

Regulations and other Acts

Gouvernement du Québec

O.C. 510-2022, 23 March 2022

Insurers Act
(chapter A-32.1)

Act respecting financial services cooperatives
(chapter C-67.3)

Deposit Institutions and Deposit Protection Act
(chapter I-13.2.2)

Trust Companies and Savings Companies Act
(chapter S-29.02)

Acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed

Regulation respecting the acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed

WHEREAS, under section 84 of the Insurers Act (chapter A-32.1), section 473 of the Act respecting financial services cooperatives (chapter C-67.3), section 28.31 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) and section 68 of the Trust Companies and Savings Companies Act (chapter S-29.02), no authorized Québec insurer, financial services cooperative, authorized Québec deposit institution or authorized Québec trust company may acquire or hold contributed capital securities issued by a legal person or a partnership or participations in a trust in excess of 30% of the value of those securities or participations or the number of those securities or participations allowing it to exercise more than 30% of the voting rights nor may be the co-owner of property if its share of the right of ownership is greater than 30% without exceeding 50%, alone or together with the shares of groups affiliated with it;

WHEREAS, under the first paragraph of section 85 of the Insurers Act, the first paragraph of section 474 and subparagraph 10 of the first paragraph of section 599 of the Act respecting financial services cooperatives, section 28.32 of the Deposit Institutions and Deposit Protection Act and section 69 of the Trust Companies and Savings Companies Act, an authorized Québec insurer, a financial services cooperative, an authorized Québec deposit institution or an authorized Québec trust company may, despite, as the case may be, section 84, 473, 28.31 or 68, acquire and hold up to all the contributed capital securities issued by a legal person or a partnership, up to all the participations in a trust or a share of a right of ownership in cases where the insurer, financial services cooperative, deposit institution or trust company will be the holder of control of the person, partnership, trust or property after the acquisition and in the cases determined by government regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed was published in Part 2 of the *Gazette officielle du Québec* of 22 December 2021 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation respecting the acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

**Regulation respecting the acquisition
and holding of securities or participations
or a share of a right of ownership
by certain financial institutions in excess
of the limits imposed**

Insurers Act
(chapter A-32.1, s. 85, 1st par.)

Act respecting financial services cooperatives
(chapter C-67.3, s. 474, 1st par., and s. 599, 1st par.,
subpar. 10)

Deposit Institutions and Deposit Protection Act
(chapter I-13.2.2, s. 28.32)

Trust Companies and Savings Companies Act
(chapter S-29.02, s. 69)

1. This Regulation applies to the following authorized financial institutions:

(1) an authorized Québec insurer under the Insurers Act (chapter A-32.1);

(2) a financial services cooperative within the meaning of the Act respecting financial services cooperatives (chapter C-67.3);

(3) an authorized Québec deposit institution under the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2);

(4) an authorized Québec trust company under the Trust Companies and Savings Companies Act (chapter S-29.02).

2. A financial institution referred to in section 1 may, through a limited partnership of which it is the holder of control, but whose financial information is not consolidated or combined with its own, in accordance with the Acts referred to in section 1, acquire and hold contributed capital securities issued by a legal person or partnership or participations in a trust or a share of a right of ownership, in excess of the investment limits imposed in the Acts referred to in section 1.

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

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