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PART II REVISED REGULATIONS OF SASKATCHEWAN

TABLE OF CONTENTS

J-4.2 Reg 1	<i>The Jury Regulations, 2000</i>	79
S-42.2 Reg 3	<i>The Securities Commission (Adoption of National Instruments) Regulations</i>	90
SR 1/2000	<i>The Securities Commission (Local Instruments) Amendment Regulations, 1999</i>	112
SR 2/2000	<i>The Small Claims Amendment Regulations, 2000</i>	118
SR 3/2000	<i>The Milk Control Amendment Regulations, 2000</i>	122

PARTIE II RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

TABLE DES MATIÈRES

J-4,2 Règl. 1	<i>Règlement de 2000 sur le jury</i>	79
RS 2/2000	<i>Règlement de 2000 modifiant le règlement de 1998 sur les petites créances</i>	119

Revised Regulations of Saskatchewan/ Règlements Révisés de la Saskatchewan 2000

January 7, 2000

<i>The Credit Union Insurance Business Regulations</i>	C-45.2 Reg 2
<i>The 1999 School Grant Regulations</i>	E-0.2 Reg 7
<i>The New Generation Co-operatives Regulations</i>	N-4.001 Reg 1
<i>The Prisoner Escort and Prisoner Security Regulations, 1999</i>	U-11 Reg 18
<i>The Revenue Collection Administration Amendment Regulations, 1999</i>	SR 97/1999
<i>The Northern Revenue Sharing Grants Amendment Regulations, 1999</i>	SR 98/1999
<i>The Adoption Amendment Regulations, 1999</i>	SR 99/1999
<i>The Co-operatives Amendment Regulations, 1999/ Règlement de 1999 modifiant le règlement de 1998 sur les coopératives</i>	SR 100/1999/ RS 2/2000

January 28, 2000

<i>The Jury Regulations, 2000/ Règlement de 2000 sur le jury</i>	J-4.2 Reg 1/ J 4.2 Règl. 1
<i>The Securities Commission (Adoption of National Instruments) Regulations</i>	S-42.2 Reg 3
<i>The Securities Commission (Local Instruments) Amendment Regulations, 1999</i>	SR 1/2000
<i>The Small Claims Amendment Regulations, 2000/ Règlement de 2000 modifiant le règlement de 1998 sur les petites créances</i>	SR 2/2000/ RS 2/2000
<i>The Milk Control Amendment Regulations, 2000</i>	SR 3/2000

PART II

REVISED REGULATIONS OF SASKATCHEWAN

CHAPTER J-4.2
REG 1

*The Jury
Regulations, 2000*

CHAPITRE J-4,2
RÈGL. 1

*Règlement de 2000
sur le jury*

CHAPTER J-4.2 REG 1*The Jury Act, 1998*

Section 38

Order in Council 9/2000, dated January 11, 2000

(Filed January 17, 2000)

Title

1 These regulations may be cited as *The Jury Regulations, 2000*.

Prospective jurors – French trials

2(1) The Inspector of Legal Offices may compile a list of names and addresses of persons in a particular judicial centre who understand French and may use that list as a source for names and addresses of prospective jurors when a trial is to be held in French.

(2) In compiling the list, the Inspector of Legal Offices may obtain names and addresses of prospective jurors from any department or agency of the Government of Canada or the Government of Saskatchewan or any person, association, organization or institution that has available to it the names and addresses of persons in Saskatchewan who understand French.

Fees payable

3(1) The fee payable to a person:

(a) who is summoned to attend as a juror for the purposes of civil jury selection is \$15 for each day or part of a day that the person attends; and

(b) who is sworn to serve as a juror in a civil trial is \$25 for each day or part of a day that the person serves as a juror.

(2) The fee payable to a person who is sworn to serve as a juror in a criminal proceeding is \$40 for each day or part of a day after the fifteenth day that the person serves as a juror.

Expenses payable

4(1) A juror or prospective juror is entitled to be paid the following for his or her travel expenses that the sheriff considers reasonable:

(a) where he or she uses a private vehicle, at half the rate established for travel expenses incurred by members of the public service when using a private vehicle;

(b) where he or she uses public transportation, at the rate established for travel expenses incurred by members of the public service when using public transportation.

(2) A juror or prospective juror is entitled to be paid for his or her accommodation expenses that the sheriff considers reasonable at a rate equal to the rate established for accommodation expenses incurred by members of the public service.

(3) A juror or prospective juror is entitled to be paid for his or her actual meal expenses that the sheriff considers reasonable.

CHAPITRE J-4,2 RÈGL. 1*Loi de 1998 sur le jury*

Article 38

Décret 9/2000, en date du 11 janvier 2000

(déposé le 17 janvier 2000)

Titre**1** *Règlement de 2000 sur le jury.***Candidats-jurés – Procès tenus en français****2(1)** Pour les besoins d'un procès devant être tenu en français, l'inspecteur des greffes peut dresser une liste des noms et adresses de personnes qui, dans un centre judiciaire en particulier, comprennent le français.**(2)** Pour les fins de l'établissement de la liste, l'inspecteur des greffes peut collaborer avec tout ministère ou organisme du gouvernement du Canada ou du gouvernement de la Saskatchewan ou avec toute personne, association, organisation ou institution qui a accès aux noms et adresses de personnes en Saskatchewan qui comprennent le français.**Indemnités payables****3(1)** L'indemnité payable à une personne:

- a) qui est assignée à remplir les fonctions de juré dans un procès en matière civile est de 15 \$ pour chaque jour ou fraction de jour où elle comparaît;
- b) qui est assermentée comme juré en matière civile est de 25 \$ pour chaque jour ou fraction de jour où elle remplit les fonctions de juré.

(2) L'indemnité payable à la personne qui est assermentée comme juré en matière criminelle est de 40 \$ pour chaque jour ou fraction de jour après le quinzième jour où elle remplit les fonctions de juré.**Remboursement des dépenses****4(1)** Le juré ou le candidat-juré a droit au remboursement de ses frais de déplacement que le shérif estime raisonnables:

- a) s'il utilise un véhicule privé, à un taux équivalent à la moitié de celui qui est fixé pour le remboursement des frais de déplacement des membres de la fonction publique lorsque ceux-ci utilisent un véhicule privé;
- b) s'il utilise le transport en commun, au taux équivalent à celui qui est fixé pour le remboursement des frais de déplacement des membres de la fonction publique lorsque ceux-ci utilisent le transport en commun.

(2) Le juré ou le candidat-juré a droit au remboursement de ses frais de séjour que le shérif estime raisonnables à un taux équivalent à celui qui est approuvé à ce titre pour les membres de la fonction publique.**(3)** Le juré ou le candidat-juré a droit au remboursement des frais de repas qu'il a effectivement exposés et que le shérif estime raisonnables.

Forms

5(1) A Juror Information Return and Summons and an Application for Relief from Jury Service is to be in Form A of the Appendix.

(2) A Reply to Application for Relief from Jury Service is to be in Form B of the Appendix.

R.R.S. c.J-4.1 Reg 1 repealed

6 *The Jury Regulations* are repealed.

Coming into force

7(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Jury Act, 1998* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Jury Act, 1998* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

Formules

- 5(1) La formule intitulée Rapport – avis de sélection de juré et assignation – et demande de dispense des fonctions de juré doit être établie selon la formule A de l'appendice.
- (2) La formule intitulée Réponse à la demande de dispense des fonctions de juré doit être établie selon la formule B de l'appendice.

Abrogation du R.R.S. c. J-4.1 Reg. 1

- 6 Le règlement intitulé *The Jury Regulations* est abrogé.

Entrée en vigueur

- 7(1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de l'entrée en vigueur de l'article 1 de la *Loi de 1998 sur le jury*.
- (2) S'il est déposé auprès du registraire des règlements après le jour de l'entrée en vigueur de l'article 1 de la *Loi de 1998 sur le jury*, le présent règlement entre en vigueur le jour de son dépôt auprès de celui-ci.

Appendix

FORM A

**Juror Information Return and Summons and
Application for Relief from Jury Service**

[Subsection 5(1)]

JUROR SUMMONSTo: (If this address is not correct, please
provide your current address)YOU MUST ATTEND THE COURT
OF QUEEN'S BENCH for jury
selection on *(date and time)* at:

┌

┐

*(name, address and postal code)**(location)*

└

┘

YOU MUST ALSO COMPLETE AND RETURN one copy of this form, WITHIN
FIVE DAYS OF RECEIVING IT, TO:

(a stamped, self-addressed envelope is provided for your convenience)

*(name, address and telephone number of sheriff)***WARNING: Failure to obey this summons is an offence punishable by a
fine of not more than \$1,000.****JUROR INFORMATION RETURN**My date of Birth is: _____ My Occupation is: _____
[day, month, year] I understand English I do not understand EnglishI understand the following languages, other than English: _____
*(please specify, if any)*I may be contacted by telephone at _____
(work) (home) (other)

Check one of the applicable boxes below:

 I am qualified to serve as a juror, I
am not excluded from jury service
and I do not wish to be relieved
from jury service. *(see page 2)* I am excluded from serving as a
juror because: *(provide details below –
see page 2)* I am not qualified to serve as a
juror because: *(provide details below –
see page 2)* I wish to be relieved from jury
service. *(to apply for relief, complete the
application below – see page 2)*

I certify that I am the person named in the Juror Summons and that the above is true.

*(date)*_____
(signature)

Appendice

FORMULE A

**Rapport – avis de sélection de juré et assignation
– et demande de dispense des fonctions de juré**
[Paragraphe 5(1)]

ASSIGNATION DE JURÉ

DESTINATAIRE: (Si l'adresse est inexacte, VOUS DEVEZ VOUS PRÉSENTER
prière de fournir votre À LA COUR DU BANC DE LA
adresse actuelle) REINE en vue du choix d'un jury

┌ (date et heure) au: ┐
(indiquer le nom, l'adresse
et le code postal) (endroit)

VOUS DEVEZ ÉGALEMENT REMPLIR ET RETOURNER une copie de la présente
formule DANS LES CINQ JOURS DE SA RÉCEPTION (une enveloppe-réponse
affranchie est ci-incluse à cette fin) AU DESTINATAIRE SUIVANT:

(nom, adresse et numéro de téléphone du shérif)

**AVERTISSEMENT: Vous serez passible d'une amende maximale de 1 000 \$
si vous n'obtempérez pas à la présente assignation.**

RAPPORT – AVIS DE SÉLECTION DE JURÉ

Date de naissance: _____ Profession: _____
(jour, mois et année)

Je comprends l'anglais Je ne comprends pas l'anglais

Outre l'anglais, je comprends les langues suivantes: _____
(le cas échéant, prière de préciser)

Numéros de téléphone où le
shérif peut me joindre: _____
(travail) (domicile) (autre)

Cocher la case qui s'applique à votre cas:

- | | |
|---|---|
| <input type="checkbox"/> Je suis habile à remplir les
fonctions de juré, je n'en suis pas
dispensé et ne désire pas en être
dispensé. (Voir les précisions à la
page 2) | <input type="checkbox"/> Je suis dispensé de remplir les
fonctions de juré parce que: (prière
de préciser – voir la page 2) |
| <input type="checkbox"/> Je ne suis pas habile à remplir les
fonctions de juré parce que: (prière
de préciser – voir la page 2) | <input type="checkbox"/> Je désire être dispensé des
fonctions de juré: (remplir la
demande ci-dessous – voir la
page 2) |

Je certifie que je suis la personne nommément désignée dans l'assignation de juré et
que ce qui précède est vrai.

(date)

(signature)

APPLICATION FOR RELIEF FROM JURY SERVICE

I wish to be relieved from serving as a juror because: *(provide details – see page 2)*

_____ I certify that the above is true. _____

(date) *(signature)*

Page 2

CAREFULLY READ THE INFORMATION BELOW

A. Qualifications

If you are a Saskatchewan resident and a Canadian citizen and are 18 years of age or older, you are qualified to serve as a juror.

B. Exclusions

You are excluded from serving as a juror if you are:

- a judge, justice of the peace, coroner, lawyer or police officer or have been in the past
- an employee of the Saskatchewan Department of Justice, the Department of Justice (Canada) or the Department of the Solicitor General (Canada)
- otherwise engaged in the administration of justice
- a reeve, councillor or mayor
- a member of a board of education, the Conseil scolaire fransaskois, a board of trustees of a school district or a conseil d'école
- a member or officer of the Legislative Assembly
- a member of the Privy Council, the Senate or the House of Commons
- a spouse of any of the above persons
- legally confined in an institution
- certified incompetent.

C. Relief from Jury Service

You may be relieved from serving as a juror for any of the following reasons:

- your attendance would result in serious hardship, loss or inconvenience to yourself, to others or to the general public
- you are suffering from an illness that will make you incapable of serving as a juror at this time
- you are a practising member of a religion or religious order and jury service is incompatible with the beliefs of your religion or religious order
- you are incapable of performing the duties of a juror
- you are 65 years of age or older
- you have served on a jury within the last two years.

IF YOU WISH TO BE CONSIDERED FOR JURY SERVICE, DO NOT APPLY FOR RELIEF.

DEMANDE DE DISPENSE DES FONCTIONS DE JURÉ

Je désire être dispensé de remplir les fonctions de juré parce que: *(prière de préciser – voir la page 2)*

_____ Je certifie que ce qui précède est vrai. _____

(date)

(signature)

Page 2

LISEZ ATTENTIVEMENT LES RENSEIGNEMENTS CI-DESSOUS**A. Conditions d'aptitude aux fonctions de juré**

Vous êtes habile à remplir les fonctions de juré si vous êtes résident de la Saskatchewan et citoyen canadien et avez 18 ans révolus.

B. Exclusions

Vous n'êtes pas habile à remplir les fonctions de juré dans les cas suivants:

- vous êtes ou avez été juge, juge de paix, coroner, avocat, membre d'un service de police
- vous êtes employé du ministère de la Justice de la Saskatchewan, du ministère de la Justice (Canada) ou du ministère du Solliciteur général (Canada)
- vous travaillez de quelque autre manière dans l'administration de la justice
- vous êtes préfet, conseiller municipal ou maire
- vous êtes membre d'une commission scolaire, du Conseil scolaire fransaskois, d'un bureau des commissaires, d'un district scolaire ou d'un conseil d'école
- vous êtes député ou membre du personnel de l'Assemblée législative
- vous êtes membre du Conseil privé, du Sénat ou de la Chambre des communes du Canada
- vous êtes le conjoint de l'une des personnes susmentionnées
- vous êtes légalement détenu dans un établissement
- vous êtes déclaré incompetent.

C. Dispense des fonctions de juré

Vous pouvez être dispensé des fonctions de juré dans les cas suivants:

- votre comparution vous causerait ou causerait à des tiers ou au public en général un préjudice grave, des pertes importantes ou des inconvénients sérieux
- vous souffrez d'une maladie qui persistera vraisemblablement et vous empêchera pour le moment de remplir les fonctions de juré
- vous êtes membre pratiquant d'une religion ou d'un ordre religieux dont les croyances sont incompatibles avec les fonctions de juré
- vous êtes incapable de remplir les fonctions de juré
- vous avez 65 ans révolus
- vous avez rempli les fonctions de juré au cours des deux dernières années

SI VOUS DÉSIREZ ÊTRE CONSIDÉRÉ POUR REMPLIR LES FONCTIONS DE JURÉ, NE DEMANDEZ PAS DE DISPENSE.

FORM B
Reply to Application for Relief from Jury Service
[Subsection 5(2)]

TO: *(include name, address and postal code)*

- Yes, you are relieved from jury service. Your attendance for jury duty is not required.
- No, you are not relieved from jury service. You must attend for jury selection on the date set out in the summons.
- Your application for relief from jury service cannot be decided until the following information is received: *(specify information required)*

If your application for relief from jury service has been denied, you may appeal to a judge of the Court of Queen's Bench for relief from jury service.

(name of Sheriff)

(address)

(telephone)

FORMULE B
Réponse à la demande de dispense des fonctions de juré
[Paragraphe 5(2)]

DESTINATAIRE: *(indiquer le nom, l'adresse et le code postal)*

- Oui, vous êtes dispensé des fonctions de juré. Vous n'avez pas à vous présenter pour remplir les fonctions de juré.
- Non, vous n'êtes pas dispensé des fonctions de juré. Vous devez vous présenter à la séance de constitution du jury dont la date figure dans l'assignation.
- Une décision relative à votre demande de dispense des fonctions de juré ne peut être prise avant que les renseignements suivants n'aient été reçus: *(préciser les renseignements requis)*.

Si votre demande de dispense des fonctions de juré a été refusée, vous pouvez interjeter appel à un juge de la Cour du Banc de la Reine.

(nom de shérif)

(adresse)

(téléphone)

CHAPTER S-42.2 REG 3*The Securities Act, 1988*

Section 154

Commission Order, dated June 18, 1999

(Filed January 17, 2000)

Title

1 These regulations may be cited as *The Securities Commission (Adoption of National Instruments) Regulations*.

National Instrument adopted

2 The following National Instruments are adopted as standards, procedures and guidelines:

- (a) National Instrument 14-101, entitled Definitions, as set out in Part I of the Appendix to these regulations;
- (b) National Instrument 32-101, entitled Small Security Holder Selling and Purchase Plans, as set out in Part II of the Appendix to these regulations;
- (c) National Instrument 81-105, entitled Mutual Fund Sales Practises Rules, as set out in Part III of the Appendix to these regulations.

Compliance required

3 No person or company shall fail to comply with the National Instruments adopted pursuant to section 2.

Coming into force

4 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix**PART I**[*clause 2(a)*]**NATIONAL INSTRUMENT 14-101
DEFINITIONS****PART 1 DEFINITIONS AND INTERPRETATION****1.1 Definitions and Interpretation**

1. Every term that is defined or interpreted in the statute of the local jurisdiction mentioned in Appendix B to this National Instrument, the definition or interpretation of which is not restricted to a specific portion of the statute, has, if used in a national instrument or multilateral instrument, the meaning ascribed to it in that statute unless the context otherwise requires.
2. A provision or reference within a provision of a national instrument or multilateral instrument that specifically refers by name to one or more jurisdictions other than the local jurisdiction shall not have any effect in the local jurisdiction, unless otherwise stated in the national instrument or multilateral instrument.
3. In a national instrument or multilateral instrument:

“1933 Act” means the *Securities Act of 1933* of the United States of America as amended from time to time;

“1934 Act” means the *Securities Exchange Act of 1934* of the United States of America as amended from time to time;

“adviser registration requirement” means the requirement in securities legislation that prohibits a person or company from acting as an adviser unless the person or company is registered in the appropriate category of registration under securities legislation;

“blanket rulings and orders” means rulings and orders issued under Canadian securities legislation in certain jurisdictions that are applicable to a class of persons, trades, intended trades, securities, exchange contracts or transactions;

“Canadian auditor’s report” means an auditor’s report prepared in accordance with Canadian GAAS;

“Canadian financial institution” means a bank, loan corporation, trust company, insurance company, treasury branch, credit union or caisse populaire that, in each case, is authorized to carry on business in Canada or a jurisdiction, or the Confédération des caisses populaires et d’économie Desjardins du Québec;

“Canadian GAAP” means generally accepted accounting principles determined with reference to the Handbook;

“Canadian GAAS” means generally accepted auditing standards determined with reference to the Handbook;

“Canadian securities directions” means the instruments listed in Appendix A to this National Instrument;

“Canadian securities legislation” means the statutes and the other instruments listed in Appendix B to this National Instrument;

“Canadian securities regulatory authorities” means the securities commissions and similar regulatory authorities listed in Appendix C to this National Instrument;

“CIPF” means the Canadian Investor Protection Fund;

“CSA” means the Canadian Securities Administrators;

“dealer registration requirement” means the requirement in securities legislation that prohibits a person or company from trading in a security unless the person or company is registered in the appropriate category of registration under securities legislation;

“equity security” has the meaning ascribed to that term in securities legislation;

“foreign jurisdiction” means a country other than Canada or a political subdivision of a country other than Canada;

“Handbook” means the Handbook of the Canadian Institute of Chartered Accountants, as amended from time to time;

“implementing law of a jurisdiction” means, for a local jurisdiction, a regulation, rule, ruling or order of the Canadian securities regulatory authority that implements a national instrument or multilateral instrument in the local jurisdiction;

“insider reporting requirement” means the requirement in securities legislation for an insider of a reporting issuer to file reports disclosing the insider’s direct or indirect beneficial ownership of, or control or direction over, securities of the reporting issuer;

“issuer bid” has the meaning ascribed to that term in securities legislation;

“ITA” means the *Income Tax Act* (Canada);

“jurisdiction” means a province or territory of Canada except when used in the term foreign jurisdiction;

“local jurisdiction” means, in a national instrument or multilateral instrument adopted or made by a Canadian securities regulatory authority, the jurisdiction in which the Canadian securities regulatory authority is situate;

“multilateral instrument” means an instrument described by the CSA as a multilateral instrument, and adopted or made by the securities regulatory authority;

“national instrument” means an instrument described by the CSA as a national instrument, and adopted or made by the securities regulatory authority;

“networking notice requirement” means the requirement in securities legislation that a registrant give written notice to the securities regulatory authority or regulator before entering into a networking arrangement;

“person or company”, for the purpose of a national instrument or multilateral instrument in British Columbia, means **“person”** as defined in section 1 of the *Securities Act* (British Columbia), and for the purpose of a national instrument or multilateral instrument in Quebec, means **“person”** as used in the *Securities Act* (Quebec);

“prospectus requirement” means the requirement in securities legislation that prohibits a person or company from distributing a security unless a preliminary prospectus and prospectus for the security have been filed and receipts obtained for them;

“registration requirement” means the requirement in securities legislation that prohibits a person or company from trading in a security or acting as an underwriter or an adviser unless the person or company is registered in the appropriate category of registration under securities legislation;

“regulator” means, for the local jurisdiction, the person referred to in Appendix D to this National Instrument opposite the name of the local jurisdiction;

“SEC” means the Securities and Exchange Commission of the United States of America;

“securities directions” means, for the local jurisdiction, the instruments listed in Appendix A to this National Instrument opposite the name of the local jurisdiction;

“securities legislation” means, for the local jurisdiction, the statute and other instruments listed in Appendix B to this National Instrument opposite the name of the local jurisdiction;

“securities regulatory authority” means, for the local jurisdiction, the securities commission or similar regulatory authority listed in Appendix C to this National Instrument opposite the name of the local jurisdiction;

“SRO” means a self-regulatory organization, a self-regulatory body or an exchange;

“take-over bid” has the meaning ascribed to that term in securities legislation;

“underwriter registration requirement” means the requirement in securities legislation that prohibits a person or company from acting as an underwriter unless the person or company is registered in the appropriate category of registration under securities legislation;

“U.S. federal securities law” means the federal statutes of the United States of America concerning the regulation of securities markets and trading in securities and the regulations, rules, forms and schedules under those statutes all as amended from time to time.

NATIONAL INSTRUMENT**14-101****DEFINITIONS****APPENDIX A****CANADIAN SECURITIES DIRECTIONS**

LOCAL JURISDICTION	INSTRUMENTS
ALBERTA	The policy statements and the written interpretations issued by the securities regulatory authority.
BRITISH COLUMBIA	The policy statements and the written interpretations issued by the securities regulatory authority.
MANITOBA	The policy statements and the written interpretations issued by the securities regulatory authority.
NEW BRUNSWICK	The policy statements and the written interpretations issued by the securities regulatory authority.
NEWFOUNDLAND	The policy statements and the written interpretations issued by the securities regulatory authority.
NORTHWEST TERRITORIES	The policy statements and the written interpretations issued by the securities regulatory authority.
NOVA SCOTIA	The policy statements and the written interpretations issued by the securities regulatory authority.
ONTARIO	None.
PRINCE EDWARD ISLAND	The policy statements and the written interpretations issued by the securities regulatory authority.
QUEBEC	The policy statements and the written interpretations issued by the securities regulatory authority.
SASKATCHEWAN	The policy statements and the written interpretations issued by the securities regulatory authority.
YUKON TERRITORY	The policy statements and the written interpretations issued by the securities regulatory authority.

**NATIONAL INSTRUMENT
14-101**

DEFINITIONS

APPENDIX B

CANADIAN SECURITIES LEGISLATION

LOCAL JURISDICTION	STATUTE AND OTHER INSTRUMENTS
ALBERTA	<i>Securities Act</i> and the regulations and rules under that Act and the blanket rulings and orders issued by the securities regulatory authority.
BRITISH COLUMBIA	<i>Securities Act</i> and the regulations, rules and forms under that Act and the blanket rulings and orders issued by the securities regulatory authority.
MANITOBA	<i>The Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.
NEW BRUNSWICK	<i>Security Frauds Prevention Act</i> and the regulations under that Act and the orders issued by the securities regulatory authority.
NEWFOUNDLAND	<i>Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.
NORTHWEST TERRITORIES	<i>Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.
NOVA SCOTIA	<i>Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.
ONTARIO	<i>Securities Act</i> and the regulations and rules under that Act.
PRINCE EDWARD ISLAND	<i>Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.
QUEBEC	<i>Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.
SASKATCHEWAN	<i>The Securities Act, 1988</i> and the regulations and rules under that Act and the blanket rulings and orders issued by the securities regulatory authority.
YUKON TERRITORY	<i>Securities Act</i> and the regulations under that Act and the blanket rulings and orders issued by the securities regulatory authority.

NATIONAL INSTRUMENT**14-101****DEFINITIONS****APPENDIX C****CANADIAN SECURITIES REGULATORY AUTHORITIES****LOCAL****JURISDICTION****SECURITIES REGULATORY AUTHORITY**

ALBERTA

Alberta Securities Commission

BRITISH COLUMBIA

British Columbia Securities Commission

MANITOBA

The Manitoba Securities Commission

NEW BRUNSWICK

Office of the Administrator, New Brunswick

NEWFOUNDLAND

Securities Commission of Newfoundland

NORTHWEST TERRITORIES

Registrar of Securities, Northwest Territories

NOVA SCOTIA

Nova Scotia Securities Commission

ONTARIO

Ontario Securities Commission

PRINCE EDWARD ISLAND

Registrar of Securities, Prince Edward Island

QUEBEC

Commission des valeurs mobilières du Québec

SASKATCHEWAN

Saskatchewan Securities Commission

YUKON TERRITORY

Registrar of Securities, Government of the
Yukon Territory

NATIONAL INSTRUMENT**14-101****DEFINITIONS****APPENDIX D****REGULATOR****LOCAL****JURISDICTION**

ALBERTA

BRITISH COLUMBIA

MANITOBA

NEW BRUNSWICK

NEWFOUNDLAND

NORTHWEST TERRITORIES

NOVA SCOTIA

ONTARIO

PRINCE EDWARD ISLAND

QUEBEC

SASKATCHEWAN

YUKON TERRITORY

REGULATORExecutive Director, as defined under section 1 of the *Securities Act* (Alberta).Executive Director, as defined under section 1 of the *Securities Act* (British Columbia).Director, as defined under subsection 1(1) of *The Securities Act* (Manitoba).Administrator, as defined under section 1 of the *Security Frauds Prevention Act* (New Brunswick).Director of Securities, designated under section 7 of the *Securities Act* (Newfoundland).Registrar, as defined under section 1 of the *Securities Act* (Northwest Territories).Director, as defined under section 1 of the *Securities Act* (Nova Scotia).Director, as defined under section 1 of the *Securities Act* (Ontario).Registrar, as defined under section 1 of the *Securities Act* (Prince Edward Island).la Commission des valeurs mobilières du Québec continued under the *Securities Act* (Quebec).Director, as defined in section 2 of *The Securities Act, 1988* (Saskatchewan).Registrar, as defined under section 1 of the *Securities Act* (Yukon Territory).

PART II
[Clause 2(b)]

NATIONAL INSTRUMENT 32-101

SMALL SECURITY HOLDER SELLING AND PURCHASE ARRANGEMENTS

PART 1 DEFINITIONS AND INTERPRETATION

1.1 Definitions – In this Instrument:

“adviser registration requirement” means the requirement in securities legislation that prohibits a person or company from acting as an adviser unless the person or company is registered in the appropriate category of registration under securities legislation;

“dealer registration requirement” means the requirement in securities legislation that prohibits a person or company from trading in a security unless the person or company is registered in the appropriate category of registration under securities legislation;

“Exchange” means:

- (a) The Toronto Stock Exchange;
- (b) The Montreal Exchange;
- (c) The Alberta Stock Exchange; or
- (d) an exchange that:
 - (i) has a by-law, rule, regulation or policy that is substantially similar to the policy of The Toronto Stock Exchange; and
 - (ii) is designated by the securities regulatory authority for the purpose of this Instrument; and

“policy” means:

- (a) in the case of The Toronto Stock Exchange, The Toronto Stock Exchange Policy Statement on Small Shareholder Selling and Purchase Arrangements as it exists on August 5, 1997 and every successor to that policy that does not change the significant subject matter of the policy;
- (b) in the case of The Montreal Exchange, The Montreal Exchange Policy I-9 Small Shareholder Selling and Purchase Arrangements as it exists on August 5, 1997 and every successor to that policy that does not change the significant subject matter of the policy;
- (c) in the case of The Alberta Stock Exchange, The Alberta Stock Exchange Circular No.15 Small Shareholder Selling and Purchase Arrangements as it exists on August 5, 1997 and every successor to that circular that does not change the significant subject matter of the circular; and
- (d) in the case of an Exchange referred to in paragraph (d) of the definition of Exchange, the by-law, rule, regulation or policy of the Exchange on small shareholder selling and purchase arrangements and every successor to that by-law, rule, regulation or policy that does not change the significant subject matter of the by-law, rule, regulation or policy.

1.2 Interpretation – For the purposes of paragraph 2.1(c), an exemption from, or variation of, the maximum number of securities that a SECURITY HOLDER is permitted to hold under a policy in order to be eligible to participate in the arrangement provided for in the policy is not an exemption from, or variation of, the significant subject matter of the policy.

PART 2 EXEMPTION

2.1 Exemption – The adviser registration requirement and the dealer registration requirement do not apply to a trade by an issuer or its agent, in securities of the issuer that are listed and posted for trading on an Exchange, if:

- (a) the trade is an act in furtherance of participation by the holders of the securities in an arrangement that is in accordance with the Exchange's policy;
- (b) the issuer and its agent do not provide advice to a SECURITY HOLDER about the SECURITY HOLDER's participation in the arrangement referred to in paragraph (a), other than a description of the arrangement's operation, procedures for participation in the arrangement, or both;
- (c) the trade is made in accordance with the policy of the Exchange, without resort to an exemption from, or variation of, the significant subject matter of the policy; and
- (d) at the time of the trade after giving effect to a purchase under the arrangement, the market value of the maximum number of securities that a SECURITY HOLDER is permitted to hold in order to be eligible to participate in the arrangement is not more than \$25,000.

PART III *[clause 2(c)]*

NATIONAL INSTRUMENT 81-105 **MUTUAL FUND SALES PRACTICES**

PART 1 DEFINITIONS, INTERPRETATION AND APPLICATION

1.1 Definitions – In this Instrument:

“direct costs” means reasonable, out-of-pocket costs and expenses directly attributable to:

- (a) the production and presentation of a sales communication referred to in Part 5; or
- (b) the presentation and organization of a conference or seminar referred to in Part 5, other than any travel, accommodation or personal incidental expenses associated with the attendance of an individual at the conference or seminar;

“equity interest” means, in relation to an issuer:

- (a) if the issuer is a reporting issuer in any jurisdiction and its securities are listed on a Canadian stock exchange, the direct or indirect ownership of securities representing more than ten percent of any class of voting securities, equity securities or partnership units of the issuer; or
- (b) for all other issuers, the direct or indirect ownership of a voting security, equity security or partnership unit of the issuer;

“equity security” means a security of an issuer that carries a residual right to participate in the earnings of the issuer and, upon the liquidation or winding up of the issuer, in the distribution of its assets;

“IDA” means the Investment Dealers Association of Canada;

“IFIC” means The Investment Funds Institute of Canada;

“member of the organization” means, for a mutual fund:

- (a) the manager of the mutual fund;
- (b) the principal distributor of the mutual fund;
- (c) the portfolio adviser of the mutual fund;
- (d) an affiliate of any of the persons or companies mentioned in clause (a), (b) or (c); or
- (e) a person or company that is organized by a member of the organization of the mutual fund as a vehicle to fund payment of commissions to participating dealers and that has a right to arrange for the distribution of the securities of the mutual fund;

“mutual fund family” means two or more mutual funds that have:

- (a) the same manager; or
- (b) managers that are affiliates of each other;

“representative” means, for a participating dealer:

- (a) a partner, director, officer, salesperson or employee of the participating dealer; and
- (b) any company through which a person mentioned in clause (a) carries on activities in connection with services provided to the participating dealer.

1.2 Interpretation – Terms defined in National Policy Statement No. 39, or in a successor instrument to that policy statement, and used in this Instrument have the respective meanings ascribed to them in National Policy Statement No. 39 or the successor instrument, whichever is in force.

1.3 Application – This Instrument applies to:

- (a) a distribution of securities of a mutual fund that offers or has offered securities under a prospectus or simplified prospectus for so long as the mutual fund remains a reporting issuer; and
- (b) a person or company in respect of activities pertaining to a mutual fund mentioned in clause (a).

PART 2 GENERAL**2.1 Restrictions on Payments or Provision of Benefits**

(1) No member of the organization of a mutual fund and no mutual fund shall, in connection with the distribution of securities of the mutual fund:

- (a) make a payment of money to a participating dealer or a representative of a participating dealer;
- (b) provide a non-monetary benefit to a participating dealer or a representative of a participating dealer; or
- (c) pay for or make reimbursement of a cost or expense incurred or to be incurred by a participating dealer or a representative of a participating dealer.

(2) Notwithstanding subsection (1), a member of the organization of a mutual fund may:

- (a) make a payment of money or provide a non-monetary benefit to a participating dealer, or pay for or make reimbursement of a cost or expense incurred or to be incurred by a participating dealer or its representatives, if permitted by Part 3 or 5; and
- (b) provide a non-monetary benefit to a representative of a participating dealer, if permitted by Part 5.

(3) A member of the organization of a mutual fund shall not, and shall not represent that it may, make a payment, provide a non-monetary benefit or pay for or make reimbursement of a cost or expense otherwise permitted by subsection (2) that is conditional on:

- (a) the sale of a particular amount or value of securities of one or more mutual funds by a participating dealer or a representative; or
- (b) a particular amount or value of securities of one or more mutual funds being held in accounts of clients of a participating dealer or a representative.

2.2 Restrictions on Solicitation and Acceptance of Payments or Benefits

(1) No participating dealer and no representative of a participating dealer shall solicit or accept from a mutual fund or a member of the organization of the mutual fund, in connection with the distribution of securities of the mutual fund, the payment of money, the provision of a non-monetary benefit or payment or reimbursement for a cost or expense incurred or to be incurred by the participating dealer or representatives of the participating dealer.

(2) Notwithstanding subsection (1):

- (a) a participating dealer may solicit and accept a payment of money, provision of a non-monetary benefit or payment or reimbursement for a cost or expense incurred or to be incurred by it or its representatives from a member of the organization of the mutual fund, if the member is permitted by Part 3 or 5 to make the payment, provide the benefit or make the payment or reimbursement; and
- (b) a representative of a participating dealer may accept the provision of a non-monetary benefit from a member of the organization of the mutual fund, if the member is permitted by Part 5 to provide the benefit.

2.3 Application of Instrument to Some Participating Dealers or Representatives

(1) Nothing in this Instrument prohibits a person or company that is both a member of the organization of a mutual fund and a participating dealer of a mutual fund in a different mutual fund family from undertaking any activity, if:

(a) the activity is undertaken in the person or company's capacity as a participating dealer of the mutual fund of which it is a participating dealer, and not in its capacity as a member of the organization of the mutual fund of which it is a member; and

(b) a participating dealer is not prohibited by this Instrument from undertaking that activity.

(2) Nothing in this Instrument prohibits a representative of a participating dealer that is also a member of the organization of a mutual fund from soliciting or accepting any payment, non-monetary benefit or reimbursement otherwise permitted by this Instrument from the participating dealer, if the payment, provision of the non-monetary benefit or reimbursement is made in the participating dealer's capacity as a participating dealer and not in its capacity as a member of the organization of a mutual fund.

PART 3 PERMITTED COMPENSATION

3.1 Commissions – A member of the organization of a mutual fund may pay to a participating dealer a commission in money for the distribution of a security of the mutual fund made through the participating dealer, if:

(a) the obligation to make the payment arises at the time of the trade;

(b) the prospectus or simplified prospectus of the mutual fund discloses the range of rates of commissions that may be paid and the method of calculation used in determining the amount of those commissions; and

(c) the rate of the commission does not increase:

(i) based on increases in the amount or value of securities of the mutual fund sold, or of mutual funds in the same mutual fund family as the mutual fund sold, or of any or all of the foregoing;

(ii) based on increases in the amount or value of securities of the mutual fund, or of mutual funds in the same mutual fund family as the mutual fund, or of any or all of the foregoing, held in accounts of clients of the participating dealer; or

(iii) for a particular period of the year in which the commission is paid or earned.

3.2 Trailing Commissions

(1) A member of the organization of a mutual fund may pay to a participating dealer a trailing commission in money that is based upon the aggregate value of securities of the mutual fund held in accounts of clients of the participating dealer as at a particular time or during a particular period, if:

- (a) the obligation to make the payment arises after the time of the trade;
- (b) the prospectus or simplified prospectus of the mutual fund discloses the range of rates of trailing commissions that may be paid and the method of calculation and relevant times or time periods used in determining the amount of those trailing commissions;
- (c) the method and time of calculation of the trailing commission and the relevant times or time periods used in determining the amount of the trailing commission are the same for all participating dealers of the mutual fund; and
- (d) the rate of the trailing commission does not increase:
 - (i) based on increases in the amount or value of securities of the mutual fund sold, or of mutual funds in the same mutual fund family as the mutual fund sold, or of any or all of the foregoing;
 - (ii) based on increases in the amount or value of securities of the mutual fund, or of mutual funds in the same mutual fund family as the mutual fund, or of any or all of the foregoing, held in accounts of clients of the participating dealer; or
 - (iii) for a particular period of the year in which the trailing commission is paid or earned.

(2) A member of the organization of a mutual fund may establish policies and practices concerning the timing of payments of trailing commissions so long as all trailing commissions are paid within one year from the date earned.

(3) Notwithstanding subsection (1), a member of the organization of a mutual fund may decline to pay a trailing commission to a participating dealer in connection with securities of the mutual fund held in the accounts of clients of the participating dealer if:

- (a) the securities in respect of which no trailing commission is paid were acquired by those clients before the date that this Instrument came into force;
- (b) the amount of securities held in the accounts of those clients is below a threshold specified in the policy mentioned in clause (c); and
- (c) the non-payment of the trailing commission is in conformity with a policy of the member of the organization of the mutual fund that was in place and was followed on July 1, 1997.

PART 4 INTERNAL DEALER INCENTIVE PRACTICES**4.1 Participating Dealers' Practices**

- (1) No participating dealer shall provide an incentive to any of its representatives to recommend mutual funds of one mutual fund family over mutual funds of another mutual fund family.
- (2) Notwithstanding subsection (1), the compensation paid to a representative of a participating dealer by the participating dealer may reflect commissions received by the participating dealer from members of the organizations of mutual funds, so long as the compensation paid to a representative for the securities of a mutual fund sold or held, as a percentage of the commission paid to the participating dealer, is the same for all mutual fund families.

4.2 Principal Distributors' Practices

- (1) A principal distributor of a mutual fund that is also a participating dealer of another mutual fund shall not provide an incentive for any of its representatives to recommend a mutual fund of which it is a principal distributor over a mutual fund of which it is a participating dealer.
- (2) Notwithstanding subsection (1), the compensation paid to a representative of a principal distributor by the principal distributor may reflect commissions received by the principal distributor from members of the organization of which it is a member and members of organizations of other mutual funds if:
 - (a) the compensation paid to a representative for the securities of a mutual fund sold or held, as a percentage of the commission paid to the principal distributor, is the same for all mutual fund families, including the mutual fund family of the principal distributor; and
 - (b) the commissions paid to the principal distributor in connection with the distribution of securities of a mutual fund of which it is a principal distributor are not in excess of the commissions provided to any participating dealer in connection with the distribution of those securities.

PART 5 MARKETING AND EDUCATIONAL PRACTICES

5.1 Cooperative Marketing Practices – A member of the organization of a mutual fund may pay, to a participating dealer, direct costs incurred by the participating dealer relating to a sales communication, investor conference or investor seminar prepared or presented by the participating dealer, if:

- (a) the primary purpose of the sales communication, investor conference or investor seminar is to promote, or provide educational information concerning, the mutual fund, the mutual fund family of which the mutual fund is a member or mutual funds generally;
- (b) in the case of an investor conference or investor seminar, the conference or seminar is presented by the participating dealer to investors or potential investors of the mutual fund, another mutual fund in the same mutual fund family, or of mutual funds generally;
- (c) the participating dealer provides invoices for, or receipts evidencing payment of, the direct costs to be paid by a member of the organization of the mutual fund;

(d) the aggregate direct costs of the sales communication, investor conference or investor seminar paid by all members of organizations of mutual funds do not exceed 50 percent of the total direct costs incurred by the participating dealer; and

(e) the sales communication discloses, or persons attending the investor conference or investor seminar are informed in writing of, the identity of all parties paying for a portion of the costs of the sales communication, investor conference or investor seminar.

5.2 Mutual Fund Sponsored Conferences – A member of the organization of a mutual fund may provide a non-monetary benefit to a representative of a participating dealer by allowing him or her to attend a conference or seminar organized and presented by members of the organization of the mutual fund, if:

(a) the primary purpose of the conference or seminar is the provision of educational information about financial planning, investing in securities, mutual fund industry matters, the mutual fund, the mutual fund family of which the mutual fund is a member or mutual funds generally;

(b) the selection of the representatives of the participating dealer to attend the conference or seminar is made exclusively by the participating dealer, uninfluenced by any member of the organization of the mutual fund;

(c) the conference or seminar is held in:

(i) Canada;

(ii) the continental United States of America; or

(iii) a location where a portfolio adviser of the mutual fund carries on business, if the primary purpose of the conference or seminar is the provision of educational information about the investments or activities of the mutual fund carried on by that portfolio adviser;

(d) no member of the organization of the mutual fund pays any travel, accommodation or personal incidental expenses associated with the attendance of the representative at the conference or seminar; and

(e) the costs relating to the organization and presentation of the conference or seminar are reasonable having regard to the purpose of the conference or seminar.

5.3 Third Party Sponsored Educational Events – A member of the organization of a mutual fund may, for a conference, seminar or course that is organized and presented by a person or company that is not a member of the organization of the mutual fund or a participating dealer, pay the registration fees of a representative of a participating dealer for the conference, seminar or course, if:

(a) the primary purpose of the conference, seminar or course is the provision of educational information about financial planning, investing in securities, mutual fund industry matters or mutual funds generally;

(b) the participating dealer provides invoices for or receipts evidencing payment of the registration fees to be paid by a member of the organization of the mutual fund;

(c) the selection of the representatives of the participating dealer to attend the conference, seminar or course is made exclusively by the participating dealer, uninfluenced by any member of the organization of the mutual fund; and

(d) the conference, seminar or course is held in Canada or the continental United States of America.

5.4 Industry Association Sponsored Events

(1) Except as permitted by section 5.3 or subsection (2), no member of the organization of a mutual fund may pay money, provide non-monetary benefits or pay or reimburse costs or expenses relating to a conference, seminar or course that is organized and presented by IFIC, the IDA or another trade or industry association.

(2) A member of the organization of a mutual fund may pay, to IFIC, the IDA or their respective affiliates or associates, direct costs incurred by IFIC, the IDA or their respective affiliates or associates relating to a conference or seminar organized and presented by IFIC, the IDA or their respective affiliates or associates, if:

(a) the primary purpose of the conference or seminar is the provision of educational information about financial planning, investing in securities, mutual fund industry matters or mutual funds generally;

(b) the members of the organization of mutual funds in a mutual fund family in aggregate pay not more than 10 percent of the total direct costs incurred by IFIC, the IDA or their respective affiliates or associates for the organization and presentation of the conference or seminar;

(c) the selection of the representatives of a participating dealer to attend the conference or seminar is made exclusively by the participating dealer, uninfluenced by any member of the organization of the mutual fund; and

(d) the conference or seminar is held in Canada or the continental United States of America.

5.5 Participating Dealer Sponsored Events – A member of the organization of a mutual fund may pay, to a participating dealer, direct costs incurred by the participating dealer relating to a conference or seminar that is organized and presented by the participating dealer, and that is not an investor conference or investor seminar referred to in section 5.1, if:

(a) the primary purpose of the conference or seminar is the provision of educational information about financial planning, investing in securities, mutual fund industry matters, the mutual fund, the mutual fund family of which the mutual fund is a member or mutual funds generally;

- (b) the members of the organization of mutual funds in a mutual fund family in aggregate pay not more than 10 percent of the total direct costs incurred by the participating dealer for the organization and presentation of the conference or seminar;
- (c) the aggregate direct costs of the conference or seminar paid by all members of organizations of mutual funds do not exceed 66 percent of the total direct costs incurred by the participating dealer;
- (d) the selection of the representatives of the participating dealer to attend the conference or seminar is made exclusively by the participating dealer, uninfluenced by any member of the organization of the mutual fund; and
- (e) the conference or seminar is held in:
 - (i) Canada;
 - (ii) the continental United States of America; or
 - (iii) a location where a portfolio adviser of the mutual fund carries on business, if the primary purpose of the conference or seminar is the provision of educational information about the investments or activities of the mutual fund carried on by that portfolio adviser.

5.6 Promotional Items and Business Promotion Activities – A member of the organization of a mutual fund may provide to a representative of a participating dealer non-monetary benefits of a promotional nature and of minimal value, and a member of the organization of a mutual fund may engage in business promotion activities that result in a representative of a participating dealer receiving a non-monetary benefit if:

- (a) the provision of the benefits and activities is neither so extensive nor so frequent as to cause a reasonable person to question whether the provision of the benefits or activities improperly influence the investment advice given by the representative to his or her clients; and
- (b) in the case of business promotion activities, no member of the organization of the mutual fund pays the travel, accommodation or personal incidental expenses associated with the attendance of the representative at the activities.

PART 6 PORTFOLIO TRANSACTIONS

6.1 Reciprocal Commissions and Portfolio Transactions

- (1) No member of the organization of a mutual fund shall influence or attempt to influence how, or if, a participating dealer will pay or allocate in a particular manner to any representative all or part of a brokerage commission or of an amount representing the spread on a principal transaction arising from a portfolio transaction of the mutual fund executed by the participating dealer.

(2) No member of the organization of a mutual fund shall direct a portfolio transaction of a mutual fund to a participating dealer or principal distributor of the mutual fund except through individuals designated by the participating dealer or principal distributor as the institutional representatives of the participating dealer or principal distributor.

(3) No member of the organization of a mutual fund shall advise a representative of a participating dealer or a person or company employed by a principal distributor, other than an individual referred to in subsection (2), of a portfolio transaction of the mutual fund to be directed to the participating dealer or principal distributor.

(4) No member of the organization of a mutual fund shall direct, or offer or agree to direct, a portfolio transaction of the mutual fund to a participating dealer or principal distributor as inducement or reward for the participating dealer or principal distributor selling or having sold securities of the mutual fund or maintaining or having maintained particular levels of securities of the mutual fund in accounts of clients.

(5) No participating dealer shall solicit or execute portfolio transactions of a mutual fund as inducement or reward for the participating dealer selling, or having sold, securities of the mutual fund or maintaining, or having maintained, particular levels of securities of the mutual fund in accounts of clients.

6.2 Obligations of Participating Dealers Executing Portfolio Transactions –

No participating dealer shall execute a portfolio transaction of a mutual fund unless it has been directed to the participating dealer through an individual designated by the participating dealer as an institutional representative of the participating dealer.

PART 7 OTHER SALES PRACTICES

7.1 Commission Rebates

(1) A participating dealer or representative of a participating dealer may pay all or part of a fee or commission payable by a security holder on the redemption of securities of a mutual fund that occurs in connection with the purchase by the securityholder of securities of a mutual fund in a different mutual fund family, only if:

(a) the participating dealer, or a representative on behalf of the participating dealer, before taking any steps in connection with the redemption, provides the securityholder with written disclosure of the matters described in subsection (2) and obtains the written consent of the securityholder to the completion of the redemption; and

(b) the participating dealer is not a member of the organization of the mutual fund the securities of which are being acquired.

(2) The written disclosure referred to in subsection (1) shall include:

(a) a reasonable estimate of the amount of the fee or commission being paid by the participating dealer on the redemption;

(b) a reasonable estimate of the amount of the redemption charges to which the securityholder will be subject in connection with the securities of the mutual fund being acquired, expressed both as dollar amounts and as percentages of the value of the securities being redeemed, and the times at which those charges would be made; and

(c) the tax consequences of the redemption.

(3) No member of the organization of a mutual fund, other than a member that is also a participating dealer acting in compliance with subsection (1), shall pay to any person or company all or part of a fee or commission payable by a securityholder on the redemption of securities of another mutual fund that is not in the same mutual fund family.

7.2 Financial Assistance

(1) No member of the organization of a mutual fund shall provide financial assistance to a participating dealer of the mutual fund, a representative of the participating dealer or their respective associates or affiliates.

(2) No participating dealer and no representative of a participating dealer of a mutual fund shall solicit or accept financial assistance from a member of the organization of the mutual fund.

(3) Subsections (1) and (2) do not apply to financial assistance provided by:

(a) a Canadian financial institution in the ordinary course of its business, if no conditions to the provision of the financial assistance promote the distribution of securities of particular mutual funds; or

(b) affiliates.

7.3 Charitable Donations

(1) No member of the organization of a mutual fund shall make a charitable donation if the tax credit or deduction arising from the donation benefits a participating dealer, a representative of a participating dealer or a person or company that is an associate or affiliate of a participating dealer or of a representative of a participating dealer.

(2) Subsection (1) does not apply to a charitable donation made by a member of the organization of a mutual fund if the tax credit or deduction arising from the donation benefits an affiliate of the member of the organization of the mutual fund.

7.4 Tied Selling – No person or company shall require another person or company:

(a) to invest in securities of a particular mutual fund or mutual fund family, either as a condition or on terms that appear to a reasonable person to be a condition, of supplying or continuing to supply products or services; or

(b) to purchase or use any products or services, either as a condition or on terms that appear to a reasonable person to be a condition, of selling securities of a particular mutual fund or mutual fund family.

PART PROSPECTUS AND POINT OF SALE DISCLOSURE**8.1 Disclosure of Sales Practices**

(1) A mutual fund shall provide in its prospectus or simplified prospectus a complete description of:

(a) all compensation payable by members of the organization of the mutual fund to all principal distributors and participating dealers of the mutual fund; and

(b) the sales practices followed by the members of the organization of the mutual fund for distribution of securities of the mutual fund.

8.2 Disclosure of Equity Interests

(1) A mutual fund shall disclose in its prospectus or simplified prospectus the amount of any equity interest that:

(a) a member of the organization of the mutual fund has in a participating dealer;

(b) a participating dealer and associates of the participating dealer, in aggregate, have in any member of the organization of the mutual fund; and

(c) a representative of a participating dealer and associates of the representative, in aggregate, have in any member of the organization of the mutual fund.

(2) If a member of the organization of a mutual fund is not a reporting issuer and the securities of the member are not listed on a Canadian stock exchange, the mutual fund is not required to provide the disclosure required by paragraph (1)(c) if it discloses:

(a) the aggregate equity interests held by all representatives of a participating dealer and their respective associates in the member of the organization of the mutual fund; and

(b) the equity interests held by a representative of a participating dealer and associates of the representative if the representative and his or her associates have direct or indirect ownership of securities representing more than five percent of any class of voting securities, equity securities or partnership units of the member of the organization of the mutual fund.

(3) For each trade of a security of a mutual fund that is required to make any of the disclosure described in this section, a participating dealer shall deliver to the purchaser a document that discloses the amount of any equity interest that:

(a) a member of the organization of the mutual fund has in the participating dealer;

(b) the participating dealer and its associates, in aggregate, have in any member of the organization of the mutual fund;

(c) the representatives of the participating dealer and associates of those representatives, in aggregate, have in any member of the organization of the mutual fund; and

(d) the representative of the participating dealer that is acting on the trade, and associates of the representative, in aggregate, have in any member of the organization of the mutual fund.

(4) No participating dealer shall complete a trade to which subsection (3) applies unless the participating dealer obtains the prior written consent of the purchaser to the completion of the trade after the purchaser has received the document required by subsection (3).

(5) A participating dealer is not required to comply with subsections (3) and (4) for a trade if the purchaser in the trade has already been provided with a document under subsection (3) on a previous trade and the information contained in the document has not changed.

8.3 Disclosure Requirements If No Prospectus or Simplified Prospectus – A mutual fund that does not have a current prospectus or simplified prospectus shall prepare a document containing the information required by this Instrument to be provided in a prospectus or simplified prospectus and deliver, or cause to be delivered, a copy of the document to each purchaser of securities of the mutual fund at or before the time of the applicable trade in securities of the mutual fund, other than a trade in connection with a dividend reinvestment plan of the mutual fund.

PART 9 EXEMPTION

9.1 Exemption

(1) The regulator or securities regulatory authority may grant an exemption to this Instrument, in whole or in part, subject to any conditions or restrictions that may be imposed in the exemption.

(2) Notwithstanding subsection (1), in Ontario, only the securities regulatory authority may grant that exemption.

PART 10 TRANSITIONAL

10.1 Prospectus Disclosure – The prospectus of a mutual fund for which a receipt is obtained before the date that this Instrument comes into force is not required to comply with the disclosure requirements of this Instrument.

SASKATCHEWAN REGULATIONS 1/2000*The Securities Act, 1988*

Section 154

Commission Order, dated July 6, 1999

(Filed January 17, 2000)

Title

1 These regulations may be cited as *The Securities Commission (Local Instruments) Amendment Regulations, 1999*.

R.R.S. c.S-42.2 Reg 5 amended

2 *The Securities Commission (Local Instruments) Regulations* are amended in the manner set forth in these regulations.

New sections 2 and 3

3 **Sections 2 and 3 are repealed and the following substituted:**

“Local Instruments

2 The Commission makes the following Local Instruments:

- (a) Local Instrument 14-501, entitled Definitions, as set out in Part II of the Appendix;
- (b) Local Instrument 33-502, entitled Requirements for Sale of Certain Securities, as set out in Part III of the Appendix;
- (c) Local Instrument 46-501, entitled Disclosure of Cash Calls, as set out in Part IV of the Appendix.

“Compliance required

3 No person or company shall fail to comply with any Local Instrument mentioned in section 2”.

Appendix amended

4 **Part I of the Appendix is repealed and the following substituted:**

“PART II
[Clause 2(a)]

SASKATCHEWAN LOCAL INSTRUMENT 14-501**DEFINITIONS****“Interpretation**

1 In this Local Instrument:

- (a) ‘**Act**’ means *The Securities Act, 1988*;
- (b) ‘**Commission regulation**’ means a regulation made by the Commission pursuant to subsection 154(2) of the Act;
- (c) ‘**the regulations**’ means *The Securities Regulations*.

“Use of certain terms

2 Every term used in a Commission regulation that is:

- (a) defined or interpreted in the Act has the meaning ascribed to it in the Act;
- (b) defined in the regulations has the meaning ascribed to it in the regulations unless it is otherwise defined or interpreted in a Commission regulation or the context otherwise requires; and
- (c) defined in National Instrument 14-101 Definitions has the meaning ascribed to it in the national instrument unless it is otherwise defined or interpreted in a Commission regulation or the context otherwise requires.

“PART III
[Clause 2(b)]

SASKATCHEWAN LOCAL INSTRUMENT 33-502
REQUIREMENTS FOR SALE OF CERTAIN SECURITIES

“PART 1 – INTERPRETATION

1 In this Local Instrument, ‘**seller**’ means a partner, director, officer and salesperson of a registered dealer.

“PART 2 – SELLING EXEMPT SECURITIES

“Interpretation

2 In this Part, ‘**exempt security**’ means a security traded pursuant to the exemptions in clause 39(1)(b), 39(1)(e), 39(1)(t), 39(1)(y), 39(1)(z), 39(1)(cc), 39(1)(hh), 39(2)(e), 39(2)(h) or 39(2)(k) of *The Securities Act, 1988*.

“Prohibitions

3 No registered dealer and none of its sellers shall trade an exempt security if any of the sellers of the registered dealer is a promoter of the issuer of the exempt security.

“Prior authorization of seller required

4 No seller of a registered dealer shall trade an exempt security unless the registered dealer has given the seller written authorization before the proposed sale to trade the exempt security on behalf of the registered dealer.

“Proficiency requirements

5 A seller shall successfully complete the Canadian Securities Course before the seller trades an exempt security.

“Know your client and suitability

6 A seller shall:

- (a) learn the essential facts with respect to an individual who proposes to purchase an exempt security; and

- (b) ensure that the proposed purchase of the exempt security is appropriate for that individual and in keeping with the individual's investment objectives.

“Disclosure

7 A seller who proposes to trade an exempt security shall ensure that the proposed purchaser of the exempt security understands:

- (a) the main attributes of the exempt security and the risks involved;
- (b) what the market for the exempt security is expected to be;
- (c) any resale restrictions that apply to the exempt security; and
- (d) the dollar amount of the compensation that the seller will receive from the trade and its percentage of the total purchase price.

“Registered dealer obligations

8 A registered dealer shall ensure that each of its sellers complies with sections 6 and 7.

**“PART 3 – DISCLOSURE OF SALES CHARGES IN
SCHOLARSHIP PLAN SECURITIES**

“Interpretation

9 In this Part, ‘**scholarship plan security**’ means an interest in a scholarship or education plan or trust.

“Disclosure

10(1) A seller who proposes to trade a scholarship plan security shall provide written disclosure that complies with this section to the purchaser.

(2) The written disclosure required by this section must be in point form and must contain the following information:

- (a) the fact that a purchaser must pay a sales charge;
- (b) the amount of sales charge per unit;
- (c) the total number of units purchased;
- (d) the total sales charge;
- (e) the fact that the sales charge is deducted from early deposits;
- (f) the fact that a purchaser has the right to withdraw from the plan within 60 days after signing the subscription without paying any sales charge; and
- (g) the fact that the sales charge will be deducted from a purchaser's contributions if he withdraws from the plan after 60 days.

“Explanation

11(1) The seller shall explain to the purchaser the information contained in the written disclosure mentioned in section 10 at the time the purchaser subscribes for the scholarship plan securities.

(2) The seller must be satisfied that the purchaser understands the information before the seller trades a scholarship plan security to the purchaser.

**“PART 4 – SALE OF LABOUR SPONSORED
INVESTMENT FUND SECURITIES**

“Interpretation

12 In this Part, ‘labour-sponsored venture capital fund security’ means a security issued by:

- (a) a labour-sponsored venture capital corporation as defined in *The Labour-sponsored Venture Capital Corporations Act*, (Saskatchewan); or
- (b) a registered labour-sponsored venture capital corporation as defined in the *Income Tax Act* (Canada).

“Proficiency requirements

13 Before a seller trades a labour-sponsored venture capital fund security, the seller shall complete either:

- (a) the Canadian Securities Course;
- (b) the Labour Sponsored Investment Funds course offered by The Investment Funds Institute of Canada; or
- (c) a course approved by the Director for the purpose of this section.

“Disclosure

14(1) A seller who proposes to trade a labour-sponsored venture capital fund security shall provide to the proposed purchaser the written disclosure that complies with this section.

(2) The written disclosure required by this section must be in point form and must contain the following information:

- (a) that venture capital investing involves certain risks that investors do not have with other mutual funds and what those risks are;
- (b) that investors should read the prospectus, especially the section discussing risk factors before they decide to invest;
- (c) that an investment in a venture capital fund is appropriate only if an investor can absorb a loss of some or all of the money he or she invests;
- (d) that a venture capital investment involves a longer term commitment than is typical for other types of mutual funds and why;
- (e) that investors will be subject to certain conditions when they invest, including:
 - (i) the fact that venture capital funds may restrict total redemptions to a certain percentage of total assets in any one year and what that percentage is;
 - (ii) the fact that, if investors redeem their shares within the minimum investment term, they will have to repay their tax credits and what the minimum investment term is;
 - (iii) the fact that investors will be charged an early redemption fee, including what the fee is and over what period the fee will be charged, and the period that must expire before there is no redemption fee.

(3) The seller shall explain the information contained in the written disclosure to the purchaser at the time the purchaser subscribes for the labour-sponsored venture capital fund securities.

(4) The seller must be satisfied that the purchaser understands the information before the seller trades a labour-sponsored venture capital fund security to the purchaser.

“Suitability

15(1) Before a seller of a registered dealer trades a labour-sponsored venture capital fund security to a purchaser, a manager of the registered dealer who has successfully completed a required examination mentioned in subsection (2) must review the proposed trade to ensure that the trade of the security is appropriate for that purchaser and in keeping with the purchaser’s investment objectives.

(2) For the purposes of subsection (1), the manager must have successfully completed either:

(a) the Partners’, Directors’ and Officers’ Examination offered by the Canadian Securities Institute; or

(b) the Officers’, Partners’ and Directors’ Examination and the Labour Sponsored Investment Funds course, both offered by The Investment Funds Institute of Canada.

“PART IV
[Clause 2(c)]

“SASKATCHEWAN SECURITIES LOCAL INSTRUMENT 46-501

“DISCLOSURE OF CASH CALLS

“Interpretation

1 In this Local Instrument:

(a) **‘cash call’** means any obligation that requires a limited partner to make a cash payment or to incur liability or indebtedness that is in addition to the limited partner’s initial investment;

(b) **‘offering’** means an offering of securities in a limited partnership under a prospectus, statutory exemption, or decision of the Commission;

(c) **‘offering document’** means a prospectus and offering memorandum, and includes promotional material and subscription forms in connection with an offering.

“Disclosure of cash calls

2 Where the terms of a limited partnership agreement in an offering include a cash call:

(a) all offering documents must contain a clear and concise warning on the front page of each offering document, in bold print that is at least as large as the text, that includes all of the following:

(i) the presence of a cash call and a brief description of it;

(ii) a brief description of the consequence of not complying with the cash call;

(iii) a reference to the page in the offering document where the terms of the cash call are described;

(iv) a suggestion that investors seek advice from their financial consultants before they invest; and

(b) each prospectus and offering memorandum used in the offering must clearly and concisely describe all of the terms of the cash call under a title 'Cash Calls'.

Coming into force

5 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 2/2000*The Small Claims Act, 1997*

Section 51

Order in Council 10/2000, dated January 11, 2000

(Filed January 17, 2000)

Title

1 These regulations may be cited as *The Small Claims Amendment Regulations, 2000*.

R.R.S. c.S-50.11 Reg 1, Appendix amended

2 Form I of the Appendix of *The Small Claims Regulations, 1998* is repealed and the following substituted:

“FORM I
[Section 33 of the Act]

BETWEEN:

_____ , Plaintiff

- and -

_____ , Defendant

Certificate of Judgment*(judgment following a trial)*

In an action brought pursuant to *The Small Claims Act, 1997* and tried before the Honourable Judge _____

on the _____ day of _____, _____, judgment was given

on the _____ day of _____, _____ in favour of _____

for the sum of:

Claim \$ _____

Interest _____

Costs _____

TOTAL \$ _____

This amount is to be paid (*immediately or in accordance with the following payment schedule:*)

_____.

OR

RÈGLEMENT DE LA SASKATCHEWAN 2/2000*Loi de 1997 sur les petites créances*

Article 51

Décret 10/2000, en date du 11 janvier 2000

(déposé le 17 janvier 2000)

Titre abrégé**1** *Règlement de 2000 modifiant le règlement de 1998 sur les petites créances.***Modification de l'Annexe du R.R.S. ch. S-50,11 Règl. 1****2** *La formule I de l'Annexe du Règlement de 1998 sur les petites créances est abrogée et remplacée par ce qui suit:*«FORMULE I
[L'article 33 de la loi]

ENTRE:

_____, Demandeur

- et -

_____, Défendeur

Certificat du jugement*(jugement rendu suite à un procès)*La présente action a été prise en vertu de la *Loi de 1997 sur les petites créances* et instruite devant l'honorable juge _____

le _____ jour de _____, _____. Le prononcé du jugement ayant eu lieu le _____ jour de _____, _____ en faveur du _____ au montant suivant:

Demande _____ \$

Intérêt _____

Dépens _____

TOTAL _____ \$

Ce montant doit être payé (*immédiatement ou selon le calendrier ci-dessous*)

OU

(default judgment)

In an action brought pursuant to <i>The Small Claims Act, 1997</i> , the defendant having failed to appear and proof of service of the summons having been filed, judgment was given by the Honourable Judge _____	
on the _____ day of _____, _____ in favour of _____	
for the sum of:	
Claim	\$ _____
Interest	_____
Costs	_____
TOTAL	\$ _____
This amount is to be paid (<i>immediately or in accordance with the following payment schedule:</i>)	
_____.	

OR

(judgment for specific property)

In an action brought pursuant to <i>The Small Claims Act, 1997</i> and tried before the Honourable Judge _____
on the _____ day of _____, _____, it is ordered that the plaintiff recover from the defendant's possession: _____.
<i>(describe goods or chattels)</i>

Dated at _____, Saskatchewan the _____ day of _____, _____.

(Signature of Judge or Clerk)

Take notice that any party may appeal from this judgment within 30 days after the date of the judgment.

FILING OF JUDGMENT IN COURT OF QUEEN'S BENCH

This judgment was entered as a judgment of the Court of Queen's Bench this ___ day of _____, _____ in the amount of:

Judgment	\$ _____
Queen's Bench filing fee	+ _____ 10.00
TOTAL	\$ _____

(Local Registrar)

Coming into force

3 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

(jugement - défaut de comparaître)

La présente action a été prise en vertu de la *Loi de 1997 sur les petites créances*, le défendeur n'a pas comparu et la preuve de la signification de la demande au défendeur a été déposée. Le prononcé du jugement a été donné par l'honorable juge _____

le _____ jour de _____, _____ en faveur du _____ au montant suivant:

Demande _____ \$

Intérêt _____

Dépens _____

TOTAL _____ \$

Ce montant doit être payé (*immédiatement ou selon le calendrier ci-dessous*)

OU

(jugement qui indique les biens ou biens meubles spécifiques)

La présente action a été prise en vertu de la *Loi de 1997 sur les petites créances* et instruite devant l'honorable juge _____

le _____ jour de _____, _____, il est ordonné que le demandeur reçoive du défendeur les biens ou les biens meubles suivants _____.

Fait à _____, Saskatchewan, le _____ jour de _____, _____.

(signature du juge ou greffier)

Veillez noter qu'une partie peut porter en appel ce jugement dans les 30 jours suivant la date du jugement.

DÉPÔT DU JUGEMENT AUPRÈS DE LA COUR DU BANC DE LA REINE

Ce jugement a été déposé auprès de la Cour du Banc de la Reine comme un jugement de cette cour le _____ jour de _____, _____ au montant suivant:

Jugement _____ \$

Dépôt – Cour du Banc de la Reine + _____ 10,00

TOTAL _____ \$

(Registraire local)

Entrée en vigueur

3 Le présent règlement entre en vigueur le jour où le présent règlement est déposé auprès du Registraire des règlements.

SASKATCHEWAN REGULATIONS 3/2000*The Milk Control Act, 1992*

Section 10

Board Order, dated January 25, 2000

(Filed January 25, 2000)

Title

1 These regulations may be cited as *The Milk Control Amendment Regulations, 2000*.

R.R.S. c.M-15 Reg 1, Appendix amended

2 Subsection 3(1) of Part II of the Appendix to *The Milk Control Regulations* is amended:

(a) in clause (d):

(i) in subclause (i) by striking out “\$5.4730” and substituting “\$5.5627”;

(ii) in subclause (ii) by striking out “\$4.0138” and substituting “\$4.1665”; and

(iii) in subclause (iii) by striking out “\$4.0138” and substituting “\$4.1665”;

(b) in clause (e):

(i) in subclause (i) by striking out “\$5.4730” and substituting “\$5.5627”;

(ii) in subclause (ii) by striking out “\$9.2100” and substituting “\$9.5882”; and

(iii) in subclause (iii) by striking out “\$0.5791” and substituting “\$0.6031”;

(c) in clause (f):

(i) in subclause (i) by striking out “\$5.4730” and substituting “\$5.5627”;

(ii) in subclause (ii) by striking out “\$9.2100” and substituting “\$9.5882”; and

(iii) in subclause (iii) by striking out “\$0.5791” and substituting “\$0.6031”;

(d) in clause (g):

(i) in subclause (i) by striking out “\$5.4730” and substituting “\$5.5627”;

(ii) in subclause (ii) by striking out “\$3.7938” and substituting “\$4.0117”; and

(iii) in subclause (iii) by striking out “\$3.7938” and substituting “\$4.0117”;

- (e) in clause (h):**

 - (i) in subclause (i) by striking out “\$5.4730” and substituting “\$5.5627”;**
 - (ii) in subclause (ii) by striking out “\$3.7938” and substituting “\$4.0117”; and**
 - (iii) in subclause (iii) by striking out “\$3.7938” and substituting “\$4.0117”;**
- (f) in clause (i):**

 - (i) in subclause (i) by striking out “\$5.4730” and substituting “\$5.5627”;**
 - (ii) in subclause (ii) by striking out “\$3.7938” and substituting “\$4.0117”; and**
 - (iii) in subclause (iii) by striking out “\$3.7938” and substituting “\$4.0117”;**
- (g) in clause (j):**

 - (i) in subclause (i) by striking out “\$5.4730” and substituting “\$5.5627”;**
 - (ii) in subclause (ii) by striking out “\$3.7938” and substituting “\$4.0117”; and**
 - (iii) in subclause (iii) by striking out “\$3.7938” and substituting “\$4.0117”;**
- (h) in clause (k):**

 - (i) in subclause (i) by striking out “\$3.1300” and substituting “\$2.7911”;**
 - (ii) in subclause (ii) by striking out “\$5.6949” and substituting “\$5.8335”; and**
 - (iii) in subclause (iii) by striking out “\$0.6180” and substituting “\$0.6418”;**
- (i) in clause (l):**

 - (i) in subclause (i) by striking out “\$3.6374” and substituting “\$3.0670”;**
 - (ii) in subclause (ii) by striking out “\$2.7699” and substituting “\$2.7123”; and**
 - (iii) in subclause (iii) by striking out “\$2.7699” and substituting “\$2.7123”; and**

(j) in clause (m):

(i) in subclause (i) by striking out “\$3.2404” and substituting “\$3.2958”;

(ii) in subclause (ii) by striking out “\$2.4371” and substituting “\$2.4788”; and

(iii) in subclause (iii) by striking out “\$2.4371” and substituting “\$2.4788”.

Coming into force

3 These regulations come into force on February 1, 2000.