

M.D., 2025-10

Order number D-9.2-2025-10 of the Minister of Finance, April 25, 2025

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

CONCERNING Regulation to amend the Regulation respecting firms, independent representatives and independent partnerships

WHEREAS subparagraphs 8, 11 and 13.1 of section 223 of the Act respecting the distribution of financial products and services (chapter D-9.2) provides that the *Autorité des marchés financiers* may, by regulation, determine for each sector, the rules relating to the keeping of records and the register of commissions, the nature, form and content of the books and other registers to be kept by firms, independent representatives and independent partnerships and other rules relating to the activities of a firm, an independent representative or an independent partnership;

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 firms, independent representatives and independent partnerships was published in the *Bulletin de l'Autorité des marchés financiers*, volume 21, no. 42 of October 24, 2024;

WHEREAS the *Autorité des marchés financiers* made, on March 28, 2025, by the decision no. 2025-PDG-0013, Regulation to amend the Regulation respecting firms, independent representatives and independent partnerships;

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 firms, independent representatives and independent partnerships appended hereto.

April 25, 2025

ERIC GIRARD
Minister of Finance

Regulation to amend the Regulation respecting firms, independent representatives and independent partnerships

Act respecting the distribution of financial products and services
(chapter D-9.2, s. 223, pars. (8), (11) and (13.1)).

1. Section 17 of the Regulation respecting firms, independent representatives and independent partnerships (chapter D-9.2, r. 2) is amended by inserting the following at the end of the first paragraph:

“(11) where a record is processed by a person referred to in subparagraph 3 of the second paragraph of section 10 of the Act respecting the distribution of financial products and services (chapter D-9.2), the name of the person, indicating that he is a person referred to in such section, and the name of the claims adjuster supervising the person.”

2. The Regulation is amended by inserting the following after section 28.1:

“§8. Register of persons referred to in subparagraph 3 of the second paragraph of section 10 of the Act respecting the distribution of financial products and services

28.1.1. A firm, independent representative or independent partnership must keep a register of the persons acting under the supervision of a claims adjuster and provide in such register the following information for each person referred to in subparagraph 3 of the second paragraph of section 10 of the Act respecting the distribution of financial products and services (chapter D-9.2):

(1) the person's name, date of birth and residential address;

(2) the date on which the person begins and ceases to act as such a person.”

3. The Regulation is amended by inserting the following after section 28.3:

“DIVISION II.2

RULES SPECIFIC TO CLAIMS ADJUSTMENT

28.4. A firm, independent representative or independent partnership that employs a person referred to in subparagraph 3 of the second paragraph of section 10 of the Act respecting the distribution of financial products and services (chapter D-9.2) must:

(1) determine which tasks the person may carry out;

(2) present, in writing, the steps to follow to process a claim;

(3) ensure that the supervisor is available for the person in a timely manner.”

4. This Regulation comes into force on 9 May 2025.

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