**Section 130.492 Exemption from Registration for Certain Canadian Broker-Dealers and Agents and for Transactions Effected by Certain Canadian Broker-Dealers**

a) A broker-dealer who is a resident of Canada and who has no office or other physical presence in this State is exempted from the broker-dealer registration requirements in Section 8 of the Act, provided the broker-dealer:

1) is registered with or is a member of a self-regulatory organization in Canada, stock exchange in Canada or the Bureau des Services Financiers;

2) maintains in good standing its provincial or territorial registration and its registration with or membership in a self-regulatory organization in Canada, stock exchange in Canada or the Bureau des Services Financiers; and

3) effects or attempts to effect transactions in securities only:

A) with or for a person from Canada who is temporarily present in this State with whom the Canadian person had a bona fide business-client relationship before the person entered this State;

B) with or for a person present in this State whose transactions are in a Canadian self-directed tax advantaged retirement account of which the person is the holder or contributor.

b) Salesperson registration under Section 8 of the Act is not required if the salesperson:

1) represents a Canadian broker-dealer acting in accordance with the provisions of subsection (a) of this Section; and

2) is registered and maintains in good standing the agent’s provincial or territorial registration.

c) An offer or sale of a security is exempt from the securities registration requirements of Sections 5, 6, and 7 of the Act if the offer or sale is effected by a Canadian broker-dealer acting in accordance with the provisions of subsection (a) of this Section.

(Source: Added at 27 Ill. Reg. 9490, effective June 9, 2003)