



## APPLICATION AS SAM AUTHORIZED PERSON FOR A FOREIGN APPROVED PARTICIPANT

### SUMMARY OF REQUIREMENTS CHECKLIST

Application Form

Application fees C\$141.09 (non-refundable) (C\$125.00 + GST (5%) + QST (7.5%)) (it is possible to obtain a tax refund from the provincial and federal governments)

#### GENERAL INSTRUCTIONS FOR COMPLETING THE APPLICATION

1. This form must be used by any individual seeking approval from Bourse de Montréal Inc. as a SAM Authorized Person.
2. Applicant must answer all questions; any omission may delay examination of the application.
3. The information on the form and on enclosures must be typewritten; form or enclosures not typewritten may be refused.
4. Each enclosure must be separately identified. The applicant must initial all enclosures. All required signatures must be original.
5. In completing the application, applicant should seek advice from an authorized partner, director or officer of the sponsoring firm or from a legal adviser, if necessary.
6. Applicant as well as the sponsoring firm should retain a copy of the application for their files.
7. Acceptance of this application does not constitute a finding that information contained therein is accurate, current or complete or that it has otherwise been filed as required.
8. Application fees are not refundable.
9. Filing of any false information or failure to disclose full information required by Bourse de Montréal Inc. on this application may result in a refusal to approve the applicant or in disciplinary action taken against the applicant and/or the sponsoring firm in accordance with the provisions of the Rules of Bourse de Montréal Inc.
10. For applicants wishing to acquire a thorough understanding of the Rules, Policies and procedures of Bourse de Montréal Inc., courses specifically developed for SAM authorized persons are available at Montréal Exchange Training Center. Applicants are encouraged to register to these courses. For further details, please consult the Training Center Website at [www.d-x.ca](http://www.d-x.ca).

**1. APPLICANT**

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_

Other names you have been known by (including maiden name):

None or (specify) \_\_\_\_\_

Residential address (including zip code; PO Box number only not acceptable)

\_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Position within the firm: \_\_\_\_\_

Date of beginning of employment: \_\_\_\_\_

Date of birth (Year/Month/Day): \_\_\_\_\_

Place of birth: City: \_\_\_\_\_

State or province: \_\_\_\_\_

Country: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Sex: \_\_\_\_\_

**2. EMPLOYING FIRM**

Name of the firm: \_\_\_\_\_

Address where the applicant is currently working:

\_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Web site address: \_\_\_\_\_

**3. CURRENT REGISTRATION**

Are you now registered or licensed in any capacity under any act or regulation thereof, regulating trading in securities, options, futures contracts or options on futures contracts of any province, territory, state or country?

If the answer is "YES", indicate the name of the regulatory authority, self-regulatory organization or exchange which granted registration or license, your ID or registration number, the type of registration or license held, granting date(s) and name of company through which registration or license was granted.

If the answer is "NO", provide all relevant details including, as the case may be, references to any act or regulation thereof pursuant to which any registration or licensing exemption or relief was granted.

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**4. DERIVATIVES INSTRUMENTS**

The applicant applies to enter order and/or to execute transactions on the following derivatives instruments of the Bourse:

a) For U.S. applicants:

Futures Contracts and Options on Futures Contracts approved by the CFTC

b) For UK applicants:

Futures Contracts and Options on Futures Contracts

and/or

Options on Equities, Indices, Currencies or Bonds

**ANSWER "YES" OR "NO" TO EACH OF THE FOLLOWING QUESTIONS. IF THE ANSWER TO ANY OF THE FOLLOWING QUESTIONS IS "YES", PROVIDE COMPLETE DETAILS IN AN ATTACHMENT AND SUBMIT SUPPORTING DOCUMENTS.**

**5. CHANGE OF NAME**

a) Have you ever had a change of name resulting from marriage, divorce, court order or any other process?

YES NO

b) Have you ever been known under any other name or have you ever had, used, operated under, or carried on business under any name other than the name mentioned in Question 1 of this form?

YES NO

**6. REFUSAL, SUSPENSION, CANCELLATION, WITHDRAWAL OF RIGHTS CONFERRED BY REGISTRATION OR DISCIPLINARY MEASURE**

- a) Have you ever been refused registration or a license, or has your registration or license been suspended or cancelled, or had rights conferred by any kind of registration been withdrawn, under any act or regulation thereof, regulating trading in securities, options, futures contracts or options on futures contracts of any province, territory, state or country?

YES NO

- b) Have you ever been refused registration or a license, or has your registration or license been suspended or cancelled, or had rights conferred by any kind of registration been withdrawn under any act or regulation thereof of any province, territory, state or country which requires registration or licensing to deal with the public in any capacity, *other* than trading in securities, options, futures contracts or options on futures contracts (e.g. lawyer, accountant, insurance broker, etc.)?

YES NO

- c) Are you now or have you ever been a partner, director, officer or a shareholder holding more than 5% of the voting securities of a company, firm or partnership which has, during the time of your association with it, been refused registration or a license, or whose registration or license has been suspended or cancelled, or had rights conferred by any kind of registration withdrawn under any act or regulation thereof, regulating trading in securities, options, futures contracts or options on futures contracts of any province, territory, state or country, except as issuer, in the case of an ordinary shareholder?

YES NO

- d) Has a regulatory authority, a self-regulatory organization or an exchange regulating securities, options, futures contracts or options on futures contracts, ever taken disciplinary measures against you or against a company, firm or partnership of which you were, at the time of such event, a partner, director, officer or a shareholder holding more than 5% of the voting securities?

YES NO

**7. OFFENCES UNDER THE LAW**

**INSTRUCTION:**

For criminal matters, you must answer "YES" where you have pleaded guilty or been found guilty of an offence. Such offence must be reported even though an absolute or conditional discharge has been granted.

You are not required to disclose any offence for which a pardon has been granted and such pardon has not been revoked. Under such circumstance, the appropriate response would be: "NO".

For any type of offences, it is considered inappropriate to omit reference to an offence under any statute other than cases decided in a juvenile court or under a youth offender law. Wrongful omission of an offence may be treated as a non-disclosure of material information.

- a) Have you ever been convicted of any offence relating to trading or advising in securities options, futures contracts or options on futures contracts, theft of securities or been a party to any proceedings taken on account of fraud arising out of any trade in or advice in respect thereof?

YES NO

b) Have you ever been convicted under any law of any province, territory, state or country for violations or other criminal offences not noted in question a) above?

YES NO

c) Are you currently the subject of any charge or indictment under any law of any province, territory, state or country for violations, criminal offences or other conduct of the type described in question a) or b) above?

YES NO

d) Has any company, firm or partnership of which you are or were, at the time of such event, a partner, director, officer or a shareholder holding more than 5% of the voting securities, pleaded guilty or been found guilty, or is currently the subject of a charge, proceeding or indictment, under any law of any province, territory, state or country for contraventions, criminal offences or other conduct of the type described in a), b) and c) above?

YES NO

## 8. CIVIL PROCEEDINGS AND ALTERNATIVE DISPUTE RESOLUTION

Has any claim been made successfully or, to your knowledge, is any claim pending in any civil or alternative dispute resolution proceedings before a court or other tribunal in any province, territory, state or country?

a) Against you?

YES NO

b) Against any company, firm or partnership of which you are or were, at the time of such event, or at the time such proceedings were commenced, a partner, director, officer or a shareholder holding more than 5% of the voting securities?

YES NO

## 9. BANKRUPTCY

a) Have you ever been declared, under the law of any province, territory, state or country, bankrupt or insolvent or have you ever made a voluntary assignment in bankruptcy, a compromise or an arrangement with creditors or gone out of business leaving debts outstanding?

YES NO

b) Has any company, firm or partnership of which you are or were, at the time of such event, a partner, director, officer or a shareholder holding more than 5% of the voting securities, been declared bankrupt or insolvent, made a compromise or an arrangement with creditors or gone out of business leaving debts outstanding?

YES NO

I, \_\_\_\_\_, the undersigned, hereby certifies that the foregoing statements are true and correct and hereby undertakes to notify Bourse de Montréal Inc. (the "Bourse") in writing of any material change within 10 days of the occurrence of any such change.

I also do hereby state that I have read and understand the questions in this application form as well as the answers made by myself thereto, and that the statements of facts made therein and in the attachments, if any, are true.

### UNDERTAKINGS OF THE APPLICANT TO THE BOURSE

The applicant confirms by his signature having taken cognizance of the following undertakings and having accepted their terms:

The applicant acknowledges the authority of the Bourse to adopt Rules and Policies and amendments and additions thereto, the whole subject to the powers of the Autorité des marchés financiers.

In the following undertakings, the expression "Regulations" means the Rules and Policies adopted by the Bourse from time to time including amendments and additions thereto.

The applicant submits the present application with the knowledge that the Bourse is a self-regulatory organization which is required by the Quebec Securities Act (the Act) to impose disciplinary measures on SAM Authorized Persons in the event of violations of the Regulations of the Bourse or of the Act and its regulations.

The applicant understands that the jurisdiction of the Bourse with regard to SAM Authorized Persons flows from their commitment to respect the Regulations of the Bourse.

In consideration of the approval of the candidate as a SAM Authorized Person, the applicant undertakes to the Bourse as follows:

1. The applicant accepts responsibility for maintaining at all times a thorough understanding of the Regulations of the Bourse and of the various procedures that may be set from time to time by the Bourse. To this end, the applicant undertakes to ensure that he will familiarize himself with these Regulations and procedures.
2. The applicant undertakes to comply with the Regulations of the Bourse.
3. The applicant acknowledges and accepts the jurisdiction of the Bourse and of its committees to hear and decide any matters subject to the Regulations of the Bourse. It is agreed and understood that the applicant will remain subject to the jurisdiction of the Bourse and of its committees after ceasing to hold the status of SAM Authorized Person, in regard to matters which occurred when he was still holding such status.
4. The applicant undertakes to pay to the Bourse on demand the amount of any fine and any fees imposed on the applicant by a decision of the Bourse or one of its committees. These sums will bear interest at a yearly rate, as determined by the Bourse from time to time.
5. The applicant undertakes to pay to the Bourse all the fees payable by SAM Authorized Person pursuant to the list of fees adopted from time to time by the Bourse. These sums will bear interest at a yearly rate, as determined by the Bourse from time to time.
6. The applicant acknowledges that any approval granted pursuant to this application may be revoked, cancelled or suspended in accordance with the Regulations of the Bourse.
7. The applicant understands that he is not approved and may not act as a SAM Authorized Person until a notice has been issued that approval has been granted.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
(city)

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Name of Sponsoring Firm

\_\_\_\_\_  
Partner or Authorized Officer

**CONSENT OF THE APPLICANT TO  
THE DISCLOSURE OF CONFIDENTIAL INFORMATION CONCERNING  
ITS ACTIVITIES**

The applicant confirms by his signature having consented to the disclosure by the Bourse of all confidential information concerning its activities validly required by another self-regulatory organization, a securities commission or by a governmental authority inside or outside Canada according to the applicable laws.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
*(city)*

\_\_\_\_\_  
Signature of applicant