Management]
- J.C. Clark Ltd. [JC Clark]

**NOTE:** This form was previously sent out as Form 31-102F4 *Individual Registration Information*. The form is now entitled Form 33-109F4 *Registration Information for Individuals* and is attached to Multilateral Instrument 33-109 *Registration Information Requirements*. The section numbers and headings of the form have also changed significantly since the last publication. Please refer to the previously published form upon reviewing the comments below and the corresponding responses of the CSA.

No.	Topic / Commentator	Comment	CSA Response
<b>General comments</b>			
1.	<b>Purpose of forms</b> [Scotiabank Wealth Management]	Make the forms simple to use. Design them so that a reasonable person using reasonable diligence can understand them and correctly answer all questions. This will reduce time spent correcting deficiencies.	The CSA have designed the forms to be readily completed and understood.
2.	<b>General instructions</b> [Scotiabank Wealth Management]	Indicate in the instructions that registrants must submit applications for transfer of registration on a separate form.	An instruction for transfers will not be included in the NRD or on the form. Instructions are not included in the form currently used. Transfer procedures will be set out in the NRD Filer Manual.
3.	<b>General instructions</b> [Scotiabank Wealth Management]	Provide an illustration of, or describe, the preferred format of an exhibit.	While there is no prescribed format for exhibits, each exhibit must cross reference the relevant requirement on the form.
4.	<b>General instructions</b> [Investors Group]	Provide clear instructions for completing and filing the forms. For example, since registrants can	The forms will contain copy requirements for paper filings. NRD filers are not required to print and copy



No.	Topic / Commentator	Comment	CSA Response
		submit documents electronically, the reference to the number of original signed copies is irrelevant. Instead, the instructions should state how many original signed copies the sponsoring dealer or adviser must retain.	forms submitted electronically in NRD.
5.	<b>Item 1 General Information</b> [JC Clark]	To avoid making another filing with additional information about names previously used, ask individuals who answer <i>yes</i> to enclose documentation evidencing the name change.	The NRD system has a field for individuals to input the required information. Filers may be required to submit supporting documentation if requested by a securities regulatory authority or a self-regulatory organization (each will be referenced as a "regulator").
6.	<b>Item 1 General Information</b> [JC Clark]	Unless space for a residential address expands automatically, enlarge this space considerably.	The NRD system will allow the individual to input as much information as required.
7.	<b>Item 1 General Information</b> [Scotiabank Wealth Management]	Consider changing the legal name wording to include references to names <i>used</i> and <i>known by</i> .	The NRD system has a field for a legal name and a field for any other names used currently or in the past.
8.	<b>Item 1 General Information</b> [Scotiabank Wealth Management]	Remove the residential address instruction because it is redundant.	This instruction has been included for clarification. In the past, some individuals neglected to include foreign residential addresses.
9.	<b>Item 2 Citizenship</b> [Scotiabank Wealth Management]	Consider adding a field for applicants who are citizens of more than one country.	If the individual is not a Canadian citizen, the NRD system will allow NRD filers to list all of the countries in which they are citizens.
10.	<b>Item 3 Registration Information</b> [Scotiabank Wealth Management]	Explain the implication of the Mutual Reliance Review System for registration so that applicants can understand the implications of their choice.	References to the Mutual Reliance Review System for registration have been removed from the form and do not appear on the NRD system.
11.	<b>Item 3 Registration Information</b> [Scotiabank Wealth Management]	Indicate what types of addresses for service are acceptable or unacceptable.	The instructions have been changed to state that a P.O. box address will not be acceptable. Staff anticipates that most designated addresses for service will be acceptable. If the address for service is unacceptable, the regulator will notify the applicant or registrant.
12.	<b>Item 3 Registration Information</b> [Scotiabank Wealth Management]	Indicate what types of entities are acceptable or unacceptable as agents for service.	Staff anticipates that most designated addresses for service will be acceptable. If the address for service is unacceptable, the regulator will notify the applicant or registrant.
13.	<b>Item 3(2) Jurisdiction</b> [Investors Group]	Provide for application to the IDA and MFDA.	The NRD system allows NRD filer to make applications to the IDA. In the future, the NRD system will allow NRD filers to make applications to the MFDA.
14.	<b>Item 4 Proficiency</b>	Since individuals who have had their proficiency	The CSA recognize, and will address, the issue.

No.	Topic / Commentator	Comment	CSA Response
	[JC Clark]	requirements grandfathered did not receive exemptions, add a reference to grandfathering.	
15.	<b>Item 4 Proficiency, 1</b> [Scotiabank Wealth Management]	Describe instances where indicating <i>not applicable</i> about a course or examination is acceptable.	Categories of non-registered individuals do not require courses or examinations. If this is filled out incorrectly, the regulator will notify the filer.
16.	<b>Item 4 Proficiency, 2</b> [Scotiabank Wealth Management]	<ul style="list-style-type: none"> <li>- Describe instances where indicating <i>not applicable</i> about a student number applies.</li> <li>- Indicate where students can obtain student numbers issued years ago.</li> <li>- Consider including a <i>not applicable</i> box beside each educational institution.</li> <li>- Consider adding a field for student numbers issued by the Trust Company Institute and for <i>Other – Provide details</i>.</li> </ul>	<ul style="list-style-type: none"> <li>- Student numbers are not required if the individual has not completed any of the prescribed courses or examinations.</li> <li>- Students should contact the course provider to obtain their student numbers.</li> <li>- If a particular educational institution does not assign student numbers, the individual may leave the field blank.</li> <li>- The CSA will consider this comment in connection with later release of NRD.</li> </ul>
17.	<b>Item 5 Employment Information</b> [JC Clark] [Scotiabank Wealth Management]	Ask for an email address, and provide a space to input it.	If a regulator needs to contact an individual the regulator will contact the branch.
18.	<b>Item 5 Employment Information</b> [JC Clark]	Include examples (e.g. how to treat sabbaticals) to ensure that there are no gaps in the employment history.	Sabbaticals should be included in employment information and the individual can be treated as having either been employed or unemployed during that time.
19.	<b>Item 5 Employment Information, 1(a)</b> [Scotiabank Wealth Management]	<ul style="list-style-type: none"> <li>- Consider changing the concept of a single work location because many individuals work at multiple locations. For individuals who work from many locations, ask for the location that supervises them.</li> </ul>	The individual will be asked to provide the NRD number of the branch where they are conducting the majority of their business.
20.	<b>Item 5 Employment Information, 2</b> [Scotiabank Wealth Management]	<ul style="list-style-type: none"> <li>- Consider defining <i>full disclosure</i> and indicating what specific details an applicant must disclose.</li> </ul>	<ul style="list-style-type: none"> <li>- The CSA considered this comment and are of the opinion that 'full disclosure' does not need to be defined. If an individual is not sure how to</li> </ul>

No.	Topic / Commentator	Comment	CSA Response
		<ul style="list-style-type: none"> <li>- For the check box beside the phrase <i>Presently engaged in the above activity</i>, specify what <i>the above activity</i> refers to.</li> <li>- Consider separating current employment from previous employment history, and include the date current employment commenced. If the applicant is not employed, ask the applicant whether the applicant is a student.</li> <li>- Consider rewording the second question as follows: <i>Provide full disclosure of your previous business and employment activities, including any periods of summer employment and unemployment, during the 10 years immediately prior to the date of this application and excluding your current employment. Exclude any summer employment while a full time student. Also, provide details of all employment at any time in the securities or commodities industry.</i></li> </ul>	<p>respond, he or she should consult with the firm's compliance officer or legal counsel.</p> <ul style="list-style-type: none"> <li>- The form has been changed to address this comment.</li> <li>- The form now separates current employment from previous employment. For the purpose of clarification, the word "full time" was added before the word student on the form.</li> <li>- This provision has been redrafted for clarity.</li> </ul>
21.	<b>Item 5 Employment Information, 2(b)</b> [Scotiabank Wealth Management]	The instruction for 2(b) is unnecessary, and the form provides insufficient space for the applicant's response.	The provision has been redrafted for clarity.
22.	<b>Item 5 Employment Information, 3(a)</b> [Scotiabank Wealth Management]	<ul style="list-style-type: none"> <li>- Define <i>the business</i> and <i>major portion of your time</i> because otherwise different people will interpret them in various ways.</li> <li>- Consider adding a reference to an affiliated financial institution.</li> </ul>	<ul style="list-style-type: none"> <li>- The provision is intended to solicit an explanation as to why an individual will not be working full time for a dealer, underwriter or adviser. The CSA believe that the provision is clear.</li> <li>- An individual would disclose any employment with an affiliated financial institution in the current employment item.</li> </ul>
23.	<b>Item 5 Employment Information, 4</b> [Scotiabank Wealth Management]	Consider replacing <i>following</i> with the more specific term <i>as a result of</i> .	The CSA consider that the word <i>following</i> is intended to be broadly interpreted.
24.	<b>Item 5 Employment Information, 4(a) and 4(b)</b> [Scotiabank Wealth Management]	Consider removing the overly broad phrase <i>industry standards of conduct</i> as it is open to many interpretations. Further, unless an applicant is required to comply, failure to comply is irrelevant.	This phrase is intended to cover all regulator requirements.
25.	<b>Item 6 Regulatory Disclosure, 1 and 2</b> [Investors Group]	Combine sections 1 and 2 of Item 6. Both sections are about past registration.	As both securities regulatory authorities and self-regulatory organizations will be using the NRD system, it is clearer if the sections are separate.
26.	<b>Item 6 Regulatory Disclosure, 1(c),</b>	Clarify whether the CSA intends to ask an	The CSA intends to inquire about actions that may

No.	Topic / Commentator	Comment	CSA Response
	<b>(d), and (e); 2(a), (b), and (c); 3(a), (b), and (c)</b> [Scotiabank Wealth Management]	individual about action that may have taken place before an individual's tenure or relationship with the sponsoring firm.	have taken place before or after the individual's tenure or relationship with the sponsoring firm. The current provision question reflects this intention.
27.	<b>Item 6 Regulatory Disclosure, 1(c), 1(d), and 1(e); 2(a), 2(b), and 2(c); 3(a), 3(b), and 3(c)</b>  <b>Item 8 Civil Disclosure, (a)</b>  <b>Item 9 Financial Disclosure, 1(a), 1(b), 1(c) and 1(d)</b> [Scotiabank Wealth Management]	Consider splitting disclosure items into two provisions, one focusing on the individual, and the other focusing on any firm where the individual was a non-registered individual.	The CSA considered this comment and are of the opinion that the provisions are clear. Further, splitting the provisions would significantly lengthen the form.
28.	<b>Item 6 Regulatory Disclosure, 1(d)</b> [Scotiabank Wealth Management]	Consider changing the wording from <i>been denied the benefit of</i> to <i>had an application denied</i> because an applicant who did not apply for a particular exemption is denied the benefit of that exemption.	The CSA considered this comment and are of the opinion that the provision is clear and no change will be made.
29.	<b>Item 6 Regulatory Disclosure, 1(e), 2(c), and 3(c)</b> [Scotiabank Wealth Management]	Consider defining the vague term <i>disciplinary proceedings</i> . Also, consider whether these provisions are redundant.	The term <i>disciplinary proceedings</i> is intended to be broadly interpreted. The CSA do not consider the three questions to be redundant as they relate to securities regulatory authorities, self-regulatory organizations, and non-securities regulation.
30.	<b>Item 7 Criminal Disclosure</b> [Investors Group]	<ul style="list-style-type: none"> <li>- Remove the reference to <i>no contest</i> as this is a U.S. securities law concept.</li> <li>- Items 7(a), 7(b), 7(c), and 7(d) ask inappropriate questions that ask the applicant to form a legal opinion about whether acts committed in a foreign jurisdiction would constitute an offence under Canadian law. Instead, reword the question to require disclosure of any criminal offences or charges under the laws of Canada or a foreign jurisdiction.</li> </ul>	<ul style="list-style-type: none"> <li>- The CSA are considering this comment.</li> <li>- The purpose of these provisions is to establish an objective test for comparison of criminal offences in other jurisdictions to Canadian standards. If the individual is not sure how to respond, he or she should consult with the firm's compliance officer or legal counsel or disclose the offence.</li> </ul>
31.	<b>Item 7 Criminal Disclosure</b> [JC Clark]	Provide guidance about what charges may be excluded, such as minor traffic violations.	The current Form 4 does not exclude minor traffic violations. The new prescribed form will follow the current Form 4. If the individual is not sure, he or she should consult with the firm's compliance officer or

No.	Topic / Commentator	Comment	CSA Response
			legal counsel or disclose the violations or charges.
32.	<b>Item 7 Criminal Disclosure, (a) and (b)</b> [Scotiabank Wealth Management]	Consider specifying the types of charges and offences that applicants must disclose, and those that they do not need to disclose.	The current Form 4 does not exclude minor traffic violations. The new prescribed form will follow the current Form 4. If the individual is not sure, he or she should consult with the firm's compliance officer or legal counsel or disclose the violations or charges.
33.	<b>Item 7 Criminal Disclosure, (b)</b> [Scotiabank Wealth Management]	The item does not state how an individual should treat a pardon, absolute discharge, or conditional discharge. Consider specifying in what situations an applicant must disclose this information.	Where you have pleaded guilty to been found guilty of an offence, such offence must be reported even though an absolute or conditional discharge has been granted. You are not required to disclose any offence for which a pardon has been granted under the <i>Criminal Records Act (Canada)</i> and such pardon has not been revoked. Instructions have been added to the form.
34.	<b>Item 7 Criminal Disclosure, (c) and (d)</b> [Scotiabank Wealth Management]	Clarify whether CSA intends to ask the individual about action that may have taken place <i>before</i> the individual's tenure or relationship with the sponsoring firm.	The CSA does intend to inquire about actions taken before or after the individual's tenure or relationship with the sponsoring firm. The question reflects this intention.
35.	<b>Item 7 Criminal Disclosure, (c) and (d)</b> [Scotiabank Wealth Management]	Consider deleting the words <i>are or</i> .	The CSA have made this change to (d) and are considering further whether to change (c).
36.	<b>Item 8 Civil Disclosure</b> [Scotiabank Wealth Management]	Consider narrowing the nature of civil matters that individuals must disclose to exclude matters involving minor amount of money or that are irrelevant to suitability for registration.	The regulators will make the determination if this information is relevant to suitability of registration.
37.	<b>Item 8 Civil Disclosure, (a)</b> [Scotiabank Wealth Management]	<ul style="list-style-type: none"> <li>- Consider defining <i>similar conduct</i> as different organizations will have different interpretations.</li> <li>- Clarify whether CSA intends to ask the individual about action that may have taken place <i>before</i> the applicant's tenure or relationship with the sponsoring firm..</li> </ul>	<ul style="list-style-type: none"> <li>- The term <i>similar conduct</i> is intended to be broadly interpreted in the context of the words that precede it (theft, fraud, deceit etc.)</li> <li>- The CSA do not intend to inquire about actions taken before or after the individual's tenure or relationship with the sponsoring firm. The question reflects this intention.</li> </ul>
39.	<b>Item 9 Financial Disclosure, 1(a), (b), (c), and (d), and 2</b> [Scotiabank Wealth Management]	Clarify whether CSA intends to ask the individual about action that may have taken place <i>before</i> the applicant's tenure or relationship with the sponsoring firm.	The CSA intends to inquire about actions taken before or after the individual's tenure or relationship with the sponsoring firm. The question reflects this intention.
40.	<b>Item 9 Financial Disclosure, 4</b> [Scotiabank Wealth Management]	Consider defining <i>unsatisfied judgments</i> , particularly with regard to appeals.	The CSA considered this comment and are of the opinion that the question is clear and that all judgments under appeal must be disclosed.
41.	<b>Certificate and Agreement of Individual and Sponsoring Firm</b>	The current wording does not recognize the MFDA's jurisdiction. Consider rewording based on	The certificate and agreement page refer to a self-regulatory organization. The IDA and the MFDA are

No.	Topic / Commentator	Comment	CSA Response
	[MFDA]	the precedent of the current certificate.	both self-regulatory organizations.
42.	<b>Certificate and Agreement of Individual and Sponsoring Firm, Agent for Service</b> [Scotiabank Wealth Management]	Consider amending this requirement to have the individual submit notice within a period of time beginning when the individual becomes aware of the termination or pending termination of the agent for service.	The CSA consider a 30 day reporting period sufficient and appropriate.
43.	<b>Certificate and Agreement of Individual and Sponsoring Firm, Certification of Officer or Partner</b> [Scotiabank Wealth Management]	<ul style="list-style-type: none"> <li>- Consider replacing the current wording with wording that asks the officer or partner to certify that the individual indicated that the individual understands the questions.</li> <li>- Consider asking the applicant to certify that the applicant understands the questions.</li> </ul>	These changes have been made to the form.
<b>Schedules</b>			
44.	<b>Schedules</b> [Scotiabank Wealth Management]	<ul style="list-style-type: none"> <li>- In all the schedules, either remove or define the terms <i>relevant details</i> and <i>full details</i>.</li> <li>- Consider changing the numbering system for the schedules so that numbers on the schedules correspond to numbers on the forms.</li> </ul>	<ul style="list-style-type: none"> <li>- The distinction between full and relevant details is intentional.</li> <li>- The schedules will correspond to the questions that require additional information.</li> </ul>
45.	<b>Schedule A</b> [Scotiabank Wealth Management]	<ul style="list-style-type: none"> <li>- Consider providing additional space in case an individual has used more than one name.</li> <li>- Consider replacing <i>Name</i> with <i>Legal Name</i> in the section 1 heading to be consistent with the form.</li> <li>- Consider replacing <i>Period known by above name</i> with <i>Period during which the applicant used this name</i>.</li> </ul>	<ul style="list-style-type: none"> <li>- There will be additional space for individuals who have used more than one name.</li> <li>- The schedule has been changed.</li> <li>- The wording has been changed to “when did you use this name”.</li> </ul>
46.	<b>Schedule B</b> [Scotiabank Wealth Management]	In the heading, consider replacing <i>Proficiencies</i> with <i>Proficiency</i> .	The schedule has been changed.
47.	<b>Schedule C</b> [Scotiabank Wealth Management]	In the heading, consider replacing <i>Employment</i> with <i>Employment Information</i> to be consistent with the form.	The schedule has been changed.
48.	<b>Schedule C, 1(a)(i)</b> [Scotiabank Wealth Management]	Consider defining <i>the business of the sponsoring firm</i> .	This provision intends to solicit an explanation as to why an individual will not be employed full-time with a dealer, underwriter or adviser. The CSA believe that the question is clear.
49.	<b>Schedule C, 1(a)(ii)</b> [Scotiabank Wealth Management]	Consider defining <i>major portion of your time</i> .	This provision intends to solicit an explanation as to why an individual will not be employed full-time with a dealer, underwriter or adviser. The CSA believe that

No.	Topic / Commentator	Comment	CSA Response
50.	<b>Schedule C, 1(b)(iv)</b> [Scotiabank Wealth Management]	<ul style="list-style-type: none"> <li>- Clarify to whom or what <i>confusion</i> refers.</li> <li>- Clarify which conflicts of interest are relevant.</li> </ul>	<p>the question is clear.</p> <ul style="list-style-type: none"> <li>- The word “client” has been added after “confusion”.</li> <li>- The CSA takes the position that all conflicts of interest are relevant. If the individual is not sure how to respond, he or she should consult with the firm’s compliance officer or legal counsel.</li> </ul>
51.	<b>Schedule C, 2</b> <b>Schedule D, 1</b> <b>Schedule D, 2</b> <b>Schedule D, 3</b> <b>Schedule D, 4</b> <b>Schedule D, 5</b> <b>Schedule D, 6</b> <b>Schedule D, 7</b> <b>Schedule D, 8</b> <b>Schedule D, 9</b> <b>Schedule D 10</b> <b>Schedule D, 11</b> <b>Schedule G, 1</b> <b>Schedule G, 2</b> <b>Schedule G, 3</b> <b>Schedule G, 4</b>  [Scotiabank Wealth Management]	Add a reference to the specific form and provision.	The CSA takes the position that adding a reference to the provision in the schedule does not add any value since the provisions on the form reference the section in the schedule. However, the NRD system will display the provision on the disclosure screen.
52.	<b>Schedule D, 6</b> [Scotiabank Wealth Management]	Set out whether the individual must specify a length of time or specific dates.	The schedule asks for the period of membership or participation.
53.	<b>Schedule G, 2</b> [Scotiabank Wealth Management]	Have the individual disclose the amount that was owed at the time the party could not meet its financial obligations, and disclosure of the amount currently owing.	The schedule has been changed.
54.	<b>Schedule G, 4</b> [Scotiabank Wealth Management]	Have the individual disclose the amount that was owed at the time of garnishment, unsatisfied judgment, or direction to pay, and disclosure of the amount currently owing.	The schedule has been changed.
55.	<b>Schedule H, 1, Instruction, (a) and (b)</b>	Consider replacing <i>firm</i> with <i>related firm</i> .	The CSA has considered this comment and are of the opinion that provision is clear.

No.	Topic / Commentator	Comment	CSA Response
	[Scotiabank Wealth Management]		
56.	<b>Schedule H Related Securities Firms, 1(e)</b> [Investors Group]	Requiring individuals to disclose details about the source of funds to be invested in the firm and whether the individual's interest is pledged as security is unnecessary and, if made public, may infringe on individual privacy.	Currently, no information on the NRD system will be disclosed to the public. The collection of the information on the form is subject to privacy legislation. This information is being collected in order to determine suitability of registration.
57.	<b>Schedule H, 1(j)</b> [Scotiabank Wealth Management]	Consider replacing <i>Occupation</i> with <i>Occupation of beneficial owner</i> .	The CSA has considered this comment and are of the opinion that the provision is clear.



**MULTILATERAL INSTRUMENT 33-109**

**REGISTRATION INFORMATION REQUIREMENTS**

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## MULTILATERAL INSTRUMENT 33-109

### REGISTRATION INFORMATION REQUIREMENTS

#### PART 1 – DEFINITIONS

##### Definitions

##### 1.1 In this Instrument

“**business location**” means, for a registered firm or a person or company that is applying for registration, a location, including a residence, where the registered firm carries on, or proposes to carry on, business as a dealer or adviser;

“**non-registered individual**” means, for a registered firm or for a person or company that is applying for registration, an individual who is not registered to trade or advise on behalf of the firm and who

(a) is a director, partner, or officer of the firm, or

(b) in Alberta, British Columbia, and Ontario,

(i) is a director, partner, or officer of the firm, or

(ii) beneficially owns, directly or indirectly, or exercises control or direction over, 10 percent or more of the voting securities of the firm;

“**MI 31-102**” means Multilateral Instrument 31-102 National Registration Database;

“**NRD submission number**” means the unique number generated by NRD to identify each NRD submission;

“**registered firm**” means a person or company that is registered as a dealer, adviser, or underwriter;

“**registered individual**” means, for a registered firm, an individual who is registered to trade or advise on behalf of the registered firm;

“**sponsoring firm**” means,

(a) for a registered individual, the registered firm on whose behalf the individual trades or advises,

(b) for an individual applying for registration, the registered firm, or the person or company applying to become a registered firm, on whose behalf the individual proposes to trade or advise,

(c) for a non-registered individual of a registered firm, the registered firm, or

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

### **Interpretation**

**1.2** Terms defined in MI 31-102 and used in this Instrument have the respective meanings ascribed to those terms in MI 31-102.

## **PART 2 – APPLICATION FOR REGISTRATION**

### **Dealer, adviser and underwriter registration**

**2.1** An applicant for registration as a dealer, adviser, or underwriter shall submit to the regulator

(a) a completed Form 3 in paper format;

(b) a completed Form 33-109F3 in accordance with MI 31-102 for each business location of the applicant, other than the applicant's head office; and

(c) a completed Form 33-109F4 in accordance with MI 31-102 for each non-registered individual of the applicant who has not applied to become a registered individual with the applicant under subsection 2.2(1).

### **Individual registration**

**2.2(1)** Except as provided in subsection (2), an individual who applies for registration under securities legislation shall make the application by submitting to the regulator a completed Form 33-109F4 in accordance with MI 31-102.

**2.2(2)** Despite subsection (1), a non-registered individual of a registered firm who applies to become a registered individual with the firm shall make the application by submitting to the regulator a completed Form 33-109F2 in accordance with MI 31-102.

## PART 3 – CHANGES TO REGISTERED FIRM INFORMATION

### **Changes to form 3 information**

**3.1(1)** A registered firm shall notify the regulator of a change to any information previously submitted in Form 3, or under this subsection, within 5 business days of the change.

**3.1(2)** Except as provided in subsection (3), for the purposes of subsection (1), a notice of change shall be made by submitting a completed Form 33-109F5 in paper format.

**3.1(3)** Despite subsection (2), a notice of change under this section is not required to be in Form 33-109F5 if the change relates to

(a) the addition of an officer, partner, or director to the registered firm, and if a completed Form 33-109F4 in respect of the officer, partner, or director is submitted under section 2.2, or 3.3, in accordance with MI 31-102;

(b) the resignation or termination of an officer, partner or director of the registered firm, and if a completed Form 33-109F1 is submitted under section 4.3, or 5.2, in accordance with MI 31-102; or

(c) a business location other than head office, and if a completed Form 33-109F3 is submitted under section 3.2 in accordance with MI 31-102.

### **Changes to business locations**

**3.2(1)** A registered firm shall notify the regulator of the opening of a business location, other than a new head office, by submitting a completed Form 33-109F3 in accordance with MI 31-102 within 5 business days of the opening.

**3.2(2)** A registered firm shall notify the regulator of a change to any information previously submitted in Form 33-109F3 by submitting a completed Form 33-109F3 in accordance with MI 31-102 within 5 business days of the change.

### **Addition of non-registered individuals**

**3.3** A registered firm shall submit to the regulator a completed Form 33-109F4 in accordance with MI 31-102 for a non-registered individual within 5 business days of the individual becoming a non-registered individual of the registered firm.

## PART 4 – CHANGES TO REGISTERED INDIVIDUAL INFORMATION

### **Changes to form 33-109F4 information**

**4.1(1)** Except as provided in subsection (2), a registered individual shall notify the regulator of a change to any information previously submitted in Form 33-109F4, or under this subsection, in accordance with MI 31-102 within 5 business days of the change.

**4.1(2)** Despite subsection (1), a registered individual shall notify the regulator of a change to information previously submitted in Item 3 or Item 8 of Form 33-109F4, or under this subsection, in accordance with MI 31-102 within 1 year of the change.

### **Application to change individual registration categories**

**4.2** A registered individual of a registered firm who applies to change his or her registration category with the firm shall make the application by submitting to the regulator a completed Form 33-109F2 in accordance with MI 31-102.

### **Termination of relationship**

**4.3** A registered firm shall, within 5 business days of a termination of an employment, partner, or agency relationship with a registered individual, notify the regulator of the termination of the relationship by submitting a completed Form 33-109F1 in accordance with MI 31-102.

## PART 5 – CHANGES TO NON-REGISTERED INDIVIDUAL INFORMATION

### **Changes to form 33-109F4 information**

**5.1(1)** Except as provided in subsections (2) and (3), a registered firm shall notify the regulator of a change to any information previously submitted in Form 33-109F4, or under this subsection, for a non-registered individual in accordance with MI 31-102 within 5 business days of the change.

**5.1(2)** Despite subsection (1), a registered firm shall notify the regulator of a change to information previously submitted in Item 3 of Form 33-109F4, or under this subsection, for a non-registered individual in accordance with MI 31-102 within 1 year of the change.

**5.1(3)** Despite subsection (1), a registered firm shall notify the regulator of a change to any information regarding a category of non-registered individual listed in Item 6 of Form 33-109F4 for a non-registered individual by submitting a completed Form 33-109F2 in accordance with MI 31-102 within 5 business days of the change.

### **Cessation of relationship**

**5.2** A registered firm shall, within 5 business days of an individual ceasing to be a non-registered individual of the registered firm, notify the regulator of the termination of the relationship by submitting a completed Form 33-109F1 in accordance with MI 31-102.

## **PART 6 – DUE DILIGENCE AND RECORD-KEEPING**

### **Sponsoring firm obligations**

**6.1(1)** A sponsoring firm shall exercise due diligence to ensure that information submitted by

(a) the firm for a non-registered individual; or

(b) a registered individual, or an individual applying for registration, for whom the firm is the sponsoring firm,

is true and complete.

**6.1(2)** A sponsoring firm shall retain all documents used by the firm to satisfy its obligation under subsection (1),

(a) in the case of a non-registered individual, for a period of 7 years after the individual ceases to be a non-registered individual; or

(b) in the case of a registered individual, or an individual applying for registration, for a period of 7 years after the individual ceases to be a registered individual with the firm.

**6.1(3)** Without limiting the generality of subsection (2), if a registered individual, or an individual applying for registration, appoints an agent for service, the sponsoring firm shall keep the original Appointment of Agent for Service executed by the individual for the period of time set out in paragraph (2)(b).

**6.1(4)** Records required to be kept under this section with respect to a registered individual or a non-registered individual shall be kept at the location of the sponsoring firm at which the individual is working.

**6.1(5)** A sponsoring firm that retains a document under subsection (2) or (3) in respect of an NRD submission shall record the NRD submission number on the document.

## PART 7 – EXEMPTION

### Exemption

**7.1(1)** The regulator or the securities regulatory authority may grant an exemption from this Instrument, in whole or in part, subject to such conditions or restrictions as may be imposed in the exemption.

**7.1(2)** Despite subsection (1), in Ontario only the regulator may grant such an exemption.

## PART 8 – TRANSITION TO NRD

### Definitions

**8.1** In this Part

“**data transfer date**” means the day on which the securities regulatory authority will commence the transfer of its record of non-registered individuals, registered individuals, and registered firms to NRD;

“**NRD access date**” means, for an NRD firm filer, the date the NRD firm filer first has access to NRD to make NRD submissions; and

“**NRD freeze period**” means the period that begins on the day that is 5 business days before the data transfer date and ends on the day that is 5 business days after the NRD access date.

### Changes to form 3 information

**8.2** A notice of change under section 3.1 is not required during the NRD freeze period if the change relates to

(a) the addition of an officer, partner, or director to the registered firm, and if a completed Form 33-109F4 in respect of the officer, partner, or director is submitted in accordance with MI 31-102 within 15 business days of the NRD access date;

(b) the resignation or termination of an officer, partner or director of the registered firm, and if a completed Form 33-109F1 is submitted in accordance with MI 31-102 within 15 business days of the NRD access date; or

(c) a business location other than head office, and if a completed Form 33-109F3 is submitted in accordance with MI 31-102 within 15 business days of the NRD access date.



### **Changes to business location**

**8.3** A registered firm is exempt from the requirement to make a submission under section 3.2 during the NRD freeze period, if the firm makes the submission in accordance with MI 31-102 within 15 business days of the NRD access date.

### **Addition of non-registered individuals**

**8.4** A registered firm is exempt from the requirement to make a submission under section 3.3 during the NRD freeze period, if the firm makes the submission in accordance with MI 31-102 within 15 business days of the NRD access date.

### **Changes to form 4 information - registered individuals**

**8.5(1)** This section applies to a registered individual who has not submitted a completed Form 33-109F4 in accordance with MI 31-102.

**8.5(2)** A registered individual shall notify the regulator of a change to any information previously submitted in Form 4, or under this subsection, by submitting a completed Form 33-109F5 in paper format within 5 business days of the change.

**8.5(3)** A registered individual who has submitted a completed Form 33-109F5 under subsection (2), shall submit a completed Form 33-109F4 in accordance with section 8.7 of MI 31-102.

### **Termination of relationship - registered individuals**

**8.6** A registered firm is exempt from the requirement to make a submission under section 4.3 during the NRD freeze period, if the firm makes the submission in accordance with MI 31-102 within 15 business days of the NRD access date.

### **Changes to form 4 information - non-registered individuals**

**8.7(1)** This section applies to a registered firm that has not submitted a completed Form 33-109F4 for a non-registered individual in accordance with MI 31-102.

**8.7(2)** A registered firm shall notify the regulator of a change to any information previously submitted in Form 4 for a non-registered individual, or under this subsection, by submitting a completed Form 33-109F5 in paper format within 5 business days of the change.

**8.7(3)** A registered firm that has submitted a completed Form 33-109F5 for a non-registered individual under subsection (2), shall submit a completed Form 33-109F4 for the non-registered individual in accordance with section 8.8 of MI 31-102.

### **Cessation of relationship - non-registered individuals**

**8.8** A registered firm is exempt from the requirement to make a submission under section 5.2 during the NRD freeze period, if the firm makes the submission in accordance with MI 31-102 within 15 business days of the NRD access date.

PART 9 – EFFECTIVE DATE

**Effective date**

**9.1** This Instrument comes into force on September 1, 2002.

**COMPANION POLICY 33-109CP  
TO MULTILATERAL INSTRUMENT 33-109  
REGISTRATION INFORMATION REQUIREMENTS**

**PART 1 NOTICE OF CHANGES**

**1.1 Bulk Transfer of Locations and Individuals**

- (1) If a registered firm is acquiring a large number of business locations from one or more other registered firms (for example, as a result of an amalgamation or asset purchase) with a significant number of registered and non-registered individuals working out of each location, the securities regulatory authority or regulator will consider exempting the firms and individuals involved in the transaction from the following requirements, as necessary:
  1. the requirement to submit a notice regarding the termination of each employment, partner, or agency relationship under section 4.3 of Multilateral Instrument 33-109 (“MI 33-109”);
  2. the requirement to submit a notice regarding each individual who ceases to be a non-registered individual under section 5.2 of MI 33-109;
  3. the requirement to submit a registration application for each individual applying to become a registered individual under section 2.2 of MI 33-109;
  4. the requirement to submit a Form 33-109F4 for each non-registered individual under section 3.3 of MI 33-109;
  5. the requirement under section 3.1 of MI 33-109 to notify the regulator of a change to the business location information in Form 33-109F3.
  
- (2) In order to exempt the firms and individuals involved in the transaction from the requirements set out above, the application should include the following information:
  - (1) the name and NRD number of the registered firm that will acquire control of the business locations;
  - (2) for each registered firm that is transferring control of the business locations,

- (i) the name and NRD number of the registered firm;
  - (ii) the address and NRD number of each business location that is being transferred from the registered firm named in (b)(i) to the registered firm named in (a); and
  - (c) the date that the business locations will be transferred to the registered firm named in (a).
- (3) To facilitate the processing of the exemption application, the applicant may put the information referred to in subsection (2) in the form set out in Appendix A to this Companion Policy.
- (4) This exemption application should be made by the registered firm that will acquire control of the business locations at the closing of the transaction and should be submitted sufficiently in advance of the date on which the business locations are to be transferred (the “transfer date”). At this time, the securities regulatory authority is of the view that submitting the application at least 30 days prior to the transfer date should be sufficient.
- (5) In addition to any application fee, it is likely that the payment of a fee will be a condition of this type of exemption order and that the fee will be related to the number of registered firms, business locations, registered individuals, and non-registered individuals involved in the transaction.
- (6) As soon as practicable after the transfer date, the regulator will instruct the NRD administrator to indicate the transfer of the business locations, the registered individuals, and the non-registered individuals on NRD.

## **PART 2 DUE DILIGENCE**

2.1 The securities regulatory authority is of the view that for a sponsoring firm to exercise due diligence to determine whether the information submitted on behalf of an individual is true and complete the firm should make such enquiries about the individual to determine:

- (a) the identity of the individual;
- (b) the prior record of employment of the individual;
- (c) the credit and banking history of the individual; and
- (d) the proficiency of the individual.

2.2

The securities regulatory authority is of the view that in order to meet the due diligence requirement in MI 33-109, a sponsoring firm should

- (a) establish written policies and procedures relating to the investigation of an individual prior to submitting a Form 33-109F4 on behalf of the individual, and
- (b) ensure that the review of an individual pursuant to these policies and procedures is documented.

Appendix A

Request for NRD Bulk Transfer of Business Locations

*This is an application for exemption under Multilateral Instrument 33-109.*

A) Registered firm that will acquire the business locations

*Name:*

*Firm NRD number:*

B) Registered firm transferring the business locations

*Name:*

*Firm NRD number:*

Business locations that will be transferred

*Address of business location:*

*NRD number of business location:*

*Address of business location:*

*NRD number of business location:*

*(Repeat for each business location as necessary.)*

C) *Date that business locations will be transferred:*

**FORM 33-109F1**

**NOTICE OF TERMINATION**

**NRD SUBMISSION**

A Form 33-109F1 submission in NRD format shall contain the information prescribed below. The information shall be entered using the online version of this submission accessible by a firm filer at the NRD web site ([www.nrd.ca](http://www.nrd.ca)).

**TEMPORARY HARDSHIP EXEMPTION**

This form is required to be delivered to the regulator if a firm filer is relying on the temporary hardship exemption in MI 31-102. In addition, all applicable questions must be answered and must be legible. All attachments pertaining to any question must be made exhibits to the form and each one must be so marked. All signatures must be original.

**1. Individual**

Name of individual: \_\_\_\_\_

NRD number of individual: \_\_\_\_\_

**2. Business location**

Name of firm: \_\_\_\_\_

Address of relevant business location: \_\_\_\_\_

NRD number of relevant business location: \_\_\_\_\_

**3. Individual categories**

Indicate the registration or non-registered category of the individual as of the last date of employment:

**4. Termination**

Effective date of termination: \_\_\_\_\_

Indicate whether the individual:

- was dismissed for cause \_\_\_\_\_
- was dismissed in good standing \_\_\_\_\_
- resigned in good standing \_\_\_\_\_
- is deceased. \_\_\_\_\_

Include any details regarding all:

- unresolved client complaints:
  
- internal discipline matters:
  
- restrictions for violation of regulatory requirements that occurred at any time during individual's employment with the firm:

Indicate whether the individual has discharged all financial obligations to clients:

### **Notice of Collection and Use of Personal Information**

The personal information required under this form is collected on behalf of and used by the securities regulatory authorities of the administration and enforcement of certain provisions of the securities legislation in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland, Northwest Territories, Yukon Territory and Nunavut.

If you have any questions about the collection and use of this information, you may contact the securities regulatory authority in any jurisdiction in which the required information is filed, at the address or telephone number set out below.

*(In the final draft of the form a list of contact information will be included here.)*

### **WARNING:**

It is an offence to submit information that, in a material respect and at the time and in the light of the circumstances in which it is submitted, is misleading or untrue.

### **CERTIFICATION**

**The following certification is to be used when submitting this form in paper format:**

I, the undersigned, certify that I have read and that I understand the questions in the notice and the Warning set out above. I also certify that all statements of fact made in the answers to the questions are true.

**OR**

**The following certification is to be used when submitting this form in NRD format:**

I certify that all statements of fact in this submission were provided to me by the firm for whom this submission is being made and that this submission is being made at the request of the firm.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_.

Name of firm: \_\_\_\_\_

Authorized signature: \_\_\_\_\_

Print name: \_\_\_\_\_

Title: \_\_\_\_\_



**FORM 33-109F2**

**CHANGE OF INDIVIDUAL CATEGORIES**

**NRD SUBMISSION**

A Form 33-109F2 submission in NRD format shall contain the information prescribed below. The information shall be entered using the online version of this submission accessible by an NRD filer at the NRD web site ([www.nrd.ca](http://www.nrd.ca)).

**TEMPORARY HARDSHIP EXEMPTION**

This form is required to be delivered to the regulator if an NRD filer is relying on the temporary hardship exemption in MI 31-102. Indicate, where applicable, the change to information previously submitted to the regulator. In addition, all applicable questions must be answered and must be legible. All attachments pertaining to any question must be made exhibits to the form and each one must be so marked. All signatures must be original.

**1. Individual**

Name of individual: \_\_\_\_\_

NRD number of individual: \_\_\_\_\_

**2. Individual categories**

Indicate the individual categories that the individual is adding or removing: \_\_\_\_\_

\_\_\_\_\_

**OR:**

Indicate the individual categories that the individual is applying to surrender and complete section 3 below: \_\_\_\_\_

\_\_\_\_\_

**3. Details of surrender**

Include any details regarding all:

- unresolved client complaints:
- internal discipline matters:
- restrictions for violation of regulatory requirements that occurred at any time during individual's employment with the firm:

Indicate whether the individual has discharged all of his or her financial obligations to their clients: \_\_\_\_\_

**Notice of Collection and Use of Personal Information**

The personal information required under this form is collected on behalf of and used by the securities regulatory authorities set out below for purposes of the administration and enforcement of certain provisions of the securities legislation in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland, Northwest Territories, Yukon Territory and Nunavut.

By submitting this information you consent to the collection by the securities regulatory authority of the personal information provided above, police records, records from other government or non-governmental regulatory authorities or self-regulatory organizations, credit records and employment records about you as may be necessary for the securities regulatory authority to complete its review of the information submitted above including your continued fitness for registration, if applicable, in accordance with the legal authority of the securities regulatory authority for the duration of the period which you remain registered or approved by the securities regulatory authority. The sources the securities regulatory authority may contact include government and private bodies or agencies, individuals, corporations and other organizations.

The principal purpose for which this collection of personal information is to be used is to assess your continued fitness for registration, if applicable, in accordance with the applicable securities legislation.

If you have any questions about the collection and use of this information, you may contact the securities regulatory authority in any jurisdiction in which the required information is filed, at the address or telephone number set out below.

*(In the final draft of the form a list of contact information will be included here.)*

**WARNING:**

It is an offence to submit information that, in a material respect and at the time and in the light of the circumstances in which it is submitted, is misleading or untrue.

**CERTIFICATION:**

**The following certification is to be used when submitting this form in paper format:**

I, the undersigned, certify that I have read and that I understand the questions in this notice and the Warning set out above. I also certify that all statements of fact made in the answers to the questions are true.

**OR**

**The following certification is to be used when submitting this form in NRD format:**

I certify that all statements of fact in this submission were provided to me by the NRD filer for whom this submission is being made and that this submission is being made at the request of the NRD filer.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_.

Name of individual: \_\_\_\_\_

Signature of individual: \_\_\_\_\_

**OR**

Name of firm (if applicable): \_\_\_\_\_

Authorized signature: \_\_\_\_\_

Print name: \_\_\_\_\_

Title: \_\_\_\_\_

**FORM 33-109F3**

***BUSINESS LOCATIONS OTHER THAN HEAD OFFICE***

**NRD SUBMISSION**

A Form 33-109F3 submission in NRD format shall contain the information prescribed below. The information shall be entered using the online version of this submission accessible by a firm filer at the NRD web site ([www.nrd.ca](http://www.nrd.ca)).

**TEMPORARY HARDSHIP EXEMPTION**

This form is required to be delivered to the regulator if a firm filer is relying on the temporary hardship exemption in MI 31-102. Indicate, where applicable, any changes to information previously submitted to the regulator. In addition, all applicable questions must be answered and must be legible. All attachments pertaining to any question must be made exhibits to the form and each one must be so marked. All signatures must be original.

**1. Type of business location**

- branch
- sub-branch
- chief place of business

**2. Supervisor or branch manager**

NRD number of the designated supervisor or branch manager: \_\_\_\_\_

Name of designated supervisor or branch manager: \_\_\_\_\_

**3. Business location information**

Business address: \_\_\_\_\_

Telephone number: (    ) \_\_\_\_\_

Facsimile number: (    ) \_\_\_\_\_

Mailing address (if different from business address): \_\_\_\_\_

**Notice of Collection and Use of Personal Information**

The personal information required under this form is collected on behalf of and used by the securities regulatory authorities set out below for purposes of the administration and enforcement of certain provisions of the securities legislation in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland, Northwest Territories, Yukon Territory and Nunavut.

The principal purpose for which this collection of personal information is to be used is to assess your suitability for registration, if applicable, and to assess your continued fitness for registration in accordance with the applicable securities legislation. If you have any questions about the collection and use of this information, you may contact the securities regulatory authority in any jurisdiction in which the required information is filed, at the address or telephone number set out below.

*(In the final draft of the form a list of contact information will be included here.)*

**WARNING:**

It is an offence to submit information that, in a material respect and at the time and in the light of the circumstances in which it is submitted, is misleading or untrue.

**CERTIFICATION**

**The following certification is to be used when submitting this form in paper format:**

- I, the undersigned, certify that I have read and that I understand the questions in the notice and the Warning set out above. I also certify that all statements of fact made in the answers to the questions are true.

**OR**

**The following certification is to be used when submitting this form in NRD format:**

- I certify that all statements of fact in this submission were provided to me by the firm for who this submission is being made and that this submission is being made at the request of the firm.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_.

Name of firm: \_\_\_\_\_

Authorized signature: \_\_\_\_\_

Print name: \_\_\_\_\_

Title: \_\_\_\_\_

**FORM 33-109F4 REGISTRATION INFORMATION FOR AN INDIVIDUAL**

**SUBMISSION TO NRD**

A Form 33-109F4 submitted in NRD format shall contain the information prescribed below. The information shall be entered using the online version of this form accessible by NRD filers at the NRD web site ([www.nrd.ca](http://www.nrd.ca)).

**INSTRUCTIONS FOR FILING IN PAPER FORMAT**

1. This form is to be used by every individual seeking registration or approval from a securities regulatory authority or a self-regulatory organization.
2. This form is also to be used by any sole proprietor submitting an application for registration as a dealer, broker, adviser or underwriter to a securities regulatory authority.
3. All applicable questions must be answered. Failure to do so may cause delays in the processing of the application form.
4. This form and all attachments added thereto must be legible.
5. All attachments pertaining to any question must be made exhibits to the form and each one must be so marked. All signatures must be originals.
6. To complete the application, individuals should seek advice from an authorized officer of the sponsoring firm or from a legal adviser.
7. The number of originally-signed copies of the form to be filed with the self-regulatory organization and/or securities regulatory authority or similar authority varies from province to province. If unsure of the procedure, please consult the Registration Department of the self-regulatory organization through which you are applying or the applicable securities regulatory authority, or similar authority.

**Item 1 - Name**

**1. Legal name**

Last name	First name	Second name <i>(if applicable)</i>	Third name <i>(if applicable)</i>
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**2. Other names**

Are you currently, or have you previously been, known by a name other than the name mentioned above? .....  Yes  No

If "Yes", complete Schedule "A".

**Item 2 - Residential address**

**Current and previous addresses**

Provide all residential addresses, including any foreign residential addresses, for the past 10 years.

Residential address: \_\_\_\_\_  
(number, street, city, province, territory or state, country, postal code)

Telephone number: (    ) \_\_\_\_\_ Resided at this address since: \_\_\_\_\_  
(YYYY/MM)

If you have resided at this address for less than 10 years, complete Schedule "B".

**Item 3 - Personal information**

<b>Personal description</b>		
Date of birth: _____ (YYYY/MM/DD)	Place of birth: _____ (city, province, territory or state, country)	
Gender: <input type="checkbox"/> Female <input type="checkbox"/> Male	Colour of eyes: _____	Colour of hair: _____
Height: imperial units: _____ OR _____ metric units:		
Weight: imperial units: _____ OR _____ metric units:		

**Item 4 – Citizenship**

<b>Citizenship information</b>
What is your citizenship?
<input type="checkbox"/> Canadian
<input type="checkbox"/> Other, specify:
If you are a citizen of a country other than Canada, complete the following for that other citizenship. You are only required to provide the following information for one citizenship.
Passport number: _____ Country of citizenship: _____
Date of issue: _____ (YYYY/MM/DD)
Place of issuance: _____ (city, province, territory or state, country)

**Item 5 - Registration jurisdictions**

<b>Jurisdictions</b>
Indicate, by checking the appropriate box, each province or territory to which you are applying:
<input type="checkbox"/> Alberta <input type="checkbox"/> Northwest Territories <input type="checkbox"/> Prince Edward Island <input type="checkbox"/> British Columbia <input type="checkbox"/> Nova Scotia <input type="checkbox"/> Québec <input type="checkbox"/> Manitoba <input type="checkbox"/> Nunavut <input type="checkbox"/> Saskatchewan <input type="checkbox"/> New Brunswick <input type="checkbox"/> Ontario <input type="checkbox"/> Yukon Territory <input type="checkbox"/> Newfoundland

**Item 6 - Individual categories**

<b>Categories</b>
Indicate, by checking the appropriate box in Schedule "C", each category for which you are applying.

**Item 7 - Address and agent for service**

**1. Address for service**

You must have one address for service in each province or territory in which you are now, or are applying to become, a registered individual or non-registered individual. A post office box is not an acceptable address for service.

Address for service: \_\_\_\_\_  
(number, street, city, province or territory, postal code)

Telephone number: ( ) \_\_\_\_\_ Fax number: ( ) \_\_\_\_\_

E-mail address: \_\_\_\_\_

**2. Agent for service**

If you name an agent for service, the address for service provided above must be the address of the agent.

Name of agent for service: \_\_\_\_\_  
(if applicable)

Contact person: \_\_\_\_\_  
Last name

**Item 8 – Proficiency**

**1. Course or examination information**

Complete Schedule "D" to indicate each course and examination that you have successfully completed or for which you have received an exemption.

Check here if you are not required under securities legislation to provide proficiency information. For example, if you are a non-registered individual, you are not required to complete this Item.

**2. Student numbers**

Provide your student numbers below: \_\_\_\_\_

Canadian Securities Institute (CSI): \_\_\_\_\_

Investment Funds Institute of Canada (IFIC): \_\_\_\_\_

Institute of Canadian Bankers (ICB): \_\_\_\_\_

Association for Investment Management and Research (AIMR): \_\_\_\_\_

Canadian Association of Insurance and Financial Advisors (CAIFA): \_\_\_\_\_

**3. Exemption refusal**

Has any securities regulatory authority or self-regulatory organization refused to grant you an exemption from a course, examination or experience requirement?  Yes  No

If "Yes", complete Schedule "E".

**Item 9 - Location of employment****Location of employment**

Provide the following information for the location of the sponsoring firm at which you are currently working or will be working. If you are working, or will be working, out of more than one location, provide the following information for the location out of which you will be doing most of your business.

NRD number: \_\_\_\_\_

Business address: \_\_\_\_\_  
(number, street, city, province, territory or state, country, postal code)

Telephone number: ( ) \_\_\_\_\_ Fax number: ( ) \_\_\_\_\_

Check here if the mailing address of the location is the same as the business address provided above. Otherwise, complete the following:

Mailing address: \_\_\_\_\_  
(number, street, city, province, territory or state, country, postal code)

**Item 10 - Current employment****Employment information**

On Schedule "F", provide full disclosure of your current business and employment activities, including those with your sponsoring firm.

Check here if you are not required under securities legislation to provide this information.

**Item 11 - Previous employment****Employment information**

On Schedule "G", provide full disclosure of your previous business and employment activities for the 10-year period before the date of this application. Include any periods of self-employment or unemployment during this period. Do not include summer employment while you were a full-time student.

In addition, provide full disclosure of all of your securities or exchange contracts (including commodity futures contracts and commodity futures options) business and employment activities during and prior to the ten-year period.

Check here if you are not required under securities legislation to provide this information.

Check here if all disclosure required by this section has been made in response to Item 10.



**Item 12 - Resignations and terminations****Resignation and termination information**

Have you ever resigned or been terminated following allegations, made by a client, sponsoring firm, self-regulatory organization, securities regulatory authority or any other regulatory authority that you:

- a) violated investment related statutes, regulations, rules or industry standards of conduct?  Yes  No
- b) failed to supervise in connection with investment related statutes, regulations, rules or industry standards of conduct?  Yes  No
- c) committed fraud or the wrongful taking of property?  Yes  No

If you have answered "Yes" to any of the above questions provide, for each resignation or termination, (1) the name of the firm from which you resigned or were terminated, (2) whether you resigned or were terminated, (3) the date you resigned or were terminated, and (4) the circumstances relating to your resignation or termination (including whether the allegations were made by a client, sponsoring firm, self-regulatory organization or regulatory authority).

**Item 13 - Regulatory disclosure****1. Securities regulatory authorities**

- a) Other than a current registration with a securities regulatory authority that is participating in Multilateral Instrument 31-102, are you now, or have you ever been, registered or licensed to trade in or advise on securities or exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?  Yes  No

If "Yes", complete Schedule "H", section 1(a).

- b) Are you now, or have you ever been, a partner, director, officer, or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of any firm which has been registered or licensed, or is now registered or licensed, (except as an issuer if you are or were a shareholder) to trade in or advise on securities or exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?  Yes  No

If "Yes", complete Schedule "H", section 1(b).

- c) Have you, or has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been refused registration or a license to trade in or advise on securities or exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?  Yes  No

If "Yes", complete Schedule "H", section 1(c).

- d) Have you, or has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been denied the benefit of any exemption from registration provided by securities legislation or legislation governing exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country? .....  Yes  No

If "Yes", complete Schedule "H", section 1(d).

- e) Have you, or has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been subject to a cease trade order, a cease distribution order, a suspension or termination order, any disciplinary proceedings or any order resulting from disciplinary proceedings pursuant to securities legislation or legislation governing exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?  Yes  No

If "Yes", complete Schedule "H", section 1(e).

## 2. Self-regulatory organizations

a) Have you, or has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been a member or participating organization of any stock exchange, the Investment Dealers Association of Canada, the Mutual Fund Dealers Association of Canada, or other self-regulatory organization, in any province, territory, state or country?  Yes  No

If "Yes", complete Schedule "H", section 2(a).

b) Have you, or has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been refused membership or entry as a participating organization in any stock exchange, the Investment Dealers Association of Canada, the Mutual Fund Dealers Association of Canada, or other self-regulatory organization, in any province, territory, state or country?  Yes  No

If "Yes", complete Schedule "H", section 2(b).

c) Have you, or has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been subject to a suspension, expulsion or termination order, or been subject to any disciplinary proceedings or any order resulting from disciplinary proceedings conducted by any stock exchange, the Investment Dealers Association of Canada, the Mutual Fund Dealers Association of Canada, or other self-regulatory organization, in any province, territory, state or country?  Yes  No

If "Yes", complete Schedule "H", section 2(c).

## 3. Non-securities regulation

a) Have you, or has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been registered or licensed under any legislation which requires registration or licensing to deal with the public in any capacity other than to trade in or advise on securities or exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?  Yes  No

If "Yes", complete Schedule "H", section 3(a).

b) Have you, or has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been refused registration or a license under any legislation which requires registration or licensing to deal with the public in any capacity other than to trade in or advise on securities or exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?  Yes  No

If "Yes", complete Schedule "H", section 3(b).

c) Have you, or has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been subject to a suspension or termination order, or disciplinary proceedings or any order resulting from disciplinary proceedings conducted under any legislation which requires registration or licensing to deal with the public in any capacity other than to trade in or advise on securities or exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?  Yes  No

If "Yes", complete Schedule "H", section 3(c).

<b>Item 14 - Criminal disclosure</b>	
<b>Criminal, provincial and territorial offences</b>	
With respect to questions (b) and (d) below, if you or your firm have pleaded guilty or been found guilty of an offence, such offence must be reported even if you have been granted an absolute or conditional discharge with respect to the offence. You are not required to disclose any offence for which a pardon has been granted under the <i>Criminal Records Act</i> (Canada) unless the pardon has been revoked.	
a) Is there currently an outstanding charge against you alleging an offence that was committed in Canada, or had it been committed in Canada, constitutes or would constitute an offence under the laws of Canada? ..... <input type="checkbox"/> Yes <input type="checkbox"/> No	
If "Yes", complete Schedule "I", section (a).	
b) Have you, since attaining the age of 18, ever been convicted of, pleaded guilty to or no contest to an offence that was committed in Canada, or had it been committed in Canada constituted or would constitute an offence under the laws of Canada? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If "Yes", complete Schedule "I", section (b).	
c) Have charges been laid, alleging an offence that was committed in Canada, or had it been committed in Canada, constitutes or would constitute an offence under the laws of Canada, against any firm in which you are or were at the time of such event a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If "Yes", complete Schedule "I", section (c).	
d) Has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been convicted of, pleaded guilty to or no contest to an offence that was committed in Canada, or had it been committed in Canada, constitutes or would constitute an offence under the laws of Canada? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If "Yes", complete Schedule "I", section (d).	
<b>Item 15 - Civil disclosure</b>	
<b>Current and past civil proceedings</b>	
a) Have you, or has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been a defendant or respondent in any civil proceeding in any jurisdiction in which fraud, theft, deceit, misrepresentation, or similar conduct is, or was, alleged? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If "Yes", complete Schedule "J", section (a).	
b) Other than what you disclosed in Item 15(a), were you, at the time the events that led to the civil proceeding occurred, a partner, director or officer or a holder of securities carrying more than 10 percent of the votes of all outstanding voting securities of a firm that is or was a defendant or respondent in any civil proceeding in any jurisdiction in which fraud, theft, deceit, misrepresentation, or similar conduct is or was alleged? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If "Yes", complete Schedule "J", section (b).	

**Item 16 - Financial disclosure****1. Bankruptcy**

Under the law of any province, territory, state, or country have you, or has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm:

- a) had a petition in bankruptcy issued against you or the firm or made a voluntary assignment in bankruptcy?  Yes  No
- b) made a proposal under any legislation relating to bankruptcy or insolvency?  Yes  No
- c) been subject to proceedings under any legislation relating to the winding up, dissolution or companies' creditors arrangement?  Yes  No
- d) been subject to or instituted any proceedings, arrangement or compromise with creditors (including having a receiver, receiver-manager, administrator or trustee appointed by or at the request of creditors, either privately, or through court process, or by order of a regulator, to hold your assets)?  Yes  No

If "Yes" to any of the above questions, complete Schedule "K", section 1.

**2. Solvency**

Have you ever been unable to meet your financial obligations as they came due, or has any firm, when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been unable to meet its financial obligations as they came due?  Yes  No

If "Yes", complete Schedule "K", section 2.

**3. Surety bond or fidelity bond**

Have you ever applied for a surety or fidelity bond and been refused?.  Yes  No

If "Yes", complete Schedule "K", section 3.

**4. Garnishments, unsatisfied judgments or directions to pay**

Are there currently, or have there been, outstanding against you any of the following:

- a) garnishments,
- b) unsatisfied judgments, or
- c) directions to pay issued by a federal, provincial, territorial or state authority?  Yes  No

If "Yes", complete Schedule "K", section 4.

**Item 17 - Related securities firms****Related securities firms and holdings**

- a) Other than with your sponsoring firm, are you a partner, director, or officer of a firm having as its principal business that of trading in or advising on securities or exchange contracts (including commodity futures contracts and commodity futures options)?  Yes  No

If "Yes", complete Schedule "L".

- b) Are you a holder of 10 percent or more of the voting securities of any firm (including your sponsoring firm) having as its principal business that of trading in or advising on securities or exchange contracts (including commodity futures contracts and commodity futures options)?  Yes  No

If "Yes", complete Schedule "L".

## AGENT FOR SERVICE AND SUBMISSION TO JURISDICTION

### Agent for service

If you have named an agent for service in this application, you designate and appoint that agent for service (the "Agent for Service") at the address of the Agent for Service upon whom may be served a notice, pleading, subpoena, summons or other process in any action, investigation or administrative, criminal, quasi-criminal, penal or other proceeding (each, a "Proceeding") arising out of or relating to or concerning your activities as a registrant or an officer, partner or director of a registrant under the securities legislation of the jurisdiction for which the Agent for Service is designated and appointed (the "Local Jurisdiction").

This appointment of an agent for service of process is governed and construed in accordance with the laws of the Local Jurisdiction.

By filing this application, you confirm that the Agent for Service has accepted the appointment as agent for service of process for you pursuant to the above terms and conditions and has agreed to advise the securities regulatory authority of the Local Jurisdiction immediately if the Agent for Service is unable to deliver to you a copy of a document served on the Agent for Service.

By filing this application, you confirm that until the earlier of (i) the termination of your position with your sponsoring firm and (ii) six years after the sponsoring firm ceases to be a registrant under the securities legislation of the Local Jurisdiction, you shall:

- a) file a notice appointing a new agent for service of process at least 30 days prior to termination for any reason of the appointment of the Agent for Service and immediately after the death or incapacity of the Agent for Service or the Agent for Service ceasing to carrying on business; and
- b) file a notice amending the name or address of the Agent for Service at least 30 days before any change in the name or address of the Agent for Service as set forth in this application.

### Submission to jurisdiction

By submitting this application you confirm that you irrevocably and unconditionally submit to the non-exclusive jurisdiction of the judicial, quasi-judicial and administrative tribunals of each jurisdiction to which you have submitted this application and any administrative proceeding in that jurisdiction, in any Proceeding arising out of or relating to or concerning your activities as a registrant or an officer, partner or director of a registrant under the securities legislation of the jurisdiction, and irrevocably waive any right to raise as a defence in any Proceeding any alleged lack of jurisdiction to bring that Proceeding.

### Self-Regulatory Organizations

The undersigned hereby undertake to notify the self-regulatory organization in writing of any material change herein as prescribed by any by-law or rule of the respective self-regulatory organizations.

We agree that we are conversant with the by-laws, rulings, rules and regulations of the applicable self-regulatory organizations. We agree to be bound by and to observe and comply with them as they are from time to time amended or supplemented, and we agree to keep ourselves fully informed about them as so amended and supplemented.

We submit to the jurisdiction of the self-regulatory organizations and, wherever applicable, the Governors, Directors and committees thereof, and we agree that any approval granted pursuant to this application may be revoked, terminated or suspended at any time in accordance with the then applicable by-laws, rulings, rules and regulations. In the event of any such revocation or termination, the undersigned applicant agrees forthwith to terminate his or her association with the undersigned sponsoring firm and hereafter not to accept employment with or perform services of any kind for any member or member house of the self-regulatory organizations or any approved affiliated company or other affiliate of any such member or member house, in each case if and to the extent provided in the then applicable by-laws, rulings, rules and regulations of the self-regulatory organizations. Our obligations above are joint and several.

We agree to the transfer of this application form, without amendment, to another self-regulatory organization in the event that at some time in the future the undersigned applicant applies to such other self-regulatory organization.

The undersigned applicant has discussed the questions in this application with an officer or branch manager of this firm. The undersigned authorized officer is satisfied that the applicant fully understands the questions, and further certifies on behalf of the sponsoring firm that the applicant will be engaged as registered or approved.

The undersigned applicant acknowledges and consents that any of the self-regulatory organizations may obtain any information whatsoever from any source, as permitted by law in any jurisdiction in Canada or elsewhere.

**Notice of collection and use of personal information**

The personal information required under this form is collected on behalf of and used by the securities regulatory authorities set out below for purposes of the administration and enforcement of certain provisions of the securities legislation in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland, Northwest Territories, Yukon Territory and Nunavut.

By submitting this application you consent to the collection by the securities regulatory authority to which this application is being submitted of the personal information contained in the application, police records, records from other government or non-governmental regulatory authorities or self-regulatory organizations, credit records and employment records about you as may be necessary for the securities regulatory authority to complete its review of your application or continued fitness for registration in accordance with the legal authority of the securities regulatory authority for the duration of the period which you remain registered or approved by the securities regulatory authority. The sources the securities regulatory authority may contact include government and private bodies or agencies, individuals, corporations and other organizations.

The principal purpose for which this collection of personal information is to be used is to assess your suitability for registration and to assess your continued fitness for registration in accordance with the applicable securities legislation.

If you have any questions about the collection and use of this information, you may contact the securities regulatory authority in any jurisdiction in which the required information is filed, at the address or telephone number set out below. In Québec, questions may also be addressed to the Commission d'accès à l'information du Québec (1-888-528-7741, web site: [www.cai.gouv.qc.ca](http://www.cai.gouv.qc.ca)).

*(In the final draft of the form a list of contact information will be included here.)*

**WARNING:** It is an offence to submit information that, in a material respect and at the time and in the light of the circumstances in which it is submitted, is misleading or untrue.

**CERTIFICATION:**

**The following certification is to be used when submitting the form in paper format:**

I, the undersigned applicant, certify that I have read and that I understand the questions in this application form and the Warning set out above. I also certify that all statements of fact made in the answers to the questions are true.

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Date

**CERTIFICATION OF OFFICER OR PARTNER:** I, the undersigned authorized officer or partner, certify on behalf of the sponsoring firm that the applicant will be engaged by the sponsoring firm as registered or approved. I certify that I have discussed the questions set out in this application with the applicant or where the applicant has applied through one of our branch offices the branch manager or another officer has so done and I am satisfied that the applicant fully understands the questions.

\_\_\_\_\_  
Signature of authorized officer or partner

\_\_\_\_\_  
Date

**The following certification is to be used when submitting the form in NRD format:**

By checking this box, I certify that all statements of fact made in this submission were provided to me by the NRD filer for whom this submission is being submitted and that this submission is being made at the request of the NRD filer, and if applicable, his or her sponsoring firm.





**SCHEDULE "A"**  
**Name**

\_\_\_\_\_  
Last name

\_\_\_\_\_  
First name

\_\_\_\_\_  
Second name  
*(if applicable)*

\_\_\_\_\_  
Third name  
*(if applicable)*

Provide the reasons for the use of this name (for example, marriage, divorce, court order, commonly used name).

When did you use this name?

From: \_\_\_\_\_  
(YYYY/MM)

To: \_\_\_\_\_  
(YYYY/MM)

**SCHEDULE "B"**  
**Residential address**

Item  2

**Previous addresses**

A postal code (or ZIP code) and a telephone number are not required for any previous address.

Residential address: \_\_\_\_\_  
(number, street, city, province, territory or state, country)

When did you live at this address? From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM) (YYYY/MM)

Residential address: \_\_\_\_\_  
(number, street, city, province, territory or state, country)

When did you live at this address? From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM) (YYYY/MM)

Residential address: \_\_\_\_\_  
(number, street, city, province, territory or state, country)

When did you live at this address? From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM) (YYYY/MM)

Residential address: \_\_\_\_\_  
(number, street, city, province, territory or state, country)

When did you live at this address? From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM) (YYYY/MM)

Residential address: \_\_\_\_\_  
(number, street, city, province, territory or state, country)

When did you live at this address? From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM) (YYYY/MM)

**SCHEDULE "C"**  
**Individual categories**

Item  6

**Categories**

Indicate, by checking the appropriate box, each category for which you are applying.

*(In the final draft of the form a list of the registration categories of each jurisdiction will be included here.)*

**SCHEDULE "D"**  
**Proficiency**

Item  8

**Course or examination information**

Indicate each course and examination that you have successfully completed or for which you have received an exemption.

*(In the final draft of the form a list of courses and examinations will be included here. Further, spaces will be provided to set out dates of completion or exemption and the names of the exempting institutions)*

**SCHEDULE "E"**  
**Proficiency**

Item  8

**Exemption refusal**

Complete the following for each exemption that was refused.

Which securities regulatory authority or self-regulatory organization refused to grant the exemption?

State the name of the course, examination or experience requirement:

State the reason given for not being granted the exemption:

Which securities regulatory authority or self-regulatory organization refused to grant the exemption?

State the name of the course, examination or experience requirement:

State the reason given for not being granted the exemption:

**SCHEDULE "F"**  
**Current employment**

Item  10

**Employment information**

Provide full disclosure of each of your current business and employment activities, including those with your sponsoring firm.

- Unemployed
- Full-time student
- Employed or self-employed

From: \_\_\_\_\_  
(YYYY/MM/DD)

You are only required to fill in the following if you have indicated above that you are employed or self-employed.

Name of business or employer: \_\_\_\_\_

Address of business or employer: \_\_\_\_\_  
(number, street, city, province, territory or state, country)

Name and title of immediate supervisor: \_\_\_\_\_

Describe the type of business or employment and your duties. If you are seeking a type of registration for which specified experience is required, provide details of that experience below (for example, level of responsibility, value of accounts under direct supervision, and research experience):

Indicate the number of hours per week you will be devoting to this business or employment:

Indicate the NRD number of the branch where you will be conducting the majority of your business or employment:

**SCHEDULE "F"**  
**Current employment**

If the business or employment described above is with the sponsoring firm and if you are not devoting the major portion of your time to the business of the sponsoring firm, explain why:

If the business or employment described above is not with the sponsoring firm, disclose any potential for confusion by clients and any potential for conflicts of interest arising from your proposed activities as a registrant and the business or employment described above (include whether the business is listed on an exchange):

**SCHEDULE "G"**  
**Previous employment**

Item  11

**Employment information**

Provide full disclosure of your previous business and employment activities for the 10-year period before the date of this application. Include any periods of self-employment or unemployment during this period. Do not include summer employment while you were a full-time student.

In addition, provide full disclosure of all of your securities or exchange contracts (including commodity futures contracts and commodity futures options) business and employment activities during and prior to the ten-year period.

- Unemployed
- Full-time student
- Employed or self-employed

From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM/DD) (YYYY/MM/DD)

You are only required to fill in the following if you have indicated above that you are, or were, employed or self-employed.

Name of business or employer:

Address of business or employer: \_\_\_\_\_  
(number, street, city, province, territory or state, country)

Name and title of immediate supervisor:

Describe the type of business or employment and your duties. If you are seeking a type of registration for which specified experience is required, provide details of that experience below (for example, level of responsibility, value of accounts under direct supervision, and research experience):

**SCHEDULE "H"**  
**Regulatory disclosure**

Item  13

**1. Securities regulatory authorities**

a) For each registration or licence, indicate below (1) the securities regulatory authority with which you are, or were, registered or licensed, (2) the type or category of registration or licence, and (3) the period of registration or licensing.

b) For each registration or licence, indicate below (1) the name of the firm, (2) the securities regulatory authority with which the firm is, or was, registered or licensed, (3) the type or category of registration or licence, and (4) the period of registration or licensing.

c) For each registration or licence refused, indicate below (1) the party that was refused the registration or licence, (2) the securities regulatory authority that refused the registration or licence, (3) the type or category of registration or licence refused, (4) the date of the refusal, and (5) the reasons for the refusal.

d) For each exemption from registration denied, indicate below (1) the party that was denied the exemption, (2) the securities regulatory authority that denied the exemption, (3) the date the exemption was denied, and (4) any other relevant details.

e) For each order or disciplinary proceeding, indicate below (1) the party against whom the order was made or the proceeding taken, (2) the securities regulatory authority that issued the order or that is, or was, conducting the proceeding, (3) the date any notice of proceeding was issued, (4) the date any order or settlement was made, (5) a summary of any notice, order or settlement (including any sanctions imposed), and (6) any other relevant details.

**2. Self-regulatory organizations**

a) For each membership or participation, indicate below (1) the party that is, or was, a member or participating organization, (2) the self-regulatory organization with which the party is, or was, a member or participating organization, (3) the type or category of membership or participation, and (4) the period of the membership or participation.



**SCHEDULE "H"**  
**Regulatory disclosure**

b) For each membership or participation refused, indicate below (1) the party that was refused membership or participation, (2) the self-regulatory organization that refused the membership or participation, (3) the type or category of membership or participation refused, (4) the date of the refusal, and (5) the reasons for the refusal.

c) For each order or disciplinary proceeding, indicate below (1) the party against whom the order was made or the proceeding taken, (2) the self-regulatory organization that issued the order or that is, or was, conducting the proceeding, (3) the date any notice of proceeding was issued, (4) the date any order or settlement was made, (5) a summary of any notice, order or settlement (including any sanctions imposed), and (6) any other relevant details.

**3. Non-securities regulation**

a) For each registration or licence, indicate below (1) the party is, or was, registered or licensed, (2) with which regulatory authority, or under what legislation, the party is, or was, registered or licensed, (3) the type or category of registration or licence, and (4) the period of registration or licensing.

b) For each registration or licence refused, indicate below (1) the party that was refused registration or licensing, (2) with which regulatory authority, or under what legislation, the registration or licence was refused, (3) the type or category of registration or licence refused, (4) the date of the refusal, and (5) the reasons for the refusal.

c) For each order or disciplinary proceeding, indicate below (1) the party against whom the order was made or the proceeding taken, (2) the regulatory authority that made the order or that is, or was, conducting the proceeding, or under what legislation the order was made or the proceeding is being, or was, conducted, (3) the date any notice of proceeding was issued, (4) the date any order or settlement was made, (5) a summary of any notice, order or settlement (including any sanctions imposed), and (6) any other relevant details.

**SCHEDULE "I"**  
**Criminal disclosure**

Item  14

**Criminal, provincial and territorial offences**

a) For each charge, indicate below (1) the charge, (2) the date of the charge, (3) any trial or appeal dates, and (4) the court location.

b) For each conviction, indicate below the full details of the conviction including (1) the offence, (2) the date of the conviction, and (3) the disposition (state any penalty or fine and the date any fine was paid).

c) For each charge, indicate below (1) the name of the firm, (2) the charge, (3) the date of the charge, (4) any trial or appeal dates, and (5) the court location.

d) For each conviction, indicate below the full details of the conviction including (1) the name of the firm, (2) the offence, (3) the date of the conviction, and (4) the disposition (state any penalty or fine and the date any fine was paid).

**SCHEDULE "J"**  
**Civil disclosure**

Item  15

**Current and past civil proceedings**

a) For each civil proceeding, indicate below (1) the party that is, or was, a defendant or respondent, (2) each plaintiff in the proceeding, (2) whether the proceeding is pending, on appeal or final, (3) the jurisdiction in which the action is being, or was, pursued, and (4) the details of any disposition or settlement. (Disclosure must include those actions settled without admission of liability.)

b) For each civil proceeding, indicate below (1) the firm that was a defendant or respondent in the proceeding, (2) your relationship to the firm, (3) each plaintiff in the proceeding, (4) whether the proceeding is pending, on appeal or final, (5) the jurisdiction in which the action is being, or was, pursued, and (6) the details of any disposition or settlement. (Disclosure must include those actions settled without admission of liability.)

**SCHEDULE "K"**  
**Financial Disclosure**

Item  16

**1. Bankruptcy**

For each event, indicate below (1) the party about whom this disclosure is being made, (2) any amounts currently owing, (3) the creditors, (4) the status of the matter, (5) the details of any disposition or settlement, and (6) any other relevant details.

**2. Solvency**

For each event, indicate below (1) the party that is, or was, unable to meet its financial obligations, (2) the amount that was owing at the time the party could not meet its financial obligations, (3) the party to whom the amount is, or was, owing, (4) any relevant dates (for example, when payments are due or when final payment was made), and (5) any other relevant details including any amounts currently owing.

**3. Surety Bond or Fidelity Bond**

For each bond refused, indicate below (1) the name of the bonding company, (2) the address of the bonding company, (3) the date of the refusal, and (4) the reasons for the refusal.

**4. Garnishments, Unsatisfied Judgments or Directions to Pay**

For each garnishment, unsatisfied judgement or direction to pay, indicate below (1) the amount that was owing at the time the garnishment, judgement or direction to pay was rendered, (2) the party to whom the amount is, or was, owing, (3) any relevant dates (for example, when payments are due or when final payment was made), and (4) any other relevant details including any amounts currently owing.





**FORM 33-109F5**

**CHANGE OF REGISTRATION INFORMATION**

**GENERAL INSTRUCTIONS**

1. This notice must be submitted in accordance with MI 33-109.
2. All questions must be answered. Failure to do so may cause delays in the processing of the notice.
3. All attachments pertaining to any questions must be made exhibits to the form and each one must be so marked.
4. This form and all attachments added thereto must be legible.

**1. Type of form**

Complete the following to identify the part of the Form 3 or Form 33-109F4 for which this notice is being provided. If this notice is being provided to update an individual's Form 33-109F4, provide the name of the individual.

- Form 3, Item \_\_\_\_\_, or
- Form 33-109F4, Item \_\_\_\_\_.

Name of individual: \_\_\_\_\_

**2. Current information**

Provide the current information for that part of the form identified above:

List supporting documents (if any):

**Notice of Collection and Use of Personal Information**

The personal information required under this form is collected on behalf of and used by the securities regulatory authorities set out below for purposes of the administration and enforcement of certain provisions of the securities legislation in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland, Northwest Territories, Yukon Territory and Nunavut.

By submitting this information you consent to the collection by the securities regulatory authority of the personal information provided above, police records, records from other government or non-governmental regulatory authorities or self-regulatory organizations, credit records and employment records about you as may be necessary for the securities regulatory authority to complete its review of your continued fitness for registration, if applicable, in accordance with the legal authority of the securities regulatory authority for the duration of the period which you remain registered or approved by the securities regulatory authority. The sources the securities regulatory authority may contact include government and private bodies or agencies, individuals, corporations and other organizations.

The principal purpose for which this collection of personal information is to be used is to assess your continued fitness for registration, if applicable, in accordance with the applicable securities legislation.

If you have any questions about the collection and use of this information, you may contact the securities regulatory authority in any jurisdiction in which the required information is filed, at the address or telephone number set out below.

*(In the final draft of the form a list of contact information will be included here.)*

**WARNING:** It is an offence to submit information that, in a material respect and at the time and in the light of the circumstances in which it is submitted, is misleading or untrue.

**CERTIFICATION**

I, the undersigned, certify that I have read and that I understand the questions in this notice and the Warning set out above. I also certify that all statements of fact made in the answers to the questions are true.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_\_.

Name of individual (if applicable): \_\_\_\_\_

Signature of individual: \_\_\_\_\_

**OR**

Name of firm (if applicable): \_\_\_\_\_

Authorized signature: \_\_\_\_\_

Print name: \_\_\_\_\_

Title: \_\_\_\_\_