

NOTICE AND REQUEST FOR COMMENT

APPLICATION BY CREDITEX SECURITIES CORPORATION FOR EXEMPTION FROM MARKETPLACE RULES

A. Background

Creditex Securities Corporation (**Creditex**) has applied for an exemption from National Instrument 21-101 *Marketplace Operation* (**NI 21-101**), National Instrument 23-101 *Trading Rules* (**NI 23-101**), and National Instrument 23-103 *Electronic Trading and Direct Electronic Access to Marketplaces* (**NI 23-103**), in their entirety (together, the **Marketplace Rules**).

Creditex is a wholly-owned subsidiary of Intercontinental Exchange, Inc. and is regulated as a U.S. broker-dealer registered with the Securities and Exchange Commission (**SEC**) pursuant to section 15 of the Securities Exchange Act of 1934, as amended. Creditex is also a member of the Financial Industry Regulatory Authority (**FINRA**), the Municipal Securities Rulemaking Board, and the National Futures Association. Creditex operates two fixed income alternative trading systems (**ATSS**) that are regulated by the SEC and FINRA pursuant to *Regulation ATS* (17 C.F.R. § 242.300 et seq.).

B. Requested Relief

Creditex proposes to offer direct trading access to its ATSS to prospective participants in Alberta, British Columbia, Manitoba, Saskatchewan, Ontario, Quebec, New Brunswick, and Nova Scotia (the **Canadian Participants**). As such, Creditex will be carrying on business as an ATS in Canada and is therefore required to comply with the Marketplace Rules. Creditex has applied for an exemption from the Marketplace Rules in their entirety on the basis that it is already subject to a comprehensive regulatory regime in its home jurisdiction by the SEC and FINRA.

C. Application and Draft Exemption Order

In the application, Creditex has outlined how it meets the criteria for exemption from the Marketplace Rules as set out in CSA Staff Notice 21-328 *Regulatory Approach to Foreign Marketplaces Trading Fixed Income Securities*.¹ The application and draft exemption order with terms and conditions are attached as Appendices A and B, respectively, to this Notice.

D. Comment Process

We are seeking public comment on all aspects of Creditex's application and the draft exemption order.

¹ Available at <https://www.albertasecurities.com/-/media/ASC-Documents-part-1/Regulatory-Instruments/2020/03/5805988-CSA-Staff-Notice-21-328.ashx>

Please provide your comments in writing, via email, on or before May 25, 2020, to the attention of:

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The confidentiality of submissions cannot be maintained as the comment letters and a summary of written comments received during the comment period will be published.

Questions may be referred to:

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