

(2) on 30 April 2020:

(a) he was the holder of a mortgage broker's licence authorizing him to engage in mortgage brokerage transactions;

(b) he did not satisfy the conditions set out in subparagraph 3 of the first paragraph of section 34 of the Regulation respecting the issue of broker's and agency licences, as it read on that date;

(c) he was not acting on behalf of an agency licence holder.

20. Notwithstanding paragraph 1 of section 10.2 of the Regulation respecting the registration of firms, representatives and independent partnerships (chapter D-9.2, r. 15), introduced by section 9 of this Regulation, a firm, an independent representative or an independent partnership whose responsible officer benefits from the presumption set out in section 14.1 or 15 of this Regulation, as applicable, does not have to keep, in the record relating to its responsible officer, a document confirming that he has passed the examinations that he is deemed to have passed.

The same applies to firms, independent representatives and independent partnerships whose responsible officer is not required to pass those examinations under section 17, 18 or 19 until the date specified therein.

21. A legal person or partnership that holds a mortgage agency licence referred to in section 491 of An Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23) may continue to identify itself in accordance with the provisions of the Regulation respecting brokerage requirements, professional conduct of brokers and advertising (chapter C-73.2, r. 1) as they read on 30 April 2020 for a period of 2 years, notwithstanding the provisions of sections 11 and 12 of the Regulation respecting the registration of firms, representatives and independent partnerships (chapter D-9.2, r. 15), amended by sections 10 and 11 of this Regulation.

22. This Regulation comes into force on 1 May 2020.

104335

M.O., 2020-06

Order number D-9.2-2020-06 of the Minister of Finance dated 27 March 2020

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

CONCERNING Regulation to amend the Regulation respecting the keeping and preservation of books and registers

WHEREAS subparagraphs 11 and 12 of section 223 of the Act respecting the distribution of financial products and services (chapter D-9.2) provide that the Autorité des marchés financiers may, by regulation, determine for each sector, the nature, form and content of the books and other registers to be kept by firms, independent representatives and independent partnerships and the rules relating to the use, conservation and destruction of the records, books and registers to be kept by firms, independent representatives and independent partnerships;

WHEREAS the first and the second paragraphs of section 194 of the Act provide, in particular, that the Authority shall publish its draft regulations in the information bulletin and every draft regulation must be published with a notice stating the time that must elapse before the draft regulation may be made or be submitted for approval, and stating the fact that any interested person may, during that time, submit comments to the person designated in the notice;

WHEREAS the first and the third paragraphs of section 217 of the Act provide, in particular, that a regulation made by the Autorité des marchés financiers under this Act must be submitted to the Minister of Finance for approval with or without amendment and that a draft of a regulation referred to in the first paragraph may not be submitted for approval and the regulation may not be made before 30 days have elapsed since the publication of the draft, that the regulation 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 Regulation to amend the Regulation respecting the keeping and preservation of books and registers was published in the Bulletin de l'Autorité des marchés financiers, volume 16, no. 39 of October 3, 2019;

WHEREAS the Autorité des marchés financiers made, on February 21, 2020, by the decision no. 2020-PDG-0017, Regulation to amend the Regulation respecting the keeping and preservation of books and registers;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend the Regulation respecting the keeping and preservation of books and registers appended hereto.

27 March 2020

ERIC GIRARD,
Minister of Finance

Regulation to amend the Regulation respecting the keeping and preservation of books and registers

An Act respecting the distribution of financial products and services
(chapter D-9.2, s. 223, pars. (11) and (12))

1. Section 7 of the Regulation respecting the keeping and preservation of books and registers (chapter D-9.2, r. 19) is amended by inserting the following after paragraph 4:

“(5) in the case of the separate account kept by a firm, an independent representative or an independent partnership registered in the sector of mortgage brokerage:

- (a) the date of the deposit to the separate account;
- (b) the date of the withdrawal from the separate account;
- (c) the name of the recipient of the amount paid out of the separate account.”.

2. This Regulation comes into force on 1 May 2020.

104336

M.O., 2020-07

Order number D-9.2-2020-07 of the Minister of Finance dated 27 March 2020

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

CONCERNING Regulation to amend the Regulation respecting alternative distribution methods

WHEREAS section 202.2 and subparagraphs 5, 13.1 and 15 of section 223 of the Act respecting the distribution of financial products and services (chapter D-9.2) provide that the Autorité des marchés financiers may make regulations concerning the matters referred to in those subparagraphs and sections;

WHEREAS the first and the second paragraphs of section 194 of the Act provide, in particular, that the Authority shall publish its draft regulations in the information bulletin and every draft regulation must be published with a notice stating the time that must elapse before the draft regulation may be made or be submitted for approval, and stating the fact that any interested person may, during that time, submit comments to the person designated in the notice;

WHEREAS the first and the third paragraphs of section 217 of the Act provide, in particular, that a regulation made by the Autorité des marchés financiers under this Act must be submitted to the Minister of Finance for approval with or without amendment and that a draft of a regulation referred to in the first paragraph may not be submitted for approval and the regulation may not be made before 30 days have elapsed since the publication of the draft, that the regulation 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 Regulation to amend the Regulation respecting alternative distribution methods was published in the Bulletin de l’Autorité des marchés financiers, volume 16, no. 39 of October 3, 2019;

WHEREAS the Autorité des marchés financiers made, on February 21, 2020, by the decision no. 2020-PDG-0015, Regulation to amend the Regulation respecting alternative distribution methods;

WHEREAS there is cause to approve this regulation without amendment;