

Bill 82

**An Act respecting mainly the
implementation of certain provisions of
the Budget Speech of 10 March 2020**

*adapted
MAR*

Section 90.11.1

AMENDMENT:

Insert after section 90.11:

CHAPTER XX.5

**PERSON WHO PROVIDES INFORMATION OR DATA APPLIED TO
ESTABLISH A BENCHMARK**

SECURITIES ACT

90.11.1. Section 186.1 of the Securities Act (chapter V-1.1) is amended by striking out the second and third paragraphs.

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*adopte
AMC*

Section 90.11.2

AMENDMENT:

Insert after section 90.11.1:

90.11.2. The Act is amended by inserting the following section after section 186.2:

“186.2.0.1. The Authority may, in accordance with the criteria and conditions determined by regulation, designate a benchmark and the administrator of that benchmark as being subject to this Act.

In addition, it may, by regulation, prescribe requirements in respect of a person who provides information or data applied to establish a designated benchmark.

Where the Authority’s decision concerns the designation of a benchmark, section 318 applies to the administrator of that benchmark.”

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*adp/ter
10/12*

Section 90.11.3

AMENDMENT:

Insert after section 90.11.2:

90.11.3. Sections 186.2.1 to 186.4 and 186.6 of the Act are amended by replacing all occurrences of “benchmark administrator subject to this Act” by “designated benchmark administrator”.

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*adyle
MR*

Section 90.11.4

AMENDMENT:

Insert after section 90.11.3:

90.11.4. Section 237 of the Act is amended by replacing “a benchmark administrator subject to this Act, a person whose activities are governed by an Act listed in Schedule 1 to the Act respecting the regulation of the financial sector (chapter E-6.1) or by an equivalent Act of another legislative authority in Canada and” in subparagraph 11 of the first paragraph by “a designated benchmark administrator, a person”.

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adp
AMR

Section 90.11.5

AMENDMENT:

Insert after section 90.11.4:

90.11.5. Section 331.1 of the Act is amended

(1) by replacing “make this Act applicable to a benchmark” in paragraph 9.2.1 by “designate a benchmark and the administrator of that benchmark”;

(2) by replacing “benchmark administrators subject to this Act” in paragraph 9.3 by “designated benchmark administrators”;

(3) by replacing “under section 186.2.1 in respect of a benchmark administrator subject to this Act” in paragraph 9.5 by “in respect of a designated benchmark administrator or a person who provides information or data applied to establish a designated benchmark”.