

ANNEX E

LOCAL MATTERS - SASKATCHEWAN

Authority for Proposed Amendments:

The following provisions of *The Securities Act, 1988* (Saskatchewan) (the Act) provide the Financial and Consumer Affairs Authority of Saskatchewan (the Authority) with the authority to implement the amendments:

- Paragraph 154(1)(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)(k.2) of the Act, authorizes the Authority to make regulations regulating exchanges, self-regulatory organizations, quotation and trade reporting systems, clearing agencies, derivatives trading facilities and trade repositories;
- Paragraph 154(1)(l.1) of the Act authorizes the Authority to make regulations regulating the trade of derivatives;
- Paragraph 154(1)(l.3) of the Act authorizes the Authority to make regulations prescribing the circumstances in which a contract or instrument or contract or instrument within a class of contracts of instruments is a derivative or class of derivatives;
- Paragraph 154(1)(ee) of the Act authorizes the Authority to make regulations respecting the designation or recognition of any person, company or jurisdiction considered advisable for the purposes of the Act, including recognizing exchanges, derivatives trading facilities, self-regulatory organizations, trade repositories and clearing agencies;
- Paragraph 154(1)(ee.11) of the Act authorizes the Authority to make regulations with respect to any matter necessary to regulate self-regulatory organizations, exchanges, derivatives trading facilities, quotation and trade reporting systems, clearing agencies and trade repositories;
- Paragraph 154(1)(oo) of the Act authorizes the Authority to make regulations exempting any person, company, trade, security or derivative from all or any provision of the Act or the regulations, including prescribing any terms or limitations on an exemption and requiring compliance with those terms or limitations.

Proposed Local Amendments:

On April 5, 2017 *The Securities Commission (Adoption of National Instruments) Regulations* (Saskatchewan) were amended to include National Instrument 94-101 *Mandatory Central Counterparty Clearing of Derivatives* (NI 94-101). The amendment included an error in the numbering to be assigned to NI 94-101 within *The Securities Commission (Adoption of National Instruments) Regulations* (Saskatchewan).

Section 2 of *The Securities Commission (Adoption of National Instruments) Regulations* (Saskatchewan) was amended to add clause “(hhh) National Instrument 94-101, Mandatory Central Counterparty Clearing of Derivatives as set out in Part LX of the Appendix” and the Appendix to *The Securities Commission (Adoption of National Instruments) Regulations* (Saskatchewan) was amended to add the new regulation with the title “Part LX [*Clause 2(hhh)*] National Instrument 94-101 *Mandatory Central Counterparty Clearing of Derivatives*”.

The numbering assigned to NI 94-101 created duplicate numbering within *The Securities Commission (Adoption of National Instruments) Regulations* (Saskatchewan) as clause “(hhh)” and Part “LX” had previously been assigned to a regulation.

In order to correct the error and maintain consecutive regulation numbering within *The Securities Commission (Adoption of National Instruments) Regulations* (Saskatchewan), it is proposed section 2 and the Appendix be amended as follows:

1. **section 2 be amended to replace** “(hhh) National Instrument 94-101, Mandatory Central Counterparty Clearing of Derivatives as set out in Part LX of the Appendix” **with** “(iii) National Instrument 94-101, Mandatory Central Counterparty Clearing of Derivatives as set out in Part LXI of the Appendix”; and
2. **the Appendix be amended to replace the title** “Part LX [*Clause 2(hhh)*] National Instrument 94-101 *Mandatory Central Counterparty Clearing of Derivatives*” **with** “Part LXI [*Clause 2(iii)*] National Instrument 94-101 *Mandatory Central Counterparty Clearing of Derivatives*”.