

1.1.4 CSA Staff Notice 31-322 – Extension of Omnibus/Blanket Order Exempting Mortgage Investment Entities from the Requirement to Register as Investment Fund Managers and Advisers

CSA STAFF NOTICE 31-322

**EXTENSION OF OMNIBUS/BLANKET ORDER EXEMPTING
MORTGAGE INVESTMENT ENTITIES FROM THE REQUIREMENT TO REGISTER
AS INVESTMENT FUND MANAGERS AND ADVISERS**

On August 20, 2010 each of the members of the Canadian Securities Administrators (the CSA or we) issued parallel orders providing exemptive relief for mortgage investment entities from the investment fund manager registration requirement and the adviser registration requirement under securities legislation until December 31, 2010 (the Prior Order). At the time of issuing the Prior Order, each of the CSA members agreed to review the applicability of these categories of registration to mortgage investment entities.

While significant analysis has been completed to date, CSA members have agreed that a further extension of the relief is necessary in order to allow CSA members to complete their analysis and communicate the applicable requirements to the public with sufficient notice to allow mortgage investment entities to take the necessary steps to comply with those requirements.

All CSA members, except the British Columbia Securities Commission (the BCSC) will extend the relief from investment fund manager registration requirement and adviser registration requirement until March 31, 2011. The extension provided by the BCSC will expire on June 30, 2011 in order to allow the BCSC to conduct further analysis relating to the regulation of mortgage investment entities operating in British Columbia.

The relief granted by all CSA members will be subject to the same terms and conditions as the Prior Order, which are described in CSA Staff Notice 31-318 *Omnibus/Blanket Order Exempting Mortgage Investment Entities from the Requirement to Register as Investment Fund Managers and Advisers*. We encourage mortgage investment entities to speak with their legal counsel with respect to any dealer registration requirements that may apply.

Note that in Ontario, an additional condition on the exemption is that it is only available to those licensed under the *Mortgage Brokerages, Lenders and Administrators Act, 2006*.

This order is effective on December 3, 2010 and will cease to have effect in all jurisdictions except British Columbia on March 31, 2011. This order will cease to have effect in British Columbia on June 30, 2011.

We are publishing the order with this Notice. The order will also be available on websites of CSA members, including:

www.lautorite.qc.ca
www.albertasecurities.com
www.bcsc.bc.ca
www.msc.gov.mb.ca
www.gov.ns.ca/nssc
www.nbsc-cvmnb.ca
www.osc.gov.on.ca
www.sfsc.gov.sk.ca

Questions

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