

REGULATION TO AMEND REGULATION 21-101 RESPECTING MARKETPLACE OPERATION

Securities Act
(chapter V-1.1, s. 331.1, par. (1), (3), (9.1) and (34))

1. Section 1 of Regulation 21-101 respecting Marketplace Operation (chapter V-1.1, r. 5) is amended:

(1) by inserting, after the definition of “corporate debt security”, the following:

““critical service” has the meaning ascribed to it in Regulation 26-101 respecting Information Technology System Integrity (*indicate here the reference*);

“critical system” has the meaning ascribed to it in Regulation 26-101 respecting Information Technology System Integrity;”.

2. Section 5.12 of the Regulation is replaced by the following:

“5.12. Outsourcing

If a marketplace outsources any of its key services or systems to a service provider, including, for greater certainty, an affiliated entity or associate of the marketplace, the marketplace must comply with section 21 of Regulation 26-101 respecting Information Technology System Integrity (*indicate here the reference*).”.

3. Section 6.7 of the Regulation is repealed.

4. Section 11.3 of the Regulation is amended:

(1) in paragraph (1):

(a) by replacing subparagraph (c) by the following:

“(c) at least one copy of all records made or received by the marketplace in the course of complying with Part 2 and Part 5 of Regulation 26-101 respecting Information Technology System Integrity (*indicate here the reference*), including, for greater certainty, all correspondence, memoranda, papers, books, notices, accounts, reports, test scripts, test results and other similar records;”;

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

“(i) a copy of any contract referred to in paragraph 21(c) of Regulation 26-101 respecting Information Technology System Integrity;”;

(2) by striking out, in paragraph (2), subparagraph (c), and making the necessary adaptations.

5. Part 12 of the Regulation, including sections 12.1 to 12.4.1, is repealed.

6. Sections 14.5 to 14.6 of the Regulation are repealed.

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

(1) in item 2 of Exhibit D:

(a) by replacing “key services or systems”, in paragraph (i), by “key services or systems, including, for greater certainty, critical services or critical systems,”;

- (b) by striking out subparagraph (1) of paragraph (ii);
- (2) in Exhibit F:
 - (a) by replacing “key services or systems”, in the first paragraph, by “key services or systems, including, for greater certainty, critical services or critical systems,”;
 - (b) in item 4, by replacing “key services and systems” by “key services or systems, including, for greater certainty, critical services or critical systems,” and “paragraph 5.12(a) of Regulation 21-101 respecting Marketplace Operation” by “paragraph 21(a) of Regulation 26-101 respecting Information Technology System Integrity (*indicate here the reference*) and section 5.12 of Regulation 21-101 respecting Marketplace Operation”;
 - (c) in item 5, by replacing “key services and systems”, in the first paragraph, by “key services or systems, including, for greater certainty, critical services or critical systems,” and “paragraph 5.12(b) of Regulation 21-101 respecting Marketplace Operation” by “paragraph 21(b) of Regulation 26-101 respecting Information Technology System Integrity and section 5.12 of Regulation 21-101 respecting Marketplace Operation”;
 - (d) by replacing “paragraph 5.12(f) of Regulation 21-101 respecting Marketplace Operation”, in item 6, by “paragraph 21(f) of Regulation 26-101 respecting Information Technology System Integrity and section 5.12 of Regulation 21-101 respecting Marketplace Operation”;
 - (e) by replacing “paragraph 5.12(g) of Regulation 21-101 respecting Marketplace Operation”, in item 7, by “paragraph 21(h) of Regulation 26-101 respecting Information Technology System Integrity and section 5.12 of Regulation 21-101 respecting Marketplace Operation”;
 - (f) by replacing “paragraph 5.12(h) of Regulation 21-101 respecting Marketplace Operation”, in item 8, by “paragraph 21(j) of Regulation 26-101 respecting Information Technology System Integrity and section 5.12 of Regulation 21-101 respecting Marketplace Operation”;
- (3) in Exhibit G:
 - (a) by replacing “subsection 12.2(1) of Regulation 21-101 respecting Marketplace Operation”, in item 2 after the heading “*General*”, by “section 23 of Regulation 26-101 respecting Information Technology System Integrity”;
 - (b) by replacing “section 12.1 of Regulation 21-101 respecting Marketplace Operation”, in item 3 after the heading “*Systems*”, by “sections 2 and 3 of Regulation 26-101 respecting Information Technology System Integrity”.

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

- (1) in item 2 of Exhibit D:
 - (a) by replacing “key services or systems”, in the first paragraph, by “key services or systems, including, for greater certainty, critical services or critical systems,”;
 - (b) by striking out subparagraph (1) of paragraph (ii);
- (2) in Exhibit F:

(a) by replacing “key services or systems”, in the first paragraph, by “key services or systems, including, for greater certainty, critical services or critical systems,”;

(b) in item 4, by replacing “key services and systems” by “key services or systems, including, for greater certainty, critical services or critical systems,” and “paragraph 5.12(a) of Regulation 21-101 respecting Marketplace Operation” by “paragraph 21(a) of Regulation 26-101 respecting Information Technology System Integrity (*indicate here the reference*) and section 5.12 of Regulation 21-101 respecting Marketplace Operation”;

(c) in item 5, by replacing “key services and systems”, in the first paragraph, by “key services or systems, including, for greater certainty, critical services or critical systems,” and “paragraph 5.12(b) of Regulation 21-101 respecting Marketplace Operation” by “paragraph 21(b) of Regulation 26-101 respecting Information Technology System Integrity and section 5.12 of Regulation 21-101 respecting Marketplace Operation”;

(d) by replacing “paragraph 5.12(f) of Regulation 21-101 respecting Marketplace Operation”, in item 6, by “paragraph 21(f) of Regulation 26-101 respecting Information Technology System Integrity and section 5.12 of Regulation 21-101 respecting Marketplace Operation”;

(e) by replacing “paragraph 5.12(g) of Regulation 21-101 respecting Marketplace Operation”, in item 7, by “paragraph 21(h) of Regulation 26-101 respecting Information Technology System Integrity and section 5.12 of Regulation 21-101 respecting Marketplace Operation”;

(f) by replacing “paragraph 5.12(h) of Regulation 21-101 respecting Marketplace Operation”, in item 8, by “paragraph 21(j) of Regulation 26-101 respecting Information Technology System Integrity and section 5.12 of Regulation 21-101 respecting Marketplace Operation”;

(3) in Exhibit G:

(a) by replacing “subsection 12.2(1) of Regulation 21-101 respecting Marketplace Operation”, in item 2 after the heading “*General*”, by “section 23 of Regulation 26-101 respecting Information Technology System Integrity”;

(b) by replacing “section 12.1 of Regulation 21-101 respecting Marketplace Operation”, in item 3 after the heading “*Systems*”, by “sections 2 and 3 of Regulation 26-101 respecting Information Technology System Integrity”.

9. Form 21-101F4 of the Regulation is amended by striking out Exhibit B.

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

(2) In Saskatchewan, despite paragraph (1), if this Regulation is filed with the Registrar of Regulations after (*indicate here the date of coming into force of this Regulation*), this Regulation comes into force on the day on which it is filed with the Registrar of Regulations.