

Note: [02 May 2019] – Proposed changes to NP 11-203 arising from proposed NI 13-103. Refer to Annex D of CSA Notice announcing proposed NI 13-103 dated 02 May 2019.

**PROPOSED CHANGES TO
NATIONAL POLICY 11-203 PROCESS FOR EXEMPTIVE RELIEF APPLICATIONS IN
MULTIPLE JURISDICTIONS**

1. *National Policy 11-203 Process for Exemptive Relief Applications in Multiple Jurisdictions is changed by this Document.*

2. *Part 2 is changed by adding “AND INTERPRETATION” in its title.*

3. *The Policy is changed by adding the following section:*

2.3 Electronic transmission – National Instrument 13-103 [*System Replacement Rule*] prescribes that each document that is required or permitted to be provided to a securities regulatory authority or regulator must be transmitted to the securities regulatory authority or regulator electronically through the [Renewed System].

The reference to a document includes any report, form, application, information, material and notice, as well as a copy thereof, and applies to documents that are required or permitted to be filed or deposited with, or delivered, furnished, sent, provided, submitted or otherwise transmitted to, a securities regulatory authority or regulator.

To reflect the phased implementation of the [Renewed System], the Appendix of National Instrument 13-103 [*System Replacement Rule*] sets out securities legislation under which documents are excluded from being filed or delivered in the [Renewed System].

Reference to National Instrument 13-103 [*System Replacement Rule*] should be made when providing any document to a securities regulatory authority or regulator under MI 11-102 and this policy..

4. *Subsection 3.8(5) is deleted.*

5. *Section 4.2 is changed by:*

(a) *deleting “by letter”, and*

(b) *deleting “in the pre-filing”.*

6. *Subsections 4.3(1) and 4.4(1) are changed by deleting “in the pre-filing”.*

7. *Section 5.1 is changed by replacing “In its application, the” with “The”.*

8. Section 5.3 is changed:

- (a) *in its heading by replacing “sections 4.7 and 4.8” with “section 4.7”,*
- (b) *by deleting subsection (2),*
- (c) *in subsection (3) by deleting “or 4.8” and “and 4.8”,*
- (d) *in paragraph (4)(a) by deleting “or 4.8(1)”,*
- (e) *by replacing paragraph (4)(b) with the following:*
 - (b) include the date of the decision of the principal regulator for the initial application if the notice is given under section 4.7(1)(c) of MI 11-102., *and*
- (f) *in subsection (6) by deleting “or (2)”.*

9. Section 5.5 is replaced with the following:

5.5 Filing

- (1) As indicated in section 2.3 of this policy, reference to National Instrument 13-103 [*System Replacement Rule*] should be made when providing any document to a securities regulatory authority or regulator under MI 11-102 or this policy. A filer should consult the Appendix of National Instrument 13-103 [*System Replacement Rule*] to determine whether pre-filing or application materials are excluded from being filed or delivered in the [Renewed System] at this time.
- (2) When pre-filing or application materials are to be transmitted through the [Renewed System], a filer should send the application materials together with the fees to
 - (a) the principal regulator, in the case of a passport application,
 - (b) the principal regulator and the OSC, in the case of a dual application, or
 - (c) each regulator from which the filer seeks exemptive relief, in the case of a coordinated review application.
- (3) When pre-filing or application materials are excluded from being transmitted through the [Renewed System], a filer should send the application materials in paper together with the fees to
 - (a) the principal regulator, in the case of a passport application,
 - (b) the principal regulator and the OSC, in the case of a dual application, or
 - (c) each regulator from which the filer seeks exemptive relief, in the case of a coordinated review application.

The filer should also provide an electronic copy of the application materials, including the draft decision document, by e-mail. Filing the application concurrently in all required jurisdictions will make it easier for the principal regulator and non-principal regulators, if applicable, to process the application expeditiously. In Ontario, an electronic filing system is available for filing and tracking exemptive relief applications. Filers should file an application in Ontario using that system instead of e-mail.

Filers should send pre-filing and application materials by e-mail using the relevant address or addresses listed below:

British Columbia	www.bpsc.bc.ca (click on BCSC e-services and follow the steps)
Alberta	legalapplications@seccom.ab.ca
Saskatchewan	exemptions@gov.sk.ca
Manitoba	exemptions.msc@gov.mb.ca
Ontario	https://www.osc.gov.on.ca/filings
Québec	Dispenses-Passeport@lautorite.qc.ca
New Brunswick	Passport-passeport@npsc-cvmnb.ca
Nova Scotia	nsscexemptions@gov.ns.ca
Prince Edward Island	CCIS@gov.pe.ca
Newfoundland and Labrador	securitiesexemptions@gov.nl.ca
Yukon	Corporateaffairs@gov.yk.ca
Northwest Territories	SecuritiesRegistry@gov.nt.ca
Nunavut	legal.registries@gov.nu.ca

10. ***Section 5.7 is changed by:***
 - (a) ***deleting “, fax number”, and***
 - (b) ***replacing “tell the filer, in the acknowledgement,” with “notify the filer of”.***
11. ***Subsection 5.8(2) is changed by replacing “mark” with “treat”.***
12. ***Subsection 7.2(1) is changed by replacing “circulate” with “provide”.***
13. ***Subsection 8.1(2) is changed by deleting “or 4.8(1)(c)”.***
14. ***Part 9 is changed by deleting sections 9.2 and 9.3.***
15. These changes become effective on ●.