

1.1.6 OSC Staff Notice 31-714 – OSC Staff Supplement to CSA Staff Notice 31-328 Revocation of Omnibus/Blanket Orders Exempting Registrants from Certain Provisions of National Instrument 31-103 Registration Requirements, Exemptions and Ongoing Registrant Obligations

OSC STAFF NOTICE 31-714

**OSC STAFF SUPPLEMENT TO CSA STAFF NOTICE 31-328
REVOCATION OF OMNIBUS/BLANKET ORDERS EXEMPTING
REGISTRANTS FROM CERTAIN PROVISIONS OF
NATIONAL INSTRUMENT 31-103 REGISTRATION REQUIREMENTS,
EXEMPTIONS AND ONGOING REGISTRANT OBLIGATIONS**

September 16, 2011

The Canadian Securities Administrators (the **CSA**) are today publishing a notice (**CSA Staff Notice 31-328**) relating to the revocation of certain parallel orders that were effective on February 26, 2010 and November 5, 2010. These orders provided relief from certain requirements of National Instrument 31-103 *Registration Requirements and Exemptions*, now renamed National Instrument 31-103 *Registration Requirements, Exemptions and Ongoing Registrant Obligations* (**NI 31-103**).

CSA Staff Notice 31-328 includes a chart that refers generically to the orders being revoked. Below is a supplemented version of that chart that specifically identifies the corresponding Ontario orders. These Ontario orders have been revoked, effective September 16, 2011. For further details regarding the revocation of these orders, see CSA Staff Notice 31-328.

Omnibus/Blanket order	Ontario order	Status
1. Relief from the chief compliance officer (CCO) proficiency requirements for portfolio managers adding a category	<i>In the Matter of National Instrument 31-103 Registration Requirements and Exemptions and Vantage Asset Management Inc. and other Portfolio Managers applying for registration in another category, (2010) 33 OSCB 1777</i>	This order is revoked. The relief has been incorporated in sections 3.6(c), 3.10(c) and 3.14(d) of NI 31-103.
2. Relief from proficiency requirements for portfolio managers adding registration in the mutual fund dealer or exempt market dealer category	<i>In the Matter of National Instrument 31-103 Registration Requirements and Exemptions and Christopher Miller and other Advising Representatives of Portfolio Managers applying for registration as Dealing Representatives, (2010) 33 OSCB 1771</i>	This order is revoked. The relief has been incorporated in sections 3.5(d) and 3.9(e) of NI 31-103.
3. Relief from client notification requirements under section 14.5 of NI 31-103 for certain Canadian registrants with head offices outside of the local jurisdiction	<i>In the Matter of National Instrument 31-103 Registration Requirements and Exemptions and Raymond James Ltd. and certain other registered firms registered as of the date of this decision, (2010) 33 OSCB 1772</i>	This order is revoked. The relief has been incorporated in section 14.5(2) of NI 31-103.
4. Relief from requirements to establish whether a client is an insider of a reporting issuer or any other issuer whose securities are publicly traded under section 13.2(2)(b) of NI 31-103 for mutual fund dealers	<i>In the Matter of National Instrument 31-103 Registration Requirements and Exemptions and Scotia Securities Inc. and other Mutual Fund Dealers registered as of the date of this decision, (2010) 33 OSCB 1775</i>	This order was revoked by a subsequent order that provided the same relief to both mutual fund dealers and scholarship plan dealers effective November 5, 2010. Please refer to CSA Staff Notice 31-321 dated November 5, 2010.

Omnibus/Blanket order	Ontario order	Status
<p>5. Relief from the requirement under section 13.2(2)(b) of NI 31-103 to establish whether a client is an insider of a reporting issuer or any other issuer whose securities are publicly traded in respect of a client for which the registrant only trades securities referred to in section 7.1(2)(b) or (c) of NI 31-103</p>	<p><i>In the Matter of National Instrument 31-103 Registration Requirements and Exemptions and In the Matter of USC Education Savings Plans Inc. and others registered as of the date of this decision, (2010) 33 OSCB 10163</i></p>	<p>This order, which replaced the order mentioned in item 4 of this chart, is revoked.</p> <p>The relief has been incorporated in section 13.2(7) of NI 31-103.</p>
<p>6. Relief from the requirement under section 13.2(3)(b)(i) of NI 31-103 for a registered mutual fund dealer to establish the identity of any individual who owns or controls more than 10% of the voting rights attached to the voting securities of a corporation that is a client of the mutual fund dealer</p>	<p><i>In the Matter of National Instrument 31-103 Registration Requirements and Exemptions and In the Matter of Scotia Securities Inc. and other Mutual Fund Dealers registered as of the date of this decision, (2010) 33 OSCB 10162</i></p>	<p>This order is revoked.</p> <p>The relief provided for in the order has been incorporated in section 13.2(3) of NI 31-103, subject to the following changes:</p> <ul style="list-style-type: none"> • the percentage of the voting rights in clause (b)(i) has been increased from 10% to 25% for all categories of registered firms (and not just mutual fund dealers) • this percentage now applies to voting rights attached to outstanding voting securities of the corporation, whereas the order referred to 25% of outstanding shares • section 13.2(3) of NI 31-103 does not refer to the provisions of the <i>Proceeds of Crime (Money Laundering) and Terrorist Financing Act (Canada)</i>, including applicable exemptions in that legislation.

We are publishing the Ontario revocation orders with this Notice.

Questions

Please refer your questions to any of:

Robert F. Kohl
 Senior Legal Counsel, Compliance and Registrant Regulation
 Ontario Securities Commission
 Tel: 416-593-8233
rkohl@osc.gov.on.ca

Leigh-Ann Ronen
 Legal Counsel, Compliance and Registrant Regulation
 Ontario Securities Commission
 Tel: 416-204-8954
Ironen@osc.gov.on.ca