

## Regulations and other acts

Gouvernement du Québec

### O.C. 495-2004, 26 May 2004

An Act respecting the Agence nationale d'encadrement du secteur financier  
(R.S.Q., c. A-7.03)

#### Regulation 5 under section 746 of the Act

Regulation 5 under section 746 of the Act respecting the Agence nationale d'encadrement du secteur financier

WHEREAS the Act respecting the Agence nationale d'encadrement du secteur financier (R.S.Q., c. A-7.03) was assented to on 11 December 2002;

WHEREAS, under the first paragraph of section 746 of the Act, the Government may, by regulation made before 11 December 2004, adopt any other transitional provision or measure that is expedient for the carrying out of the Act;

WHEREAS, under the second paragraph of that section, a regulation made under the first paragraph shall not be subject to the publication requirement provided for in section 8 of the Regulations Act (R.S.Q., c. R-18.1) and shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any other later date indicated therein, and the regulation may also, if it provides therefor, apply from any date not prior to 11 December 2002;

WHEREAS it is expedient to make a regulation under section 746 to adopt certain transitional provisions and other expedient measures for the carrying out of the Act respecting the Agence nationale d'encadrement du secteur financier;

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

THAT Regulation 5 under section 746 of the Act respecting the Agence nationale d'encadrement du secteur financier, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

#### Regulation 5 under section 746 of the Act respecting the Agence nationale d'encadrement du secteur financier

An Act respecting the Agence nationale d'encadrement du secteur financier  
(R.S.Q., c. A-7.03, s. 746)

**1.** The Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2) is amended by replacing the heading of Title III by the following:

“AGENCE NATIONALE D'ENCADREMENT  
DU SECTEUR FINANCIER”.

**2.** Section 187 of the said Act is amended

(1) by replacing “The Bureau” in the first paragraph by “The Agency”;

(2) by replacing “The Bureau” in the first line of the second paragraph by “The Agency”;

(3) by replacing “il” in the second line of the second paragraph of the French text by “elle”;

(4) by replacing “The Bureau” in the first line of the third paragraph by “The Agency”;

(5) by replacing “The Bureau” in the first line of the fourth paragraph by “The Agency”;

(6) by replacing “il” in the second line of the fourth paragraph of the French text by “elle”.

**3.** Section 193 of the said Act is amended

(1) by replacing “The Bureau” in the first line by “The Agency” and “the Bureau” in the fifth line by “the Agency”;

(2) by replacing “by its discipline committees and the decisions made on appeal by the Commission, together with a summary of the Bureau’s report on activities and of the reports of the fund and the Chambers” in the seventh, eighth and ninth lines by “in respect of the representatives, together with a summary of the Agency’s report on activities”.

**4.** Section 206 of the said Act is amended by replacing “The Bureau” in the first line by “The Agency”.

**5.** Section 238 of the said Act is amended by replacing “the Bureau” in the second line by “the Agency”.

**6.** Section 307 of the Securities Act (R.S.Q., c. V-1.1), amended by section 658 of chapter 45 of the Statutes of 2002, is again amended by striking out “this Act or the regulations or” in the second and third lines.

**7.** Pursuant to section 445 of the Act respecting the Agence nationale d’encadrement du secteur financier, for the period from 1 June 2004 to 31 May 2005, the contribution of a representative who is a member of a Chamber, who is acting for a firm or independent partnership and who renews his or her certificate in that period continues to be borne by the firm or independent partnership until the later of the date on which the firm’s or independent partnership’s registration is maintained and the date on which the representative’s contribution is collected.

As of the date on which the contribution is no longer to be borne by a firm or independent partnership for which a representative is acting, the contribution is borne by the representative for the period remaining until the following date on which the contribution is to be collected.

The representative’s contribution, when borne by a firm or independent partnership, is the contribution determined by the Minister under section 569 of the Act respecting the distribution of financial products and services.

The date on which the representative’s contribution is collected is the renewal date of his or her certificate.

**8.** Sections 1 to 6 apply from 1 February 2004 and section 7 comes into force on 1 June 2004.

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Gouvernement du Québec

## O.C. 548-2004, 9 June 2004

An Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45)

### Regulation — Amendment

Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons

WHEREAS, under the third paragraph of section 97 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45), in special circumstances, the Government may also, by regulation, grant an exemption to a class of registrants as regards the requirement to declare certain information under section 10 of the Act;

WHEREAS the Government made the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons by Order in Council 1856-93 dated 15 December 1993;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons was published in the *Gazette officielle du Québec* of 18 February 2004 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*