

REGULATION TO AMEND REGULATION 21-101 RESPECTING MARKETPLACE OPERATION

Securities Act

(R.S.Q., c.V-1.1, s. 331.1, par. (1), (2), (3), (8), (9.1), (32) and (34); 2007, c. 15)

1. Section 1.1 of Regulation 21-101 respecting Marketplace Operation is amended:

(1) in the definition of “subscriber”, by deleting the words “or company” and by adding, at the end, “, and the person’s representatives”;

(2) by deleting, in the definition of “information processor”, the words “or company”;

(3) in the definition of “recognized exchange”, by adding, in paragraph (b), the words “or authorized by the securities regulatory authority” after the word “organization”;

(4) by replacing, in the French text of the definition of “self-regulatory entity”, the word “Bourse” with the word “bourse”;

(5) in the definition of “regulation services provider”, by deleting the words “or company”;

(6) by replacing the definition of “transaction fee” with the following:

“ “trading fee” means the fee that a marketplace charges for execution of a trade on that marketplace;”;

(7) by deleting, in the definition of “inter-dealer bond broker”, the words “or company”;

(8) by deleting, in the definition of “marketplace”, the words “or company”;

(9) by replacing the definition of “member” with the following:

“ “member” means, for a recognized exchange, a person

(a) holding at least one seat on the exchange, or

(b) that has been granted direct trading access rights by the exchange and is subject to regulatory oversight by the exchange,

and the person’s representatives;”;

(10) by deleting, in the definition of “order”, the words “or company”;

(11) by replacing, in the French text of the definition of “alternative trading system”, “exchange-traded security”, “market participant” and “recognized quotation and trade reporting system”, the word “Bourse” with the word “bourse”;

(12) by replacing the definition of “foreign exchange-traded security” with the following:

“ “foreign exchange-traded security” means a security that is listed on an exchange, or quoted on a quotation and trade reporting system, outside of Canada that is regulated by an ordinary member of the International Organization of Securities Commissions and is not listed on an exchange or quoted on a quotation and trade reporting system in Canada;”;

(13) by replacing, in the French text of the definition of “corporate debt security” and “government debt security”, the word “Bourse” with the word “bourse”;

(14) in the definition of “user”, by deleting the words “or company” and by adding, at the end, the words “, and the person’s representatives”.

2. Section 7.5 of the Regulation is amended by replacing the words “an accurate and timely consolidated feed” with the words “an accurate consolidated feed in real-time”.

3. Section 8.3 of the Regulation is amended by replacing the words “a consolidated feed” with the words “an accurate consolidated feed”.

4. Section 8.5 of the Regulation is replaced with the following:

“8.5 Filing Requirements for the Information Processor

(1) The information processor shall file, within 30 days after the end of each calendar quarter, the process and criteria for the selection of government debt securities, as applicable, and designated corporate debt securities and the list of government debt securities, as applicable, and designated corporate debt securities.

(2) The information processor shall file, within 30 days after the end of each calendar year, the process to communicate the designated securities to the marketplaces, inter-dealer bond brokers and dealers providing the information as required by the Regulation, including where the list of designated securities can be found.”.

5. The title of Part 10 and section 10.1 of the Regulation are replaced with the following:

“PART 10 DISCLOSURE OF TRADING FEES FOR MARKETPLACES

10.1 Disclosure of Trading Fees by Marketplaces

A marketplace shall make its schedule of trading fees publicly available.”.

6. Section 11.1 of the Regulation is amended by adding, at the end, the words “in electronic form”.

7. Section 11.2 of the Regulation is amended:

(1) in paragraph (1):

(a) by replacing the introductory phrase with the following:

“As part of the records required to be maintained under section 11.1, a marketplace shall include the following information in electronic form:”;

(b) in subparagraph (b), by deleting the words “, in electronic form”;

(2) by deleting paragraphs (2) and (3).

8. The Regulation is amended by inserting, after section 11.2, the following section:

“11.2.1 Transmission in Electronic Form

A marketplace shall transmit

(a) to a regulation services provider, if it has entered into an agreement with a regulation services provider in accordance with Regulation 23-101

respecting Trading Rules, the information required by the regulation services provider, within ten business days, in electronic form; and

(b) to the securities regulatory authority the information required by the securities regulatory authority under securities legislation, within ten business days, in electronic form.”

9. Section 12.2 of the Regulation is amended by replacing the words “Paragraphs 12.1(b) and 12.1(c) do not” with the words “Paragraph 12.1(b) does not”.

10. The Regulation is amended by replacing, wherever they appear, the words “person or company” and “persons or companies” with, respectively, the words “person” and “persons”.

11. The Regulation is amended by replacing, in the French text and wherever they appear, the words “membre de la direction” and “membres de la direction” with, respectively, the words “dirigeant” and “dirigeants”.

12. The Regulation is amended by replacing, in the French text and wherever they appear, the words “Bourse” and “Bourses” with, respectively, the words “bourse” and “bourses”.

13. This Regulation comes into effect on September 12, 2008.