
2000/10/06 — Notice of Commission Decision Temporarily Exempting the Montreal Exchange from Recognition

Issue: October 6, 2000

Citation: 23 O.S.C.B. 6862

The Montreal Exchange (the “ME”) has made a formal application to the Commission to be recognized as an exchange under s.21 of the Act and s.15 of the *Commodity Futures Act*. The application is currently under review. In order to allow the ME to carry on business in Ontario, on September 26, 2000 the Commission granted the Montreal Exchange a temporary exemption from the requirement to be recognized, pending completion of the recognition process. The order was published on September 29, 2000 (23 O.S.C.B. 6652).

The order granted September 26, 2000 was granted on the basis that the ME continues to be recognized as a self-regulatory organization under the *Securities Act* (Québec). Upon demutualization of the ME on October 2, 2000, the Commission des valeurs mobilières du Québec (the “CVMQ”) granted the ME a temporary exemption from recognition as a self-regulatory organization on the terms and condition that the ME continues to be subject to the requirements for self-regulatory organizations set out in Chapter II, Title VI of the *Securities Act* (Québec). The ME is, therefore, not recognized as a self-regulatory organization under the *Securities Act* (Québec). The Commission therefore granted the ME an order temporarily exempting it from recognition under the Act and the CFA on the basis that the ME continues to be subject to the requirements for self-regulatory organizations set out in Chapter II, Title VI of the *Securities Act* (Québec).

The order is published below.

Questions can be addressed to:

Randee Pavalow
Manager, Market Regulation
(416) 593-8257

or

Jennifer Elliott
Legal Counsel, Market Regulation
(416) 593-8109

In the Matter of the Securities Act, R.S.O. 1990, Chapter c.S. 5, as Amended (the “Act”) and The Commodity Futures Act, R.S.O. 1990, Chapter 20, as Amended (the “CFA”) and In the Matter of the Montréal Exchange Inc. Order (section 147 of the Act and section 80 of the CFA)

UPON the application of the Montreal Exchange and the Montréal Exchange Inc. (collectively referred to as the “ME”), pursuant to section 147 of the Act and section 80 of the CFA for an order exempting the ME from the requirement to be recognized as a stock exchange under section 21 of the Act and registered as a commodity futures exchange under section 15 of the CFA (the “Application”);

AND UPON the ME having represented to the Commission that:

1. on or about October 1, 2000, the ME became a corporation created and organized under the *Companies Act* (Québec) to operate as an exchange; and
2. the ME carries on business as a stock exchange and a derivatives exchange in Québec and is recognized under the *Securities Act* (Québec) as a self-regulatory organization;

AND UPON the Commission being satisfied that granting the ME an exemption order pursuant to section 147 of the Act and section 80 of the CFA on an interim basis would not be contrary to the public interest;

IT IS ORDERED, pursuant to section 147 of the Act and section 80 of the CFA, that the ME be exempt from the requirement to be recognized as a stock exchange under section 21 of the Act and registered as a commodity futures exchange under section 15 of the CFA, so long as the ME continues to be subject to the requirements for self-regulatory organizations set out in Chapter II, Title VI of the *Securities Act* (Québec); provided that:

1. the exemption provided for in this Order shall terminate at the earlier of (i) the date that the ME is granted an order by the Commission recognizing it as a stock exchange and registering it as a commodity futures exchange or exempting it from the requirement to be recognized as a stock exchange and registered as a commodity futures exchange; and (ii) the expiry of four months from the date of this order.

DATED October 3rd, 2000.

“J. A. Geller”

“David Brown”