

**Gazette**  
officielle  
**DU Québec**

Part

**2**

**No. 12**

21 March 2007

**Laws and Regulations**

Volume 139

**Summary**

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Legal deposit – 1st Quarter 1968  
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## Regulations and other acts

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**M.O., 2006**

**Order number 2006-036 of the Minister of Natural Resources and Wildlife dated 11 September 2006**

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

CONCERNING the Rivières-Matapédia-et-Patapédia Wildlife Sanctuary

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE,

CONSIDERING the establishment of the Rivières-Matapédia-et-Patapédia Wildlife Sanctuary under section 81.2 of the Wildlife Conservation Act (R.S.Q., c. C-61) made by the Regulation respecting the salmon river wildlife sanctuaries of Matapédia-et-Patapédia, Sainte-Anne et Saint-Jean (R.R.Q., 1981, c. C-61, r.79) modified by Orders 736-83 dated April 13 1983, 1382-83 dated June 22 1983, 849-84 dated April 4 1984, 1208-84 dated May 23 1984, 821-86 dated June 11 1986, 570-87 dated April 8 1987, 140-92 dated February 5 1992, 283-92 dated February 26 1992, 719-92 dated May 12 1992, 1282-93 dated September 8 1993, 1441-97 dated November 5 1997 and 859-99 dated July 28 1999 and by Order of the Minister 98023 dated February 25 1999 and 2002-023 dated December 18 2002;

CONSIDERING that the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) was substituted for the Wildlife Conservation Act;

CONSIDERING that under section 184 of the Act, the provisions of the Wildlife Conservation Act are replaced by the corresponding provisions of the Act respecting the conservation and development of wildlife;

CONSIDERING that under section 186 of the Act respecting the conservation and development of wildlife, every provision of a regulation, order in council or order made by the Government under the Wildlife Conservation Act continues to be in force to the extent that it is consistent with the Act;

CONSIDERING that under section 111 of the Act respecting the conservation and development of wildlife, the Minister may establish wildlife sanctuaries on lands in the domain of the State and dedicate them to the

conservation, development and utilization of wildlife and to the carrying on of recreational activities incidental thereto;

CONSIDERING that under section 191.1 of the Act respecting the conservation and development of wildlife, regulations made by the Government under section 111 of the Act before January 1, 1987 continue to be in force until, as of June 17, 1998, they are replaced or repealed by an order of the Minister;

CONSIDERING that it is expedient to modify the territorial limits of the Rivières-Matapédia-et-Patapédia Wildlife Sanctuary;

ORDERS THAT:

Section 1 of the Regulation respecting the salmon river wildlife sanctuaries of Matapédia-et-Patapédia, Sainte-Anne et Saint-Jean, with the exception of paragraph *l*, is replaced by the following:

“1. The territory delimited on the plan attached to the present as schedule L, and described in the present section is established under the name of the “Réserve faunique de la Rivière Saint-Jean”.”;

Schedule D of the Regulation be repealed;

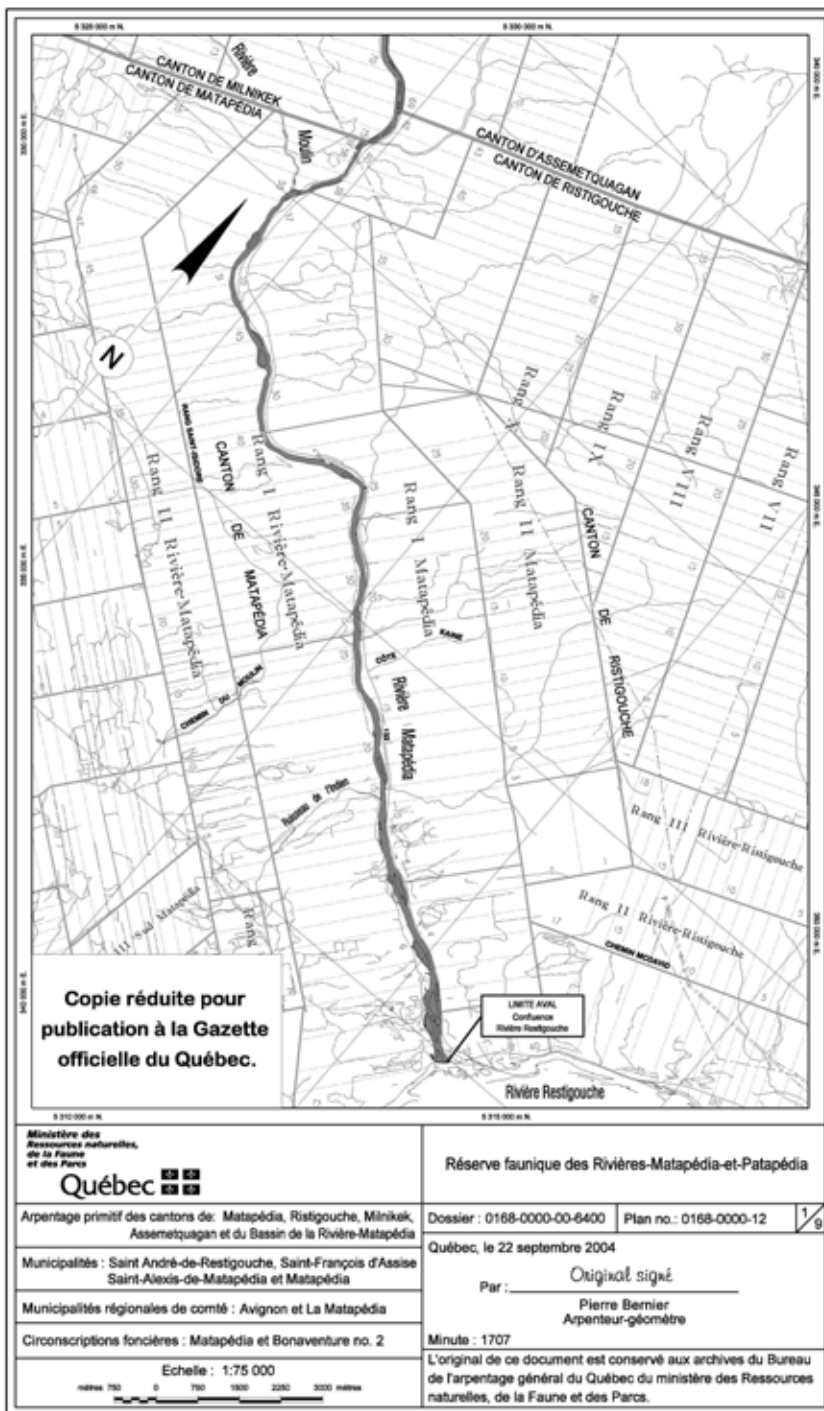
The Rivières-Matapédia-et-Patapédia Wildlife Sanctuary, whose boundaries are delimited on the attached plan, be established;

This Order comes into force on the date of its publication in the *Gazette officielle du Québec*.

Québec, 11 September 2006

PIERRE CORBEIL,  
*Minister of Natural Resources,  
and Wildlife*

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LIMITE AVANT  
Confluence  
Rivière Ristigouche

Ministère des  
Ressources naturelles,  
de la Faune  
et des Parcs  
**Québec**

Réserve faunique des Rivières-Matapédia-et-Patapédia

Arpentage primitif des cantons de: Matapédia, Ristigouche, Milniket, Assametquagan et du Bassin de la Rivière-Matapédia

Dossier : 0168-0000-00-6400 Plan no.: 0168-0000-12 1/9

Municipalités : Saint André-de-Restigouche, Saint-François d'Assise, Saint-Alexis-de-Matapédia et Matapédia

Québec, le 22 septembre 2004

Par : Original signé

Municipalités régionales de comté : Avignon et La Matapédia

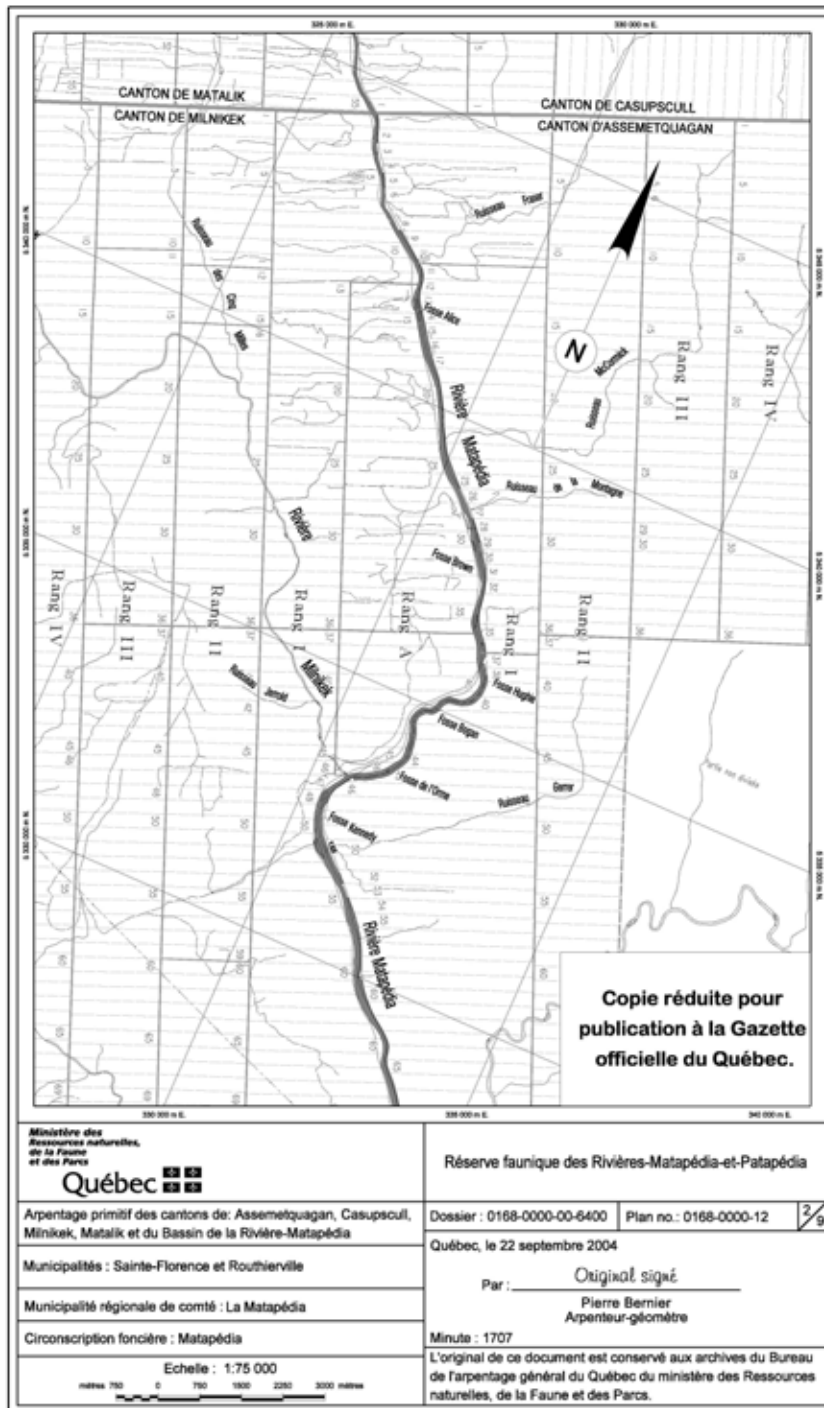
Pierre Bernier  
Arpenteur-géomètre

Circonscriptions foncières : Matapédia et Bonaventure no. 2

Minute : 1707

Echelle : 1:75 000  
mètres 750 0 750 1500 2250 3000 mètres

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et des Parcs  
**Québec**

Réserve faunique des Rivières-Matapédia-et-Patapédia

Arpentage primitif des cantons de: Assemetsquagan, Casupscull, Minikek, Matalik et du Bassin de la Rivière-Matapédia

Dossier : 0168-0000-00-6400 Plan no. : 0168-0000-12 2/9

Municipalités : Sainte-Florence et Routhierville

Québec, le 22 septembre 2004

Municipalité régionale de comté : La Matapédia

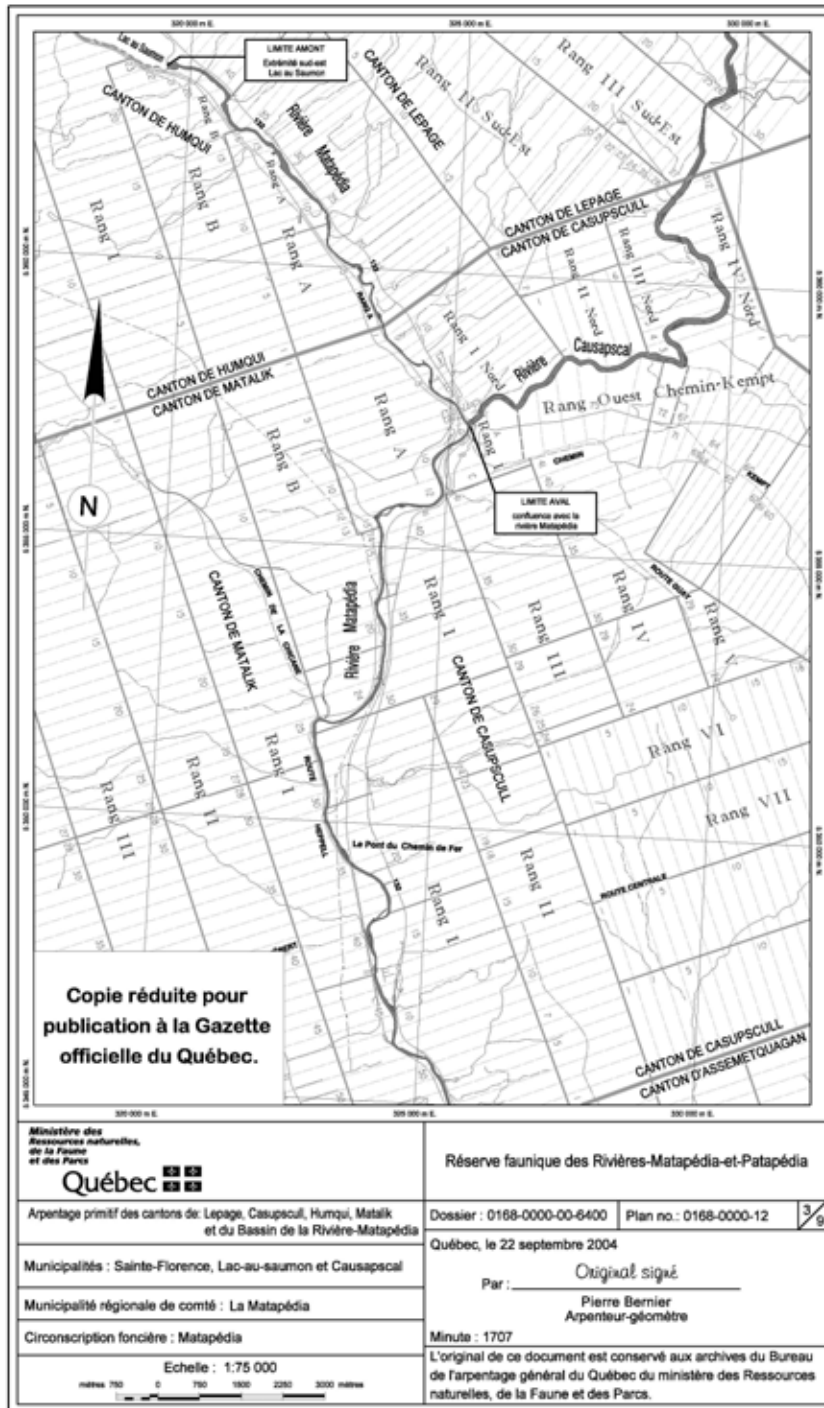
Par : Original signé  
Pierre Bernier  
Arpenteur-géomètre

Circonscription foncière : Matapédia

Minute : 1707

Echelle : 1:75 000  
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Arpentage primitif des cantons de: LePage, Casupscull, Humqui, Mataluk  
et du Bassin de la Rivière-Matapédia

Municipalités : Sainte-Florence, Lac-au-saumon et Causapscal

Municipalité régionale de comté : La Matapédia

Circonscription foncière : Matapédia

Echelle : 1:75 000

mètres 750 0 750 1500 2250 3000 mètres

Réserve faunique des Rivières-Matapédia-et-Patapédia

Dossier : 0168-0000-00-6400 | Plan no. : 0168-0000-12 | 3/9

Québec, le 22 septembre 2004

Original signé  
Par : \_\_\_\_\_  
Pierre Bernier  
Arpenteur-géomètre

Minute : 1707

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Réserve faunique des Rivières-Matapédia-et-Patapédia

Arpentage primitif des cantons de: Blais, Casault, Lepage,  
Casapscau, Humqui et du Bassin de la Rivière-Matapédia

Dossier : 0168-0000-00-6400 Plan no. : 0168-0000-12 4/9

Municipalités : Saint-Alexandre-des-lacs, Casapscau,  
Lac-Casault et Lac-au-saumon

Québec, le 22 septembre 2004

Original signé  
Par : \_\_\_\_\_  
Pierre Bernier  
Arpenteur-géomètre

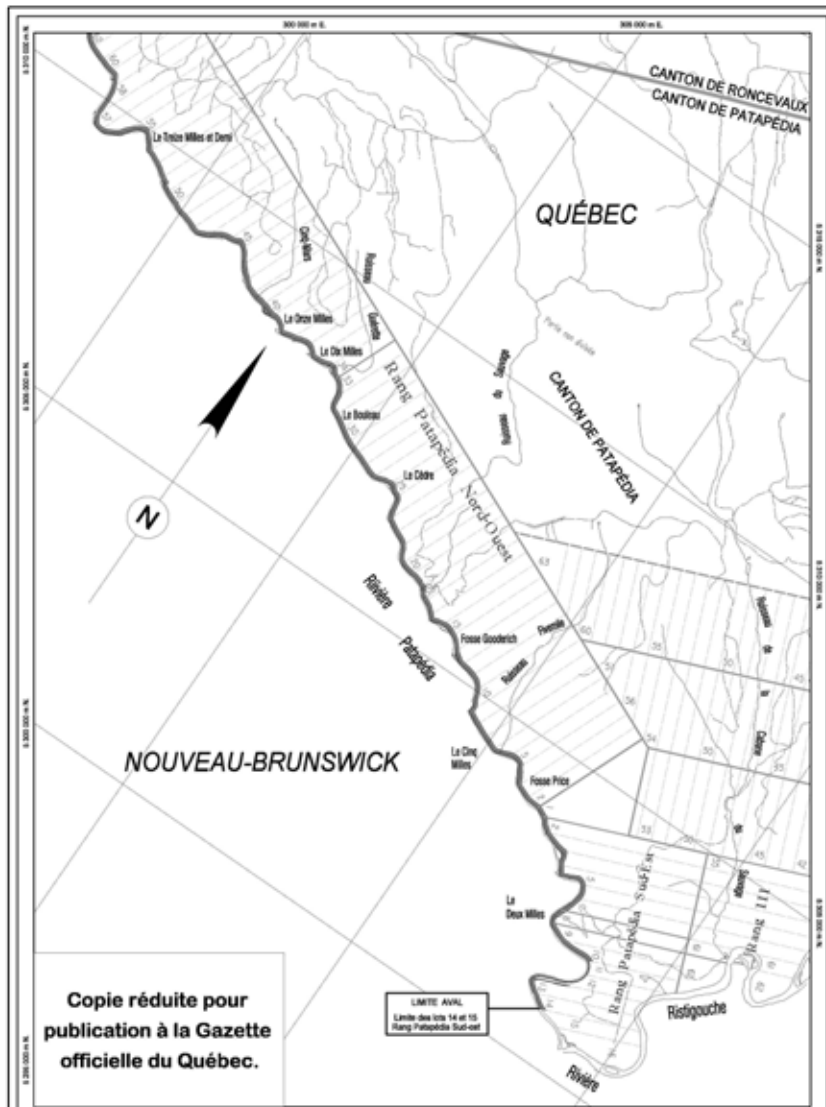
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Minute : 1707

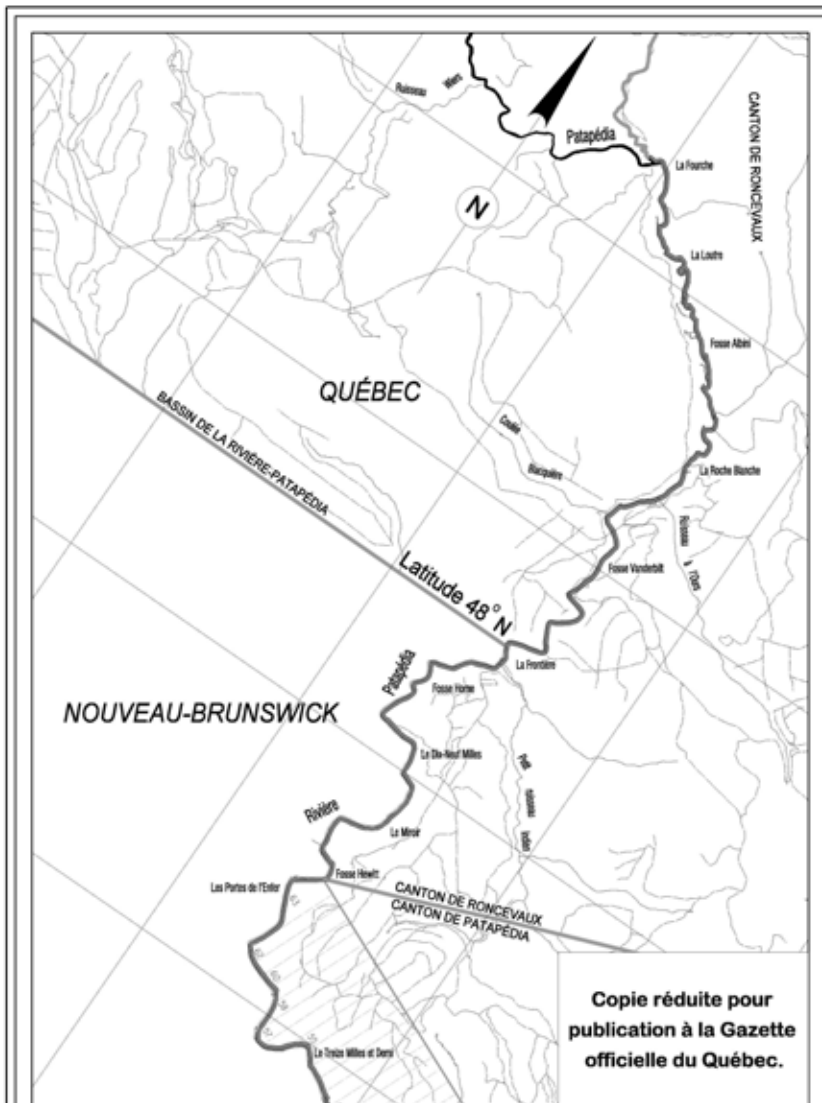
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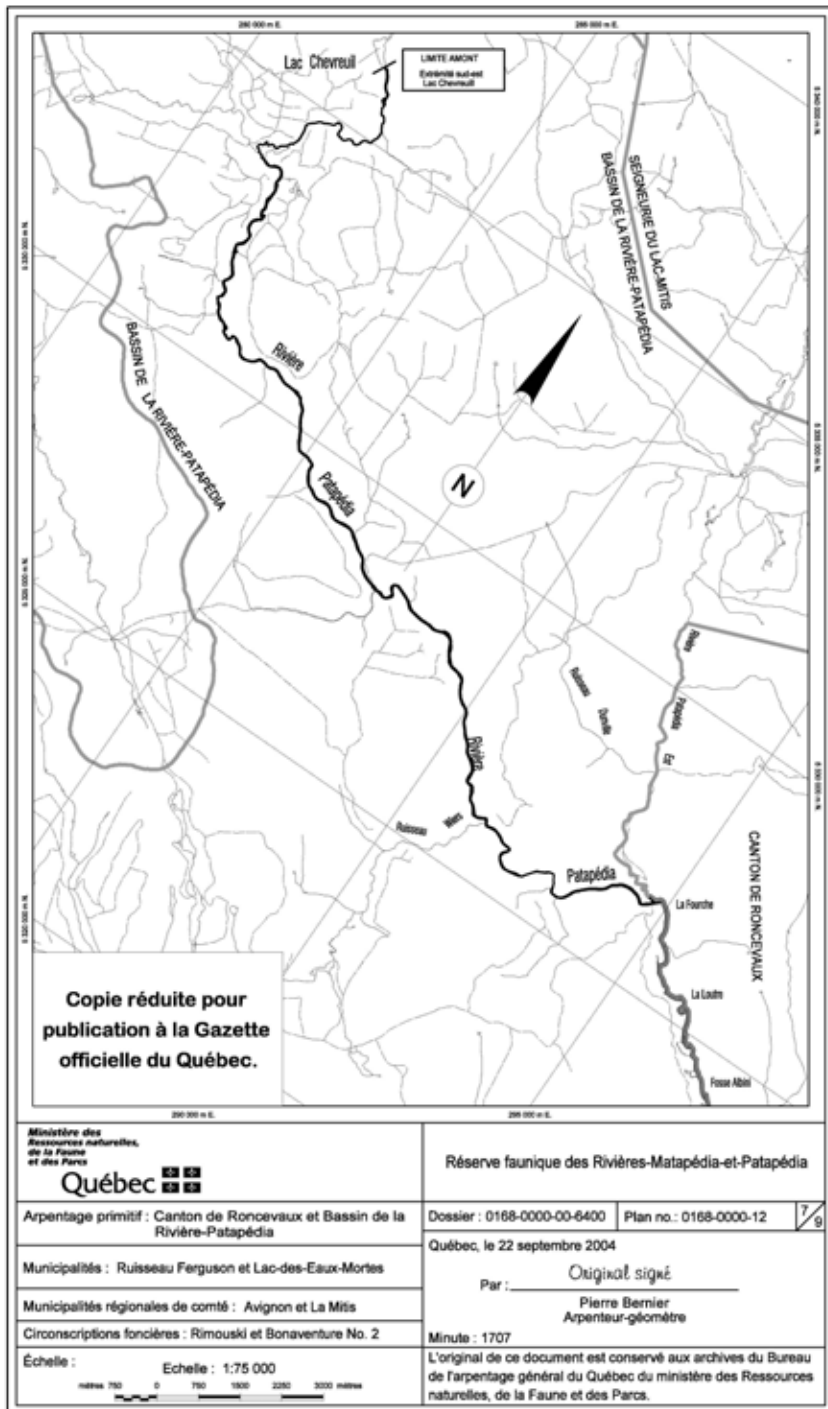


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Arpentage primitif : Canton de Patapédia		Dossier : 0168-0000-00-6400	Plan no. : 0168-0000-12
Municipalité : Ruisseau-Ferguson		Québec, le 22 septembre 2004	
Municipalité régionale de comté : Avignon		Par : <u>Pierre Bernier</u> Arpenteur-géomètre	
Circonscription foncière : Bonaventure No 2		Minute : 1707	
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<p>Arpentage primitif des cantons de : Patapédia, Roncevaux et du Bassin de la Rivière-Patapédia</p>	<p>Dossier : 0168-0000-00-6400</p>	<p>Plan no. : 0168-0000-12</p>
<p>Municipalités : Ruisseau Ferguson et Lac-des-Eaux-Mortes</p>	<p>Québec, le 22 septembre 2004</p>	
<p>Municipalités régionales de comté : Avignon et La Mitis</p>	<p>Original signé Par : _____ Pierre Bernier Arpenteur-géomètre</p>	
<p>Circonscriptions foncières : Rimouski et Bonaventure No. 2</p>	<p>Minute : 1707</p>	
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**Québec**

Arpentage primitif : Canton de Roncevaux et Bassin de la Rivière-Patapédia

Municipalités : Ruisseau Ferguson et Lac-des-Eaux-Mortes

Municipalités régionales de comté : Avignon et La Mitis

Circonscriptions foncières : Rimouski et Bonaventure No. 2

Échelle : Echelle : 1:75 000  
0 750 1500 2250 3000 mètres

Réserve faunique des Rivières-Matapédia-et-Patapédia

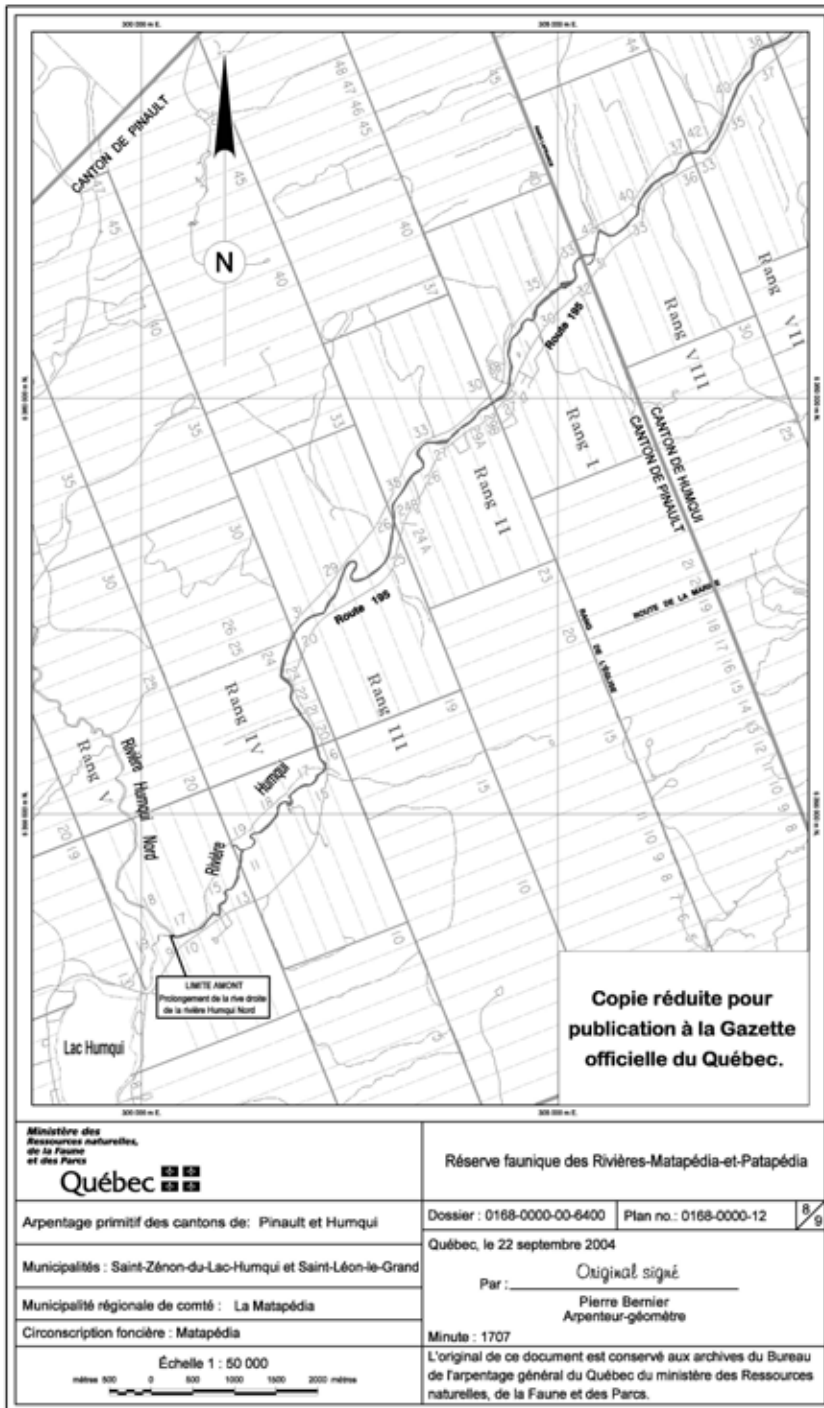
Dossier : 0168-0000-00-6400 Plan no. : 0168-0000-12 7/9

Québec, le 22 septembre 2004

Original signé  
Par : Pierre Bernier  
Arpenteur-géomètre

Minute : 1707

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**Québec**

Réserve faunique des Rivières-Matapédia-et-Patapédia

Arpentage primitif des cantons de: Pinault et Humqui

Dossier : 0168-0000-00-6400 Plan no. : 0168-0000-12 8/9

Municipalités : Saint-Zénon-du-Lac-Humqui et Saint-Léon-le-Grand

Québec, le 22 septembre 2004  
Par : Original signé  
Pierre Bernier  
Arpenteur-géomètre

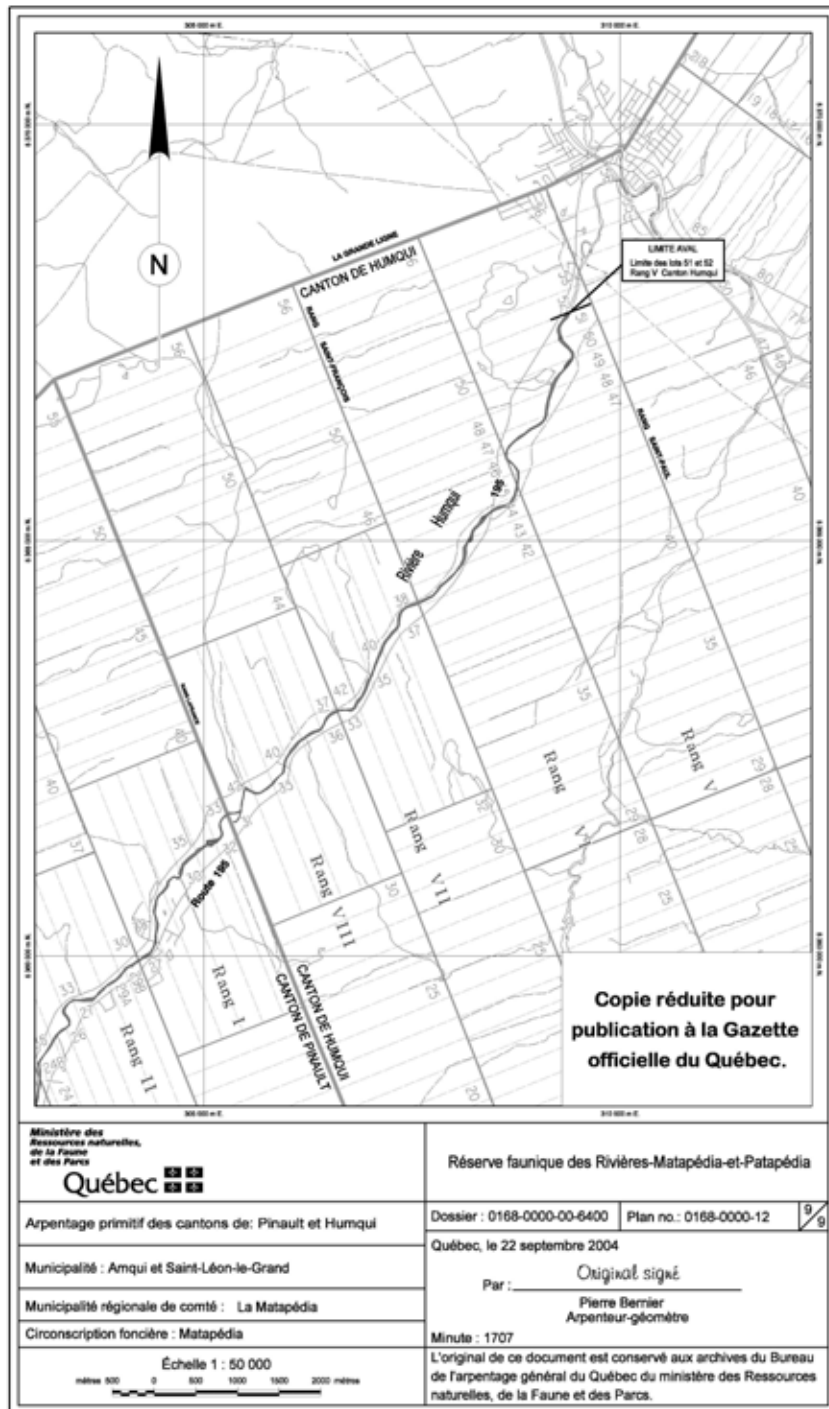
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Circonscription foncière : Matapédia

Minute : 1707



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**Québec**

Réserve faunique des Rivières-Matapédia-et-Patapédia

Arpentage primitif des cantons de: Pinault et Humqui

Dossier : 0168-0000-00-6400 Plan no. : 0168-0000-12

Municipalité : Amqui et Saint-Léon-le-Grand

Québec, le 22 septembre 2004

Municipalité régionale de comté : La Matapédia

Original signé  
Par : Pierre Bernier  
Arpenteur-géomètre

Circonscription foncière : Matapédia

Minute : 1707

Échelle 1 : 50 000  
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**M.O., 2007-01**

**Order number V-1.1-2007-01 of the Minister of Finance dated 6 March 2007**

Securities Act  
(R.S.Q., c. V-1.1)

CONCERNING the Regulation to amend National Instrument 21-101 Marketplace Operation

WHEREAS subparagraphs 1, 2, 3, 8, 9.1, 26, 32 and 34 of section 331.1 of the Securities Act (R.S.Q., c. V-1.1) stipulate that the Autorité des marchés financiers may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act stipulate that a draft regulation shall be published in the Bulletin of the Authority, accompanied with the notice required under section 10 of the Regulations Act (R.S.Q., c. R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section stipulate that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;

WHEREAS the draft Regulation to amend National Instrument 21-101 Marketplace Operation was published in the Bulletin concerning securities of the Autorité des marchés financiers, volume 3, No. 28 of July 14, 2006;

WHEREAS on February 14, 2007, by the decision No. 2007-PDG-0046, the Authority made the Regulation to amend National Instrument 21-101 Marketplace Operation;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend National Instrument 21-101 Marketplace Operation appended hereto.

March 6, 2007

MICHEL AUDET,  
*Minister of Finance*

## **Regulation to amend National Instrument 21-101 Marketplace Operation**

Securities Act  
(R.S.Q., c. V-1.1, s. 331.1, par. (1), (2), (3), (8), (9.1), (26), (32) and (34))

**1.** The title of National Instrument 21-101 Marketplace Operation is replaced with the following:

“Regulation 21-101 respecting Marketplace Operation”.

**2.** Section 1.1 of the National Instrument is amended:

(1) by replacing the word “Instrument” with the word “Regulation” in the introductory paragraph;

(2) by replacing the word “Instrument” with the word “Regulation” in the definition of “information processor”;

(3) by deleting the definitions of “market integrator” and “NI 23-101”;

(4) by replacing, in the definition of “exchange-traded security”, the words “Instrument and NI 23-101” with the words “Regulation and Regulation 23-101 respecting Trading Rules adopted by the Commission des valeurs mobilières du Québec pursuant to decision No. 2001-C-0411 dated August 28, 2001”;

(5) by replacing the definition of “government debt security” with the following:

““government debt security” means

(a) a debt security issued or guaranteed by the government of Canada, or any province or territory of Canada,

(b) a debt security issued or guaranteed by any municipal corporation in Canada, or secured by or payable out of rates or taxes levied under the law of a jurisdiction of Canada on property in the jurisdiction and to be collected by or through the municipality in which the property is situated,

(c) a debt security of a crown corporation,

(d) in Ontario, a debt security of any school board in Ontario or of a corporation established under section 248(1) of the Education Act (R.S.O. 1990, c. E.2) of Ontario, or

(e) in Québec, a debt security of the Comité de gestion de la taxe scolaire de l’Île de Montréal

that is not listed on a recognized exchange or quoted on a recognized quotation and trade reporting system or listed on an exchange or quoted on a quotation and trade reporting system that has been recognized for the purposes of this Regulation and Regulation 23-101 respecting Trading Rules;”;

(6) by replacing, in the definition of “corporate debt security”, the words “Instrument and NI 23-101” with the words “Regulation and Regulation 23-101 respecting Trading Rules”.

**3.** Section 6.2 of the National Instrument is replaced by the following:

**“6.2 Registration Exemption Not Available**

Except as provided in this Instrument, the registration exemptions applicable to dealers under securities legislation are not available to an ATS.”.

**4.** The National Instrument is amended by inserting the following after section 6.12:

**“6.13 Access Requirements**

An ATS shall

(a) establish written standards for granting access to trading on it;

(b) not unreasonably prohibit, condition or limit access by a person or company to services offered by it; and

(c) keep records of

(i) each grant of access, including, for each subscriber, the reasons for granting access to an applicant, and

(ii) each denial or limitation of access, including the reasons for denying or limiting access to an applicant.”.

**5.** The title of Part 7 and sections 7.1 to 7.4 of the National Instrument are replaced with the following:

**“PART 7 INFORMATION TRANSPARENCY REQUIREMENTS FOR MARKETPLACES DEALING IN EXCHANGE-TRADED SECURITIES AND FOREIGN EXCHANGE-TRADED SECURITIES**

**7.1 Pre-Trade Information Transparency – Exchange-Traded Securities**

(1) A marketplace that displays orders of exchange-traded securities to a person or company shall provide accurate and timely information regarding orders for the exchange-traded securities displayed on the marketplace to an information processor as required by the information processor or, if there is no information processor, to an information vendor that meets the standards set by a regulation services provider.

(2) Subsection (1) does not apply if the marketplace only displays orders to its employees or to persons or companies retained by the marketplace to assist in the operation of the marketplace.

**7.2 Post-Trade Information Transparency – Exchange-Traded Securities**

A marketplace shall provide accurate and timely information regarding trades for exchange-traded securities executed on the marketplace to an information processor as required by the information processor or, if there is no information processor, to an information vendor that meets the standards set by a regulation services provider.

**7.3 Pre-Trade Information Transparency – Foreign Exchange-Traded Securities**

(1) A marketplace that displays orders of foreign exchange-traded securities to a person or company shall provide accurate and timely information regarding orders for the foreign exchange-traded securities displayed on the marketplace to an information vendor.

(2) Subsection (1) does not apply if the marketplace only displays orders to its employees or to persons or companies retained by the marketplace to assist in the operation of the marketplace.

**7.4 Post-trade Information Transparency – Foreign Exchange-Traded Securities**

A marketplace shall provide accurate and timely information regarding trades for foreign exchange-traded securities executed on the marketplace to an information vendor.”.

**6.** Section 7.5 of the National Instrument is replaced by the following:



### 7.5 Consolidated Feed – Exchange-Traded Securities

An information processor shall produce an accurate and timely consolidated feed showing the information provided to the information processor under sections 7.1 and 7.2.

### 7.6 Compliance with Requirements of an Information Processor

A marketplace shall comply with the reasonable requirements of the information processor to which it is required to provide information under this Part.”

**7.** Section 8.1 of the National Instrument is replaced with the following:

(1) by replacing the title with the following:

#### “8.1 Pre-Trade and Post-Trade Information Transparency Requirements – Government Debt Securities”;

(2) by replacing the paragraph 1 with the following:

“(1) A marketplace that displays orders of government debt securities to a person or company shall provide to an information processor accurate and timely information regarding orders for government debt securities displayed on the marketplace as required by the information processor.

(2) Subsection (1) does not apply if the marketplace only displays orders to its employees or to persons or companies retained by the marketplace to assist in the operation of the marketplace.

(3) A marketplace shall provide to an information processor accurate and timely information regarding details of trades of government debt securities executed on the marketplace as required by the information processor.

(4) An inter-dealer bond broker shall provide to an information processor accurate and timely information regarding orders for government debt securities executed through the inter-dealer bond broker as required by the information processor.

(5) An inter-dealer bond broker shall provide to an information processor accurate and timely information regarding details of trades of government debt securities executed through the inter-dealer bond broker as required by the information processor.”;

(3) by replacing, in the French text of the paragraph 2 “employés” with “salaries”.

**8.** Section 8.2 of the National Instrument is amended:

(1) by replacing the title with the following:

#### “8.2 Pre-Trade and Post-Trade Information Transparency Requirements - Corporate Debt Securities”;

(2) by replacing the paragraph with the following:

“(1) A marketplace that displays orders of corporate debt securities to a person or company shall provide accurate and timely information regarding orders for designated corporate debt securities displayed on the marketplace to an information processor, as required by the information processor, or if there is no information processor, to an information vendor that meets the standards set by a regulation services provider, as required by the regulation services provider.”;

(3) by adding the following paragraphs:

“(2) Subsection (1) does not apply if the marketplace only displays orders to its employees or to persons or companies retained by the marketplace to assist in the operation of the marketplace.

(3) A marketplace shall provide accurate and timely information regarding details of trades of designated corporate debt securities executed on the marketplace to an information processor, as required by the information processor, or if there is no information processor, to an information vendor that meets the standards set by a regulation services provider, as required by the regulation services provider.

(4) An inter-dealer bond broker shall provide accurate and timely information regarding details of trades of designated corporate debt securities executed through the inter-dealer bond broker to an information processor, as required by the information processor, or if there is no information processor, to an information vendor that meets the standards set by a regulation services provider, as required by the regulation services provider.

(5) A dealer executing trades of corporate debt securities outside of a marketplace shall provide accurate and timely information regarding details of trades of designated corporate debt securities traded by or through the dealer to an information processor, as required by the information processor, or if there is no information processor, to an information vendor that meets the standards set by a regulation services provider, as required by the regulation services provider.”.

**9.** The National Instrument is amended by replacing sections 8.3 through 8.7 with the following:

**“8.3 Consolidated Feed — Unlisted Debt Securities**

An information processor shall produce a consolidated feed in real-time showing the information provided to the information processor under sections 8.1 and 8.2.

**8.4 Compliance with Requirements of an Information Processor**

A marketplace, inter-dealer bond broker or dealer that is subject to this Part shall comply with the reasonable requirements of the information processor to which it is required to provide information under this Part.

**8.5 Reporting Requirements for the Information Processor**

(1) The information processor shall report, within 30 days after the end of each calendar quarter, the process and criteria for selection of government debt securities, as applicable, and designated corporate debt securities and the list of government debt securities, as applicable, and designated corporate debt securities.

(2) The information processor shall report, within 30 days after the end of each calendar year, the process to communicate the designated securities to the marketplaces, inter-dealer bond brokers and dealers providing the information as required by the Instrument, including where the list of designated securities can be found.

**8.6 Exemption for Government Debt Securities**

Section 8.1 does not apply until January 1, 2012.”.

**10.** The title of Part 9 and sections 9.1 to 9.4 of the National Instrument are repealed.

**11.** Sections 10.1 and 10.2 of the National Instrument are replaced with the following:

**“10.1 Disclosure of Transaction Fees by Marketplaces**

A marketplace shall make its schedule of transaction fees publicly available.”.

**12.** Paragraph (1) of section 11.2 of the National Instrument is amended:

(1) in subparagraph (c):

(a) by deleting subparagraphs (xii), (xvi) and (xviii);

(b) by replacing, in subparagraph (xvii) of the English text, “,” with “; and”;

(2) in subparagraph (viii) of subparagraph (d), by replacing the words “the market integrator or any other marketplace” with the words “an information vendor or a marketplace”.

**13.** Section 11.2 of the National Instrument is amended by replacing paragraph (2) with the following:

“(2) A marketplace shall transmit to a securities regulatory authority or a regulation services provider, if it has entered into an agreement with a regulation services provider in accordance with NI 23-101, the information required by the securities regulatory authority or the regulation services provider, within ten business days, in electronic form as required by the securities regulatory authority or regulation services provider.

(3) The record kept by a marketplace under section 11.1 and subsection (1) and the transmission of information to a securities regulatory authority or a regulation services provider under subsection (2) shall be in electronic form as prescribed by a securities regulatory authority or a regulation services provider.”.

**14.** Section 11.3 of the National Instrument is amended by inserting, in subparagraph (b) of paragraph (1), “or 6.13” after “section 5.1”.

**15.** The National Instrument is amended by inserting the following after section 12.2:

**“12.3 Availability of Technology Specifications and Testing Facilities**

(1) For at least two months immediately prior to operating, a marketplace shall make available to the public any technology requirements regarding interfacing with or access to the marketplace.

(2) After the technology requirements set out in subsection (1) have been published, a marketplace shall make available to the public, for at least one month, testing facilities for interfacing with and access to the marketplace.”.

**16.** Appendix A to the National Instrument is repealed.

**17.** Form 21-101F1 of the National Instrument is amended:

(1) by deleting the following after Item 11:

“THE FILER CONSENTS TO HAVING THE INFORMATION ON THIS FORM AND ATTACHED EXHIBITS PUBLICLY AVAILABLE.”;

(2) by replacing, in the second paragraph of the part entitled “EXHIBITS”, the words “National Instrument 21-101” with the words “Regulation 21-101 respecting Marketplace Operation”;

(3) by replacing, in paragraph 5 of the subsection entitled “Exhibit E” of section 1, the words “National Instrument 21-101 Marketplace Operation” with the words “Regulation 21-101 respecting Marketplace Operation”;

(4) by replacing, in the subsection entitled “Exhibit R” of section 7, the words “National Instrument 23-101” with the words “Regulation 23-101 respecting Trading Rules”.

**18.** Form 21-101F2 of the National Instrument is amended:

(1) by deleting the following after paragraph L:

“THE FILER CONSENTS TO HAVING THE INFORMATION ON THIS FORM AND ATTACHED EXHIBITS PUBLICLY AVAILABLE.”;

(2) by replacing, in the second paragraph of the part entitled “EXHIBITS”, the words “National Instrument 21-101” with the words “Regulation 21-101 respecting Marketplace Operation”;

(3) by inserting the following at the end of paragraph 5 of the subsection entitled “Exhibit G”:

“Where applicable, the description should include, at a minimum: the parties involved in settling the trades; the trades being settled; and the procedures to manage counterparty and settlement risk.”;

(4) by replacing, in the subsection entitled “Exhibit N”, the words “National Instrument 21-101” with the words “Regulation 21-101 respecting Marketplace Operation”.

**19.** Forms 21-101F3 and 21-101F4 of the National Instrument are amended by deleting the following:

“THE FILER CONSENTS TO HAVING THE INFORMATION ON THIS FORM AND ATTACHED EXHIBITS PUBLICLY AVAILABLE.”.

**20.** Form 21-101F5 of the National Instrument is amended:

(1) by deleting the following after Item 12:

“THE FILER CONSENTS TO HAVING THE INFORMATION ON THIS FORM AND ATTACHED EXHIBITS PUBLICLY AVAILABLE.”;

(2) by replacing, in the second paragraph of the part entitled “EXHIBITS”, the words “National Instrument 21-101” with the words “Regulation 21-101 respecting Marketplace Operation”;

(3) in part 1:

(a) by inserting the following at the end of the subsection entitled “Exhibit A”:

“identifying the processes and procedures which promote independence from the marketplaces, inter-dealer bond brokers and dealers that provide data”;

(b) by inserting, in the subsection entitled “Exhibit C”, the following after “the previous year”:

“identifying those individuals with overall responsibility for the integrity and timeliness of data reported to and displayed by the system (the “System”) of the information processor.”;

(c) by inserting the following at the end of the first sentence of the subsection entitled “Exhibit E”:

“identifying the employees responsible for monitoring the timeliness and integrity of data reported to and displayed by the System.”;

(4) in part 2:

(a) by replacing “the system (the “System”) of the information processor” with “the System” in the subsection entitled “Exhibit G”;

(b) by replacing, in the subsection entitled “Exhibit G” of section 2, the words “National Instruments 21-101 and 23-101” with the words “Regulation 21-101 respecting Marketplace Operation and Regulation 23-101 respecting Trading Rules”;

(c) by inserting the following at the end of paragraph 2 of the subsection entitled “Exhibit G”:

“including data validation processes”;

(d) by replacing the subsection entitled “Exhibit H” with the following:

“A description in narrative form of each service or function performed by the information processor. Include a description of all procedures utilized for the collection, processing, distribution, validation and publication of information with respect to orders and trades in securities.”;

(e) by replacing, in the subsection entitled “Exhibit J”, the last sentence with the following:

“Describe any measures used to verify the timeliness and accuracy of information received and disseminated by the System, including the processes to resolve data integrity issues identified.”;

(5) by replacing, in the French text of the subsection entitled “Exhibit N” of part 3, “de recettes” with “des produits”;

(6) in part 4:

(a) by replacing the heading with the following:

**“4. Fees and Revenue Sharing”;**

(b) by inserting the following at the end of the subsection entitled “Exhibit O”:

“Where arrangements to share revenue from the sale of data disseminated by the information processor with marketplaces, inter-dealer bond brokers and dealers that provide data to the information processor in accordance with Regulation 21-101 respecting Marketplace Operation are in place, a complete description of the arrangements and the basis for these arrangements.”;

(7) by adding the following after part 5:

**“6. Selection of Securities Reported to the Information Processor**

**Exhibit T**

Where the information processor is responsible for making a determination of the data which must be reported, including the securities for which information must be reported in accordance with Regulation 21-101 respecting Marketplace Operation, describe the manner of selection and communication of these securities. This description should include the following:

1. The criteria used to determine which securities should be reported to the information processor.

2. The process for selection of the securities, including a description of the parties consulted in the process and the frequency of the selection process.

3. The process to communicate the securities selected to the marketplaces, inter-dealer bond brokers and dealers providing the information as required by Regulation 21-101 respecting Marketplace Operation. The description should include where this information is located.”.

**21.** Form 21-101F6 of the National Instrument is amended by deleting the following:

“THE FILER CONSENTS TO HAVING THE INFORMATION ON THIS FORM AND ATTACHED EXHIBITS PUBLICLY AVAILABLE.”.

**22.** The National Instrument is amended by replacing, everywhere they appear, the words “this Instrument” with the words “this Regulation”, and making the necessary changes.

**23.** The National Instrument is amended by replacing, everywhere they appear, the words “NI 23-101” with the words “Regulation 23-101 respecting Trading Rules”, and making the necessary changes.

**24.** This Regulation comes into force on the day of its publication in the *Gazette officielle du Québec*.

8069

**M.O., 2007-02**

**Order number V-1.1-2007-02 of the Minister of Finance dated 6 March 2007**

Securities Act  
(R.S.Q., c. V-1.1)

CONCERNING the Regulation to amend National Instrument 23-101 Trading Rules

WHEREAS subparagraphs 2, 3, 8, 9.1, 11, 15, 26, 32 and 34 of section 331.1 of the Securities Act (R.S.Q., c. V-1.1) stipulate that the Autorité des marchés financiers may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act stipulate that a draft regulation shall be published in the Bulletin of the Authority, accompanied with the notice required under section 10 of the Regulations Act (R.S.Q., c. R-18.1) and may not

be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section stipulate that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;

WHEREAS the draft Regulation to amend National Instrument 23-101 Trading Rules was published in the Bulletin concerning securities of the Autorité des marchés financiers, volume 3, No. 28 of July 14, 2006;

WHEREAS on February 14, 2007, by the decision No. 2007-PDG-0047, the Authority made the Regulation to amend National Instrument 23-101 Trading Rules;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend National Instrument 23-101 Trading Rules appended hereto.

March 6, 2007

MICHEL AUDET,  
*Minister of Finance*

## Regulation to amend National Instrument 23-101 Trading Rules

Securities Act  
(R.S.Q., c. V-1.1, s. 331.1, par. (2), (3), (8), (9.1), (11), (15), (26), (32) and (34))

**1.** The title of National Instrument 23-101 Trading Rules is replaced with the following:

“Regulation 23-101 respecting Trading Rules”.

**2.** Section 1.1 of the National Instrument is repealed.

**3.** Section 1.2 of the National Instrument is replaced with the following:

“**1.2 Interpretation** - Terms defined or interpreted in Regulation 21-101 respecting Marketplace Operation, adopted by the Commission des valeurs mobilières du Québec pursuant to decision No. 2001-C-0409 dated August 28, 2001, and used in this Regulation have the respective meanings ascribed to them in Regulation 21-101 respecting Marketplace Operation.”.

**4.** Section 2.1 of the National Instrument is amended by replacing the word “Instrument” with the word “Regulation” and the words “the rules, policies and other similar instruments” with the words “similar requirements”.

**5.** Section 3.1 of the National Instrument is amended by replacing paragraph (2) with the following:

“(2) In Alberta, British Columbia, Ontario, Québec and Saskatchewan, instead of subsection (1), the provisions of the Securities Act (R.S.A. 2000, c. S-4), the Securities Act (R.S.B.C. 1996, ch. 418), the Securities Act (R.S.O. 1990, c. S.5), the Securities Act (R.S.Q., c.V-V-1.1) and The Securities Act, 1988 (S.S. 1988-89, c. S-42.2), respectively, relating to manipulation and fraud apply.”.

**6.** Section 7.2 of the National Instrument is amended by replacing, in paragraph (a), “recognized exchange and its members” with “members of a recognized exchange”.

**7.** Section 7.4 of the National Instrument is amended by replacing, in paragraph (a), “recognized quotation and trade reporting system and its users” with “users of a recognized quotation and trade reporting system”.

**8.** Section 8.4 of the National Instrument is amended by inserting, in paragraph (c), the words “in its capacity as a regulation services provider” after the words “orders or directions made by the regulation services provider”.

**9.** Section 8.5 of the National Instrument is repealed.

**10.** Section 9.3 of the National Instrument is amended by deleting paragraph (2).

**11.** Section 10.3 of the National Instrument is repealed.

**12.** Section 11.1 of the National Instrument is amended:

(1) by inserting “1)” before the words “Application of this part”;

(2) by inserting the following paragraph:

“(2) A dealer or inter-dealer bond broker is exempt from this Part if the dealer or inter-dealer bond broker complies with similar requirements, for any securities specified, established by a regulation services provider and approved by the applicable securities regulatory authority.”.

**13.** Section 11.2 of the National Instrument is amended:

(1) in paragraph 1:

(a) by replacing “for securities” with “for equity, fixed income and other securities identified by a regulation services provider”;

(b) by inserting the following subparagraphs at the end and making the necessary changes:

“(r) an insider marker; and

(s) any other markers required by a regulation services provider.”;

(2) by replacing paragraphs (5) and (6) with the following:

“(5) **Transmittal of Order Information** – A dealer and inter-dealer bond broker shall record and shall transmit within 10 business days to a securities regulatory authority or a regulation services provider the information required by the securities regulatory authority or the regulation services provider, in electronic form, as required by the securities regulatory authority or the regulation services provider.

(6) **Electronic Form** – The record kept by the dealer and inter-dealer bond broker under subsections (1) through (4) and the transmission of information to a securities regulatory authority or a regulation services provider under subsection (5) shall be in electronic form by January 1, 2010.

(7) **Record preservation requirements** – A dealer and an inter-dealer bond broker shall keep all records for a period of not less than seven years from the creation of the record referred to in this section, and for the first two years in a readily accessible location.”.

**14.** The National Instrument is amended by replacing, everywhere they appear, the words “this Instrument” with the words “this Regulation”, and making the necessary changes.

**15.** The National Instrument is amended by replacing, everywhere they appear, the words “NI 21-101” with the words “Regulation 21-101”, and making the necessary changes.

**16.** This Regulation comes into force on the day of its publication in the *Gazette officielle du Québec*.

**M.O., 2007-03**

**Order number V-1.1-2007-03 of the Minister of Finance dated 6 March 2007**

Securities Act  
(R.S.Q., c. V-1.1; 2006, c. 50)

CONCERNING Regulation 24-101 respecting institutional trade matching and settlement

WHEREAS subparagraphs 1, 8, 9.1, 11, 26, 32 and 34 of section 331.1 and section 333 of the Securities Act (R.S.Q., c. V-1.1) stipulate that the Autorité des marchés financiers may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act stipulate that a draft regulation shall be published in the Bulletin of the Authority, accompanied with the notice required under section 10 of the Regulations Act (R.S.Q., c. R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section stipulate that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;

WHEREAS the draft Regulation 24-101 respecting institutional trade matching and settlement was published in the Bulletin concerning securities of the Autorité des marchés financiers, volume 3, No. 9 of March 3, 2006;

WHEREAS on March 6, 2007, by the decision No. 2007-PDG-0055, the Authority made Regulation 24-101 respecting institutional trade matching and settlement;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment Regulation 24-101 respecting institutional trade matching and settlement appended hereto.

March 6, 2007

MICHEL AUDET,  
*Minister of Finance*

## Regulation 24-101 respecting institutional trade matching and settlement

Securities Act  
(R.S.Q., c. V-1.1, s. 331.1, par. (1), (8), (9.1), (11), (26), (32) and (34) and s. 333; 2006, c. 50)

### PART 1 DEFINITIONS AND INTERPRETATION

#### 1.1. Definitions

In this Regulation,

“clearing agency” means,

(a) in Ontario, a clearing agency recognized by the securities regulatory authority under section 21.2 of the Ontario Securities Act (R.S.O. 1990, c. S.5),

(b) in Quebec, a clearing house for securities authorized by the securities regulatory authority, and

(c) in every other jurisdiction, an entity that is carrying on business as a clearing agency in the jurisdiction;

“custodian” means a person that holds securities for the benefit of another under a custodial agreement or other custodial arrangement;

“DAP/RAP trade” means a trade

(a) executed for a client trading account that permits settlement on a delivery against payment or receipt against payment basis through the facilities of a clearing agency, and

(b) for which settlement is made on behalf of the client by a custodian other than the dealer that executed the trade;

“institutional investor” means an investor that has been granted DAP/RAP trading privileges by a dealer;

“marketplace” has the same meaning as in National Instrument 21-101 *Marketplace Operation* adopted by the *Commission des valeurs mobilières du Québec* pursuant to decision No. 2001-C-0409 dated August 28, 2001;

“matching service utility” means a person that provides centralized facilities for matching, but does not include a clearing agency;

“trade-matching agreement” means, for trades executed with or on behalf of an institutional investor, a written agreement entered into among trade-matching parties setting out the roles and responsibilities of the trade-matching parties in matching those trades and including, without limitation, a term by which the trade-matching parties agree to establish, maintain and enforce policies and procedures designed to achieve matching as soon as practical after a trade is executed;

“trade-matching party” means, for a trade executed with or on behalf of an institutional investor,

(a) a registered adviser acting for the institutional investor in the trade,

(b) if a registered adviser is not acting for the institutional investor in the trade, the institutional investor,

(c) a registered dealer executing or clearing the trade, or

(d) a custodian of the institutional investor settling the trade;

“trade-matching statement” means, for trades executed with or on behalf of an institutional investor, a signed written statement of a trade-matching party confirming that it has established, maintains and enforces policies and procedures designed to achieve matching as soon as practical after a trade is executed;

“T” means the day on which a trade is executed;

“T+1” means the next business day following the day on which a trade is executed;

“T+2” means the second business day following the day on which a trade is executed;

“T+3” means the third business day following the day on which a trade is executed.

#### 1.2. Interpretation — trade matching and Eastern Time

(1) In this Regulation, matching is the process by which

(a) the details and settlement instructions of an executed DAP/RAP trade are reported, verified, confirmed and affirmed or otherwise agreed to among the trade-matching parties, and

(b) unless the process is effected through the facilities of a clearing agency, the matched details and settlement instructions are reported to a clearing agency.

(2) Unless the context otherwise requires, a reference in this Regulation to

(a) a time is to Eastern Time, and

(b) a day is to a twenty-four hour day beginning at midnight Eastern Time.

## **PART 2** **APPLICATION**

### **2.1. This Regulation does not apply to**

(a) a trade in a security of an issuer that has not been previously issued or for which a prospectus is required to be sent or delivered to the purchaser under securities legislation,

(b) a trade in a security to the issuer of the security,

(c) a trade made in connection with a take-over bid, issuer bid, amalgamation, merger, reorganization, arrangement or similar transaction,

(d) a trade made in accordance with the terms of conversion, exchange or exercise of a security previously issued by an issuer,

(e) a trade that is a securities lending, repurchase, reverse repurchase or similar financing transaction,

(f) a trade to which Regulation 81-102 Mutual Funds, adopted by the *Commission des valeurs mobilières du Québec* pursuant to decision No. 2001-C-0209 dated May 22, 2001, applies,

(g) a trade to be settled outside Canada,

(h) a trade in an option, futures contract or similar derivative, or

(i) a trade in a negotiable promissory note, commercial paper or similar short-term debt obligation that, in the normal course, would settle in Canada on T.

## **PART 3** **TRADE MATCHING REQUIREMENTS**

### **3.1. Matching deadlines for registered dealer**

(1) A registered dealer shall not execute a DAP/RAP trade with or on behalf of an institutional investor unless

the dealer has established, maintains and enforces policies and procedures designed to achieve matching as soon as practical after such a trade is executed and in any event no later than the end of T.

(2) Despite subsection (1), the dealer may adapt its policies and procedures to permit matching to occur no later than the end of T+1 for a DAP/RAP trade that results from an order to buy or sell securities received from an institutional investor whose investment decisions are usually made in and communicated from a geographical region outside of the western hemisphere.

### **3.2. Pre-DAP/RAP trade execution documentation requirement for dealers**

A registered dealer shall not open an account to execute a DAP/RAP trade for an institutional investor or accept an order to execute a DAP/RAP trade for the account of an institutional investor unless each trade-matching party has either

(a) entered into a trade-matching agreement with the dealer, or

(b) provided a trade-matching statement to the dealer.

### **3.3. Matching deadlines for registered adviser**

(1) A registered adviser shall not give an order to a dealer to execute a DAP/RAP trade on behalf of an institutional investor unless the adviser has established, maintains and enforces policies and procedures designed to achieve matching as soon as practical after such a trade is executed and in any event no later than the end of T.

(2) Despite subsection (1), the adviser may adapt its policies and procedures to permit matching to occur no later than the end of T+1 for a DAP/RAP trade that results from an order to buy or sell securities received from an institutional investor whose investment decisions are usually made in and communicated from a geographical region outside of the western hemisphere.

### **3.4. Pre-DAP/RAP trade execution documentation requirement for advisers**

A registered adviser shall not open an account to execute a DAP/RAP trade for an institutional investor or give an order to a dealer to execute a DAP/RAP trade for the account of an institutional investor unless each trade-matching party has either

(a) entered into a trade-matching agreement with the adviser, or



(b) provided a trade-matching statement to the adviser.

#### **PART 4 REPORTING REQUIREMENT FOR REGISTRANTS**

##### **4.1. Exception report of DAP/RAP trade reporting and matching**

A registrant shall deliver Form 24-101F1 to the securities regulatory authority no later than 45 days after the end of a calendar quarter if

(a) less than 95 percent of the DAP/RAP trades executed by or for the registrant during the quarter matched within the time required in Part 3, or

(b) the DAP/RAP trades executed by or for the registrant during the quarter that matched within the time required in Part 3 represent less than 95 percent of the aggregate value of the securities purchased and sold in those trades.

#### **PART 5 REPORTING REQUIREMENTS FOR CLEARING AGENCIES**

##### **5.1. Quarterly operations report of institutional trade reporting and matching**

A clearing agency through which trades governed by this Regulation are cleared and settled shall deliver Form 24-101F2 to the securities regulatory authority no later than 30 days after the end of a calendar quarter.

#### **PART 6 REQUIREMENTS FOR MATCHING SERVICE UTILITIES**

##### **6.1. Initial information reporting**

(1) A person shall not carry on business as a matching service utility unless

(a) the person has delivered Form 24-101F3 to the securities regulatory authority, and

(b) at least 90 days have passed since the person delivered Form 24-101F3.

(2) During the 90 day period referred to in subsection (1), if there is a significant change to the information in the delivered Form 24-101F3, the person shall inform the securities regulatory authority in writing immediately of that significant change by delivering an amendment to Form 24-101F3 in the manner set out in Form 24-101F3.

##### **6.2. Anticipated change to operations**

At least 45 days before implementing a significant change to any item set out in Form 24-101F3, a matching service utility shall deliver an amendment to the information in the manner set out in Form 24-101F3.

##### **6.3. Ceasing to carry on business as a matching service utility**

(1) If a matching service utility intends to cease carrying on business as a matching service utility, it shall deliver a report on Form 24-101F4 to the securities regulatory authority at least 30 days before ceasing to carry on that business.

(2) If a matching service utility involuntarily ceases to carry on business as a matching service utility, it shall deliver a report on Form 24-101F4 as soon as practical after it ceases to carry on that business.

##### **6.4. Ongoing information reporting and record keeping**

(1) A matching service utility shall deliver Form 24-101F5 to the securities regulatory authority no later than 30 days after the end of a calendar quarter.

(2) A matching service utility shall keep such books, records and other documents as are reasonably necessary to properly record its business.

##### **6.5. System requirements**

For all of its core systems supporting trade matching, a matching service utility shall

(a) consistent with prudent business practice, on a reasonably frequent basis, and, in any event, at least annually,

(i) make reasonable current and future capacity estimates,

(ii) conduct capacity stress tests of those systems to determine the ability of the systems to process transactions in an accurate, timely and efficient manner,

(iii) implement reasonable procedures to review and keep current the testing methodology of those systems,

(iv) review the vulnerability of those systems and data centre computer operations to internal and external threats, including breaches of security, physical hazards and natural disasters, and

(v) maintain adequate contingency and business continuity plans;

(b) annually cause to be performed an independent review and written report, in accordance with generally accepted auditing standards, of the stated internal control objectives of those systems; and

(c) promptly notify the securities regulatory authority of a material failure of those systems.

## **PART 7** **TRADE SETTLEMENT**

### **7.1. Trade settlement by registered dealer**

(1) A registered dealer shall not execute a trade unless the dealer has established, maintains and enforces policies and procedures designed to facilitate settlement of the trade on a date that is no later than the standard settlement date for the type of security traded prescribed by an SRO or the marketplace on which the trade would be executed.

(2) Subsection (1) does not apply to a trade for which terms of settlement have been expressly agreed to by the counterparties to the trade at or before the trade was executed.

## **PART 8** **REQUIREMENTS OF SELF-REGULATORY ORGANIZATIONS AND OTHERS**

### **8.1. Rules, instruments or procedures of a clearing agency or matching service utility**

A clearing agency or matching service utility shall have rules or other instruments or procedures that are consistent with the requirements of Parts 3 and 7.

### **8.2. Rules or instruments of a self-regulatory organization**

A requirement of this Regulation does not apply to a member of an SRO if the member complies with a rule or other instrument of the SRO that deals with the same subject matter as the requirement and that has been approved, non-disapproved, or non-objected to by the securities regulatory authority and published by the SRO.

## **PART 9** **EXEMPTION**

### **9.1. Exemption**

(1) The securities regulatory authority may grant an exemption from this Regulation, in whole or in part, subject to such conditions or restrictions as may be imposed in the exemption.

(2) Despite subsection (1), in Ontario, only the regulator may grant such an exemption.

(3) Except in Ontario, an exemption referred to in subsection (1) is granted under the statute referred to in Appendix B of National Instrument 14-101 Definitions, adopted by the *Commission des valeurs mobilières du Québec* pursuant to decision No. 2001-C-0274 dated June 12, 2001, opposite the name of the local jurisdiction.

## **PART 10** **EFFECTIVE DATES AND TRANSITION**

### **10.1. Effective dates**

(1) Except as provided in subsections (2) and (3), the provisions of this Regulation come into force on April 1, 2007.

(2) The following come into force on October 1, 2007:

- (a) section 3.2;
- (b) section 3.4;
- (c) Part 4;
- (d) Part 6.

(3) Despite paragraph (2)(d), Part 6 comes into force in Ontario, on the later of

- (a) October 1, 2007, and

(b) the day on which Rule 24-501 — *Designation as Market Participant* comes into force (*indicate here the reference of this rule*).

### **10.2. Transition**

(1) Despite subsections 3.1(1) and 3.3(1), a trade referred to in subsection 3.1(1) or 3.3(1) and executed before July 1, 2008 shall be matched by 12:00 p.m. on T+1.

(2) Despite subsections 3.1(2) and 3.3(2), a trade referred to in subsection 3.1(2) or 3.3(2) and executed before July 1, 2008 shall be matched by 12:00 p.m. on T+2.

(3) Despite sections 4.1(a) and (b), the following percentages shall apply where a trade referred to in section 4.1(a) or (b) is executed within the following time periods:

(a) 80 percent, for trades executed after September 30, 2007, but before January 1, 2008;

(b) 90 percent, for trades executed after December 31, 2007, but before July 1, 2008;

(c) 70 percent, for trades executed after June 30, 2008, but before January 1, 2009;

(d) 80 percent, for trades executed after December 31, 2008, but before July 1, 2009; and

(e) 90 percent, for trades executed after June 30, 2009, but before January 1, 2010.

(4) Despite section 6.1, a person may carry on business as a matching service utility if that person

(a) is already carrying on business as a matching service utility on the date that Part 6 comes into force, and

(b) delivers Form 24-101F3 to the securities regulatory authority within 45 days after Part 6 comes into force.

### FORM 24-101F1

#### REGISTRANT EXCEPTION REPORT OF DAP/RAP TRADE REPORTING AND MATCHING

#### CALENDAR QUARTER PERIOD COVERED:

From: \_\_\_\_\_ to: \_\_\_\_\_

#### REGISTRANT IDENTIFICATION AND CONTACT INFORMATION:

1. Full name of registrant (if sole proprietor, last, first and middle name):

2. Name(s) under which business is conducted, if different from item 1:

3. Address of registrant's principal place of business:

4. Mailing address, if different from business address:

5. Type of business:        O Dealer        O Adviser

6. Category of registration:

7. (a) Registrant NRD number:

(b) If the registrant is a participant of a clearing agency, the registrant's CUID number:

8. Contact employee name:

Telephone number:

E-mail address:

#### INSTRUCTIONS:

*Deliver this form for both equity and debt DAP/RAP trades together with Exhibits A, B and C pursuant to section 4.1 of the Regulation, covering the calendar quarter indicated above, within 45 days of the end of the calendar quarter if*

*(a) less than 95 percent\* of the equity and/or debt DAP/RAP trades executed by or for you during the quarter matched within the time\*\* required in Part 3 of the Regulation, or*

*(b) the equity and/or debt DAP/RAP trades executed by or for you during the quarter that matched within the time\*\* required in Part 3 of the Regulation represent less than 95 percent\* of the aggregate value of the securities purchased and sold in those trades.*

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#### Transition

\* For DAP/RAP trades executed during a transitional period after the Regulation comes into force and before January 1, 2010, this percentage will vary depending on when the trade was executed. See section 10.2(3) of the Regulation.

\*\* The time set out in Part 3 of the Regulation is 11:59 p.m. on, as the case may be, T or T+1. For DAP/RAP trades executed during a transitional period after the Regulation comes into force and before July 1, 2008, this timeline is being phased in and is 12:00 p.m. (noon) on, as the case may be, T+1 or T+2. See subsections 10.2(1) and (2) of the Regulation.

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## EXHIBITS:

**Exhibit A – DAP/RAP trade statistics for the quarter**

Complete Tables 1 and 2 below for each calendar quarter.

*(1) Equity DAP/RAP trades*

<i>Entered into CDS by deadline (to be completed by dealers only)</i>				<i>Matched by deadline</i>			
<b># of Trades</b>	<b>%</b>	<b>\$ Value of Trades</b>	<b>%</b>	<b># of Trades</b>	<b>%</b>	<b>\$ Value of Trades</b>	<b>%</b>

*(2) Debt DAP/RAP trades*

<i>Entered into CDS by deadline (to be completed by dealers only)</i>				<i>Matched by deadline</i>			
<b># of Trades</b>	<b>%</b>	<b>\$ Value of Trades</b>	<b>%</b>	<b># of Trades</b>	<b>%</b>	<b>\$ Value of Trades</b>	<b>%</b>

**Exhibit B – Reasons for non-compliance**

Describe the circumstances or underlying causes that resulted in or contributed to the failure to achieve the percentage target for matched equity and/or debt DAP/RAP trades within the maximum time prescribed by Part 3 of the Regulation. Reasons given could be one or more matters within your control or due to another trade-matching party or service provider. If you have insufficient information to determine the percentages, the reason for this should be provided. See also Policy Statement to Regulation 24-101 respecting Institutional Trade Matching and Settlement (the “Policy Statement”). In Québec, the Policy Statement is made by the *Autorité des marchés financiers* pursuant to decision No. 2007-PDG-0056 dated March 6, 2007.

**Exhibit C – Steps to address delays**

Describe what specific steps you are taking to resolve delays in the equity and/or debt DAP/RAP trade reporting and matching process in the future. Indicate when each of these steps is expected to be implemented. The steps being taken could be internally focused, such as implementing a new system or procedure, or externally focused, such as meeting with a trade-matching party to determine what action should be taken by that party. If you have insufficient information to determine the percentages, the steps being taken to obtain this information should be provided. See also the Policy Statement.



Table 2—Debt trades:

	Entered into clearing agency by dealers				Matched in clearing agency by custodians			
	# of Trades	% Industry	\$ Value of Trades	% Industry	# of Trades	% Industry	\$ Value of Trades	% du Industry
T								
T+1								
T+2								
T+3								
>T+3								
Total								

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**Legend**

“# of Trades” is the total number of transactions in the month;

“\$ Value of Trades” is the total value of the transactions (purchases and sales) in the month.

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**Exhibit B – Individual matched trade statistics**

Using the format below, for each participant of the clearing agency, provide the percent of client trades during the quarter that have been entered and matched by the participant within the time required in Part 3 of the Regulation. The percentages given should relate to both the number of client trades that have been matched within the time and the aggregate value of the securities purchased and sold in the client trades that have been matched within the time.

Participant	Percentage matched within timelines			
	Equity trades		Debt trades	
	By # of transactions	By Value	By # of transactions	By Value

## CERTIFICATE OF CLEARING AGENCY

The undersigned certifies that the information given in this report on behalf of the clearing agency is true and correct.

DATED at \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
(Name of clearing agency - type or print)

\_\_\_\_\_  
(Name of director, officer or partner - type or print)

\_\_\_\_\_  
(Signature of director, officer or partner)

\_\_\_\_\_  
(Official capacity - type or print)

**FORM 24-101F3**

## MATCHING SERVICE UTILITY NOTICE OF OPERATIONS

## DATE OF COMMENCEMENT INFORMATION:

Effective date of commencement of operations:  
\_\_\_\_\_ (DD/MMM/YYYY)

TYPE OF INFORMATION:     INITIAL SUBMISSION     AMENDMENT

## MATCHING SERVICE UTILITY IDENTIFICATION AND CONTACT INFORMATION:

1. Full name of matching service utility:
2. Name(s) under which business is conducted, if different from item 1:
3. Address of matching service utility's principal place of business:
4. Mailing address, if different from business address:
5. Contact employee name:

Telephone number:

E-mail address:

6. Legal counsel:

Firm name:

Telephone number:

E-mail address:

## GENERAL INFORMATION:

7. Website address:

8. Date of financial year-end: \_\_\_\_\_ (DD/MMM/YYYY)

9. Indicate the form of your legal status (e.g., corporation, limited or general partnership), the date of formation, and the jurisdiction under which you were formed:

Legal status:     CORPORATION     PARTNERSHIP  
                   OTHER (SPECIFY):

(a) Date of formation: \_\_\_\_\_ (DD/MMM/YYYY)

(b) Jurisdiction and manner of formation:

10. Specify the general types of securities for which information is being or will be received and processed by you for transmission of matched trades to a clearing agency (e.g. exchange-traded domestic equity and debt securities, exchange-traded foreign equity and debt securities, equity and debt securities traded over-the-counter).

**INSTRUCTIONS:**

*Deliver this form together with all exhibits pursuant to section 6.1 or 10.2(4) of the Regulation.*

*For each exhibit, include your name, the date of delivery of the exhibit and the date as of which the information is accurate (if different from the date of the delivery). If any exhibit required is not applicable, a full statement describing why the exhibit is not applicable shall be furnished in lieu of the exhibit. To the extent information requested for an exhibit is identical to the information requested in another form that you have filed or delivered under National Instrument 21-101 Marketplace Operation, simply attach a copy of that other form and indicate in this form where such information can be found in that other form.*

*If you are delivering an amendment to Form 24-101F3 pursuant to section 6.1(2) or 6.2 of the Regulation, and the amended information relates to an exhibit that was delivered with such form, provide a description of the change and complete and deliver an updated exhibit. If you are delivering Form 24-101F3 pursuant to section 10.2(4) of the Regulation, simply indicate at the top of this form under "Date of Commencement Information" that you*

were already carrying on business as a matching service utility in the relevant jurisdiction on the date that Part 6 of the Regulation came into force.

#### EXHIBITS:

### 1. CORPORATE GOVERNANCE

#### **Exhibit A – Constatng documents**

Provide a copy of your constating documents, including corporate by-laws and other similar documents, as amended from time to time.

#### **Exhibit B – Ownership**

List any person that owns 10 percent or more of your voting securities or that, either directly or indirectly, through agreement or otherwise, may control your management. Provide the full name and address of each person and attach a copy of the agreement or, if there is no written agreement, briefly describe the agreement or basis through which the person exercises or may exercise control or direction.

#### **Exhibit C – Officials**

Provide a list of the partners, officers, directors or persons performing similar functions who presently hold or have held their offices or positions during the current and previous calendar year, indicating the following for each:

1. Name.
2. Title.
3. Dates of commencement and expiry of present term of office or position and length of time the office or position held.
4. Type of business in which each is primarily engaged and current employer.
5. Type of business in which each was primarily engaged in the preceding five years, if different from that set out in item 4.
6. Whether the person is considered to be an independent director.

#### **Exhibit D – Organizational structure**

Provide a narrative or graphic description of your organizational structure.

#### **Exhibit E – Affiliated entities**

For each person affiliated to you, provide the following information:

1. Name and address of affiliated entity.
2. Form of organization (e.g., association, corporation, partnership).
3. Name of jurisdiction and statute under which organized.
4. Date of incorporation in present form.
5. Brief description of nature and extent of affiliation or contractual or other agreement with you.
6. Brief description of business services or functions.
7. If a person has ceased to be affiliated with you during the previous year or ceased to have a contractual or other agreement relating to your operations during the previous year, provide a brief statement of the reasons for termination of the relationship.

### 2. FINANCIAL VIABILITY

#### **Exhibit F – Audited financial statements**

Provide your audited financial statements for the latest financial year and a report prepared by an independent auditor.

### 3. FEES

#### **Exhibit G – Fee list, fee structure**

Provide a complete list of all fees and other charges imposed, or to be imposed, by you for use of your services as a matching service utility, including the cost of establishing a connection to your systems.

### 4. ACCESS

#### **Exhibit H – Users**

Provide a list of all users or subscribers for which you provide or propose to provide the services of a matching service utility. Identify the type(s) of business of each user or subscriber (e.g., custodian, dealer, adviser or other party).

If applicable, for each instance during the past year in which any user or subscriber of your services has been prohibited or limited in respect of access to such services,



indicate the name of each such user or subscriber and the reason for the prohibition or limitation.

#### **Exhibit I – User contract**

Provide a copy of each form of agreement governing the terms by which users or subscribers may subscribe to your services of a matching service utility.

### 5. SYSTEMS AND OPERATIONS

#### **Exhibit J – System description**

Describe the manner of operation of your systems for performing your services of a matching service utility (including, without limitation, systems that collect and process trade execution details and settlement instructions for matching of trades). This description should include the following:

1. The hours of operation of the systems, including communication with a clearing agency.
2. Locations of operations and systems (e.g., countries and cities where computers are operated, primary and backup).
3. A brief description in narrative form of each service or function performed by you.

### 6. SYSTEMS COMPLIANCE

#### **Exhibit K – Security**

Provide a brief description of the processes and procedures implemented by you to provide for the security of any system used to perform your services of a matching service utility.

#### **Exhibit L – Capacity planning and measurement**

1. Provide a brief description of capacity planning/performance measurement techniques and system and stress testing methodologies.
2. Provide a brief description of testing methodologies with users or subscribers. For example, when are user/subscriber tests employed? How extensive are these tests?

#### **Exhibit M – Business continuity**

Provide a brief description of your contingency and business continuity plans in the event of a catastrophe.

#### **Exhibit N – Material systems failures**

Provide a brief description of policies and procedures in place for reporting to regulators material systems failures. Material systems failures include serious incidents that result in the interruption of the matching of trades for more than thirty minutes during normal business hours.

#### **Exhibit O – Independent systems audit**

1. Briefly describe your plans to provide an annual independent audit of your systems.
2. If applicable, provide a copy of the last external systems operations audit report.

### 7. INTEROPERABILITY

#### **Exhibit P – Interoperability agreements**

List all other matching service utilities for which you have entered into an *interoperability* agreement. Provide a copy of all such agreements.

### 8. OUTSOURCING

#### **Exhibit Q – Outsourcing firms**

For each person (outsourcing firm) with whom or which you have an outsourcing agreement or arrangement relating to your services of a matching service utility, provide the following information:

1. Name and address of the outsourcing firm.
2. Brief description of business services or functions of the outsourcing firm.
3. Brief description of the outsourcing firm's contingency and business continuity plans in the event of a catastrophe.

### CERTIFICATE OF MATCHING SERVICE UTILITY

The undersigned certifies that the information given in this report on behalf of the matching service utility is true and correct.

DATED at \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_ 20\_\_\_\_

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(Name of matching service utility - type or print)

\_\_\_\_\_  
 (Name of director, officer or partner - type or print)

\_\_\_\_\_  
 (Signature of director, officer or partner)

\_\_\_\_\_  
 (Official capacity - type or print)

**FORM 24-101F4**  
 MATCHING SERVICE UTILITY NOTICE OF  
 CESSATION OF OPERATIONS

DATE OF CESSATION INFORMATION:

Type of information:     VOLUNTARY CESSATION  
                                    INVOLUNTARY CESSATION

Effective date of operations cessation:  
 \_\_\_\_\_ (DD/MMM/YYYY)

MATCHING SERVICE UTILITY IDENTIFICATION  
 AND CONTACT INFORMATION:

1. Full name of matching service utility:
  2. Name(s) under which business is conducted, if different from item 1:
  3. Address of matching service utility's principal place of business:
  4. Mailing address, if different from business address:
  5. Legal counsel:
- Firm name:  
 Telephone number:  
 E-mail address:

**INSTRUCTIONS:**

*Deliver this form together with all exhibits pursuant to section 6.3 of the Regulation.*

*For each exhibit, include your name, the date of delivery of the exhibit and the date as of which the information is accurate (if different from the date of the delivery). If any exhibit required is not applicable, a full statement describing why the exhibit is not applicable shall be furnished in lieu of the exhibit.*

EXHIBITS:

**Exhibit A**

Provide the reasons for your cessation of business.

**Exhibit B**

Provide a list of all the users or subscribers for which you provided services during the last 30 days prior to you ceasing business. Identify the type(s) of business of each user or subscriber (e.g., custodian, dealer, adviser, or other party).

**Exhibit C**

List all other matching service utilities for which an *interoperability* agreement was in force immediately prior to cessation of business.

CERTIFICATE OF MATCHING SERVICE UTILITY

The undersigned certifies that the information given in this report on behalf of the matching service utility is true and correct.

DATED at \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
 (Name of matching service utility - type or print)

\_\_\_\_\_  
 (Name of director, officer or partner - type or print)

\_\_\_\_\_  
 (Signature of director, officer or partner)

\_\_\_\_\_  
 (Official capacity - type or print)

**FORM 24-101F5**  
 MATCHING SERVICE UTILITY QUARTERLY  
 OPERATIONS REPORT OF INSTITUTIONAL  
 TRADE REPORTING AND MATCHING

CALENDAR QUARTER PERIOD COVERED:

From: \_\_\_\_\_ to: \_\_\_\_\_

MATCHING SERVICE UTILITY IDENTIFICATION  
 AND CONTACT INFORMATION:

1. Full name of matching service utility:

2. Name(s) under which business is conducted, if different from item 1:

3. Address of matching service utility's principal place of business:

4. Mailing address, if different from business address:

5. Contact employee name:

Telephone number:

E-mail address:

**INSTRUCTIONS:**

*Deliver this form together with all exhibits pursuant to section 6.4 of the Regulation, covering the calendar quarter indicated above, within 30 days of the end of the calendar quarter.*

*Exhibits shall be reported in an electronic file, in the following format: "CSV" (Comma Separated Variable) (e.g., the format produced by Microsoft Excel).*

*If any information specified is not available, a full statement describing why the information is not available shall be separately furnished.*

Table 1—Equity trades:

	Entered into matching service utility by dealer-users/subscribers				Matched in matching service utility by other users/subscribers			
	# of Trades	% Industry	\$ Value of Trades	% Industry	# of Trades	% Industry	\$ Value of Trades	% du Industry
T								
T+1								
T+2								
T+3								
>T+3								
Total								

**EXHIBITS**

**1. SYSTEMS REPORTING**

**Exhibit A – External systems audit**

If an external audit report on your core systems was prepared during the quarter, provide a copy of the report.

**Exhibit B – Material systems failures reporting**

Provide a brief summary of all material systems failures that occurred during the quarter and for which you were required to notify the securities regulatory authority under section 6.5(c) of the Regulation.

**2. DATA REPORTING**

**Exhibit C – Aggregate matched trade statistics**

Provide the information to complete Tables 1 and 2 below for each month in the quarter. These two tables can be integrated into one report.

Month/Year: \_\_\_\_\_ (MMM/YYYY)

Table 2—Debt trades:

	Entered into matching service utility by dealer-users/subscribers				Matched in matching service utility by other users/subscribers			
	# of Trades	% Industry	\$ Value of Trades	% Industry	# of Trades	% Industry	\$ Value of Trades	% du Industry
T								
T+1								
T+2								
T+3								
>T+3								
Total								

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**Legend**

“# of Trades” is the total number of transactions in the month;

“\$ Value of Trades” is the total value of the transactions (purchases and sales) in the month.

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**Exhibit D – Individual matched trade statistics**

Using the format below, provide the percent of trades during the quarter for each user or subscriber that have been entered and matched within the time required in Part 3 of the Regulation. The percentages given should relate to both the number of trades that have been matched within the time and the aggregate value of the securities purchased and sold in the trades that have been matched within the time.

User/ Subscriber	Percentage matched within timelines			
	Equity trades		Debt trades	
	By # of transactions	By Value	By # of transactions	By Value

## CERTIFICATE OF MATCHING SERVICE UTILITY

The undersigned certifies that the information given in this report on behalf of the matching service utility is true and correct.

DATED at \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
(Name of matching service utility- type or print)

\_\_\_\_\_  
(Name of director, officer or partner - type or print)

\_\_\_\_\_  
(Signature of director, officer or partner)

\_\_\_\_\_  
(Official capacity - type or print)

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## Treasury Board

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Gouvernement du Québec

### **T.B. 204823, 6 March 2007**

An Act respecting the Pension Plan of Peace Officers in Correctional Services  
(R.S.Q., c. R-9.2; 2004, c. 39)

#### **Institut Philippe-Pinel — Designation of classes of employees and determination of special provisions applicable to employees**

Regulation respecting the designation of classes of employees and the determination of special provisions applicable to employees of the Institut Philippe-Pinel

WHEREAS paragraph 0.1 of section 130 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2) provides that the Government may, by regulation, determine, for the purposes of paragraph 4 of section 1 of the Act, the classes of employees of the Institut Philippe-Pinel who are or who may elect to be members of the plan and the special provisions applicable to them;

WHEREAS the Government made the Regulation respecting the designation of classes or subclasses of employees and the determination of special provisions applicable to employees of the Institut Pinel by Order in Council 1443-92 dated 30 September 1992, as amended;

WHEREAS it is expedient to replace the Regulation;

WHEREAS, under section 283 of the Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions (2004, c. 39), the first regulation made under paragraph 4 of section 1 of the Act respecting the Pension Plan of Peace Officers in Correctional Services may have effect from 1 January 1992;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor shall, after consulting the Minister of Finance, exercise the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Minister of Finance has been consulted;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation respecting the designation of classes of employees and the determination of special provisions applicable to employees of the Institut Philippe-Pinel, attached hereto, is hereby made.

SERGE MARTINEAU,  
*Clerk of the Conseil du trésor*

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#### **Regulation respecting the designation of classes of employees and the determination of special provisions applicable to employees of the Institut Philippe-Pinel**

An Act respecting the Pension Plan of Peace Officers in Correctional Services  
(R.S.Q., c. R-9.2, s. 1, par. 4; 2004, c. 39, s. 283)

**1.** The Pension Plan of Peace Officers in Correctional Services applies to the employees of the Institut Philippe-Pinel who are in a class of employees designated in the Schedule.

**2.** The years and parts of a year of service of an employee who became covered by the Pension Plan of Peace Officers in Correctional Services on the date on which the employee's employee class became covered by the Plan, and that were credited to the employee on that date under the Government and Public Employees Retirement Plan, the Teachers Pension Plan or the Civil Service Superannuation Plan, must be credited, if there has been no refund of contributions, under the Pension Plan of Peace Officers in Correctional Services on that same date, namely

(1) 1 January 1992 if, on that date and the preceding day, the employee was, at the Institut Philippe-Pinel, in an employee class listed in the Schedule to the Regulation respecting the designation of classes or subclasses of employees and the determination of special provisions applicable to employees of the Institut Pinel (1992, G.O. 2, 4663) as the Schedule read on 1 January 1992;

(2) 1 April 1993 if, on that date and the preceding day, the employee was, at the Institut Philippe-Pinel, in the “professional social worker” employee class or the class listed in Division IV of the Schedule to this Regulation;

(3) 15 August 1993 if, on that date and the preceding day, the employee was, at the Institut Philippe-Pinel, in the employee class listed in paragraph 7 of Division II of that Schedule; or

(4) 1 January 2002 if, on that date and the preceding day, the employee was, at the Institut Philippe-Pinel, in the employee class listed in paragraph 3 of Division III of that Schedule.

In addition, the years and parts of a year of service prior to the date on which the employee became covered by the Pension Plan of Peace Officers in Correctional Services and that had been credited to the employee pursuant to the first paragraph of section 39 of the Act, as it read before 1 January 2005, must be credited under the Plan if the employee did not receive a refund of contributions.

**3.** The years and parts of a year of service prior to 1 January 1975 for which the employee obtained a paid-up annuity certificate within the meaning of section 75 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) must be credited under the Pension Plan of Peace Officers in Correctional Services if the employee became covered by the Plan on the date and conditions set out in subparagraph 1 of the first paragraph of section 2.

The years and parts of a year of service are credited under the Pension Plan of Peace Officers in Correctional Services if the amount of the actuarial value of their benefits, established on the basis of the actuarial assumptions and methods used in the actuarial valuation based on the data finalized at 31 December 1990 for the Plan, was paid to the Commission administrative des régimes de retraite et d’assurances before 1 January 2005.

The employee’s pensionable salary for those years and parts of a year is the annual pensionable salary the employee was receiving on 1 July 1973 or, if the employee has no annual pensionable salary on that date, the annual pensionable salary the employee was receiving on the date on which the employee began making contributions to the Government and Public Employees Retirement Plan, multiplied by the service credited for each of the years and parts of a year.

**4.** The years and parts of a year of service for which a pension credit had been granted under any of sections 81, 86, 100, 101, 104, 105, 113 and 158 of the Act respecting the Government and Public Employees Retirement Plan to an employee at the Institut Philippe-Pinel must be credited under the Pension Plan of Peace Officers in Correctional Services if the employee became covered by the Plan on the date and conditions set out in any of subparagraphs 1 to 4 of the first paragraph of section 2.

To establish the average pensionable salary at the time the pension is calculated, the pensionable salary and contribution periods relating to the years to which the first paragraph refers are determined in accordance with the first paragraph of section 48 of the Act as that section read on the date on which the employee became covered by the Pension Plan of Peace Officers in Correctional Services.

**5.** The Act applies to an employee referred to in section 2, 3 or 4 or to a person who was so referred to and to whom section 143.1 of the Act applies in the same manner as it applies to an employee or person to whom section 143.1 of the Act applies. However, for the purposes of Division III of Chapter I of the Act, the years and parts of a year of service credited under the Pension Plan of Peace Officers in Correctional Services pursuant to section 3 or 4 are taken into account only if the employee was a member of the Plan on 31 December 2004.

**6.** A person who, before 1 January 2005, held a position at the Institut Philippe-Pinel covered by the Government and Public Employees Retirement Plan or the Pension Plan of Management Personnel following the application of an employment stability measure or bumping procedure, a layoff or a replacement, or following a permanent disability as a result of an employment injury or after occupational reintegration following a six-month disability, who was, in that establishment, on the day preceding the application of the measure or procedure or the day preceding the disability or reintegration, in a class of employees designated in the Regulation respecting the designation of classes or subclasses of employees and the determination of special provisions applicable to employees of the Institut Pinel (1992, G.O. 2, 4663) and who was, on that same day, a member of the Pension Plan of Peace Officers in Correctional Services, continues to be a member of that Plan in that position.

If the person to whom the first paragraph applies was in a class of employees designated in any of Divisions II to IV in the Schedule to the Regulation referred to in the first paragraph, the person is deemed to be, until



1 January 2005 and for the purposes of section 42 of the Act as that section read before that date, an employee referred to in section 5 of the Act, as that section read on the date on which the person began to hold the position referred to in the first paragraph, as long as the person holds such a position at the Institut Philippe-Pinel.

The Pension Plan of Peace Officers in Correctional Services applies, as of 1 January 2005, to the person to whom the first paragraph applies if the person was a member of the Plan on 31 December 2004 pursuant to that paragraph and holds the position referred to in that paragraph on 1 January 2005. The person is qualified for membership in the Plan on that date.

**7.** Despite the second paragraph of section 20 of the Act and in respect of the employees in a class in Division III of the Schedule, an amount equal to 185.19% of the contribution referred to in the first paragraph of section 42 of the Act and to 100% of the contribution referred to in the second paragraph of that section is borne by the Government.

**8.** Sections 32 and 39 of the Act in reference to the redemption of service apply, with the necessary modifications, to an employee who, during an absence, was a member of the Government and Public Employees Retirement Plan and had the employee not been absent, would have held a position designated in the Schedule.

The employee may, pursuant to the second, third and fourth paragraphs of section 143.4 of the Act, have the years and parts of a year that were not credited because of the second paragraph of section 39 of the Act, as that paragraph read before 1 January 2005, credited as regards a redemption under section 6 of the Regulation respecting the designation of classes or subclasses of employees and the determination of special provisions applicable to employees of the Institut Pinel (1992, G.O. 2, 4663).

**9.** Section 89 of the Act does not apply in respect of an employee to whom this Regulation applies.

**10.** Section 35 of the Act applies to an employee to whom subparagraph 2, 3 or 4 of the first paragraph of section 2 applies who, on the day preceding the date on which the employee became covered by the Pension Plan of Peace Officers in Correctional Services, was a member of the Civil Service Superannuation Plan.

The first and second paragraphs of section 57 of the Act apply to the spouse of an employee to whom subparagraph 2, 3 or 4 of the first paragraph of section 2 applies if the employee dies before becoming entitled to a pension or before the pension under section 63 or 64 of the Act becomes payable to the employee.

**11.** This Regulation replaces the Regulation respecting the designation of classes or subclasses of employees and the determination of special provisions applicable to employees of the Institut Pinel made by Order in Council 1443-92 dated 30 September 1992.

**12.** This Regulation comes into force on 1 January 2005. However, sections 3 and 6 have effect from 1 January 1992, section 7 has effect from 20 February 2003 and the mention of the class of employees in paragraph 7 of Division II of the Schedule to this Regulation has effect from 15 August 1993.

## SCHEDULE

(s. 1)

### CLASSES OF EMPLOYEES

#### DIVISION I

##### MIDDLE MANAGERS

- (1) Assistant head of the Security Department;
- (2) Assistant activities coordinator;
- (3) Assistant program coordinator;
- (4) Head of the Criminology Department;
- (5) Head of the Security Department;
- (6) Head of the Psychology Department;
- (7) Activities coordinator;
- (8) Program coordinator;
- (9) Coordinator of the specialized personal development service.

#### DIVISION II

##### EMPLOYEES IN THE SYNDICAT DES PROFESSIONNELLES ET PROFESSIONNELS DU GOUVERNEMENT DU QUÉBEC (SPGQ)

- (1) Criminologist;
- (2) Physical education instructor;
- (3) Remedial teacher;
- (4) Educator;
- (5) Psychologist;
- (6) Educational psychologist.

#### DIVISION III

##### EMPLOYEES IN THE CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE) AFFILIATED WITH THE FÉDÉRATION DES TRAVAILLEURS ET TRAVAILLEUSES DU QUÉBEC (FTQ)

- (1) Community agent-supervisor;
- (2) Intervention officer;
- (3) Administrative officer whose position would be classed "unit clerk" if the names of the employment position titles at the Institut Philippe-Pinel applying before 21 November 2006 continued to apply;

- (4) Guard;
- (5) Nurse;
- (6) Clinical nurse;
- (7) Workshop instructor;
- (8) Socio-therapist;
- (9) Medical electrophysiology technician;
- (10) Radio-diagnostic technologist.

**DIVISION IV**

## OTHER UNIONIZED EMPLOYEES

- Human relations officer.

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## Decisions

### Decision

Election Act  
(R.S.Q., c. E-3.3)

#### Chief Electoral Officer

##### — Officers assigned to the list of electors

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning officers assigned to the list of electors

WHEREAS order-in-council number 167-2007, issued on February 21, 2007, enjoined the Chief Electoral Officer to hold general elections in Québec on March 26, 2007;

WHEREAS section 310.1 of the Election Act (R.S.Q., c. E-3.3) provides that the returning officer shall appoint two persons in every polling station to act as officers assigned to the list of electors, recommended by the candidates of the authorized parties whose candidates came first and second at the last election;

WHEREAS section 489.1 allows the Chief Electoral Officer, where circumstances so require, in particular by reason of the area or distance involved, to adapt the provisions concerning the revision process, the filing of nomination papers, the advance poll or the establishment of an identity verification panel, with the consent of the authorized parties represented in the National Assembly;

WHEREAS the distance, isolation and small number of electors in the remote polling subdivisions contemplated by section 489.1 require the introduction of special procedures concerning officers assigned to the list of electors;

WHEREAS section 489.1, as currently worded, does not allow for the adaptation of the provisions of the Act concerning officers assigned to the list of electors;

WHEREAS section 490 of the Election Act allows the Chief Electoral Officer to adapt a provision of the Act where he observes that, subsequent to an exceptional circumstance, it does not meet the demands of the situation;

WHEREAS the Chief Electoral Officer has informed the authorized parties represented in the National Assembly of his intention to use the provisions of the said section, and has taken the steps required to inform the other authorized parties, the candidates and the electors in question;

The Chief Electoral Officer, pursuant to the powers conferred upon him by section 490 of the Election Act, has decided to adapt section 489.1 of the said Act in order to add a provision concerning officers assigned to the list of electors.

For the purposes of this decision, section 489.1 of the Election Act shall read as follows:

“**489.1.** The chief electoral officer, with the consent of the authorized parties represented in the National Assembly, may, where circumstances so require, in particular, by reason of the area or distance involved, adapt the provisions concerning the enumeration of electors, the revision process, the filing of nomination papers, the advance poll, the establishment of an identity verification panel and the officers assigned to the list of electors.”.

This decision shall take effect on the date of the order enjoining the Chief Electoral Officer to hold general elections in Québec.

Québec, 23 February 2007

MARCEL BLANCHET,  
*Chief Electoral Officer and  
Chairman of the Commission  
de la représentation électorale*

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## Erratum

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Gouvernement du Québec

**O.C. 133-2007**, 14 February 2007

Natural Heritage Conservation Act  
(R.S.Q., c. C-61.01)

*Gazette officielle du Québec*, Part 2, March 7, 2007,  
Vol. 139, No. 10, page 1116.

On page 1119, the title of the conservation plan should read “Chênaie-des-Îles-Finlay ecological reserve” and the date should read “January 2007”.

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Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

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