

Regulations and other Acts

Gouvernement du Québec

O.C. 896-2013, 29 August 2013

Act respecting the distribution of financial products and services (chapter D-9.2)

Fees and contributions payable — Amendment

Regulation to amend the Regulation respecting fees and contributions payable

WHEREAS, under section 225 of the Act respecting the distribution of financial products and services (chapter D-9.2), the Autorité des marchés financiers shall, by regulation, determine for each sector the fees payable for registration and the annual fees payable to maintain registration. In the case of a firm or an independent partnership, the fees shall be determined on the basis of the number of establishments the firm or partnership maintains or proposes to maintain in Québec, the number of representatives through whom it pursues or proposes to pursue its activities, and any other criteria the Authority considers relevant;

WHEREAS, under section 226 of the Act, the Autorité des marchés financiers shall, by regulation, determine the fees payable for any formality or other measure prescribed by this Act or the regulations, and the charges for the goods and services provided by the Authority;

WHEREAS, under section 278 of the Act, the Autorité des marchés financiers shall determine, by regulation, the amount of the contribution to be paid by each firm, independent representative and independent partnership, on the basis of the risk presented by each sector or class of sectors and any other criteria it considers relevant, and, in the event of insufficient assets, the contribution must be determined so as to make up the insufficiency over a maximum period of five years;

WHEREAS, under the second paragraph of section 217 of the Act, a regulation made by the Autorité des marchés financiers under, in particular, sections 225, 226 and 278 of the Act must be submitted to the Government for approval with or without amendment;

WHEREAS the Autorité des marchés financiers made the Regulation to amend the Regulation respecting fees and contributions payable by decision No. 2013-PDG-0028 dated 12 March 2013;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting fees and contributions payable was published in Part 2 of the *Gazette officielle du Québec* of 1 May 2013, with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting fees and contributions payable, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting fees and contributions payable

An Act respecting the distribution of financial products and services (chapter D-9.2, ss. 225, 226 and 278)

1. Section 3.1. of the Regulation respecting fees and contributions payable (chapter D-9.2, r. 9) is amended by deleting the third paragraph.

2. Sections 4 and 5 of the Regulation are repealed.

3. Section 6 of the Regulation is amended:

(1) by deleting the word “other” in the first paragraph;

(2) by deleting the second paragraph.

4. The Regulation is amended by inserting the following after section 6:

“**6.1.** The fees payable for an application for recognition of equivalence of minimum qualifications are \$35.

6.2. The fees payable for an application for recognition of a privately tutored course are \$200.

6.3. The fees payable for an application for recognition of courses referred to in the second paragraph of section 14 of the Regulation respecting the issuance and renewal of representatives' certificates (chapter D-9.2, r. 7) provided by a training body not subsidized by the Ministère de l'Éducation, du Loisir et du Sport are \$200.

In the case of an application for recognition of a training program, the fees payable are \$200 for each course corresponding to the competencies evaluated by the examinations prescribed by the Authority and \$100 per hour for an analysis of additional documents.

6.4. The fees payable for an application to analyze the qualifications of a supervisor are \$35.”.

5. Section 7.1. of the Regulation is repealed.

6. Section 10 of the Regulation is replaced by the following:

“**10.** The fees payable for the examinations prescribed by the Authority are:

- (1) \$66 to determine eligibility;
- (2) \$134 to register for the examinations in each sector;
- (3) \$40 for each application to review examination results.”.

7. The Regulation is amended by inserting the following after section 10:

“**10.1.** The fees payable to postpone an examination prescribed by the Authority are \$66 where the application to postpone an examination is received by the Authority at least 5 working days preceding the date chosen for the examination session if the examinations are scheduled over a period of 90 days and the postponement date falls within this period;

“**10.2.** The fees payable to disclose information in writing to a third party with the authorization of a candidate are \$24.

The situations contemplated for such a disclosure are set out in the forms prescribed by the Authority.”.

8. Section 11 of the Regulation is amended by inserting after the words “are \$29” the words “and those for the issuance of a probationary certificate are \$29.”.

9. Section 12 of the Regulation is replaced by the following:

“**12.** The cost of a training manual sold by the Authority is \$79.

However, the cost of a manual reproducing the legislation applicable to the activities of a representative is \$25.”.

10. Sections 13 and 14 of the Regulation are repealed.

11. Sections 16 to 19 of the Regulation are repealed.

12. Section 20 of the Regulation is replaced by the following:

“**20.** The fees payable for the printing or reproduction by the Authority of prescribed forms are \$1 per form.”.

13. Sections 21 and 22 of the Regulation are repealed.

14. The Regulation is amended by inserting the following after section 28:

“**28.1.** The fees and contributions provided for in this Regulation are non-refundable.”.

15. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

2943

Gouvernement du Québec

O.C. 899-2013, 29 August 2013

Professional Code
(chapter C-26)

**Specialist's certificates of professional orders
— Diplomas issued by designated educational institutions which give access to permits or specialist's certificates
— Amendment**

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

WHEREAS, under the first paragraph of section 184 of the Professional Code (chapter C-26), after obtaining the advice of the Office des professions du Québec in