

Chapter 5

Rules and Policies

5.1.1 OSC Rule 11-501 Electronic Delivery of Documents

OSC RULE 11-501 ELECTRONIC DELIVERY OF DOCUMENTS

Interpretation

1. (1) In this Rule

“form filer” means a person or company required or permitted by Ontario securities law to file or deliver a required document with the Ontario Securities Commission;

“NRD” has the meaning ascribed to it in National Instrument 31-102 *National Registration Database*;

“required document” means

- (a) a document listed in Appendix A; or
- (b) any other document required to be filed with or delivered to the Ontario Securities Commission under Ontario securities law by
 - (i) a market participant, or
 - (ii) another person or company exempted from a requirement of Ontario securities law by reason of section 147 of the Act or an application otherwise provided for in Ontario securities law;

“SEDAR” has the meaning ascribed to it in National Instrument 13-101 *System for Electronic Document Analysis and Retrieval (SEDAR)*;

“SEDI” has the meaning ascribed to it in National Instrument 55-102 *System for Electronic Disclosure by Insiders (SEDI)*.

(2) In this Rule, unless the context otherwise requires, “document” includes “information”, “material” and “notice” as those words are used in Ontario securities law.

(3) In this Rule, a reference to a document that is required or permitted to be delivered includes a document that is required or permitted to be deposited with, or delivered, furnished, sent, provided or submitted to, the Ontario Securities Commission under Ontario securities law.

(4) The transmission of a document in electronic format to the Ontario Securities Commission under section 2 of this Rule constitutes

- (a) if the document is required or permitted to be filed under Ontario securities law, the filing of that document under Ontario securities law; and
- (b) if the document is required or permitted to be delivered to the Ontario Securities Commission under Ontario securities law, the delivery of that document.

Electronic filing

2. (1) Each required document of a person or company must be transmitted to the Ontario Securities Commission electronically by the person or company following the steps set out at <https://www.osc.gov.on.ca/filings>.

(2) Subsection 2(1) does not apply to any required document that is

- (a) filed or delivered through SEDAR, SEDI or NRD;

- (b) filed or delivered under the Ontario Securities Commission Rules of Procedure; or
- (c) filed or delivered under Part V, Part VI or Part VII of the Securities Act.

Temporary technical difficulties exemption

3. (1) If unanticipated technical difficulties prevent the timely transmission of a required document, the form filer may transmit the document by e-mail as soon as practical and in any event no later than 2 business days after the day on which the filing was required.

(2) A filing under subsection (1) must include the following legend at the top of the first page:

THIS REPORT IS BEING FILED UNDER A TEMPORARY TECHNICAL DIFFICULTIES
EXEMPTION

(3) In addition to filing or delivery under subsection (1), a copy of each completed required document of a form filer must be transmitted under section 2 as soon as practical after the unanticipated technical difficulty has been resolved and in any event no later than 3 business days after resolution of the technical difficulties.

(4) If a document is filed or delivered as required under this section, the date by which the document is required to be filed or delivered under Ontario securities law is deemed to be the date on which the document is filed electronically under section 2.

Exemption

4. The Director may grant an exemption from the provisions of this Rule, in whole or in part, subject to such conditions or restrictions as may be imposed in the exemption.

Effective Date

5. This Rule comes into force on February 19, 2014.

Appendix A

Document Reference	Description of Document
Securities Act, s. 1(10)	Applications to the Commission under clause 1(10) of the <i>Securities Act</i>
Securities Act, s. 1(11)	Applications to the Commission under clause 1(11) of the <i>Securities Act</i>
Securities Act, Part VIII	Applications to the Commission for recognition or designation under Part VIII of the <i>Securities Act</i>
Securities Act, s. 21.4	Applications to the Commission for the voluntary surrender of a recognition or designation under section 21.4 of the <i>Securities Act</i>
Securities Act, s. 75(3) 51-102, s. 7.1(2), 81-106, s. 11.2(4)	Confidential material change reports permitted to be filed under subsection 75(3) of the <i>Securities Act</i> , subsection 7.1(2) of National Instrument 51-102 <i>Continuous Disclosure Obligations</i> , or subsection 11.2(2) of NI 81-106 <i>Investment Fund Continuous Disclosure</i>
Securities Act, s. 75(4) 51-102, s. 7.1(5), 81-106, s. 11.2(4)	The notification required under subsection 75(4) of the <i>Securities Act</i> , subsection 7.1(5) of NI 51-102 <i>Continuous Disclosure Obligations</i> , or subsection 11.2(4) of NI 81-106 <i>Investment Fund Continuous Disclosure</i>
Securities Act, Part XXIII.1	Notices and other documents to be sent to the Commission under Part XXIII.1 of the <i>Securities Act</i>
Securities Act, s. 144	Applications to the Commission to vary or revoke a recognition or designation granted under Part VIII of the <i>Securities Act</i>
11-202	Pre-filings or waiver applications within the meaning of National Policy 11-202 <i>Process for Prospectus Reviews in Multiple Jurisdictions</i>
11-203	Pre-filings, as defined in National Policy 11-203 <i>Process for Exemptive Relief Applications in Multiple Jurisdictions</i>
11-203	Applications, as defined in National Policy 11-203 <i>Process for Exemptive Relief Applications in Multiple Jurisdictions</i>
11-205	Applications to become Designated Rating Organization, under the process set out in National Policy 11-205 <i>Process for Designation of Credit Rating Organizations in Multiple Jurisdictions</i>
12-202	Applications to vary or revoke a CTO as defined in National Policy 12-202 <i>Revocation of a Compliance-related Cease Trade Order</i>
13-101 s. 2.1	Documents to be filed with the Commission by issuers not required to comply with National Instrument 13-101 <i>System for Electronic Document Analysis and Retrieval</i> in accordance with section 2.1 of that Instrument
13-101 s. 2.3	Documents to be filed with the Commission in paper format under section 2.3 of National Instrument 13-101 <i>System for Electronic Document Analysis and Retrieval</i>
13-502F4	Form 13-502F4 <i>Capital Markets Participation Fee Calculation</i>
13-502F5	Form 13-502F5 <i>Adjustment of Fee for Registrant Firms and Unregistered Exempt International Firms</i>
13-503F1	Form 13-503F1 <i>Capital Markets Participation Fee Calculation (Firms registered only under the Commodity Futures Act)</i>
13-503F2	Form 13-503F2 <i>Adjustment of Fee for Registrant Firms registered only under the Commodity Futures Act</i>
13-502F8	Form 13-502F8 <i>Designated Rating Organizations – Participation Fee</i>
21-101F1	Form 21-101F1 <i>Information Statement Exchange or Quotation and Trade Reporting System</i>
21-101F2	Form 21-101F2 <i>Initial Operation Report Alternative Trading System</i>

Document Reference	Description of Document
21-101F3	Form 21-101F3 <i>Quarterly Report of Alternative Trading System Activities</i>
21-101F4	Form 21-101F4 <i>Cessation of Operations Report for Alternative Trading System</i>
21-101F5	Form 21-101F5 <i>Initial Operation Report for Information Processor</i>
21-101F6	Form 21-101F6 <i>Cessation of Operations Report for Information Processor</i>
24-101F1	Form 24-101F1 <i>Registered Firm Exception Report of DAP/RAP Trade Reporting and Matching</i>
24-101F2	Form 24-101F2 <i>Clearing Agency - Quarterly Operations Report of Institutional Trade Reporting and Matching</i>
24-101F3	Form 24-101F3 <i>Matching Service Utility - Notice of Operations</i>
24-101F4	Form 24-101F4 <i>Matching Service Utility - Notice of Cessation of Operations</i>
24-101F5	Form 24-101F5 <i>Matching Service Utility - Quarterly Operations Report of Institutional Trade Reporting and Matching</i>
25-101F1	Form 25-101F1 <i>Designated Rating Organization Application and Annual Filing</i>
25-101F2	Form 25-101F2 <i>Submission to Jurisdiction and Appointment of Agent for Service of Process</i>
31-103 s. 11.9	Notice of acquisition pursuant to section 11.9 of National Instrument 31-103 <i>Registration Requirements, Exemptions and Ongoing Registrant Obligations</i>
31-103 s. 11.10	Notice of acquisition pursuant to section 11.10 of National Instrument 31-103 <i>Registration Requirements, Exemptions and Ongoing Registrant Obligations</i>
31-103 s. 12.2	Notice of repayment or termination of subordination agreement pursuant to section 12.2 of National Instrument 31-103 <i>Registration Requirements, Exemptions and Ongoing Registrant Obligations</i>
31-103 s. 12.7	Notice of change, claim or cancellation of insurance policy pursuant to section 12.7 of National Instrument 31-103 <i>Registration Requirements, Exemptions and Ongoing Registrant Obligations</i>
31-103F1	Form 31-103F1 <i>Calculation of Excess Working Capital</i> , together with associated financial information as required by sections 12.12, 12.13 and 12.14 of National Instrument 31-103 <i>Registration Requirements, Exemptions and Ongoing Registrant Obligations</i>
31-103F2	Form 31-103F2 <i>Submission to Jurisdiction and Appointment of Agent for Service</i>
31-103F3	Form 31-103F3 <i>Use of Mobility Exemption</i>
31-317	CSA Staff Notice: 31-317 (Revised) <i>Reporting Obligations Related to Terrorist Financing</i>
32-102F1	Form 32-102F1 <i>Submission to Jurisdiction and Appointment of Agent for Service for International Investment Fund Manager</i>
32-102F2	Form 32-102F2 <i>Notice of Regulatory Action</i>
33-109F5	Form 33-109F5 <i>Change of Registration Information</i>
33-109F6	Form 33-109F6 <i>Firm Registration</i>
33-506F5	Form 33-506F5 <i>Change of Registration Information (Commodity Futures Act)</i>
33-506F6	Form 33-506F6 <i>Firm Registration (Commodity Futures Act)</i>
35-101F1	Form 35-101F1 <i>Form of Submission to Jurisdiction and Appointment of Agent for Service of Process by Broker-Dealer</i>

Document Reference	Description of Document
35-101F2	Form 35-101F2 <i>Form of Submission to Jurisdiction and Appointment of Agent for Service of Process by Agents of the Broker-Dealer</i>
43-101F1	Form 43-101F1 <i>Technical Report</i>
45-101F	Form 45-101F <i>Information Required in a Rights Offering Circular</i>
45-101 s. 3.1(1)2	A statement of the issuer sent pursuant to paragraph 2 of subsection 3.1(1) of National Instrument 45-101 <i>Rights Offerings</i>
45-101 s. 10.1	Notice and materials sent pursuant to subsection 10.1 of National Instrument 45-101 <i>Rights Offerings</i>
45-106F1	Form 45-106F1 <i>Report of Exempt Distribution</i>
45-106 s. 2.42(2)(a)	Notice to the Commission given pursuant to paragraph 2.42(2)(a) of National Instrument 45-106 <i>Prospectus and Registration Exemptions</i>
45-106 s. 4.1(4)	Letters filed with the Commission pursuant to subsection 4.1(4) of National Instrument 45-106 <i>Prospectus and Registration Exemptions</i>
45-501F1	Form 45-501F1 <i>Report of Exempt Distribution</i>
45-501 s. 5.4	Delivery of an offering memorandum or any amendment to a previously delivered offering memorandum in accordance with section 5.4 of OSC Rule 45-501 <i>Ontario Prospectus and Registration Exemptions</i>
71-101F1	Form 71-101F1 <i>Forms of Submission to Jurisdiction and Appointment of Agent for Service of Process</i>
81-102 s. 5.8(3)	Notice to the Commission by a manager under subsection 5.8(3) of National Instrument 81-102 <i>Mutual Funds</i>
81-102 s. 6.7(3)	Delivery of custodian compliance reports under subsection 6.7(3) of National Instrument 81-102 <i>Mutual Funds</i>
81-102 s. 12.1(2), 12.1(3)	Compliance reports under subsection 12.1(2) or 12.1(3) of National Instrument 81-102 <i>Mutual Funds</i>
81-106 s. 2.11(c)	Notice to the Commission that a mutual fund is relying on the exemption not to file its financial statements in section 2.11 of National Instrument 81-106 <i>Investment Fund Continuous Disclosure</i>
91-507, Part 4	OTC Derivative Trade Reporting (not already reported to repository) pursuant to Part 4 of OSC Rule 91-507 <i>Trade Repositories and Derivatives Data Reporting</i>
Business Corporations Act, s. 1(6)	Applications to the Commission under subsection 1(6) of the <i>Business Corporations Act</i>
Business Corporations Act, s. 46(4)	Applications to the Commission under subsection 46(4) of the <i>Business Corporations Act</i>
Business Corporations Act, s. 113	Applications to the Commission under section 113 of the <i>Business Corporations Act</i>
Business Corporations Act, s. 158(1.1)	Applications to the Commission under subsection 158(1.1) of the <i>Business Corporations Act</i>
Business Corporations Act, s. 190(6)	Applications to the Commission under subsection 190(6) of the <i>Business Corporations Act</i>
Ont. Reg. 289/00 made under the Business Corporations Act, s. 4(b)	Applications to the Commission for consents under subsection 4(b) of Ont. Reg. 289/00 made under the <i>Business Corporations Act</i>

Rules and Policies

Document Reference	Description of Document
Loan and Trust Corporations Act, s. 213(3)(b)	Applications to the Commission for approvals under subsection 213(3)(b) of the <i>Loan and Trust Corporations Act</i>