

REGULATION TO AMEND REGULATION 81-106 RESPECTING INVESTMENT FUND CONTINUOUS DISCLOSURE

Securities Act

(chapter V-1.1, s. 331.1, par. (2), (4.1), (8), (19.5), (20) and (34))

1. Section 1.1 of Regulation 81-106 respecting Investment Fund Continuous Disclosure (chapter V-1.1, r. 42) is amended by inserting, after the definition of the expression “designated rating”, the following:

““designated website” means, in relation to an investment fund, a website designated by the fund under section 16.1.2;”.

2. Sections 5.2 and 5.3 of the Regulation are amended by replacing the words “investment fund’s website, if applicable,” with the words “investment fund’s designated website”.

3. Section 5.5 of the Regulation is replaced with the following:

“5.5. Websites

An investment fund that is a reporting issuer must post on its designated website any documents listed in subsection 5.1(2) no later than the date that those documents are filed.”.

4. Section 6.2 of the Regulation is amended by replacing, in paragraph (2), the words “An investment fund that has a website must post to the website” with the words “An investment fund must post on its designated website”.

5. Section 10.4 of the Regulation is amended by replacing, in paragraph (2), the words “An investment fund that has a website must post the proxy voting record to the website” with the words “An investment fund must post the proxy voting record on its designated website”.

6. Section 11.2 of the Regulation is amended by replacing, in subparagraph (b) of paragraph (1), the words “on the website of the investment fund or the investment fund manager” with the words “on the investment fund’s designated website”.

7. Section 14.2 of the Regulation is amended by replacing paragraph (7) with the following:

“(7) An investment fund that publishes its net asset value or net asset value per security in the financial press, or posts its net asset value or net asset value per security on its designated website, must provide its current net asset value or net asset value per security on a timely basis to the financial press or post it to its designated website on a timely basis, as applicable.”.

8. The Regulation is amended by inserting, after section 16.4, the following:

“PART 16.1. INVESTMENT FUND WEBSITE

“16.1.1. Application

This Part applies to an investment fund that is a reporting issuer.

“16.1.2. Requirement to Have a Designated Website

(1) An investment fund must designate one qualifying website on which the fund intends to post disclosure as required by securities legislation.

(2) In this section, a “qualifying website” of an investment fund is a website that is

(a) publicly accessible, and

(b) established and maintained by the fund or on its behalf by one or more of the following persons:

- (i) its investment fund manager;
- (ii) a person designated by its investment fund manager.

(3) The designated website referred to in (1) must be identified as the designated website in the following, as applicable:

(a) item 19.13 of Form 41-101F2 of Regulation 41-101 respecting General Prospectus Requirements (chapter V-1.1, r. 14), if the investment fund last distributed securities under a prospectus prepared in accordance with that form;

(b) item 2.18 of Part D of Form 41-101F3 of Regulation 41-101 respecting General Prospectus Requirements, if the scholarship plan last distributed securities under a prospectus prepared in accordance with that form;

(c) item 4.19 of Form 81-101F1 of Regulation 81-101 respecting Mutual Fund Prospectus Disclosure (chapter V-1.1, r. 38), if the mutual fund last distributed securities under a prospectus prepared in accordance with that form;

(d) item 10.11 of Form 81-101F2 of Regulation 81-101 respecting Mutual Fund Prospectus Disclosure, if the investment fund is required to file an annual information form under section 9.2 of this Regulation.”.

9. Form 81-106F1 of the Regulation is amended:

(1) in Part B:

(a) by replacing, in item 1, “website at [insert address]” with “website at [insert the address of the designated website]”;

(b) by replacing, in paragraph (9) of the instructions under item 5, “*are available on the internet at www.sedar.com.*” with “*are available on the investment fund’s designated website and at www.sedar.com.*”;

(2) by replacing, in item 1 of Part C, “website at [insert address]” with “website at [insert the address of the designated website]”.

10. Transition

Before 6 September 2022, an investment fund is not required to comply with the Regulation, as amended by this Regulation, if the investment fund complies with

(a) the Regulation as it was in force on 5 January 2022,

(b) in the case of a mutual fund to which Regulation 81-101 respecting Mutual Fund Prospectus Disclosure (chapter V-1.1, r. 38) applies, Regulation 81-101 respecting Mutual Fund Prospectus Disclosure as it was in force on 5 January 2022, and

(c) in the case of an investment fund not referred to in paragraph (b), Regulation 41-101 respecting General Prospectus Requirements (chapter V-1.1, r. 14) as it was in force on 5 January 2022.

11. Effective Date

(1) This Regulation comes into force on 6 January 2022.

(2) In Saskatchewan, despite paragraph (1), if this Regulation is filed with the Registrar of Regulations after 6 January 2022, this Regulation comes into force on the day on which it is filed with the Registrar of Regulations.