

1.1.2 CSA Staff Notice 94-302 Delivery of Forms Required under National Instrument 94-102 Derivatives: Customer Clearing and Protection of Customer Collateral and Positions



Canadian Securities  
Administrators

Autorités canadiennes  
en valeurs mobilières

**CSA Staff Notice 94-302**  
***Delivery of Forms Required under National Instrument 94-102***  
***Derivatives: Customer Clearing and Protection of Customer Collateral and Positions***

August 3, 2017

**Introduction**

We, the Canadian Securities Administrators (**CSA**), are providing guidance regarding the forms required to be delivered by clearing intermediaries and regulated clearing agencies under National Instrument 94-102 *Derivatives: Customer Clearing and Protection of Customer Collateral and Positions (NI 94-102)*.

**Background**

NI 94-102 entered into force on July 3, 2017. Section 25 and section 43 of NI 94-102 require a clearing intermediary and a regulated clearing agency, respectively, to deliver the applicable form regarding customer collateral to the regulator or securities regulatory authority of each jurisdiction of Canada in which they have a local customer.

**Substance and Purpose**

NI 94-102 requires that only the information pertaining to the customers in the local jurisdiction be reported to the regulator or securities regulatory authority. The purpose of this Staff Notice is to provide further guidance with respect to the delivery of the required forms.

**Format and Delivery Instructions**

In Ontario, the forms are required to be filed electronically through the Ontario Securities Commission's Electronic Filing Portal. Please see [http://www.osc.gov.on.ca/en/derivatives\\_participants\\_forms.htm](http://www.osc.gov.on.ca/en/derivatives_participants_forms.htm) for more information.

In all other jurisdictions, filers can use the Excel format as set out in the relevant hyperlink in the list below<sup>1</sup> to comply with sections 25 or 43, as applicable, of NI 94-102:

- [Form 94-102F1](#) Customer Collateral Report: Direct Intermediary
- [Form 94-102F2](#) Customer Collateral Report: Indirect Intermediary
- [Form 94-102F3](#) Customer Collateral Report: Regulated Clearing Agency

The forms may also be delivered in a readable pdf format<sup>2</sup>.

If required in the applicable local jurisdiction, please send the required form to the following applicable address:

In Alberta, [OTCDerivativesReporting@asc.ca](mailto:OTCDerivativesReporting@asc.ca)

In British Columbia, [derivativesinbox@bcsc.bc.ca](mailto:derivativesinbox@bcsc.bc.ca)

In Manitoba, [oversight@gov.mb.ca](mailto:oversight@gov.mb.ca)

In New Brunswick, [registration-inscription@fcnb.ca](mailto:registration-inscription@fcnb.ca)

<sup>1</sup> These fillable spreadsheet forms are available at: <https://lautorite.gc.ca/en/professionals/securities-and-derivatives/regulation-of-derivatives-markets-in-quebec/>

<sup>2</sup> These forms are available on the website of the local securities regulator or regulatory authority.

In Nova Scotia, [NSSC\\_Corp\\_Finance@novascotia.ca](mailto:NSSC_Corp_Finance@novascotia.ca)

In Québec, [encadrementderives@lautorite.qc.ca](mailto:encadrementderives@lautorite.qc.ca)

In Saskatchewan, [registrationfcaa@gov.sk.ca](mailto:registrationfcaa@gov.sk.ca)

### Questions

If you have questions about this Notice or the forms, please contact any of the following:

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