

Note: [01 Jun 2005] – Amendments to NI 51-102 arising from NI 81-106. Refer to Appendix G of CSA Notice announcing NI 81-106 dated 11 Mar 2005.

NATIONAL INSTRUMENT 51-102 CONTINUOUS DISCLOSURE OBLIGATIONS

AMENDMENT INSTRUMENT

1. National Instrument 51-102 *Continuous Disclosure Obligations* is amended by this Instrument.
2. Section 1.1 is amended
 - (a) by repealing the definition of “investment fund” and substituting the following:

““investment fund” means a mutual fund or a non-redeemable investment fund, and, for greater certainty in British Columbia, includes an EVCC and a VCC as those terms are defined in National Instrument 81-106 *Investment Fund Continuous Disclosure*”; and
 - (b) by repealing the definition of “non-redeemable investment fund” and substituting the following:

““non-redeemable investment fund” means an issuer,

 - (a) whose primary purpose is to invest money provided by its securityholders,
 - (b) that does not invest,
 - (i) for the purpose of exercising or seeking to exercise control of an issuer, other than an issuer that is a mutual fund or a non-redeemable investment fund, or
 - (ii) for the purpose of being actively involved in the management of any issuer in which it invests, other than an issuer that is a mutual fund or a non-redeemable investment fund, and
 - (c) that is not a mutual fund;”.
3. This Instrument comes into force on June 1, 2005.