

## Regulation to amend the Regulation respecting the registration of firms, representatives and independent partnerships\*

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2, s. 217 and s. 223, subpars. 4, 5, 14 and 15)

**1.** Section 1 of the Regulation respecting the registration of firms, representatives and independent partnerships is amended:

(1) by replacing in the first paragraph the words “to the Bureau des services financiers” and “the Bureau” with “to the Agence nationale d’encadrement du secteur financier” and “the Agency” respectively;

(2) by inserting the following after the first paragraph:

“Moreover, the legal person who proposes to register as a firm that will act through a securities representative must apply in accordance with Regulation 31-102Q respecting the National Registration Database approved by Ministerial Order 2004-05 dated 2 December 2004 and Regulation 33-109Q respecting registration information approved by Ministerial Order 2004-06 dated 2 December 2004.”

**2.** Section 9 of the Regulation is amended by adding the following paragraph at the end:

“The firm acting through a securities representative must file its notice in accordance with Regulation 31-102Q respecting the National Registration Database and Regulation 33-109Q respecting registration information according to the time periods stipulated therein.”

**3.** Section 10 of the Regulation is amended by inserting the following after subparagraph 1:

“1.1 in the case of a firm acting through a securities representative, comply with the provisions of Regulation 31-102Q respecting the National Registration Database and Regulation 33-109Q respecting registration information.”

\* The Regulation respecting the registration of firms, representatives and independent partnerships, which was adopted on July 6, 1999 by resolution 99.07.09 and published on July 19, 1999 in Bulletin No. 3 of the Bureau des services financiers (BSF), was amended only by the Regulation adopted on October 5, 2000 by resolution 2000.10.07 and published in October 2000 in BSF Bulletin No. 8.

**4.** Sections 2 to 6, 7, 9 to 12 and 14.2 to 14.5, as well as schedules 1 to 6 of the Regulation are amended by replacing the words “to the Bureau”, “by the Bureau” and “the Bureau” wherever they appear with the words “to the Agency”, “by the Agency” and “the Agency” and making the necessary modifications.

**5.** This Regulation comes into force on January 1, 2005.

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Gouvernement du Québec

### O.C. 1131-2004, 8 December 2004

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2)

#### Practice in the securities field — Amendments

Regulation to amend the Regulation respecting practice in the securities field

WHEREAS, under section 214 of the Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2), the Agence nationale d’encadrement du secteur financier may, by regulation, determine the conditions to be met by a securities representative offering shares other than qualifying shares issued by a financial services cooperative governed by the Act respecting financial services cooperatives (R.S.Q., c. C-67.3) that is not exempted from the application of Titles II to VIII of the Securities Act (R.S.Q., c. V-1.1);

WHEREAS, under section 217 of the Act respecting the distribution of financial products and services, a regulation made pursuant to the Act shall be submitted to the Government for approval with or without amendment;

WHEREAS the Government approved the Regulation respecting practice in the securities field by Order in Council 1122-99 dated 29 September 1999;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Agency made the Regulation to amend the Regulation respecting practice in the securities field on 24 November 2004;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in the *Gazette officielle du Québec* of 13 October 2004 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting practice in the securities field, attached to this Order in Council, be approved with amendments.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

### **Regulation to amend the Regulation respecting practice in the securities field\***

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2, s. 214 et s. 217)

**1.** Section 3 of the Regulation respecting practice in the securities field is amended by replacing “by providing the Financial Services Bureau with a written declaration demonstrating that” by “if”.

**2.** This Regulation comes into force on January 1, 2005.

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Gouvernement du Québec

### **O.C. 1132-2004, 8 December 2004**

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

#### **Securities — Amendments**

Regulation to amend the Securities Regulation

WHEREAS, under subparagraph 9 of the first paragraph of section 331 of the Securities Act (R.S.Q., c. V-1.1), the Agence nationale d'encadrement du secteur financier may, by regulation, prescribe the fees payable for any formality provided for in the Act or the regulations and for services rendered by the Agency, and the terms and conditions of payment;

WHEREAS, under the second paragraph of section 331, a regulation made under that section shall be submitted to the Government for approval, with or without amendment;

WHEREAS the Government made the Securities Regulation by Order in Council 660-83 dated 30 March 1983;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Agency made the Regulation to amend the Securities Regulation on 24 November 2004;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in the *Gazette officielle du Québec* of 13 October 2004 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Securities Regulation, attached to this Order in Council, be approved with amendments.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

\* The Regulation respecting practice in the securities field, approved by Order in Council 1122-99 dated 29 September 1999 (1999, G.O. 2, 3613), was not modified since its approval.