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Summary

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Coming into force of Acts

Gouvernement du Québec

O.C. 1107-2008, 5 November 2008

An Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14) — Coming into force of section 136

COMING INTO FORCE of section 136 of the Act to again amend the Highway Safety Code and other legislative provisions

WHEREAS the Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14) was assented to on 12 June 2008;

WHEREAS, under section 141 of the Act, the provisions of the Act come into force on the date or dates to be set by the Government, except paragraph 2 of section 1, paragraph 2 of section 2, sections 3, 4, 8, paragraph 1 of section 9, sections 10, 23, 24, 28, 30, 34 to 36, 38 to 40, 43, 45 to 47, paragraph 3 of section 54, sections 55 to 57, 59 to 71, 73 to 78, 81 to 85, paragraphs 2 to 4 of section 86, sections 88 to 90, 94, 96, paragraph 2 of section 98, sections 99, 102, 117, 120 to 123, 125, 132 to 135, 137 and 138 to 140, which came into force on 12 June 2008, as well as section 7, paragraph 1 of section 11, section 12, paragraphs 2 and 3 of section 49, paragraph 2 of section 50, paragraph 2 of section 51, section 52 and paragraph 2 of section 53, which came into force on 2 July 2008;

WHEREAS, under Order in Council 857-2008 dated 3 September 2008, the provisions of paragraph 1 of section 98 and of section 118 of the Act came into force on 3 September 2008;

WHEREAS, under Order in Council 905-2008 dated 17 September 2008, the provisions of section 48 of the Act came into force on 17 September 2008;

WHEREAS it is expedient to set 5 November 2008 as the date of coming into force of section 136 of the Act;

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

THAT section 136 of the Act to again amend the Highway Safety Code and other legislative provisions (2008 c. 14) come into force on 5 November 2008.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

9025

Gouvernement du Québec

O.C. 1108-2008, 5 November 2008

An Act to amend the Highway Safety Code and the Regulation respecting demerit points (2007, c. 40) — Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act to amend the Highway Safety Code and the Regulation respecting demerit points

WHEREAS the Act to amend the Highway Safety Code and the Regulation respecting demerit points (2007, c. 40) was assented to on 21 December 2007;

WHEREAS, under section 106 of the Act, the provisions of the Act come into force on the date or dates to be set by the Government, except sections 3 to 5, 79 to 81, 90, 91 and 104, which came into force on 21 December 2007, and sections 2, 58, 61, 62, 65, 89, 94 and 102, which came into force on 1 April 2008;

WHEREAS, under Order in Council 857-2008 dated 3 September 2008, the provisions of sections 41, 45 to 51, 53 to 57 and 72, section 73 that relates to the first paragraph of section 597.1 of the Highway Safety Code (R.S.Q., c. C-24.2) enacted by that section, sections 82, 83 and 87, section 88, except “, except fines belonging to a municipality in accordance with an agreement under the second paragraph of section 597.1 of that Code” in paragraph 1 of section 12.39.1 of the Act respecting the Ministère des Transports (R.S.Q., c. M-28) enacted by that section, and section 103 of the Act came into force on 3 September 2008;

WHEREAS, under Order in Council 905-2008 dated 17 September 2008, the provisions of sections 59 and 64 of the Act came into force on 17 September 2008;

WHEREAS it is expedient to set 7 December 2008 as the date of coming into force of sections 1, 7, 20 and 34, section 36, except the third paragraph of section 202.4 of the Highway Safety Code (R.S.Q., c. C-24.2) enacted by that section, sections 37 to 39, section 40, except with respect to subparagraph 1 of the first paragraph of section 209.2.1 of the Code enacted by that section, and sections 42 to 44, 52, 60, 63, 74 and 78 of the Act;

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

THAT the provisions of sections 1, 7, 20 and 34, section 36, except the third paragraph of section 202.4 of the Highway Safety Code (R.S.Q., c. C-24.2) enacted by that section, sections 37 to 39, section 40, except with respect to subparagraph 1 of the first paragraph of section 209.2.1 of the Code enacted by that section, and sections 42 to 44, 52, 60, 63, 74 and 78 of the Act to amend the Highway Safety Code and the Regulation respecting demerit points (2007, c. 40) come into force on 7 December 2008.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

9026

Gouvernement du Québec

O.C. 1109-2008, 5 November 2008

An Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14) — Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act to again amend the Highway Safety Code and other legislative provisions

WHEREAS the Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14) was assented to on 12 June 2008;

WHEREAS, under section 141 of the Act, the provisions of the Act come in force on the date or dates to be set by the Government, except paragraph 2 of section 1, paragraph 2 of section 2, sections 3, 4 and 8, paragraph 1 of section 9, sections 10, 23, 24, 28, 30, 34 to 36, 38 to 40, 43 and 45 to 47, paragraph 3 of section 54, sections 55 to 57, 59 to 71, 73 to 78 and 81 to 85, paragraphs 2 to 4 of section 86, sections 88 to 90, 94 and 96, paragraph 2 of section 98 and sections 99, 102, 117, 120 to 123, 125, 132 to 135, 137 and 138 to 140, which came into force on 12 June 2008, and section 7, paragraph 1 of section 11,

section 12, paragraphs 2 and 3 of section 49, paragraph 2 of section 50, paragraph 2 of section 51, section 52 and paragraph 2 of section 53, which came into force on 2 July 2008;

WHEREAS, under Order in Council 857-2008 dated 3 September 2008, the provisions of paragraph 1 of section 98 and section 118 of the Act came into force on 3 September 2008;

WHEREAS, under Order in Council 905-2008 dated 17 September 2008, the provisions of section 48 of the Act came into force on 17 September 2008;

WHEREAS it is expedient to set 7 December 2008 as the date of coming into force of the provisions of sections 5 and 13, paragraph 1 of section 14 and sections 31, 32, 41, 42, 87, 92, 93, 97 and 116 of the Act;

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

THAT the provisions of sections 5 and 13, paragraph 1 of section 14 and sections 31, 32, 41, 42, 87, 92, 93, 97 and 116 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14) come into force on 7 December 2008.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

9027

Regulations and other acts

Gouvernement du Québec

O.C. 1064-2008, 5 November 2008

Act respecting the Agence nationale d'encadrement
du secteur financier
(2002, c. 45)

Amendment to Order in Council 45-2004 dated 21 January 2004, amended by Orders in Council 1169-2004 dated 15 December 2004, 1182-2005 dated 7 December 2005, 1080-2006 dated 29 November 2006 and 877-2007 dated 10 October 2007

WHEREAS Order in Council 45-2004 dated 21 January 2004 fixed 1 January 2005 as the date of coming into force of sections 342, 343, 361, 378, 384, 390, 400, 403, 416, 418, 483, 484, 491, 727, 728 and 729 of the Act respecting the Agence nationale d'encadrement du secteur financier (2002, c. 45), whose title became the Act respecting the Autorité des marchés financiers (R.S.Q., c. A-33.2) following the amendment made by paragraph 2 of section 90 of the Act to amend the Securities Act and other legislative provisions (2004, c. 37);

WHEREAS Order in Council 45-2004 dated 21 January 2004 was amended by Orders in Council 1169-2004 dated 15 December 2004, 1182-2005 dated 7 December 2005, 1080-2006 dated 29 November 2006 and 877-2007 dated 10 October 2007 to postpone the coming into force of those sections;

WHEREAS it is expedient to further postpone the date of coming into force of those sections to 1 January 2010;

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

THAT "1 January 2009" in the last paragraph of the operative part of Order in Council 45-2004 dated 21 January 2004, amended by Orders in Council 1169-2004 dated 15 December 2004, 1182-2005 dated 7 December 2005, 1080-2006 dated 29 November 2006 and 877-2007 dated 10 October 2007, be replaced by "1 January 2010".

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

9031

Gouvernement du Québec

O.C. 1087-2008, 5 November 2008

Professional Code
(R.S.Q., c. C-26)

Diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders — Amendment

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

WHEREAS, under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), amended by chapter 11 of the Statutes of 2008, after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12 of the Code, and of the order concerned being the Ordre des infirmières et infirmiers du Québec, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist's certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Professional Code, the Office must, before advising the Government, consult the educational institutions and the order concerned, the Conference of Rectors and Principals of Quebec Universities in the case of a university-level diploma, the Fédération des cégeps in the case of a college-level diploma and the Minister of Education, Recreation and Sports;

WHEREAS, pursuant to that provision, the Office carried out the required consultations;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 9 July 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, on 8 September 2008, the Ordre des infirmières et infirmiers du Québec gave a favourable opinion in respect of the submitted text;

WHEREAS, on 22 September 2008, the Office gave an opinion favourable to the Regulation attached to this Order in Council being made by the Government;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders*

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders is amended by adding the following after subparagraph *b* of paragraph 4 of the second paragraph of section 1.17:

“(c) Maîtrise en sciences infirmières (M. Sc.), option pratique infirmière avancée held with the Diplôme complémentaire de pratique infirmière avancée, option soins de première ligne, from the Université de Montréal;

(d) Maîtrise en sciences cliniques (sciences infirmières) (M. Sc.) held with the Diplôme de 2^e cycle en études spécialisées en soins de première ligne, from the Université de Sherbrooke.”.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

9021

Gouvernement du Québec

O.C. 1090-2008, 5 November 2008

Natural Heritage Conservation Act
R.S.Q., c. C-61.01)

Extension of the setting aside of land for four proposed ecological reserves

WHEREAS, as provided under section 88 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), a notice was published in the *Gazette officielle du Québec* before 19 December 2002 in respect of the following proposed ecological reserves:

- the proposed Grande-Rivière ecological reserve;
- the proposed Matamec ecological reserve (northern portion);
- the proposed Ruisseau-Clinchamp ecological reserve;
- the proposed Paul-Provencher ecological reserve;

WHEREAS, under section 88 of the Act, the ecological reserves are maintained and governed, as of 19 December 2002, by the provisions of the Act and are deemed to be set aside in accordance with Title III of the Act for a period of 4 years beginning on that date;

WHEREAS, in accordance with section 28 of the Act, the setting aside of the proposed ecological reserves has been extended until 19 December 2008 by M.O., 2006 made by the Minister of Sustainable Development, Environment and Parks dated 23 November 2006;

WHEREAS, under section 28 of the Act, the extension of the setting aside of land may not, unless so authorized by the Government, be such that the term of the setting aside exceeds 6 years;

* The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369), was last amended by the regulation made by Order in Council 496-2008 dated 21 May 2008 (2008, *G.O.* 2, 2045). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 September 2008.

WHEREAS it was not possible to assign permanent status to the proposed ecological reserves in the last 6 years because of various constraints, including those relating to tenure or the presence of rights inconsistent with ecological reserve status;

WHEREAS an additional period of time is necessary to facilitate continued discussions and agreements with the persons and bodies concerned by the rights affecting the proposed ecological reserves and the holding of various consultations, including those provided for in the Natural Heritage Conservation Act;

WHEREAS for those purposes, it is expedient to authorize the Minister of Sustainable Development, Environment and Parks to extend the setting aside of the proposed ecological reserves by a period of 4 years;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Minister of Sustainable Development, Environment and Parks be authorized to extend, for a period of 4 years beginning on 19 December 2008, the setting aside of the following proposed ecological reserves:

- the proposed Grande-Rivière ecological reserve;
- the proposed Matamec ecological reserve (northern portion);
- the proposed Ruisseau-Clinchamp ecological reserve;
- the proposed Paul-Provencher ecological reserve.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

9022

Gouvernement du Québec

O.C. 1096-2008, 5 November 2008

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)

Cider and other apple-based alcoholic beverages

WHEREAS, under subparagraphs 1, 2, 3, 5 and 10 of the first paragraph of section 37 of the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13), the Government may make regulations on the matters set

forth therein, in particular to determine the conditions of making and bottling of alcoholic beverages, to determine their composition and alcoholic content, to establish classes, names or marks and to determine the specifications of alcoholic beverage containers and the inscriptions or indications they are required to bear;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting cider and other apple-based alcoholic beverages was published in Part 2 of the *Gazette officielle du Québec* of 26 September 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Economic Development, Innovation and Export Trade and the Minister of Public Security:

THAT the Regulation respecting cider and other apple-based alcoholic beverages, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting cider and other apple-based alcoholic beverages

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13, s. 37, 1st par., subpars. 1, 2, 3, 5 and 10)

DIVISION I DEFINITIONS AND DESIGNATIONS

1. In this Regulation,

“actual alcoholic strength” means the number of volumes of ethyl alcohol contained at a temperature of 20° Celsius in 100 volumes of the product at that temperature, expressed as alcohol percentage by volume; (*titre alcoométrique acquis*)

“alcoholic beverage” means an alcoholic beverage produced in accordance with this Regulation; (*boisson alcoolique*)

“apple brandy” means an unrectified mixture of alcohol and water obtained by the distillation of the must of apples and having an actual alcoholic strength of not less than 52% by volume and not more than 80% by volume; (*eau-de-vie de cidre*)

“apple juice” means the juice of apples that may be concentrated only by natural over-ripening of the apples, natural partial dehydration of the apples or the action of natural or artificial cold on the apples; (*jus de pomme*)

“cider” means an alcoholic beverage obtained by the alcoholic fermentation of apple juice and having an actual alcoholic strength of not less than 1.5% by volume and not more than 15% by volume; (*cidre*)

“flavouring substances” means herbs, spices, fruit, plants and other botanical flavouring substances and their extracts or essences in water, neutral alcohol, apple brandy, glycerol or propylene glycol, and fruit juice, honey and maple syrup; (*substances aromatiques*)

“holder” means the holder of a cider maker permit and the holder of a small-scale production permit; (*titulaire*)

“neutral alcohol” means a mixture of ethyl alcohol and water obtained by the distillation of apple must, molasses or cereal and having an actual alcoholic strength of not less than 94% by volume; (*alcool neutre*)

“sugar” means medium invert sugar, fructose, glucose, sucrose and aqueous solutions thereof, provided that the sugar content of the solution as measured in degrees Brix is not less than 77.5° for medium invert sugar, 75.5° for HFCS 55, 69.8° for HFCS 43, 81° for glucose and 67.5° for sucrose. (*sucre*)

2. Cider and the other apple-based alcoholic beverages that may be produced by a holder must correspond to one of the following designations and to the characteristics of the designation:

(1) “Québec amber”: the alcoholic beverage obtained by adding apple brandy to apple juice, that has matured in oak casks for not less than 12 months and that has an actual alcoholic strength of not less than 15% by volume and not more than 20% by volume;

(2) “aperitif cider”: cider to which flavouring substances, sugar or apple juice have been added, that, through fermentation or the addition of neutral alcohol or apple brandy, has an actual alcoholic strength of not less than 15% by volume and not more than 20% by volume, and that must have the typical characteristics of an aperitif wine or the sensory characteristics of apples or cider;

(3) “flavoured cider”: cider to which fruit or fruit juice, honey or maple syrup has been added, that has an actual alcoholic strength of not less than 1.5% by volume and not more than 10% by volume and that has the sensory characteristics of apples or cider;

(4) “cidre bouché”: cider to which apple juice may be added, that is naturally effervescent, has undergone fermentation in the bottle for not less than 4 weeks, has between 3.5 and 5.5 volumes of dissolved carbon dioxide per volume of finished product, has a volatile acidity of not more than 0.8 grams per litre expressed as g/L of sulphuric acid, and has an actual alcoholic strength of not less than 1.5% by volume and not more than 7% by volume;

(5) “cidre bouché on lees”: a cidre bouché that has matured on its lees for not less than 6 months;

(6) “traditional cidre bouché”: a cidre bouché on lees whose lees have not been removed from the bottle;

(7) “ice cider”: cider obtained by the fermentation of apple juice that has a pre-fermentation sugar content of not less than 30° Brix achieved solely by natural cold, producing a finished product with a residual sugar content of not less than 130 grams per litre and an actual alcoholic strength of more than 7% by volume but not more than 13% by volume;

(8) “naturally sweet cider”: partially fermented cider that has an actual alcoholic strength of not less than 1.5% by volume and not more than 3.5% by volume before the addition of neutral alcohol or apple brandy, producing a finished product with a residual sugar content of not less than 70 grams per litre and an actual alcoholic strength of not less than 15% by volume and not more than 20% by volume;

(9) “strong cider”: cider to which sugar or apple juice may be added before or during fermentation, producing a finished product with a residual sugar content of not more than 110 grams per litre and an actual alcoholic strength of more than 7% by volume but not more than 15% by volume;

(10) “light cider”: cider to which sugar or apple juice may be added before or during fermentation, producing a finished product with a residual sugar content of not more than 110 grams per litre and an actual alcoholic strength of not less than 1.5% by volume and not more than 7% by volume;

(11) “liqueureux cider”: cider that has a residual sugar content of not less than 80 grams per litre and an actual alcoholic strength of not less than 5% by volume and not more than 15% by volume;

(12) “cider cocktail”: an alcoholic beverage obtained from cider to which flavouring substances must be added and to which sugar may be added, and that has an actual alcoholic strength of not less than 1.5% by volume and not more than 7% by volume;

(13) “apple mistelle”: the alcoholic beverage obtained by adding neutral alcohol or apple brandy to apple juice and that has an actual alcoholic strength of not less than 15% by volume and not more than 20% by volume.

Québec amber, cider cocktail and apple mistelle are not ciders.

DIVISION II

PRODUCTION REQUIREMENTS

3. Except as provided in section 2, no ethyl alcohol may be added and no enrichment may be carried out in the production of an alcoholic beverage.

For the purposes of this Regulation, “enrichment” means the addition, during the production of an alcoholic beverage, of any substance other than ethyl alcohol for the purpose of increasing the alcoholic strength of the beverage or making it mellow or mellower.

4. Acidification must be achieved solely by the use of not more than 2 grams per litre of tartaric, citric, malic or lactic acid, expressed as g/L of sulphuric acid.

Deacidification must be achieved solely by the use of not more than 2 grams per litre of calcium carbonate, neutral potassium tartrate and double calcium salt of tartaric and malic acids, expressed as g/L of sulphuric acid.

Acidification and deacidification are mutually exclusive.

Nothing in this section may be construed to prohibit malolactic fermentation.

5. The total volatile acidity of an alcoholic beverage, expressed as g/L of acetic acid, must not be more than 2 grams per litre, or more than 1.64 grams per litre, expressed as g/L of sulphuric acid.

6. If potassium ferrocyanide is used in the production of an alcoholic beverage, there must remain no trace of the substance after the treatment.

The holder must, within 10 days after using the substance, have the production lot of the alcoholic beverage tested by a member of the Ordre des chimistes du Québec for the presence of potassium ferrocyanide and send the professional’s analysis report to the Régie des alcools, des courses et des jeux.

7. The addition of water in the production of an alcoholic beverage other than a cider cocktail is prohibited.

8. A cider cocktail must contain, by weight of the finished product, not less than 25% juice extracted from apples harvested in Québec. For other alcoholic beverages, that percentage must not be less than 80%.

9. Alcoholic beverages, other than traditional cidre bouché, must be stabilized to maintain their typical characteristics at bottling throughout their durable life.

10. Alcoholic beverages, except traditional cidre bouché and cider cocktail, must be clear.

11. The colour of an alcoholic beverage must derive exclusively from the materials authorized for its production and from the addition of caramel in the case of Québec amber, aperitif cider, flavoured cider, cider cocktail and apple mistelle.

12. Québec amber, aperitif cider, naturally sweet cider and apple mistelle must not be carbonated.

Flavoured cider, ice cider, strong cider, light cider, liqueux cider and cocktail cider may be artificially injected with carbon dioxide provided that the volume of dissolved carbon dioxide per volume of finished product is 1.5 to 2.5 or 3.5 to 5.5.

This section must not be construed as a prohibition against adding to a light cider a quantity of carbon dioxide less than that set out in the preceding paragraph to produce a few bubbles at opening indicating light effervescence.

13. A holder of a small-scale production permit must use Québec-produced fruit, fruit juice, honey or maple syrup in the production of aperitif cider and flavoured cider.

14. Ice cider produced by a holder must be made from apples grown by the holder and the pressing of the apples and subsequent stages of the production process must take place at the holder’s establishment.

Despite the foregoing, up to 50% of the apples used to make ice cider by a holder of a cider maker permit may be apples not grown by the holder.

15. The use of artificial cold in the production of ice cider is permitted only for purposes of malic precipitation, provided the temperature is not lower than -4° Celsius.

16. Except as otherwise provided in this Regulation, only the following substances may be used in the production of an alcoholic beverage:

- (1) yeast;
- (2) yeast foods;
- (3) sulphur dioxide (SO₂) or potassium metabisulfite in such amount that its content in the finished product does not exceed 70 ppm in the free state or 420 ppm in the combined state, calculated as sulphur dioxide;
- (4) enzymes;
- (5) ascorbic acid or erythorbic acid or their salts;
- (6) activated carbon;
- (7) clay;
- (8) diatomaceous earth;
- (9) gelatine;
- (10) egg white;
- (11) albumen;
- (12) sodium chloride to a maximum of 1 gram per litre;
- (13) silica gel;
- (14) casein;
- (15) tannic acid not exceeding 200 ppm;
- (16) polyvinylpyrrolidone not exceeding 2 ppm in the finished product;
- (17) bentonite;
- (18) oxygen;
- (19) ozone;
- (20) sorbic acid or salts thereof not exceeding 500 ppm in the finished product, calculated as sorbic acid.

DIVISION III LABELLING

17. The following information must appear, in the form of a label or otherwise, on containers of alcoholic beverages in bold, indelible, legible characters in distinct contrast to any other information:

- (1) the designation corresponding to the relevant production process set out in section 2;

(2) the holder's name and address and the permit number under which the holder has produced the alcoholic beverage;

(3) the words "product of Québec";

(4) as applicable, the effervescence as provided in section 20;

(5) if applicable, the method referred to in the second paragraph of section 21 used to obtain the effervescence;

(6) the actual alcoholic strength;

(7) the net volume;

(8) the alphanumeric code identifying the production lot of the alcoholic beverage.

The information listed in subparagraphs 1 to 7 of the first paragraph must appear on the principal display panel of the container.

18. For the purposes of subparagraph 1 of the first paragraph of section 17,

(1) the designations "strong cider" and "light cider" may be replaced by "cidre de cru" preceded or followed by the name of the holder's agricultural operation if the cider has not been enriched otherwise than by the addition of apple juice and the cider is made entirely from apples from that agricultural operation;

(2) the designations "strong cider" and "light cider" may be replaced by the single word "cider";

(3) the designation "light cider" may be replaced by "early cider" or "nouveau cider" if the cider has been made from summer apples, has an actual alcoholic strength of not more than 3% by volume, has no sugar added during production, and is marketed by the holder between September 15 and December 31 of the year in which the apples used in the production process were grown; and

(4) the designation "aperitif cider" may be replaced by "vermouth cider" or "apple vermouth" if the cider has the typical characteristics of a vermouth as a result of the flavouring obtained by the use of derived substances, in particular the *Artemisia* species.

19. The vintage year may appear on the containers of all alcoholic beverages except aperitif ciders, flavoured ciders and cocktail ciders.

The year must be followed by the word “vintage” and correspond to the year in which all the apples used in the production of the alcoholic beverage were grown, except, as applicable, the apples used to make neutral alcohol or apple brandy.

20. The effervescence of an alcoholic beverage must be declared on the label and appear immediately preceding the designation, in characters of the same size and colour, and be described in the following terms:

(1) “crackling” if the alcoholic beverage contains between 1.5 to 2.5 volumes of dissolved carbon dioxide per volume of finished product;

(2) “sparkling” if the alcoholic beverage contains between 3.5 to 5.5 volumes of dissolved carbon dioxide per volume of finished product.

The word “perlant” may be used if light cider contains not more than 1 volume of dissolved carbon dioxide per volume of finished product and is characterized at opening by the appearance of a few bubbles indicating light effervescence.

21. The method used to produce the effervescence in an alcoholic beverage other than a cider cocktail may appear on the container, in which case the method must be described in the following terms:

(1) “cuve close method” if the effervescence is obtained exclusively in the last stage of fermentation in closed vessels for a period of not less than four weeks;

(2) “traditional method” or “classic method” if the effervescence is obtained exclusively from a final fermentation in the bottle for not less than nine months, during which time the product remains on the lees and after which the product is separated from its lees by disgorging;

(3) “bottle-fermented” if the effervescence is obtained exclusively by a final fermentation in the bottle for not less than two months, during which time the product remains on the lees and after which the product is separated from its lees by disgorging or filtration.

If the alcoholic beverage is artificially injected with carbon dioxide as provided in the second paragraph of section 12, the descriptor “carbonated” or “artificial effervescence” must appear on the label after the description of the effervescence in the first paragraph of section 20 in characters of the same size and colour as those used for the designation.

22. The residual sugar content may appear on the label as follows:

(1) for effervescent alcoholic beverages:

(a) “brut” if the sugar content is less than 30 grams per litre;

(b) “medium dry” or “semi-dry” if the sugar content is not less than 30 grams per litre but less than 50 grams per litre;

(c) “sweet” if the sugar content is not less than 50 grams per litre;

(2) for still alcoholic beverages having an actual alcoholic strength of not more than 15% by volume:

(a) “dry” if the sugar content is not more than 25 grams per litre;

(b) “sweet” if the sugar content is more than 25 grams per litre;

(3) for still alcoholic beverages having an actual alcoholic strength of more than 15% by volume:

(a) “dry” if the sugar content is not more than 30 grams per litre;

(b) “sweet” if the sugar content is more than 30 grams per litre.

23. Information and illustrations on the container of an alcoholic beverage must meet all requirements, be accurate, not give rise to a risk of confusion or misunderstanding in the minds of consumers, more specifically regarding the raw material used, and make no reference to any other alcoholic beverage defined in the Act respecting offences relating to alcoholic beverages (R.S.Q., c. I-8.1).

24. No words or illustration which would identify or associate the contents with any of the following may appear on the container of an alcoholic beverage:

(1) a person authorized by the Société des alcools du Québec under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13) to sell alcoholic beverages defined in the Act respecting offences related to alcoholic beverages;

(2) a holder of a grocery permit issued under the Act respecting liquor permits (R.S.Q., c. P-9.1);

(3) a holder of a permit authorizing consumption on the premises issued under the Act respecting liquor permits, unless the alcoholic beverage has been bottled specifically for the holder and is for consumption on the premises of the establishment referred to in the permit.

DIVISION IV SPECIAL PROVISIONS

25. Nothing in this Regulation may be construed to prohibit a holder from producing an alcoholic beverage defined in the Act respecting offences relating to alcoholic beverages that is obtained by adding food substances to an apple-based alcoholic beverage if the alcoholic beverage obtained cannot be used for beverage purposes and is intended to form part of another product for human consumption.

The word “cider” may be used in the designation of the alcoholic beverage but it must be accompanied by a declaration of the added food substance and the use for which it is intended.

26. Provisions of this Regulation that are inconsistent with the legislation in the place of destination do not apply to alcoholic beverages produced for shipment outside Québec.

DIVISION V FINAL AND TRANSITIONAL

27. Alcoholic beverages produced or in the process of production on the date of coming into force of this Regulation may, if they do not comply with this Regulation, be marketed by a holder for 18 months following that date or, in the case of alcoholic beverages in the process of production on whose containers the words “traditional method” or “classic method” may appear, for 24 months following that date.

Labels and containers that do not comply with the provisions of this Regulation on the date of its coming into force may be used for 12 months following that date. However, in the case of alcoholic beverages referred to in the first paragraph, labels and containers may be used for the periods prescribed in the first paragraph.

28. This Regulation replaces the Regulation respecting cider (R.R.Q., 1981, c. S13, r.1).

29. This Regulation comes into force on 4 December 2008, except section 14 which comes into force on 4 December 2009.

Gouvernement du Québec

O.C. 1099-2008, 5 November 2008

An Act respecting La Financière agricole du Québec (R.S.Q., c. L-0.1)

Date set for the application of the requirements relating to the independence of the chair of the board of directors of La Financière agricole du Québec

WHEREAS the first paragraph of section 6 of the Act respecting La Financière agricole du Québec (R.S.Q., c. L-0.1), enacted by section 2 of the Act to modernize the governance of La Financière agricole du Québec (2008, c. 17), provides that the agency is administered by a board of directors consisting of 15 members, including the chair, the president and chief executive officer and the Deputy Minister of Agriculture, Fisheries and Food and at least eight of the members, including the chair, must qualify as independent directors in the opinion of the Government;

WHEREAS section 15 of chapter 17 of the Statutes of 2008 provides that the requirements relating to the independence of the chair of the board of directors of La Financière agricole du Québec provided in the first paragraph of section 6 of the Act respecting La Financière agricole du Québec apply as of the date set by the Government;

WHEREAS section 18 of chapter 17 of the Statutes of 2008 provides that the members of the board of directors of La Financière agricole du Québec in office on 11 June 2008 continue in office for the unexpired portion of their term on the same terms until they are replaced or reappointed and that the chair, however, remains in office until the date on which the requirements relating to the chair’s independence become applicable under the first paragraph of section 15 of that Act;

WHEREAS it is expedient to set 5 November 2008 as the date of application of the requirements relating to the independence of the chair of the board of directors of La Financière agricole du Québec;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT 5 November 2008 be set as the date of application of the requirements relating to the independence of the chair of the board of directors of La Financière agricole du Québec provided in the first paragraph of section 6 of the Act respecting La Financière agricole du Québec.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

9024

Gouvernement du Québec

O.C. 1110-2008, 5 November 2008

Highway Safety Code
(R.S.Q., c. C-24.2)

Licences — Amendments

Regulation to amend the Regulation respecting licences

WHEREAS, under paragraphs 1, 1.1 and 6 of section 619 of the Highway Safety Code (R.S.Q., c. C-24.2), amended by section 74 of chapter 40 of the Statutes of 2007, the Government may establish standards in respect of licences;

WHEREAS the Government made the Regulation respecting licences by Order in Council 1421-91 dated 16 October 1991;

WHEREAS, under section 136 of chapter 14 of the Statutes of 2008, regulations made or approved before 1 December 2008 to give effect to section 63.2 of the Code, enacted by section 7 of chapter 40 of the Statutes of 2007 and amended by section 5 of chapter 14 of the Statutes of 2008, are not subject to the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting licences to give effect to section 63.2 of the Code;

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

THAT the Regulation to amend the Regulation respecting licences, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting licences*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 619, pars. 1, 1.1 and 6; 2007, c. 40, s. 74, pars. 1 and 2; 2008, c. 14, s. 136)

1. The Regulation respecting licences is amended in section 1 by inserting the following definition in alphabetical order:

““driver’s licence Plus” means a driver’s licence, learner’s licence, probationary licence or restricted licence, one of whose functions is to indicate that the Société, in accordance with this Regulation, has collected the information referred to in sections 32.4 and 32.5 and verified the documentary evidence required by section 32.5 in support of the licence holder’s declaration relating to the holder’s status of Canadian citizen; for the purposes of this Regulation, this function is designated by “Plus function”.”.

2. Section 5 is amended

(1) by inserting the following after subparagraph 3 of the first paragraph:

“(3.1) the holder’s date of birth;”;

(2) by inserting the following after subparagraph 7.1 of the first paragraph:

“(7.2) at the end of the indication required under subparagraph 7, the word “Plus” in the case of a driver’s licence Plus;”;

(3) by adding the following after subparagraph 9 of the first paragraph:

“(10) the letters CAN in the case of a driver’s licence Plus.”.

3. The following is added after section 7.11:

“**7.12.** The driver’s licence Plus is issued only in plastic form and bears a photograph of the licence holder.”.

* The Regulation respecting licences, made by Order in Council 1421-91 dated 16 October 1991 (1991, *G.O.* 2, 4146), was last amended by the regulation made by Order in Council 922-2008 dated 24 September 2008 (2008, *G.O.* 2, 4876). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 March 2008.

4. Section 10 is amended by replacing “provide the address of his principal residence, in particular, the street number” in paragraph 3 by “have his principal residence in Québec and provide the address of that residence, including the civic number”.

5. Section 12 is amended by adding the following after subparagraph 2 of the first paragraph:

“(3) have his principal residence in Québec and provide the address of that residence, including the civic number, apartment number where applicable, street name, municipality and postal code.”.

6. Section 17 is amended by replacing “provide the address of his principal residence, in particular, the street number” in paragraph 3 by “have his principal residence in Québec and provide the address of that residence, including the civic number”.

7. Section 32 is amended by replacing “provide the address of his principal residence, in particular, the street number” in paragraph 3 by “have his principal residence in Québec and provide the address of that residence, including the civic number”.

8. The following is inserted after section 32.2:

32.3. A person wishing to obtain a driver’s licence Plus must hold a licence and complete a declaration stating that the person has Canadian citizen status. The person must present himself at the time, date and place as agreed with the Société

(1) to prove his identity and present the documents required under section 32.5 in support of his declaration relating to his status of Canadian citizen;

(2) to complete a questionnaire on travel restrictions, provided by the Société and approved by the Canada Border Services Agency, in which the person declares that he is not forbidden to leave Canada, and sign the questionnaire;

(3) to complete and sign a form, provided by the Société, authorizing the communication of personal information necessary for the purposes of the driver’s licence Plus.

The authorization given under subparagraph 3 of the first paragraph is valid for the term of the driver’s licence Plus and every driver’s licence Plus that replaces one that was lost, stolen or damaged or for any other reason. Where the holder notifies the Société that he is withdrawing his authorization, the Société must deactivate the Plus function of the licence.

A person who applies for a driver’s licence Plus must provide a declaration in which the person recognizes having received, read and understood the information guide concerning the driver’s licence Plus, using the consent form referred to in subparagraph 3 of the first paragraph.

32.4. To prove his identity for a driver’s licence Plus, a person must submit at least 2 original documents, where one bears a photograph of the licence holder, issued by a competent administrative authority in Canada, among the following:

(a) a birth certificate;

(b) a licence authorizing a person to drive a road vehicle;

(c) a health insurance card that bears a photograph of the licence holder;

(d) a Certificate of Indian Status;

(e) a Canadian passport.

32.5. In support of his declaration relating to his status of Canadian citizen, a person must sign, in the presence of an agent of the Société, the citizenship questionnaire, provided by the Société and approved by the Minister of Citizenship and Immigration Canada, previously completed, and submit one of the following documents:

(1) a provincial or territorial birth certificate for any person born in Canada;

(2) a certificate of Canadian citizenship;

(3) a certificate of registration of birth abroad, issued by Canadian authorities for citizenship between 1 January 1947 and 14 February 1977 to persons born abroad to a Canadian parent;

(4) a certificate of retention of Canadian citizenship, issued between 1 January 1947 and 14 February 1977 to persons born abroad to a Canadian parent and who have retained their citizenship; or

(5) a certificate of naturalization, issued before 1 January 1947 to persons who were naturalized in Canada.

The Société verifies the authenticity of the document submitted by a person in support of the declaration relating to his status of Canadian citizen.

32.6. The Plus function of the driver's licence Plus is active if the licence holder has activated it, by following the instructions issued with the licence and available on the Société website.

32.7. The Société cancels the Plus function of the driver's licence Plus when

(1) it is informed by the licence holder or the competent authorities of the Government of Canada that the licence holder has lost his Canadian citizenship;

(2) it is informed by the licence holder or the competent authorities of the Government of Canada that the licence holder is forbidden to leave Canada; and

(3) it is aware or informed by a competent authority that the licence holder has obtained the driver's licence Plus by means of false or inaccurate information.

32.8. The Société cancels a driver's licence Plus that has been altered, reproduced or used in a fraudulent manner, and a lost or stolen driver's licence Plus.”.

9. This Regulation comes into force on 7 December 2008.

9032

Gouvernement du Québec

O.C. 1111-2008, 5 November 2008

Highway Safety Code
(R.S.Q., c. C-24.2)

Fees exigible and return of confiscated objects — Amendments

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects

WHEREAS, under subparagraphs 3 and 5 of the first paragraph of section 624 of the Highway Safety Code (R.S.Q., c. C-24.2), the Société de l'assurance automobile du Québec may by regulation fix the amount of the fee exigible for obtaining, renewing and replacing a licence;

WHEREAS, under section 625 of the Code, every regulation made by the Société under the Code is subject to the approval of the Government;

WHEREAS the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects was approved by Order in Council 646-91 dated 8 May 1991;

WHEREAS, under section 136 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14), regulations made or approved before 1 December 2008 to give effect to section 63.2 of the Code, enacted by section 7 of chapter 40 of the Statutes of 2007 and amended by section 5 of chapter 14 of the Statutes of 2008, are not subject to the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS the board of directors of the Société made the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects at its sitting held on 10 September 2008;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation amending the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects *

Highway Safety Code
(R.S.Q., c. C-24.2, s. 624, par. 1., par. 3 and 5;
2008, c. 14, section 136)

1. Section 4 of the Regulation respecting Fees exigible under the Highway Safety Code and the return of confiscated objects is amended by inserting the following after paragraph 4.10:

* The last amendments to the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, approved under Order-in-Council number 646-91 of May 8, 1991 (1991, *G.O.* 2, 2432), were enacted by the regulation approved under Order-in-Council number 923-2008 of September 24, 2008 (2008, *G.O.* 2, 4880). For previous amendments, see the “*Tableau des modifications et Index sommaire*”, Éditeur officiel du Québec, updated to March 1, 2008.

“4.11 \$40 for the issue of a driver’s licence Plus in addition to the fees specified in paragraph 2.1;

“4.12 \$40 for the renewal of a driver’s licence Plus in addition to the fees specified in paragraph 4.8;

“4.13 \$2 for the replacement of a driver’s licence Plus which is illegible, damaged, destroyed, stolen or which contains mistaken information, by a driver’s licence Plus of the same category in addition to the fees specified in paragraph 4.1;

“4.14 \$15 if a person does not report for an appointment made for the issue, replacement or renewal of a driver’s licence Plus, unless the person cancelled that appointment at least 48 hours ahead of time;”

2. This regulation will come into force on December 7, 2008.

9028

Gouvernement du Québec

O.C. 1113-2008, 5 November 2008

An Act respecting transportation services by taxi (R.S.Q., c. S-6.01)

Amendment to Order in Council 736-2002 dated 12 June 2002 fixing the maximum number of taxi owner’s permits per taxi servicing area and certain conditions of operation

WHEREAS the first paragraph of section 10 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01) provides that the Commission des transports du Québec issues the taxi owner’s permits to be used in a servicing area after sending a notice to the Association professionnelle des chauffeurs de taxi du Québec and after taking into consideration, where applicable, the maximum number of taxi owner’s permits it is authorized to issue pursuant to an order made under the third paragraph of that section;

WHEREAS the third paragraph of that section provides that the Government may, by order, for each servicing area it specifies and after consultation, in particular, of the holders of a taxi owner’s permit concerned, fix the maximum number of taxi owner’s permits that may be issued by the Commission des transports du Québec according to the services specified by the Government and, where applicable, the conditions determined by the Government;

WHEREAS, under Order in Council 736-2002 dated 12 June 2002, the Commission des transports du Québec may not issue, for each area established and delimited under subparagraph 4 of the first paragraph of section 79 of the Act, more taxi owner’s permits than the maximum for each area indicated in the Schedule attached to that Order in Council;

WHEREAS the holders of a taxi owner’s permit in the A.18 Thetford Mines servicing area were consulted in accordance with the third paragraph of section 10 of the Act;

WHEREAS the Commission des transports du Québec, in its decision QPTC06-00002 dated 4 January 2006 made under subparagraph 4 of the first paragraph of section 79 of the Act, cancelled the A.18 Thetford Mines taxi servicing area bearing administrative number 102018 and delimited the new A.18 Thetford Mines taxi servicing area bearing administrative number 102118;

WHEREAS it is expedient to amend the maximum number of taxi owner’s permits fixed for the A.18 Thetford Mines servicing area, bearing administrative number 102118 of the Commission des transports du Québec;

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

THAT the Schedule to Order in Council 736-2002 dated 12 June 2002, amended by Orders in Council 1250-2003 dated 26 November 2003, 767-2005 dated 17 August 2005, 614-2007 dated 1 August 2007 and 159-2008 dated 27 February 2008, be amended to replace the administrative number 102018 of the A.18 Thetford Mines servicing area by administrative number 102118 and to add four permits to the maximum number of taxi owner’s permits that the Commission des transports du Québec may issue for the A.18 Thetford Mines servicing area, bearing administrative number 102118, bringing the maximum number of taxi owner’s permits for that area to a total of twelve.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

9029

Gouvernement du Québec

O.C. 1117-2008, 5 November 2008

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2)

**Selection of foreign nationals
— Amendments**

Regulation to amend the Regulation respecting the selection of foreign nationals

WHEREAS, under section 3.3 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2), the Government may make regulations on the matters set forth therein;

WHEREAS the Government made the Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r.2);

WHEREAS it is expedient to amend the Regulation to make changes to the conditions of selection of investor candidates and to abolish the obligation to hold selection interviews with those candidates;

WHEREAS a draft of the Regulation to amend the Regulation respecting the selection of foreign nationals was published in Part 2 of the *Gazette officielle du Québec* of 30 July 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS comments were received within the 45-day period;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Immigration and Cultural Communities:

THAT the Regulation to amend the Regulation respecting the selection of foreign nationals, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the selection of foreign nationals*

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2, s. 3.3, 1st par., subpars. a, b and b.4)

1. The Regulation respecting the selection of foreign nationals is amended in section 1 by replacing paragraph e.2 by the following:

“(e.2) “investor’s management experience”: the assuming, for at least 2 years in the 5 years preceding the application for a selection certificate, of duties related to the planning, management and control of financial resources and of human or material resources under the investor’s authority; the experience does not include the experience acquired in the context of an apprenticeship, training or specialization process attested to by a diploma;”.

2. Section 8 is amended by striking out “Foreign nationals in the investors subclass are to be called for a selection interview, as well as” at the beginning of the second paragraph, by replacing “the foreign national’s” by “whose” and by adding “, is to be called for a selection interview” at the end.

3. Section 21 is amended by replacing subparagraph d of the first paragraph by

“(d) “investor”:

i. he has experience in management in a legal farming, commercial or industrial business, or in a legal professional business where the staff, excluding the investor, occupies at least the equivalent of 2 full-time jobs, or for an international agency or a government or one of its departments or agencies;

ii. he has, alone or with his accompanying spouse, including de facto spouse, net assets of at least \$800,000 obtained legally, excluding the amounts received by donation less than 6 months before the date on which the application was filed;

iii. he comes to settle and to invest in Québec in accordance with the provisions of this Regulation;”.

4. This Regulation comes into force on 2 February 2009.

9030

* The Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r.2) was last amended by the regulation made by Order in Council 838-2006 dated 13 September 2006 (2006, *G.O.* 2, 3069). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 September 2008.

Municipal Affairs

Gouvernement du Québec

O.C. 1062-2008, 5 November 2008

An Act respecting land use planning and development
(R.S.Q., c. A-19.1)

Amendment to the letters patent constituting Municipalité régionale de comté de L'Érable

WHEREAS Municipalité régionale de comté de L'Érable was constituted on 1 January 1982 by letters patent issued under the Act respecting land use planning and development (R.S.Q., c. A-19.1);

WHEREAS the letters patent were amended by Order in Council 265-89 dated 1 March 1989 to provide that the warden is elected by the majority vote of 70% of the members of the council of the regional county municipality and to establish rules determining the majority required for a decision to be made by the council;

WHEREAS, under section 3 of the Act respecting judgments rendered by the Supreme Court of Canada on the language of statutes and other instruments of a legislative nature (R.S.Q., c. J-1.1), the letters patent and Order in Council 265-89 dated 1 March 1989 were replaced respectively by Schedule 5 and Schedule 7 to the letters patent issued on 8 February 1995 in accordance with Order in Council 193-95;

WHEREAS the council of Municipalité régionale de comté de L'Érable adopted resolution A.R.-11-07-9813 on 28 November 2007 requesting the Government to amend its letters patent with regard to the majority required for the election of the warden and to also amend them in order to strike out provisions that became void as a result of section 190 of chapter 93 of the Statutes of 1997;

WHEREAS, under section 210.39 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), rendered applicable to that regional county municipality by section 109 of chapter 65 of the Statutes of 1993, the Government may, at the request of the regional county municipality, amend the constituting order with regard to the number of representatives, the number of votes, the power of veto or the majority required for the election of the warden;

WHEREAS it is expedient to amend the letters patent of Municipalité régionale de comté de L'Érable;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions:

THAT the fifth and sixth paragraphs of the operative part of the letters patent constituting Municipalité régionale de comté de L'Érable, made by Order in Council 265-89 dated 1 March 1989 and replaced by paragraph 2 of Schedule 7 to Order in Council 193-95 dated 8 February 1995, be struck out.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

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