

Rule 9200
Approvals and Regulatory Supervision

9201. Introduction

- (1) This Rule sets out the authority of [IIROC](#) to approve individuals employed by or otherwise acting on behalf of [Dealer Members](#), to grant exemptions from [IIROC](#)'s proficiency and educational requirements, to grant exemptions from [IIROC](#)'s introducing/carrying broker requirements, to impose terms and conditions on approvals and membership, to suspend and revoke approvals, and rights of review available to [parties](#) to such decisions.

9202. Definitions

- (1) In this Rule,
 - “application” means an application for approval or an exemption under this Rule, but does not include a request for a review of a decision on such an application under Rule 9300 (Regulatory Review Proceedings).
 - “decision” means a determination made by a [District Council](#), a [Registration Subcommittee](#), [Registration Staff](#) or [IIROC](#) under this Rule.
 - “District Council panel” means a panel of three members of a [District Council](#) appointed by the [National Hearing Coordinator](#) to conduct a [hearing](#) under section 9209.
 - “Registration Staff” means registration staff of [IIROC](#).
 - “Registration Subcommittee” means a subcommittee of a [District Council](#) to whom authority has been delegated under subsection 9203(1).

9203. Decisions of a District Council

- (1) A [District Council](#) may delegate its authority to make *decisions* under this Rule to a [Registration Subcommittee](#) of at least three [industry members](#) of the [District Council](#) or, except for its authority under section 9205 and subsection 9207(2), to [Registration Staff](#).
- (2) Notice of a [decision](#) of a [District Council](#) must be given to an applicant or other [person](#) who is its subject.
- (3) A [District Council](#) must not
 - (i) refuse an [application](#),
 - (ii) impose terms and conditions on an approval, or
 - (iii) suspend or revoke an approval,unless the applicant or [Approved Person](#) has been given an opportunity to be heard.
- (4) Written reasons must be provided with notice of a [decision](#) that
 - (i) refuses an [application](#),
 - (ii) imposes terms and conditions on an approval, or
 - (iii) suspends or revokes an approval.
- (5) A [decision](#) is effective on the date on which notice of the [decision](#) is provided to the [parties](#), unless
 - (i) the [decision](#) provides otherwise, in which case the [decision](#) is effective on the date so provided; or
 - (ii) unless the [decision](#) is stayed under subsection 9209(4) or by a [hearing panel](#).

9204. Individual Approval Applications

- (1) An *individual* may *apply* to a *District Council* for approval as a
 - (i) *Supervisor*,
 - (ii) *Director* or *Executive* under Dealer Member Rule section 7.2,
 - (iii) *Registered Representative* or *Investment Representative* under Dealer Member Rule 18.2,
 - (iv) *Ultimate Designated Person*, *Chief Financial Officer*, or *Chief Compliance Officer* under Dealer Member Rules 38.5, 38.6, and 38.7, respectively, or
 - (v) *Trader* under Dealer Member Rule 500.
- (2) A *District Council* must approve an *application* under subsection 9204(1), unless in its opinion
 - (i) the applicant
 - (a) does not meet a *IIROC requirement*,
 - (b) is likely not to comply with *IIROC requirements*, or
 - (c) does not satisfy *securities legislation* relating to or is not suitable for approval on the basis of training, experience, solvency or integrity, or
 - (ii) the approval is otherwise not in the public interest.
- (3) A *District Council* may approve an *application* under subsection 9204(1), subject to any terms and conditions it considers appropriate.

9205. Membership Approval Applications

- (1) The *District Council* shall make a recommendation to the Board of Directors to:
 - (i) approve an *application* for *Dealer Member* membership in *IIROC* made pursuant to section 3.5 of General By-law No. 1,
 - (ii) approve the *application* subject to such terms and conditions as may be considered just and appropriate, or
 - (iii) refuse the *application* if, in its opinion,
 - (a) the applicant does not comply with one or more of *IIROC requirements*,
 - (b) one or more *IIROC requirement* will not be complied with by the applicant,
 - (c) the applicant is not qualified for approval by reason of integrity, solvency, or experience, or
 - (d) such approval is not in the public interest.
- (2) Prior to consideration of an *application* for *Dealer Member* membership in *IIROC* by the Board of Directors, the applicant shall be informed that it has an opportunity to be heard by the Board of Directors before the Board of Directors decides on the *application* and shall be given a copy of the *District Council's* recommendation and informed in writing of the reasons for it.
- (3) The Board of Directors shall have the power to:
 - (i) approve an *application* for *Dealer Member* membership in *IIROC* made pursuant to section 3.5 of General By-law No. 1,
 - (ii) approve the *application* subject to such terms and conditions as may be considered just and appropriate; or
 - (iii) refuse the *application* if, in its opinion,
 - (a) the applicant does not comply with one or more of *IIROC requirement*,
 - (b) one or more *IIROC requirement* will not be complied with by the applicant,
 - (c) the applicant is not qualified for approval by reason of integrity, solvency, or

- experience, or
- (d) such approval is not in the public interest.
- (4) A decision of the Board of Directors under subsection 9205(3) is a final decision for which no further review or appeal is provided under [IIROC requirement](#).

9206. Exemption Applications

- (1) An [individual](#) or a [Dealer Member](#), with respect to proficiency requirements applicable to its [Approved Persons](#), may [apply](#) to a [District Council](#) for an exemption from the proficiency requirements under Dealer Member Rule 2900, Part I or an examination requirement under Dealer Member Rule 2900, Part II, or for an extension of or exemption from a continuing education requirement under Dealer Member Rule 2900, Part III.
- (2) A [Dealer Member](#) may [apply](#) to a [District Council](#) for an exemption from the introducing / carrying broker requirements under Dealer Member Rule 35.
- (3) On an [application](#) under subsection 9206(1) or 9206(2), the [District Council](#) may grant an exemption or extension in accordance with any standards in the relevant rule, subject to any terms and conditions it considers appropriate.

9207. Continued Approval

- (1) A [District Council](#) may, in its discretion, impose terms and conditions on the continued approval of an [Approved Persons](#) to ensure continuing compliance with [IIROC requirements](#).
- (2) A [District Council](#) may suspend or revoke the approval of an [Approved Persons](#), if it appears to the [District Council](#) that
- (i) the [Approved Persons](#) is not suitable for approval by reason of integrity, solvency, training or experience,
 - (ii) the [Approved Persons](#) has failed to comply with [IIROC requirement](#), or
 - (iii) the approval is otherwise not in the public interest.

9208. Terms and Conditions on Membership

- (1) [IIROC](#) may impose terms and conditions on a [Dealer Member's](#) membership, where [IIROC](#) considers it appropriate to ensure continuing compliance with [IIROC requirements](#).
- (2) [IIROC](#) must not impose terms and conditions on a membership, unless the [Dealer Member](#) has been given an opportunity to be heard.
- (3) Notice of a [decision](#) imposing terms and conditions under subsection 9208(1) must be given to the [Dealer Member](#) and must be accompanied by written reasons for the [decision](#).

9209. Review Hearings

- (1) Within 30 days after the release of a [decision](#) under section 9204, 9207 or 9208, an applicant, [Approved Persons](#) or [Dealer Member](#), respectively, may request a review of the [decision](#) by a [hearing panel](#) under Rule 9300 (Regulatory Review Proceedings).
- (2) An applicant may, within 30 days after the release of a [decision](#) under section 9206, request a review of the [decision](#) by a [District Council panel](#).
- (3) [Registration Staff](#) may, within 30 days after the release of a [decision](#), other than a [decision](#) made by [Registration Staff](#), request a review
- (i) of a [decision](#) under section 9204 or 9207 by a [decision](#) under Rule 9300 (Regulatory Review Proceedings), or
 - (ii) of a [decision](#) under section 9206 by a [District Council panel](#).
- (4) A request for review of a [decision](#) under section 9206 by [Registration Staff](#) operates as a stay of

the [decision](#).

- (5) If a review of a [decision](#) under section 9206 is requested, the [National Hearing Coordinator](#) must, subject to subsection 9209(7), select three members from the [District Council](#) of the applicable [District](#) as members of the [District Council panel](#) to review the [decision](#), and subsections 8408(7), (10) and (11) apply to the selection and conduct of a [District Council panel](#), with modifications required by the context of this Rule.
- (6) A member of a [District Council](#) who has participated in a [decision](#) must not participate as a member of a [hearing panel](#) or [District Council panel](#) on a review of the [decision](#).
- (7) On a review of a [decision](#) made under section 9206, a [District Council panel](#) may:
 - (i) affirm the decision;
 - (ii) quash the decision;
 - (iii) vary or remove any terms and conditions imposed on the applicant; and
 - (iv) make any decision that could have been made by the [District Council](#) under section 9206.
- (8) A [decision](#) of a [District Council panel](#) under subsection 9209(7) is a final decision for which no further review or appeal is provided under [IIROC requirements](#).

9210. Review by a Securities Regulatory Authority

- (1) A [party](#) may apply to the [securities regulatory authority](#) in the relevant [District](#) for a review of a final [decision](#) of a [District Council panel](#) under this Rule.
- (2) A [person](#) who is entitled to request a review by a [District Council panel](#) under section 9209 of a [decision](#) made under section 9206 may not apply to a [securities regulatory authority](#) for review of that [decision](#), unless the [person](#) has requested a review by a [District Council panel](#) and the [District Council panel](#) has made a final [decision](#).
- (3) For purposes of subsection 9210(1), [IIROC](#) staff is directly affected by a [decision](#) in a proceeding in which [IIROC](#) staff is a [party](#).