

PART 5 EXEMPTION AND EFFECTIVE DATE

10. Exemption

(1) The regulator, except in Québec, or the securities regulatory authority may grant an exemption from this Regulation, in whole or in part, subject to such conditions or restrictions as may be imposed in the exemption.

(2) Despite subsection (1), in Ontario, only the regulator may grant such an exemption.

(3) Except in Ontario, an exemption referred to in subsection (1) is granted under the statute referred to in Appendix B of Regulation 14-101 respecting Definitions opposite the name of the local jurisdiction.

11. Effective Date

This Regulation comes into force on March 1, 2013.

2244

M.O., 2012-13

Order number V-1.1-2012-13 of the Minister for Finance, August 14, 2012

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

CONCERNING Regulation to amend Regulation 11-102 respecting Passport System

WHEREAS subparagraphs 11, 32 and 33.8 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 the sixth paragraph of the said section stipulates that a draft regulation under Chapter II of Title X and paragraphs 33.1 to 33.9 of section 331.1 may be submitted for approval only if accompanied by a favourable notice from the Minister responsible for Canadian Intergovernmental Affairs;

WHEREAS Order in Council no. 930-2011 of September 14, 2011, concerning the Minister for Finance provides that the Minister for Finance exercises, under the supervision of the Minister of Finance, the functions for the application of the Securities Act;

WHEREAS the draft Regulation to amend Regulation 11-102 respecting Passport System was published in the *Bulletin de l'Autorité des marchés financiers*, volume 8, no. 33 of August 19, 2011;

WHEREAS the *Autorité des marchés financiers* made, on August 2, 2012, by the decision no. 2012-PDG-0154, Regulation to amend Regulation 11-102 respecting Passport System;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister for Finance approves without amendment Regulation to amend Regulation 11-102 respecting Passport System appended hereto.

August 14, 2012

ALAIN PAQUET,
Minister for Finance

Regulation to amend Regulation 11-102 respecting Passeport System

Securities Act
(R.S.Q., c. V-1.1, s. 331.1, par. (11), (32) and (33.8))

1. Appendix D of Regulation 11-102 respecting Passport System is amended by inserting, after the row that refers to Regulation 23-102, the following:

“

Electronic Trading	Regulation 23-103 (only sections 3(1), 3(2), 3(3)(a) to 3(3)(d), 3(4) to 3(7), 4 and 5(2))
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2. Appendix E of the Regulation is amended by inserting, after « – Regulation 23-102 respecting Use of Client Brokerage Commissions (c. V-1.1, r.7) », the following row:

“– Regulation 23-103 respecting Electronic Trading (c. V-1.1, r. X)”.

3. This Regulation comes into force on March 1, 2013.
2243

M.O., 2012-14

Order number I-14.01-2012-14 of the Minister for Finance, August 14, 2012

Derivatives Act
(R.S.Q., c. I-14.01)

CONCERNING Regulation to amend the Derivatives Regulation

WHEREAS subparagraphs 1, 3, 9, 11, 12, 14 and 29 of par. 1 of section 175 of the Derivatives Act (R.S.Q., c. I-14.01) stipulates that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the fourth and fifth paragraphs of section 175 of the said Act stipulate 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 second and sixth paragraphs of the said section stipulate that every regulation made under section 175 must be submitted to the Minister of Finance for approval with or without amendment and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;

WHEREAS Order in Council no. 930-2011 of September 14, 2011, concerning the Minister for Finance provides that the Minister for Finance exercises, under the supervision of the Minister of Finance, the functions for the application of the Derivatives Act;

WHEREAS the Derivatives Regulation has been approved by Ministerial Order no. 2009-01 dated January 15, 2009 (2009, *G.O.* 2, 33A);

WHEREAS there is cause to amend this regulation;

WHEREAS the draft Regulation to amend the Derivatives Regulation was published in the *Bulletin de l’Autorité des marchés financiers*, volume 9, no. 26 of June 28, 2012;

WHEREAS the *Autorité des marchés financiers* made, on August 2, 2012, by the decision no. 2012-PDG-0155, Regulation to amend the Derivatives Regulation;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister for Finance approves without amendment Regulation to amend the Derivatives Regulation appended hereto.

August 14, 2012

ALAIN PAQUET,
Minister for Finance

Regulation to amend the Derivatives Regulation

Derivatives Act
(R.S.Q., c. I-14.01, s. 175, par. 1, subpars. (1), (3), (9), (11), (12), (14) and (29))

1. The heading of Division II.2 of the Derivatives Regulation (R.R.Q., c. I-14.01, r. 1) is replaced by the following:

“OTHER REGULATORY PROVISIONS”;

2. The Regulation is amended by inserting the following after section 11.22:

“**11.22.1** Regulation 23-103 respecting Electronic Trading (c. V-1.1, r. X) applies, with the necessary modifications, to published markets, market participants, the trading of standardized derivatives and transactions in standardized derivatives, as contemplated under the Act.”;

3. This Regulation comes into force on 1 March 2013.

2245