

Chapter 13

SRO Notices and Disciplinary Proceedings

13.1.1 CDS Rule Amendment Notice – Technical Amendments to CDS Procedures – Contingency Services

THE CANADIAN DEPOSITORY FOR SECURITIES LIMITED ("CDS")

TECHNICAL AMENDMENTS TO CDS PROCEDURES

CONTINGENCY SERVICES

NOTICE OF EFFECTIVE DATE

A. DESCRIPTION OF THE RULE AMENDMENT

Background

CDS has offered Onsite Contingency Services to its Participants since 1996. The service was established to provide terminals, office space, and general support to Participants who are unable to access CDS clearing and settlement services due to temporary system, network, or terminal problems at their sites. When the CDSX system and associated procedures were brought online and into force, respectively, Onsite Contingency Services were not deemed to be a part of CDSX. Consequently, the procedures associated with the services were not included in CDSX Procedures documentation. The legacy procedures contained in the Securities Settlement Service/Book Based System ("SSS/BBS"), however, remain in force and use, when necessary.

The proposed Procedures marked for the amendments may be accessed on the CDS website at:

<http://www.cds.ca/cdshome.nsf/Pages/-EN-Documentation?Open>

Description of Proposed Amendments

The proposed amendments to the Procedures are intended to incorporate the following sections into CDS Procedures (the document entitled *Participating in CDS Services*) and clarify the service descriptions and service levels which CDS offers under the auspices of this service:

- A description of the CDS Participant Onsite Contingency Service and a definition of the two types of plans which CDS currently offers ("Subscriber Plan" and "Non-Subscriber Plan").
- Instructions for enrolling in the 'subscriber' Participant Onsite Contingency Service plan.
- Instructions for requesting service access in the event a Participant requires use of the service.
- A description of the Participant Shared (Terminal) Access Service.
- Instructions for enrolling in the Participant Shared (Terminal) Access Service.
- Instructions for requesting CDS to enable Shared Access facilities.

B. REASONS FOR TECHNICAL CLASSIFICATION

The amendments proposed pursuant to this Notice are considered technical/housekeeping amendments as they are made with the intention of incorporating and centralizing CDS Onsite Contingency Services Procedures within CDS Procedures generally. The proposed amendments are sought to enable more efficient access to CDS Procedures and services for Participants and clarify the instructions for both enrollment in, and use of, the service.

C. EFFECTIVE DATE OF THE RULE

Pursuant to Appendix A ("Rule Protocol Regarding The Review And Approval Of CDS Rules By The OSC") of the Recognition and Designation Order, as varied and restated on July 12, 2005, these amendments will be effective on August 14, 2006.

D. QUESTIONS

Questions regarding this notice may be directed to:

Tony Hoffmann
Legal Counsel
The Canadian Depository for Securities Limited
85 Richmond Street West
Toronto, Ontario M5H 2C9

Telephone: 416-365-3768
Fax: 416-365-1984
e-mail: attention@cds.ca

JAMIE ANDERSON
Senior Legal Counsel