

7.3 Liability for Bids, Offers and Trades

- (1) All bids and offers for securities made and accepted on a marketplace shall be binding and all contracts thereby effected shall be subject to the exercise by the marketplace on which the trade is executed of the powers vested in the marketplace and the Market Regulator of that marketplace.
- (2) A Participant shall be responsible for all bids and offers that are entered into, or arise by operation of the trading system of a marketplace and that originate from any terminal or computer system allowing access to trading on the marketplace that is operated by or is under the control of that Participant whether or not the Participant has authorized the entry of the order.
- (3) Subject to the obligation of an Access Person for compliance with applicable provisions of UMIR and the Policies, an ATS shall be responsible for all bids and offers that are entered into, or arise by operation of the trading system of the ATS and that originate from any terminal or computer system allowing access to trading on the ATS that is operated by or is under the control of the Access Person of that ATS whether or not the Access Person has authorized the entry of the order.

Defined Terms: NI 21-101 section 1.1 – “ATS” and “order”

UMIR section 1.1 – “Access Person”, “ATS”, “Market Regulator”, “marketplace”, “Participant”, “Policy” and “UMIR”

UMIR section 1.2(2) – “trade”

Regulatory History: In connection with the recognition of IIROC and its adoption of UMIR, the applicable securities commissions approved an amendment to Rule 7.3 that came into force on June 1, 2008 to replace the phrase “Rules and” with “provisions of UMIR and the”.