

chapter E-6.1

**ACT RESPECTING THE REGULATION OF THE FINANCIAL SECTOR**



*This Act was formerly entitled “Act respecting the Autorité des marchés financiers”. The title was amended by section 603 of chapter 23 of the statutes of 2018.*

2004, c. 37, s. 90; 2018, c. 23, s. 603.

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## TITLE I

### THE AUTORITÉ DES MARCHÉS FINANCIERS

2004, c. 37, s. 90.

## CHAPTER I

### ESTABLISHMENT

1. The “Autorité des marchés financiers” is hereby established, hereinafter called the “Authority”.

The Authority is a legal person and a mandatary of the State.

2002, c. 45, s. 1; 2004, c. 37, s. 90.

2. The property of the Authority forms part of the domain of the State but the execution of the obligations of the Authority may be levied against its property.

The Authority binds none but itself when it acts in its own name.

2002, c. 45, s. 2; 2004, c. 37, s. 90.

3. The Authority has its head office in the national capital at the location it determines. A notice of the location of the head office, and of any change in its location, shall be published in the *Gazette officielle du Québec*.

2002, c. 45, s. 3; 2004, c. 37, s. 90.

## CHAPTER II

### DIVISION I

#### MISSION

4. The mission of the Authority is to

- (1) provide assistance to consumers of financial products and services, in particular by setting up consumer-oriented educational programs on financial products and services, processing complaints filed by consumers and giving consumers access to dispute-resolution services;

- (2) ensure that the financial institutions and other regulated entities of the financial sector comply with the solvency standards applicable to them as well as with the obligations imposed on them by law with a view to protecting the interests of consumers of financial products and services, and take any measure provided by law for those purposes;

- (3) supervise the activities connected with the distribution of financial products and services, administer the rules governing eligibility for and the carrying on of those activities, and take any measure provided by law for those purposes;

- (4) supervise stock market and clearing house activities and monitor the securities market, in particular, by administering the controls provided by law as regards access to the public capital market, ensuring that the issuers and other practitioners involved in the financial sector comply with the obligations imposed on them by law and taking any measure provided by law for those purposes;

- (4.1) supervise derivatives markets, including derivatives exchanges and clearing houses and ensure that regulated entities and other derivatives market practitioners comply with the obligations imposed by law; and

(5) see to the implementation of protection and compensation programs for consumers of financial products and services and administer the compensation funds set up by law.

2002, c. 45, s. 4; 2004, c. 37, s. 90; 2008, c. 24, s. 182.

**5. (Repealed).**

2002, c. 45, s. 5; 2004, c. 37, s. 90; 2021, c. 34, s. 80.

**6.** The Authority shall establish any administrative structure that is appropriate for the exercise of all of the duties and powers related to the regulation of the financial sector, coordination among directorates, coordination of relations with the industry, coordination of the disclosure requirements and coordination of inspections and investigations.

2002, c. 45, s. 6; 2004, c. 37, s. 90; 2021, c. 34, s. 81.

## **DIVISION II**

### **FUNCTIONS AND POWERS**

**7.** The Authority shall perform the functions and exercise the powers conferred on it by the Acts listed in Schedule 1 or by other Acts, and shall administer all the Acts or legislative provisions entrusted to the administration of the Authority by an Act or by the Government.

The Authority shall also act as an information and reference centre in all fields of the financial sector.

In addition, the Authority shall perform the functions and exercise the powers conferred on it by this Act.

2002, c. 45, s. 7; 2004, c. 37, s. 90.

**8.** The Authority shall perform its functions and exercise its powers in a way as to:

(1) foster the confidence of the public and of the business community as regards financial institutions and practitioners in the financial sector as regards solvency and the competence of agents, advisers, brokers, representatives and other practitioners in the financial sector;

(2) promote the availability of high-quality, competitively priced financial products and services for individuals and enterprises in all regions of Québec;

(3) see to the establishment of an effective and efficient regulatory framework that promotes the development of the financial sector and facilitates innovative management and commercial practices;

(4) grant the public and the business community access to reliable, accurate and complete information on the financial institutions and practitioners in the financial sector and on the financial products and services offered;

(5) protect consumers against unethical, abusive or fraudulent practices and give individuals and enterprises access to various dispute resolution mechanisms.

2002, c. 45, s. 8; 2004, c. 37, s. 90.



## CHAPTER III

### INSPECTIONS AND INVESTIGATIONS, WHISTLEBLOWER PROTECTION AND IMMUNITY AND PENAL PROVISIONS

2002, c. 45, c. III; 2018, c. 23, s. 604.

#### DIVISION I

##### INSPECTIONS AND INVESTIGATIONS

2018, c. 23, s. 604.

**9.** The Authority may, to verify compliance with an Act referred to in section 7, except the Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5), designate any person who is a staff member to carry out an inspection.

The Authority may, in writing, authorize a person other than a staff member to carry out an inspection and report to it.

It may also delegate, by agreement, all or part of its inspection functions and powers to a self-regulatory organization in accordance with Title III.

2002, c. 45, s. 9; 2004, c. 37, s. 90; 2012, c. 25, s. 27; 2015, c. 23, s. 46; 2017, c. 27, s. 156.

**10.** The person so authorized to carry out an inspection by the Authority or by a self-regulatory organization may

(1) enter, at any reasonable time of day, the establishment of a person or partnership where activities governed by an Act referred to in section 7 are carried on and carry out an inspection;

(2) require from the persons present any information related to the application of such an Act as well as the production of any book, register, account, contract, record or other relevant document;

(3) examine and make copies of the documents containing information that is relevant to the activities of the person or partnership.

Any person who has the custody, possession or control of documents referred to in this section must, on request, communicate them to the person carrying out the inspection and facilitate their examination by such person.

2002, c. 45, s. 10; 2004, c. 37, s. 90.

**11.** The person authorized to carry out an inspection by the Authority or by a self-regulatory organization must, on request, produce identification and show the document attesting his or her authorization.

No proceedings may be brought against that person by reason of acts performed in good faith in the exercise of his or her functions.

2002, c. 45, s. 11; 2004, c. 37, s. 90.

**12.** The Authority may, on its own initiative or on request, conduct any investigation if it has reasonable grounds to believe there has been contravention of an Act referred to in section 7.

The investigation is held *in camera*.

2002, c. 45, s. 12; 2004, c. 37, s. 90; 2008, c. 7, s. 1.

**13.** The Authority may authorize a person referred to in the first or second paragraph of section 9 to exercise all or part of the powers conferred on it by section 12.

2002, c. 45, s. 13; 2004, c. 37, s. 90.

**14.** The person the Authority has authorized to conduct an investigation is vested with the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

2002, c. 45, s. 14; 2004, c. 37, s. 90.

**14.1.** The Authority may prohibit a person from communicating information related to an investigation to anyone except the person's lawyer.

2008, c. 7, s. 2.

**14.2.** A person called on to testify during an investigation or an examination may be assisted by a lawyer of the person's choice.

2008, c. 7, s. 2.

**15.** The person shall transmit all investigation reports to the Authority.

2002, c. 45, s. 15; 2004, c. 37, s. 90.

**15.1.** No chartered professional accountant may refuse to communicate to the Authority or to a person authorized by the Authority any information or document relating to a legal person, partnership or other entity that is under an investigation conducted under section 12 of this Act, section 116 of the Derivatives Act (chapter I-14.01) or section 239 of the Securities Act (chapter V-1.1) that was obtained or prepared by the accountant for the purposes of an audit or for the purposes of the examination of interim financial statements of the legal person, partnership or entity, on the grounds that the communication would result in the disclosure of information protected by professional secrecy.

Nor may such an accountant refuse to allow a document described in the first paragraph to be examined, copied or seized by the Authority, or a person authorized to investigate by the Authority, in the course of a search under the Code of Penal Procedure (chapter C-25.1).

This section shall not operate to allow the communication, examination, copying or seizure of a document or information protected by the professional secrecy binding a member of a professional order other than a chartered professional accountant.

2008, c. 7, s. 3; 2008, c. 24, s. 183; 2012, c. 11, s. 32; 2018, c. 23, s. 605.

**15.2.** Despite any other provision of this Act or of an Act referred to in section 7, information or a document obtained under section 15.1 is confidential and may not be used or communicated otherwise than in accordance with sections 15.3 to 15.7.

The disclosure of such information or such a document, and its use or communication pursuant to any of sections 15.3 to 15.7, may not operate to otherwise affect the right to professional secrecy.

2008, c. 7, s. 3.

**15.3.** Information or a document obtained under section 15.1 may only be used within the Authority for the purposes of the investigation or the search.

It may be accessed by persons whose functions within the Authority require that they be informed of the substance of the investigation or the search.

2008, c. 7, s. 3.

**15.4.** The Authority may communicate information or a document obtained under section 15.1 to a person authorized to exercise all or part of its powers of investigation or to a person providing expert support in the course of the investigation or the search, but solely for such purposes and only insofar as the Authority has obtained the person's undertaking to uphold the same confidentiality obligations as are incumbent on the Authority and the persons referred to in section 15.3.

2008, c. 7, s. 3.

**15.5.** The President and Chief Executive Officer of the Authority, a member of the personnel of the Authority, a person authorized to investigate by the Authority or a person providing expert support may not testify in relation to or produce information or a document obtained under section 15.1 except insofar as the disclosure is necessary for the purposes of a proceeding to which the Authority is a party following the investigation or the search.

Information or a document obtained under section 15.1 may not be used or communicated for the purposes of a civil suit.

It may be used or communicated for the purposes of section 19.1.

The first paragraph also applies to persons who no longer exercise the functions described in that paragraph.

2008, c. 7, s. 3; I.N. 2015-06-01.

**15.6.** Information or a document obtained under section 15.1 may be communicated by the Authority

(1) to a police force having jurisdiction in Québec, if there are reasonable grounds to believe that the legal person, partnership or other entity has committed or is about to commit a criminal or penal offence against the Authority or one of its employees or under this Act, an Act referred to in section 7 or another securities provision, and the communication is necessary for the investigation of that offence or any prosecution resulting from the investigation;

(2) to a Canadian securities authority, if the communication is needed by that authority in the exercise of its powers of investigation or necessary for any prosecution resulting from the investigation;

(3) to a regulatory body, other than an authority referred to in paragraph 2, which, at the time of the communication, is a signatory to a multilateral memorandum of understanding concerning consultation and cooperation and the exchange of information of the International Organization of Securities Commissions or the Multilateral Memorandum of Understanding on Cooperation and Information Exchange of the International Association of Insurance Supervisors, published in the Authority's bulletin, if the communication is needed by that regulatory body in the exercise of its powers of investigation or necessary for any prosecution resulting from the investigation; or

(4) to the Ordre des comptables professionnels agréés du Québec, within the scope of an agreement entered into under section 9 of the Chartered Professional Accountants Act (chapter C-48.1).

2008, c. 7, s. 3; 2009, c. 35, s. 76; 2011, c. 26, s. 3; 2012, c. 11, s. 15; 2018, c. 23, s. 606.

**15.7.** Before communicating information or a document in accordance with paragraph 2 or 3 of section 15.6, the Authority must obtain an undertaking from the recipient that it will use the information or document solely for the purposes stated in that paragraph and that it will uphold the same confidentiality obligations

with respect to the information or document as are incumbent on the Authority under this section and sections 15.2 to 15.6.

If the Authority is of the opinion that the information or document will not, with a recipient referred to in paragraph 3 of section 15.6, benefit from the same level of protection as is provided by this section and sections 15.2 to 15.6, it must refuse to communicate the information or document.

2008, c. 7, s. 3.

**16.** No member of a board or person employed by the Authority or authorized by the Authority to exercise the powers to make an inspection or inquiry shall communicate or allow to be communicated to anyone information obtained under this Act or a regulation made by the Government, or allow the examination of a document filed under this Act or the regulation, unless the board member or person is authorized to do so by the Authority. The same applies to any information or document relating to the application of guidelines and provided voluntarily to the Authority.

Notwithstanding sections 9 and 59 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), only a person generally or specially authorized by the Authority may have access to such information or such a document.

2002, c. 45, s. 16; 2002, c. 70, s. 177; 2004, c. 37, s. 41; 2013, c. 18, s. 7; 2021, c. 34, s. 82.

**16.1.** The President and Chief Executive Officer of the Authority, a member of the personnel of the Authority or any other person who exercised functions in the course of an investigation under section 12 or under an Act referred to in section 7 may not testify in relation to information or a document obtained in the course of the investigation or produce such a document, except insofar as the disclosure is necessary for the purposes of a proceeding to which the Authority is a party.

Information or a document described in the first paragraph may be used or communicated for the purposes of section 19.1.

The first paragraph also applies to persons who no longer exercise the functions described in that paragraph.

2008, c. 7, s. 4; I.N. 2015-06-01.

**17.** The Authority may summarily dismiss any request for investigation considered to be frivolous or clearly unfounded.

The applicant must be informed of any dismissal.

2002, c. 45, s. 17; 2004, c. 37, s. 90; 2008, c. 24, s. 184.

## DIVISION II

### WHISTLEBLOWER PROTECTION

2018, c. 23, s. 607.

**17.0.1.** Any person who wishes to make a disclosure may do so by communicating any information to the Authority that the person believes could show that a contravention of an Act referred to in section 7 has been committed or is about to be committed, or that could show that the person has been asked to commit such a contravention.

A person who discloses such a contravention may do so despite the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), the Act respecting the

protection of personal information in the private sector (chapter P-39.1), any other communication restrictions under other laws of Québec, any provision of a contract or any duty of loyalty or confidentiality that may be binding on the person, in particular with respect to an employer or client.

However, the lifting of professional secrecy authorized under this section does not apply to professional secrecy between a lawyer or a notary and a client.

2018, c. 23, s. 607.

**17.0.2.** The Authority must take all the measures necessary to protect the identity of persons who make a disclosure. However, the Authority may communicate the identity of such a person to the Director of Criminal and Penal Prosecutions or to another competent authority.

2018, c. 23, s. 607.

**17.0.3.** If a person makes a disclosure to the Authority that should have been made to the Anti-Corruption Commissioner or to another competent authority, the Authority must inform the person of that fact, unless the Authority is unable to contact the person.

2018, c. 23, s. 607.

**17.0.4.** It is forbidden to take a reprisal against a person who, in good faith, makes a disclosure to the Authority or who cooperates in an investigation conducted under this Act, or to threaten to take a reprisal against a person so that he or she will abstain from making such a disclosure or cooperating in such an investigation.

2018, c. 23, s. 607.

**17.0.5.** For the purposes of this division, the demotion, suspension, dismissal or transfer of an employee or any disciplinary or other measure that adversely affects his or her employment or working conditions is presumed to be a reprisal.

2018, c. 23, s. 607.

### DIVISION III

#### IMMUNITY AND PENAL PROVISIONS

2018, c. 23, s. 607.

**17.1.** A person who, in good faith and in accordance with section 17.0.1, reports a failure to comply with an Act referred to in section 7 to the Authority is not subject to any civil liability for doing so.

2011, c. 26, s. 4; 2018, c. 23, s. 608.

**18.** Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure (chapter C-25.01) may be exercised, nor any injunction granted, against any person authorized to carry out an inspection or conduct an investigation.

Any judge of the Court of Appeal may, on an application, summarily annul any decision, order or injunction made or granted contrary to the first paragraph.

2002, c. 45, s. 18; 2004, c. 37, s. 90; 2007, c. 15, s. 20; I.N. 2016-01-01 (NCCP).

**19.** Anyone who

(1) provides information, when making a disclosure under section 17.0.1, that they know to be false or misleading, or

(2) contravenes section 17.0.4,

is guilty of an offence and is liable to a fine of \$2,000 to \$20,000 in the case of a natural person and \$10,000 to \$250,000 in all other cases.

The fines are doubled for a subsequent offence.

2002, c. 45, s. 19; 2004, c. 37, s. 90; 2018, c. 23, s. 609.

**19.0.1.** Anyone who

(1) hinders or attempts to hinder the action of an inspector or investigator in the exercise of inspection or investigation functions or powers or who hides, destroys or refuses to provide information, a document or a thing the inspector or investigator is entitled to require or examine when exercising those functions or powers, or

(2) fails to appear after summons or refuses to testify in connection with an inspection or investigation,

is guilty of an offence and is liable to a fine of \$5,000 to \$50,000 in the case of a natural person and \$15,000 to \$150,000 in all other cases.

The minimum and maximum fines are doubled for a second offence and tripled for a subsequent offence.

2018, c. 23, s. 609.

**19.0.2.** Anyone who helps a person to commit an offence under section 19 or 19.0.1 or who, by encouragement, advice or consent or by an authorization or order, induces another person to commit such an offence is guilty of an offence and is liable to the same penalty as that prescribed for the offence they helped or induced the person to commit.

2018, c. 23, s. 609.

**CHAPTER III.1**

**RECEIVERSHIP**

2008, c. 7, s. 5.

**19.1.** The Superior Court may order the appointment of a receiver if the Authority shows that it has reasonable grounds to believe

(1) that the assets of the person, partnership or other entity are insufficient to meet the obligations of the person, partnership or other entity or were used for a purpose other than the purpose for which they were intended, or that there is an inexplicable deficiency in the assets;

(2) that an officer or director of the person, partnership or other entity has committed embezzlement, a breach of trust or another offence;

(3) that the management exercised by the officers and directors is unacceptable in view of generally accepted principles and could endanger the rights of the investors or members of the person, partnership or other entity or the persons insured by the person, partnership or other entity, or cause the depreciation of securities or titles issued by the person, partnership or other entity; or

(4) that the appointment is necessary to protect the public in the context of an investigation ordered under section 12 of this Act, section 116 of the Derivatives Act (chapter I-14.01) or section 239 of the Securities Act (chapter V-1.1).

The Authority may also request that the Court issue a receivership order if the authorization granted under the Insurers Act (chapter A-32.1), the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) or the Trust Companies and Savings Companies Act (chapter S-29.02) was suspended and the causes for the suspension were not remedied within 30 days after the suspension took effect, or in cases where a person, partnership or other entity is carrying on activities without having been granted such an authorization although the authorization is required.

The Authority recommends to the Court the names of persons who could act as receiver.

2008, c. 7, s. 5; 2008, c. 24, s. 185; 2013, c. 26, s. 129; 2018, c. 23, s. 610.

**19.2.** The receivership order may empower the receiver to

(1) take possession of all the property belonging to the person, partnership or other entity, or held by the person, partnership or other entity for another person, in any place where it is being kept, even if it is in the possession of a bailiff, a creditor or another person claiming it;

(2) exercise, in the case of a natural person, the powers relating to the person's affairs and, in other cases, the powers of the shareholders, associates, directors, officers and members, as applicable, of the person, partnership or other entity;

(3) pursue all or part of the affairs of the person, partnership or other entity or take any conservatory measure related to those affairs;

(4) terminate or cancel any contract to which the person, partnership or other entity is a party;

(5) institute or continue, without continuance of suit, or take part in any proceedings relating to the affairs or property of a person, partnership or other entity to which the person, partnership or other entity was or would have been a party;

(6) investigate the activities of the person, partnership or other entity;

(7) retain the services of accountants, lawyers or other persons to assist in receivership functions;

(8) assign, on behalf of the person, partnership or other entity, all of the property of the person, partnership or other entity for the benefit of the creditors or act as trustee under any federal statute applicable to bankruptcy or insolvency matters;

(9) wind up the person, partnership or other entity in accordance with the Winding-up Act (chapter L-4), the Business Corporations Act (chapter S-31.1) or any special provision of an Act referred to in section 7 applicable to the person, partnership or other entity or in the manner determined by the Superior Court; and

(10) exercise any other power or function the Court considers appropriate to enable the receiver to carry out receivership functions.

2008, c. 7, s. 5; 2011, c. 26, s. 5.

**19.3.** Any person exercising powers relating to the affairs or property of the person, partnership or other entity that are covered by the receivership order must immediately cease to do so, to the extent specified in the order, unless otherwise requested by the receiver.

2008, c. 7, s. 5.

**19.4.** No judicial proceedings may be brought against the receiver, or any person the receiver designates to assist in the exercise of receivership functions, for an act done in good faith in the exercise of their functions.

2008, c. 7, s. 5.

**19.5.** For the purposes of their investigation, the receiver and any person the receiver designates to assist in the investigation have the powers and immunity provided for in the first paragraph of section 6 and sections 9 to 13 and 16 of the Act respecting public inquiry commissions (chapter C-37).

For the purposes of the investigation, they have all the powers of a judge of the Superior Court, except the power to order imprisonment.

2008, c. 7, s. 5.

**19.5.1.** An application by the Authority for the appointment of a receiver must be served on the defendant at least 10 days prior to its presentation. The application is heard and decided by preference.

The application is contested orally on the day of its presentation. The parties may adduce detailed affidavits in evidence to establish all the facts needed to support their allegations. The affidavits and all documents referred to must be served on the other party at least two clear working days before the day of presentation of the application.

2011, c. 26, s. 6; I.N. 2016-01-01 (NCCP).

**19.6.** At the Authority's request, if urgent action is required or to prevent irreparable injury, the Superior Court shall hear the application without delay in the defendant's absence. The defendant has 10 days after an order is rendered to file a notice of contestation with the Court.

At the Authority's request, the application may be heard in private.

2008, c. 7, s. 5; 2011, c. 26, s. 7; I.N. 2016-01-01 (NCCP); 2018, c. 23, s. 611.

**19.7.** The Superior Court may prohibit a person from communicating any information related to the receivership order or disclosed during the hearing.

2008, c. 7, s. 5.

**19.8.** Receivership with respect to the property of a federation of mutual companies governed by the Insurers Act (chapter A-32.1) includes receivership with respect to its guarantee fund and, if applicable, receivership with respect to its segregated investment funds.

2008, c. 7, s. 5; 2018, c. 23, s. 612.

**19.9.** The directors, officers, personnel members, associates or mandataries of the person, partnership or other entity subject to the receivership order must cooperate with the receiver and provide the receiver with any information related to the affairs and property of the person, partnership or other entity.

2008, c. 7, s. 5.

**19.10.** At the request of the Authority, the receiver shall inform the Authority of the receiver's findings, management and investigation conclusions, and communicate any information collected within the scope of the receivership mandate to the Authority.

2008, c. 7, s. 5.

**19.11.** At the request of the Authority, the receiver or any interested person, the Superior Court may modify the receiver's powers.

The Court may also terminate the receivership, in particular if it considers

(1) that the receivership may not reasonably be expected to benefit the creditors of the person, partnership or other entity, the persons who have property in the possession or under the control of the person, partnership or other entity, or the investors, members or insured persons of the person, partnership or other entity; or



(2) that the financial situation of the person, partnership or other entity subject to the receivership order will not allow payment of the costs associated with the receivership.

The Court may then order the winding-up of the person, partnership or other entity and appoint a liquidator, or assign, on behalf of the person, partnership or other entity, all of the property of the person, partnership or other entity for the benefit of its creditors and appoint a trustee.

2008, c. 7, s. 5.

**19.12.** The liquidator of a federation of mutual companies must, within 10 days after the decision of the Court ordering the winding-up of the federation, notify the federation's member companies.

2008, c. 7, s. 5; 2010, c. 7, s. 192; 2010, c. 40, s. 92; 2018, c. 23, s. 613.

**19.13.** In the case of a security fund within the meaning of the Act respecting financial services cooperatives (chapter C-67.3), the liquidator shall first pay the debts of the fund and the costs of winding it up, and the balance from the winding-up devolves to the federation within the meaning of that Act.

2008, c. 7, s. 5.

**19.14.** No appeal lies from an order made under section 19.1.

2008, c. 7, s. 5; 2011, c. 26, s. 8.

**19.15.** The receiver's fees and expenses are taken out of the mass of assets, after approval by the Superior Court.

The receiver's fees and expenses are deemed to constitute a prior claim and to have the same rank as expenses incurred in the common interest. The prior claim establishes a real right and confers on the receiver the right to follow the property that is subject to the claim into whose hands it may be.

2008, c. 7, s. 5.

**19.16.** The receiver may, at any time during the receivership mandate, request the approval of fees and expenses by filing with the Superior Court a summary statement of the fees and expenses, together with a notice to the Authority.

2011, c. 26, s. 9.

**19.17.** Only the Authority may oppose the request and must do so by filing a notice of opposition with the Superior Court, together with a notice to the receiver, within 30 days after the notice referred to in section 19.16 is sent.

The receiver shall request the Superior Court, within the 10 days after a notice of opposition is filed, to set a hearing date and shall give the Authority notice of the date.

The Superior Court shall hear the parties' oral arguments on the notice of opposition on the day of the hearing and shall then determine the fees and expenses.

2011, c. 26, s. 9; I.N. 2016-01-01 (NCCP).

**CHAPTER IV**

**OPERATION**

**DIVISION I**

**BOARD OF DIRECTORS**

2021, c. 34, s. 83.

**19.18.** The Authority shall be administered by a board of directors composed of 11 to 13 members appointed by the Government, including the chair of the board and the President and Chief Executive Officer.

All the members of the board of directors, excluding the President and Chief Executive Officer, must qualify as independent directors in the opinion of the Government.

2021, c. 34, s. 83.

**19.19.** *(Repealed).*

2021, c. 34, s. 83; 2022, c. 19, s. 132.

**19.20.** *(Repealed).*

2021, c. 34, s. 83; 2022, c. 19, s. 132.

**19.21.** *(Repealed).*

2021, c. 34, s. 83; 2022, c. 19, s. 132.

**19.22.** *(Repealed).*

2021, c. 34, s. 83; 2022, c. 19, ss. 132 and 459; 2022, c. 19, s. 132.

**19.23.** *(Repealed).*

2021, c. 34, s. 83; 2022, c. 19, s. 132.

**19.24.** A person may not be appointed as or remain a member of the board of directors if

(1) the person is subject to an Act referred to in section 7 or is a director or officer of an entity subject to such an Act;

(2) the person was found guilty of an offence under any of the Acts referred to in section 7 during the five years prior to appointment or at any time while in the office of director, to the extent that the offence is incompatible with the office of director, unless the person has been pardoned;

(3) the person did not file a return, certificate, attestation or report that ought to have been filed under an Act referred to in section 7 on the date determined by that Act, though the person was required to do so; or

(4) the person owes an amount exigible under any of the Acts referred to in section 7, unless the person has entered into an agreement for the payment of the amount and complies with it, or the recovery of the amount has been suspended legally.

Subparagraph 1 of the first paragraph does not apply to the appointment of the President and Chief Executive Officer.

2021, c. 34, s. 83.

**19.25.** *(Repealed).*

2021, c. 34, s. 83; 2022, c. 19, s. 132.

**19.26.** A vacancy on the board of directors shall be filled in accordance with the rules of appointment to the board.

Non-attendance at a number of board meetings determined by the board, in the cases and circumstances it specifies, constitutes a vacancy.

2021, c. 34, s. 83.

**19.27.** The chair of the board shall call the board meetings.

2021, c. 34, s. 83.

**19.28.** The quorum at meetings of the board of directors is the majority of its members, including the President and Chief Executive Officer or the chair of the board.

2021, c. 34, s. 83.

**19.29.** If the members of the board of directors take part in a board meeting by means of equipment enabling all participants to communicate directly with one another, they may hold a vote by any means of communication enabling votes to be cast in a way that both allows them to be verified afterwards and protects the secrecy of the vote, where such a ballot has been requested.

2021, c. 34, s. 83.

**19.30.** The functions of the board include, in particular,

- (1) approving the Authority's investment policies and multi-year budget estimates;
- (2) approving the by-law that establishes the Authority's staffing plan;
- (3) ensuring that the board committees exercise their functions properly;
- (4) appointing, on the recommendation of the President and Chief Executive Officer, the superintendents and other officers of the Authority, other than the President and Chief Executive Officer, that are under the President and Chief Executive Officer's immediate authority;
- (5) approving the information technology investment plan and an information resource management and security policy; and
- (6) determining the delegation and subdelegation of powers and signing authority in all matters connected with the board's functions and powers.

The board shall also report to the Minister on any matter submitted to it by the latter and make recommendations to the Minister concerning the efficient use of Authority resources.

2021, c. 34, s. 83.

**19.31.** In no case may the board of directors or any of its members, other than the President and Chief Executive Officer, exercise the functions and powers described in section 24.

No information may be communicated to the board of directors or one of its members, other than the President and Chief Executive Officer, that, even indirectly, reveals the identity of a person or entity that is subject to the application of an Act referred to in section 7.

2021, c. 34, s. 83.

**19.32.** Subject to section 24.1, no deed, document or writing binds the Authority, or may be attributed to it, unless it is signed by a person authorized to do so by by-law of the board of directors.

The by-law may allow the signature of a person referred to in the first paragraph to be affixed by means of an automatic device on the documents specified in the by-law.

2021, c. 34, s. 83.

**19.33.** The minutes of board meetings, approved by the board and certified true by the chair or by another member of the board authorized to do so by the board, are authentic.

2021, c. 34, s. 83.

## DIVISION II

### PRESIDENT AND CHIEF EXECUTIVE OFFICER

2021, c. 34, s. 83.

**20.** *(Repealed).*

2002, c. 45, s. 20; 2004, c. 37, s. 90; I.N. 2015-06-01; 2021, c. 34, s. 84.

**21.** The President and Chief Executive Officer shall exercise the functions and powers relating to the application of an Act referred to in section 7 regarding any person or entity subject to that application. The office of president and chief executive officer is a full-time position.

2002, c. 45, s. 21; 2004, c. 37, s. 90; I.N. 2015-06-01; 2021, c. 34, s. 85.

**22.** If the President and Chief Executive Officer is absent or unable to act, the board of directors may designate a member of the Authority's staff to perform the President and Chief Executive Officer's functions. The designation shall be published in the *Gazette officielle du Québec* and in the Authority's bulletin, but shall take effect as soon as the instrument evidencing the designation is signed by the chair of the board.

2002, c. 45, s. 22; 2004, c. 37, s. 90; I.N. 2015-06-01; 2021, c. 34, s. 86.

**23.** The President and Chief Executive Officer shall recommend to the board of directors the appointment of at least three but no more than five superintendents who shall administer the of the Authority's activities and operations.

The superintendents shall assist the President and Chief Executive Officer in the exercise of his or her functions and shall exercise their administrative functions under the President and Chief Executive Officer's authority.

The President and Chief Executive Officer shall also recommend to the board of directors the appointment of the secretary of the Authority. Documents intended for the Authority are served on the secretary.

2002, c. 45, s. 23; 2004, c. 37, s. 90; 2008, c. 24, s. 186; I.N. 2015-06-01; 2021, c. 34, s. 87.

**24.** Subject to all applicable legislative provisions, the Authority's President and Chief Executive Officer may delegate, generally or specially, to any of the superintendents, any other member of the staff of the

Authority or any other person he or she designates any function or power under an Act referred to in section 7.

The Authority's powers to make regulations, define a policy statement or establish a guideline that are provided for in those Acts may not, however, be delegated.

The President and Chief Executive Officer may, in the instrument of delegation, authorize the subdelegation of the functions and powers he or she indicates; in such a case, he or she shall identify the superintendent, the staff member or the person to whom such subdelegation may be made.

2002, c. 45, s. 24; 2004, c. 37, s. 90; I.N. 2015-06-01; 2021, c. 34, s. 88.

**24.1.** With respect to the functions and powers referred to in sections 21 and 24, no deed, document or writing binds the Authority, or may be attributed to it, unless it is signed by the President and Chief Executive Officer or, within the limits of his or her duties within the administrative unit under his or her responsibility or to which he or she is attached, by a member of the Authority's staff authorized by the President and Chief Executive Officer.

The President and Chief Executive Officer may, in his or her authorization, allow the signature of a person referred to in the first paragraph to be affixed by means of an automatic device on the documents he or she determines.

The instrument of authorization shall be posted on the Authority's website and comes into force on the date of publication of a notice to that effect in the *Gazette officielle du Québec* or on any other subsequent date indicated in the notice.

2021, c. 34, s. 89.

**25.** A document or copy of a document from the Authority or forming part of its records, and certified true by the President and Chief Executive Officer, the secretary or any other person authorized for that purpose by the Authority, are authentic.

2002, c. 45, s. 25; 2004, c. 37, s. 90; I.N. 2015-06-01; 2021, c. 34, s. 90.

**25.0.1.** An attestation issued by the Authority concerning any matter relating to the administration of this Act or an Act referred to in section 7 constitutes proof of its content in any proceeding without further proof of the signature or authority of the signatory, until proof to the contrary.

2018, c. 23, s. 614.

**25.1.** (*Repealed*).

2004, c. 37, s. 42; I.N. 2015-06-01; 2021, c. 34, s. 91.

**25.2.** The Authority may, in cases that are not expressly provided for in this Act or an Act referred to in section 7, require the use of a medium or technology it specifies for completing a formality under one of those Acts. It shall determine such requirements as to the form of documents and the manner in which they are to be sent or received as are necessary to allow the use of that medium or technology.

In the cases described in the first paragraph, signature requirements for technology-based documents sent to the Authority, including what may stand in lieu of a signature, are also determined by the Authority.

2011, c. 26, s. 10.

## DIVISION III

### HUMAN RESOURCES

2021, c. 34, s. 92.

**26.** A by-law made by the Authority shall establish a staffing plan as well as the selection criteria and procedure of appointment of the members of its staff.

Subject to the provisions of a collective agreement, such by-law shall also determine the standards and scales of their remuneration, employee benefits and other terms of employment in accordance with the conditions defined by the Government.

2002, c. 45, s. 26; 2004, c. 37, s. 90.

**27.** The superintendents, the secretary and the other members of the staff of the Authority may not, on pain of dismissal, occupy another position or have a direct or indirect interest in an enterprise that may place their personal interests in conflict with their duties or functions. If such interest devolves to them by succession or gift, they must renounce it or dispose of it with diligence.

2002, c. 45, s. 27; 2004, c. 37, s. 90.

**28.** The code of ethics applicable to the members of the Authority's board of directors and the code applicable to its staff members must prescribe special rules and sanctions applicable to transactions carried out by staff members on securities governed by the Securities Act (chapter V-1.1).

2002, c. 45, s. 28; 2004, c. 37, s. 90; 2016, c. 7, s. 154; 2021, c. 34, s. 93.

**29.** The President and Chief Executive Officer must, if he or she has an interest in an enterprise to which an Act the administration of which is entrusted to the Authority applies, or under which functions or powers are conferred on the President and Chief Executive Officer, disclose that fact to the Minister, on pain of forfeiture of office.

2002, c. 45, s. 29; 2004, c. 37, s. 90; I.N. 2015-06-01.

**30.** The President and Chief Executive Officer may not contract a loan with a legal person or partnership to which an Act the administration of which is entrusted to the Authority applies, or under which functions or powers are conferred on the President and Chief Executive Officer, without the Minister having been informed of that fact in writing.

2002, c. 45, s. 30; 2004, c. 37, s. 90; I.N. 2015-06-01.

**31.** A superintendent, the secretary or any other member of the staff of the Authority who exercises functions or powers delegated or subdelegated to him or her with respect to the administration of any Act must, at the time determined by the President and Chief Executive Officer, send the President and Chief Executive Officer a list of his or her interests in any partnership or legal person to which such an Act applies, as well as a list of the loans contracted with such enterprise and on which a balance remains due together with the related conditions.

2002, c. 45, s. 31; 2004, c. 37, s. 90; I.N. 2015-06-01.

**32.** No proceedings may be brought against the Authority, the President and Chief Executive Officer, a staff member or an appointed agent of the Authority by reason of acts performed in good faith in the exercise of his or her functions.

The same rule applies to every person who exercises a function or power under a delegation by the Authority and to every person or organization referred to in Chapter II of Title X of the Securities Act

(chapter V-1.1) when that person or organization exercises a function or power of a person referred to in this section.

2002, c. 45, s. 32; 2004, c. 37, s. 43; 2006, c. 50, s. 113; 2008, c. 24, s. 187; I.N. 2015-06-01.

**32.1.** If a staff member or an appointed agent of the Authority is prosecuted by a third party for an act done in the exercise of the functions of office, the Authority shall assume the person's defence and shall pay any damages awarded as compensation for the injury resulting from that act, unless the person committed a gross fault or a personal fault separable from those functions.

In penal or criminal proceedings, however, the Authority shall pay the defence costs of a staff member or an appointed agent only if the person had reasonable grounds to believe that his or her conduct was in conformity with the law, or was discharged or acquitted.

2004, c. 37, s. 44; I.N. 2015-06-01; 2021, c. 34, s. 94.

**32.2.** If the Authority prosecutes a staff member or an appointed agent for an act done in the exercise of the functions of office and loses its case, it shall pay the person's defence costs if a court of justice so decides.

If the Authority wins its case only in part, a court of justice may determine the amount of the defence costs it must pay.

2004, c. 37, s. 44; I.N. 2015-06-01; 2016, c. 7, s. 171; 2021, c. 34, s. 94.

**33.** The Authority may, as provided by law, enter into an agreement with a government other than the Government of Québec, a department of such a government, an international organization or a body of such a government or organization.

It may also, as provided by law, enter into an agreement with the Government or one of its departments or bodies, or with a person or an organization in Québec or outside Québec, with a view to facilitating the application of this Act, one or more Acts referred to in section 7, or a foreign Act on a similar subject.

The agreement may allow the communication of any personal information to facilitate the application of any Act referred to in section 7 or of any similar legislation outside Québec.

2002, c. 45, s. 33; 2004, c. 37, s. 90; 2008, c. 7, s. 6.

**33.1.** After receiving authorization from the Minister, the Authority may enter into an agreement with a person, partnership or other organization in Québec or, after receiving authorization from the Government, with a person, partnership or other organization outside Québec to examine complaints filed, within the scope of the complaint examination and dispute resolution policy provided for in an Act referred to in section 7 by persons dissatisfied with the complaint examination procedure or its outcome.

Such an agreement may also include provisions allowing the person, partnership or organization, when the person, partnership or organization considers it appropriate, to act as a mediator if the parties agree.

The Authority may also retain the services of any natural person or any group of mediators to act as mediator or, with the authorization of the Government, enter into an agreement for that purpose with a body, partnership or a legal person other than a group of mediators.

2008, c. 7, s. 7.

**34.** The Authority shall publish a periodic bulletin to inform the financial institutions and the practitioners in the financial industry, as well as consumers and the public, on its activities. In particular, the Authority shall publish its draft regulations and regulations.

2002, c. 45, s. 34; 2004, c. 37, s. 90.

**34.1.** Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure (chapter C-25.01) may be exercised, nor any injunction granted, against the Authority.

Any judge of the Court of Appeal may, on an application, summarily annul any decision, order or injunction made or granted contrary to the first paragraph.

2007, c. 15, s. 21; I.N. 2016-01-01 (NCCP).

**35.** Chapter I of Title I of the Act respecting administrative justice (chapter J-3) applies to the decisions of the Authority.

2002, c. 45, s. 35; 2004, c. 37, s. 90.

**35.1.** Subject to a recourse under section 322 of the Securities Act (chapter V-1.1) or section 113 of the Derivatives Act (chapter I-14.01), the Authority may review its decisions at any time, except in the event of an error in law.

A person having rendered a decision under delegated powers may review it if justified by a new fact.

2009, c. 58, s. 32.

**36.** The Authority is subject to the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

2002, c. 45, s. 36; 2004, c. 37, s. 90.

**36.1.** Despite section 8 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), the President and Chief Executive Officer of the Authority may delegate to a member of the management staff of the agency authorized under section 178 of the Automobile Insurance Act (chapter A-25) the functions assigned to the person responsible for access to documents or the protection of personal information by the Act respecting Access to documents held by public bodies and the Protection of personal information concerning the exercise of the rights of access and correction with regard to the information referred to in section 177 of the Automobile Insurance Act, but only as concerns insured persons' automobile driving experience.

2018, c. 23, s. 615.

## CHAPTER V

### FINANCIAL PROVISIONS AND REPORTS

**37.** The Authority may, by regulation, prescribe the duties, fees and other charges payable for any formality provided for by this Act or the regulations, and for the services provided by the Authority as well as the terms and conditions of payment.

A regulation made pursuant to the first paragraph requires the approval of the Government which may approve it with or without amendment.

2002, c. 45, s. 37; 2004, c. 37, s. 90.

**38.** The expenses incurred for the application of this Act shall be borne, to the extent determined by the Government, by the persons, partnerships and other entities carrying on an activity governed by an Act referred to in section 7.

The Authority shall determine the share of the expenses that each person, partnership and entity must pay to it and may provide for cases of exemption, with or without conditions.



The share may vary according to categories of persons, partnerships and other entities and within the same category according to the nature of the activity they carry on, the nature of the services supplied by the Authority or the nature of the expenses the Authority incurs.

The attestation of the Authority shall establish the amount to be paid to it by each person, partnership and other entity under this section.

2002, c. 45, s. 38; 2004, c. 37, s. 90.

**38.1.** The Authority shall remit half the sums collected as fines or administrative sanctions or penalties to the Minister of Finance, at the intervals the latter determines. However, the sums collected as penalties under sections 115.2 and 419 of the Act respecting the distribution of financial products and services (chapter D-9.2), except the sums collected in a case prescribed by regulation, must be remitted in full to the Minister.

2008, c. 7, s. 8; 2018, c. 23, s. 616.

**38.2.** Despite section 38.1, the Authority shall keep all the sums it receives under the Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5) as monetary administrative penalties or fines.

2008, c. 7, s. 8; 2008, c. 24, s. 188; 2009, c. 58, s. 33; 2011, c. 26, s. 11; 2018, c. 23, s. 616.

**38.3.** The Authority may also set up a contingency reserve in the pursuit of its mission.

2008, c. 7, s. 8.

**38.4.** The sums received by the Authority within the scope of the Acts it administers are deposited as and when they are received in an authorized bank or foreign bank listed in Schedule I, II or III to the Bank Act (Statutes of Canada, 1991, chapter 46) or in a financial services cooperative within the meaning of the Act respecting financial services cooperatives (chapter C-67.3).

2008, c. 7, s. 8.

**38.5.** The sums received by the Authority form part of its revenue, except contributions to an insurance fund or to the Fonds d'indemnisation des services financiers established by section 258 of the Act respecting the distribution of financial products and services (chapter D-9.2) and premiums paid into a deposit insurance fund maintained under section 52 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2). Those revenues are used to pay expenditures related to the administration of the Acts referred to in section 7.

For the purposes of this Act, the sums paid into the Fund or the contingency reserve provided for in sections 38.1 and 38.3 are considered to be expenditures.

2008, c. 7, s. 8.

**38.6.** The Authority may, in accordance with its investment policy, invest any part of its revenue that is not needed to pay its expenditures, as well as the sums making up the Fund and the contingency reserve provided for in sections 38.1 and 38.3 of this Act, the deposit insurance fund maintained under section 52 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) and the Fonds d'indemnisation des services financiers established by section 258 of the Act respecting the distribution of financial products and services (chapter D-9.2)

(1) in securities issued or guaranteed by the Government of Canada, the Gouvernement du Québec, or the government of a Canadian province or territory;

(2) in the form of a deposit with financial institutions authorized to operate in Québec, or in certificates, notes or other securities issued or guaranteed by those financial institutions; or

(3) in the form of a deposit with the Caisse de dépôt et placement du Québec, to be administered by the Caisse in accordance with the investment policy determined by the Authority.

2008, c. 7, s. 8.

**39.** The Authority may not, without the authorization of the Government

(1) contract a loan that causes the aggregate of its outstanding loans to exceed the amount determined by the Government;

(2) make a financial commitment in excess of the limits or in contravention of the terms and conditions determined by the Government;

(3) acquire or transfer assets in excess of the limits or in contravention of the terms and conditions determined by the Government.

The Authority may not accept any gift or legacy. Nor may it receive any financial contribution except

(1) a financial contribution from the Gouvernement du Québec or from another government in Canada, a department or agency of such a government, a municipality or an agency of a municipality in order to participate in projects related to the Authority's mission within the framework of an agreement under section 33 between that government, department, municipality or agency and the Authority; or

(2) a financial contribution referred to in the second paragraph of section 38.2.

2002, c. 45, s. 39; 2004, c. 37, s. 90; 2008, c. 7, s. 9.

**40.** The Government may, on the conditions it determines

(1) guarantee the payment, in principal and interest, of any loan contracted by the Authority and any of its obligations;

(2) authorize the Minister of Finance to advance any amount to the Authority that is considered necessary for the performance of its obligations or the pursuit of its mission.

The sums required for the purposes of this section shall be taken out of the Consolidated Revenue Fund.

2002, c. 45, s. 40; 2004, c. 37, s. 90.

**41.** The fiscal year of the Authority ends on 31 March.

2002, c. 45, s. 41; 2004, c. 37, s. 90.

**42.** The Authority must file with the Minister, no later than 31 July each year, its financial statements and an annual management report for the previous fiscal year.

The financial statements and annual management report must contain all the information required by the Minister.

The annual management report of the Authority may assemble all the annual management reports that must be filed by the Authority under any Act.

2002, c. 45, s. 42; 2004, c. 37, s. 90; 2021, c. 34, s. 95.

**43.** The Minister shall table the annual management report and the financial statements of the Authority before the National Assembly within 30 days of their receipt or, if the Assembly is not sitting, within 30 days of resumption.

2002, c. 45, s. 43; 2004, c. 37, s. 90; 2021, c. 34, s. 96.

**43.1.** The Authority shall provide the Minister with any information and any other report required by the Minister concerning its activities.

2008, c. 7, s. 10.

**43.2.** *(Repealed).*

2012, c. 25, s. 28; 2017, c. 27, s. 157.

**44.** The books and accounts of the Authority shall be audited by the Auditor General each year and whenever the Government so orders.

The Auditor General's report must be filed with the annual management report and financial statements of the Authority.

2002, c. 45, s. 44; 2004, c. 37, s. 90; 2012, c. 25, s. 29; 2017, c. 27, s. 158; 2021, c. 34, s. 97.

**45.** *(Repealed).*

2002, c. 45, s. 45; 2004, c. 37, s. 90; 2021, c. 34, s. 98.

**46.** *(Repealed).*

2002, c. 45, s. 46; 2004, c. 37, s. 90; 2018, c. 23, s. 617; 2021, c. 34, s. 99.

**47.** *(Repealed).*

2002, c. 45, s. 47; 2004, c. 37, s. 90; 2020, c. 5, s. 117.

## TITLE II

*Repealed, 2021, c. 34, s. 100.*

2002, c. 45, Tit. II; 2021, c. 34, s. 100.

## CHAPTER I

*Repealed, 2021, c. 34, s. 100.*

2002, c. 45, c. I; 2021, c. 34, s. 100.

**48.** *(Repealed).*

2002, c. 45, s. 48; 2004, c. 37, s. 90; 2021, c. 34, s. 100.

**49.** *(Repealed).*

2002, c. 45, s. 49; 2018, c. 23, s. 618; 2021, c. 34, s. 100.

**50.** *(Repealed).*

2002, c. 45, s. 50; 2011, c. 26, s. 12; 2021, c. 34, s. 100.

**51.** *(Repealed).*

2002, c. 45, s. 51; 2021, c. 34, s. 100.

**52.** *(Repealed).*

2002, c. 45, s. 52; 2021, c. 34, s. 100.

**53.** *(Repealed).*

2002, c. 45, s. 53; 2021, c. 34, s. 100.

**54.** *(Repealed).*

2002, c. 45, s. 54; 2021, c. 34, s. 100.

**55.** *(Repealed).*

2002, c. 45, s. 55; 2021, c. 34, s. 100.

**56.** *(Repealed).*

2002, c. 45, s. 56; 2021, c. 34, s. 100.

**CHAPTER II**

*Repealed, 2021, c. 34, s. 100.*

2002, c. 45, c. II; 2021, c. 34, s. 100.

**57.** *(Repealed).*

2002, c. 45, s. 57; 2004, c. 37, s. 90; I.N. 2015-06-01; 2021, c. 34, s. 100.

**57.1.** *(Repealed).*

2011, c. 26, s. 13; 2021, c. 34, s. 100.

**58.** *(Repealed).*

2002, c. 45, s. 58; 2004, c. 37, s. 90; 2021, c. 34, s. 100.

## TITLE II.1

### CONSEIL CONSULTATIF DES CONSOMMATEURS DE PRODUITS ET UTILISATEURS DE SERVICES FINANCIERS

2018, c. 23, s. 619; 2021, c. 34, s. 101.

## CHAPTER I

### ESTABLISHMENT

2018, c. 23, s. 619.

**58.1.** The “Conseil consultatif des consommateurs de produits et utilisateurs de services financiers”, hereinafter called “the Council”, is established within the Authority.

2018, c. 23, s. 619; 2021, c. 34, s. 102.

**58.2.** The Council is composed of not fewer than five or more than nine members appointed by the board of directors, after consultation with the President and Chief Executive Officer. The board of directors shall designate the chair of the Council from among them.

Members of the Council are appointed for a term of up to three years and may only be reappointed twice for a consecutive term.

On the expiry of their term, the members of the Council remain in office until they are reappointed or replaced.

2018, c. 23, s. 619; 2021, c. 34, s. 103.

**58.3.** Any vacancy occurring during a term of office is filled by the board of directors, on the recommendation of the President and Chief Executive Officer, for the unexpired portion of the term of the member to be replaced.

Absence from the number of Council meetings determined by the Council’s by-laws constitutes a vacancy, in the cases and circumstances indicated in the by-laws.

2018, c. 23, s. 619; 2021, c. 34, s. 104.

**58.4.** The Council shall meet at least once every three months and more often if necessary, at the request of the chair or a majority of the members. However, it may not meet more than 12 times per year.

The Council may hold its meetings anywhere in Québec.

2018, c. 23, s. 619; 2021, c. 34, s. 105.

**58.5.** Council members receive no remuneration, except in the cases, on the conditions and to the extent determined by a regulation of the Authority.

However, Council members are entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the regulation.

2018, c. 23, s. 619; 2021, c. 34, s. 105.

**58.6.** The Authority may make a regulation with respect to the Council for the purpose of

- (1) determining the criteria for selecting its members;

(2) establishing its rules of governance;

(3) determining the role and responsibilities of its chair;

(4) determining the rules of ethics and professional conduct and confidentiality rules applicable to its members; and

(5) determining the conditions and terms applicable to the services and equipment it is required to provide to the Council under section 58.11.

2018, c. 23, s. 619; 2021, c. 34, s. 105.

**58.7.** A draft regulation made under section 58.5 or 58.6 must be sent to the Minister. The Authority may not make the regulation before the expiry of a period of 30 days after receipt of the draft regulation by the Minister; during that period, the Minister may indicate to the Authority any changes it must make to the draft regulation.

2018, c. 23, s. 619.

## CHAPTER II

### MISSION AND FUNCTIONS

2018, c. 23, s. 619.

**58.8.** The mission of the Council is to present the opinion of financial product consumers and financial service users before the Authority.

2018, c. 23, s. 619; 2021, c. 34, s. 105.

**58.9.** In the pursuit of its mission, the functions of the Council are

(1) to comment on the Authority's policies, rules, guidelines and other publications, in cases where they are likely to affect financial product consumers and financial service users, and to make any recommendations on them that the Council considers useful; and

(2) to make its observations and recommendations to the Authority on any subject that concerns those consumers and users.

2018, c. 23, s. 619; 2021, c. 34, s. 105.

**58.10.** The Council may, in the exercise of its functions, require that any research paper or information used by the Authority in drafting its policies, rules, guidelines or other publications that affect financial product consumers and financial service users be communicated to the Council.

The Authority's officers, employees and mandataries must, on request, communicate such papers or information to the Council and facilitate their examination.

No member of the Council may use, for his or her own profit or that of a third person, information thus obtained.

2018, c. 23, s. 619; 2021, c. 34, s. 106.

**58.11.** The Authority must provide the Conseil with the services and equipment it requires to exercise its functions.

2018, c. 23, s. 619; 2021, c. 34, s. 107.

**58.12.** Not later than 30 June each year, the Council must submit a report to the Authority on its activities for the previous fiscal year. The Council's report must be appended to the Authority's annual management report.

2018, c. 23, s. 619; 2021, c. 34, s. 108.

### TITLE III

#### SELF-REGULATORY ORGANIZATIONS

#### CHAPTER I

##### RECOGNITION OF SELF-REGULATORY ORGANIZATIONS

**59.** A legal person, a partnership or any other entity whose objectives are related to the mission of the Authority may, on the conditions determined by the latter, be recognized as a self-regulatory organization responsible for supervising an activity governed by an Act referred to in Schedule 1.

2002, c. 45, s. 59; 2004, c. 37, s. 90.

**60.** A legal person, a partnership or any other entity may monitor or supervise the conduct of its members or participants as regards the carrying on, in Québec, of an activity governed by an Act referred to in Schedule 1 only if it is recognized by the Authority as a self-regulatory organization, on the conditions determined by the Authority.

2002, c. 45, s. 60; 2004, c. 37, s. 90.

**61.** Subject to the applicable legislative provisions, the Authority may, on the conditions it determines, delegate to a recognized organization the exercise of all or part of the functions and powers conferred on it by law.

Such a delegation of functions and powers shall be subject to the approval of the Government, except where it concerns an exchange or clearing house that is subject to section 17 of the Derivatives Act (chapter I-14.01) or where it concerns the carrying on of securities exchange or clearing activities and is made to a legal person, a partnership or any other entity referred to in the second paragraph of section 170 of the Securities Act (chapter V-1.1) that carries on securities exchange or clearing activities.

The Authority's powers to make regulations, define a policy statement or establish a guideline that are provided for in an Act referred to in section 7 may not, however, be delegated.

2002, c. 45, s. 61; 2004, c. 37, s. 90; 2006, c. 50, s. 114; 2009, c. 58, s. 34.

**62.** The recognized organization may, with prior authorization from the Authority, delegate its functions and powers to a committee formed by it or to a member of its staff.

2002, c. 45, s. 62; 2004, c. 37, s. 90.

**62.1.** If a recognized organization conducts an investigation, within the meaning of its rules of operation, into the conduct of its members or participants as regards the carrying on, in Québec, of an activity governed by an Act referred to in Schedule 1, it may request any person to communicate any document or information relating to the member or participant concerned that it considers useful to the investigation.

2018, c. 23, s. 620.

**62.2.** A recognized organization hearing a disciplinary matter, within the meaning of its rules of operation, may call the witnesses it or the other party considers useful to have them give an account of the facts of which they have personal knowledge or produce any document relating to the matter.

2018, c. 23, s. 620.

**62.3.** The persons designated by a recognized organization to hear a disciplinary matter referred to in section 62.2 and the organization's personnel members assisting them must take the oath set out in Schedule II to the Professional Code (chapter C-26).

2018, c. 23, s. 620.

**62.4.** If a person fails to respond to a request under section 62.1 or to attend in response to a subpoena under section 62.2, the recognized organization may request the Financial Markets Administrative Tribunal to order the person to comply with the request or subpoena.

2018, c. 23, s. 620.

**63.** No proceedings may be brought against a recognized organization, the members of its board of directors, a committee formed by the organization, or the organization's personnel for acts performed in good faith in the exercise of the functions or powers delegated to them in accordance with this chapter or in the exercise of functions relating to the supervision or regulation of the conduct of the organization's members or participants.

The same rule applies to every person or organization referred to in Chapter II of Title X of the Securities Act (chapter V-1.1) when that person or organization exercises a function or power of a person referred to in the first paragraph.

2002, c. 45, s. 63; 2004, c. 37, s. 90; 2006, c. 50, s. 115; 2018, c. 23, s. 621.

**63.1.** Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure (chapter C-25.01) may be exercised, nor any injunction granted, against a self-regulatory organization, the members of its board of directors, a committee formed by the organization, or the organization's personnel in the exercise of the functions and powers delegated to them in accordance with this chapter or in the exercise of functions relating to the supervision or regulation of the conduct of the organization's members or participants.

Any judge of the Court of Appeal may, on an application, summarily annul any decision, order or injunction made or granted contrary to the first paragraph.

2007, c. 15, s. 22; I.N. 2016-01-01 (NCCP); 2018, c. 23, s. 622.

**64.** The recognized organization may not renounce the exercise of functions or powers without prior authorization from the Authority. The Authority may make its authorization subject to the conditions it considers necessary for the protection of the members or participants of the organization, or of the public.

2002, c. 45, s. 64; 2004, c. 37, s. 90.

**65.** An application for recognition or for a delegation of functions or powers, or an application for the modification of a recognition decision or a delegation of functions or powers, must be filed with the documents and information required by the Authority.

2002, c. 45, s. 65; 2004, c. 37, s. 90; 2008, c. 24, s. 189.

**66.** The Authority shall publish in its bulletin a notice of the application and invite interested parties to submit their observations in writing.



The first paragraph does not apply to an application for the modification of a recognition decision that does not significantly alter the activities exercised by the applicant.

2002, c. 45, s. 66; 2004, c. 37, s. 90; 2008, c. 24, s. 190; 2013, c. 18, s. 8.

**67.** The recognition of a legal person, partnership or other entity is subject to the discretion of the Authority.

The Authority shall exercise its discretion in the public interest. Recognition must, in particular, secure effective supervision of the financial industry in Québec, promote the development and soundness in the operation of the financial industry and foster the protection of the public.

2002, c. 45, s. 67; 2004, c. 37, s. 90.

**68.** The Authority shall grant recognition to a legal person, a partnership or an entity if it considers that the legal person, partnership or entity has the administrative structure and the financial resources and other resources necessary to carry on its activities in an objective, fair and efficient manner.

Before granting recognition to a legal person, a partnership or an entity, the Authority must

(1) ascertain that its constituting documents, by-laws and operating rules comply with sections 69 and 70; and

(2) make sure that the provisions applicable to its members or subscribers will ensure its compliance with sections 70.1 and 71.

2002, c. 45, s. 68; 2004, c. 37, s. 90; 2013, c. 18, s. 9; 2018, c. 23, s. 623.

**69.** The Authority must be satisfied that the constituting documents, by-laws and operating rules of the legal person, partnership or entity allow the power to make decisions relating to the supervision of an activity governed by an Act referred to in Schedule I to be exercised mainly by persons residing in Québec.

2002, c. 45, s. 69; 2004, c. 37, s. 90.

**70.** In the case of a legal person, partnership or entity referred to in section 60, the constituting documents, by-laws and operating rules must allow the imposition of disciplinary sanctions for any violation of the by-laws or operating rules or contravention of the law.

2002, c. 45, s. 70; 2013, c. 18, s. 10.

**70.1.** A recognized organization must

(1) allow unrestricted membership for any person who meets the admission criteria;

(2) ensure equal access to the services offered; and

(3) be able to carry on its activities while avoiding and regulating conflicts of interest.

2013, c. 18, s. 11; 2018, c. 23, s. 624.

**71.** A recognized organization cannot, by any provision or practice, restrict competition between its members or its participants unless the provision or practice has been authorized by the Authority.

The Authority shall only authorize provisions or practices it considers necessary for the protection of the public. The Authority may subject its authorization to the conditions and restrictions it determines.

2002, c. 45, s. 71; 2004, c. 37, s. 90; 2013, c. 18, s. 12.

**72.** The Authority may, by regulation, confer on some of the rules or standards established by a recognized organization, and any amendments made thereto, the force and effect of a regulation made under an Act referred to in Schedule 1.

A regulation made under this section requires the approval of the Government with or without amendment.

A draft regulation shall also be published in the Authority's bulletin, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1).

A draft regulation may not be submitted for approval before the expiry of a period of 30 days from the day of its publication.

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. It shall also be published in the Authority's bulletin.

2002, c. 45, s. 72; 2004, c. 37, s. 90.

**73.** The Authority may, on the conditions it determines, exempt a legal person, partnership, an entity or a recognized organization from all or part of the requirements of this Title where it considers that the exemption does not adversely affect the protection of the public.

Such an exemption must be submitted to the Government for approval, except where it concerns an exchange or clearing house that is subject to section 17 of the Derivatives Act (chapter I-14.01) or where it concerns a securities exchange or clearing activity and where it is granted to a legal person, partnership or other entity referred to in section 170 of the Securities Act (chapter V-1.1) that carries on a securities exchange or clearing activity.

2002, c. 45, s. 73; 2004, c. 37, s. 90; 2006, c. 50, s. 116; 2009, c. 58, s. 35; 2013, c. 18, s. 13.

## CHAPTER II

### CONTROL EXERCISED BY THE AUTHORITY

2004, c. 37, s. 90.

**74.** Every draft amendment pertaining to the constituting documents, the by-laws or the operating rules of a recognized organization requires the approval of the Authority.

The same rule applies to any draft amendment pertaining to a practice or provision of a document, other than those referred to in the first paragraph, if the practice or provision was authorized by the Authority under section 71.

2002, c. 45, s. 74; 2004, c. 37, s. 90; 2013, c. 18, s. 14.

**75.** The amendment is deemed to be approved on the expiry of a period of 30 days, or any other period agreed with the organization concerned, unless the Authority has invited it to present observations on the merits of the proposed amendment.

2002, c. 45, s. 75; 2004, c. 37, s. 90.

**76.** The Authority may, at any time, suspend, according to the terms and conditions it considers appropriate, the application of a provision of the by-laws or operating rules of a recognized organization.

2002, c. 45, s. 76; 2004, c. 37, s. 90.

**77.** The Authority may order a recognized organization to amend a provision or practice where it considers that an amendment is necessary to render such provision or practice consistent with the applicable legislative provisions.

2002, c. 45, s. 77; 2004, c. 37, s. 90; 2013, c. 18, s. 15.

**78.** The Authority has the power to inspect the affairs of a recognized organization to ascertain the extent to which it complies with the provisions of the Acts and recognition requirements that are applicable to it and the decisions of the Authority and the manner in which it exercises its functions and powers.

2002, c. 45, s. 78; 2004, c. 37, s. 90.

**79.** Sections 9 to 11 and sections 18 and 19 apply, with the necessary modifications, to the inspection of a recognized organization.

2002, c. 45, s. 79.

**80.** The Authority may order a recognized organization to take a course of action if the Authority considers it necessary for the soundness of operation of that organization or the protection of the public.

2002, c. 45, s. 80; 2004, c. 37, s. 90.

**81.** In carrying on its activities, a recognized organization must, before rendering a decision unfavourably affecting the rights of a person, partnership or entity, give the person, partnership or entity an opportunity to present observations.

The second, third and fourth paragraphs of section 90 apply, with the necessary modifications.

2002, c. 45, s. 81; 2018, c. 23, s. 625.

**82.** A recognized organization examining a disciplinary matter must do so at a public sitting.

However, it may, on its own initiative or on request, order a closed-door hearing or prohibit the publication or release of information or documents indicated by it in the interest of good morals or public order.

2002, c. 45, s. 82.

**82.1.** Once the time allotted for applying for a review of a decision by a recognized organization calling for a disciplinary sanction has expired, the decision may be homologated by the Superior Court or the Court of Québec according to their respective jurisdictions.

Once homologated, the decision becomes enforceable as a judgment of that Court.

2013, c. 18, s. 16.

**83.** A recognized organization shall, as soon as possible, communicate to the Authority its decisions rendered in carrying on its activities concerning the admission of a member or a disciplinary matter.

2002, c. 45, s. 83; 2004, c. 37, s. 90; 2018, c. 23, s. 626.

**84.** A person, partnership or other entity directly affected by a decision rendered in the exercise of a power sub-delegated pursuant to section 62 may within 30 days apply for a review of the decision by the recognized organization.

2002, c. 45, s. 84.

**85.** A person, partnership or other entity directly affected by a decision rendered by a recognized organization may within 30 days apply for a review of the decision by the Authority.

The Authority may review such a decision on its own initiative.

2002, c. 45, s. 85; 2004, c. 37, s. 45.

**86.** A recognized organization shall file with the Authority, within 90 days after the end of its fiscal year, the financial statements, the auditor's report and any other information, according to the requirements set by the Authority.

2002, c. 45, s. 86; 2004, c. 37, s. 90.

**87.** A recognized organization shall keep and maintain the books, registers or other documents determined by the Authority.

2002, c. 45, s. 87; 2004, c. 37, s. 90.

**88.** A recognized organization that wishes to terminate its activities must apply for authorization to the Authority.

The Authority shall give the authorization on the conditions it determines where it believes the interests of the organization's members and the public are sufficiently protected.

2002, c. 45, s. 88; 2004, c. 37, s. 90.

**89.** The Authority may, at any time, modify, suspend or withdraw all or part of the recognition granted to an organization if it considers that the organization has failed to comply with undertakings given to the Authority or is of the opinion that the interests of the organization's members or the public would be better protected.

The Authority may also, for the same reasons, modify, suspend or withdraw an exemption granted to a legal person, a partnership, an entity or a recognized organization.

2002, c. 45, s. 89; 2004, c. 37, s. 90; 2013, c. 18, s. 17.

**90.** The Authority must, before making a decision or an order under section 76, 77, 80 or 89, give the organization concerned notice in writing of its intentions indicating the grounds on which it is based, the date on which the order is to take effect and the right of the organization to present observations or produce documents to complete the file.

However, the Authority may, without prior notice, make a decision or a provisional order valid for a period not exceeding 15 days if the Authority is of the opinion that there is urgency or that any period of time granted to the organization concerned to present observations may be detrimental.

The decision or order must state the reasons on which it is based and becomes effective on the day it is served on the organization to which it applies. That organization may, within six days of receiving the decision or order, present observations to the Authority.

The Authority may revoke a decision or order made under those sections.

2002, c. 45, s. 90; 2004, c. 37, s. 90.

**91.** The costs incurred by the Authority for the administration of this Title shall be borne by the recognized self-regulatory organizations.

Such costs, established for each self-regulatory organization by the Authority at the end of its fiscal year, shall comprise a minimum contribution fixed by the Authority and the amount, if any, by which actual costs exceed the contribution. The actual costs shall be established on the basis of the rate schedule established by regulation.

A regulation made pursuant to this section requires the approval of the Government, which may approve it with or without amendment.

The amount to be paid by each organization is set out in a certificate issued by the Authority.

2002, c. 45, s. 91; 2004, c. 37, s. 90; 2008, c. 24, s. 191.

### TITLE IV

#### FINANCIAL MARKETS ADMINISTRATIVE TRIBUNAL

2009, c. 58, s. 36; 2016, c. 7, s. 179.

### CHAPTER I

#### ESTABLISHMENT AND JURISDICTION

2009, c. 58, s. 37; 2018, c. 23, s. 627.

**92.** A Tribunal called the “Financial Markets Administrative Tribunal” is hereby established.

2002, c. 45, s. 92; 2009, c. 58, s. 38; 2016, c. 7, ss. 172 and 179.

**93.** The function of the Tribunal is to make determinations with respect to matters brought under this Act and the Acts listed in Schedule I. Except where otherwise provided by law, the Tribunal shall exercise its jurisdiction to the exclusion of any other tribunal or adjudicative body.

The Tribunal shall exercise its discretion in the public interest.

In reviewing a decision rendered by the Authority under the Securities Act (chapter V-1.1) or the Derivatives Act (chapter I-14.01), the Tribunal may not, when assessing the facts or the law for the purposes of those Acts, substitute its assessment of the public interest for that made by the Authority in making a decision.

In this Title, unless the context indicates otherwise, “matters” also includes any application, complaint, contestation or motion, as well as any action falling within the jurisdiction of the Tribunal.

2002, c. 45, s. 93; 2004, c. 37, s. 90; 2006, c. 50, s. 117; 2008, c. 7, s. 11; 2008, c. 24, s. 192; 2009, c. 58, s. 39; 2011, c. 26, s. 14; 2010, c. 40, Sch. I, s. 79; 2016, c. 7, s. 179; 2018, c. 23, s. 628; 2020, c. 5, s. 37.

**94.** At the request of the Authority, the Tribunal may take any measure conducive to ensuring compliance with an undertaking given to the Authority under any of the Acts listed in the first paragraph of section 93 or compliance with those Acts.

2002, c. 45, s. 94; 2004, c. 37, s. 90; 2008, c. 24, s. 193; 2009, c. 58, s. 40; 2010, c. 40, Sch. I, s. 80; 2016, c. 7, s. 179; 2018, c. 23, s. 629.

**95.** The head office of the Tribunal shall be situated at the place determined by the Government; notice of the address of the head office shall be published in the *Gazette officielle du Québec* and in the bulletin published under section 34.

2002, c. 45, s. 95; 2009, c. 58, s. 41; 2016, c. 7, s. 179.

**96.** The Tribunal shall be composed of members appointed by the Government, the number of which it shall determine.

2002, c. 45, s. 96; 2009, c. 58, s. 42; 2018, c. 23, s. 630.

**97.** The Tribunal has the power to decide any issue of law or fact necessary for the exercise of its jurisdiction.

In addition to the other powers conferred on it by law, the Tribunal may

- (1) summarily reject any matter it considers abusive or dilatory, or make it subject to conditions;
- (2) render a decision on any pre-hearing application;
- (3) make any order, including a provisional order, it considers appropriate to safeguard the parties' rights or if required to protect the public;
- (4) confirm, vary or quash the contested decision or order and, if appropriate, render or make the decision or order that, in its opinion, should have been rendered or made initially;
- (5) order that a party pay costs determined by law or by regulation;
- (6) ratify an agreement, if it is in compliance with the law; and
- (7) render any other decision it considers appropriate.

2002, c. 45, s. 97; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**97.1.** *(Replaced).*

2016, c. 7, s. 173; 2018, c. 23, s. 631.

**98.** The Tribunal and its members have the powers and immunity conferred on commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

2002, c. 45, s. 98; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

## **CHAPTER II**

### **PROCEDURE**

2018, c. 23, s. 631.

#### **DIVISION I**

##### **COMMENCEMENT**

2018, c. 23, s. 631.

**99.** A matter is commenced by a pleading, called the originating pleading, being filed at the secretariat of the Tribunal in accordance with the Tribunal's rules of evidence and procedure.

2002, c. 45, s. 99; 2016, c. 7, ss. 174 and 179; 2018, c. 23, s. 631.

**100.** The originating pleading must specify the conclusions sought and set out the grounds invoked in support of them.

It must also contain any other information required by the Tribunal's rules of evidence and procedure.

2002, c. 45, s. 100; 2016, c. 7, s. 176; 2018, c. 23, s. 631.

**101.** The Tribunal may accept a pleading despite a defect of form or an irregularity.

2002, c. 45, s. 101; 2016, c. 7, ss. 176 and 179; 2018, c. 23, s. 631.

**102.** The Tribunal may extend a time limit or relieve a person from the consequences of failing to act within the allotted time if it is shown that the person could not reasonably have acted within that time and if, in the Tribunal's opinion, no other party suffers serious injury as a result.

2002, c. 45, s. 102; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**103.** A proceeding before the Tribunal does not suspend the execution of the contested decision, unless a provision of law provides otherwise or, on a motion heard and judged by preference, a member of the Tribunal orders otherwise because of the urgency of the situation or because of the risk of irreparable injury.

If the law provides that the proceeding suspends the execution of the decision, or if the Tribunal issues such an order, the proceeding is heard and judged by preference.

2002, c. 45, s. 103; 2016, c. 7, ss. 176 and 179; 2018, c. 23, s. 631.

**104.** The rules pertaining to the notices provided for in articles 76 and 77 of the Code of Civil Procedure (chapter C-25.01) apply, with the necessary modifications, to matters brought before the Tribunal.

2002, c. 45, s. 104; 2004, c. 37, s. 46; 2006, c. 50, s. 118; 2016, c. 7, ss. 176 and 179; 2018, c. 23, s. 631.

**104.1.** *(Replaced).*

2004, c. 37, s. 47; I.N. 2016-01-01 (NCCP); 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**104.2.** *(Replaced).*

2004, c. 37, s. 47; 2016, c. 7, ss. 176 and 179; 2018, c. 23, s. 631.

**104.3.** *(Replaced).*

2004, c. 37, s. 47; 2016, c. 7, ss. 175, 176 and 179; 2018, c. 23, s. 631.

**105.** The notification of pleadings must be made in accordance with the rules established by the Tribunal.

2002, c. 45, s. 105; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**106.** Whether or not the same parties are involved, matters in which the issues in dispute are substantially the same or could fittingly be combined may be joined by order of the president of the Tribunal or a person designated by the president, on specified conditions.

On its own initiative or at a party's request, the Tribunal may revoke such an order if, on hearing the matter, it is of the opinion that the interests of justice will thus be better served.

The Tribunal may also order that a matter be separated into different matters if it considers it advisable in order to protect the parties' rights.

2002, c. 45, s. 106; 2016, c. 7, ss. 176 and 179; 2018, c. 23, s. 631.

**106.1.** For the purposes of this Title, the use of any appropriate technological means available to both the parties and the Tribunal should be considered, where circumstances permit, taking into account the technological environment in place to support the business of the Tribunal.

The Tribunal, even on its own initiative, may use such means or, if it considers it appropriate given the circumstances, order that such means be used by the parties; if it considers it necessary, the Tribunal may also, despite an agreement between the parties, require a person to appear in person at a hearing or a conference.

2021, c. 34, s. 109.

## **DIVISION II**

### **PRE-HEARING CONFERENCE**

2018, c. 23, s. 631.

**107.** The Tribunal may call the parties to a pre-hearing conference.

2002, c. 45, s. 107; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**108.** The pre-hearing conference is held by a Tribunal member. Its purpose is

- (1) to define the issues to be argued at the hearing;
- (2) to assess the advisability of clarifying and specifying the parties' contentions and the conclusions sought;
- (3) to ensure that all documentary evidence is exchanged by the parties;
- (4) to plan the conduct of the proceeding and the order of presentation of evidence at the hearing;
- (5) to examine the possibility for the parties of admitting certain facts or of proving them by means of sworn statements; and
- (6) to examine any other matter likely to simplify or accelerate the conduct of the hearing.

The pre-hearing conference may also allow the parties to come to an agreement and thus terminate the matter.

2002, c. 45, s. 108; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**109.** Minutes of the pre-hearing conference must be drawn up in accordance with the Tribunal's rules of evidence and procedure. The points on which the parties have reached an agreement, the facts admitted, and the decisions made by the member are recorded in the minutes. The minutes must be filed in the record and a copy of them sent to the parties.

Agreements, admissions and decisions recorded in the minutes govern, as far as they may apply, the conduct of the proceeding, unless the Tribunal, when hearing the matter, permits a departure from them to prevent an injustice.

2002, c. 45, s. 109; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**110.** If the parties fail to comply with the timetable, the member may make the appropriate determinations, including foreclosure. The member may, on request, relieve a defaulting party from default if he considers doing so required in the interest of justice.

2002, c. 45, s. 110; 2011, c. 18, s. 102; 2016, c. 7, ss. 176 and 179; 2018, c. 23, s. 631.



## DIVISION III

### HEARING

2018, c. 23, s. 631.

**111.** Every matter is heard by a Tribunal member.

If the president considers it appropriate, the president may assign a matter to a panel of not more than three members.

The president or the member designated by the president to preside the hearing may conduct the hearing and decide any application made in the course of the proceeding alone.

2002, c. 45, s. 111; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**112.** A member hearing a matter whose sole object is sanctioning a violation of the rules of ethics applicable to mortgage brokers that are determined by regulation under section 202.1 of the Act respecting the distribution of financial products and services (chapter D-9.2) is assisted by two assessors appointed under section 115.15.42, who shall advise the member on any issue of a professional nature.

2002, c. 45, s. 112; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**113.** The president may, in the interests of the sound administration of justice, determine that a matter must be heard and decided by preference or as a matter of priority.

2002, c. 45, s. 113; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**114.** A member who has knowledge of a valid cause for recusation must declare that cause in a writing filed in the record and advise the parties of it.

2002, c. 45, s. 114; 2004, c. 37, s. 90; 2009, c. 58, s. 43; 2011, c. 18, s. 103; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.** A party may, at any time before the decision and provided the party acts with dispatch, apply for the recusation of a member seized of the matter if the party has serious reasons to believe that there is a cause for recusation.

The application for recusation must be addressed to the president. Unless the member removes himself or herself from the matter, the application is decided by the president, or by a member designated by the president, in particular when the matter concerns the president personally.

2002, c. 45, s. 115; 2009, c. 58, s. 44; 2011, c. 18, s. 104; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.1.** Before rendering its decision, the Tribunal shall allow the parties to be heard by any means provided for in its rules of evidence and procedure. However, with the parties' consent, the Tribunal may proceed on the record if it considers doing so appropriate.

However, a decision adversely affecting the rights of a person may, if urgent action is required or to prevent irreparable injury, be rendered without a prior hearing.

In such a case, the person concerned has 15 days after the decision is rendered to file a notice of contestation with the Tribunal.

2009, c. 58, s. 45; 2010, c. 40, Sch. I, s. 81; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.2.** Except in the cases and on the conditions provided for by the Tribunal's rules of evidence and procedure, the Tribunal shall hold its hearings at its head office.

If the Tribunal holds a hearing in a locality where a court of justice sits, the court clerk shall allow the Tribunal to use court premises unless they are being used for court sittings.

2009, c. 58, s. 45; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.3.** Notice must be sent to the parties, in accordance with the Tribunal's rules of evidence and procedure, within a reasonable time before the hearing, stating

(1) the purpose, date, time and place of the hearing;

(2) that the parties have the right to be assisted or represented; and

(3) that the Tribunal has the authority to proceed without further delay or notice despite a party's failure to appear at the stated time and place if no valid excuse is provided.

2009, c. 58, s. 45; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.4.** If a duly notified party does not appear at the time set for the hearing and has not provided a valid excuse for the party's absence, or chooses not to be heard, the Tribunal may proceed with hearing the matter and render a decision.

2009, c. 58, s. 45; 2018, c. 23, s. 631.

**115.5.** A party who wishes to have witnesses heard and to produce documents shall proceed in the manner prescribed by the rules of evidence and procedure.

2009, c. 58, s. 45; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.6.** The Tribunal may reject any evidence that is irrelevant or that was obtained under such circumstances that fundamental rights and freedoms are violated and whose use could bring the administration of justice into disrepute.

2009, c. 58, s. 45; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.7.** The Tribunal's sittings are public. The Tribunal may, however, on its own initiative or at a party's request, order a closed-door hearing in the interest of good morals or public order.

2009, c. 58, s. 45; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.8.** The Tribunal may, on its own initiative or at a party's request and where necessary to maintain good morals or public order, prohibit or restrict the disclosure, publication or release of information or documents it specifies.

2009, c. 58, s. 45; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.9.** A member may order an expert appraisal by a qualified person the member designates to examine and assess the facts relating to a matter that is before the member. In such a case, the member shall specify the mission entrusted to the expert, give the expert the instructions needed to carry out the appraisal, set the time within which the expert must file his or her report, and rule on the expert's fees and how they are to be paid. The decision must be notified to the expert without delay.

2009, c. 58, s. 45; 2011, c. 26, s. 15; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.10.** The mission of an expert whose services have been retained by a single party or by the parties jointly or who has been appointed by the Tribunal is to enlighten the Tribunal in its decision-making. This mission overrides the parties' interests.

Experts must fulfill their mission objectively, impartially and thoroughly.

2009, c. 58, s. 45; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.11.** If a member cannot continue a hearing owing to an inability to act, another member designated by the president may, with the parties' consent, continue the hearing and rely, as regards testimonial evidence, on the notes and minutes of the hearing or, if applicable, on the stenographer's notes or the recording of the hearing, subject to a witness being recalled or other evidence being required if the member finds the notes or the recording insufficient.

The same rule applies to the continuance of a hearing after a member ceases to hold office and to any matter heard but not yet determined at the time a member is removed from the matter.

If a matter is heard by more than one member, the hearing is continued by the remaining members.

2009, c. 58, s. 45; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.12.** In the absence of provisions applicable to a particular case, the Tribunal may remedy the inadequacy by any procedure consistent with this Act and its rules of evidence and procedure.

2009, c. 58, s. 45; 2011, c. 26, s. 16; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

## DIVISION IV

### DECISION

2018, c. 23, s. 631.

**115.13.** A matter is decided by the member who heard it. If a matter is heard by more than one member, the decision is made by the majority.

If opinions are equally divided on an issue, the issue is referred to the president or a member designated by the president, to be decided according to law. In such a case, the president or designated member may, with the parties' consent, rely, as regards testimonial evidence, on the notes and minutes of the hearing or, if applicable, on the stenographer's notes or the recording of the hearing, subject to a witness being recalled or other evidence being required if the president or designated member finds the notes or the recording insufficient.

2009, c. 58, s. 45; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.14.** In all matters, whatever their nature, the decision must be rendered within six months after the matter is taken under advisement.

The president may extend the time limit for rendering a decision. Before doing so, the president must take the parties' circumstances and interests into account.

2009, c. 58, s. 45; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.15.** Failure by the Tribunal to observe either of the time limits provided for in section 115.14 does not cause the matter to be withdrawn from the member or invalidate a decision or order rendered or made by the member after the expiry of the time limit.

However, if a member to whom a matter is referred does not render a decision within the applicable time limit, the president may, on his or her own initiative or at a party's request, remove the member from the matter.

Before taking such action, the president must take the parties' circumstances and interests into account.

2009, c. 58, s. 45; 2016, c. 7, s. 179; 2018, c. 23, s. 631.

**115.15.1.** Where a member is removed from a matter, the matter may be continued in the manner provided for in section 115.11.

2018, c. 23, s. 631.

**115.15.2.** A member who, after taking a matter under advisement, notes that a rule of law or a principle material to the outcome of the case was not debated during the hearing and that he or she must make a determination on the relevant issue in order to decide the dispute must give the parties an opportunity to make submissions in the manner the member considers most appropriate.

Alternatively, the hearing may be ordered reopened on the member's own initiative or at a party's request. Such a decision must give reasons and state how the reopened hearing is to be conducted. The member must send the decision without delay to the president of the Tribunal and to the parties.

2018, c. 23, s. 631.

**115.15.3.** The Tribunal's decisions must be communicated in clear and concise terms.

A decision which terminates a matter must give reasons and be set out in writing, signed and sent to the interested parties.

The Tribunal may, on the conditions it determines, ask a party to notify the decision that was rendered following an *ex parte* hearing. In such a case and on receiving proof of the notification, the Tribunal is not required to send the decision to the interested parties.

2018, c. 23, s. 631.

**115.15.4.** Unless an order of the Tribunal states otherwise, decisions of the Tribunal are published in the bulletin provided for in section 34.

The full text of a decision of the Tribunal need not be published in the bulletin if it is published on the Société's website in accordance with the regulation made under section 21 of the Act respecting the Société québécoise d'information juridique (chapter S-20). In such a case, a mention of the decision and a reference to the text so published must nevertheless be published in the bulletin.

2018, c. 23, s. 631.

**115.15.5.** The Tribunal or any interested person may file an authentic copy of a decision of the Tribunal at the office of the clerk of the Superior Court of the district in which the residence or domicile of the person who is the subject of the decision is situated or, if the person has neither residence nor domicile in Québec, at the office of the Superior Court of the district of Montréal.

The decision, on being filed, becomes enforceable in the same way as, and has all the effects of, a decision of the Superior Court.

2018, c. 23, s. 631.

**115.15.6.** A decision containing an error in writing or calculation or any other clerical error may be corrected on the record and without further formality by the member who rendered the decision, on the member's own initiative or on request; the same applies to a decision which, through obvious inadvertence, grants more than was sought or fails to rule on part of the matter.

If the person is unable to act or has ceased to hold office, another Tribunal member designated by the president may correct the decision.

2018, c. 23, s. 631.

**115.15.7.** The Tribunal may, on application, review or revoke a decision or an order it has rendered or made

(1) if a new fact is discovered which, had it been known in sufficient time, could have warranted a different decision;

(2) if an interested party, owing to reasons considered sufficient, could not make representations or be heard; or

(3) if a substantive or procedural defect is of a nature likely to invalidate the decision.

In the case described in subparagraph 3 of the first paragraph, the decision or order may not be reviewed or revoked by the member who rendered or made it.

2018, c. 23, s. 631.

**115.15.8.** An application to the Tribunal for a review of a decision does not suspend the execution of the decision, unless the Tribunal decides otherwise.

2018, c. 23, s. 631.

## CHAPTER II.1

### TRIBUNAL MEMBERS

2018, c. 23, s. 631.

#### DIVISION I

##### RECRUITING AND SELECTION

2018, c. 23, s. 631.

**115.15.9.** Only a person who, in addition to having the qualifications required by law, has 10 years' experience relevant to the exercise of the Tribunal's functions may be a member of the Tribunal.

2018, c. 23, s. 631.

**115.15.10.** Tribunal members appointed by the Government under section 96 are chosen from among persons declared qualified according to the recruiting and selection procedure established by government regulation.

The regulation must, in particular,

(1) determine the publicity to be made for recruitment purposes and its content;

(2) determine the application procedure to be followed by candidates;

(3) authorize the establishment of selection committees to assess the qualifications of candidates and formulate an opinion concerning them;

(4) determine the composition of the committees and the mode of appointment of committee members, ensuring, where applicable, adequate representation of the sectors concerned;

(5) determine the selection criteria to be taken into account by a committee; and

(6) determine the information a committee may require from a candidate and the consultations it may hold.

2018, c. 23, s. 631.

**115.15.11.** The names of the persons declared qualified are recorded in a register kept at the Ministère du Conseil exécutif.

2018, c. 23, s. 631.

**115.15.12.** A certificate of qualification is valid for a period of 18 months or for any other period determined by government regulation.

2018, c. 23, s. 631.

**115.15.13.** The members of a selection committee receive no remuneration except in the cases, on the conditions and to the extent that may be determined by the Government.

They are, however, entitled to the reimbursement of any expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

2018, c. 23, s. 631.

**115.15.14.** No legal proceedings may be brought against members of a selection committee for acts performed in good faith in the exercise of their functions.

2018, c. 23, s. 631.

## DIVISION II

### TERM AND RENEWAL

2018, c. 23, s. 631.

**115.15.15.** Tribunal members are appointed for a term of five years.

However, the Government may determine a shorter term of a fixed duration in a member's instrument of appointment if the candidate so requests for serious reasons or if special circumstances stated in the instrument of appointment require it.

2018, c. 23, s. 631.

**115.15.16.** The term of a Tribunal member that has terminated because it has expired is renewed for five years according to the procedure provided for in section 115.15.17,

(1) unless the member is otherwise notified by the agent authorized for that purpose by the Government, at least three months before the expiry of the member's term; or

(2) unless the member requests otherwise and so notifies the Minister at least three months before the expiry of the member's term.

A variation of the term is valid only for a fixed period of less than five years determined in the instrument of renewal and, unless it is requested by the member for serious reasons, only if special circumstances stated in the instrument of renewal require it.

2018, c. 23, s. 631.

**115.15.17.** The renewal of a Tribunal member's term must be examined according to the procedure established by government regulation. The regulation may, in particular,

- (1) authorize the establishment of committees;
- (2) determine the composition of the committees and the mode of appointment of committee members, who must not belong to the Administration within the meaning of the Public Administration Act (chapter A-6.01) or represent it;
- (3) determine the criteria to be taken into account by a committee; and
- (4) determine the information a committee may require from a Tribunal member and the consultations it may hold.

An examination committee may not make a recommendation against the renewal of a Tribunal member's term without first informing the member of its intention to do so and its reasons for doing so, and without giving the member an opportunity to make representations.

2018, c. 23, s. 631.

**115.15.18.** The members of an examination committee receive no remuneration except in the cases and on the conditions that may be determined by the Government.

They are, however, entitled to the reimbursement of any expenses incurred in the exercise of their functions, on the conditions determined by the Government.

2018, c. 23, s. 631.

**115.15.19.** No proceedings may be brought against members of an examination committee for acts performed in good faith in the exercise of their functions.

2018, c. 23, s. 631.

### DIVISION III

#### REMUNERATION AND OTHER CONDITIONS OF EMPLOYMENT

2018, c. 23, s. 631.

**115.15.20.** The Government shall make regulations determining

- (1) the mode of remuneration of the members and the applicable standards and scales as well as the method for determining the annual percentage of salary advancement up to the maximum salary rate and the annual percentage of the adjustment of the remuneration of members whose salary has reached the maximum rate; and
- (2) the conditions under which and the extent to which a member may be reimbursed for expenses incurred in the exercise of the functions of office.

The Government may also make regulations determining other conditions of employment applicable to all or some members, including employee benefits other than a pension plan.

Regulatory provisions may vary according to whether they apply to a full-time or part-time member or a member holding an administrative office referred to in section 115.15.38.

The regulations come into force on the 15th day following the date of their publication in the *Gazette officielle du Québec* or on a later date specified in the regulations.

2018, c. 23, s. 631.

**115.15.21.** The Government shall determine the members' remuneration, employee benefits and other conditions of employment in accordance with the regulations.

2018, c. 23, s. 631.

**115.15.22.** Once a member's remuneration has been set, it may not be reduced.

However, additional remuneration attaching to an administrative office within the Tribunal ceases on termination of the office.

2018, c. 23, s. 631.

**115.15.23.** The pension plan of full-time members of the Tribunal is determined pursuant to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1).

2018, c. 23, s. 631.

## DIVISION IV

### ETHICS AND IMPARTIALITY

2018, c. 23, s. 631.

**115.15.24.** Before entering office, members shall take an oath, solemnly affirming the following: "I (...) swear that I will exercise the powers and fulfill the duties of my office impartially and honestly and to the best of my knowledge and abilities."

Members shall take the oath before the president of the Tribunal; the president takes the oath before a judge of the Court of Québec.

2018, c. 23, s. 631.

**115.15.25.** The Government shall, after consultation with the president, establish a code of ethics applicable to the members.

The Tribunal must publish the code on its website.

2018, c. 23, s. 631.

**115.15.26.** The code of ethics must set out the rules of conduct of members and their duties toward the public, the parties, the parties' witnesses and the persons representing the parties; it must define, in particular, conduct that is derogatory to the honour, dignity or integrity of members. In addition, it may determine the activities or situations that are incompatible with their office, their obligations concerning the disclosure of interests, and the functions they may exercise free of charge.

The code of ethics may provide specific rules for part-time members.

2018, c. 23, s. 631.



**115.15.27.** A member may not, on pain of forfeiture of office, have a direct or indirect interest in an enterprise that may cause the member's personal interest to conflict with the duties of office, unless the interest devolves to the member by succession or gift and the member renounces it or disposes of it with dispatch.

2018, c. 23, s. 631.

**115.15.28.** In addition to complying with conflict of interest requirements and the rules of conduct and duties imposed by the code of ethics established under this Title, members must refrain from engaging in activities or placing themselves in situations that are incompatible, within the meaning of that code, with the exercise of their functions.

2018, c. 23, s. 631.

**115.15.29.** Full-time members must devote themselves exclusively to their office, but may, with the president's written consent, engage in teaching activities for which they may be remunerated. They may also carry out any mandate conferred on them by the Government after consultation with the president.

2018, c. 23, s. 631.

## DIVISION V

### END OF TERM AND SUSPENSION

2018, c. 23, s. 631.

**115.15.30.** A member's term may terminate prematurely only if the member retires or resigns or is dismissed or otherwise removed from office in the circumstances described in this division.

2018, c. 23, s. 631.

**115.15.31.** To resign, a member must give the Minister reasonable notice in writing and send a copy to the president.

2018, c. 23, s. 631.

**115.15.32.** The Government may dismiss a Tribunal member if the Conseil de la justice administrative (the council) so recommends, following an inquiry into a complaint for a breach of the code of ethics, of a duty under this Act or of the requirements relating to conflicts of interest or incompatible functions. It may also suspend or reprimand the member.

Any person may lodge a complaint with the council against a Tribunal member for such a breach. The complaint must be in writing, briefly state the grounds on which it is based and be sent to the seat of the council.

2018, c. 23, s. 631.

**115.15.33.** When examining a complaint brought against a Tribunal member, the council shall act in accordance with sections 184 to 192 of the Act respecting administrative justice (chapter J-3), with the necessary modifications.

However, if the council forms an inquiry committee for the purposes of section 186 of that Act, two committee members, at least one of whom neither practises a legal profession nor is a member of a body of the Administration whose president or chair is a member of the council, must be chosen from among the council members referred to in paragraphs 1 to 4 and 7 to 9 of section 167 of that Act. The third member of the inquiry committee is the council member referred to in paragraph 4.2 of that section or is chosen from a list drawn up by the president of the Tribunal, after consultation with all the members of the Tribunal. In the

latter case, if the inquiry committee finds the complaint to be justified, the third member shall take part in the deliberations of the council for the purpose of determining a penalty.

2018, c. 23, s. 631.

**115.15.34.** The Government may remove a Tribunal member from office for loss of a qualification required by law to exercise the functions of office or if in its opinion a permanent disability prevents the member from satisfactorily performing the duties of office. Permanent disability is ascertained by the council after an inquiry is conducted at the request of the Minister or of the president of the Tribunal.

When conducting an inquiry to determine whether a member has a permanent disability, the council shall act in accordance with sections 193 to 197 of the Act respecting administrative justice (chapter J-3), with the necessary modifications; however, the formation of an inquiry committee is subject to the rules set out in the second paragraph of section 115.15.33.

2018, c. 23, s. 631.

**115.15.35.** A Tribunal member who has been replaced and whose term has terminated otherwise than by the member's resignation, dismissal or because he or she was otherwise removed from office may, with the authorization of and for the time determined by the president of the Tribunal, continue to exercise the functions of office in order to conclude the matters the member has begun to hear but has yet to determine; in such instances, the member is considered to be a supernumerary member for the time required.

2018, c. 23, s. 631.

## CHAPTER II.2

### CONDUCT OF TRIBUNAL'S BUSINESS

2018, c. 23, s. 631.

#### DIVISION I

##### ADMINISTRATIVE OFFICE

2018, c. 23, s. 631.

**115.15.36.** The Government shall designate a president and vice-presidents from among the Tribunal members or the other persons declared qualified according to the recruiting and selection procedure referred to in section 115.15.10.

Those persons must meet the requirements set out in section 115.15.9. On being appointed, they become Tribunal members holding an administrative office.

2018, c. 23, s. 631.

**115.15.37.** The Minister shall designate a vice-president to temporarily replace the president or another vice-president when required.

If the vice-president so designated is absent or unable to act, the Minister shall designate another vice-president as a replacement.

2018, c. 23, s. 631.

**115.15.38.** The administrative office of the president or a vice-president is of a fixed duration of up to five years determined in the instrument of appointment or renewal.

2018, c. 23, s. 631.

**115.15.39.** The administrative office of the president or a vice-president may terminate prematurely only if they relinquish that office, if their appointment as member expires, or if they are dismissed or removed from administrative office in the circumstances described in section 115.15.40.

2018, c. 23, s. 631.

**115.15.40.** The Government may remove the president or a vicepresident from administrative office for loss of a qualification required by law to hold that office.

The Government may also remove those persons from administrative office if the Conseil de la justice administrative so recommends, after an inquiry conducted at the Minister's request concerning a breach pertaining only to their administrative powers and duties. The council shall act in accordance with sections 193 to 197 of the Act respecting administrative justice (chapter J-3), with the necessary modifications; however, the formation of an inquiry committee is subject to the rules set out in the second paragraph of section 115.15.33.

2018, c. 23, s. 631.

## DIVISION II

### MANAGEMENT AND ADMINISTRATION

2018, c. 23, s. 631.

**115.15.41.** In addition to the powers and duties that may otherwise be assigned to the president, the president is responsible for the Tribunal's administration and general management.

The president's functions include

- (1) directing the Tribunal's personnel and ensuring that they carry out their functions;
- (2) fostering members' participation in the formulation of guiding principles for the Tribunal so as to maintain a high level of quality and coherence in its decisions;
- (3) designating a member to be responsible for the administration of the Tribunal;
- (4) coordinating the work of and assigning work to the Tribunal members, who must comply with the president's orders and directives in that regard;
- (5) seeing that standards of ethical conduct are complied with;
- (6) promoting the professional development of Tribunal members and personnel as regards the exercise of their functions; and
- (7) periodically evaluating the knowledge and skills of the members in the exercise of their functions as well as their contribution to processing the cases before the Tribunal and to achieving the objectives of this Act.

2018, c. 23, s. 631.

**115.15.42.** To expedite Tribunal business involving disciplinary matters, the president shall appoint part-time or temporary assessors and determine their fees.

Assessors are not members of the Tribunal's personnel.

2018, c. 23, s. 631.

**115.15.43.** Assessors are chosen from among mortgage brokers within the meaning of the Act respecting the distribution of financial products and services (chapter D-9.2) who

- (1) have 10 years' experience relevant to the exercise of the Tribunal's disciplinary functions; and
- (2) are declared qualified according to the recruiting and selection procedure established by the president.

The recruiting and selection procedure must be published in the bulletin provided for in section 34.

2018, c. 23, s. 631.

**115.15.44.** The names of the representatives declared qualified are recorded in a register kept at the Tribunal; a certificate of qualification is valid for a period of three years.

2018, c. 23, s. 631.

**115.15.45.** The president must establish a code of ethics applicable to assessors and see that it is observed.

The code comes into force on the 15th day following the date of its publication in the bulletin provided for in section 34 or on any later date specified in the bulletin. It must also be published on the Tribunal's website.

2018, c. 23, s. 631.

**115.15.46.** The president may delegate all or some of the president's powers and duties to the vice-presidents.

In addition to the powers and duties that may be delegated to them by the president or otherwise be assigned to them, the vice-presidents shall assist and advise the president in the exercise of the president's functions and perform their administrative functions under the president's authority.

2018, c. 23, s. 631.

## DIVISION III

### PERSONNEL AND MATERIAL AND FINANCIAL RESOURCES

2018, c. 23, s. 631.

**115.15.47.** The secretary and the other members of the Tribunal's personnel are appointed in accordance with the Public Service Act (chapter F-3.1.1).

2018, c. 23, s. 631.

**115.15.48.** The secretary has custody of the Tribunal's records.

2018, c. 23, s. 631.

**115.15.49.** Documents emanating from the Tribunal are authentic if they are signed or, in the case of copies, if they are certified by the president, a vice-president or the secretary or by a person designated by the president for that purpose.

2018, c. 23, s. 631.

**115.15.50.** The Financial Markets Administrative Tribunal Fund is established.

The Fund is dedicated to financing the Tribunal's activities.

2018, c. 23, s. 631.

**115.15.51.** The following are credited to the Fund:

- (1) the sums transferred by the Minister out of the appropriations granted for that purpose by Parliament;
- (2) the sums paid by the Authority in the amount and according to the terms and conditions determined by the Government;
- (3) the sums collected pursuant to the tariff of administrative fees, professional fees and other charges related to matters heard by the Tribunal; and
- (4) the sums transferred to it by the Minister of Finance under the first paragraph of section 54 of the Financial Administration Act (chapter A-6.001).

Despite section 51 of the Financial Administration Act, the books of account of the Financial Markets Administrative Tribunal Fund need not be kept separately from the Tribunal's books and accounts. In addition, section 53, the second paragraph of section 54 and section 56 of that Act do not apply to the Fund.

2018, c. 23, s. 631.

**115.15.52.** The sums required for the purposes of this Title are debited from the Fund.

2018, c. 23, s. 631.

**115.15.53.** The Tribunal's fiscal year ends on 31 March.

2018, c. 23, s. 631.

**115.15.54.** Each year, the president of the Tribunal shall submit the Tribunal's budgetary estimates for the following fiscal year to the Minister according to the form and content and at the time determined by the Minister.

The Tribunal's budgetary estimates must include, in relation to the Financial Markets Administrative Tribunal Fund, the elements listed in subparagraphs 1 to 5 of the second paragraph of section 47 of the Financial Administration Act (chapter A-6.001) and, if applicable, the excess amount referred to in section 52 of that Act.

The third paragraph of section 47 of the Financial Administration Act does not apply to the Financial Markets Administrative Tribunal Fund.

The Tribunal's budgetary estimates are included in the special funds budget.

2018, c. 23, s. 631; 2020, c. 5, s. 118.

**115.15.55.** The Tribunal's books and accounts are audited by the Auditor General each year and whenever the Government so orders.

2018, c. 23, s. 631.

**115.15.56.** Not later than 30 September each year, the Tribunal must submit to the Minister its financial statements as well as a report on its activities for the previous fiscal year.

The report must not refer by name to any person involved in matters heard by the Tribunal.

2018, c. 23, s. 631; 2024, c. 15, s. 127.

**115.15.57.** The Minister shall table the Tribunal's activity report and financial statements before the National Assembly within 30 days of receiving them or, if the Assembly is not sitting, within 30 days of resumption.

The Auditor General's report must accompany those documents.

2018, c. 23, s. 631.

## DIVISION IV

### REGULATIONS

2018, c. 23, s. 631.

**115.15.58.** In a regulation passed by a majority of its members, the Tribunal may make rules of evidence and procedure specifying the manner in which the rules established by this Act or by the Acts under which matters are heard by the Tribunal are to be applied.

2018, c. 23, s. 631.

**115.15.59.** The Government may, by regulation, determine the tariff of administrative fees, professional fees and other charges relating to matters heard by the Tribunal, as well as the classes of persons who may be exempted from such fees and charges.

2018, c. 23, s. 631.

## DIVISION V

### IMMUNITY AND RECOURSES

2018, c. 23, s. 631.

**115.15.60.** No proceedings may be brought against the Tribunal, its members, members of its personnel, or assessors for acts performed in good faith in the exercise of their functions.

The same applies to any person or organization governed by Chapter II of Title X of the Securities Act (chapter V-1.1) when that person or organization exercises the functions or powers of a person mentioned in the first paragraph.

2018, c. 23, s. 631.

**115.15.61.** If proceedings are brought against a Tribunal member by a third party for an act performed in the exercise of the functions of office, the Tribunal shall assume the member's defence and pay any damages awarded as compensation for the injury resulting from the act, unless the member committed a gross fault or a personal fault separable from the exercise of those functions.

However, in penal or criminal proceedings, the Tribunal shall pay the defence costs of a Tribunal member only if the member had reasonable grounds to believe that his or her conduct was in conformity with the law, or if the member was discharged or acquitted.

2018, c. 23, s. 631.

**115.15.62.** If the Tribunal brings proceedings against a Tribunal member for an act performed in the exercise of the functions of office and loses its case, it shall pay the member's defence costs if a court of justice so decides.

If the Tribunal wins its case only in part, a court of justice may determine the amount of the defence costs it must pay.

2018, c. 23, s. 631.

**115.15.63.** Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure (chapter C-25.01) may be exercised nor any injunction granted against the Tribunal or Tribunal members acting in their official capacity.

A judge of the Court of Appeal may, on an application, summarily annul any decision, order or injunction made or granted contrary to this section.

2018, c. 23, s. 631.

### CHAPTER III

#### APPEAL

2009, c. 58, s. 45.

**115.16.** Any person directly interested in a final decision of the Tribunal may appeal the decision to the Court of Québec.

2009, c. 58, s. 45; 2016, c. 7, s. 179.

**115.17.** The appeal is brought by filing a notice to that effect with the Court of Québec within 30 days after the date the parties receive the final decision.

The notice of appeal must be filed at the office of the Court of Québec in the judicial district of Québec or Montréal, depending on whether the district in which the Tribunal held its hearings is under the territorial jurisdiction of the Court of Appeal sitting at Québec or at Montréal under article 40 of the Code of Civil Procedure (chapter C-25.01).

2009, c. 58, s. 45; 2016, c. 7, s. 179; 2018, c. 23, s. 632.

**115.18.** The notice of appeal must be served on the parties and notified to the Tribunal within 10 days after it is filed at the office of the Court of Québec.

At the request of the clerk of the Court of Québec, the secretary of the Tribunal shall send the office a copy and list of the exhibits in the record.

2009, c. 58, s. 45; 2018, c. 23, s. 632.

**115.19.** The appeal is governed by articles 351 to 390 of the Code of Civil Procedure (chapter C-25.01), with the necessary modifications. However, the parties are required to file only two copies of the factum of their pretensions.

2009, c. 58, s. 45; I.N. 2016-01-01 (NCCP).

**115.20.** The clerk of the Court of Québec shall, without delay, send the decision on the appeal to the secretary of the Tribunal.

2009, c. 58, s. 45; I.N. 2016-01-01 (NCCP); 2016, c. 7, s. 179; 2018, c. 23, s. 633.

**115.20.1.** The Court of Québec may, in the manner prescribed in the Courts of Justice Act (chapter T-16), adopt the regulations considered necessary for the application of this chapter.

2018, c. 23, s. 633.

**115.21.** An appeal does not suspend the execution of the contested decision, unless the Tribunal or a judge of the Court of Québec decides otherwise.

2009, c. 58, s. 45; 2016, c. 7, s. 179.

**115.22.** The decision of the Court of Québec may be appealed to the Court of Appeal with leave of a judge of that court.

2009, c. 58, s. 45.

## TITLE V

*Repealed, 2018, c. 23, s. 634.*

2002, c. 45, Title V; 2018, c. 23, s. 634.

## CHAPTER I

*Repealed, 2018, c. 23, s. 634.*

2002, c. 45, c. I; 2018, c. 23, s. 634.

**116.** *(Repealed).*

2002, c. 45, s. 116; 2018, c. 23, s. 634.

**117.** *(Repealed).*

2002, c. 45, s. 117; 2018, c. 23, s. 634.

**118.** *(Repealed).*

2002, c. 45, s. 118; 2018, c. 23, s. 634.

**119.** *(Repealed).*

2002, c. 45, s. 119; 2018, c. 23, s. 634.

**120.** *(Repealed).*

2002, c. 45, s. 120; 2018, c. 23, s. 634.

**121.** *(Repealed).*

2002, c. 45, s. 121; 2018, c. 23, s. 634.

**122.** *(Repealed).*

2002, c. 45, s. 122; 2018, c. 23, s. 634.

**123.** *(Repealed).*

2002, c. 45, s. 123; 2018, c. 23, s. 634.



**124.** *(Repealed).*

2002, c. 45, s. 124; 2018, c. 23, s. 634.

**125.** *(Repealed).*

2002, c. 45, s. 125; 2018, c. 23, s. 634.

**126.** *(Repealed).*

2002, c. 45, s. 126; 2018, c. 23, s. 634.

**127.** *(Repealed).*

2002, c. 45, s. 127; 2018, c. 23, s. 634.

**128.** *(Repealed).*

2002, c. 45, s. 128; 2018, c. 23, s. 634.

**129.** *(Repealed).*

2002, c. 45, s. 129; 2018, c. 23, s. 634.

**130.** *(Repealed).*

2002, c. 45, s. 130; 2018, c. 23, s. 634.

**131.** *(Repealed).*

2002, c. 45, s. 131; 2004, c. 37, s. 90; 2018, c. 23, s. 634.

**CHAPTER II**

*Repealed, 2018, c. 23, s. 634.*

2002, c. 45, c. II; 2018, c. 23, s. 634.

**132.** *(Repealed).*

2002, c. 45, s. 132; 2004, c. 37, s. 90; 2018, c. 23, s. 634.

**CHAPTER III**

*Repealed, 2018, c. 23, s. 634.*

2002, c. 45, c. III; 2018, c. 23, s. 634.

**DIVISION I**

*Repealed, 2018, c. 23, s. 634.*

2002, c. 45, Div. I; 2018, c. 23, s. 634.

**133.** *(Repealed).*

2002, c. 45, s. 133; 2018, c. 23, s. 634.

**134.** *(Repealed).*

2002, c. 45, s. 134; 2018, c. 23, s. 634.

**135.** *(Repealed).*

2002, c. 45, s. 135; 2018, c. 23, s. 634.

**136.** *(Repealed).*

2002, c. 45, s. 136; 2018, c. 23, s. 634.

**137.** *(Repealed).*

2002, c. 45, s. 137; 2018, c. 23, s. 634.

**138.** *(Repealed).*

2002, c. 45, s. 138; 2018, c. 23, s. 634.

**139.** *(Repealed).*

2002, c. 45, s. 139; 2018, c. 23, s. 634.

**140.** *(Repealed).*

2002, c. 45, s. 140; 2018, c. 23, s. 634.

**141.** *(Repealed).*

2002, c. 45, s. 141; 2018, c. 23, s. 634.

**142.** *(Repealed).*

2002, c. 45, s. 142; 2018, c. 23, s. 634.

**143.** *(Repealed).*

2002, c. 45, s. 143; 2018, c. 23, s. 634.

**144.** *(Repealed).*

2002, c. 45, s. 144; 2018, c. 23, s. 634.

**145.** *(Repealed).*

2002, c. 45, s. 145; 2018, c. 23, s. 634.

**DIVISION II**

*Repealed, 2018, c. 23, s. 634.*

2002, c. 45, Div. II; 2018, c. 23, s. 634.

**146.** *(Repealed).*

2002, c. 45, s. 146; 2004, c. 37, s. 90; 2018, c. 23, s. 634.

**147.** *(Repealed).*

2002, c. 45, s. 147; 2004, c. 37, s. 90; 2018, c. 23, s. 634.

**148.** *(Repealed).*

2002, c. 45, s. 148; 2004, c. 37, s. 90; 2018, c. 23, s. 634.

**149.** *(Repealed).*

2002, c. 45, s. 149; 2004, c. 37, s. 90; 2018, c. 23, s. 634.

**150.** *(Repealed).*

2002, c. 45, s. 150; 2018, c. 23, s. 634.

**151.** *(Repealed).*

2002, c. 45, s. 151; 2018, c. 23, s. 634.

**152.** *(Repealed).*

2002, c. 45, s. 152; 2004, c. 37, s. 90; 2018, c. 23, s. 634.

**153.** *(Repealed).*

2002, c. 45, s. 153; 2018, c. 23, s. 634.

**154.** *(Repealed).*

2002, c. 45, s. 154; 2018, c. 23, s. 634.

**155.** *(Repealed).*

2002, c. 45, s. 155; 2018, c. 23, s. 634.

**156.** *(Repealed).*

2002, c. 45, s. 156; 2018, c. 23, s. 634.

**TITLE VI**

**AMENDING PROVISIONS**

**157.** *(Omitted).*

2002, c. 45, s. 157.

**158.** *(Omitted).*

2002, c. 45, s. 158.

**159.** *(Omitted).*

2002, c. 45, s. 159.

**160.** *(Omitted).*

2002, c. 45, s. 160.

**161.** *(Omitted).*

2002, c. 45, s. 161.

FINANCIAL ADMINISTRATION ACT

**162.** *(Amendment integrated into c. A-6.001, Schedule 1).*

2002, c. 45, s. 162.

**163.** *(Amendment integrated into c. A-6.001, Schedule 2).*

2002, c. 45, s. 163.

**164.** *(Amendment integrated into c. A-6.001, Schedule 3).*

2002, c. 45, s. 164.

AUTOMOBILE INSURANCE ACT

**165.** *(Amendment integrated into c. A-25, s. 93).*

2002, c. 45, s. 165.

**166.** *(Amendment integrated into c. A-25, s. 97.1).*

2002, c. 45, s. 166.

**167.** *(Amendment integrated into c. A-25, s. 156).*

2002, c. 45, s. 167.

**168.** *(Amendment integrated into c. A-25, s. 161).*

2002, c. 45, s. 168.

**169.** *(Amendment integrated into c. A-25, heading of Title VII).*

2002, c. 45, s. 169.

**170.** *(Amendment integrated into c. A-25, s. 177).*

2002, c. 45, s. 170.

**171.** *(Amendment integrated into c. A-25, s. 178).*

2002, c. 45, s. 171.

**172.** *(Amendment integrated into c. A-25, s. 179).*

2002, c. 45, s. 172.

**173.** *(Amendment integrated into c. A-25, s. 179.1).*

2002, c. 45, s. 173.

**174.** *(Amendment integrated into c. A-25, s. 179.2).*

2002, c. 45, s. 174.

**175.** *(Amendment integrated into c. A-25, s. 180).*

2002, c. 45, s. 175.

**176.** *(Amendment integrated into c. A-25, s. 181).*

2002, c. 45, s. 176.

**177.** *(Amendment integrated into c. A-25, s. 182).*

2002, c. 45, s. 177.

**178.** *(Amendment integrated into c. A-25, s. 183).*

2002, c. 45, s. 178.

#### DEPOSIT INSURANCE ACT

**179.** *(Amendment integrated into c. A-26, s. 1).*

2002, c. 45, s. 179.

**180.** *(Amendment integrated into c. A-26, heading of Division II).*

2002, c. 45, s. 180.

**181.** *(Omitted).*

2002, c. 45, s. 181.

**182.** *(Amendment integrated into c. A-26, s. 2.1).*

2002, c. 45, s. 182.

**183.** *(Omitted).*

2002, c. 45, s. 183.

**184.** *(Amendment integrated into c. A-26, s. 17).*

2002, c. 45, s. 184.

**185.** *(Omitted).*

2002, c. 45, s. 185.

**186.** *(Amendment integrated into c. A-26, s. 20).*

2002, c. 45, s. 186.

**187.** *(Omitted).*

2002, c. 45, s. 187.

**188.** *(Amendment integrated into c. A-26, s. 26).*

2002, c. 45, s. 188.

**189.** *(Amendment integrated into c. A-26, s. 31.4).*

2002, c. 45, s. 189.

**190.** *(Amendment integrated into c. A-26, s. 34.2).*

2002, c. 45, s. 190.

**191.** *(Amendment integrated into c. A-26, heading of Division VI).*

2002, c. 45, s. 191.

**192.** *(Amendment integrated into c. A-26, s. 42).*

2002, c. 45, s. 192.

**193.** *(Amendment integrated into c. A-26, s. 43).*

2002, c. 45, s. 193.

**194.** *(Amendment integrated into c. A-26, s. 45).*

2002, c. 45, s. 194.

**195.** *(Amendment integrated into c. A-26, s. 51).*

2002, c. 45, s. 195.

**196.** *(Amendment integrated into c. A-26, s. 52).*

2002, c. 45, s. 196.

**197.** *(Amendment integrated into c. A-26, s. 56).*

2002, c. 45, s. 197.

**198.** *(Amendment integrated into c. A-26).*

2002, c. 45, s. 198.

#### ACT RESPECTING PRESCRIPTION DRUG INSURANCE

**199.** *(Amendment integrated into c. A-29.01, s. 4).*

2002, c. 45, s. 199.

#### ACT RESPECTING INSURANCE

**200.** *(Amendment integrated into c. A-32, s. 1).*

2002, c. 45, s. 200.

**201.** *(Amendment integrated into c. A-32, s. 15).*

2002, c. 45, s. 201.

**202.** *(Amendment integrated into c. A-32, s. 16).*

2002, c. 45, s. 202.

**203.** *(Inoperative, 2002, c. 70, s. 8).*

2002, c. 45, s. 203.

**204.** *(Inoperative, 2002, c. 70, s. 20).*

2002, c. 45, s. 204.

**205.** *(Inoperative, 2002, c. 70, s. 21).*

2002, c. 45, s. 205.

**206.** *(Amendment integrated into c. A-32, s. 41).*

2002, c. 45, s. 206.

**207.** *(Amendment integrated into c. A-32, s. 77).*

2002, c. 45, s. 207.

**208.** *(Amendment integrated into c. A-32, s. 93.20).*

2002, c. 45, s. 208.

**209.** *(Amendment integrated into c. A-32, s. 93.27).*

2002, c. 45, s. 209.

**210.** *(Amendment integrated into c. A-32, s. 93.27.2).*

2002, c. 45, s. 210.

**211.** *(Amendment integrated into c. A-32, s. 93.117).*

2002, c. 45, s. 211.

**212.** *(Amendment integrated into c. A-32, s. 93.120).*

2002, c. 45, s. 212.

**213.** *(Amendment integrated into c. A-32, s. 93.165.1).*

2002, c. 45, s. 213.

**214.** *(Amendment integrated into c. A-32, s. 93.192).*

2002, c. 45, s. 214.

**215.** *(Amendment integrated into c. A-32, s. 93.197).*

2002, c. 45, s. 215.

**216.** *(Amendment integrated into c. A-32, s. 93.202).*

2002, c. 45, s. 216.

**217.** *(Amendment integrated into c. A-32, s. 93.212).*

2002, c. 45, s. 217.

**218.** *(Amendment integrated into c. A-32, s. 93.214).*

2002, c. 45, s. 218.

**219.** *(Amendment integrated into c. A-32, s. 93.217).*

2002, c. 45, s. 219.

**220.** *(Amendment integrated into c. A-32, s. 93.245).*

2002, c. 45, s. 220.

**221.** *(Amendment integrated into c. A-32, s. 93.269).*

2002, c. 45, s. 221.

**222.** *(Amendment integrated into c. A-32, s. 93.271).*

2002, c. 45, s. 222.

**223.** *(Inoperative, 2002, c. 70, s. 61).*

2002, c. 45, s. 223.

**224.** *(Inoperative, 2002, c. 70, s. 61).*

2002, c. 45, s. 224.

**225.** *(Amendment integrated into c. A-32, s. 121).*

2002, c. 45, s. 225.

**226.** *(Amendment integrated into c. A-32, s. 188).*

2002, c. 45, s. 226.

**227.** *(Inoperative, 2002, c. 70, s. 72).*

2002, c. 45, s. 227.

**228.** *(Amendment integrated into c. A-32, s. 197).*

2002, c. 45, s. 228.

**229.** *(Inoperative, 2002, c. 70, s. 78).*

2002, c. 45, s. 229.

**230.** *(Inoperative, 2002, c. 70, s. 83).*

2002, c. 45, s. 230.

**231.** *(Amendment integrated into c. A-32, s. 211).*

2002, c. 45, s. 231.

**232.** *(Inoperative, 2002, c. 70, s. 101).*

2002, c. 45, s. 232.



**233.** *(Amendment integrated into c. A-32, Chapter III.2, ss. 285.27 to 285.34).*

2002, c. 45, s. 233.

**234.** *(Amendment integrated into c. A-32, s. 318).*

2002, c. 45, s. 234.

**235.** *(Amendment integrated into c. A-32, heading of Chapter V.1 of Title IV).*

2002, c. 45, s. 235.

**236.** *(Amendment integrated into c. A-32, ss. 325.0.1 to 325.0.3).*

2002, c. 45, s. 236.

**237.** *(Amendment integrated into c. A-32, s. 325.1).*

2002, c. 45, s. 237.

**238.** *(Amendment integrated into c. A-32, s. 358).*

2002, c. 45, s. 238.

**239.** *(Amendment integrated into c. A-32, s. 378).*

2002, c. 45, s. 239.

**240.** *(Amendment integrated into c. A-32, s. 387).*

2002, c. 45, s. 240.

**241.** *(Amendment integrated into c. A-32, s. 395).*

2002, c. 45, s. 241.

**242.** *(Amendment integrated into c. A-32, s. 420).*

2002, c. 45, s. 242.

**243.** *(Amendment integrated into c. A-32).*

2002, c. 45, s. 243.

ACT RESPECTING THE CAISSES D'ENTRAIDE ÉCONOMIQUE

**244.** *(Amendment integrated into c. C-3, s. 17).*

2002, c. 45, s. 244.

**245.** *(Amendment integrated into c. C-3, s. 18).*

2002, c. 45, s. 245.

**246.** *(Amendment integrated into c. C-3, s. 22).*

2002, c. 45, s. 246.

**247.** *(Amendment integrated into c. C-3, s. 31).*

2002, c. 45, s. 247.

ACT RESPECTING CERTAIN CAISSES D'ENTRAIDE ÉCONOMIQUE

**248.** *(Amendment integrated into c. C-3.1, ss. 107 and 108).*

2002, c. 45, s. 248.

**249.** *(Amendment integrated into c. C-3.1, s. 146.1).*

2002, c. 45, s. 249.

**250.** *(Amendment integrated into c. C-3.1, ss. 105, 106 and 109).*

2002, c. 45, s. 250.

ACT RESPECTING CERTAIN INTERNATIONAL FINANCIAL CENTRES

**251.** *(Amendment integrated into c. C-8.3, s. 4).*

2002, c. 45, s. 251.

CHARTER OF VILLE DE QUÉBEC

**252.** *(Amendment integrated into c. C-11.5, s. 35.9).*

2002, c. 45, s. 252.

**253.** *(Amendment integrated into c. C-11.5, s. 35.11).*

2002, c. 45, s. 253.

**254.** *(Amendment integrated into c. C-11.5, s. 35.13).*

2002, c. 45, s. 254.

**255.** *(Amendment integrated into c. C-11.5, s. 35.14).*

2002, c. 45, s. 255.

CINEMA ACT

**256.** *(Amendment integrated into c. C-18.1, s. 144.4).*

2002, c. 45, s. 256.

CITIES AND TOWNS ACT

**257.** *(Amendment integrated into c. C-19, s. 465.5).*

2002, c. 45, s. 257.

**258.** *(Amendment integrated into c. C-19, s. 465.6).*

2002, c. 45, s. 258.

**259.** *(Amendment integrated into c. C-19, s. 465.13).*

2002, c. 45, s. 259.

**260.** *(Amendment integrated into c. C-19, s. 465.15).*

2002, c. 45, s. 260.

**261.** *(Amendment integrated into c. C-19, ss. 458.16, 458.17.2, 458.18, 458.19, 458.21, 458.40, 465.8 and 465.9).*

2002, c. 45, s. 261.

#### FISH AND GAMES CLUBS ACT

**262.** *(Amendment integrated into c. C-22, s. 1).*

2002, c. 45, s. 262.

**263.** *(Amendment integrated into c. C-22, ss. 2, 4).*

2002, c. 45, s. 263.

**264.** *(Amendment integrated into c. C-22, ss. 7, 8).*

2002, c. 45, s. 264.

#### AMUSEMENT CLUBS ACT

**265.** *(Amendment integrated into c. C-23, ss. 1, 1.2 and 4).*

2002, c. 45, s. 265.

**266.** *(Amendment integrated into c. C-23, ss. 11, 12).*

2002, c. 45, s. 266.

#### CODE OF CIVIL PROCEDURE

**267.** *(Amendment integrated into c. C-25, a. 833).*

2002, c. 45, s. 267.

#### PROFESSIONAL CODE

**268.** *(Amendment integrated into c. C-26, s. 16.8).*

2002, c. 45, s. 268.

#### LABOUR CODE

**269.** *(Amendment integrated into c. C-27, s. 149).*

2002, c. 45, s. 269.

MUNICIPAL CODE OF QUÉBEC

**270.** *(Amendment integrated into c. C-27.1, a. 711.7).*

2002, c. 45, s. 270.

**271.** *(Amendment integrated into c. C-27.1, a. 711.14).*

2002, c. 45, s. 271.

**272.** *(Amendment integrated into c. C-27.1, a. 711.16).*

2002, c. 45, s. 272.

**273.** *(Amendment integrated into c. C-27.1, aa. 649, 650.2, 651, 652, 654 and 673).*

2002, c. 45, ss. 273.

**274.** *(Amendment integrated into c. C-27.1, aa. 711.6, 711.9 and 711.10).*

2002, c. 45, s. 274.

COMPANIES ACT

***Not in force***

**275.** *(Not in force).*

2002, c. 45, s. 275.

**276.** *(Amendment integrated into c. C-38, s. 31).*

2002, c. 45, s. 276.

**277.** *(Amendment integrated into c. C-38, s. 134).*

2002, c. 45, s. 277.

**278.** *(Amendment integrated into c. C-38).*

2002, c. 45, s. 278.

CEMETERY COMPANIES ACT

**279.** *(Amendment integrated into c. C-40, ss. 1, 3.1, 4, 5 and 11).*

2002, c. 45, s. 279.

**280.** *(Amendment integrated into c. C-40, ss. 14, 15).*

2002, c. 45, s. 280.

ACT RESPECTING ROMAN CATHOLIC CEMETERY COMPANIES

**281.** *(Amendment integrated into c. C-40.1, ss. 2, 7.1, 8, 29, 30, 46 and 50).*

2002, c. 45, s. 281.

**282.** *(Amendment integrated into c. C-40.1, ss. 52, 53).*

2002, c. 45, s. 282.

TIMBER-DRIVING COMPANIES ACT

**283.** *(Amendment integrated into c. C-42, ss. 6, 30, 56, 64 and 65).*

2002, c. 45, s. 283.

GAS, WATER AND ELECTRICITY COMPANIES ACT

**284.** *(Amendment integrated into c. C-44, s. 8).*

2002, c. 45, s. 284.

**285.** *(Amendment integrated into c. C-44, ss. 98, 99).*

2002, c. 45, s. 285.

TELEGRAPH AND TELEPHONE COMPANIES ACT

**286.** *(Amendment integrated into c. C-45, ss. 4, 6, 14 and 25).*

2002, c. 45, s. 286.

***Not in force***

**287.** *(Not in force).*

2002, c. 45, s. 287.

**288.** *(Amendment integrated into c. C-45, s. 28).*

2002, c. 45, s. 288.

MINING COMPANIES ACT

**289.** *(Amendment integrated into c. C-47, ss. 5, 8, 11, 12, 13, 14, 15, 17 and 23).*

2002, c. 45, s. 289.

***Not in force***

**290.** *(Not in force).*

2002, c. 45, s. 290.

ACT RESPECTING THE CONSEIL DES ARTS ET DES LETTRES DU QUÉBEC

**291.** *(Amendment integrated into c. C-57.02, s. 25).*

2002, c. 45, s. 291.

ACT RESPECTING THE CONSERVATOIRE DE MUSIQUE ET D'ART DRAMATIQUE DU QUÉBEC

**292.** *(Amendment integrated into c. C-62.1, s. 61).*

2002, c. 45, s. 292.

ACT RESPECTING THE CONSTITUTION OF CERTAIN CHURCHES

**293.** *(Amendment integrated into c. C-63, ss. 4, 5).*

2002, c. 45, s. 293.

**294.** *(Amendment integrated into c. C-63, ss. 15, 16).*

2002, c. 45, s. 294.

COOPERATIVES ACT

**295.** *(Amendment integrated into c. C-67.2, ss. 13, 19, 121, 162.1, 171.1, 181.1, 182, 185.4, 189, 189.1, 190, 193, 211.6, 221.8, 226.10, 226.12, 226.13, 253 and 266).*

2002, c. 45, s. 295.

ACT RESPECTING FINANCIAL SERVICES COOPERATIVES

**296.** *(Amendment integrated into c. C-67.3, s. 11).*

2002, c. 45, s. 296.

**297.** *(Amendment integrated into c. C-67.3, s. 15).*

2002, c. 45, s. 297.

**298.** *(Amendment integrated into c. C-67.3, s. 20).*

2002, c. 45, s. 298.

**299.** *(Amendment integrated into c. C-67.3, s. 25).*

2002, c. 45, s. 299.

**300.** *(Amendment integrated into c. C-67.3, ss. 25.1 to 25.4).*

2002, c. 45, s. 300.

**301.** *(Amendment integrated into c. C-67.3, s. 27).*

2002, c. 45, s. 301.

**302.** *(Amendment integrated into c. C-67.3, s. 31).*

2002, c. 45, s. 302.

**303.** *(Amendment integrated into c. C-67.3, s. 37).*

2002, c. 45, s. 303.

**304.** *(Amendment integrated into c. C-67.3, s. 39).*

2002, c. 45, s. 304.

**305.** *(Amendment integrated into c. C-67.3, s. 43).*

2002, c. 45, s. 305.

**306.** *(Amendment integrated into c. C-67.3, s. 70).*

2002, c. 45, s. 306.

**307.** *(Amendment integrated into c. C-67.3, s. 81).*

2002, c. 45, s. 307.

**308.** *(Amendment integrated into c. C-67.3, s. 100).*

2002, c. 45, s. 308.

**309.** *(Amendment integrated into c. C-67.3, chapter V.1, ss. 131.1 to 131.7).*

2002, c. 45, s. 309.

**310.** *(Amendment integrated into c. C-67.3, s. 162).*

2002, c. 45, s. 310.

**311.** *(Amendment integrated into c. C-67.3, s. 167).*

2002, c. 45, s. 311.

**312.** *(Amendment integrated into c. C-67.3, s. 171).*

2002, c. 45, s. 312.

**313.** *(Amendment integrated into c. C-67.3, s. 183).*

2002, c. 45, s. 313.

**314.** *(Amendment integrated into c. C-67.3, s. 187).*

2002, c. 45, s. 314.

**315.** *(Amendment integrated into c. C-67.3, s. 258).*

2002, c. 45, s. 315.

**316.** *(Amendment integrated into c. C-67.3, s. 280).*

2002, c. 45, s. 316.

**317.** *(Amendment integrated into c. C-67.3, s. 333).*

2002, c. 45, s. 317.

**318.** *(Amendment integrated into c. C-67.3, s. 377).*

2002, c. 45, s. 318.

**319.** *(Amendment integrated into c. C-67.3, s. 436).*

2002, c. 45, s. 319.

**320.** *(Amendment integrated into c. C-67.3, s. 480).*

2002, c. 45, s. 320.

**321.** *(Amendment integrated into c. C-67.3, s. 495).*

2002, c. 45, s. 321.

**322.** *(Amendment integrated into c. C-67.3, s. 505).*

2002, c. 45, s. 322.

**323.** *(Amendment integrated into c. C-67.3, s. 528).*

2002, c. 45, s. 323.

**324.** *(Amendment integrated into c. C-67.3, s. 532).*

2002, c. 45, s. 324.

**325.** *(Omitted).*

2002, c. 45, s. 325.

**326.** *(Amendment integrated into c. C-67.3, s. 548).*

2002, c. 45, s. 326.

**327.** *(Amendment integrated into c. C-67.3, s. 549).*

2002, c. 45, s. 327.

**328.** *(Amendment integrated into c. C-67.3, s. 556).*

2002, c. 45, s. 328.

**329.** *(Amendment integrated into c. C-67.3, s. 560).*

2002, c. 45, s. 329.

**330.** *(Amendment integrated into c. C-67.3, s. 567).*

2002, c. 45, s. 330.

**331.** *(Amendment integrated into c. C-67.3, s. 585).*

2002, c. 45, s. 331.

**332.** *(Amendment integrated into c. C-67.3, s. 586).*

2002, c. 45, s. 332.

**333.** *(Amendment integrated into c. C-67.3, s. 588).*

2002, c. 45, s. 333.



**334.** *(Amendment integrated into c. C-67.3, s. 599).*

2002, c. 45, s. 334.

**335.** *(Amendment integrated into c. C-67.3, s. 721).*

2002, c. 45, s. 335.

**336.** *(Amendment integrated into c. C-67.3, s. 727).*

2002, c. 45, s. 336.

**337.** *(Amendment integrated into c. C-67.3, s. 731).*

2002, c. 45, s. 337.

**338.** *(Amendment integrated into c. C-67.3).*

2002, c. 45, s. 338.

#### RELIGIOUS CORPORATIONS ACT

**339.** *(Amendment integrated into c. C-71, ss. 2, 5, 5.1, 6, 7, 15 and 16).*

2002, c. 45, s. 339.

**340.** *(Amendment integrated into c. C-71, ss. 19, 20).*

2002, c. 45, s. 340.

**341.** *(Amendment integrated into c. C-71, form 1).*

2002, c. 45, s. 341.

#### REAL ESTATE BROKERAGE ACT

**342.** *(Inoperative, 2008, c. 9, s. 158).*

2002, c. 45, s. 342.

**343.** *(Inoperative, 2008, c. 9, s. 158).*

2002, c. 45, s. 343.

**344.** *(Amendment integrated into c. C-73.1, s. 25).*

2002, c. 45, s. 344.

**345.** *(Amendment integrated into c. C-73.1, heading of Chapter VII).*

2002, c. 45, s. 345.

**346.** *(Amendment integrated into c. C-73.1, ss. 61, 62, 75, 79, 101, 105, 106, 142, 144, 146 to 154, 160.3, 164, 166 and 189).*

2002, c. 45, s. 346.

**347.** *(Inoperative, 2008, c. 9, s. 158).*

2002, c. 45, s. 347.

FORESTRY CREDIT ACT

**348.** *(Amendment integrated into c. C-78, s. 46.5).*

2002, c. 45, s. 348.

ACT TO PROMOTE FOREST CREDIT BY PRIVATE INSTITUTIONS

**349.** *(Amendment integrated into c. C-78.1, s. 58).*

2002, c. 45, s. 349.

DEPOSIT ACT

**350.** *(Amendment integrated into c. D-5, s. 8).*

2002, c. 45, s. 350.

ACT RESPECTING THE DISTRIBUTION OF FINANCIAL PRODUCTS AND SERVICES

**351.** *(Amendment integrated into c. D-9.2, s. 5).*

2002, c. 45, s. 351.

**352.** *(Amendment integrated into c. D-9.2, s. 17).*

2002, c. 45, s. 352.

**353.** *(Amendment integrated into c. D-9.2, s. 28).*

2002, c. 45, s. 353.

**354.** *(Amendment integrated into c. D-9.2, s. 56).*

2002, c. 45, s. 354.

**355.** *(Omitted).*

2002, c. 45, s. 355.

**356.** *(Amendment integrated into c. D-9.2, s. 59).*

2002, c. 45, s. 356.

**357.** *(Amendment integrated into c. D-9.2, s. 72).*

2002, c. 45, s. 357.

**358.** *(Amendment integrated into c. D-9.2, s. 77).*

2002, c. 45, s. 358.

**359.** *(Amendment integrated into c. D-9.2, s. 81).*

2002, c. 45, s. 359.

**360.** *(Amendment integrated into c. D-9.2, s. 83).*

2002, c. 45, s. 360.

**361.** *(Repealed).*

2002, c. 45, s. 361; 2008, c. 9, s. 142.

**362.** *(Amendment integrated into c. D-9.2, ss. 103 to 103.4).*

2002, c. 45, s. 362.

**363.** *(Omitted).*

2002, c. 45, s. 363.

**364.** *(Omitted).*

2002, c. 45, s. 364.

**365.** *(Omitted).*

2002, c. 45, s. 365.

**366.** *(Amendment integrated into c. D-9.2, s. 119).*

2002, c. 45, s. 366.

**367.** *(Omitted).*

2002, c. 45, s. 367.

**368.** *(Amendment integrated into c. D-9.2, s. 121).*

2002, c. 45, s. 368.

**369.** *(Amendment integrated into c. D-9.2, s. 122).*

2002, c. 45, s. 369.

**370.** *(Omitted).*

2002, c. 45, s. 370.

**371.** *(Amendment integrated into c. D-9.2, s. 124).*

2002, c. 45, s. 371.

**372.** *(Omitted).*

2002, c. 45, s. 372.

**373.** *(Amendment integrated into c. D-9.2, s. 133).*

2002, c. 45, s. 373.

**374.** *(Amendment integrated into c. D-9.2, s. 135).*

2002, c. 45, s. 374.

**375.** *(Amendment integrated into c. D-9.2, s. 136).*

2002, c. 45, s. 375.

**376.** *(Omitted).*

2002, c. 45, s. 376.

**377.** *(Amendment integrated into c. D-9.2, s. 146).*

2002, c. 45, s. 377.

**378.** *(Repealed).*

2002, c. 45, s. 378; 2008, c. 9, s. 142.

**379.** *(Omitted).*

2002, c. 45, s. 379.

**380.** *(Amendment integrated into c. D-9.2, heading of Chapter II of Title III).*

2002, c. 45, s. 380.

**381.** *(Amendment integrated into c. D-9.2, s. 184).*

2002, c. 45, s. 381.

**382.** *(Amendment integrated into c. D-9.2, s. 186).*

2002, c. 45, s. 382.

**383.** *(Amendment integrated into c. D-9.2, s. 186.1).*

2002, c. 45, s. 383.

**384.** *(Repealed).*

2002, c. 45, s. 384; 2009, c. 25, s. 113.

**385.** *(Amendment integrated into c. D-9.2, s. 188).*

2002, c. 45, s. 385.

**386.** *(Amendment integrated into c. D-9.2, s. 189).*

2002, c. 45, s. 386.

**387.** *(Amendment integrated into c. D-9.2, s. 189.1).*

2002, c. 45, s. 387.

**388.** *(Amendment integrated into c. D-9.2, s. 191).*

2002, c. 45, s. 388.

**389.** *(Amendment integrated into c. D-9.2, s. 192).*

2002, c. 45, s. 389.

**390.** *(Repealed).*

2002, c. 45, s. 390; 2009, c. 25, s. 113.

**391.** *(Amendment integrated into c. D-9.2, s. 194).*

2002, c. 45, s. 391.

**392.** *(Omitted).*

2002, c. 45, s. 392.

**393.** *(Amendment integrated into c. D-9.2, s. 196).*

2002, c. 45, s. 393.

**394.** *(Amendment integrated into c. D-9.2, s. 198).*

2002, c. 45, s. 394.

**395.** *(Amendment integrated into c. D-9.2, s. 200).*

2002, c. 45, s. 395.

**396.** *(Amendment integrated into c. D-9.2, s. 201).*

2002, c. 45, s. 396.

**397.** *(Amendment integrated into c. D-9.2, s. 202).*

2002, c. 45, s. 397.

**398.** *(Amendment integrated into c. D-9.2, s. 202.1).*

2002, c. 45, s. 398.

**399.** *(Amendment integrated into c. D-9.2, s. 203).*

2002, c. 45, s. 399.

**400.** *(Repealed).*

2002, c. 45, s. 400; 2008, c. 9, s. 142.

**401.** *(Amendment integrated into c. D-9.2, s. 204).*

2002, c. 45, s. 401.

**402.** *(Amendment integrated into c. D-9.2, s. 205).*

2002, c. 45, s. 402.

**403.** *(Repealed).*

2002, c. 45, s. 403; 2008, c. 9, s. 142.

**404.** *(Amendment integrated into c. D-9.2, s. 207).*

2002, c. 45, s. 404.

**405.** *(Amendment integrated into c. D-9.2, s. 217).*

2002, c. 45, s. 405.

**406.** *(Omitted).*

2002, c. 45, s. 406.

**407.** *(Amendment integrated into c. D-9.2, s. 223).*

2002, c. 45, s. 407.

**408.** *(Amendment integrated into c. D-9.2, s. 224).*

2002, c. 45, s. 408.

**409.** *(Amendment integrated into c. D-9.2, s. 224.1).*

2002, c. 45, s. 409.

**410.** *(Amendment integrated into c. D-9.2, s. 225).*

2002, c. 45, s. 410.

**411.** *(Amendment integrated into c. D-9.2, s. 226).*

2002, c. 45, s. 411.

**412.** *(Amendment integrated into c. D-9.2, s. 227).*

2002, c. 45, s. 412.

**413.** *(Amendment integrated into c. D-9.2, s. 228).*

2002, c. 45, s. 413.

**414.** *(Amendment integrated into c. D-9.2, s. 230).*

2002, c. 45, s. 414.

**415.** *(Omitted).*

2002, c. 45, s. 415.

**416.** *(Repealed).*

2002, c. 45, s. 416; 2009, c. 25, s. 113.

**417.** *(Omitted).*

2002, c. 45, s. 417.

**418.** *(Repealed).*

2002, c. 45, s. 418; 2008, c. 9, s. 142.

**419.** *(Amendment integrated into c. D-9.2, s. 244).*

2002, c. 45, s. 419.

**420.** *(Omitted).*

2002, c. 45, s. 420.

**421.** *(Amendment integrated into c. D-9.2, s. 248).*

2002, c. 45, s. 421.

**422.** *(Omitted).*

2002, c. 45, s. 422.

**423.** *(Amendment integrated into c. D-9.2, s. 256).*

2002, c. 45, s. 423.

**424.** *(Amendment integrated into c. D-9.2, s. 258).*

2002, c. 45, s. 424.

**425.** *(Amendment integrated into c. D-9.2, s. 258.1).*

2002, c. 45, s. 425.

**426.** *(Omitted).*

2002, c. 45, s. 426.

**427.** *(Amendment integrated into c. D-9.2, ss. 274, 274.1).*

2002, c. 45, s. 427.

**428.** *(Omitted).*

2002, c. 45, s. 428.

**429.** *(Amendment integrated into c. D-9.2, s. 276).*

2002, c. 45, s. 429.

**430.** *(Amendment integrated into c. D-9.2, s. 277).*

2002, c. 45, s. 430.

**431.** *(Amendment integrated into c. D-9.2, s. 278).*

2002, c. 45, s. 431.

**432.** *(Amendment integrated into c. D-9.2, s. 279).*

2002, c. 45, s. 432.

**433.** *(Omitted).*

2002, c. 45, s. 433.

**434.** *(Omitted).*

2002, c. 45, s. 434.

**435.** *(Amendment integrated into c. D-9.2, s. 293).*

2002, c. 45, s. 435.

**436.** *(Amendment integrated into c. D-9.2, s. 294).*

2002, c. 45, s. 436.

**437.** *(Amendment integrated into c. D-9.2, s. 295).*

2002, c. 45, s. 437.

**438.** *(Amendment integrated into c. D-9.2, s. 296).*

2002, c. 45, s. 438.

**439.** *(Amendment integrated into c. D-9.2, s. 297).*

2002, c. 45, s. 439.

**440.** *(Amendment integrated into c. D-9.2, s. 298).*

2002, c. 45, s. 440.

**441.** *(Amendment integrated into c. D-9.2, s. 300).*

2002, c. 45, s. 441.

**442.** *(Amendment integrated into c. D-9.2, s. 312).*

2002, c. 45, s. 442; O.C. 1366-2003, s. 6.

**443.** *(Amendment integrated into c. D-9.2, s. 313).*

2002, c. 45, s. 443.

**444.** *(Amendment integrated into c. D-9.2, s. 315).*

2002, c. 45, s. 444.

**445.** *(Amendment integrated into c. D-9.2, ss. 320-320.5).*

2002, c. 45, s. 445.

**446.** *(Omitted).*

2002, c. 45, s. 446.

**447.** *(Omitted).*

2002, c. 45, s. 447.

**448.** *(Omitted).*

2002, c. 45, s. 448.



**449.** *(Omitted).*

2002, c. 45, s. 449.

**450.** *(Amendment integrated into c. D-9.2, s. 327).*

2002, c. 45, s. 450.

**451.** *(Amendment integrated into c. D-9.2, s. 328).*

2002, c. 45, s. 451.

**452.** *(Amendment integrated into c. D-9.2, s. 329).*

2002, c. 45, s. 452.

**453.** *(Amendment integrated into c. D-9.2, s. 330).*

2002, c. 45, s. 453.

**454.** *(Amendment integrated into c. D-9.2, s. 331).*

2002, c. 45, s. 454.

**455.** *(Amendment integrated into c. D-9.2, s. 332).*

2002, c. 45, s. 455.

**456.** *(Amendment integrated into c. D-9.2, s. 333).*

2002, c. 45, s. 456.

**457.** *(Amendment integrated into c. D-9.2, s. 334).*

2002, c. 45, s. 457.

**458.** *(Amendment integrated into c. D-9.2, s. 335).*

2002, c. 45, s. 458.

**459.** *(Amendment integrated into c. D-9.2, s. 336).*

2002, c. 45, s. 459.

**460.** *(Amendment integrated into c. D-9.2, s. 337).*

2002, c. 45, s. 460.

**461.** *(Amendment integrated into c. D-9.2, s. 338).*

2002, c. 45, s. 461.

**462.** *(Amendment integrated into c. D-9.2, s. 339).*

2002, c. 45, s. 462.

**463.** *(Amendment integrated into c. D-9.2, s. 343).*

2002, c. 45, s. 463.

**464.** *(Amendment integrated into c. D-9.2, s. 344).*

2002, c. 45, s. 464.

**465.** *(Amendment integrated into c. D-9.2, s. 345).*

2002, c. 45, s. 465.

**466.** *(Amendment integrated into c. D-9.2, s. 347).*

2002, c. 45, s. 466.

**467.** *(Amendment integrated into c. D-9.2, ss. 348-350).*

2002, c. 45, s. 467.

**468.** *(Amendment integrated into c. D-9.2, s. 351).*

2002, c. 45, s. 468.

**469.** *(Amendment integrated into c. D-9.2, Title V.1, ss. 351.1-351.3).*

2002, c. 45, s. 469.

**470.** *(Amendment integrated into c. D-9.2, s. 359).*

2002, c. 45, s. 470.

**471.** *(Amendment integrated into c. D-9.2, s. 366.1).*

2002, c. 45, s. 471.

**472.** *(Amendment integrated into c. D-9.2, s. 379).*

2002, c. 45, s. 472.

**473.** *(Omitted).*

2002, c. 45, s. 473.

**474.** *(Amendment integrated into c. D-9.2, s. 381).*

2002, c. 45, s. 474.

**475.** *(Amendment integrated into c. D-9.2, s. 382).*

2002, c. 45, s. 475.

**476.** *(Amendment integrated into c. D-9.2, s. 383).*

2002, c. 45, s. 476.

**477.** *(Omitted).*

2002, c. 45, s. 477.

**478.** *(Omitted).*

2002, c. 45, s. 478.

**479.** *(Amendment integrated into c. D-9.2, s. 419).*

2002, c. 45, s. 479.

**480.** *(Amendment integrated into c. D-9.2, s. 449).*

2002, c. 45, s. 480.

**481.** *(Amendment integrated into c. D-9.2, s. 454).*

2002, c. 45, s. 481.

**482.** *(Amendment integrated into c. D-9.2, s. 456).*

2002, c. 45, s. 482.

**483.** *(Repealed).*

2002, c. 45, s. 483; 2008, c. 9, s. 142.

**484.** *(Repealed).*

2002, c. 45, s. 484; 2008, c. 9, s. 142.

**485.** *(Amendment integrated into c. D-9.2, s. 483).*

2002, c. 45, s. 485.

**486.** *(Omitted).*

2002, c. 45, s. 486.

**487.** *(Amendment integrated into c. D-9.2, s. 492).*

2002, c. 45, s. 487.

**488.** *(Omitted).*

2002, c. 45, s. 488.

**489.** *(Amendment integrated into c. D-9.2, s. 494).*

2002, c. 45, s. 489.

**490.** *(Amendment integrated into c. D-9.2, Title IX.1, s. 494.1).*

2002, c. 45, s. 490.

**491.** *(Repealed).*

2002, c. 45, s. 491; 2008, c. 9, s. 142.

**492.** *(Amendment integrated into c. D-9.2, s. 553).*

2002, c. 45, s. 492.

**493.** *(Amendment integrated into c. D-9.2, s. 559).*

2002, c. 45, s. 493.

**494.** *(Amendment integrated into c. D-9.2, s. 560).*

2002, c. 45, s. 494.

**495.** *(Amendment integrated into c. D-9.2, s. 561).*

2002, c. 45, s. 495.

**496.** *(Omitted).*

2002, c. 45, s. 496.

**497.** *(Amendment integrated into c. D-9.2, s. 566).*

2002, c. 45, s. 497.

**498.** *(Amendment integrated into c. D-9.2, s. 580.1).*

2002, c. 45, s. 498.

**499.** *(Amendment integrated into c. D-9.2).*

2002, c. 45, s. 499.

**500.** *(Amendment integrated into c. D-9.2, ss. 53 to 55, 98, 99, 214 and 319).*

2002, c. 45, s. 500.

#### ROMAN CATHOLIC BISHOPS ACT

**501.** *(Amendment integrated into c. E-17, ss. 2.2, 3, 6, 13, 17 and 19).*

2002, c. 45, s. 501.

**502.** *(Amendment integrated into c. E-17, ss. 22 and 23).*

2002, c. 45, s. 502.

#### ACT RESPECTING NASDAQ STOCK EXCHANGE ACTIVITIES IN QUÉBEC

**503.** *(Amendment integrated into c. E-20.01, s. 2).*

2002, c. 45, s. 503.

**504.** *(Amendment integrated into c. E-20.01, s. 5).*

2002, c. 45, s. 504.

**505.** *(Amendment integrated into c. E-20.01, s. 6).*

2002, c. 45, s. 505.

**506.** *(Amendment integrated into c. E-20.01, s. 7).*

2002, c. 45, s. 506.

**507.** *(Amendment integrated into c. E-20.01, s. 8).*

2002, c. 45, s. 507.

ACT RESPECTING FABRIQUES

**508.** *(Amendment integrated into c. F-1, ss. 2, 11, 16 and 21).*

2002, c. 45, s. 508.

**509.** *(Amendment integrated into c. F-1, ss. 75 and 76).*

2002, c. 45, s. 509.

ACT TO ESTABLISH FONDACTION, LE FONDS DE DÉVELOPPEMENT DE LA CONFÉDÉRATION DES SYNDICATS NATIONAUX POUR LA COOPÉRATION ET L'EMPLOI

**510.** *(Amendment integrated into c. F-3.1.2, s. 7).*

2002, c. 45, s. 510.

**511.** *(Amendment integrated into c. F-3.1.2, s. 21).*

2002, c. 45, s. 511.

**512.** *(Amendment integrated into c. F-3.1.2, s. 37).*

2002, c. 45, s. 512.

ACT TO ESTABLISH THE FONDS DE SOLIDARITÉ DES TRAVAILLEURS DU QUÉBEC (F.T.Q.)

**513.** *(Amendment integrated into c. F-3.2.1, s. 6).*

2002, c. 45, s. 513.

**514.** *(Amendment integrated into c. F-3.2.1, s. 16).*

2002, c. 45, s. 514.

**515.** *(Amendment integrated into c. F-3.2.1, s. 29).*

2002, c. 45, s. 515.

**516.** *(Amendment integrated into c. F-3.2.1, s. 30).*

2002, c. 45, s. 516.

TAXATION ACT

**517.** *(Amendment integrated into c. I-3, s. 1).*

2002, c. 45, s. 517.

**518.** *(Amendment integrated into c. I-3, s. 895).*

2002, c. 45, s. 518; 2003, c. 9, s. 463.

**519.** *(Amendment integrated into c. I-3, s. 897).*

2002, c. 45, s. 519.

**520.** *(Amendment integrated into c. I-3, ss. 346.2, 998, 999.0.1 and 1175.1).*

2002, c. 45, s. 520.

**521.** *(Amendment integrated into c. I-3, ss. 965.1, 965.6.23.1, 965.7, 965.9.2, 965.9.7.0.2, 965.9.7.1, 965.9.7.2, 965.9.7.3, 965.24.2, 965.28, 965.28.1, 965.28.2, 965.31.5, 979.1, 1029.8.36.95, 1029.8.36.147, 1049.2.8 and 1049.2.9).*

2002, c. 45, s. 521.

ACT RESPECTING THE DISCLOSURE OF THE COMPENSATION RECEIVED BY THE EXECUTIVE OFFICERS OF CERTAIN LEGAL PERSONS

**522.** *(Amendment integrated into c. I-8.01, s. 3).*

2002, c. 45, s. 522.

**523.** *(Amendment integrated into c. I-8.01, s. 6).*

2002, c. 45, s. 523.

**524.** *(Amendment integrated into c. I-8.01, s. 7).*

2002, c. 45, s. 524.

ACT RESPECTING THE ENTERPRISE REGISTRAR

**525.** *(Amendment integrated into c. R-17.1, title).*

2002, c. 45, s. 525.

**526.** *(Amendment integrated into c. R-17.1, s. 1).*

2002, c. 45, s. 526.

**527.** *(Amendment integrated into c. R-17.1 s. 8).*

2002, c. 45, s. 527.

**528.** *(Amendment integrated into c. R-17.1, s. 18).*

2002, c. 45, s. 528.

**529.** *(Amendment integrated into c. R-17.1, s. 26).*

2002, c. 45, s. 529.

**530.** *(Omitted).*

2002, c. 45, s. 530.

**531.** *(Omitted).*

2002, c. 45, s. 531.

**532.** *(Amendment integrated into c. R-17.1, s. 32).*

2002, c. 45, s. 532.

**533.** *(Omitted).*

2002, c. 45, s. 533.

**534.** *(Amendment integrated into c. R-17.1, s. 42).*

2002, c. 45, s. 534.

**535.** *(Amendment integrated into c. R-17.1, s. 44).*

2002, c. 45, s. 535.

**536.** *(Amendment integrated into c. R-17.1, s. 45).*

2002, c. 45, s. 536.

**537.** *(Amendment integrated into c. R-17.1, s. 46).*

2002, c. 45, s. 537.

**538.** *(Omitted).*

2002, c. 45, s. 538.

**539.** *(Inoperative, 2010, c. 7, s. 281).*

2002, c. 45, s. 539.

**540.** *(Amendment integrated into c. R-17.1, ss. 2 to 7, 9, 9.1, 10 to 14, 16, 17, 20 to 25, 29 to 31, 34, 35 and 43).*

2002, c. 45, s. 540.

ACT RESPECTING THE INSTITUT DE LA STATISTIQUE DU QUÉBEC

**541.** *(Amendment integrated into c. I-13.011, s. 39).*

2002, c. 45, s. 541.

THE EDUCATION ACT FOR CREE, INUIT AND NASKAPI NATIVE PERSONS

**542.** *(Amendment integrated into c. I-14, s. 233).*

2002, c. 45, s. 542.

WINDING-UP ACT

**543.** *(Amendment integrated into c. L-4, ss. 9, 17, 18, 19, 25.1, 32 and 32.1).*

2002, c. 45, s. 543.

**544.** *(Amendment integrated into c. L-4, ss. 34 and 35).*

2002, c. 45, s. 544.

ACT RESPECTING THE MINISTÈRE DE LA CULTURE ET DES COMMUNICATIONS

**545.** *(Amendment integrated into c. M-17.1, s. 18).*

2002, c. 45, s. 545.

**546.** *(Amendment integrated into c. M-17.1, s. 38).*

2002, c. 45, s. 546.

ACT RESPECTING THE SPECIAL POWERS OF LEGAL PERSONS

**547.** *(Amendment integrated into c. P-16, ss. 5, 7, 14, 17, 19, 20, 24 and 53).*

2002, c. 45, s. 547.

**Not in force**

**548.** *(Not in force).*

2002, c. 45, s. 548.

PUBLIC PROTECTOR ACT

**549.** *(Amendment integrated into c. P-32, s. 15).*

2002, c. 45, s. 549.

CONSUMER PROTECTION ACT

**550.** *(Amendment integrated into c. P-40.1, s. 321).*

2002, c. 45, s. 550.

ACT RESPECTING THE LEGAL PUBLICITY OF SOLE PROPRIETORSHIPS, PARTNERSHIPS AND LEGAL PERSONS

**551.** *(Amendment integrated into c. P-45).*

2002, c. 45, s. 551.

**552.** *(Inoperative, 2010, c. 7, s. 281).*

2002, c. 45, s. 552.

**553.** *(Amendment integrated into c. P-45, Schedule 1).*

2002, c. 45, s. 553.

ACT RESPECTING THE PROCESS OF NEGOTIATION OF COLLECTIVE AGREEMENTS IN THE PUBLIC AND PARAPUBLIC SECTORS

**554.** *(Amendment integrated into c. R-8.2, Schedule C).*

2002, c. 45, s. 554.



ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

**555.** *(Amendment integrated into c. R-10, Schedule I).*

2002, c. 45, s. 555.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

**556.** *(Amendment integrated into c. S-4.2, ss. 318, 321, 322, 328, 331, 333, 451.14, 533 and 548).*

2002, c. 45, s. 556.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES FOR CREE NATIVE PERSONS

**557.** *(Amendment integrated into c. S-5, ss. 64, 66 to 67 and 119 to 121).*

2002, c. 45, s. 557.

**558.** *(Amendment integrated into c. S-5, s. 134).*

2002, c. 45, s. 558.

ACT RESPECTING THE SOCIÉTÉ DES LOTERIES DU QUÉBEC

**559.** *(Amendment integrated into c. S-13.1, s. 18).*

2002, c. 45, s. 559.

ACT RESPECTING THE SOCIÉTÉ NATIONALE DU CHEVAL DE COURSE

**560.** *(Amendment integrated into c. S-18.2.0.1, s. 17).*

2002, c. 45, s. 560.

ACT RESPECTING FARMERS' AND DAIRYMEN'S ASSOCIATIONS

**561.** *(Amendment integrated into c. S-23, ss. 4, 5.3, 5.5, 5.8 and 5.10).*

2002, c. 45, s. 561.

ACT RESPECTING MIXED ENTERPRISE COMPANIES IN THE MUNICIPAL SECTOR

**562.** *(Amendment integrated into c. S-25.01, s. 17).*

2002, c. 45, s. 562.

ACT RESPECTING THE SOCIÉTÉS D'ENTRAIDE ÉCONOMIQUE

**563.** *(Amendment integrated into c. S-25.1, s. 112).*

2002, c. 45, s. 563.

**564.** *(Amendment integrated into c. S-25.1).*

2002, c. 45, s. 564.

HORTICULTURAL SOCIETIES ACT

**565.** *(Amendment integrated into c. S-27, ss. 3.1 and 10.1).*

2002, c. 45, s. 565.

ACT RESPECTING TRUST COMPANIES AND SAVING COMPANIES

**566.** *(Amendment integrated into c. S-29.01, s. 2).*

2002, c. 45, s. 566.

**567.** *(Amendment integrated into c. S-29.01, s. 3).*

2002, c. 45, s. 567.

**568.** *(Amendment integrated into c. S-29.01, s. 13).*

2002, c. 45, s. 568.

**569.** *(Amendment integrated into c. S-29.01, s. 15).*

2002, c. 45, s. 569.

**570.** *(Amendment integrated into c. S-29.01, s. 16).*

2002, c. 45, s. 570.

**571.** *(Amendment integrated into c. S-29.01, s. 18).*

2002, c. 45, s. 571.

**572.** *(Amendment integrated into c. S-29.01, s. 19).*

2002, c. 45, s. 572.

**573.** *(Amendment integrated into c. S-29.01, s. 24).*

2002, c. 45, s. 573.

**574.** *(Amendment integrated into c. S-29.01, s. 30).*

2002, c. 45, s. 574.

**575.** *(Amendment integrated into c. S-29.01, s. 37).*

2002, c. 45, s. 575.

**576.** *(Amendment integrated into c. S-29.01, s. 43).*

2002, c. 45, s. 576.

**577.** *(Amendment integrated into c. S-29.01, s. 50).*

2002, c. 45, s. 577.

**578.** *(Amendment integrated into c. S-29.01, s. 56).*

2002, c. 45, s. 578.

**579.** *(Amendment integrated into c. S-29.01, s. 97).*

2002, c. 45, s. 579.

**580.** *(Amendment integrated into c. S-29.01, s. 102).*

2002, c. 45, s. 580.

**581.** *(Amendment integrated into c. S-29.01, s. 125).*

2002, c. 45, s. 581.

**582.** *(Amendment integrated into c. S-29.01, Chapter XI.1, ss. 153.1 to 153.7).*

2002, c. 45, s. 582.

**583.** *(Amendment integrated into c. S-29.01, s. 155).*

2002, c. 45, s. 583.

**584.** *(Amendment integrated into c. S-29.01, s. 163).*

2002, c. 45, s. 584.

**585.** *(Amendment integrated into c. S-29.01, s. 169.1).*

2002, c. 45, s. 585.

**586.** *(Amendment integrated into c. S-29.01, s. 169.2).*

2002, c. 45, s. 586.

**587.** *(Amendment integrated into c. S-29.01, s. 172).*

2002, c. 45, s. 587.

**588.** *(Amendment integrated into c. S-29.01, s. 177).*

2002, c. 45, s. 588.

**589.** *(Amendment integrated into c. S-29.01, s. 194).*

2002, c. 45, s. 589.

**590.** *(Amendment integrated into c. S-29.01, s. 203).*

2002, c. 45, s. 590.

**591.** *(Amendment integrated into c. S-29.01, s. 216).*

2002, c. 45, s. 591.

**592.** *(Amendment integrated into c. S-29.01, s. 226).*

2002, c. 45, s. 592.

**593.** *(Amendment integrated into c. S-29.01, s. 227).*

2002, c. 45, s. 593.

**594.** *(Amendment integrated into c. S-29.01, s. 234).*

2002, c. 45, s. 594.

**595.** *(Amendment integrated into c. S-29.01, s. 236).*

2002, c. 45, s. 595.

**596.** *(Amendment integrated into c. S-29.01, s. 242).*

2002, c. 45, s. 596.

**597.** *(Amendment integrated into c. S-29.01, s. 244).*

2002, c. 45, s. 597.

**598.** *(Amendment integrated into c. S-29.01, heading of Division IV of Chapter XVI).*

2002, c. 45, s. 598.

**599.** *(Amendment integrated into c. S-29.01, s. 293).*

2002, c. 45, s. 599.

**600.** *(Amendment integrated into c. S-29.01, s. 295).*

2002, c. 45, s. 600.

**601.** *(Amendment integrated into c. S-29.01, heading of Division VI of Chapter XVI).*

2002, c. 45, s. 601.

**602.** *(Amendment integrated into c. S-29.01, s. 313).*

2002, c. 45, s. 602.

**603.** *(Amendment integrated into c. S-29.01, s. 314).*

2002, c. 45, s. 603.

**604.** *(Amendment integrated into c. S-29.01, heading of Division VII of Chapter XVI).*

2002, c. 45, s. 604.

**605.** *(Amendment integrated into c. S-29.01, ss. 314.1 and 314.2).*

2002, c. 45, s. 605.

**606.** *(Amendment integrated into c. S-29.01, s. 315).*

2002, c. 45, s. 606.

**607.** *(Amendment integrated into c. S-29.01, s. 333).*

2002, c. 45, s. 607.

**608.** *(Amendment integrated into c. S-29.01, s. 351).*

2002, c. 45, s. 608.

**609.** *(Omitted).*

2002, c. 45, s. 609.

**610.** *(Amendment integrated into c. S-29.01, s. 408).*

2002, c. 45, s. 610.

**611.** *(Amendment integrated into c. S-29.01).*

2002, c. 45, s. 611.

LOAN AND INVESTMENT SOCIETIES ACT

**612.** *(Omitted).*

2002, c. 45, s. 612.

NATIONAL BENEFIT SOCIETY ACT

**613.** *(Amendment integrated into c. S-31, s. 1.2).*

2002, c. 45, s. 613.

**614.** *(Amendment integrated into c. S-31, ss. 7 and 8).*

2002, c. 45, s. 614.

ACT RESPECTING SOCIETIES FOR THE PREVENTION OF CRUELTY TO ANIMALS

**615.** *(Amendment integrated into c. S-32, ss. 1 and 1.2).*

2002, c. 45, s. 615.

**616.** *(Amendment integrated into c. S-32, ss. 4 and 5).*

2002, c. 45, s. 616.

PROFESSIONAL SYNDICATES ACT

**617.** *(Amendment integrated into c. S-40, s. 9).*

2002, c. 45, s. 617.

**618.** *(Amendment integrated into c. S-40, s. 20).*

2002, c. 45, s. 618.

**619.** *(Amendment integrated into c. S-40, ss. 1, 10, 11 and 26).*

2002, c. 45, s. 619.

**620.** *(Amendment integrated into c. S-40, ss. 30 and 31).*

2002, c. 45, s. 620.

ACT RESPECTING THE QUÉBEC SALES TAX

**621.** *(Amendment integrated into c. T-0.1, s. 1).*

2002, c. 45, s. 621.

**622.** *(Amendment integrated into c. T-0.1, s. 519).*

2002, c. 45, s. 622.

SECURITIES ACT

**623.** *(Amendment integrated into c. V-1.1, s. 3).*

2002, c. 45, s. 623.

**624.** *(Amendment integrated into c. V-1.1, s. 44).*

2002, c. 45, s. 624.

**625.** *(Amendment integrated into c. V-1.1, s. 92).*

2002, c. 45, s. 625.

**626.** *(Amendment integrated into c. V-1.1, s. 151.1.1).*

2002, c. 45, s. 626.

**627.** *(Amendment integrated into c. V-1.1, s. 154).*

2002, c. 45, s. 627.

**628.** *(Amendment integrated into c. V-1.1, s. 156).*

2002, c. 45, s. 628.

**629.** *(Amendment integrated into c. V-1.1, heading of Chapter III of Title V).*

2002, c. 45, s. 629.

**630.** *(Amendment integrated into c. V-1.1, ss. 168.1.1 to 168.1.5).*

2002, c. 45, s. 630.

**631.** *(Amendment integrated into c. V-1.1, ss. 169-172).*

2002, c. 45, s. 631; O.C. 1366-2003, s. 7.

**632.** *(Amendment integrated into c. V-1.1, s. 195).*

2002, c. 45, s. 632.

**633.** *(Amendment integrated into c. V-1.1, s. 195.2).*

2002, c. 45, s. 633.

**634.** *(Amendment integrated into c. V-1.1, s. 204).*

2002, c. 45, s. 634.

**635.** *(Amendment integrated into c. V-1.1, s. 208.1).*

2002, c. 45, s. 635.

**636.** *(Amendment integrated into c. V-1.1, s. 234).*

2002, c. 45, s. 636.

**637.** *(Amendment integrated into c. V-1.1, s. 235).*

2002, c. 45, s. 637.

**638.** *(Amendment integrated into c. V-1.1, s. 236).*

2002, c. 45, s. 638.

**639.** *(Amendment integrated into c. V-1.1, s. 249).*

2002, c. 45, s. 639.

**640.** *(Amendment integrated into c. V-1.1, s. 253).*

2002, c. 45, s. 640.

**641.** *(Amendment integrated into c. V-1.1, s. 273.1).*

2002, c. 45, s. 641.

**642.** *(Amendment integrated into c. V-1.1, heading of Chapter III of Title IX).*

2002, c. 45, s. 642.

**643.** *(Amendment integrated into c. V-1.1, heading of Chapter I of Title X).*

2002, c. 45, s. 643.

**644.** *(Amendment integrated into c. V-1.1, s. 276).*

2002, c. 45, s. 644.

**645.** *(Omitted).*

2002, c. 45, s. 645.

**646.** *(Amendment integrated into c. V-1.1, s. 276.4).*

2002, c. 45, s. 646.

**647.** *(Omitted).*

2002, c. 45, s. 647.

**648.** *(Amendment integrated into c. V-1.1, s. 283).*

2002, c. 45, s. 648.

**649.** *(Amendment integrated into c. V-1.1, s. 284).*

2002, c. 45, s. 649.

**650.** *(Omitted).*

2002, c. 45, s. 650.

**651.** *(Amendment integrated into c. V-1.1, s. 292).*

2002, c. 45, s. 651.

**652.** *(Amendment integrated into c. V-1.1, s. 293).*

2002, c. 45, s. 652.

**653.** *(Amendment integrated into c. V-1.1, s. 295.2).*

2002, c. 45, s. 653.

**654.** *(Omitted).*

2002, c. 45, s. 654.

**655.** *(Amendment integrated into c. V-1.1, s. 302).*

2002, c. 45, s. 655.

**656.** *(Amendment integrated into c. V-1.1, s. 303).*

2002, c. 45, s. 656.

**657.** *(Omitted).*

2002, c. 45, s. 657.

**658.** *(Amendment integrated into c. V-1.1, s. 307).*

2002, c. 45, s. 658.

**659.** *(Amendment integrated into c. V-1.1, s. 308).*

2002, c. 45, s. 659.

**660.** *(Amendment integrated into c. V-1.1, heading of Chapter III of Title X).*

2002, c. 45, s. 660.

**661.** *(Amendment integrated into c. V-1.1, s. 309).*

2002, c. 45, s. 661.

**662.** *(Amendment integrated into c. V-1.1, s. 310).*

2002, c. 45, s. 662.

**663.** *(Amendment integrated into c. V-1.1, s. 311).*

2002, c. 45, s. 663.

**664.** *(Amendment integrated into c. V-1.1, heading of Chapter IV of Title X).*

2002, c. 45, s. 664.



**665.** *(Amendment integrated into c. V-1.1, s. 312).*

2002, c. 45, s. 665.

**666.** *(Amendment integrated into c. V-1.1, s. 312.1).*

2002, c. 45, s. 666.

**667.** *(Amendment integrated into c. V-1.1, s. 313).*

2002, c. 45, s. 667.

**668.** *(Omitted).*

2002, c. 45, s. 668.

**669.** *(Amendment integrated into c. V-1.1, s. 314.1).*

2002, c. 45, s. 669.

**670.** *(Omitted).*

2002, c. 45, s. 670.

**671.** *(Amendment integrated into c. V-1.1, chapter V).*

2002, c. 45, s. 671.

**672.** *(Omitted).*

2002, c. 45, s. 672.

**673.** *(Amendment integrated into c. V-1.1, s. 318).*

2002, c. 45, s. 673.

**674.** *(Amendment integrated into c. V-1.1, s. 319).*

2002, c. 45, s. 674.

**675.** *(Amendment integrated into c. V-1.1, s. 320).*

2002, c. 45, s. 675.

**676.** *(Amendment integrated into c. V-1.1, s. 320.1).*

2002, c. 45, s. 676.

**677.** *(Amendment integrated into c. V-1.1, s. 320.2).*

2002, c. 45, s. 677.

**678.** *(Amendment integrated into c. V-1.1, s. 321.1).*

2002, c. 45, s. 678.

**679.** *(Amendment integrated into c. V-1.1, s. 322).*

2002, c. 45, s. 679.

**680.** *(Amendment integrated into c. V-1.1, chapter V).*

2002, c. 45, s. 680.

**681.** *(Amendment integrated into c. V-1.1, s. 323).*

2002, c. 45, s. 681.

**682.** *(Amendment integrated into c. V-1.1, ss. 323.1-323.13).*

2002, c. 45, s. 682; O.C. 1366-2003, s. 8.

**683.** *(Amendment integrated into c. V-1.1, heading of Chapter VII of Title X).*

2002, c. 45, s. 683.

**684.** *(Amendment integrated into c. V-1.1, s. 330.1).*

2002, c. 45, s. 684.

**685.** *(Amendment integrated into c. V-1.1, s. 330.3).*

2002, c. 45, s. 685.

**686.** *(Amendment integrated into c. V-1.1, s. 330.5).*

2002, c. 45, s. 686.

**687.** *(Omitted).*

2002, c. 45, s. 687.

**688.** *(Amendment integrated into c. V-1.1, s. 330.9).*

2002, c. 45, s. 688.

**689.** *(Amendment integrated into c. V-1.1, s. 330.10).*

2002, c. 45, s. 689.

**690.** *(Amendment integrated into c. V-1.1, s. 331).*

2002, c. 45, s. 690.

**691.** *(Amendment integrated into c. V-1.1, s. 331.1).*

2002, c. 45, s. 691.

**692.** *(Amendment integrated into c. V-1.1, s. 332).*

2002, c. 45, s. 692.

**693.** *(Amendment integrated into c. V-1.1, s. 334).*

2002, c. 45, s. 693.

**694.** *(Omitted).*

2002, c. 45, s. 694.

**695.** *(Amendment integrated into c. V-1.1, s. 348).*

2002, c. 45, s. 695.

**696.** *(Amendment integrated into c. V-1.1).*

2002, c. 45, s. 696.

**697.** *(Omitted).*

2002, c. 45, s. 697.

**698.** *(Omitted).*

2002, c. 45, s. 698.

ACT RESPECTING TRANSPORTATION SERVICES BY TAXI

**699.** *(Amendment integrated into c. S-6.01, s. 135).*

2002, c. 45, s. 699.

**700.** *(Amendment integrated into c. S-6.01, s. 138).*

2002, c. 45, s. 700.

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

**701.** *(Amendment integrated into c. S-30.01, ss. 1, 83, 160, 164.1, 167 and 175).*

2002, c. 45, s. 701.

**702.** *(Amendment integrated into c. S-30.01, s. 71).*

2002, c. 45, s. 702.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

**703.** *(Amendment integrated into c. R-12.1, Schedule II).*

2002, c. 45, s. 703.

ACT CONSTITUTING CAPITAL RÉGIONAL ET COOPÉRATIF DESJARDINS

**704.** *(Amendment integrated into c. C-6.1, s. 20).*

2002, c. 45, s. 704.

**705.** *(Amendment integrated into c. C-6.1, s. 33).*

2002, c. 45, s. 705.

**706.** *(Amendment integrated into c. C-6.1, s. 43).*

2002, c. 45, s. 706.

## TITLE VII

### TRANSITIONAL AND FINAL PROVISIONS

**707.** The Autorité des marchés financiers established by section 1 replaces the Bureau des services financiers and the Fonds d'indemnisation des services financiers established by the Act respecting the distribution of financial products and services (chapter D-9.2) and acquires the rights and assumes the obligations thereof.

2002, c. 45, s. 707; 2004, c. 37, s. 90.

**708.** The Autorité des marchés financiers established by section 1 replaces the Commission des valeurs mobilières du Québec established by the Securities Act (chapter V-1.1) and acquires the rights and assumes the obligations thereof.

2002, c. 45, s. 708; 2004, c. 37, s. 90.

**709.** The Autorité des marchés financiers established by section 1 replaces the Régie de l'assurance-dépôts du Québec established by the Deposit Insurance Act (chapter A-26) and acquires the rights and assumes the obligations thereof.

2002, c. 45, s. 709; 2004, c. 37, s. 90.

**710.** The Autorité des marchés financiers established by section 1 replaces the Inspector General of Financial Institutions with respect to the duties and powers exercised by the latter under the Acts listed in Schedule 1 as they read on 31 January 2004 and acquires the rights and assumes the obligations thereof.

2002, c. 45, s. 710; 2004, c. 37, s. 90.

**711.** The files, records and other documents of the Bureau des services financiers, the Fonds d'indemnisation des services financiers, the Commission des valeurs mobilières du Québec and the Régie de l'assurance-dépôts du Québec become the files, records and documents of the Autorité des marchés financiers.

2002, c. 45, s. 711; 2004, c. 37, s. 90.

**712.** The Government may, to the extent and on the conditions it determines, transfer to the Authority any file, record or document as well as any property in the possession of the Inspector General of Financial Institutions on 31 January 2004 required for the purposes of the exercise by the latter of the duties and powers provided for in the Acts listed in Schedule 1.

2002, c. 45, s. 712; 2004, c. 37, s. 90.

**713.** Matters commenced by the Bureau des services financiers, the Fonds d'indemnisation des services financiers, the Commission des valeurs mobilières du Québec and the Régie de l'assurance-dépôts du Québec shall be continued by the Autorité des marchés financiers.

2002, c. 45, s. 713; 2004, c. 37, s. 90.

**714.** Matters commenced by the Inspector General of Financial Institutions with respect to the duties and powers exercised by the latter under the Acts listed in Schedule 1, as they read on 31 January 2004 shall be continued by the Autorité des marchés financiers.

2002, c. 45, s. 714; 2004, c. 37, s. 90.

**715.** The Autorité des marchés financiers becomes, without continuance of suit, a party to all proceedings to which the Bureau des services financiers, the Fonds d'indemnisation des services financiers, the Commission des valeurs mobilières du Québec or the Régie de l'assurance-dépôts du Québec was a party.

2002, c. 45, s. 715; 2004, c. 37, s. 90.

**716.** The Autorité des marchés financiers becomes, without continuance of suit, a party to all proceedings to which the Inspector General of Financial Institutions was a party with respect to the duties and powers exercised by the latter under the Acts listed in Schedule 1, as they read on 31 January 2004.

2002, c. 45, s. 716; 2004, c. 37, s. 90.

**717.** The employees of the Bureau des services financiers and the Fonds d'indemnisation des services financiers, established under the Act respecting the distribution of financial products and services (chapter D-9.2) in office on 8 May 2002 become employees of the Autorité des marchés financiers without other formalities. They shall hold the position and exercise the functions that are assigned to them by the Bureau de transition on behalf of the Authority.

2002, c. 45, s. 717; 2004, c. 37, s. 90.

**718.** The employees of the Commission des valeurs mobilières du Québec, established by the Securities Act (chapter V-1.1), in office on 8 May 2002 become employees of the Autorité des marchés financiers without other formalities. They shall hold the position and exercise the functions that are assigned to them by the Bureau de transition on behalf of the Authority, subject to the provisions of a collective agreement.

2002, c. 45, s. 718; 2004, c. 37, s. 90.

**719.** The employees of the Régie de l'assurance-dépôts du Québec, established under the Deposit Insurance Act (chapter A-26), in office on 31 January 2004 become, subject to the conditions of employment applicable to them, employees of the Autorité des marchés financiers insofar as a decision by the Conseil du trésor providing for their transfer is made before 1 February 2006.

2002, c. 45, s. 719; 2004, c. 37, s. 90.

**720.** The employees of the Inspector General of Financial Institutions assigned to the Direction du développement des normes and to the Direction générale de la surveillance et du contrôle, with the exception of the employees of the Direction de l'encadrement des pratiques commerciales et du courtage immobilier assigned more specifically to matters of real estate brokerage, in office on 31 January 2004 become, subject to the conditions of employment applicable to them, employees of the Autorité des marchés financiers insofar as a decision by the Conseil du trésor providing for their transfer is made before 1 February 2006.

The other employees of the Inspector General of Financial Institutions in office on 31 January 2004 become, without other formalities, employees of the enterprise registrar except if they consent to become employees of the Autorité des marchés financiers and insofar as a decision of the Conseil du trésor providing for their transfer is made before 1 February 2006.

2002, c. 45, s. 720; 2004, c. 37, s. 90.

**721.** Any employee transferred to the Autorité des marchés financiers pursuant to section 719 or 720 may request a transfer to a position in the public service or take part in a promotion selection process for such a position in accordance with the Public Service Act (chapter F-3.1.1) if, at the date of the transfer to the Authority, the employee was a permanent public servant assigned to the Inspector General of Financial Institutions or the Régie de l'assurance-dépôts du Québec.

2002, c. 45, s. 721; 2004, c. 37, s. 90; 2013, c. 25, s. 34; 2021, c. 11, ss. 35 and 49.

**722.** An employee referred to in section 721, who applies for a transfer or a promotion selection process, may require from the Chair of the Conseil du trésor an assessment of the classification that would be assigned

to him or her in the public service. The assessment must take account of the classification that the employee had in the public service on the date of the transfer, as well as the experience and training acquired in the course of his or her employment at the Authority.

In the case where an employee is transferred pursuant to section 721, the deputy minister or the President and Chief Executive Officer shall establish a classification in accordance with the assessment provided for in the first paragraph.

In the case where an employee is promoted pursuant to section 721, the classification must take into account the criteria provided for in the first paragraph.

2002, c. 45, s. 722; 2004, c. 37, s. 90; 2013, c. 25, s. 34; I.N. 2015-06-01; 2021, c. 11, s. 49.

**723.** In the event of the partial or full discontinuance of the activities of the Autorité des marchés financiers or if there is a shortage of work, an employee referred to in section 721 is entitled to be placed on reserve in the public service with the classification the employee had prior to the date of the transfer.

In such a case, the Chair of the Conseil du trésor shall, where applicable, establish the employee's classification, taking into account the criteria provided for in the first paragraph of section 722.

2002, c. 45, s. 723; 2004, c. 37, s. 90.

**724.** Any person referred to in section 719 or the first paragraph of section 720 who refuses, in accordance with the applicable conditions of employment, to be transferred to the Autorité des marchés financiers, shall be assigned thereto until such time as the Chair of the Conseil du trésor is able to place the person in accordance with section 100 of the Public Service Act (chapter F-3.1.1). The same applies to a person who is placed on reserve pursuant to section 723, and the person shall remain in the employ of the Authority.

2002, c. 45, s. 724; 2004, c. 37, s. 90.

**725.** Sections 16 to 21 of chapter 36 of the statutes of 1997 continue to apply to the employees of the Commission des valeurs mobilières du Québec who are transferred to the Autorité des marchés financiers, with the necessary modifications.

2002, c. 45, s. 725; 2004, c. 37, s. 90.

**726.** The employees of the Bureau des services financiers, the Fonds d'indemnisation des services financiers, the Inspector General of Financial Institutions, the Régie de l'assurance-dépôts du Québec and the Commission des valeurs mobilières du Québec who are transferred to the Autorité des marchés financiers pursuant to this Act may not be laid off or dismissed solely by reason of the establishment of the Authority, before 1 February 2006.

2002, c. 45, s. 726; 2004, c. 37, s. 90.

**727.** *(Repealed).*

2002, c. 45, s. 727; 2008, c. 9, s. 142.

**728.** *(Repealed).*

2002, c. 45, s. 728; 2004, c. 37, s. 90; 2008, c. 9, s. 142.

**729.** *(Repealed).*

2002, c. 45, s. 729; 2008, c. 9, s. 142.

**730.** The amount of the annual dues determined by the Minister under section 569 of the Act respecting the distribution of financial products and services (chapter D-9.2) which must be paid for each representative

pursuant to section 320 of that Act, as it read prior to being replaced by section 445 of this Act, is the amount that a contributor must pay pursuant to the said section 320 until the amount is modified by regulation.

2002, c. 45, s. 730.

**731.** The syndic may file a complaint before the discipline committee with respect to an offence under the provisions of the Act respecting the distribution of financial products and services (chapter D-9.2) or its regulations committed before 1 February 2004 by a securities representative.

2002, c. 45, s. 731.

**732.** A member of a professional order entered on 10 December 2002 in the register kept in accordance with section 67 of the Act respecting the distribution of financial products and services (chapter D-9.2) and referred to in the third paragraph of section 59 of that Act shall be authorized to use the title of financial planner until 31 May 2004, to the extent that the agreement governing the member remains in force or is renewed and the member meets the requirements and complies with the rules determined by the member's order.

Sections 65 to 68 of the said Act apply to such a member.

2002, c. 45, s. 732.

**733.** *(Repealed).*

2002, c. 45, s. 733; 2004, c. 37, s. 90; 2018, c. 23, s. 635.

**734.** For the purposes of sections 131.2 to 131.6 of the Act respecting financial services cooperatives (chapter C-67.3) as they read on 11 December 2002, “Autorité des marchés financiers” or “Authority” shall designate the Inspector General of Financial Institutions until 1 February 2004.

2002, c. 45, s. 734; O.C. 1366-2003, s. 1; 2004, c. 37, s. 90.

**735.** For the purposes of sections 59, 81, 103.1 to 103.3, 186.1, 189.1, 223, 224.1 and 336 of the Act respecting the distribution of financial products and services (chapter D-9.2) as they read on 11 December 2002, “Autorité des marchés financiers” or “Authority” shall designate the Bureau des services financiers until 1 February 2004.

2002, c. 45, s. 735; O.C. 1366-2003, s. 2; 2004, c. 37, s. 90.

**736.** For the purposes of sections 153.2 to 153.6, 226, 227, 244, 314.1, 315 and 351 of the Act respecting trust companies and savings companies (chapter S-29.01) as they read on 11 December 2002, “Autorité des marchés financiers” or “Authority” shall designate the Inspector General of Financial Institutions until 1 February 2004.

2002, c. 45, s. 736; O.C. 1366-2003, s. 3; 2004, c. 37, s. 90.

**737.** For the purposes of section 20 of the Act constituting Capital régional et coopératif Desjardins (chapter C-6.1) as it reads on 11 December 2002, the Autorité des marchés financiers means the Régie de l'assurance-dépôts du Québec until 1 February 2004.

2002, c. 45, s. 737; 2004, c. 37, s. 90.

**738.** For the purposes of sections 92, 151.1.1, 168.1.2 to 168.1.4, 195, 236, 273.1, 295.2, 331, 331.1 and 334 of the Securities Act (chapter V-1.1) as they read on 11 December 2002, “Autorité des marchés financiers” or “Authority” shall designate the Commission des valeurs mobilières du Québec until 1 February 2004.

2002, c. 45, s. 738; O.C. 1366-2003, s. 4; 2004, c. 37, s. 90.

**739.** *(Repealed).*

2002, c. 45, s. 739; 2004, c. 37, s. 90; 2018, c. 23, s. 635.

**740.** A stock exchange, securities clearing-house or professional association recognized as a self-regulatory organization under Title VI of the Securities Act (chapter V-1.1) or any other Act on 1 February 2004 shall be authorized to continue to carry on its activity in Québec in accordance with the prescribed conditions.

The same applies to a stock exchange, securities clearing-house or professional association which, on that date, is benefiting from an exemption granted by the Commission des valeurs mobilières du Québec pursuant to section 263 of that Act.

Sections 74 to 91 of this Act apply to a self-regulatory organization recognized by the Commission before 31 January 2004.

2002, c. 45, s. 740.

**741.** Notwithstanding section 60 of this Act, the self-regulatory organizations referred to in section 351 of the Securities Act (chapter V-1.1), as it read before being repealed by section 694 of this Act, may continue to carry on their activities for a period of six months from 1 February 2004.

2002, c. 45, s. 741.

**742.** The terms of office of the Inspector General of Financial Institutions, of the Deputy Inspector General, of the members of the Commission des valeurs mobilières du Québec, of the members of the board of the Bureau des services financiers and of the directors of the Régie de l'assurance-dépôts du Québec, in office on 31 January 2004 shall terminate on 1 February 2004. The persons who, at the time of their appointment, were members of the public service shall be returned to the public service on the conditions fixed at the time of their respective appointment. As for the others, their terms of office shall terminate without compensation, subject to the compensation provided for in their deed of appointment.

A person referred to in the first paragraph shall continue to exercise his or her functions in order to conclude the matters that the person has yet to determine; in such circumstances, the person shall receive from the Authority, during the required period, the same remuneration as the remuneration the person was receiving before the end of his or her term.

2002, c. 45, s. 742; 2004, c. 37, s. 90.

**743.** The Regulation respecting the compulsory professional development of financial planners (Order in Council 1451-2001 dated 5 December 2001) made by the Institut québécois de planification financière and approved by the Government under section 58 of the Act respecting the distribution of financial products and services (chapter D-9.2), as it read before 1 February 2004 is deemed to be a regulation made by the Autorité des marchés financiers pursuant to section 200 of that Act.

2002, c. 45, s. 743; 2004, c. 37, s. 90.

**744.** The provisions of the regulations made by the Bureau des services financiers, the Commission des valeurs mobilières du Québec, the Chambre de la sécurité financière and the Chambre de l'assurance de dommages, respectively, under section 200, subparagraphs 1 and 3 to 6 of the first paragraph of section 203, sections 205, 209 and 210, subparagraphs 1, 4, 5 and 13 to 15 of the first paragraph of section 223, subparagraph 3 of the first paragraph of section 228 and sections 315 and 423 of the Act respecting the distribution of financial products and services (chapter D-9.2) which are in force on 31 January 2004 continue to have effect until they are replaced or repealed by regulation of the Autorité des marchés financiers.

2002, c. 45, s. 744; 2004, c. 37, s. 90.



**745.** Notwithstanding the provisions of sections 298, 568 and 568.1 of the Act respecting the distribution of financial products and services (chapter D-9.2), a Chamber may, in its by-laws, extend the term of office of any member of its board of directors in office on 11 December 2002 for one year.

2002, c. 45, s. 745.

**746.** The Government may, by regulation made before 11 December 2004, adopt any other transitional provision or measure that is expedient for the carrying out of this Act.

A regulation made under the first paragraph shall not be subject to the publication requirement provided for in section 8 of the Regulations Act (chapter R-18.1) and shall enter into force on the date of its publication in the *Gazette officielle du Québec* or at any later date indicated therein. The regulation may also, if it provides therefor, apply from any date not prior to 11 December 2002.

2002, c. 45, s. 746.

**747.** The Government may, by order made before 11 December 2004, amend any provision of an Act to provide for the transfer of duties and powers relating to the regulation of the financial sector to the Autorité des marchés financiers in order to attain the object of this Act.

Sections 707 to 726 apply to the transfer to the Autorité des marchés financiers of any of such duties and powers.

2002, c. 45, s. 747; 2004, c. 37, s. 90.

**748.** The sums required for the carrying out of this Act during the 2002/2003 fiscal year shall be taken out of the Consolidated Revenue Fund, to such extent as is determined by the Government.

2002, c. 45, s. 748.

**749.** The Minister of Finance is responsible for the application of this Act.

2002, c. 45, s. 749; 2012, c. 25, s. 30; 2017, c. 27, s. 159.

**750.** (Omitted).

2002, c. 45, s. 750; 2002, c. 70, s. 178.

**SCHEDULE 1**

*(section 7)*

CREDIT ASSESSMENT AGENTS ACT (chapter A-8.2)

DEPOSIT INSTITUTIONS AND DEPOSIT PROTECTION ACT (chapter I-13.2.2)

DERIVATIVES ACT (chapter I-14.01)

INSURERS ACT (chapter A-32.1)

AN ACT RESPECTING FINANCIAL SERVICES COOPERATIVES (chapter C-67.3)

AN ACT RESPECTING THE DISTRIBUTION OF FINANCIAL PRODUCTS AND SERVICES (chapter D-9.2)

TRUST COMPANIES AND SAVINGS COMPANIES ACT (chapter S-29.02)

SECURITIES ACT (chapter V-1.1)

AN ACT RESPECTING THE MOUVEMENT DESJARDINS (2000, chapter 77)

TITLE VII OF THE AUTOMOBILE INSURANCE ACT (chapter A-25)

SECTIONS 14, 28 TO 44, 107 TO 109, 114, 115, SUBPARAGRAPH 6 OF THE FIRST PARAGRAPH OF SECTION 117 IN RESPECT OF INFORMATION PROVIDED TO THE AUTORITÉ DES MARCHÉS FINANCIERS, SUBPARAGRAPH 8 OF THE FIRST PARAGRAPH OF THAT SECTION AND SECTIONS 122, 139 AND 143 OF THE VOLUNTARY RETIREMENT SAVINGS PLANS ACT (chapter R-17.0.1)

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2002, c. 45, Schedule 1; 2008, c. 24, s. 194; 2011, c. 26, s. 17; 2013, c. 26, s. 130; 2020, c. 21, s. 107.

**SCHEDULE 2**

*(section 116)*

BUREAU DES SERVICES FINANCIERS

CHAMBRE DE L'ASSURANCE DE DOMMAGES

CHAMBRE DE LA SÉCURITÉ FINANCIÈRE

COMMISSION DES VALEURS MOBILIÈRES DU QUÉBEC

FONDS D'INDEMNISATION DES SERVICES FINANCIERS

THE INSPECTOR GENERAL OF FINANCIAL INSTITUTIONS

INSTITUT QUÉBÉCOIS DE PLANIFICATION FINANCIÈRE

RÉGIE DE L'ASSURANCE-DÉPÔTS DU QUÉBEC

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2002, c. 45, Schedule 2.

**SCHEDULE 3**

*(section 134)*

BUREAU DES SERVICES FINANCIERS

COMMISSION DES VALEURS MOBILIÈRES DU QUÉBEC

FONDS D'INDEMNISATION DES SERVICES FINANCIERS

THE INSPECTOR GENERAL OF FINANCIAL INSTITUTIONS

RÉGIE DE L'ASSURANCE-DÉPÔTS DU QUÉBEC

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2002, c. 45, Schedule 3.

### REPEAL SCHEDULES

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), chapter A-7.03 of the Revised Statutes, in force on 1 March 2005, is repealed effective from the coming into force of chapter A-33.2 of the Revised Statutes.

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), the first paragraph of section 104, paragraph 1 of section 358, paragraph 2 of section 359, section 373, paragraph 2 of section 374, section 445 and section 730 of chapter 45 of the statutes of 2002, in force on 1 March 2005, are repealed effective from the coming into force of the updating to 1 March 2005 of chapter A-33.2 of the Revised Statutes.

