



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

SECURITIES ACT REGULATIONS



PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this regulation, current to March 3, 2025. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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**SECURITIES ACT****Chapter S-3.1****REGULATIONS**

Pursuant to section 168 of the *Securities Act* R.S.P.E.I. 1988, Cap. S-3.1, Council made the following regulations:

1. Act, defined

In these regulations, “**Act**” means the *Securities Act* R.S.P.E.I. 1988, Cap. S-3.1. (EC57/08)

2. Publication of rules

- (1) Notice of every rule made by the Minister under section 169 of the Act shall be published in the Gazette, and the Superintendent shall
- (a) publish the rule electronically; and
 - (b) ensure that the rule is available to the public in the office of the Superintendent.

Effective date

- (2) A rule made by the Minister under section 169 of the Act comes into effect fifteen days after its approval by the Minister or on the effective date stated in the rule, whichever is later.

Forms adopted

- (3) A rule made by the Minister under section 169 of the Act which adopts or incorporates a national or multilateral instrument of the Canadian Securities Administrators, adopts or incorporates, as amended from time to time, the forms made by the Canadian Securities Administrators for use under the national or multilateral instrument. (EC57/08)

3. Investigation costs

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) \$50 per hour per person for time spent on an investigation by the Superintendent or by any delegate of the Superintendent;
- (b) for disbursements properly incurred by the Superintendent for an investigation, the total amount disbursed;
- (c) fees properly incurred by the Superintendent for a person appointed to make an investigation under section 30 of the Act;

- (d) for disbursements properly incurred by a person appointed to make an investigation under section 30 of the Act, the total amount disbursed;
- (e) fees properly incurred by the Superintendent for legal services;
- (f) for disbursements properly incurred in connection with the provision of legal services, the total amount disbursed. (EC57/08)

4. Hearing costs

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) \$1000 for each day or partial day of hearing;
- (b) \$50 per hour for the Superintendent or for each delegate of the Superintendent for time spent at a hearing;
- (c) for disbursements properly incurred by the Superintendent or by any delegate of the Superintendent for a hearing, the total amount disbursed;
- (d) fees properly incurred by the Superintendent for a witness;
- (e) for disbursements properly incurred by a witness, the total amount disbursed;
- (f) fees properly incurred by the Superintendent for legal services;
- (g) for disbursements properly incurred in connection with the provision of legal services, the total amount disbursed. (EC57/08)

5. Market participant review costs

For each review of a market participant under section 85, the following fees and charges are recoverable:

- (a) a fee of \$50 per hour for the Superintendent and for each delegate of the Superintendent involved in the review;
- (b) for disbursements properly incurred by the Superintendent for a compliance review, the total amount disbursed;
- (c) fees paid to a person appointed to conduct a review under section 85 of the Act;
- (d) for disbursements properly incurred by a person appointed to conduct a review under section 85 of the Act, the total amount disbursed;
- (e) fees paid for legal services;
- (f) for disbursements properly incurred in connection with the provision of legal services, the total amount disbursed. (EC57/08)

6. Fees

In addition to the fees recoverable under sections 3, 4 and 5, the fees specified in the Schedule to these regulations are payable to the Superintendent for the specified applications and filings. (EC1136/24)

SCHEDULE

FEES

1. The fee payable for an application for the registration of
 - (a) a dealer, adviser or investment fund manager, regardless of the number of categories of registration to which the application relates, is \$750;
 - (b) a representative, ultimate designated person or chief compliance officer of a registered dealer or adviser is \$350; and
 - (c) the transfer of a representative, ultimate designated person or chief compliance officer of a dealer or adviser is \$150.
2. (1) Subject to subsection (3), the fee payable
 - (a) in the case of an issuer, other than an investment fund,
 - (i) filing a preliminary prospectus or pro forma prospectus is \$850 for each issuer, or
 - (ii) filing a prospectus for which no preliminary or pro forma prospectus was filed is \$850 for each issuer;
 - (b) in the case of an investment fund, other than a mutual fund or an exchange-traded mutual fund as defined in National Instrument 41-101 General Prospectus Requirements,
 - (i) filing a preliminary prospectus or pro forma prospectus in Form 41-101F2 under National Instrument 41-101 General Prospectus Requirements, is \$850 for each investment fund, or
 - (ii) filing a preliminary or pro forma scholarship plan prospectus in Form 41-101F3 under National Instrument 41-101 General Prospectus Requirements, is \$850 for each investment fund;
 - (c) in the case of an exchange-traded mutual fund, as defined in section 1.1 of National Instrument 41-101 General Prospectus Requirements,
 - (i) filing a preliminary or pro forma ETF facts document in Form 41-101F4 under National Instrument 41-101 General Prospectus Requirements, is \$850 for each exchange-traded mutual fund, or
 - (ii) filing an ETF facts document in Form 41-101F4 for which no preliminary, pro forma or final prospectus was filed as contemplated in section 3D.1 of National Instrument 41-101 General Prospectus Requirements, is \$850 for each exchange-traded mutual fund; and
 - (d) in the case of a mutual fund
 - (i) filing a preliminary or pro forma fund facts document in Form 81-101F3 under National Instrument 81-101 Mutual Fund Prospectus Disclosure, is \$850 for each mutual fund, or
 - (ii) filing a fund facts document in Form 81-101F3 for which no preliminary, pro forma or simplified prospectus was filed as contemplated in subsection 2.3(5.2) of National Instrument 81-101 Mutual Fund Prospectus Disclosure, is \$850 for each mutual fund.
- (2) In addition to any fee payable under subsection (1), the fee payable for filing any form of preliminary, pro forma or other prospectus that offers more than one type, class, series of a class or unit of securities of any one issuer, is \$150 for each additional type, class, series of a class or unit of securities offered.

- (3) The fee payable for filing every preliminary base shelf prospectus under National Instrument 44-102 Shelf Distributions or National Instrument 71-101 The Multijurisdictional Disclosure System is \$950 for each issuer.
- 3. The fee payable for filing every amendment to a preliminary, pro forma or other prospectus is \$150 for each issuer.
- 4. The fee payable for filing every annual information form filed by an issuer under National Instrument 51-102 Continuous Disclosure Obligations or under National Instrument 81-106 Investment Fund Continuous Disclosure is \$1,000.
- 5. The fee payable for an application
 - (a) under section 6 of the Act for a designation order is \$350; and
 - (b) under section 16 of the Act for an exemption order is \$350.
- 6. The fee payable for every application, approval or filing under any section of the Act or the rules not otherwise provided for in this Schedule is nil. *(EC1136/24; 203/25)*