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**AMENDMENTS TO NATIONAL INSTRUMENT 21-101
*MARKETPLACE OPERATION***

PART 1 AMENDMENT

1.1 Amendment

(1) This Instrument amends National Instrument 21-101 *Marketplace Operation*.

(2) Section 1.1 is amended:

(a) in the definition of "foreign exchange-traded security" by:

(i) striking out "only" wherever it appears; and

(ii) by adding "and is not listed on an exchange or quoted on a quotation and trade reporting system in Canada" after "International Organization of Securities Commissions";

(b) in the definition of "IDA" by adding ", or its successor" after "Canada";

(c) by repealing the definition of "member" and substituting the following:

"member" means, for a recognized exchange, a person or company

(a) holding at least one seat on the exchange, or

(b) that has been granted direct trading access rights by the exchange and is subject to regulatory oversight by the exchange,

- and the person or company's representatives;" ;
- (d) in the definition of "recognized exchange" by adding in paragraph (b) "or authorized by the securities regulatory authority" after "as a self-regulatory organization";
 - (e) in the definition of "subscriber" by adding ", and the person or company's representatives" after "orders on the ATS";
 - (f) in the definition of "transaction fee" striking out "transaction" and substituting "trading"; and
 - (g) in the definition of "user" by adding ", and the person or company's representatives" after "on the recognized quotation and trade reporting system".
- (3) Section 7.5 is amended by striking out "and timely" and by adding "in real-time" after "consolidated feed".
- (4) Part 8 is amended by:
- (a) in section 8.3 by striking out "a" after "produce" and substituting "an accurate";
 - (b) in section 8.5 by:
 - (i) striking out "Reporting" and substituting "Filing" in the title; and
 - (ii) striking out "report" wherever it appears and substituting "file"; and
 - (c) in subsection 8.5(1) by adding "the" before "selection".
- (5) Part 10 is amended by deleting all references to "transaction fees" and substituting "trading fees".
- (6) Part 11 is amended:
- (a) in section 11.1 by adding "in electronic form" after "business";
 - (b) in subsection 11.2(1),
 - (i) by striking out the reference to "(1)";
 - (ii) by striking out "In addition to" and substituting "As part of";
 - (iii) by striking out "keep" and substituting "include"; and

- (iv) by adding "in electronic form" after "information";
- (c) in paragraph 11.2(1)(b) by striking out ", in electronic form,";
- (d) by repealing subsections 11.2(2) and 11.2(3); and
- (e) by adding the following section after section 11.2:

"11.2.1 Transmission in Electronic Form – A marketplace shall transmit

- (a) to a regulation services provider, if it has entered into an agreement with a regulation services provider in accordance with NI 23-101, the information required by the regulation services provider, within ten business days, in electronic form; and
 - (b) to the securities regulatory authority the information required by the securities regulatory authority under securities legislation, within ten business days, in electronic form."
- (7) Section 12.2 is amended by:
- (a) striking out the "s" at the end of "Paragraphs"; and
 - (b) striking out "and 12.1(c) do" and substituting "does".

1.2 Effective Date – This Instrument comes into effect on 12 September 2008.