

ANNEX B

Amendments to Multilateral Instrument 91-101 *Derivatives: Product Determination*

1. *Multilateral Instrument 91-101 Derivatives: Product Determination is amended by this Instrument.*
2. *Paragraph 1(4)(b) is replaced with the following:*
 - (b) it is a “security”, as defined in securities legislation, solely by reason of it being one or more of the following:
 - (i) a document evidencing an option, subscription or other interest in a security;
 - (ii) in British Columbia and Newfoundland and Labrador, a futures contract;
 - (iii) an investment contract;
 - (iv) in British Columbia and Newfoundland and Labrador, an option;
 - (v) in Northwest Territories, Nunavut, Prince Edward Island and Yukon, a derivative..
3. *Subsection 2(1) is amended by*
 - (a) *adding the following paragraph:*
 - (h.1) in Alberta, a contract or instrument that is a derivative and is a security unless the contract or instrument is a security only by reason of it being an investment contract or an option;, **and**
 - (b) *inserting “Alberta” before “British Columbia” in subsection (i).*
4. *Subsection 3(2) is amended by inserting the words “British Columbia and” before the word “Saskatchewan”.*
5. This Instrument comes into force on September 30, 2016.