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Marketplaces are required to provide certain information to the securities regulators, so that they understand the business of the marketplace and the risks it introduces to the market. Such information is described in the exhibits included in Forms 21-101F1 *Information Statement Exchange or Quotation and Trade Reporting System* and 21-101F2 *Information Statement Alternative Trading System*, for exchanges and ATSS respectively, and relates to: governance, marketplace operations, outsourcing arrangements, systems, custody, the types of securities traded, how access to services is provided, and fees. These forms must be filed prior to the commencement of the operations and must be kept up to date. Changes to the information included in these forms must also be reported to the securities regulators, either in advance, if the change is significant, or subsequent to its implementation if it is not.

In addition, marketplaces report their trading activities on a quarterly basis.<sup>34</sup> The quarterly reports are provided to the securities regulators in electronic form. The information reported is included in Form 21-101F3 *Quarterly Report of Marketplace Activities* and includes trading activity information (value, volume and number of trades) by category of security, information about orders and order types, and information about the most traded securities.

#### **5. Listing securities**

Exchanges may list securities of an issuer.<sup>35</sup> They are required to comply with the fair access requirements in NI 21-101 (and in their recognition orders), which include the requirement to establish written standards for granting access to each of their services,<sup>36</sup> including listings. Since exchanges have listings requirements in the form of rules, they must ensure that these rules require compliance with securities legislation<sup>37</sup> and that they provide appropriate sanctions for violations of the rules.<sup>38</sup>

#### **6. Fair access**

Marketplaces must not unreasonably prohibit or limit access by a person or company to services offered by the marketplace. A marketplace must establish written standards for granting access to each of its services and must keep records of each access grant or denial of access.<sup>39</sup> It must neither permit unreasonable discrimination among participants, issuers and marketplace participants nor impose any burden on competition that is not reasonably necessary and appropriate.<sup>40</sup> Lastly, a marketplace must not prohibit, condition or otherwise limit a marketplace participant from trading on any marketplace.<sup>41</sup>

#### **7. Conflict of interest**

A marketplace must establish, maintain and ensure compliance with policies and procedures that identify and manage any conflicts of interest arising from the operation of a marketplace or the

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<sup>34</sup> Part 3 of NI 21-101.

<sup>35</sup> An issuer is listed when there is a formal arrangement between the exchange and the issuer to have the issuer's securities listed, and the exchange has and enforces listing requirements.

<sup>36</sup> para. 5.1(2)(a) of NI 21-101.

<sup>37</sup> para. 5.3(b) of NI 21-101.

<sup>38</sup> para. 5.4(b) of NI 21-101.

<sup>39</sup> s. 5.1 of NI 21-101.

<sup>40</sup> ss. 5.1(3) of NI 21-101.

<sup>41</sup> s. 5.1 of NI 21-101.













