

Blanket Order No. 12

IN THE MATTER OF THE SECURITIES ACT,  
R.S.N.S. 1989, CHAPTER 418 (THE "ACT")

AND

IN THE MATTER OF  
THE MINIMUM FREE CAPITAL REQUIREMENTS  
OF CERTAIN ADVISERS

**ORDER**  
**(Section 20 of the Securities Regulations)**

WHEREAS:

1. Subsection 23(2) of the Securities Regulations requires every adviser to maintain a minimum free capital computed, in part, by reference to working capital calculated in accordance with generally accepted accounting principles;

The application of the requirements of subsection 23(2) of the Securities Regulations to deposit taking institutions may be inappropriate by virtue of the nature of the liabilities of such institutions; and

The Nova Scotia Securities Commission (the "Commission") published a notice in the Royal Gazette of and held a hearing with respect to a proposal to prescribe a condition of registration for banks, trust companies, loan companies, insurance companies and other financial institutions incorporated or continued under the laws of Canada or another jurisdiction recognized by the Commission, from time to time, for the purpose hereof ("subject advisers") which desire to register as advisers in lieu of the condition contained in subsection 23(2) of the Securities Regulations;

UPON being satisfied that to make this order would not be prejudicial to the public interest;

IT IS ORDERED AND PRESCRIBED pursuant to section 20 of the Securities Regulations that:

- (a) subsection 23(2) of the Securities Regulations shall not apply as a condition of the registration of a subject adviser as an adviser and, in lieu thereof, the subject adviser shall comply with all capital requirements imposed, from time to time, on the subject adviser in its capacity as a financial institution, by the jurisdiction of its incorporation or continuance; and
- (b) the Registrar of Securities (the "Registrar") may require, as a condition of such registration that the regulatory authorities of the jurisdiction of incorporation or continuance of the subject adviser agree to keep the Registrar fully informed of any violation or non-compliance by the subject adviser of or with the capital requirements of such jurisdiction applicable to the subject adviser in its capacity as a financial institution.

DATED at Halifax, Nova Scotia this 16th day of January, 1991.

**NOVA SCOTIA SECURITIES COMMISSION**

**"Robert B. MacLellan"**

Robert B. MacLellan, Chairman

**"H. Leslie O'Brien"**

H. Leslie O'Brien, Vice Chairman

**"C. William Gurnham"**

C. William Gurnham, Esq.