



## Appendix A – Proposed DMR Amendments

Dealer Member Rule 3200 is hereby amended as follows:

1. adding the following definition of “adviser” after the definition of “automated order system”:

“In this Rule “adviser” means a person that is not an individual and, is registered or is exempted from registration, as an adviser in accordance with applicable securities legislation.”

2. adding the following definition of “foreign adviser equivalent”:

“In this Rule, “foreign adviser equivalent” means a person that is not an individual and is in the business of trading securities in a foreign jurisdiction in a manner analogous to an adviser.”

3. adding the following as section A.1.1:

### **“1.1 Prohibited Clients**

The Dealer Member may not provide an order-execution only service to a person that is not an individual and is acting as and, registered or exempted from registration, as a dealer in accordance with securities laws.”

4. deleting “: (a)” after “provider” in subparagraph A.5(a)(a)
5. replacing “,” with “.” after “calendar month” in subparagraph A.5(a)(a)
6. deleting subparagraphs A.5(a)(b) and A.5(a)(c)
7. adding the following as section A.5.1:

### **“ 5.1 Identification of Advisers and Foreign Adviser Equivalents**

- (a) The Dealer Member must ensure that a unique identifier is assigned to any adviser that trades on a Marketplace for which the Corporation is the regulation services provider and:
  - (i) is itself a client of the Dealer Member, or
  - (ii) has been granted trading authority, direction or control over an account of a client of the Dealer Member.



- (b) The Dealer Member must ensure that a unique identifier is assigned to any foreign adviser equivalent that trades on a Marketplace for which the Corporation is the regulation services provider and:
  - (i) is itself a client of the Dealer Member, or
  - (ii) has been granted trading authority, direction or control over an account of a client of the Dealer Member.
  
- (c) The Dealer Member must provide each unique identifier assigned pursuant to subsections A.5.1(a) and (b) and the name of the corresponding firm to the Corporation.
  
- (d) The Dealer Member must ensure that each order entered on a Marketplace for which the Corporation is the regulation services provider by or on behalf of a firm for whom a unique identifier must be assigned pursuant to subparagraphs A.5.1 (a)(i) and (b)(i), contains the identifier assigned to that firm.
  
- (e) The Dealer Member must ensure that each order entered on a Marketplace for which the Corporation is the regulation services provider by or on behalf of an account over which an adviser or a foreign adviser equivalent has been granted trading authority, direction or control and an identifier was assigned pursuant to subparagraphs A.5.1(a)(ii) or A.5.1(b)(ii), contains the identifier assigned to that firm.
  
- (f) Despite subsection A.5(c):
  - (i) If an adviser is assigned a unique identifier pursuant to subparagraph A.5.1 (a)(ii), each order entered by or on behalf of an account over which that adviser has been granted trading authority, direction or control on a Marketplace for which the Corporation is the regulation services provider must contain the unique identifier assigned to that adviser, or
  - (ii) If a foreign adviser equivalent is assigned a unique identifier pursuant to subparagraph A.5.1(b)(ii), each order entered by or on of an account over which that foreign adviser equivalent has been granted trading authority, direction or control on a Marketplace for which the Corporation is the regulation services provider must contain the unique identifier assigned to that foreign adviser equivalent.”

8. adding the following as section B.2.3:

**“2.3 Prohibited Clients**

The Dealer Member may not provide an order-execution only service to any person that is not an individual and is acting as and, registered or exempted from registration, as a dealer in accordance with securities laws.”

9. deleting “: (a)” after “provider” in subparagraph B.6(a)(a)



10. replacing “,” with “.” after “calendar month” in subparagraph B.6(a)(a)

11. deleting paragraphs B.6(a)(b) and B.6(a)(c)

12. adding the following as section B.6.1:

**“6.1 Identification of Advisers and Foreign Adviser Equivalentents**

- (a) The Dealer Member must ensure that a unique identifier is assigned to any adviser that trades on a Marketplace for which the Corporation is the regulation services provider and:
- (i) is itself client of the Dealer Member, or
  - (ii) has been granted trading authority, direction or control over an account of a client of the Dealer Member.
- (b) The Dealer Member must ensure that a unique identifier is assigned to any foreign adviser equivalent that trades on a Marketplace for which the Corporation is the regulation services provider and:
- (i) is itself a client of the Dealer Member, or
  - (ii) has been granted trading authority, direction or control over an account of a client of the Dealer Member.
- (c) The Dealer Member must provide each unique identifier assigned pursuant to subsections B.6.1(a) and (b) and the name of the corresponding firm to the Corporation.
- (d) The Dealer Member must ensure that each order entered on a Marketplace for which the Corporation is the regulation services provider by or on behalf of a firm for whom a unique identifier must be assigned pursuant to subparagraphs B.6.1 (a)(i) and (b)(i) contains the identifier assigned to that firm.
- (e) The Dealer Member must ensure that each order entered on a Marketplace for which the Corporation is the regulation services provider by or on behalf of an account over which an adviser or foreign adviser equivalent has been granted trading authority, direction or control, and an identifier was assigned pursuant to subparagraphs B.6.1(a)(ii) or B.6.1(b)(ii) contains the identifier assigned to that firm.
- (f) Despite subsection B.6(c):
- (i) If an adviser is assigned a unique identifier pursuant to subsection B.6.1(a), each order entered by or on behalf of an account, over which that adviser has been granted trading authority, control or direction, on a Marketplace for which the Corporation is the regulation services provider, must contain the unique identifier assigned to that adviser, or



- (ii) If a foreign adviser equivalent is assigned a unique identifier pursuant to subsection A.6.1(b), each order entered by or on behalf of an account, over which that foreign adviser equivalent has been granted trading authority, direction or control, on a Marketplace for which the Corporation is the regulation services provider, must contain the unique identifier assigned to that foreign adviser equivalent.