

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), (9.1), (32) and (32.0.1))

1. Section 3.2 of Regulation 21-101 respecting Marketplace Operation is amended:

(1) by adding, in paragraph (1), the word “applicable” after the words “in the manner set out in the”;

(2) by inserting, after paragraph (1), the following:

“(1.1) A marketplace that has entered into an agreement with a regulation services provider in accordance with Regulation 23-101 respecting Trading Rules must not implement a significant change to a matter set out in Exhibit E – Operation of the Marketplace of Form 21-101F1 or Exhibit E – Operation of the Marketplace of Form 21-101F2 as applicable, or Exhibit I – Securities of Form 21-101F1 or Exhibit I – Securities of Form 21-101F2 as applicable, unless the marketplace has provided the filing to its regulation services provider at least 45 days before implementing the change.”;

(3) by adding, in paragraph (3), the word “applicable” after the words “amendment to the information provided in the”;

(4) by inserting, after paragraph (3), the following:

“(4) The chief executive officer of a marketplace, or individual performing a similar function, must certify in writing, within 30 days after the end of each calendar year, that the information contained in the marketplace’s current Form 21-101F1 or Form 21-101F2, as applicable, including the description of its operations, is true, correct, and complete and its operations have been implemented as described in the applicable Form.

“(5) A marketplace must provide an updated and consolidated Form 21-101F1 or Form 21-101F2, as applicable, within 30 days after the end of each calendar year.”.

2. Section 5.10 of the Regulation is amended by inserting, after paragraph (1), the following:

“(1.1) Despite subsection (1), a marketplace may release a marketplace participant’s order or trade information to a person if the marketplace has entered into a written agreement with each person that will receive the order and trade information that provides that

(a) the person must

(i) not disclose to or share any information with any person if that information could directly or indirectly, identify a marketplace participant or a client of the marketplace participant without the marketplace’s consent, other than as provided under subsection (1.3) below;

(ii) not publish or otherwise disseminate data or information that discloses, directly or indirectly, the transactions, trading strategies or market positions of a marketplace participant or a client of the marketplace participant;

(iii) not use the order and trade information or provide it to any other person for any purpose other than capital markets research;

(iv) keep the order and trade information securely stored at all times;

(v) keep the order and trade information only for a reasonable period of time after the completion of the research and publication process; and

(vi) immediately inform the marketplace of any breach or possible breach of the confidentiality of the information provided; and

(b) the marketplace has the right to take appropriate steps, that in the marketplace's sole discretion, are necessary to prevent or deal with a breach or possible breach of the confidentiality of the information provided or of the agreement.

“(1.2) A marketplace that releases a marketplace participant's order or trade information pursuant to subsection (1.1) must

(a) promptly inform the regulator or, in Québec, the securities regulatory authority, in the event the marketplace becomes aware of any breach or possible breach of the confidentiality of the information provided or of the agreement; and

(b) take all appropriate steps that in the marketplace's sole discretion, are necessary against that person to prevent or deal with a breach or possible breach of the confidentiality of the information provided or of the agreement.

“(1.3) A person that receives a marketplace participant's order or trade information from a marketplace pursuant to subsection (1.1) may disclose the order or trade information used in connection with research submitted to a publication if it has entered into a written agreement with the marketplace that provides that:

(a) the information the person will disclose is used for verification purposes only,

(b) the person must obtain written agreement from the publication or any person involved in the verification of the research to maintain the confidentiality of the information,

(c) the person must notify the marketplace prior to sharing the information for verification purposes, and

(d) the person must obtain written agreement from the publication or any person involved in the verification of the research that the publication or other person will immediately inform the marketplace of any breach or possible breach of the agreement or of the confidentiality of the information provided.”.

3. Section 5.12 of the Regulation is amended by replacing, in paragraphs (b) and (c), the words “key services and systems” with the words “key services or systems”.

4. The Regulation is amended by inserting, after section 5.12, the following:

“5.13 Access Arrangements with a Service Provider

If a third party service provider provides a means of access to a marketplace, the marketplace must ensure the third party service provider complies with the written standards for access that the marketplace has established pursuant to paragraph 5.1(2)(a) when providing the access services.”.

5. Section 6.7 of the Regulation is amended, in the French text, by replacing subparagraph (a) of paragraph (1) with the following:

“a) au cours d'au moins 2 des 3 derniers mois d'exploitation, la valeur totale en dollars du volume des opérations sur tout type de titre effectuées sur le SNP pendant un mois atteint au moins 10 % de la valeur totale en dollars du volume des opérations effectuées au cours du mois sur ce type de titre sur tous les marchés au Canada;”.

6. Section 7.1 of the Regulation is amended by inserting, after paragraph (2), the following:

“(3) A marketplace that is subject to subsection (1) must not make the information referred to in that subsection available to any other person or company before it makes that information available to the information processor or, if there is no information processor, to the information vendor.”.

7. Section 7.2 of the Regulation is replaced with the following:

“7.2. Post-Trade Information Transparency – Exchange-Traded Securities

(1) A marketplace shall provide accurate and timely information regarding trades for exchange-traded securities executed on the marketplace to an information processor as required by the information processor or, if there is no information processor, to an information vendor that meets the standards set by a regulation services provider.

(2) A marketplace must not make the information referred to in subsection (1) available to any other person or company before it makes that information available to the information processor or, if there is no information processor, to the information vendor.”.

8. Section 8.6 of the Regulation is amended by replacing “2015” with “2018”.

9. Section 10.1 of the Regulation is amended by inserting, after paragraph (h), the following:

“(i) any access arrangements with a third party service provider, including the name of the third party service provider and the standards for access to be complied with by the third party service provider, and

(j) the hours of operation of any testing environments provided by the marketplace, a description of any differences between the testing environment and production environment of the marketplace and the potential impact of these differences on the effectiveness of testing.”.

10. Section 11.2.1 of the Regulation is replaced with the following:

“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 (chapter V-1.1, r. 6), the information required by the regulation services provider, in the manner requested by the regulation services provider, within 10 business days, in electronic form; and

(b) to the securities regulatory authority the information required by the securities regulatory authority under securities legislation, in the manner requested by the securities regulatory authority, within 10 business days, in electronic form.”.

11. Section 11.3 of the Regulation is amended by inserting, after subparagraph (g) of paragraph (1), the following:

“(h) a copy of any agreement referred to in section 5.10; and

(i) a copy of any agreement referred to in subsection 5.12(c).”.

12. The Regulation is amended by replacing section 12.1 with the following:

“12.1. System Requirements

For each system, operated by or on behalf of the marketplace, that supports order entry, order routing, execution, trade reporting, trade comparison, data feeds, market surveillance and trade clearing, a marketplace shall

- (a) develop and maintain
 - (i) an adequate system of internal control over those systems; and
 - (ii) adequate information technology general controls, including without limitation, controls relating to information systems operations, information security, change management, problem management, network support and system software support;
- (b) in accordance with prudent business practice, on a reasonably frequent basis and, in any event, at least annually,
 - (i) make reasonable current and future capacity estimates;
 - (ii) conduct capacity stress tests to determine the ability of those systems to process transactions in an accurate, timely and efficient manner; and
- (c) promptly notify the regulator or, in Québec, the securities regulatory authority and, if applicable, its regulation services provider, of any material systems failure, malfunction, delay or security breach and provide timely updates on the status of the failure, malfunction, delay or security breach, the resumption of service and the results of the marketplace's internal review of the failure, malfunction, delay or security breach.

“12.1.1. Auxiliary Systems

For each system that shares network resources with one or more of the systems, operated by or on behalf of the marketplace, that supports order entry, order routing, execution, trade reporting, trade comparison, data feeds, market surveillance and trade clearing, that if breached, would pose a security threat to one or more of the aforementioned systems, a marketplace must

- (a) develop and maintain an adequate system of information security controls that relate to the security threats posed to any system that supports order entry, order routing, execution, trade reporting, trade comparison, data feeds, market surveillance and trade clearing, and
- (b) promptly notify the regulator, or in Québec, the securities regulatory authority and, if applicable, its regulation services provider, of any material security breach and provide timely updates on the status of the breach, the resumption of service, where applicable, and the results of the marketplace's internal review of the security breach.”.

13. Section 12.2 of the Regulation is replaced with the following:

“12.2. System Reviews

(1) A marketplace must annually engage a qualified party to conduct an independent systems review and prepare a report in accordance with established audit standards to ensure that the marketplace is in compliance with

- (a) paragraph 12.1(a);
- (b) section 12.1.1; and
- (c) section 12.4.

(2) A marketplace shall provide the report resulting from the review conducted under subsection (1) to

- (a) its board of directors, or audit committee, promptly upon the report's completion, and

(b) the regulator or, in Québec, the securities regulatory authority, within the earlier of 30 days of providing the report to its board of directors or the audit committee or 60 days after the calendar year end.”.

14. Section 12.3 of the Regulation is replaced with the following:

“12.3. Marketplace Technology Requirements and Testing Facilities

(1) A marketplace shall make publicly available all technology requirements regarding interfacing with or accessing the marketplace in their final form,

(a) if operations have not begun, for at least 3 months immediately before operations begin; and

(b) if operations have begun, for at least 3 months before implementing a material change to its technology requirements.

(2) After complying with subsection (1), a marketplace shall make available testing facilities for interfacing with or accessing the marketplace,

(a) if operations have not begun, for at least 2 months immediately before operations begin; and

(b) if operations have begun, for at least 2 months before implementing a material change to its technology requirements.

(3) A marketplace must not begin operations or implement a material change to its technology requirements until the later of

(a) three months after notification of the completion of the review of the marketplace’s initial filing or change in information by the regulator, or in Québec, the securities regulatory authority, is provided to the marketplace, and

(b) a reasonable period of time after the regulator, or in Québec, the securities regulatory authority, has completed its review of the marketplace’s initial filing or change in information and notified the marketplace of the completion of the review.

(4) Paragraphs (1)(b) and (2)(b) do not apply to a marketplace if the change must be made immediately to address a failure, malfunction or material delay of its systems or equipment if

(a) the marketplace immediately notifies the regulator, or in Québec, the securities regulatory authority, and, if applicable, its regulation services provider of its intention to make the change; and

(b) the marketplace publishes the changed technology requirements as soon as practicable.

(5) A marketplace must not begin operations before,

(a) it has complied with paragraphs (1)(a) and (2)(a),

(b) its regulation services provider, if applicable, has confirmed to the marketplace that trading may commence on the marketplace, and

(c) the chief information officer of the marketplace, or person performing a similar function, has certified in writing to the regulator, or in Québec, the securities regulatory authority, that all information technology systems used by the marketplace have been tested according to prudent business practices and are operating as designed.

(6) A marketplace must not implement a material change to its technology requirements before,

(a) it has complied with paragraphs (1)(b) and (2)(b), and

(b) the chief information officer of the marketplace, or individual performing a similar function, has certified in writing to the regulator, or in Québec, the securities regulatory authority, that the change has been tested according to prudent business practices and is operating as designed.

(7) Subsection (6) does not apply to a marketplace if the change must be made immediately to address a failure, malfunction or material delay of its systems or equipment if the marketplace immediately notifies the regulator, or in Québec, the securities regulatory authority, of its intention to make the change.”.

15. The Regulation is amended by inserting, after section 12.3, the following:

“12.3.1. Uniform Test Symbols

A marketplace must use uniform test symbols, as set by a regulator, or in Québec, the securities regulatory authority, for the purpose of performing testing in its production environment.”.

16. Section 12.4 of the Regulation is replaced with the following:

“12.4. Business Continuity Planning

(1) A marketplace must

(a) develop and maintain reasonable business continuity plans, including disaster recovery plans,

(b) test its business continuity plans, including disaster recovery plans, according to prudent business practices and on a reasonably frequent basis and, in any event, at least annually, and

(2) A marketplace with a total trading volume in any type of security equal to or greater than 10% of the total dollar value of the trading volume in that type of security on all marketplaces in Canada during at least two of the preceding three months of operations must ensure that each system, operated by or on behalf of the marketplace, that supports order entry, order routing, execution, trade reporting, trade comparison, data feeds, and trade clearing can resume operations within two hours following the declaration of a disaster by the marketplace.

(3) A recognized exchange or quotation and trade reporting system that directly monitors the conduct of its members or users and enforces requirements set under section 7.1(1) or 7.3(1) of Regulation 23-101 respecting Trading Rules must ensure that each system, operated by or on behalf of the marketplace, that is critical and supports real-time market surveillance can resume operations within two hours following the declaration of a disaster at the primary site by the exchange or quotation and trade reporting system.

(4) A regulation services provider that has entered into a written agreement with a marketplace to conduct market surveillance for the marketplace must ensure that each system, operated by or on behalf of the regulation services provider, that is critical and supports real-time market surveillance can resume operations within two hours following the declaration of a disaster at the primary site by the regulation services provider.”.

17. The Regulation is amended by inserting, after section 12.4, the following:

“12.4.1. Industry-Wide Business Continuity Tests

A marketplace, recognized clearing agency, information processor, and marketplace participant must participate in all industry-wide business continuity tests, as determined by a regulation services provider, regulator, or in Québec, the securities

regulatory authority.”.

18. Section 13.1 of the Regulation is amended by replacing, in paragraphs (2) and (3), the words “and settled” with the words “to a clearing agency”.

19. The Regulation is amended by inserting, after section 13.1, the following:

“13.2. Access to Clearing Agency of Choice

(1) A marketplace must report a trade in a security to a clearing agency designated by a marketplace participant.

(2) Subsection (1) does not apply to a trade in a security that is a standardized derivative or an exchange-traded security that is an option.”.

20. Section 14.4 of the Regulation is amended:

(1) by inserting, in paragraph (4) and after the words “in a timely manner an electronic connection”, the words “or changes to an electronic connection”;

(2) by inserting, after paragraph (6), the following:

“(6.1) If an information processor is operated as a division or unit of a person, the person must file the income statement and the statement of cash flow of the information processor and any other information necessary to demonstrate the financial condition of the information processor within 90 days after the end of the financial year of the person.”;

(3) by inserting, after paragraph (7), the following:

“(7.1) If an information processor is operated as a division or unit of a person, the person must file the financial budget relating to the information processor within 30 days after the start of the financial year of the person.”.

21. Section 14.5 of the Regulation is amended:

(1) by replacing, in the French text of subparagraph (ii) of paragraph (b), the words “tests aux marges” with the words “simulations de crise”;

(2) by replacing subparagraph (ii) with paragraph (d) with the following:

“(ii) the regulator or, in Québec, the securities regulatory authority, within the earlier of 30 days of providing it to the board of directors or the audit committee or 60 days after the calendar year end; and”.

22. Section 14.6 of the Regulation is replaced with the following:

“14.6. Business Continuity Planning

An information processor must

(1) develop and maintain reasonable business continuity plans, including disaster recovery plans,

(2) test its business continuity plans, including disaster recovery plans, according to prudent business practices and on a reasonably frequent basis and, in any event, at least annually, and

(3) ensure that its critical systems can resume operations within one hour following the declaration of a disaster by the information processor.”.

23. Section 14.7 of the Regulation is amended by replacing, in the introductory sentence, the words “with this Regulation, or other than a securities regulatory authority, unless” with the words “with this Regulation or a securities regulatory authority, unless”.

24. Form 21-101F1 of the Regulation is amended:

(1) by inserting, in the section “Type of document” and after the words “AMENDMENT”, the words “; AMENDMENT No.”;

(2) by inserting, in paragraph (2) of Exhibit C and after the words “including their mandates”, the words “and the Board mandate”;

(3) in Exhibit E:

(a) by replacing the second sentence of the first paragraph with the following:

“This must include, but is not limited to, a description of the following.”;

(b) by replacing, in items 7, 8, 9 and 10, the word “Description” with the words “A description”;

(c) by inserting, at the end of this exhibit, the following sentence:

“The filer must provide all material contracts related to order routing, execution, trade reporting, trade comparison, data feeds, market surveillance and trade clearing.”;

(4) by inserting, after paragraph (3) of Exhibit F, the following:

“4. A copy of the marketplace’s policies and procedures for the selection of service providers to which key services and systems may be outsourced and for the evaluation and approval of such outsourcing arrangements that are established and maintained pursuant to subsection 5.12(a) of Regulation 21-101 respecting Marketplace Operation.

5. A description of any conflicts of interest between the marketplace and the service provider to which key services and systems are outsourced and a copy of the policies and procedures to mitigate and manage such conflicts of interest that have been established pursuant to subsection 5.12(b) of Regulation 21-101 respecting Marketplace Operation.

6. A description of the measures the marketplace has taken pursuant to subsection 5.12(f) of Regulation 21-101 respecting Marketplace Operation to ensure that the service provider has established, maintains and periodically tests an appropriate business continuity plan, including a disaster recovery plan.

7. A description of the measures the marketplace has taken pursuant to subsection 5.12(g) of Regulation 21-101 respecting Marketplace Operation to ensure that the service provider protects the proprietary order, trade or any other confidential information of the participants of the marketplace.

8. A copy of the marketplace’s processes and procedures to regularly review the performance of a service provider under an outsourcing arrangement that are established pursuant to subsection 5.12(h) of Regulation 21-101 respecting Marketplace Operation.”;

(5) by replacing Exhibit G with the following:

“Exhibit G – Systems and Contingency Planning

General

Provide:

1. A high level description of the marketplace's systems that support order entry, order routing, execution, trade reporting, trade comparison, data feeds, co-location and if applicable, market surveillance and trade clearing.
2. An organization chart of the marketplace's information technology group.

Business Continuity Planning

Please describe:

1. Where the primary processing site is located,
2. What the approximate percentage of hardware, software, and network redundancy is at the primary site,
3. If there is an uninterruptible power source (UPS) at the primary site,
4. How frequently market data is stored off-site,
5. Whether the marketplace has a secondary processing site and, if so, the location of the secondary processing site,
6. The filer's business continuity plan, including the disaster recovery plan. Please provide any relevant documentation,
7. How frequently the business continuity and disaster recovery plans are tested,
8. The targeted time to resume operations of critical information technology systems following the declaration of a disaster by the marketplace,
9. Any single points of failure faced by the marketplace.

Systems Capacity

Please describe:

1. How frequently future market activity is evaluated in order to adjust processing capacity,
2. The approximate excess capacity maintained over average daily transaction volumes,
3. How often or at what point stress testing is performed.

Systems

Please describe:

1. Whether the trading engine was developed in-house or by a commercial vendor,
2. Whether the trading engine is maintained in-house or by a commercial vendor and provide the name of the commercial vendor, if applicable,
3. The marketplace's networks. Please provide a copy of the network diagram used in-house that covers order entry, real-time market data and transmission,
4. The message protocols supported by the marketplace's systems,

5. The transmission protocols used by the marketplace's systems.

IT Risk Assessment

Please describe the IT risk assessment framework, including:

1. How the probability and likelihood of IT threats are considered,
2. How the impact of risks are measured according to qualitative and quantitative criteria,
3. The documentation process for acceptable residual risks with related offsets, and
4. The development of management's action plan to implement a risk response to a risk that has not been accepted.”;

(6) by replacing, in Exhibit I, the word “Filer” with the word “filer”;

(7) by replacing, in paragraph (1) of Exhibit J, the words “described in Exhibit E.4” with the words “described in Exhibit E item 4”;

(8) by replacing, in Exhibit K, item 4 with the following:

“4. The class of participation or other access. Please identify if the marketplace participant accesses the marketplace through co-location.”;

(9) by inserting, in item 2 of Exhibit M, the words “a copy of” after the words “and its members, provide”.

25. Form 21-101F2 of the Regulation is amended:

(1) by replacing, in the title, the words “INITIAL OPERATION REPORT” with the words “INFORMATION STATEMENT”;

(2) by inserting, in the section “TYPE OF DOCUMENT” and after the words “AMENDMENT”, the words “; AMENDMENT No.”;

(3) by inserting, in item 12, the words “name of” before the words “regulation services provider”;

(4) in Exhibit E:

(a) by replacing the second sentence of the first paragraph with the following:

“This must include, but is not limited to, a description of the following.”;

(b) by replacing, in items 7, 8, 9 and 10, the word “Description” with the words “A description”;

(c) by inserting, at the end of the exhibit, the following sentence:

“The filer must provide all material contracts relating to order routing, execution, trade reporting, trade comparison, data feeds, market surveillance and trade clearing.”;

(5) in Exhibit F:

(a) by deleting, in the first paragraph, the word “the” after the words “any function associated with”;

(b) by inserting, in the first paragraph, the word “data” after the words “clearing and settlement,”;

(c) by inserting, after paragraph (3), the following:

“4. A copy of the marketplace’s policies and procedures for the selection of service providers to which key services and systems may be outsourced and for the evaluation and approval of such outsourcing arrangements that are established and maintained pursuant to subsection 5.12(a) of Regulation 21-101 respecting Marketplace Operation.

5. A description of any conflicts of interest between the marketplace and the service provider to which key services and systems are outsourced and a copy of the policies and procedures to mitigate and manage such conflicts of interest that have been established pursuant to subsection 5.12(b) of Regulation 21-101 respecting Marketplace Operation.

6. A description of the measures the marketplace has taken pursuant to subsection 5.12(f) of Regulation 21-101 respecting Marketplace Operation to ensure that the service provider has established, maintains and periodically tests an appropriate business continuity plan, including a disaster recovery plan.

7. A description of the measures the marketplace has taken pursuant to subsection 5.12(g) of Regulation 21-101 respecting Marketplace Operation to ensure that the service provider protects the proprietary order, trade or any other confidential information of the participants of the marketplace.

8. A copy of the marketplace’s processes and procedures to regularly review the performance of a service provider under an outsourcing arrangement that are established pursuant to subsection 5.12(h) of Regulation 21-101 respecting Marketplace Operation.”;

(6) by replacing Exhibit G with the following:

“Exhibit G – Systems and Contingency Planning

General

Provide:

1. A high level description of the marketplace’s systems that support order entry, order routing, execution, trade reporting, trade comparison, data feeds, co-location and if applicable, market surveillance and trade clearing.

2. An organization chart of the marketplace’s information technology group.

Business Continuity Planning

Describe:

1. Where the primary processing site is located,

2. What the approximate percentage of hardware, software, and network redundancy is at the primary site,

3. If there is an uninterruptible power source (UPS) at the primary site,

4. How frequently market data is stored off-site,

5. Whether the marketplace has a secondary processing site and, if so, the location of the secondary processing site,

6. The filer's business continuity plan, including the disaster recovery plan. Please provide any relevant documentation,

7. How frequently the business continuity and disaster recovery plans are tested,

8. The targeted time to resume operations of critical information technology systems following the declaration of a disaster by the marketplace,

9. Any single points of failure faced by the marketplace.

Systems Capacity

Describe:

1. How frequently future market activity is evaluated in order to adjust processing capacity,

2. The approximate excess capacity maintained over average daily transaction volumes,

3. How often or at what point stress testing is performed.

Systems

Describe:

1. Whether the trading engine was developed in-house or by a commercial vendor,

2. Whether the trading engine is maintained in-house or by a commercial vendor and provide the name of the commercial vendor, if applicable,

3. The marketplace's networks. Please provide a copy of the network diagram used in-house that covers order entry, real-time market data and transmission,

4. The message protocols supported by the marketplace's systems,

5. The transmission protocols used by the marketplace's systems.

IT Risk Assessment

Describe the IT risk assessment framework, including:

1. How the probability and likelihood of IT threats are considered,

2. How the impact of risks are measured according to qualitative and quantitative criteria,

3. The documentation process for acceptable residual risks with related offsets, and

4. The development of management's action plan to implement a risk response to a risk that has not been accepted.”;

(7) by inserting, in Exhibit I, the word “list” after the words “If this is an initial filing,”;

(8) by replacing, in paragraph (1) of Exhibit J, the words “described in Exhibit E.4” with the words “described in Exhibit E item 4”;

(9) by replacing, in Exhibit K, item 4 with the following:

“4. The class of participation or other access. Identify if the marketplace participant accesses the marketplace through co-location.”.

26. Form 21-101F3 of the Regulation is amended:

(1) by replacing, in section A, items 4, 5, 6 and 7 with the following:

“4. A list of all amendments in the information in Form 21-101F1 or 21-101F2 that were filed with the Canadian securities regulatory authorities and implemented during the period covered by the report. The list must include a brief description of each amendment, the date filed and the date implemented.

5. A list of all amendments in the information in Form 21-101F1 or 21-101F2 that have been filed with the Canadian securities regulatory authorities but not implemented as of the end of the period covered by the report. The list must include a brief description of each amendment, the date filed and the reason why it was not implemented.

6. Systems - If any outages occurred at any time during the period for any system relating to trading activity, including trading, routing or data, provide the date, duration, reason for the outage and its resolution.

7. Systems Changes – A brief description of any significant changes to the systems and technology used by the marketplace that support order entry, order routing, execution, trade reporting, trade comparison, data feeds, co-location and if applicable, market surveillance and trade clearing that were planned, under development, or implemented during the quarter. Please provide the current status of the changes that are under development.”;

(2) in section B:

(a) by replacing, in item 1 of Section 1, the word “should” with the words “must”;

(b) by replacing Chart 2 of Section 1 with the following:

“

Types of Crosses	Volume	Value	Number of Trades
1. Intentional Crosses ¹			
2. Internal crosses			
3. Other crosses			

”;

(c) by replacing Chart 3 of Section 1 with the following:

“

Types of Orders	Number of Orders	Orders Executed	Orders Cancelled ²
1. Anonymous ³			
2. Fully transparent			
3. Pegged Orders			
4. Fully hidden			
5. Separate dark facility of a transparent market			
6. Partially hidden (reserve)			
7. Total number of orders entered during the quarter			

”;

(d) by replacing, wherever they appear in item 5 of Section 1, the word “should” with the word “must”;

(e) by replacing, in item 6 of Section 1, the word “third-party” with the words “third party”;

(f) by deleting item 7 of Section 1;

(g) by adding, in item 1 of Section 2, the words “during the quarter” after the words “regular trading hours”;

(h) by replacing item 2 and Chart 8 of Section 2 with the following:

“2. Trading by security – Provide the details requested in the form set out in Chart 8 below for each fixed income security traded on the marketplace (during regular trading hours during the quarter. Enter “None”, “N/A”, or “0” where appropriate.

Chart 8 – Traded fixed income securities

Category of Securities	Value Traded	Number of Trades
Domestic Unlisted Debt Securities - Government 1. Federal [Enter issuer, maturity, coupon]		
2. Federal Agency [Enter issuer, maturity, coupon]		
3. Provincial and Municipal [Enter issuer, maturity, coupon]		
Domestic Unlisted Debt Securities – Corporate [Enter issuer, maturity, coupon]		
Domestic Unlisted Debt Securities – Other [Enter issuer, maturity, coupon]		
Foreign Unlisted Debt Securities – Government [Enter issuer, maturity, coupon]		
Foreign Unlisted Debt Securities – Corporate [Enter issuer, maturity, coupon]		

Category of Securities	Value Traded	Number of Trades
Foreign Unlisted Debt Securities – Other [Enter issuer, maturity, coupon]		

”;

(i) by replacing, in item 3 of Section 2, the word “should” with the word “must”;

(j) by replacing, wherever it appears in items 1 and 2 of Section 4, the word “should” with the word “must”;

(k) by replacing Chart 15 of Section 4 with the following:

Type of Trade	Volume	Number of Trades
Futures Products		
A. Cross		
B. Pre-arranged		
C. Block		
D. Exchange for physical		
E. Exchange for risk		
F. Riskless basis cross		
G. Others, please specify		
Options Products		
A. Cross		
B. Pre-arranged		
C. Block		
D. Others, please specify		

(l) by replacing, in item 3 of Section 4, the word “should” with the word “must”;

(m) by replacing Chart 16 of Section 4 with the following:

“Chart 16 – Order information

Type of Orders	Volume	Number of Trades
1. Anonymous		
2. Fully transparent		
3. Pegged orders		
4. Fully hidden		
5. Separate dark facility of a transparent market		
6. Partially hidden (reserve, for example, iceberg orders)		

”;

(n) by replacing, wherever it appears in items 4 and 5 of Section 4, the word “should” with the word “must”;

(o) by deleting item 6 of Section 4.

27. Form 21-101F5 of the Regulation is amended:

(1) by replacing, in the title, the words “INITIAL OPERATION REPORT FOR” with the words “INFORMATION STATEMENT”;

(2) by inserting, in section “Type of filing” and after the word “AMENDMENT”, the words “: AMENDMENT No.”;

- (3) in Exhibit G:
- (a) in paragraph (1):
 - (i) by replacing the word “should” with the word “must”;
 - (ii) by replacing, in item 3, the word “system” with the word “System”;
 - (iii) by replacing, in item 5, the word “Description” with the words “A description”;
 - (b) by replacing, in paragraph 3, the word “should” with the word “must”;
 - (c) by replacing, in the French text of paragraph (10), the words “tests aux marges” with the words “simulations de crise”;
- (4) by replacing paragraph (2) of Exhibit J with the following:
- “2. Where arrangements exist to share revenue from the sale of data disseminated by the information processor with marketplaces, inter-dealer bond brokers and dealers that provide data to the information processor in accordance with Regulation 21-101 respecting Marketplace Operation, provide a complete description of the arrangements and the basis for these arrangements.”;
- (5) by replacing, in paragraph (3) of Exhibit K, the word “who” with the word “that”.

28. The Regulation is amended by replacing, wherever it appears, the word “should” with the word “must”.

29. This Regulation comes into force on (*indicate here the date of coming into force of this Regulation*).