

**THE COMMODITY** ) **Order No. 6060**  
**FUTURES ACT** )  
**Section 66(1)** ) **February 2, 2010**

**R.J. O'BRIEN AND ASSOCIATES CANADA INC.**

**WHEREAS:**

**(A)** R.J. O'Brien and Associates Canada Inc. (the "Applicant") has applied to The Manitoba Securities Commission (the "Commission") for an order pursuant to section 66(1) of *The Commodity Futures Act* (the "CFA") exempting the Applicant from the requirements of Section 3.17 of MSC Rule 2000-11 (the "Rule");

**(B)** The Applicant has represented to the Commission that:

- (1) The Applicant has its head office in Winnipeg, Manitoba;
- (2) The Applicant is a member of the Investment Industry Regulatory Organization of Canada;
- (3) The Applicant is in the process of obtaining registration as a futures commission merchant under the CFA;
- (4) Section 3.17 of the Rule provides that a registrant under the CFA must be a member of a registered commodity futures exchange;
- (5) The only registered commodity futures exchange under the CFA is the ICE Futures Canada, Inc. ("ICE").

**(C)** Based on the foregoing, the Commission is of the opinion that it would not be prejudicial to the public interest to grant the order requested.

**IT IS ORDERED:**

1. **THAT**, pursuant to section 66(1) of the CFA, the Applicant, once registered as a futures Commission merchant under The Commodity Futures Act, is exempt from Section 3.17 of the Rule, which would otherwise require it to become a member of a registered exchange.

2. THAT this fee for this order is \$650.00.

BY ORDER OF THE COMMISSION

  
Director – Legal