

*The Securities
Commission
(Disclosure of
Personal
Information)
Regulations, 2008*

being

[Chapter S-42.2 Reg 7](#) (effective March 25, 2008).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

- 1 Title
- 2 Interpretation
- 3 Agreement required to disclose personal information
- 4 R.R.S. c.S-42.2 Reg 6 repealed
- 5 Coming into force

CHAPTER S-42.2 REG 7

The Securities Act, 1988

Title

1 These regulations may be cited as *The Securities Commission (Disclosure of Personal Information) Regulations, 2008*.

Interpretation

2 In these regulations, “**recipient**” means:

- (a) a securities or financial services regulatory authority, law enforcement agency or other governmental or regulatory authority inside or outside Canada;
- (b) an exchange or self-regulatory organization; or
- (c) a person or company acting on behalf of or providing services to any of the persons, companies or bodies mentioned in clauses (a) and (b).

11 Apr 2008 cS-42.2 Reg 7 s2.

Agreement required to disclose personal information

3(1) Before disclosing personal information to a recipient pursuant to subsection 152.1(4) of *The Securities Act, 1988*, the Commission must obtain a written agreement from that recipient in which the recipient agrees:

- (a) to use the personal information only for a purpose that is related to:
 - (i) providing protection to investors; or
 - (ii) fostering fair, efficient capital markets and confidence in capital markets;
- (b) to ensure that the personal information will be protected against unauthorized access;
- (c) not to use the personal information for any commercial purpose;
- (d) to disclose the personal information to another person, company or body only:
 - (i) for the purpose of:
 - (A) if the recipient is authorized at law to conduct proceedings, its own proceeding, or any proceeding before a court or tribunal; or
 - (B) if the recipient is not authorized at law to conduct proceedings, a proceeding before a court or tribunal; or
 - (ii) with the prior written consent of the Commission; and
- (e) to immediately report to the Commission any violation of the written agreement that the recipient knows of or suspects has occurred.

SECURITIES COMMISSION
S-42.2 REG 7 (DISCLOSURE OF PERSONAL INFORMATION), 2008

(2) For the purpose of subclause (1)(d)(ii), the Commission may consent to the disclosure of personal information by the recipient to another person, company or body if:

- (a) the other person, company or body is:
 - (i) a securities or financial services regulatory authority, law enforcement agency or other governmental or regulatory authority inside or outside Canada; or
 - (ii) an exchange or self-regulatory organization;
- (b) the other person, company or body requires the personal information for the purpose of:
 - (i) a lawful investigation that it is conducting; or
 - (ii) a proceeding before a court or tribunal; and
- (c) the recipient seeking the Commission's consent has obtained a written agreement from the other person, company or body that contains provisions that are, in the opinion of the Director, substantially similar to the requirements mentioned in subsection (1).

11 Apr 2008 cS-42.2 Reg 7 s3.

R.R.S. c.S-42.2 Reg 6 repealed

4 *The Securities Commission (Disclosure of Personal Information) Regulations* are repealed.

11 Apr 2008 cS-42.2 Reg 7 s4.

Coming into force

5 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

11 Apr 2008 cS-42.2 Reg 7 s5.