

WHEREAS, in accordance with section 196 of the Act respecting the distribution of financial products and services, the Bureau adopted the Regulation to amend the Regulation respecting the pursuit of activities as a representative;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be approved without having been published as provided in section 8 of that Act, if the authority approving it is of the opinion that the urgency of the situation requires it;

WHEREAS, under the first paragraph of section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that approves it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 and the second paragraph of section 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to following circumstances justifies the absence of prior publication and such coming into force of the Regulation to amend the Regulation respecting the pursuit of activities as a representative:

— as a result of the withdrawal of a number of insurers from the liability insurance market and substantial rate increases in that market, a number of representatives acting on behalf of a firm without being employees must renew their registration as of 1 October 2003, and may not be in a position to obtain professional liability insurance coverage if the coverage requirements are not modified before that date and they consequently would be unable to legally pursue their activities;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the pursuit of activities as a representative, the text of which is attached to this Order in Council, be approved.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

## **Regulation to amend the Regulation respecting the pursuit of activities as a representative\***

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2, s. 196)

**1.** Section 17 of the Regulation respecting the pursuit of activities as a representative is amended by replacing “\$5,000” in paragraph 2 by “\$10,000”.

**2.** This Regulation comes into force on 1 October 2003.

5955

Gouvernement du Québec

### **O.C. 1014-2003, 24 September 2003**

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2)

#### **Firm, independent representative and independent partnership — Amendments**

Regulation to amend the Regulation respecting firm, independent representative and independent partnership

WHEREAS, under the first paragraph of section 196 of the Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2), the Bureau des services financiers may determine by regulation, for each sector and class of sectors, the requirements with which the liability insurance contracts of firms, representatives acting on behalf of a firm without being employees, independent representatives and independent partnerships must be consistent;

WHEREAS, under the second paragraph of that section, the regulation may, in particular, prescribe the extent of coverage, the amount covered per claim, the amount of the deductible and the notice that must be given before a contract is cancelled;

\* The Regulation respecting the pursuit of activities as a representative, approved by Order in Council 830-99 dated 7 July 1999 (1999, G.O. 2, 2066), has not been amended since its approval.

WHEREAS, under the third paragraph of that section, the regulation must be submitted to the Government for approval with or without amendment ;

WHEREAS the Government, by Order in Council 832-99 dated 7 July 1999, approved the Regulation respecting firm, independent representative and independent partnership ;

WHEREAS it is expedient to amend the Regulation ;

WHEREAS, in accordance with section 196 of the Act respecting the distribution of financial products and services, the Bureau adopted the Regulation to amend the Regulation respecting firm, independent representative and independent partnership ;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be approved without having been published as provided in section 8 of that Act, if the authority approving it is of the opinion that the urgency of the situation requires it ;

WHEREAS, under the first paragraph of section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that approves it is of the opinion that the urgency of the situation requires it ;

WHEREAS, under section 13 and the second paragraph of section 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation ;

WHEREAS the Government is of the opinion that the urgency due to following circumstances justifies the absence of prior publication and such coming into force of the Regulation to amend the Regulation respecting firm, independent representative and independent partnership :

— as a result of the withdrawal of a number of insurers from the liability insurance market and substantial rate increases in that market, a number of firms, independent representatives and independent partnerships must renew their registration as of 1 October 2003, and may not be in a position to obtain professional liability insurance coverage if the coverage requirements are not modified before that date and they consequently would be unable to legally pursue their activities ;

WHEREAS it is expedient to approve the Regulation with amendments ;

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

THAT the Regulation to amend the Regulation respecting firm, independent representative and independent partnership, the text of which is attached to this Order in Council, be approved.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

### **Regulation to amend the Regulation respecting firm, independent representative and independent partnership\***

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2, s. 196)

**1.** Section 29 of the Regulation respecting firm, independent representative and independent partnership is amended

(1) by replacing subparagraphs 1 and 2 of the first paragraph by the following :

“(1) The coverage amount must not be less than \$500,000 per claim and, for each 12-month period, not less than

(a) \$1,000,000 for an independent representative ;

(b) \$1,000,000 for a firm or an independent partnership having three representatives or fewer acting on behalf of the firm or the independent partnership ; and

(c) \$2,000,000 for a firm or an independent partnership having more than three representatives acting on behalf of the firm or the independent partnership ;

(2) The insurance contract may stipulate a deductible not exceeding

(a) \$10,000 for an independent representative ;

(b) \$10,000 for a firm or an independent partnership having three representatives or fewer acting on behalf of the firm or the independent partnership ; or

(c) \$25,000 for a firm or an independent partnership having more than three representatives acting on behalf of the firm or the independent partnership ;” ;

\* The Regulation respecting firm, independent representative and independent partnership, approved by Order in Council 832-99 dated 7 July 1999 (1999, *G.O.* 2, 2092), has not been amended since its approval.

(2) by replacing the second paragraph by the following:

“The amount of the deductible stipulated in the insurance contract may nevertheless be greater than the amount set out in subparagraphs *a* to *c* of subparagraph 2 of the first paragraph, provided that the insured maintains at all times liquid assets at least equal to the amount stipulated in the contract. “Liquid assets” means the total of cash and securities immediately convertible into cash.”.

**2.** The title of the Regulation is replaced in the English text by the following:

“Regulation respecting firms, independent representatives and independent partnerships”.

**3.** This Regulation comes into force on 1 October 2003.

5956

Gouvernement du Québec

## Agreement

An Act respecting elections and referendums in municipalities  
(R.S.Q., c. E-2.2)

### AGREEMENT CONCERNING NEW METHODS OF VOTING IN CONNECTION WITH A POSTAL BALLOT

AGREEMENT ENTERED INTO

BETWEEN

The MUNICIPALITY OF LA TUQUE, a legal person established in the public interest, having its head office at 558, rue Commerciale, in the province of Québec, here represented by the mayor, Mr. Gaston Fortin, and the clerk, Mr. Yves Tousignant, in accordance with resolution number 2003-06-162, hereinafter referred to as

THE MUNICIPALITY

AND

M<sup>e</sup> Marcel Blanchet, in his capacity as the CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office pursuant to the Election Act (R.S.Q., c. E-3.3), acting for the purposes of this agreement in that capacity and having his head office at 3460, rue de La Pérade, Sainte-Foy, Province of Québec, hereinafter referred to as

THE CHIEF ELECTORAL OFFICER

AND

the Honourable Jean-Marc Fournier, in his capacity as the MINISTER OF MUNICIPAL AFFAIRS, SPORTS AND RECREATION, having his head office at 10, rue Pierre-Olivier-Chauveau, in Québec, Province of Québec, hereinafter referred to as

THE MINISTER

WHEREAS the council of the MUNICIPALITY, pursuant to resolution number 2003-06-162, adopted at the meeting held on June 25th 2003, intends to avail itself of the provisions of the Act respecting elections and referendums in municipalities in order to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER for the holding of a postal ballot for the municipal election to be held on November 2nd of the year 2003 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) provide as follows:

“**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer.”;

WHEREAS the MUNICIPALITY intends to avail itself of those provisions to hold a municipal election on November 2nd of the year 2003 and, with the necessary adaptations, could avail itself of those provisions for the elections provided for in the agreement to be held at a later date. The adaptations must be made in an addendum to this agreement;