

AMENDMENTS TO POLICY STATEMENT 11-203 RESPECTING PROCESS FOR EXEMPTIVE RELIEF APPLICATIONS IN MULTIPLE JURISDICTIONS

1. *Policy Statement 11-203 respecting Process for Exemptive Relief Applications in Multiple Jurisdictions* is amended by replacing the title of Part 2 with the following:

“PART 2 DEFINITIONS AND INTERPRETATION”.

2. The Policy Statement is amended by inserting, after section 2.2, the following:

“2.3 Electronic transmission

Regulation 13-103 respecting System Replacement (insert reference) prescribes that each document that is required or permitted to be provided to a regulator, except in Québec, or securities regulatory authority must be transmitted to the regulator, except in Québec, or securities regulatory authority electronically through the [Renewed System].

The reference to a document includes any report, form, application, information, material and notice, as well as a copy thereof, and applies to documents that are required or permitted to be filed or deposited with, or delivered, furnished, sent, provided, submitted or otherwise transmitted to, a regulator, except in Québec, or securities regulatory authority.

To reflect the phased implementation of the [Renewed System], the Appendix of *Regulation 13-103 respecting System Replacement* sets out securities legislation under which documents are excluded from being filed or delivered in the [Renewed System].

Reference to *Regulation 13-103 respecting System Replacement* should be made when providing any document to a regulator, except in Québec, or securities regulatory authority under Regulation 11-102 and this policy statement.”.

3. Section 3.8 of the Policy Statement is amended by repealing paragraph (5).

4. Section 4.2 of the Policy Statement is amended by deleting the words “by letter” and “in the pre-filing”.

5. Section 4.3 of the Policy Statement is amended by deleting, in paragraph (1), the words “in the pre-filing”.

6. Section 4.4 of the Policy Statement is amended by deleting, in paragraph (1), the words “in the pre-filing”.

7. Section 5.1 of the Policy Statement is amended by replacing the words “In its application, the” with the word “The”.

8. Section 5.3 of the Policy Statement is amended:

(1) by replacing, in the title, “**sections 4.7 and 4.8**” with “**section 4.7**”;

(2) by repealing paragraph (2);

(3) by deleting, in paragraph (3), “or 4.8” and “and 4.8”;

(4) in paragraph (4):

(a) by deleting, in subparagraph (a), “or 4.8(1)”;

(b) by replacing subparagraph (b) with the following:

“(b) include the date of the decision of the principal regulator for the initial application if the notice is given under section 4.7(1)(c) of Regulation 11-102,”;

(5) in paragraph (6), by deleting “or (2)”.

9. Section 5.5 of the Policy Statement is replaced with the following:

“5.5 Filing

(1) As indicated in section 2.3 of this policy statement, reference to *Regulation 13-103 respecting System Replacement* should be made when providing any document to a regulator, except in Québec, or securities regulatory authority under Regulation 11-102 or this policy statement. A filer should consult the Appendix of *Regulation 13-103 respecting System Replacement* to determine whether pre-filing or application materials are excluded from being filed or delivered in the [Renewed System] at this time.

(2) When pre-filing or application materials are to be transmitted through the [Renewed System], a filer should send the application materials together with the fees to

- (a) the principal regulator, in the case of a passport application,
- (b) the principal regulator and the OSC, in the case of a dual application,

or

(c) each regulator from which the filer seeks exemptive relief, in the case of a coordinated review application.

(3) When pre-filing or application materials are excluded from being transmitted through the [Renewed System], a filer should send the application materials in paper together with the fees to

- (a) the principal regulator, in the case of a passport application,
- (b) the principal regulator and the OSC, in the case of a dual application,

or

(c) each regulator from which the filer seeks exemptive relief, in the case of a coordinated review application.

The filer should also provide an electronic copy of the application materials, including the draft decision document, by e-mail. Filing the application concurrently in all required jurisdictions will make it easier for the principal regulator and non-principal regulators, if applicable, to process the application expeditiously. In Ontario, an electronic filing system is available for filing and tracking exemptive relief applications. Filers should file an application in Ontario using that system instead of e-mail.

Filers should send pre-filing and application materials by e-mail using the relevant address or addresses listed below:

British Columbia	www.bsc.bc.ca (click on BCSC e-services and follow the steps)
Alberta	legalapplications@seccom.ab.ca
Saskatchewan	exemptions@gov.sk.ca
Manitoba	exemptions.msc@gov.mb.ca
Ontario	https://www.osc.gov.on.ca/filings
Québec	Dispenses-Passeport@lautorite.qc.ca
New Brunswick	Passport-passeport@nbsc-cvmnb.ca
Nova Scotia	nsscexemptions@gov.ns.ca
Prince Edward Island	CCIS@gov.pe.ca
Newfoundland and Labrador	securitiesexemptions@gov.nl.ca
Yukon	Corporateaffairs@gov.yk.ca
Northwest Territories	SecuritiesRegistry@gov.nt.ca
Nunavut	legal.registries@gov.nu.ca”.

- 10.** Section 5.7 of the Policy Statement is amended:
 - (1) by deleting, in paragraph (1), “, fax number”;
 - (2) by replacing, in paragraph (2), the words “tell the filer, in the acknowledgement,” with the words “notify the filer of”.
- 11.** Section 5.8 of the Policy Statement is amended by replacing, in paragraph (2), the word “mark” with the word “treat”.
- 12.** Section 7.2 of the Policy Statement is amended by replacing, in paragraph (1), the word “circulate” with the word “provide”.
- 13.** Section 8.1 of the Policy Statement is amended by deleting, in paragraph (2), “or 4.8(1)(c)”.
- 14.** The Policy Statement is amended by repealing sections 9.2 and 9.3.