

CSA Staff Notice 94-302

Delivery of Forms Required under Regulation 94-102 respecting Derivatives: Customer Clearing and Protection of Customer Collateral and Positions

August 3, 2017

Introduction

This Canadian Securities Administrators Staff Notice provides guidance regarding the forms required to be delivered by clearing intermediaries and regulated clearing agencies under *Regulation 94-102 respecting Derivatives: Customer Clearing and Protection of Customer Collateral and Positions* (**Regulation 94-102**).

Background

Regulation 94-102 came into force on July 3, 2017. Section 25 and section 43 of Regulation 94-102 require a clearing intermediary and a regulated clearing agency, respectively, to deliver the applicable form regarding customer collateral to the regulator, except in Québec, or securities regulatory authority of each jurisdiction of Canada in which they have a local customer.

Substance and Purpose

Regulation 94-102 requires that only the information pertaining to the customers in the local jurisdiction be reported to the regulator, except in Québec, or securities regulatory authority. The purpose of this Staff Notice is to provide further guidance with respect to the delivery of the required forms.

Format and Delivery Instructions

In Ontario, the forms are required to be filed electronically through the Ontario Securities Commission's Electronic Filing Portal. Please see http://www.osc.gov.on.ca/en/derivatives_participants_forms.htm for more information.

In all other jurisdictions, filers can use the Excel forms (including the French versions in Québec and New-Brunswick) provided in the hyperlinks in the list below¹ to comply with section 25 or 43, as applicable, of Regulation 94-102:

- [Form 94-102F1](#) *Customer Collateral Report: Direct Intermediary*

¹ These fillable spreadsheet forms are available at:
<https://lautorite.qc.ca/en/professionals/securities-and-derivatives/regulation-of-derivatives-markets-in-quebec/>

- [Form 94-102F2](#) *Customer Collateral Report: Indirect Intermediary*
- [Form 94-102F3](#) *Customer Collateral Report: Regulated Clearing Agency*

The forms may also be delivered in a searchable pdf format².

If required in the applicable local jurisdiction, please send the required form to the following applicable address:

In Alberta, OTCDerivativesReporting@asc.ca

In British Columbia, derivativesinbox@bcsc.bc.ca

In Manitoba, oversight@gov.mb.ca

In New Brunswick, registration-inscription@fcnb.ca

In Nova Scotia, NSSC_Corp_Finance@novascotia.ca

In Québec, encadrementderives@lautorite.qc.ca

In Saskatchewan, registrationfcaa@gov.sk.ca

Questions

If you have questions about this Staff Notice or the forms, please contact any of the following:

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² These forms are available on the website of the local securities regulatory authority.

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