No. 37

Part 2
LAWS AND REGULATIONS

16 September 2026 / Volume 158

Summary

Regulations and other Acts
Draft Regulations

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Part 2 – LAWS AND REGULATIONS

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(3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;

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M.O., 2026-22

Order number D-9.2-2026-22 of the Minister of Finance dated 1 September 2026

Act respecting the distribution of financial products and services
(chapter D-9.2)

CONCERNING the Regulation to amend the Regulation respecting the issuance and renewal of representatives' certificates

WHEREAS paragraph 1° of section 200 of an Act respecting the distribution of financial products and services (chapter D-9.2) provides that the *Autorité des marchés financiers* may, for each discipline, determine by regulation the minimum qualifications required to obtain a certificate, the courses that an applicant for a certificate must take, and the rules relating to the preparation and passing of prescribed examinations;

WHEREAS paragraph 3° of the said section provides that the *Autorité des marchés financiers* may, for each discipline, determine by regulation the rules relating to compulsory training periods, the acts that trainees may perform during training periods, notwithstanding section 12 of the said Act, and the rules relating to the qualifications and the obligations of training supervisors;

WHEREAS paragraph 9° of section 200 of the said Act provides that the *Autorité des marchés financiers* may, for each discipline, determine by regulation the information and documents that a representative or prospective representative must furnish;

WHEREAS paragraph 3° of section 203 of the said Act provides that the *Autorité des marchés financiers* may, for each sector, make regulations to determine the rules and procedure governing the issue and renewal of certificates;

WHEREAS section 216 of the said Act provides that the *Autorité des marchés financiers* may, by regulation, determine special rules applicable to a natural person who, in accordance with the legislation of another province or state or of another country, acts as an insurance representative, claims adjuster or mortgage broker and applies for a certificate to act as such in Québec, determine the activities that such a person may pursue and set conditions and restrictions applicable to the pursuit of such activities;

WHEREAS the first paragraph of section 217 of the said Act provides that a regulation made by the *Autorité des marchés financiers* under this Act must be submitted to the Minister for approval with or without amendment;

WHEREAS the third paragraph of the said section provides that a regulation referred to in the first paragraph of that section comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation;

WHEREAS in accordance with the third paragraph of the said section, the draft regulation to amend the Regulation respecting the issuance and renewal of representatives' certificates was published for consultation in the *Bulletin de l'Autorité des marchés financiers* vol. 23, no. 22 of 4 June 2026, with a notice that it may not be submitted for approval or be made until 30 days have elapsed since its publication;

WHEREAS the *Autorité des marchés financiers* made, on 27 August 2026, by the decision no. 2026-PDG-0041, Regulation to amend the Regulation respecting the issuance and renewal of representatives' certificates with amendments;

WHEREAS it is expedient to approve this Regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend the Regulation respecting the issuance and renewal of representatives' certificates, attached to this Ministerial Order.

1 September 2026

ERIC GIRARD
Minister of Finance

Regulation to amend the Regulation respecting the issuance and renewal of representatives' certificates

Act respecting the distribution of financial products and services
(chapter D-9.2, ss. 200, 203 and 216).

1. Section 13 of the Regulation respecting the issuance and renewal of representatives' certificates (chapter D-9.2, r. 7) is amended by inserting "valid" before "work" in paragraph 6.

2. Section 16 of the Regulation is amended:

1° by deleting, in paragraphs 1 and 4, "and available on its website";

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2° by adding the following at the end:

"5° an attestation of a training program in damage insurance or mortgage brokerage that is recognized by the Authority and subject to an agreement entered into between the Authority and an educational institution or a private course provider.

Information on the minimum qualifications referred to in the first paragraph is available on the Authority's website.

A document, issued by the training providers for the minimum qualifications referred to in the first paragraph, confirming that such training has been completed, must be submitted along with the candidate's application for registration for an examination.".

3. Section 29 of the Regulation is amended by inserting "valid" before "work" in subparagraph 3 of the first paragraph.

4. Section 53 of the Regulation is replaced by the following:

"**53.** A candidate from another province or a territory of Canada who is seeking to act as a representative in Québec may obtain a certification recognition referred to in the first paragraph of section 4 of the Act to facilitate the trade of goods and the mobility of labour from the other provinces and the territories of Canada (chapter C-30.1), commonly known as "certificate-to-certificate" recognition, if he satisfies the following conditions:

1° in accordance with the first paragraph of section 5 of this Act and the first paragraph of section 2 of the Regulation to facilitate the mobility of labour from the other provinces and the territories of Canada (*indicate here the reference to the Compilation of Québec Laws and Regulations*), he has completed, as applicable, the related training recognized by the Authority in order to acquire the specific knowledge required to pursue activities as a representative in Québec and has passed the examinations prescribed by the Authority in order to demonstrate that he possesses that knowledge. If the candidate has passed the examinations outside Québec, he must furnish the Authority with a document confirming that he has passed the examinations;

2° he has furnished the Authority with a valid authorization to practise issued by a regulatory authority of another province or territory of Canada that is equivalent to a representative's certificate whereby he was authorized to act in a corresponding sector or sector class in accordance with the system of reference established by the Authority and available on its website;

3° he has submitted an application for a certificate to the Authority.

53.1 Notwithstanding section 53, a candidate who is pursuing activities in another province or territory of Canada that are pursued by claims adjusters in Québec and who is doing so without the supervision of a regulatory authority and on behalf of an authorized insurer in that province or territory must, in order to practise in the claims adjustment sector in Québec:

1° submit an application for a certificate to the Authority;

2° furnish to the Authority a detailed attestation from the insurer on whose behalf he is acting that establishes that he has pursued activities that fall within the scope of the claims adjustment sector for at least 24 of the 36 months preceding his application;

3° have passed the examinations prescribed by the Authority to demonstrate that he has the specific knowledge required to pursue activities as a representative in Québec.

53.2 A candidate who has surrendered or has not renewed the authorization referred to in paragraph 2 of section 53 must have satisfied the conditions set out in paragraphs 1 and 3 of that section within 3 years following the surrender or non-renewal of such authorization. He must also successfully complete the probationary period in accordance with sections 30 to 40 and 44 to 50.".

5. Section 55.0.1 of the Regulation is amended by replacing "confirming that he has the degree of honesty considered necessary to pursue activities as a representative and those concerning" by "concerning his honesty,".

6. Section 57 of the Regulation is amended by replacing "the bylaws" by "the rules of operation".

7. Section 65 of the Regulation is amended by inserting, at the end, "and the Regulation respecting the eligibility of a claim submitted to the Fonds d'indemnisation des services financiers and the contribution payable (*indicate here the reference to the Compilation of Québec Laws and Regulations*)".

8. This Regulation comes into force on 16 September 2026.

108410

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Draft Regulation

Civil Code of Québec
(s. 564)

Youth Protection Act
(chapter P-34.1)

Adoption without a certified body of a child domiciled outside Québec

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the adoption without a certified body of a child domiciled outside Québec by a person domiciled in Québec, appearing below, may be made by the Minister Responsible for Social Services on the expiry of 45 days following this publication.

The draft Regulation makes amendments concerning proposed adoptions for which a person may, without a certified body, make arrangements for the adoption of a child domiciled outside Québec.

The draft Regulation also makes amendments to the procedure that applies to the granting of an authorization to initiate adoption arrangements. In that respect, the draft Regulation provides for the admissibility of a proposed adoption and the granting of permission to undergo a psychosocial assessment before the granting of the authorization to initiate adoption arrangements.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Geneviève Poirier, senior director and secretary, Direction principale de la protection de la jeunesse et du secrétariat aux services internationaux à l'enfance, Ministère de la Santé et des Services sociaux, 201, boulevard Crémazie Est, bureau 1.01, Montréal (Québec) H2M 1L2; telephone: (514) 873-5226; email: geneviève.poirier@msss.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister Responsible for Social Services, 930, chemin Sainte-Foy, 6e étage, Québec (Québec) G1S 2L4.

LIONEL CARMANT
Minister Responsible for Social Services and the Fight Against Homelessness

Regulation respecting the adoption without a certified body of a child domiciled outside Québec by a person domiciled in Québec

Civil Code of Québec
(s. 564).

Youth Protection Act
(chapter P-34.1, s. 71.6).

DIVISION I
GENERAL

1. This regulation sets out the conditions and procedures applicable when the adoption arrangements of a child domiciled outside Québec are made by a person domiciled in Québec without a body certified by the Minister under the Youth Protection Act (chapter P-34.1).

2. Only prospective adopters authorized by the Minister or benefitting from the assistance of the Minister, pursuant to this Regulation, may, without a body certified by the Minister, initiate or pursue arrangements for the adoption of a child domiciled outside Québec.

3. A prospective adopter must satisfy the Minister that the proposed adoption meets the criteria and conditions set out in this Regulation and in the other provisions respecting adoptions that apply to it in Québec and in the child's State of origin.

DIVISION II
TERMS AND CONDITIONS THAT APPLY TO THE GRANTING OF AN AUTHORIZATION BY THE MINISTER TO INITIATE ADOPTION ARRANGEMENTS

§1. Proposed adoptions authorized

4. The minister authorizes a prospective adopter to make adoption arrangements for a child domiciled outside Québec without a certified body if the proposed adoption is first declared admissible by the Minister and the prospective adopter then undergoes, with the Minister's permission, a positive psychosocial assessment.

5. Only the following proposed adoptions are declared admissible by the Minister:

(1) the adoption, by the adopter, of one of the following person who is in a situation where their live or heath would be in danger if they were not adopted: their brother, sister, nephew, niece, grand-nephew, grand-niece, grandson,

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grand-daughter, cousin or first cousin once removed of the adopter or of the adopter's spouse, or of the child of the adopter's spouse, including a de facto spouse with whom the adopter has been living for at least two years, provided that neither the adopter nor the adopter's spouse is bound to another person by marriage, civil union or another form of conjugal union that is still valid;

(2) the adoption of a child in the care of a competent child protection or adoption authority who is domiciled in a State for which no body has been certified, if

(*a*) the prospective adopter is or was a national of the State in which the adoption is being sought; and

(*b*) under the law of that State, only a person who is or was a national of that State can adopt a child domiciled in that State; or

(3) the adoption of a child with whom the prospective adopter has an important relationship and who is in any of the following circumstances:

(*a*) the child is in a situation such that the child's life or health would be in serious danger if the child was not adopted by the prospective adopter; or

(*b*) the child has a handicap or biological characteristics that cause the child's rejection by the community in the child's State of origin; or

(4) the adoption of a child domiciled in a province or territory of Canada who has been placed in the care of a competent public child protection or adoption authority in that province or territory, when that public authority has communicated with the prospective adopter to inform him or her that he or she is an important person to the child and to verify whether the prospective adopter is interested in adopting the child.

6. The Minister may declare inadmissible the proposed adoption of a child domiciled outside Canada, when the situation in the child's State of origin or when the guarantees given to the child, the child's parents and the prospective adopter are inadequate.

If an adoption agreement has been entered into between Québec and the child's State of origin, the Minister must also consider the terms and conditions of that agreement.

7. If the proposed adoption is of an unidentified child in the care of a competent child protection or adoption authority in another State, the Minister may declare the proposed adoption inadmissible, by taking into consideration the profile of the children who may be proposed for adoption by that State or the number of prospective adopters whose adoption process is in progress.

§2. Admissibility of a proposed adoption

8. To be admissible, the proposed adoption must, in addition to complying with sections 5 to 7, comply with the provisions respecting adoptions that apply to it in Québec and the child's State of origin.

9. A prospective adopter must submit their proposed adoption to the Minister, providing the following information using the form provided by the Minister:

(1) their identify;

(2) their home address and other contact information;

(3) their nationality and status as a Canadian citizen or permanent resident;

(4) their education;

(5) their marital status;

(6) a description of their family situation;

(7) a description of their proposed adoption and the reasons justifying it;

(8) their status in the child's State of origin, if applicable.

In the case of a proposed adoption referred to in paragraphs 1, 3, or 4 of section 5, the prospective adopter must provide the Minister with the following information, in addition to the information referred to in the first paragraph:

(1) their relationship with the child;

(2) the child's identity, contact information, nationality, and a description of their situation, that of their siblings to date, as well as a description of the child's relationships with each of the other family members living in their State of origin;

(3) the identity of the birth parents, their contact information, and an indication of whether they are alive or, if not, the date of their death;

(4) the identity of the persons or authorities who are or have been responsible for the child in the past and their relationship with the child;

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(5) where applicable, a description of meetings with the child, other communications with the child, and steps taken towards the child's adoption.

10. To determine whether the proposed adoption complies with the provisions that apply to it in the child's State of origin, the Minister may require a prospective adopter to provide a certified true copy of those provisions. The Minister may also require the prospective adopter to provide a certificate drawn up by a jurisconsult.

11. The Minister may contact a prospective adopter to carry out any verifications the Minister deems useful in deciding whether the proposed adoption is admissible and, if the Minister considers it necessary, call the prospective adopter to an interview.

12. The Minister must send the decision concerning the admissibility of the proposed adoption to the prospective adopter.

If the proposed adoption is admissible, the Minister must also send to the prospective adopter the prescribed application form for permission to undergo a psychosocial assessment so that the prospective adopter can provide, where applicable, the information required to update the proposed adoption.

Before declaring the proposed adoption inadmissible, the Minister must notify the adopter in writing as prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and allow the adopter at least 10 days to present observations.

Within 30 days of the end of the period allowed for presenting observations, the Minister must render a decision in writing and give reasons.

§3. Permission to undergo a psychosocial assessment

13. A prospective adopter must submit to the Minister the application for permission to undergo the psychosocial assessment provided in section 71.7 of the Youth Protection Act (chapter P-34.1) using the form referred to in the second paragraph of section 12 within 60 days of the date of receipt of the Minister's decision concerning the admissibility of the application.

The Minister may extend the period provided in the first paragraph if the adopter satisfies the Minister that the adopter was unable to act earlier for serious and valid reasons.

14. A prospective adopter must send the documents required by the Minister to establish the accuracy of the information provided under section 9.

The prospective adopter must also send the prior training attestation issued in accordance with the Regulation respecting training prior to adopting a child domiciled outside Québec (chapter P-34.1, r. 6.1).

15. If the required information and documents are deemed compliant, the Minister grants the adopter permission to undergo a psychosocial assessment.

16. The Minister may withdraw the permission of a perspective adopter who fails to act with diligence in initiating or completing the psychosocial assessment.

17. Before refusing permission to undergo a psychosocial assessment or withdrawing that permission, the Minister must notify the adopter in writing as prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and allow the adopter at least 10 days to present observations.

Within 30 days of the end of the period allowed for presenting observations, the Minister must render a decision in writing and give reasons.

§4. Authorization to initiate adoption arrangements

18. Upon receipt of a positive psychosocial assessment, the Minister must authorize the prospective adopter to initiate adoption arrangements in the State of origin concerned.

This authorization specifies that the adoption arrangements is under the supervision of the minister.

Upon receipt of a negative psychosocial assessment, the Minister must inform the prospective adopter in writing that the prospective adopter is not authorized to initiate adoption arrangements for a child domiciled outside Québec without a certified body.

If the psychosocial assessment does not comply with section 71.7 of the Youth Protection Act (chapter P-34.1), the Minister must require a new psychosocial assessment.

19. The Minister may amend or withdraw an authorization to initiate adoption arrangements issued to an adopter and terminate them if

(1) the Minister notices an irregularity in the adoption process;

(2) the proposed adoption does not comply with a provision respecting adoptions that applies to it in Québec or in the child's State of origin;

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(3) the situation in the child's State of origin compromises the guarantees given to the child, the child's parents and the adopter;

(4) the adopter has made misrepresentations or distorted a material fact in the application submitted or in any document or information required in connection with the proposed adoption;

(5) the adopter fails to act with diligence in completing the proposed adoption;

(6) the adopter's psychosocial assessment update is negative; or

(7) the adoption proposal is not conform to the recommendation in the psychosocial assessment.

Before amending or withdrawing an authorization, the Minister must inform the adopter in writing as prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and allow the adopter at least 10 days to present observations.

Within 30 days of the end of the period allowed for presenting observations, the Minister must render a decision in writing and give reasons.

The Minister must send the notice of amendment or withdrawal, as the case may be, to the adopter. A copy must be sent to the persons or authorities concerned by the application.

DIVISION III
ASSISTANCE OF THE MINISTER IN THE ADOPTION ARRANGEMENTS

20. The Minister may, in the following cases, assist in a prospective adopter's arrangements:

(1) the certification of the body with which the adopter has entered into a contract has not been renewed or has been suspended or revoked by the Minister and the adoption file has already been forwarded to the child's State of origin;

(2) the adoption cannot take place through the certified body because the child's State of origin no longer authorizes the body to make adoption arrangements in its territory and the adopter's file has already been forwarded to the State of origin;

(3) the Minister wishes to assess the advisability of certifying a body that has submitted an application for certification to the Minister for a State of origin for which no body has been certified; or

(4) the child's State of origin requests the Minister to intervene.

When the Minister decides to assist in a prospective adopter's adoption arrangements, the Minister must immediately inform the prospective adopter of the decision.

Section 19 applies, with the necessary modifications, to the Minister's decision referred to in the second paragraph.

DIVISION IV
TERMS AND CONDITIONS THAT APPLY TO ADOPTION ARRANGEMENTS

§1. General

21. Every document submitted to the Minister pursuant to this Regulation and written in a language other than French or English must be accompanied by a translation into French certified by an accredited translator.

The Minister may require an apostille to be issued for the documents referred to in section 14 or the authentication of those documents.

22. Except for the adoptions referred to in paragraph 1 or 3 of section 5, an adopter may not establish contact with the child's biological parents before the child is born or before the child has been declared eligible for adoption and the required consents to the adoption have been given.

23. An adopter must immediately inform the Minister of any change in his or her situation, or of any change concerning the child to be adopted. The notice must be accompanied by any document or information relevant to the change.

If the Minister considers the change to be material, the Minister may request an update to the adopter's psychosocial assessment or an interview with the adopter or any other person concerned by the proposed adoption.

24. An adopter who withdraws from the proposed adoption must so inform the Minister in writing within 30 days of the adopter's decision.

25. If required by the Minister, an adopter must send to the Minister the required consents to the adoption collected in the form prescribed by the applicable provisions in the State of origin.

The Minister may require a certified true copy of the documents.

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To ensure that all consents have been given in view of an adoption that severs the child's pre-existing bonds of filiation, the Minister may require consent using the prescribed form.

26. An adopter who receives a document sent by the child's State of origin must immediately forward it to the Minister.

27. An adopter who receives an adoption proposal must immediately forward a copy of the proposal to the Minister along with all documents that complete the proposal.

When the Minister confirms to the adopter that the proposal conforms to the recommendation in the adopter's psychosocial assessment, the adopter is authorized to accept the proposal.

28. An adopter must inform the Minister of the child's date of arrival in Québec as soon as the date has been determined or, where applicable, within five days of the child's arrival.

29. An adopter must, if required, produce and send the child's progress reports in the form, at the intervals and within the time determined by the child's State of origin. The adopter must also forward a copy of the reports to the Minister within the same time.

§2. Special provisions for adoption arrangements under the supervision of the Minister

30. An adopter authorized to initiate adoption arrangements under the supervision of the Minister pursuant to section 18 must forward to the Minister a copy of the file as soon as the adopter has sent it to the competent authorities in the child's State of origin.

31. On request, an adopter must inform the Minister of the arrangements made and provide the Minister with documents showing that the adoption arrangements are in conformity with the provisions that apply in Québec and in the child's State of origin.

32. When an adoption is completed, the adopter must forward to the Minister the certified true copy of the judgment obtained and the certificate of non appeal and any other supporting document. If required, the adopter must also send the child's new birth certificate to the Minister.

§3. Special provisions for adoption arrangements with the assistance of the Minister

33. An adopter authorized to initiate adoption arrangements with the assistance of the Minister pursuant to section 20 must send the adoption file to the Minister.

If the adoption file complies with the requirements of the child's State of origin, the Minister must forward it to the competent adoption authorities in that State.

34. An adopter may not, without first obtaining an authorization from the Minister, communicate directly or through a third person with the competent adoption authorities of the child's State of origin.

DIVISION V
REPEALING AND FINAL

35. The Regulation respecting the adoption without a certified body of a child domiciled outside Québec by a person domiciled in Québec (chapter P-34.1, r. 2) is revoked.

36. This Regulation comes into force on the fifteenth days following the date of its publication in the *Gazette officielle du Québec*.

108411

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