

## Chapter 5

# Rules and Policies

### 5.1 Rules

#### 5.1.1 National Instrument 14-101- Definitions - Notice of Rule Under the Securities Act

##### NATIONAL INSTRUMENT 14-101 DEFINITIONS NOTICE OF RULE UNDER THE SECURITIES ACT

##### NATIONAL INSTRUMENT 14-101 DEFINITIONS

#### PART 1 PART DEFINITIONS AND INTERPRETATION

##### 1.1 Definitions and Interpretation

- (1) Every term that is defined or interpreted in the statute of the local jurisdiction referred to in Appendix B, the definition or interpretation of which is not restricted to a specific portion of the statute, has, if used in a national instrument, the meaning ascribed to it in that statute unless the context otherwise requires.
- (2) A provision or reference within a provision of a national instrument that specifically refers by name to a jurisdiction other than the local jurisdiction shall not have any effect in the local jurisdiction, unless otherwise stated in the national instrument.
- (3) In a national instrument

"1933 Act" means the *Securities Act of 1933* of the United States of America;

"1934 Act" means the *Securities Exchange Act of 1934* of the United States of America;

"blanket rulings and orders" means rulings and orders issued under Canadian securities legislation in certain jurisdictions that are applicable to a class of persons, trades, intended trades, securities, exchange contracts or transactions;

"Canadian auditor's report" means an auditor's report prepared in accordance with Canadian GAAS;

"Canadian financial institution" means a bank, loan corporation, trust company, insurance company, treasury branch, credit union or caisse populaire that, in each case, is authorized to carry on business in Canada or a jurisdiction, or

the Confédération des caisses populaires et d'économie Desjardins du Québec;

"Canadian GAAP" means generally accepted accounting principles determined with reference to the Handbook;

"Canadian GAAS" means generally accepted auditing standards determined with reference to the Handbook;

"Canadian securities directions" means the instruments listed in Appendix A;

"Canadian securities legislation" means the statutes and the other instruments listed in Appendix B;

"Canadian securities regulatory authorities" means the securities commissions and similar regulatory authorities listed in Appendix C;

"CIPF" means the Canadian Investor Protection Fund;

"CSA" means the Canadian Securities Administrators;

"foreign jurisdiction" means a country other than Canada or a political subdivision of a country other than Canada;

"Handbook" means the Handbook of the Canadian Institute of Chartered Accountants, as amended from time to time;

"implementing law of a jurisdiction" means, for a local jurisdiction, a regulation, rule, ruling or order of the Canadian securities regulatory authority that implements a national instrument in the local jurisdiction;

"ITA" means the *Income Tax Act* (Canada);

"jurisdiction" means a province or territory of Canada except when used in the term foreign jurisdiction;

"local jurisdiction" means, in a national instrument adopted or made by a Canadian securities regulatory authority, the jurisdiction in which the Canadian securities regulatory authority is situate;

"national instrument" means an instrument described by the CSA as a national instrument,

and adopted or made by the securities regulatory authority;

"person or company", for the purpose of a national instrument in British Columbia, means "person" as defined in section 1 of the *Securities Act* (British Columbia), and for the purpose of a national instrument in Quebec, means "person" as used in the *Securities Act* (Quebec);

"regulator" means, for the local jurisdiction, the person referred to in Appendix D opposite the name of the local jurisdiction;

"SEC" means the Securities and Exchange Commission of the United States of America;

"securities directions" means, for the local jurisdiction, the instruments listed in Appendix A opposite the name of the local jurisdiction;

"securities legislation" means, for the local jurisdiction, the statute and other instruments listed in Appendix B opposite the name of the local jurisdiction;

"securities regulatory authority" means, for the local jurisdiction, the securities commission or similar regulatory authority listed in Appendix C opposite the name of the local jurisdiction; and

"SRO" means a self-regulatory organization, a self-regulatory body or an exchange.

## PART 2 EFFECTIVE DATE

**2.1 Effective Date** - This National Instrument comes into force on April 1, 1997.

## NATIONAL INSTRUMENT 14-101 DEFINITIONS

### APPENDIX A

### CANADIAN SECURITIES DIRECTIONS

LOCAL JURISDICTION	INSTRUMENTS
ALBERTA	The policy statements and the written interpretations issued by the securities regulatory authority.
BRITISH COLUMBIA	The policy statements and the written interpretations issued by the securities regulatory authority.
MANITOBA	The policy statements and the written interpretations issued by the securities regulatory authority.
NEW BRUNSWICK	The policy statements and the written interpretations issued by the securities regulatory authority.
NEWFOUNDLAND	The policy statements and the written interpretations issued by the securities regulatory authority.
NORTHWEST TERRITORIES	The policy statements and the written interpretations issued by the securities regulatory authority.
NOVA SCOTIA	The policy statements and the written interpretations issued by the securities regulatory authority.
ONTARIO	None.
PRINCE EDWARD ISLAND	The policy statements and the written interpretations issued by the securities regulatory authority.
QUEBEC	The policy statements and the written interpretations issued by the securities regulatory authority.
SASKATCHEWAN	The policy statements and the written interpretations issued by the securities regulatory authority.
YUKON TERRITORY	The policy statements and the written interpretations issued by the securities regulatory authority.

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issued by the securities regulatory authority.

**APPENDIX B**

**YUKON TERRITORY** *Securities Act* and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.

**CANADIAN SECURITIES LEGISLATION**

<b>LOCAL JURISDICTION</b>	<b>STATUTE AND OTHER INSTRUMENTS</b>
ALBERTA	<i>Securities Act</i> and the regulations and rules under that Act and the blanket rulings and orders issued by the securities regulatory authority.
BRITISH COLUMBIA	<i>Securities Act</i> and the regulations, rules and forms under that Act and the blanket rulings and orders issued by the securities regulatory authority.
MANITOBA	<i>The Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.
NEW BRUNSWICK	<i>Security Frauds Prevention Act</i> and the regulations under that Act and the orders issued by the securities regulatory authority.
NEWFOUNDLAND	<i>Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.
NORTHWEST TERRITORIES	<i>Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.
NOVA SCOTIA	<i>Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.
ONTARIO	<i>Securities Act</i> and the regulations and rules under that Act.
PRINCE EDWARD ISLAND	<i>Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.
QUEBEC	<i>Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.
SASKATCHEWAN	<i>The Securities Act, 1988</i> and the regulations and rules under that Act and the blanket rulings and orders

NATIONAL INSTRUMENT 14-101 DEFINITIONS APPENDIX C CANADIAN SECURITIES REGULATORY AUTHORITIES	
LOCAL JURISDICTION	SECURITIES REGULATORY AUTHORITY
ALBERTA	Alberta Securities Commission
BRITISH COLUMBIA	British Columbia Securities Commission
MANITOBA	The Manitoba Securities Commission
NEW BRUNSWICK	Office of the Administrator, New Brunswick
NEWFOUNDLAND	Securities Commission of Newfoundland
NORTHWEST TERRITORIES	Securities Registry, Government of the Northwest Territories
NOVA SCOTIA	Nova Scotia Securities Commission
ONTARIO	Ontario Securities Commission
PRINCE EDWARD ISLAND	Registrar of Securities, Prince Edward Island
QUEBEC	Commission des valeurs mobilières du Québec
SASKATCHEWAN	Saskatchewan Securities Commission
YUKON TERRITORY	Registrar of Securities, Government of the Yukon Territory

NATIONAL INSTRUMENT 14-101 DEFINITIONS APPENDIX D REGULATOR	
LOCAL JURISDICTION	REGULATOR
ALBERTA	Executive Director, as defined under section 1 of the <i>Securities Act</i> (Alberta).
BRITISH COLUMBIA	Executive Director, as defined under section 1 of the <i>Securities Act</i> (British Columbia).
MANITOBA	Director, as defined under subsection 1(1) of <i>The Securities Act</i> (Manitoba).
NEW BRUNSWICK	Administrator, as defined under section 1 of the <i>Security Frauds Prevention Act</i> (New Brunswick).
NEWFOUNDLAND	Director of Securities, designated under section 7 of the <i>Securities Act</i> (Newfoundland).
NORTHWEST TERRITORIES	Registrar, as defined under section 1 of the <i>Securities Act</i> (Northwest Territories).
NOVA SCOTIA	Director, as defined under section 1 of the <i>Securities Act</i> (Nova Scotia).
ONTARIO	Director, as defined under section 1 of the <i>Securities Act</i> (Ontario).
PRINCE EDWARD ISLAND	Registrar, as defined under section 1 of the <i>Securities Act</i> (Prince Edward Island).
QUEBEC	la Commission des valeurs mobilières du Québec continued under the <i>Securities Act</i> (Quebec).
SASKATCHEWAN	Director, as defined in section 1 of <i>The Securities Act, 1988</i> (Saskatchewan).
YUKON TERRITORY	Registrar, as defined under section 1 of the <i>Securities Act</i> (Yukon Territory).