

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour:

THAT the Regulation to amend the Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

### **Regulation to amend the Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal\***

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 22, par. i)

1. Section 3 of the Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal is amended by deleting the words "other than those mentioned in section 4".
2. Section 4 of that Regulation is revoked.
3. Section 5 of that Regulation is amended by deleting the third paragraph.
4. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

### **O.C. 691-2001, 6 June 2001**

An Act respecting financial services cooperatives (2000, c. 29)

#### **Acquisition of shares by certain financial services cooperatives**

Regulation respecting the acquisition of shares by certain financial services cooperatives

WHEREAS under the first paragraph of section 473 of the Act respecting financial services cooperatives (2000,

\* The Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal, approved by Order in Council no. 2626-85 dated 11 December 1985 (1985, *G.O.* 2, 4379), has not been amended since that date.

c. 29), a financial services cooperative may not acquire, by itself or jointly with a credit union or a federation belonging to its network, directly or through a partnership or legal person it controls, more than 30% of the assets or the voting rights attached to the shares of a legal person;

WHEREAS under the second paragraph of section 473 and subparagraph 13 of the first paragraph of section 599 of the Act, the Government may, by regulation, determine the cases in which a financial services cooperative may, notwithstanding the first paragraph of section 473, acquire some or all of the shares of any legal person;

WHEREAS under section 474, notwithstanding the first paragraph of section 473, a financial services cooperative may acquire directly, by itself or jointly with a credit union or a federation belonging to its network, all or part of the shares of a legal person carrying on activities that are similar to those of the cooperative and whereas the cooperative may also acquire such shares through a holding company established under the laws of Québec for the sole purpose of holding those shares;

WHEREAS under the first paragraph of section 475 of the Act, the provisions of a regulation referred to in the second paragraph of section 473 and the provisions of section 474 allow the acquisition of shares of a legal person only where the legal person is or becomes, as a result of that acquisition, a legal person controlled by the acquirer;

WHEREAS under the second paragraph of section 475 and subparagraph 14 of the first paragraph of section 599 of the Act, the first paragraph of that section does not apply in the cases determined by regulation of the Government;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the draft Regulation was published in the *Gazette officielle du Québec* of 18 April 2001, with a notice that the Government could make the regulation upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Finance:

THAT the Regulation respecting the acquisition of shares by certain financial services cooperatives, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

## Regulation respecting the acquisition of shares by certain financial services cooperatives

An Act respecting financial services cooperatives (2000, c. 29, s. 599, 1st par., subpars. 13 and 14)

1. A financial services cooperative may acquire, directly or through a legal person or partnership it controls, all or part of the shares of a trust company and an insurance company.

A legal person or partnership controlled by the cooperative that holds the shares of a legal person carrying on activities similar to those of the cooperative may also acquire all or part of the shares of a trust company and an insurance company.

For the purposes of this section and sections 3, 5 and 6, “financial services cooperative” means a federation or the Caisse centrale Desjardins du Québec.

2. A financial services cooperative that is a federation may acquire all or part of the shares of a holding company established under the laws of Québec for the sole purpose of acquiring all or part of:

(1) the securities of a legal person or partnership whose activities are the acquisition, rental or administration of immovables or other exclusively commercial or industrial activities;

(2) the shares of other holding companies established under the laws of Québec for the sole purpose of acquiring all or part of the securities referred to in paragraph 1.

3. A financial services cooperative may acquire shares in holding companies established under laws other than those of Québec for the purpose of acquiring all or part of:

(1) the shares of legal persons or partnerships that carry on activities similar to those of the cooperative, specifically a bank, investment bank, savings company and a legal person or partnership established for the purpose of carrying on activities related to mutual funds;

(2) the shares of other holding companies established for the purpose of acquiring shares in the legal persons or partnerships referred to in section 1 and in paragraph 1 of this section.

4. A financial services cooperative that is a federation may acquire 30% to 50% of the assets or the voting rights attached to the shares of holding companies established under the laws of Québec, where all of the following conditions apply:

(1) the holding company is established for the sole purpose of acquiring all or part of the securities of a legal person or partnership whose activities are exclusively commercial or industrial;

(2) the holding company is controlled by a legal person from the same group.

The voting rights attached to the shares of the holding company may enable the financial services cooperative to elect more than one-third of the directors of that holding company.

5. A financial services cooperative may acquire, directly or through a legal person or a partnership it controls, 30% to 50% of the assets or the voting rights attached to the shares of a legal person carrying out a joint venture, where all of the following conditions apply:

(1) the financial services cooperative has entered into a business partnership with respect to the joint venture;

(2) the partners in the joint venture control it;

(3) the principal activities of the joint venture are one or more of the following:

(a) the provision of financial products and services, including their production and distribution;

(b) the transport of valuables;

(c) payment systems and services;

(d) payroll services;

(e) the development and marketing of computer applications or systems or telecommunications that relate to the activities of financial institutions;

(f) management, consulting and supply services that relate to the activities of financial institutions.

The voting rights attached to the shares of a legal person carrying out a joint venture may enable the financial services cooperative to elect more than one-third of the directors of that legal person.

6. A financial services cooperative may also acquire shares, directly or through a legal person or a partnership it controls, where:

(1) for a period not exceeding one year, it acquires 30% to 50% of the shares of a legal person;

(2) for a period not exceeding one year, it acquires all or part of the shares of a legal person whose activities are exclusively commercial or industrial.

The voting rights attached to the shares of the legal person referred to in subparagraphs 1 and 2 of the first paragraph may enable the financial services cooperative to elect more than one-third of the directors of that legal person.

7. The provisions of the first paragraph of section 475 of the Act respecting financial services cooperatives do not apply:

(1) to the acquisition by a holding company of the shares of another holding company referred to in paragraph 2 of section 2;

(2) to the acquisition of shares of a legal person whose activities are exclusively commercial or industrial;

(3) to the acquisition of shares of a legal person carrying out a joint venture, made in accordance with section 5;

(4) to the acquisition of shares of a legal person, made in accordance with section 6.

8. This Regulation comes into force on the date of coming into force of sections 468 to 475, subparagraphs 13 and 14 of the first paragraph of section 599 and section 689 of the Act respecting financial services cooperatives.

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Gouvernement du Québec

### **O.C. 692-2001, 6 June 2001**

An Act respecting financial services cooperatives (2000, c. 29)

#### **Investments of a security fund**

Regulation respecting investments of a security fund

WHEREAS under section 517 of the Act respecting financial services cooperatives (2000, c. 29) a fund may only make the investments authorized by government regulation;

WHEREAS under subparagraph 17 of the first paragraph of section 599 of the Act, the Government may, by regulation, determine the cases, conditions and restrictions applicable to the investments of a security fund;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the draft Regulation was published in the *Gazette officielle du Québec* of 18 April 2001, with a notice that upon the expiry of 45 days following that publication the Government could make the Regulation;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Finance:

THAT the Regulation respecting investments of a security fund, attached to this Order in council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

### **Regulation respecting investments of a security fund**

An Act respecting financial services cooperatives (2000, c. 29, ss. 517 and 599, 1st par., subpar. 17)

1. A security fund may invest in the following:

(1) demand deposits;

(2) day loans;

(3) demand loans guaranteed by securities having a credit rating at least equivalent to an R-1L or A rating according to the criteria of the Dominion Bond Rating Service Limited;

(4) deposit certificates whose term does not exceed five years;

(5) guaranteed investment certificates issued by a bank or institution registered with the Régie de l'assurance-dépôts du Québec, other than a credit union that is a member of the fund, or with the Canada Deposit Insurance Corporation;

(6) negotiable and insubordinate debt securities issued by a bank listed in Schedule 1 or Schedule 2 to the Bank Act (S.C., 1991, c. 46) and having a credit rating at least equivalent to an R-1L or A rating according to the criteria of the Dominion Bond Rating Service Limited;

(7) securities issued or guaranteed irrevocably and unconditionally by the Gouvernement du Québec or the Government of Canada;