

ANNEX V

LOCAL MATTERS

In Saskatchewan the proposed National Instrument 93-101 *Derivatives Business Conduct* is being made under the following provisions of *The Securities Act, 1988*:

- Paragraph 154 (1) (b) authorizes the Authority to make regulations prescribing requirements respecting applications for registration and the amendment, expiration or surrender of registration, and respecting suspension, reinstatement, cancellation, revocation or termination of registration;
- Paragraph 154 (1) (c) authorizes the Authority to make regulations prescribing categories or sub-categories of registrants, classifying registrants into categories or sub-categories and prescribing the conditions of registration or other requirements for registrants or any category or sub-category;
- Paragraph 154 (1) (d) authorizes the Authority to make regulations requiring unregistered directors, partners, officers, representatives, employees and security holders of registrants to comply with all or any requirements prescribed in paragraph 154 (1) (c);
- Paragraph 154 (1) (d.1) authorizes the Authority to make regulations prescribing the circumstances in which a person or company or a class of persons or companies is not required to be registered pursuant to section 27 of this Act or a person or company or a class of persons or companies is deemed to be registered for the purposes of this Act or the regulations, including the circumstances in which a person or company or a class of persons or companies is registered pursuant to the laws of another jurisdiction respecting trading in securities or derivatives;
- Paragraph 154 (1) (d.2) authorizes the Authority to make regulations prescribing requirements respecting disclosure by a registered dealer, registered adviser or registered investment fund manager respecting the termination of the registrant's relationship with an individual who has been acting on the registrant's behalf to the Authority and the individual;
- Paragraph 154 (1) (d.3) authorizes the Authority to make regulations prescribing requirements respecting the disclosure of information to the public and the Authority by persons and companies that have an interest in the voting securities of a registrant;
- Paragraph 154 (1) (d.4) authorizes the Authority to make regulations for the purposes of section 27, defining "chief compliance officer" and "ultimate designated person";
- Paragraph 154 (1) (e) authorizes the Authority to make regulations respecting bonds to be furnished by registrants and the forfeiture of those bonds;
- Paragraph 154 (1)(f) authorizes the Authority to make regulations prescribing requirements respecting the disclosure or furnishing of information to customers and clients, prospective customers and clients, other registrants, the public or the Authority by registrants and directors, partners, officers, representatives, employees and security holders of registrants;
- Paragraph 154 (1) (g) authorizes the Authority to make regulations prescribing requirements for persons and companies respecting attending at or telephoning to residences for the purposes of trading in securities or derivatives;
- Paragraph 154 (1)(h) authorizes the Authority to make regulations prescribing requirements respecting books, records and other documents that market participants shall keep, including the form in which and the period for which the books, records and other documents shall be kept;
- Paragraph 154 (1) (i) authorizes the Authority to make regulations regulating the listing and trading of securities or derivatives;
- Paragraph 154 (1) (j) authorizes the Authority to make regulations regulating the trading of securities or derivatives other than on an exchange recognized by the Authority;
- Paragraph 154 (j.1) of the Act authorizes the Authority to make regulations regulating the trading of derivatives on a derivatives trading facility, including prescribing requirements for keeping records;

- Paragraph 154 (1) (l) authorizes the Authority to make regulations regulating trading or advising in securities or derivatives to prevent trading or advising that is fraudulent, manipulative, deceptive or unfairly detrimental to investors;
- Paragraph 154(l.1) of the Act authorizes the Authority to make regulations regulating the trade of derivatives;
- Paragraph 154 (1) (m) authorizes the Authority to make regulations designating activities, including the use of documents or advertising, in which registrants or issuers are permitted to engage or are prohibited from engaging in connection with distributions;
- Paragraph 154 (1) (u.5) authorizes the Authority to make regulations prescribing information, documents, records or other materials that are required to be filed or delivered,
- Paragraph 154 (1) (ii) authorizes the Authority to make regulations respecting the media, format, preparation, form, content, execution, certification, dissemination and other use, filing and review of all documents required pursuant to or governed by this Act, and the regulations and all documents determined by the regulations to be ancillary to the documents;
- Paragraph 154 (1) (oo) authorizes the Authority to make regulations exempting any person, company, trade, security or derivative from all or any provision of this Act or the regulations, including prescribing any terms or limitations on an exemption and requiring compliance with those terms or limitations;
- Paragraph 154 (1) (pp) authorizes the Authority to make regulations authorizing the Authority or the Director to exempt any person, company, trade, security or derivative from all or any provision of the regulations, including authorizing the Authority or the Director to prescribe any terms or limitations on an exemption and requiring compliance with those terms or limitations;
- Paragraph 154(1)(xx) authorizes the Authority to make regulations prescribing any other matter or thing that is prescribed or authorized by the Act to be prescribed in the regulations;
- Paragraph 154 (1) (yy) authorizes the Authority to make regulations respecting any matter or thing that the Authority considers necessary or desirable to carry out the purposes of this Act;
- Paragraph 154 (2) authorizes the Authority to make regulations respecting the matters or things set out above.