

***Securities Act, S.Nu. 2008, c.12***

**Document Type:** Costs and Fees Rule  
**Document No.:** 31-503  
**Subject:** Implementation of costs and fees related to the *Securities Act*  
**Effective Date:** January 11, 2010

**LOCAL RULE 31-503**

**Implementation of Costs and Fees**

**PART I DEFINITIONS**

1. In this Rule,

“Act” means the *Securities Act* (S.Nu. 2008, c.12);

“Rules” has the same meaning as in the Act.

**PART II ADOPTED AS RULE**

2. The list of costs and fees in Schedule “A” is adopted as a Rule under section 169 of the Act.

**PART III EFFECTIVE DATE**

3. This instrument comes into effect on January 11, 2010 and repeals instrument 31-502 as at that date.

Dated at Iqaluit, Nunavut, this   11th   day of January, 2010.



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Louis Arki  
Superintendent of Securities

## SCHEDULE "A"

### Investigation Costs

1. For any order made by the Superintendent in relation to investigation costs under section 63 of the Act, the following fees and charges are recoverable:
  - (a) an hourly rate not exceeding \$150 per hour per person for time spent on an investigation by the Superintendent or by any delegate of the Superintendent, to a maximum of \$1,000 per day in respect of each person;
  - (b) the total amount of disbursements properly incurred by the Superintendent for an investigation;
  - (c) fees properly incurred by the Superintendent for a person appointed to conduct an investigation under section 30 of the Act;
  - (d) the total amount of disbursements properly incurred by a person appointed to conduct an investigation under section 30 of the Act;
  - (e) fees properly incurred by the Superintendent for legal services;
  - (f) the total amount of disbursements properly incurred in connection with the provision of legal services.

### Hearing Costs

2. For any order made by the Superintendent in relation to hearing costs under section 63 of the Act, the following fees and charges are recoverable:
  - (a) \$2,000 for each day or partial day of hearing;
  - (b) an hourly rate not exceeding \$150 per hour for the Superintendent or for each delegate of the Superintendent for time spent at a hearing, to a maximum of \$1,000 per day in respect of each person;
  - (c) the total amount of disbursements properly incurred by the Superintendent or by any delegate of the Superintendent for a hearing;
  - (d) fees properly incurred by the Superintendent for a witness;
  - (e) the total amount of disbursements properly incurred by a witness;
  - (f) fees properly incurred by the Superintendent for legal services;

- (g) the total amount of disbursements properly incurred in connection with the provision of legal services.

#### Market Participant Review Costs

- 3. For each review of a market participant under section 85, the following fees and charges are recoverable:
  - (a) an hourly rate not exceeding \$150 per hour for the Superintendent and for each delegate of the Superintendent involved in the review, to a maximum of \$1,000 per day in respect of each person;
  - (b) the total amount of disbursements properly incurred by the Superintendent for a compliance review;
  - (c) fees paid to a person appointed to conduct a review under section 85 of the Act;
  - (d) the total amount of disbursements properly incurred by a person appointed to conduct a review under section 85 of the Act;
  - (e) fees paid for legal services;
  - (f) the total amount of disbursements properly incurred in connection with the provision of legal services.

#### Filings, Applications and Approvals

- 1. The following fees are payable:
  - (a) application for registration as a dealer or adviser, regardless of the number of categories of registration to which the application relates \$750
  - (b) application for registration as an investment fund manager \$750
  - (c) annual fee payable by each registered dealer, adviser or investment fund manager, due no later than December 31 each year \$750
  - (d) application for registration or reinstatement as a representative, ultimate designated person or compliance officer of a registered dealer, adviser or investment fund manager regardless of the number of categories of registration to which the application relates for each application \$250

- (e) annual fee payable by each registered representative, ultimate designated person or compliance officer of a registered dealer, adviser or investment fund manager, due no later than December 31 each year for each renewal \$250
- (f) application for a transfer of registration of a person as a representative of a registered dealer or adviser \$100
- (g) application to change the status of a registered representative to that of a partner or officer of a dealer or adviser \$100
- (h) application by a dealer, adviser or individual to change the primary registration category in respect of which the dealer, adviser or an individual is registered \$100
- (i) except as provided in paragraph (i.1), filing a preliminary prospectus or pro forma prospectus (for each class of security) \$350
- (i.1) in the case of a mutual fund issuer, filing a preliminary prospectus or pro forma prospectus (for each fund) \$350
- (j) except as provided in paragraph (j.1), filing an amendment to a preliminary, pro forma, or other prospectus (for each class of security) \$50
- (j.1) in the case of a mutual fund issuer, filing an amendment to a preliminary, pro forma or other prospectus (for each fund) \$50
- (k) filing a take-over bid or issuer bid circular, and any amendment to a take-over bid or issuer bid circular \$25
- (l) filing a directors', individual director's or officers' circular in respect of a take-over bid or issuer bid, and any amendment to such a circular \$25
- (m) filing a rights offering circular, and any amendment to a rights offering circular  
\$25
- (n) filing an offering memorandum, and any amendment to an offering memorandum \$25
- (o) filing a report of an exempt distribution in accordance with Form 45-106F1 under National Instrument 45-106 *Prospectus and Registration Exemptions* \$25
- (p) filing by an issuer of an annual information form under National Instrument 51-102 *Continuous Disclosure Obligations* or under National Instrument 81-106 *Investment Fund Continuous Disclosure* \$400

(q) application for exemptive relief or application for designation or recognition under the Act \$250

(r) filings or approvals not otherwise provided for in this Schedule NIL

Searches, Certificates and Photocopies

2. The following fees are payable:

(a) searches NIL

(b) a certified statement referred to in section 19 of the Act provided by the Superintendent on request \$10

(c) certificate of true copy of an original document \$5

(d) photocopies (for each page) \$1

(e) facsimile transmissions (for each page) \$2