

B.1.2 CSA Notice Regarding Coordinated Blanket Order 96-932 Re Temporary Exemptions from Certain Derivatives Data Reporting Requirements



**CSA NOTICE REGARDING
COORDINATED BLANKET ORDER 96-932
RE TEMPORARY EXEMPTIONS FROM CERTAIN DERIVATIVES DATA REPORTING REQUIREMENTS**

October 31, 2024

Introduction

The Canadian Securities Administrators (the **CSA** or **we**) are publishing substantively harmonized exemptions from certain derivatives data reporting requirements under Manitoba Securities Commission Rule 91-507 *Trade Repositories and Derivatives Data Reporting*, Ontario Securities Commission Rule 91-507 *Trade Repositories and Derivatives Data Reporting, Regulation 91-507 respecting Trade Repositories and Derivatives Data Reporting* (Québec) and Multilateral Instrument 96-101 *Trade Repositories and Derivatives Data Reporting* (collectively, the **Trade Reporting Rules**).

Every member of the CSA is implementing the relief through a coordinated local blanket order (collectively, the **Blanket Order**). Although the outcome is the same in all CSA jurisdictions, the language of the Blanket Order issued by each province or territory may not be identical because each jurisdiction's blanket order reflects certain differences among the Trade Reporting Rules and must fit within the authority provided in local securities legislation.

Background

For over-the-counter (**OTC**) derivatives between two end-users, reporting requirements under the Trade Reporting Rules may apply to one or both end-users. Amendments to each of the Trade Reporting Rules published on July 25, 2024 (collectively, the **Amendments**) provide, among other things, end-users of OTC derivatives with certain intended reductions in regulatory burden under the Trade Reporting Rules. The Amendments will come into force on July 25, 2025.

Description of Blanket Order

The purpose of the Blanket Order is to provide end-users with the temporary exemptions listed below from the Trade Reporting Rules to enable them to benefit from certain intended reductions in regulatory burden under the Amendments without having to wait until they come into force:

- *End-user reporting of creation data*
This exemption provides a reporting counterparty that is not a qualified reporting counterparty, as defined in the Amendments, with an extended period of time to report creation data, which they must report no later than the end of the second business day following the execution date of a transaction. This exemption applies in all CSA jurisdictions.
- *End-user reporting of life-cycle event data*
This exemption provides a reporting counterparty that is not a qualified reporting counterparty, as defined in the Amendments, with an extended period of time to report life-cycle event data, which they must report no later than the end of the second business day following the day on which the life-cycle event occurred. This exemption applies in all CSA jurisdictions.
- *End-user reporting of valuation data*
This exemption exempts a reporting counterparty that is neither a derivatives dealer nor a recognized or exempt or reporting clearing agency or reporting clearing house, from reporting valuation data. This exemption applies in all CSA jurisdictions.
- *End-user reporting of commodity derivatives*
This exemption exempts a reporting counterparty that is a local counterparty and is not a qualified reporting counterparty, each as defined in the Amendments, subject to certain conditions, from reporting commodity derivatives below a specified notional threshold. This exemption only applies in Ontario, Manitoba and Québec

because Multilateral Instrument 96-101 *Trade Repositories and Derivatives Data Reporting* already provides for a substantively equivalent exclusion.

- *End-user reporting of derivatives between affiliated entities*

This exemption exempts a reporting counterparty from reporting a transaction where both parties to the transaction are not qualified reporting counterparties and are affiliated entities, each as defined in the Amendments. The term “affiliated entity” includes certain partnerships and trusts, subject to the terms of the Amendments. This exemption only applies in Ontario and Manitoba because Multilateral Instrument 96-101 *Trade Repositories and Derivatives Data Reporting* and the Autorité des marchés financiers’ Blanket Order n° 2015-PDG-0089 already provide for a substantively equivalent exclusion.

Effective Date and Term

The Blanket Order is effective on October 31, 2024. It will cease to be effective on July 25, 2025, which is the date that the Amendments will come into force, unless extended by the CSA jurisdictions.

Questions

If you have questions about this CSA Notice, please contact any of the following:

Dominique Martin
Director, Derivatives Oversight
Autorité des marchés financiers
514-395-0337, ext. 4351
dominique.martin@lautorite.qc.ca

Greg Toczylowski
Manager
Trading & Markets – Derivatives
Ontario Securities Commission
416-593-8215
gtoczylowski@osc.gov.on.ca

Tim Reibetanz
Senior Legal Counsel
Trading & Markets – Derivatives
Ontario Securities Commission
416-263-7722
treibetanz@osc.gov.on.ca

Leigh-Anne Mercier
General Counsel
Manitoba Securities Commission
204-945-0362
Leigh-Anne.Mercier@gov.mb.ca

Abel Lazarus
Director, Corporate Finance
Nova Scotia Securities Commission
902-424-6859
abel.lazarus@novascotia.ca

Michael Brady
Deputy Director, Capital Markets Regulation
British Columbia Securities Commission
604-899-6561
mbrady@bcsc.bc.ca

Janice Cherniak
Senior Legal Counsel
Alberta Securities Commission
403-355-4864
janice.cherniak@asc.ca

Nick Doyle
Legal Counsel – Securities
Financial and Consumer Services Commission,
New Brunswick
506-635-2450
nick.doyle@fcnb.ca

Graham Purse
Legal Counsel
Securities Division
Financial and Consumer Affairs
Authority of Saskatchewan
306-787-5867
graham.purse2@gov.sk.ca