

M.D., 2024-12**Order number I-14.01-2024-10 of the Minister of Finance, 6 September 2024**

Derivatives Act

(chapter I-14.01, s. 175, par. 1, subpars. 2, 3, 12, 13, 14, 16, 20, 20.1, 20.2, 25, 26 and 27)

CONCERNING the Regulation to amend the Derivatives Regulation

WHEREAS subparagraphs 2, 3, 12, 13, 14, 16, 20, 20.1, 20.2, 25, 26 and 27 of the first paragraph of section 175 of the Derivatives Act (chapter 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 (chapter 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 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 21, no. 20 of May 23, 2024;

WHEREAS the Authority made, on August 26, 2024, by the decision no. 2024-PDG-0039, Regulation to amend the Derivatives Regulation;

WHEREAS there is cause to approve this regulation without amendment;

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

September 6, 2024

ERIC GIRARD

Minister of Finance

Regulation to amend the Derivatives Regulation

Derivatives Act

(chapter I-14.01, s. 175, 1st par., pars. (2), (3), (12), (13), (14), (16), (20), (20.1), (20.2), (25), (26) and (27)).

1. Section 11.1 of the Derivatives Regulation (chapter I-14.01, r. 1) is amended:

(a) by deleting “3.11 to 3.13,”;

(b) by replacing “Part 11, sections 12.1” by “sections 11.1, 11.4”;

(c) by replacing “Part 13 and sections” by “sections 13.2 to 13.19,”; and

(d) by adding “in respect of their derivatives activities to which Regulation 93-101 respecting Derivatives: Business Conduct, approved by Order number I-14.01-2023-21 of the Minister of Finance dated December 5, 2023, (2023), 51 G.O. II, does not apply” at the end.

2. The Regulation is amended by inserting the following after section 11.1:

“**11.1.1** Regulation 31-102 respecting National Registration Database (chapter V-1.1, r. 9), sections 1.1, 1.3, 2.2, 3.1 to 3.3, 3.15(1), 4.1, 4.2, 8.23 to 8.25, 8.30, 9.1, 9.3(1), 11.4, 11.9, 11.10, 12.1 to 12.4, 12.6 to 12.13, 13.2.01, 13.2.1, 13.12, 13.18, 13.19, 14.4 and 14.11 of Regulation 31-103 respecting Registration Requirements, Exemptions and Ongoing Registrant Obligations (chapter V-1.1, r. 10), and Regulation 33-109 respecting Registration Information (chapter V-1.1, r. 12), apply, with the necessary modifications, to the persons contemplated in subdivision 1 in respect of their derivatives activities to which Regulation 93-101 respecting Derivatives: Business Conduct, approved by Order number I-14.01-2023-21 of the Minister of Finance dated December 5, 2023, (2023), 51 G.O. II, applies.”

3. This Regulation comes into force on 28 September 2024.

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