

REGULATION TO AMEND REGULATION 81-104 RESPECTING COMMODITY POOLS

Securities Act

(chapter V-1.1, s. 331.1, par. (1), (6), (8), (11), (14), (16), (19), (20), (26) and (34))

1. The title of Regulation 81-104 respecting Commodity Pools (chapter V-1.1, r. 40) is amended by replacing the words “**COMMODITY POOLS**” with the words “**ALTERNATIVE MUTUAL FUNDS**”.

2. Section 1.1 of the Regulation is amended, in paragraph (1):

(1) by inserting, before the definition of the expression “Canadian Securities Course”, the following:

““alternative mutual fund” has the same meaning as in section 1.1 of Regulation 81-102 respecting Investment Funds (chapter V-1.1, r. 39);”;

(2) by deleting the definitions of the expressions “commodity pool”, “independent review committee” and “precious metals fund”, and making the necessary adaptations.

3. Section 1.2 of the Regulation is replaced with the following:

“1.2. Application

This Regulation applies only to

(a) an alternative mutual fund that

(i) offers, or has offered, securities under a prospectus for so long as the alternative mutual fund remains a reporting issuer, or

(ii) is filing a preliminary prospectus or its first prospectus; and

(b) a person in respect of activities pertaining to an alternative mutual fund referred to in paragraph (a).”.

4. Section 1.3 of the Regulation is amended:

(1) by replacing, wherever they appear in paragraph (1), the words “a commodity pool” with the words “an alternative mutual fund” and the words “commodity pool” with the words “alternative mutual fund”;

(2) by repealing paragraph (2).

5. Part 2 of the Regulation, including section 2.1, is repealed.

6. Part 3 of the Regulation, including sections 3.1 to 3.3, is repealed.

7. Section 4.1 of the Regulation is amended by replacing, wherever they appear, the words “a commodity pool” with the words “an alternative mutual fund” and the words “commodity pools” with the words “alternative mutual funds”.

8. Part 5 of the Regulation, including sections 5.1 to 5.3, is repealed.

9. Part 6 of the Regulation, including sections 6.1 to 6.3, is repealed.

10. Part 8 of the Regulation, including section 8.5, is repealed.

11. Section 11.2 of the Regulation is repealed.

12. This Regulation comes into force on January 3, 2019.