

Regulation to amend Regulation 13-101 respecting the system for electronic document analysis and retrieval (SEDAR)*

Securities Act
(R.S.Q., c. V-1.1, s. 331.1, par. (2))

1. Paragraph A of Part I of Appendix A of Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR) is amended:

(1) by replacing, in subparagraph 1, the words “and Annual Information Form” with “, Annual Information Form and Fund Facts”;

(2) by replacing, in subparagraph 2, the words “and Annual Information Form” with “, Annual Information Form and Fund Facts”;

(3) by replacing, in subparagraph 3, the words “and Annual Information Form” with “, Annual Information Form and Fund Facts”;

(4) by adding, at the end, the following subparagraph:

“7. Initial Fund Facts”.

2. This Regulation comes into force on January 1, 2011.

* Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR), adopted on June 12, 2001, pursuant to Decision No. 2001-C-0272 and published in the Supplement to the Bulletin of the *Commission des valeurs mobilières du Québec*, Vol. 32, No. 26, dated June 29, 2001, was amended solely by the instruction adopted on June 12, 2001, pursuant to Decision No. 2001-C-0273 and published in the Supplement to the Bulletin of the *Commission des valeurs mobilières du Québec*, Vol. 32, No. 26, dated June 29, 2001 and by the regulations to amend the regulation approved by Ministerial Orders No. 2005-06 dated May 19, 2005 (2005, *G.O.* 2, 1500), No. 2005-17 dated August 2, 2005 (2005, *G.O.* 2, 3523), No. 2005-22 dated August 17, 2005 (2005, *G.O.* 2, 3643), and No. 2006-03 dated October 31, 2006 (2006, *G.O.* 2, 3586).

Regulation to amend Regulation 81-102 respecting mutual funds[†]

Securities Act
(R.S.Q., c. V-1.1, s. 331.1, par. (1), (8), (11), (16) and (34))

1. Section 1.1 of Regulation 81-102 respecting Mutual Funds is amended:

(1) by adding, after subparagraph (2) of paragraph (b) of the definition of “sales communication”, the following:

“2.1. A fund facts document or preliminary or pro forma fund facts document.”;

(2) by replacing, in the French text of the definition of “standardized future”, the words “normalisées contenues dans le” with the words “standardisées contenues dans le règlement intérieur, les règles ou les règlements”;

(3) by replacing, in the French text of the definition of “conventional floating rate debt instrument”, the words “titre d'emprunt” with the words “titre de créance”.

2. Section 3.3 of the Regulation is replaced with the following:

“3.3. Prohibition Against Reimbursement of Organization Costs

None of the costs of incorporation, formation or initial organization of a mutual fund, or of the preparation and filing of any of the preliminary simplified prospectus, preliminary annual information form, preliminary fund facts document, initial simplified prospectus, annual information form or fund facts document of the mutual fund shall be borne by the mutual fund or its securityholders.”.

[†] Regulation 81-102 respecting Mutual Funds, adopted on May 22, 2001 pursuant to Decision No. 2001-C-0209 and published in the Bulletin of the *Commission des valeurs mobilières du Québec*, Vol. 32, No. 22, dated June 1, 2001, was amended solely by the instruction adopted on May 22, 2001, pursuant to Decision No. 2001-C-0211 and published in the Bulletin of the *Commission des valeurs mobilières du Québec*, Vol. 32, No. 22, dated June 1, 2001 and by the regulations to amend the regulation approved by Ministerial Orders No. 2004-02 dated February 19, 2004 (2004, *G.O.* 2, 1064), No. 2005-06 dated May 19, 2005 (2005, *G.O.* 2, 1500), No. 2006-03 dated October 31, 2006 (2006, *G.O.* 2, 3586), No. 2008-06 dated March 4, 2008 (2008, *G.O.* 2, 726), No. 2008-13 dated August 22, 2008 (2008, *G.O.* 2, 4556), and No. 2009-05 dated September 9, 2009 (2009, *G.O.* 2, 3362A).

3. Subparagraph (f) of paragraph (1) of section 5.6 of the Regulation is amended by replacing subparagraphs (ii) and (iii) with the following:

“(ii) the current simplified prospectus or the most recently filed fund facts document;

“(iii) a statement that securityholders may obtain, in respect of the reorganized mutual fund, at no cost a simplified prospectus, an annual information form, the most recently filed fund facts document, the most recent annual and interim financial statements, and the most recent management report of fund performance that have been made public, by contacting the mutual fund at an address or telephone number specified in the statement or by accessing the documents at a website address specified in the statement;”.

4. Subparagraph (d) of paragraph (1) of section 5.7 of the Regulation is amended by replacing the words “a draft of an amendment to the simplified prospectus of the mutual fund reflecting the change; and” with the words “a draft amendment to the simplified prospectus and, if applicable, to the fund facts document of the mutual fund reflecting the change; and”.

5. Subparagraph (b) of paragraph (3) of section 6.2 of the French text of the Regulation is amended by adding, after the words “la banque”, the words “ou la société”.

6. Subparagraph (b) of paragraph (1) of section 15.2 of the Regulation is replaced with the following:

“(b) include a statement that conflicts with information that is contained in the preliminary simplified prospectus, the preliminary annual information form, the preliminary fund facts document, the simplified prospectus, the annual information form or the fund facts document

(i) of a mutual fund, or

(ii) in which an asset allocation service is described.”.

7. This Regulation comes into force on January 1, 2011.

Regulation to amend Regulation 81-106 respecting investment fund continuous disclosure*

Securities Act
(R.S.Q., c. V-1.1, s. 331.1, par. (1) and (8))

1. Subparagraph (d) of paragraph (1) of section 11.2 of Regulation 81106 respecting Investment Fund Continuous Disclosure is amended by replacing the words “or simplified prospectus” with the words “, simplified prospectus or fund facts document”.

2. This Regulation comes into force on January 1, 2011.

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* Regulation 81-106 respecting Investment Fund Continuous Disclosure, approved by Ministerial Order No. 2005-05 dated May 19, 2005 (2005, *G.O.* 2, 1601), was last amended by the regulation to amend the regulation approved by Ministerial Order No. 2008-12 dated August 22, 2008 (2008, *G.O.* 2, 4551). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2010, updated to October 1, 2010.