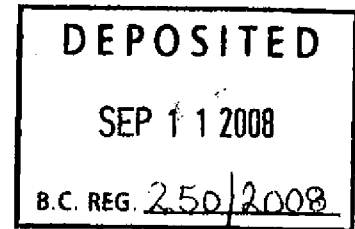


**PROVINCE OF BRITISH COLUMBIA****RULE OF THE BRITISH COLUMBIA SECURITIES COMMISSION**

The British Columbia Securities Commission orders that, effective September 12, 2008,

- (a) National Instrument 21-101 *Marketplace Operation*, B.C. Reg. 251/2001, is amended as set out in the attached Schedule A, and
- (b) National Instrument 23-101 *Trading Rules*, B.C. Reg. 252/2001, is amended as set out in the attached Schedule B.



September 11, 2008  
Date

British Columbia Securities Commission

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*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: Securities Act, R.S.B.C. 1996, c. 418, section 184

Other (specify):-

June 4, 2008

R/614/2008/21

## SCHEDULE A

- 1 *Section 1.1 of National Instrument 21-101 Marketplace Operation, B.C. Reg. 251/2001, is amended*
  - (a) *in the definition of "foreign exchange-traded security"*
    - (i) *by striking out "only" wherever it appears, and*
    - (ii) *by adding "and is not listed on an exchange or quoted on a quotation and trade reporting system in Canada" after "International Organization of Securities Commissions",*
  - (b) *in the definition of "IDA" by adding ", or its successor" after "Canada",*
  - (c) *by repealing the definition of "member" and substituting the following:*

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

    - (a) holding at least one seat on the exchange, or
    - (b) that has been granted direct trading access rights by the exchange and is subject to regulatory oversight by the exchange, and the person or company's representatives; ,
  - (d) *in paragraph (b) of the definition of "recognized exchange" by adding "or authorized by the securities regulatory authority" after "as a self-regulatory organization",*
  - (e) *in the definition of "subscriber" by adding ", and the person or company's representatives" after "orders on the ATS",*
  - (f) *in the definition of "transaction fee" by striking out "transaction" and substituting "trading", and*
  - (g) *in the definition of "user" by adding ", and the person or company's representatives" after "on the recognized quotation and trade reporting system".*
- 2 *Section 7.5 is amended by striking out "and timely" and by adding "in real-time" after "consolidated feed".*
- 3 *Section 8.3 is amended by striking out "a" after "produce" and substituting "an accurate".*

**4**     *Section 8.5 is repealed and the following substituted:*

**8.5 Filing Requirements for the Information Processor**

- (1) The information processor shall file, within 30 days after the end of each calendar quarter, the process and criteria for the selection of government debt securities, as applicable, and designated corporate debt securities and the list of government debt securities, as applicable, and designated corporate debt securities.
- (2) The information processor shall file, within 30 days after the end of each calendar year, the process to communicate the designated securities to the marketplaces, inter-dealer bond brokers and dealers providing the information as required by the Instrument, including where the list of designated securities can be found.

**5**     *Part 10 is amended*

(a) *in the title by striking out "TRANSACTION FEES" and substituting "TRADING FEES", and*

(b) *by repealing section 10.1 and substituting the following:*

**10.1 Disclosure of Trading Fees by Marketplaces** — A marketplace shall make its schedule of trading fees publicly available.

**6**     *Section 11.1 is amended by adding "in electronic form" after "business".*

**7**     *Section 11.2 is amended*

(a) *in subsection (1)*

(i) *by striking out "In addition to the records required" and substituting "As part of the records required",*

(ii) *by striking out "keep" and substituting "include", and*

(iii) *by adding "in electronic form" after "information",*

(b) *in subsection (1) (b) by striking out "in electronic form,", and*

(c) *by repealing subsections (2) and (3).*

8 *The following section is added:*

**11.2.1 Transmission in Electronic Form** – A marketplace shall transmit

- (a) to a regulation services provider, if it has entered into an agreement with a regulation services provider in accordance with NI 23-101, the information required by the regulation services provider, within ten business days, in electronic form; and
- (b) to the securities regulatory authority the information required by the securities regulatory authority under securities legislation, within ten business days, in electronic form.

9 *Section 12.2 is amended by striking out “Paragraphs 12.1 (b) and 12.1 (c) do” and substituting “Paragraph 12.1 (b) does”.*

**SCHEDULE B**

1 *Section 1.1 of National Instrument 23-101 Trading Rules, B.C. Reg. 252/2001, is amended by adding the following definition:*

“best execution” means the most advantageous execution terms reasonably available under the circumstances; .

2 *Section 4.2 is repealed and the following substituted:*

**4.2 Best Execution** – A dealer and an adviser must make reasonable efforts to achieve best execution when acting for a client.

3 *The following section is added:*

**4.3 Order and Trade Information** – To satisfy the requirements in section 4.2, a dealer or adviser shall make reasonable efforts to use facilities providing information regarding orders and trades.

4 *Section 5.1 is amended by adding “for a regulatory purpose” after “trading in a particular security”.*

5 *Section 11.2 is amended by repealing subsections (5) and (6).*

6 *The following section is added:*

**11.3 Transmission in Electronic Form** – A dealer and inter-dealer bond broker shall transmit

- (a) to a regulation services provider the information required by the regulation services provider, within ten business days, in electronic form; and

- (b) to the securities regulatory authority the information required by the securities regulatory authority under securities legislation, within ten business days, in electronic form.