

**8.** Notwithstanding the second paragraph in section 123 of the Regulation respecting the issuance and renewal of representatives' certificates, enacted by section 4, for the period from January 1, 2005 to December 31, 2005, the expiry date of a certificate to act in the sector of group savings plan brokerage, investment contract brokerage or scholarship plan brokerage, issued in 2004, is maintained until the day preceding the first day of the month corresponding to the first letter of the surname of the holder in accordance with the first paragraph of such section 123.

Moreover, notwithstanding section 121 of the Regulation, the period of validity of a certificate renewed in 2005 may be less than one year.

**9.** For the application of sections 118 and 126 of the Regulation respecting the issuance and renewal of representatives' certificates, respectively amended by section 1 and enacted by section 6, for the period from January 1, 2005 to December 31, 2005, the annual fees and other fees payable under the Regulation respecting annual fees and other fees payable, approved by Order in Council 836-99 dated July 7, 1999, for the issuance of a certificate in 2005 or the renewal of a certificate issued in 2004 to act in the sector of group savings plan brokerage, investment contract brokerage or scholarship plan brokerage shall be paid by the representative concerned in proportion to the period of validity of the certificate.

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

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Gouvernement du Québec

### **O.C. 1130-2004, 8 December 2004**

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

#### **Registration of firms, representatives and independent partnerships — Amendments**

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

WHEREAS the Bureau des services financiers made the Regulation respecting the registration of firms, representatives and independent partnerships by Resolution 99.07.09 dated 6 July 1999, and the Regulation appeared on 19 July 1999 in Bulletin No. 3 published by the Bureau des services financiers;

WHEREAS the Regulation was not submitted to the Government for approval when made in 1999;

WHEREAS the Bureau des services financiers was replaced by the Agence nationale d'encadrement du secteur financier by chapter 45 of the Statutes of 2002;

WHEREAS, under section 223 of the Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2), the Agency may, by regulation, determine for each sector the elements listed in paragraphs 1 to 15 of that section;

WHEREAS, under the first paragraph of section 217 of the Act, a regulation made pursuant to the Act shall be submitted to the Government for approval with or without amendment;

WHEREAS it is expedient to amend the Regulation respecting the registration of firms, representatives and independent partnerships;

WHEREAS, in accordance with paragraphs 4, 5, 14 and 15 of section 223 of the Act, the Agency made the Regulation to amend the Regulation respecting the registration of firms, representatives and independent partnerships 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 the registration of firms, representatives and independent partnerships, the text of which is attached to this Order in Council, be approved with amendments.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

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## 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;