

January 9, 2015

## Release 3.2 – NRD updated to reflect amendments to National Instrument 33-109 Registration Information

On January 11, 2015, Release 3.2 will be implemented on NRD to reflect the amendments to National Instrument 33-109 *Registration Information* and its related forms, which will come into force on January 11, 2015. The key changes on NRD are summarized as follows:

### Form 33-109F1 Notice of Termination for Registered Individuals and Permitted Individuals

NRD will be updated with text changes as per amendments in NI 33-109.

Functional changes are described below:

#### Item 4 Date and reason for termination - New text box provided when reason for termination / cessation is "Other"

A new text box will be added for details when "Other" is selected as the reason for termination when completing a Notice of Termination or Update/Correct Notice of Termination submission. AFRs will be required to provide an explanation only if "Other" is selected.

Sample:

Date and reason for termination

**Item 4 Date and reason for termination**

2. Reason for termination / cessation (check one):

- Resigned - voluntary
- Resigned - at the firm's request
- Dismissed in good standing
- Dismissed for cause
- Completed temporary employment contract
- Retired
- Deceased
- Other

If "Other", explain:

## Form 33-109F2 Change or surrender individual categories

NRD will be updated with text changes as per the amendments in NI 33-109.

Functional changes are described below:

A new business rule will be added to prevent AFRs from adding registration categories when the individual is not employed by the sponsoring firm and has "N/A" indicated under Item 9 Location of employment. For more information, refer to Form 33-109 F4 Item 9 on "N/A" under Location of employment.

## Form 33-109F3 Business Location

NRD will be updated with text changes as per the amendments in NI 33-109.

Functional changes are described below:

### Item 1 Type of business location - Only MFDA members may use 'Sub-branch'

Clarification text will be added to NRD indicating that only Mutual Fund Dealers Association (MFDA) Members of Canada may use 'Sub-branch' as a type of business location. Registrants that are not MFDA members but currently use 'Sub-branch' must change it to 'Branch or business location' by filing a Location Status Change submission.

Note: Regulators will notify these registrants and set a time period in which the affected business locations must be changed to 'Branch or business location'. Once this time period expires, NRD will be updated to automatically correct any remaining business locations inappropriately using 'Sub-branch' and prevent the inappropriate use of this location type in the future.

Sample:

Open a New Location	
<b>Item 1 - Type of business location</b>	
'Sub-branch' can be used by Mutual Fund Dealers Association of Canada members only.	
Type of business location:	<input type="text" value="Select One"/>
Location NRD number:	
<b>Item 2 - Supervisor or branch manager</b>	
NRD number:	<input type="text"/>
<b>Item 3 Business location information</b> (a post office box is not a valid business location address)	
Address Line 1:	<input type="text"/>
Address Line 2:(if applicable)	<input type="text"/>
City:	<input type="text"/>
Province/Territory:	Manitoba
Postal/ZIP Code:	<input type="text"/>
Country:	Canada
Telephone number:	<input type="text"/> ext. (if applicable) <input type="text"/>
Fax number:	<input type="text"/>
E-mail address:(if applicable)	<input type="text"/>

### Item 3 Business location information – New E-mail address field

A new business e-mail address field will be added.

Sample:

Item 3 Business location information (a post office box is not a valid business location address)	
Address Line 1:	<input type="text"/>
Address Line 2:(if applicable)	<input type="text"/>
City:	<input type="text"/>
Province/Territory:	Ontario
Postal/ZIP Code:	<input type="text"/>
Country:	Canada
Telephone number:	<input type="text"/> ext. (if applicable) <input type="text"/>
Fax number:	<input type="text"/>
E-mail address:(if applicable)	<input type="text"/>

### Item 6 Certification – Additional certification

A new certification check box will be added related to business locations that are residential addresses. AFRs will be required to check both the existing and new checkbox even in the event the location is not a residential address in order to send the submission to the regulators.

Sample:

Item 6 Certification
<input type="checkbox"/> I am making this submission as agent for the firm. By checking this box, I certify that the firm provided me with all of the information on this form.
<input type="checkbox"/> If the business location is a residence, the individual conducting business from that business location has completed a Form 33-109F4 Registration of Individuals and Review of Permitted Individuals certifying that they give their consent for the regulator or, in Québec, the securities regulatory authority to enter the residence for the administration of securities legislation and derivatives legislation, including commodity futures legislation.

### Form 33-109F4 – Registration of Individuals and Review of Permitted Individuals

NRD will be updated with text changes as per the amendments in NI 33-109.

Functional changes are described below:

## Item 2 Residential Address – New Business E-mail address field available

A new Business e-mail address field will be added under Item 2 Residential Address in a new separate section. This field will be available for individuals to provide their Business e-mail address.

Sample:

Item 2 Residential address	
Schedule B	
<b>3. Business e-mail address</b>	
Business e-mail address:	<input type="text"/>

## Item 6 Individual categories – Category changes

### Derivatives Dealer and Derivatives Portfolio Manager - Quebec

Currently, the Derivatives Dealer and Derivatives Portfolio Manager firm categories, unique to Quebec, have one associated individual category: Derivatives Representative. This category will be removed and replaced as follows:

Derivatives Dealer

- Derivatives Dealing Representative

Derivatives Portfolio Manager

- Derivatives Advising Representative
- Derivatives Associate Advising Representative

As of January 11, 2015, the permanent records of all individuals registered as Derivatives Representative will be converted to the applicable new category as determined by the Autorité des marchés financiers (AMF). The category selected in submissions that are in work-in-progress or that have been sent to regulators will also be converted to the new category.

Impact on Reinstatements:

Individuals who were registered as Derivatives Representative and terminated their registration prior to January 11, 2015 will be able to reinstate their registration in their other categories (e.g. Investment Dealer-Dealing Representative, Portfolio Manager – Advising Representative etc.). However, to register in the new Derivatives Dealing Representative, Derivatives Associated Advising Representative or Derivatives Advising Representative category, a 33-109F2 - Change or Surrender of Individual Categories submission must be filed once the Reinstatement of Registration submission is approved.

Samples:

**Item 6 - Individual categories - Québec**  
**Schedule C**

**Categories**

On Schedule C, check each category for which you are seeking registration as an individual or review as a permitted individual. If you are seeking review as a permitted individual, check each category that describes your position with your sponsoring firm.

Permitted individual means

(a) a director, chief executive officer, chief financial officer, or chief operating officer of a firm, or a functional equivalent of any of those positions, or

(b) an individual who has beneficial ownership of, or direct or indirect control or direction over, 10 percent or more of the voting securities of a firm; or

(c) a trustee, executor, administrator, or other personal or legal representative, that has direct or indirect control or direction over 10 percent or more of the voting securities of a firm;

**Derivatives Portfolio manager**

Derivatives Advising Representative

Derivatives Associate Advising Representative

**Derivatives Dealer**

Derivatives Dealing Representative

**Item 6 - Individual categories - Québec**

**Active Categories**

Click on a start date to view details where available:

Firm Category	Individual Category	Start Date
Derivatives Dealer	Derivatives Dealing Representative	2015/01/11
Investment Dealer	Dealing Representative	2009/09/28

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Approval categories	Registered Representative	2009/09/28
Products	Securities	2009/09/28
	Options	2009/09/28
Customer type	Retail	2009/09/28

**Historical Categories**

Click on a status to view details where available:

Firm Category	Individual Category	Start Date	End Date	Status
Derivatives Dealer	Derivatives representative	2015/01/11		Bulk Category Change
		2009/09/28	2015/01/11	Active

## Dealer (Merchant) – Manitoba

The current individual category: Floor Trader associated with Dealer (Merchant) firm category, unique to Manitoba, will be changed to Dealer (Merchant) – Floor Broker. *(As there are no existing registrants or pending applications in this category, conversion is not necessary.)*

Sample:

<b>Item 6 - Individual categories - Manitoba</b>
<b>Schedule C</b>
<b>Categories</b>
On Schedule C, check each category for which you are seeking registration as an individual or review as a permitted individual. If you are seeking review as a permitted individual, check each category that describes your position with your sponsoring firm.
Permitted individual means (a) a director, chief executive officer, chief financial officer, or chief operating officer of a firm, or a functional equivalent of any of those positions, or (b) an individual who has beneficial ownership of, or direct or indirect control or direction over, 10 percent or more of the voting securities of a firm; or (c) a trustee, executor, administrator, or other personal or legal representative, that has direct or indirect control or direction over 10 percent or more of the voting securities of a firm;
<b>Permitted Individuals</b>
<input type="checkbox"/> Officer
<input type="checkbox"/> Director
<input type="checkbox"/> Partner
<input type="checkbox"/> Shareholder
<input type="checkbox"/> Other Permitted Individual (as defined in NI33-109 section 1.1 (c))
<b>Ultimate Designated Person</b>
<input type="checkbox"/> Ultimate Designated Person
<b>Dealer (Merchant)</b>
<input type="checkbox"/> Floor Broker

## Permitted Individuals – All Jurisdictions

As a result of the expanded definition of Permitted Individual in NI 33-109, under 'Definitions' in section 1.1 (c), a new category will be added. The new category will be called 'Other Permitted Individual (as defined in NI 33-109 section 1.1 (c))'. This new category will be applicable only for those individuals that are trustees, executors and other legal representatives that have direct or indirect control of more than 10% of the voting securities of a firm.

Sample:

**Item 6 - Individual categories**  
Schedule C

**Categories**

On Schedule C, check each category for which you are seeking registration as an individual or review as a permitted individual. If you are seeking review as a permitted individual, check each category that describes your position with your sponsoring firm.

Permitted individual means

(a) a director, chief executive officer, chief financial officer, or chief operating officer of a firm, or a functional equivalent of any of those positions, or

(b) an individual who has beneficial ownership of, or direct or indirect control or direction over, 10 percent or more of the voting securities of a firm; or

(c) a trustee, executor, administrator, or other personal or legal representative, that has direct or indirect control or direction over 10 percent or more of the voting securities of a firm;

**Permitted Individuals**

Officer

Director

Partner

Shareholder

Other Permitted Individual (as defined in NI33-109 section 1.1 (c))

### Item 9 Location of employment – New option to select 'N/A'

The search criteria page for Item 9 Location of employment will be updated to allow the selection of 'N/A' for Permitted Individuals who are not employed by, or acting as agent for their sponsoring firm. If N/A is selected, the next page will display N/A (the other fields, which relate to an actual location, will be blank).

Samples:

**Item 9 Location of employment**

1. Provide the following information for your new sponsoring firm. If you will be working out of more than one business location, provide the following information for the business location out of which you will be doing most of your business.

2. If the firm has a foreign head office, and/or you are not a resident of Canada, provide the address for the business location in which you will be conducting most of your business.

**Search Criteria**

Enter information in at least one of the text boxes below to begin your search:

NRD Business Location Number:

OR

Address Contains:

City:

Province/Territory/State:

Type of Business Location:

NRD No. of Supervisor:

OR

If you are filing this form because you are a permitted individual and you are not employed by, or acting as agent for, the sponsoring firm, select "N/A".

N/A

Tip: If N/A has been selected, click on "Save & Continue".

**Item 9 Location of employment**

**Permitted individual not employed by, or acting as agent for, the sponsoring firm**

NRD Location Number

Type of business location:

Supervisor or Branch Manager:

Address Line 1:

Address Line 2: (if applicable)

City:

Province/Territory/State:

Postal/ZIP Code:

Country:

Telephone Number:

Fax No.:

N/A

### Item 14.3 – Criminal Disclosure Text Change

The Item 14.3 disclosure question will be expanded to include not only 'outstanding charges' but 'stayed charges'. As a result, the question will be treated as a new question. Submissions that are in work-in-progress as of January 11, 2015 will be required to respond to the new question.

Sample:

**Item 14 Criminal disclosure**

The questions below apply to offences committed in any jurisdiction of Canada and any foreign jurisdiction.

**Criminal disclosure**

- 3) To the best of your knowledge, are there any outstanding or stayed charges against any firm of which you were, at the time the criminal offence was alleged to have taken place, a partner, director, officer or major shareholder?

Yes  No

### Item 16.2 – Debt Obligations Text Change

The Item 16.2 disclosure question will be updated to refer to financial obligations of \$10,000 instead of \$5,000. As a result, the question will be treated as a new question. Submissions that are in work-in-progress as of January 11, 2015 will be required to respond to the new question.



Sample:

<b>Item 16 Financial disclosure</b>
<b>2. Debt obligations</b>
Over the past 10 years, have you failed to meet a financial obligation of \$10,000 or more as it came due or, to the best of your knowledge, has any firm, while you were a partner, director, officer or major shareholder of that firm, failed to meet any financial obligation of \$10,000 or more as it came due?
<input type="radio"/> Yes <input type="radio"/> No

**Item 17 Schedule N - Beneficial owner of shares, bonds, debentures, partnership units or notes – New answer option 'N/A'**

When providing beneficial owner name information, the Second Name and Third Name fields will now be mandatory to complete or 'N/A' can be selected if the beneficial owner does not have a second or third name. Submissions that are in work-in-progress as of January 11, 2015 will be required to have the beneficial owner's Second Name and Third Name completed or N/A selected.

Sample:

<b>Item 17 - Ownership of Securities and Derivatives Firms</b>	
<b>Schedule N</b>	
<b>Beneficial Owner Information</b>	
Firm Name:	Test
g) Name of Beneficial Owner:	
Last Name:	<input type="text"/>
First Name:	<input type="text"/>
Second Name:	<input type="checkbox"/> N/A <input type="text"/>
Third Name:	<input type="checkbox"/> N/A <input type="text"/>

**NI33-109F7 – Reinstatement of Registration**

NRD will be updated with text changes as per the amendments in NI 33-109. Functional changes are identical to those described above in the sections related to NI 33-109F4.

## Conversion of existing NRD information to reflect form changes

### Permanent Record and Permanent Record Report

Upon implementation of NRD release 3.2 the permanent record and permanent record report for existing registrants will reflect the new questions in Item 14.3 and Item 16.2 along with the default answer "There is no response to this question". The old questions and responses will move to history and can be viewed by selecting the 'Previous 33-109F4' button on the Item 14 or Item 16 page. The permanent record history for disclosure items (under 'Previous 33-109F4') will be re-organized to show historical information prior to the effective date of the applicable legislative amendment (i.e. prior to January 11, 2015 and prior to September 28, if applicable.)

Sample:

<b>Item 14 Criminal disclosure</b>
<b>Disclosures</b>
<a href="#">Prior to 2015/01/11</a>
<a href="#">Prior to 2009/09/28</a>

Where Beneficial Owner information is present under Item 17, the Second Name and Third Name will also display "There is no response to this question" in the Permanent Record. (The Permanent Record Report will continue to show "(if applicable)" under Second Name and Third Name as today.)

### Submissions in AFRs' work-in-progress (WIP) list

Submissions in the AFR's WIP list that have not passed the completeness check, whether newly created or previously returned by a regulator, will be subject to the new mandatory questions and related validations.

Tip: You may receive an incomplete submission error regarding Item 14, Item 16 or Item 17 when trying to complete a submission that was created before January 11, 2015. If this occurs, you must return to the appropriate section of the submission, provide the new response and then proceed to submit the submission.

### Submissions sent to Regulators before January 11, 2015

Submissions that were sent to regulators before January 11, 2015 will not be updated with the new form changes. Once these submissions are approved, the old responses to questions 14.3 and 16.2 will move into history and can be viewed by

selecting the 'Previous 33-109F4' button in the Permanent Record. The current version of the questions will display 'There is no response to this question' on the appropriate page of the current Permanent Record. Where applicable, the Item 17 Schedule N Beneficial Owner Second Name and Third Name will display 'There is no response to this question.'

If regulators return submissions back to registrants where form changes apply, once the submissions are in the AFR's WIP, they will be updated with the new form changes and the new questions and mandatory fields, as applicable, will need to be completed.

### Submissions already disposed (approved, withdrawn or denied)

Submissions that are disposed prior to January 11, 2015 will not be updated with the form changes.

### NRD Reports

The Individual Registrant report criteria page will include a new criteria option to enable limiting the report results to those Permitted Individuals who are not employed by or acting as agent for their sponsoring and their employment location is N/A.

Location information in the report results for the Individual Registrant Report, Annual Fee Detailed Report, Branch Listing Report, and the Terms and Conditions for Individuals report will display N/A where the permitted individual is not employed by or acting as agent for the sponsoring firm.

Sample:

NRD Report										
Time Run:	1:27:50 PM									
Date Run:	12/23/2014									
Firm Legal Name:	Test Inc.									
Firm NRD Number:	999999									
Employment Location is N/A:										
Who Requested Report Test, John										
Name of Report:	Individual Registrant Report									
NRD No.	Last Name	First Name	Second Name	Employment Location NRD No.	UIN No.	Jurisdiction	Status	Firm Registration Category	Individual Registration Category	Officer Title
2222222	Test	Jane		N/A		Alberta	Active	Securities & Futures Contracts	Executive	
2222222	Test	Jane		N/A			Active	Securities & Futures Contracts	Non-Trading	
2222222	Test	Jane		N/A		British Columbia	Active	Securities & Futures Contracts	Executive	
2222222	Test	Jane		N/A			Active	Securities & Futures Contracts	Non-Trading	
2222222	Test	Jane		N/A		Alberta	Active	Permitted Individuals	Officer	
2222222	Test	Jane		N/A		British Columbia	Active	Permitted Individuals	Officer	