

(3) The date of a fund facts document filed under paragraph (1) must be the date on which it was filed.

(4) Until April 8, 2011, the following provisions do not apply to mutual funds:

(a) the requirement to file a fund facts document under subparagraph (ii) of subparagraphs (a) to (c) and subparagraphs (ii) and (iii) of subparagraph (d) of paragraph (1) of section 2.1 of the Regulation;

(b) section 2.3 of the Regulation, to the extent that section imposes requirements relating to a fund facts document.

24. This Regulation comes into force on January 1, 2011.

1155

M.O., 2010-14

Order number V-1.1-2010-14 of the Minister of Finance, dated December 3, 2010

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

CONCERNING concordant regulations to Regulation 81-101 respecting mutual fund prospectus disclosure

WHEREAS subparagraphs 1, 2, 8, 11, 16, and 34 of section 331.1 of the Securities Act (R.S.Q., c. V-1.1) provide that the Autorité des marchés financiers may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act provide that a draft regulation shall be published in the Bulletin de l'Autorité des marchés financiers, accompanied with the notice required under section 10 of the Regulations Act (R.S.Q., c. R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section provide that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation;

WHEREAS Regulation 13-101 respecting the System for electronic document analysis and retrieval (SEDAR) has been made on June 12, 2001 pursuant to decision no. 2001-C-0272 (Supplement to the Bulletin of the Commission des valeurs mobilières du Québec, Vol. 32, no. 26, dated June 29, 2001);

WHEREAS Regulation 81-102 respecting mutual funds has been made on May 22, 2001 pursuant to decision no. 2001-C-0209 (Bulletin of the Commission des valeurs mobilières du Québec, Vol. 32, no. 22, dated June 1, 2001);

WHEREAS Regulation 81-106 respecting investment fund continuous disclosure has been approved by ministerial order no. 2005-05 dated May 19, 2005 (2005, G.O. 2, 1601);

WHEREAS there is cause to amend those regulations;

WHEREAS the draft Regulation to amend Regulation 13-101 respecting the System for electronic document analysis and retrieval (SEDAR), the draft Regulation to amend Regulation 81-102 respecting mutual funds and the draft Regulation to amend Regulation 81-106 respecting investment fund continuous disclosure were published in the Bulletin de l'Autorité des marchés financiers, volume 6, no. 24 of June 19, 2009;

WHEREAS the Autorité des marchés financiers made, on November 22, 2010, by the decision no. 2010-PDG-0212, Regulation to amend Regulation 13-101 respecting the System for electronic document analysis and retrieval (SEDAR), Regulation to amend Regulation 81-102 respecting mutual funds and Regulation to amend Regulation 81-106 respecting investment fund continuous disclosure;

WHEREAS there is cause to approve those regulations without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment Regulation to amend Regulation 13-101 respecting the System for electronic document analysis and retrieval (SEDAR), Regulation to amend Regulation 81-102 respecting mutual funds and Regulation to amend Regulation 81-106 respecting investment fund continuous disclosure appended hereto.

December 3, 2010

RAYMOND BACHAND,
Minister of Finance

Regulation to amend Regulation 13-101 respecting the system for electronic document analysis and retrieval (SEDAR)*

Securities Act
(R.S.Q., c. V-1.1, s. 331.1, par. (2))

1. Paragraph A of Part I of Appendix A of Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR) is amended:

(1) by replacing, in subparagraph 1, the words “and Annual Information Form” with “, Annual Information Form and Fund Facts”;

(2) by replacing, in subparagraph 2, the words “and Annual Information Form” with “, Annual Information Form and Fund Facts”;

(3) by replacing, in subparagraph 3, the words “and Annual Information Form” with “, Annual Information Form and Fund Facts”;

(4) by adding, at the end, the following subparagraph:

“7. Initial Fund Facts”.

2. This Regulation comes into force on January 1, 2011.

Regulation to amend Regulation 81-102 respecting mutual funds*

Securities Act
(R.S.Q., c. V-1.1, s. 331.1, par. (1), (8), (11), (16) and (34))

1. Section 1.1 of Regulation 81-102 respecting Mutual Funds is amended:

(1) by adding, after subparagraph (2) of paragraph (b) of the definition of “sales communication”, the following:

“2.1. A fund facts document or preliminary or pro forma fund facts document.”;

(2) by replacing, in the French text of the definition of “standardized future”, the words “normalisées contenues dans le” with the words “standardisées contenues dans le règlement intérieur, les règles ou les règlements”;

(3) by replacing, in the French text of the definition of “conventional floating rate debt instrument”, the words “titre d’emprunt” with the words “titre de créance”.

2. Section 3.3 of the Regulation is replaced with the following:

“3.3. Prohibition Against Reimbursement of Organization Costs

None of the costs of incorporation, formation or initial organization of a mutual fund, or of the preparation and filing of any of the preliminary simplified prospectus, preliminary annual information form, preliminary fund facts document, initial simplified prospectus, annual information form or fund facts document of the mutual fund shall be borne by the mutual fund or its securityholders.”.

* Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR), adopted on June 12, 2001, pursuant to Decision No. 2001-C-0272 and published in the Supplement to the Bulletin of the *Commission des valeurs mobilières du Québec*, Vol. 32, No. 26, dated June 29, 2001, was amended solely by the instruction adopted on June 12, 2001, pursuant to Decision No. 2001-C-0273 and published in the Supplement to the Bulletin of the *Commission des valeurs mobilières du Québec*, Vol. 32, No. 26, dated June 29, 2001 and by the regulations to amend the regulation approved by Ministerial Orders No. 2005-06 dated May 19, 2005 (2005, *G.O.* 2, 1500), No. 2005-17 dated August 2, 2005 (2005, *G.O.* 2, 3523), No. 2005-22 dated August 17, 2005 (2005, *G.O.* 2, 3643), and No. 2006-03 dated October 31, 2006 (2006, *G.O.* 2, 3586).

* Regulation 81-102 respecting Mutual Funds, adopted on May 22, 2001 pursuant to Decision No. 2001-C-0209 and published in the Bulletin of the *Commission des valeurs mobilières du Québec*, Vol. 32, No. 22, dated June 1, 2001, was amended solely by the instruction adopted on May 22, 2001, pursuant to Decision No. 2001-C-0211 and published in the Bulletin of the *Commission des valeurs mobilières du Québec*, Vol. 32, No. 22, dated June 1, 2001 and by the regulations to amend the regulation approved by Ministerial Orders No. 2004-02 dated February 19, 2004 (2004, *G.O.* 2, 1064), No. 2005-06 dated May 19, 2005 (2005, *G.O.* 2, 1500), No. 2006-03 dated October 31, 2006 (2006, *G.O.* 2, 3586), No. 2008-06 dated March 4, 2008 (2008, *G.O.* 2, 726), No. 2008-13 dated August 22, 2008 (2008, *G.O.* 2, 4556), and No. 2009-05 dated September 9, 2009 (2009, *G.O.* 2, 3362A).

3. Subparagraph (f) of paragraph (1) of section 5.6 of the Regulation is amended by replacing subparagraphs (ii) and (iii) with the following:

“(ii) the current simplified prospectus or the most recently filed fund facts document;

“(iii) a statement that securityholders may obtain, in respect of the reorganized mutual fund, at no cost a simplified prospectus, an annual information form, the most recently filed fund facts document, the most recent annual and interim financial statements, and the most recent management report of fund performance that have been made public, by contacting the mutual fund at an address or telephone number specified in the statement or by accessing the documents at a website address specified in the statement;”.

4. Subparagraph (d) of paragraph (1) of section 5.7 of the Regulation is amended by replacing the words “a draft of an amendment to the simplified prospectus of the mutual fund reflecting the change; and” with the words “a draft amendment to the simplified prospectus and, if applicable, to the fund facts document of the mutual fund reflecting the change; and”.

5. Subparagraph (b) of paragraph (3) of section 6.2 of the French text of the Regulation is amended by adding, after the words “la banque”, the words “ou la société”.

6. Subparagraph (b) of paragraph (1) of section 15.2 of the Regulation is replaced with the following:

“(b) include a statement that conflicts with information that is contained in the preliminary simplified prospectus, the preliminary annual information form, the preliminary fund facts document, the simplified prospectus, the annual information form or the fund facts document

(i) of a mutual fund, or

(ii) in which an asset allocation service is described.”.

7. This Regulation comes into force on January 1, 2011.

Regulation to amend Regulation 81-106 respecting investment fund continuous disclosure*

Securities Act
(R.S.Q., c. V-1.1, s. 331.1, par. (1) and (8))

1. Subparagraph (d) of paragraph (1) of section 11.2 of Regulation 81106 respecting Investment Fund Continuous Disclosure is amended by replacing the words “or simplified prospectus” with the words “, simplified prospectus or fund facts document”.

2. This Regulation comes into force on January 1, 2011.

1156

M.O., 2010-15

Order number V-1.1-2010-15 of the Minister of Finance, dated December 3, 2010

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

CONCERNING Regulation to amend the Regulation 51-101 respecting standards of disclosure for oil and gas and the Regulation to amend the Regulation 41-101 respecting general prospectus requirements

WHEREAS subparagraphs 1, 2, 3, 8, 11, 19.3, 20 and 34 of section 331.1 of the Securities Act (R.S.Q., c. V-1.1) provide that the Autorité des marchés financiers may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act provide that a draft regulation shall be published in the Bulletin de l’Autorité des marchés financiers, accompanied with the notice required under section 10 of the Regulations Act (R.S.Q., c. R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

* Regulation 81-106 respecting Investment Fund Continuous Disclosure, approved by Ministerial Order No. 2005-05 dated May 19, 2005 (2005, *G.O.* 2, 1601), was last amended by the regulation to amend the regulation approved by Ministerial Order No. 2008-12 dated August 22, 2008 (2008, *G.O.* 2, 4551). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2010, updated to October 1, 2010.