

## Draft Regulations

### Draft Regulation

An Act respecting market intermediaries  
(R.S.Q., c. I-15.1)

### Association des courtiers d'assurances de la province de Québec — Amendments

Notice is hereby given, in accordance with sections 10 to 13 of the Regulations Act (R.S.Q., c. R-18.1), that the By-law to amend the By-law of the Association des courtiers d'assurances de la province de Québec, the text of which appears below and was made by the Association des courtiers d'assurances de la province de Québec, may be submitted to the Government for approval upon the expiry of a 15-day period following this publication. The Government may approve it with or without amendments.

According to the Association des courtiers d'assurances de la province de Québec, the purpose of that draft By-law is to simplify the process of the application for admission by a natural person or a legal person as member of the Association while ensuring that the applicant has the required qualifications. Its purpose is also to amend the terms for the payment of the required annual membership fees and to amend the amount of annual fees required of a firm.

To date, study of the matter has shown no impact for the public. As for small and medium-size businesses, the expenses for renewal of membership of natural persons generally paid by the firms will be, from now on, spread over twelve months rather than being concentrated in one period. The annual fee payable by firms will increase from \$25 to \$100. That increase, affecting 309 firms, totals \$23 175 in additional income for the Association.

Under section 12 of the Regulations Act, a draft regulation may be approved upon the expiry of a period shorter than the one applicable to it when the urgency of the situation requires it.

The following reasons justify a shorter publication period:

— the amendments proposed in the draft By-law were adopted by a majority of the members of the Association at a general meeting held on 30 October 1996;

— since the present renewal date for membership is 1 April, the implementation of new terms for renewal allowing the spreading of the renewal over a 10-month period must be in force at the latest on 1 April 1997 for the members in question and the Association to be able to profit by it in the current year;

— the increase in the fees applicable to firms will provide additional income for the Association. In order for the Association to profit by it during the next fiscal year, that measure must come into force on 1 April 1997 at the latest.

Further information may be obtained by contacting Mrs. Maya Raic, Director General of the Association des courtiers d'assurances de la province de Québec, 500, rue Sherbrooke Ouest, 7<sup>e</sup> étage, Montréal (Québec), H3A 3C6, tel.: (514) 842-2591; 1-800-361-7288; fax: (514) 842-3138.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 15-day period, to the Inspector General of Financial Institutions, 800, place d'Youville, 9<sup>e</sup> étage, Québec (Québec), G1R 4Y5. These comments will be forwarded by the Inspector General of Financial Institutions to the Minister of Finance.

JACQUES DUMONT,  
*Inspector General of  
Financial Institutions*

### By-law to amend the By-law of the Association des courtiers d'assurances de la province de Québec

An Act respecting market intermediaries  
(R.S.Q., c. I-15.1, s. 125)

**1.** The By-law of the Association des courtiers d'assurances de la province de Québec approved by decree 1017-91 of July 17, 1991, modified by the by-law approved by decree 274-93 of March 3, 1993, modified by the by-law approved by decree 413-94 of March 23, 1994, is again modified in section 1:

1. by inserting the words "sign it" after the words "in writing" in the third line of paragraph 1;
2. by removing paragraph 11°;
3. by removing Annex I.

**2.** Section 5 of this By-law is modified:

1. by inserting the words “have the responsible broker sign” after the words “in writing” in the second line of sub-paragraph 1;

2. by replacing the words “of the partner” by the words “of the responsible broker” in paragraph 7.

**3.** Section 6 of this By-law is modified:

1. by inserting the words “have the responsible broker sign” after the words “in writing” in the second and third lines of paragraph 1;

2. by inserting the words “or its registration certificate” after the words “modifications” in the second line of paragraph 8°;

3. by replacing in the paragraph 9° the words “of the Quebec Director or Operations Manager” by the words “of the responsible broker”.

**4.** Section 26 of this By-law is replaced by the following:

“**26.** 1. The annual membership fees payable by the members of the Association des courtiers d’assurances de la Province de Québec are the following:

1) \$450.00, non-refundable, in the case of a natural person;

2) \$100.00, non-refundable, in the case of a firm;

Where the membership of a natural person is for a period of less than or more than twelve months, the membership fee payable shall be established proportionately.

2. The annual membership fee of a member who is a natural person shall be paid no later than the first day of the month corresponding to the first letter of the surname;

1. February 1, if that letter is A or B;
2. March 1, if that letter is C or D;
3. April 1, if that letter is E, F or G;
4. May 1, if that letter is H, I or J;
5. June 1, if that letter is K or L;
6. August 1, if that letter is M or N;
7. September 1, if that letter is O or P;
8. October 1, if that letter is Q or R;
9. November 1, if that letter is S, T or U;
10. December 1, if that letter is V, W, X, Y or Z.

3. The annual membership fee of a member firm shall be paid no later than April 1.

4. Upon his or her admission to the Association, a new member who has applied for an individual certificate from the Conseil des assurances de dommages, shall pay as annual membership fee the sum of \$37.50 for each month or part of a month between the date of his or her admission and that when his or her membership fee becomes payable in virtue of section 2; however, his or her membership may not be for a period of less than 6 months and more than 18 months.

5. Upon its admission to the Association, a new member firm shall pay as the initial membership fee the entire annual membership fee.

6. A natural person member who is expelled from the Association for reasons provided for in paragraph 3 of section 15 of the Règlement de l’Association des courtiers d’assurances de la province de Québec, may obtain a refund of his or her annual membership fee by applying in writing to the Association.

7. Any increase in the annual membership fee in accordance with the second paragraph of section 125 of the Act, shall be payable on the dates determined in the resolution providing for it when applicable, which dates must begin subsequently to the date on which the resolution is approved by the Inspector General.

8. The members (natural persons) who renew their membership on April 1, 1997, must pay their annual membership fee proportionately to the months remaining until the payment becomes due in accordance with section 2.”.

**5.** Sections 27 and 29 of this By-law are repealed.

**6.** Section 48 of this By-law is replaced by the following:

“**48.** Upon being notified that a complaint has been filed against him or her, the member must not communicate with the complainant, except in regards to the mandate assigned to him or her, if applicable.”.

**7.** The present By-Law is effective on April 1<sup>st</sup>, 1997.