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**Laws and Regulations**

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## Coming into force of Acts

Gouvernement du Québec

### **O.C. 1143-2008, 10 December 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 (2007, c. 40)

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 section 106 of the Act provides that the Act comes into force on the date or dates to be set by the Government, except sections 3, 4, 5, 79, 80, 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 sections 41, 45 to 51, 53 to 57, 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), sections 82, 83, 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), and section 103 of the Act to amend the Highway Safety Code and the Regulation respecting demerit points (2007, c. 40) came into force on 3 September 2008 under Order in Council 857-2008 dated 3 September 2008;

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

WHEREAS 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 came into force on 7 December 2008 under Order in Council 1108-2008 dated 5 November 2008;

WHEREAS it is expedient to set 1 January 2009 as the date of coming into force of section 66 of the Act to amend the Highway Safety Code and the Regulation respecting demerit points and 1 July 2009 as the date of coming into force of section 67 of the Act;

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

THAT section 66 of the Act to amend the Highway Safety Code and the Regulation respecting demerit points (2007, c. 40) come into force on 1 January 2009;

THAT section 67 of the Act come into force on 1 July 2009.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

9062



## Regulations and other acts

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Gouvernement du Québec

### **O.C. 1129-2008**, 10 December 2008

Financial Administration Act  
(R.S.Q., c. A-6.001)

#### **Savings products**

Regulation respecting savings products

WHEREAS, under section 73 of the Financial Administration Act (R.S.Q., c. A-6.001), the Government may, by regulation, define the book based system used to manage, issue and sell savings products and determine its mode of operation and characteristics as well as ownership and evidentiary rules concerning entries made in the system;

WHEREAS the Government made the Regulation respecting savings products by Order in Council 1038-96 dated 21 August 1996;

WHEREAS it is expedient to replace the Regulation;

WHEREAS, in accordance with sections 10 and 12 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting savings products was published in Part 2 of the *Gazette officielle du Québec* of 7 November 2008 with a notice that it could be made by the Government on the expiry of 10 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting savings products, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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#### **Regulation respecting savings products**

Financial Administration Act  
(R.S.Q., c. A-6.001, s. 73)

#### **CHAPTER I** **BOOK BASED SYSTEM**

#### **DIVISION I** **GENERAL**

**1.** The Minister of Finance is responsible, under the name and at the address of Épargne Placements Québec, for the administration of the book based system for the purposes of the management, issue and sale of savings products authorized under a borrowing plan established pursuant to the Financial Administration Act (R.S.Q., c. A-6.001).

**2.** The book based system involves the recording by Épargne Placements Québec, in the register of participants' book based securities, of

(1) information relating to each participant in a participant file; and

(2) information relating to each savings product acquired by a participant in the securities portfolio associated with each participant file.

**3.** A participant file is established for each participant at the time the first savings product is acquired.

**4.** The information provided by participants is used by Épargne Placements Québec for the administration of the book based system and for the sale of savings products, including for the purpose of offering the products to participants and sending them product-related information.

Épargne Placements Québec may also use the information provided by participants for the purposes of studies and surveys with a view to improving its offer of services.

**5.** A participant's securities portfolio may contain one or more of the following accounts:

(1) an Épargne Placements account in which all the savings products acquired by a participant are held, other than products held in an account referred to in paragraph 2 or 3;

(2) a Tax-Free Savings Account (TFSA) within the meaning of the Taxation Act (R.S.Q., c. I-3) or the Income Tax Act (R.S.C. 1985, c. 1, 5th Supp.), or any other account of the same nature, insofar as the accounts are offered by Épargne Placements Québec; and

(3) a registered account within the meaning of the Taxation Act or the Income Tax Act, in which the participant's securities are held by a trustee in the participant's name, such as a retirement savings account, an education savings account or a disability savings account, or an account associated with a retirement fund or other fund or plan of the same nature, insofar as the accounts are offered by Épargne Placements Québec.

**6.** The savings products that may be book based in a participant's securities portfolio are determined under Division II of Chapter VII of the Financial Administration Act.

**7.** A book based security in a participant's securities portfolio is evidence of the participant's ownership of the security.

**8.** In all cases in which a form or written document is required under this Regulation, the written document must be signed by the participant or the person authorized to act in the participant's name, and the form must be a form prescribed by the Minister of Finance or by the Government.

## DIVISION II CONDITIONS FOR PARTICIPATION

### §1. *Qualifying participants*

**9.** The persons or groups of persons in the following classes may participate in the book based system if they are domiciled in Québec:

(1) natural persons;

(2) general or limited partnerships constituted in Québec;

(3) legal persons established for a private interest or in the public interest, constituted under the statutes of Québec or of Canada, acting on their own account; and

(4) legal persons acting as trustees or trustee agents for the account of a natural person participating in a TFSA or a self-directed retirement, retirement savings, education savings or disability savings fund or plan, or other fund or plan of the same nature within the meaning of the Taxation Act or the Income Tax Act.

**10.** Groups of property in the following classes are considered to be qualifying participants in the book based system:

(1) successions of persons who upon their death were domiciled in Québec; and

(2) foundations and personal or social trusts governed by the Civil Code.

**11.** The classes of participants in sections 9 and 10 constitute corresponding classes of purchasers for the purposes of the acquisition of savings products.

The acquisition of a savings product may, pursuant to Division II of Chapter VII of the Financial Administration Act, be reserved for any of the classes of purchasers.

### §2. *Participation applications*

#### I – Natural persons

**12.** To qualify for participation, a natural person must file an application with Épargne Placements Québec on the appropriate form prescribed by the Minister, and submit all required documents, if any.

The participation of a natural person acting through a power of attorney is permitted so long as the power of attorney is given to a natural person and is compliant with the rules set out in sections 35 and 36.

**13.** If a person is represented by a tutor, a curator or a mandatary designated in anticipation of incapacity or in a power of attorney, the appropriate participation form must be completed by the representative or, in the case of two or more representatives, by one of them.

In the case of two or more representatives, the participation form must in every case be filed with the designation of one or more representatives authorized to act, alone or jointly, in the participant's name. The designation is made on the form prescribed by the Minister and must specify which of the representatives must act jointly.

If the representative is a legal person, sections 17 and 18 apply, with the necessary modifications.

**14.** Every natural person acting as a representative alone or jointly must provide the information required of him or her on the form.

**15.** If the spouse of a participant contributes to the participant's Québec Savings Products Retirement Savings Plan, the spouse must provide the information required of him or her on the form.



## II – Partnerships and legal persons

**16.** To qualify for participation, a partnership and a legal person must file an application with Épargne Placements Québec on the appropriate form prescribed by the Minister, and submit all required documents.

The form must be completed by a natural person authorized to act generally or specially in the name of the partnership or legal person.

**17.** The participation form must in every case be filed with the designation of one or more natural persons, the attorneys, who are authorized to act in the partnership's or legal person's name, with an indication of their title. The designation of one or more attorneys is made on the form prescribed by the Minister.

In the case of two or more attorneys, the designation must specify whether the persons are authorized to act alone or jointly and, in the latter case, which of the persons must act jointly.

**18.** Every natural person acting as an attorney, whether alone or jointly, must provide the information required of him or her on the form.

## III – Successions

**19.** To qualify for participation, a succession must file an application with Épargne Placements Québec on the appropriate form prescribed by the Minister, and submit all required documents.

The form must be completed by the liquidator of the succession or by all the liquidators if there is more than one, unless one or more of the liquidators is authorized to act alone or jointly in the succession's name.

In the case of two or more liquidators, the participation form must in every case be filed with the designation of one or more natural persons who are authorized to act in the succession's name. The designation of one or more representatives is made on the form prescribed by the Minister. In the case of two or more representatives, the designation must specify which of the persons are authorized to act alone or jointly.

If the liquidator is a legal person, sections 17 and 18 apply, with the necessary modifications.

**20.** Every natural person acting as a liquidator, either alone or jointly, must provide the information required of him or her on the form.

## IV – Foundations and trusts

**21.** To qualify for participation, a foundation and a trust must file an application with Épargne Placements

Québec on the appropriate form prescribed by the Minister, and submit all required documents.

The form must be completed by the natural person or persons acting as authorized administrators of the foundation or trust and be filed with documents attesting to capacity as an authorized administrator.

If two or more co-administrators are authorized to act, they may designate one or more of their number to complete the participation form and act in the participant's name. The designation is made on the form prescribed by the Minister and must specify, if applicable, which of the administrators act jointly.

If the administrator is a legal person, sections 17 and 18 apply, with the necessary modifications.

**22.** Every natural person acting as an administrator of a foundation or trust either alone or jointly must provide the information required of him or her on the form.

### *§3. Cancellation of participation*

**23.** Participation in the book based system may be cancelled by Épargne Placements Québec if the amount payable to purchase the first security has not been received and credited to the Government's account, or more than one year has elapsed without any savings product being entered in a participant's securities portfolio.

Participation in the book based system may also be cancelled if no transaction has been made in the participant's security portfolio for a period of at least two years and the total balance of all accounts is less than \$10. The balance is then refunded to the participant.

Participation in the book based system also ends if the value of a participant's security portfolio is remitted to the Minister of Revenue pursuant to the provisions of the Public Curator Act (R.S.Q., c. C-81) that apply to unclaimed property.

## **DIVISION III** **TRANSACTIONS**

### *§1. General*

**24.** A participant or the person authorized to act in the participant's name may file a request with Épargne Placements Québec to have the participant's file modified or to have a purchase or sale transaction or a transfer of ownership of a security effected in the participant's securities portfolio.

**25.** Transactions for a natural person through a power of attorney are permitted so long as the power of attorney is given to a natural person and is compliant with the rules set out in sections 35 and 36.

**26.** In the event of a change in a participant's capacity, the person authorized to act in the participant's name may request that the participant's file be modified, so long as the rules in Division II are complied with.

The rule applies to the appointment, addition or replacement of a person authorized to act in a participant's name.

A modification may be set up against Épargne Placements Québec only as of the date on which the document evidencing the modification is received.

**27.** A modification or transaction is effective as soon as it is entered in the participant's file or securities portfolio.

**28.** Épargne Placements Québec may, for serious reasons and in the interests of the participant or the participant's successors, refuse to act on a request for a modification or transaction and require that the information appearing in the participant's file or support documents be updated.

**29.** Épargne Placements Québec may, in respect of a security acquired less than 10 *business* days earlier, delay the refund for or transfer of the security until the amount payable has been received and credited to the Government's account.

For the purposes of this Regulation, "business day" means any day, other than a Saturday or Sunday, on which payment items may be cleared in Québec in accordance with the rules of the Canadian Payments Association.

### *§2. Transaction requests*

**30.** A transaction request may be sent by any means appropriate to the medium. The request is processed by Épargne Placements Québec after confirmation of the requesting person's identity.

Despite the foregoing, a request to transfer ownership of a security must be made in writing on the form in Schedule I.

If more than one person is authorized to act in a participant's name, the transaction request must be made in writing and be signed by all the persons required to consent.

**31.** A transaction request involving a participant's bank account information must be accompanied by a blank voided cheque.

A request to modify a participant's bank account information must, in order to be effective for a transfer of funds, be received by Épargne Placements Québec at least 10 business days before the date of the transfer. In the absence of timely request, Épargne Placements Québec will grant the request for subsequent transfers only.

**32.** Subject to automatic reinvestment under sections 53 and 54, in all cases in which Épargne Placements Québec is unable to process a request regarding a security maturing for payment, including because all the required documents have not been received, the maturity value is automatically invested in Épargne Flexi-Plus units until Épargne Placements Québec is able to process the request.

For the purposes of this Regulation, maturity value means the amount payable on maturity of the security, less simple interest payable, if any.

### *§3. Statements of transactions*

**33.** Épargne Placements Québec must send a periodic statement to the participant or the person authorized to act in the participant's name, entitled "Portfolio Statement", which details the status of the participant's securities portfolio. A second statement entitled "Transaction Confirmation" is also sent as required to confirm various transactions in the participant's securities portfolio conducted through the book based system.

The Portfolio Statement is sent quarterly unless a different arrangement has been agreed on by Épargne Placements Québec and the participant or the person authorized to act in the participant's name. The participant's Portfolio Statement may, however, be sent annually if no transaction has been made for a period of at least one year and the total balance of all accounts is less than \$100, unless the participant or the person authorized to act in the participant's name requires otherwise.

A participant may also obtain the information in the securities portfolio by telephone or through the Internet.

A participant may also empower an authorized sales agent to receive a copy of statements sent to the participant by completing the form prescribed by the Minister for that purpose.

**34.** A statement is evidence of the transactions listed in it.

Épargne Placements Québec must be informed of any error or irregularity appearing in a statement within 30 business days after the statement date. The Government is not liable after that date for any prejudice that may result from the error or irregularity.

*§4. Transactions through a power of attorney*

**35.** If a transaction request is made through a power of attorney, the power of attorney must be given in writing on the form prescribed by the Minister, and the participant's signature must be attested by a notary, an advocate or a person authorized by Épargne Placements Québec or the participant's financial institution.

**36.** The attestation must be dated, bear the signature of the person authorized to issue it and contain a clear indication of that person's name and title.

An agent or employee of a financial institution must affix the institution's seal, mark or stamp.

*§5. Transfer transactions*

**37.** Transferable security may be transferred only between two participants in the book based system. A recipient of a transfer who is not a participant must become one.

A transfer may, however, be made between the participant's accounts.

**38.** Subject to sections 41 to 44, a person authorized to act in a participant's name may not make a transaction request to have ownership of a security transferred to the person, except if the person is the sole shareholder of a legal person participating in Épargne Placements Québec.

**39.** A transfer request must be made on the form in Schedule I and contain a description of the securities in the participant's securities portfolio. The signature of the participant or the person authorized to act in the participant's name must be attested as provided in sections 35 and 36.

**40.** A transfer may be made only for the minimum amount of securities authorized by the terms and conditions of issue pursuant to Division II of Chapter VII of the Financial Administration Act. The transfer may not operate to raise the total value of a participant's securities above the maximum amount authorized by those terms and conditions, the whole being calculated on the basis of the par value of the securities when issued.

**41.** In the event that a participant dies, a transfer is made to the succession, an heir or a legatee by particular title only after proof of the participant's death and the document or act evidencing ownership of the security have been sent to Épargne Placements Québec.

**42.** If a participant is a dissolved partnership, a transfer is made only after the document or act attesting the partition of the partnership's property and ownership of the security has been sent to Épargne Placements Québec.

**43.** If a participant is a legal person that has been dissolved, amalgamated or liquidated or that has otherwise ceased to exist, a transfer is made only after the document or act attesting that fact and ownership of the security has been sent to Épargne Placements Québec.

**44.** If a participant is a terminated foundation or trust, a transfer is made only after the document or act attesting that fact and ownership of the security has been sent to Épargne Placements Québec.

**DIVISION IV  
PAYMENTS**

**45.** Payments by the Government in relation to a security are made by cheque or transfer of funds.

Payments made to the Government for the purchase of a security may be made by cheque or transfer of funds from a recognized financial institution, in legal tender, by money order or bank draft or, so long as Épargne Placements Québec so agrees, by deposit of a Canada Savings Bond Certificate, by debit or credit card, by electronic cash card or through payroll deduction.

**46.** A participant or the person authorized to act in the participant's name may at any time request Épargne Placements Québec to terminate periodic withdrawals made through fund transfers or payroll deduction.

**47.** Épargne Placements Québec may cancel the purchase of a security if payment of the security cannot be made, the amount payable has not been received and credited to the Government's account, or payment was not made within the required time.

If payment of a security must be made through periodic withdrawals and the withdrawals cannot be made on a repeated basis, Épargne Placements Québec may terminate the withdrawals and, if appropriate, cancel the request to purchase the security and refund the amounts received, or limit the purchase to payments already made.

**48.** Payment made to the credit of a participant's designated account pursuant to the instructions of the participant or the person authorized to act in the participant's name is deemed to have been made on the date indicated in the instructions given by Épargne Placements Québec to the financial institution.

**49.** Payment that is unable to be made through a transfer of funds into the participant's designated account is effected by a cheque made out to the participant and sent to the mailing address appearing in the participant's file.

**50.** In all cases where Épargne Placements Québec is notified that a participant's designated account has been closed or that the account holder has been replaced, has become incapable, is under protective supervision or is deceased, Épargne Placements Québec may suspend all payments until it receives new payment instructions or sufficient proof that the instructions received are valid.

The rule also applies if the account holder is a partnership or legal person that has been dissolved, amalgamated or liquidated or has otherwise ceased to exist, or is a terminated foundation or trust.

#### DIVISION V REINVESTMENT

##### §1. *Reinvestment on request*

**51.** On the request of a participant or the person authorized to act in the participant's name, the maturity value of a security may be reinvested in available securities.

**52.** Interest payable during the term of a security may, on the request of the participant or the person authorized to act in the participant's name, be reinvested in available securities.

##### §2. *Automatic reinvestment*

**53.** Subject to cancellation of participation pursuant to section 23, if Épargne Placements Québec has not received instructions from the participant or the person authorized to act in the participant's name specifying how maturing securities are to be dealt with, the maturity value of the securities is automatically reinvested on their maturity date in Flexi-Plus Savings units.

Despite the foregoing, the maturity value of Québec Savings Bonds is automatically reinvested in Québec Savings Bonds issued on the maturity date, or if such bonds are not available, in Flexi-Plus Savings units.

**54.** Épargne Placements Québec sends a Transaction Confirmation detailing the reinvestment to the participant or the person authorized to act in the participant's name.

#### DIVISION VI REGISTERS

**55.** The Minister of Finance is responsible for the register of participants and every other register or record required for the purposes of the book based system.

#### CHAPTER II ASSIGNMENT OF AND HYPOTHECS ON SECURITIES

**56.** For the purposes of section 74 of the Financial Administration Act, the Minister of Finance may make the provisions of this Chapter applicable to any savings product, declaring at the time of their issue whether they are unassignable or assignable and whether or not they may be charged with a movable hypothec.

**57.** A security may be assigned, by onerous or gratuitous title, only if

(1) the security is a savings product declared assignable; and

(2) the assignee is in a class of authorized purchasers of the savings product.

**58.** Assignment of a security must be effected through a transfer made in accordance with sections 37 to 44. The assignment may be set up against Épargne Placements Québec only as of the time of the transfer.

**59.** A security may be charged with a hypothec only if

(1) the security is a savings product that has been declared a savings product that may be hypothecated; and

(2) the hypothec is granted to a financial institution that is a bank, a trust company, a savings company or a savings and credit union, or to the Québec Government as tender or performance security in respect of the contracts it awards.

**60.** In addition to the conditions set out in section 59, the hypothec must be a hypothec with delivery; delivery results from an entry in the book based system of the rights of the hypothecary creditor in the hypothecated security.

A hypothec may not charge all of a participant's securities. A hypothec on all of a participant's property or claims may not be set up against Épargne Placements Québec in relation to the participant's securities.

**61.** On receipt of a notice of hypothec, Épargne Placements Québec makes the required entries in the book based system.

The notice must be given on the form in Schedule II.

**62.** A transaction request made in respect of a hypothecated security must be in writing, and requires the hypothecary creditor's consent.

**63.** Subject to the remedy of taking in payment, a hypothecary creditor may not collect interest or principal in respect of a hypothecated security in advance of the maturity date.

The hypothecary creditor may, however, if there is default on the part of the participant and written notice is given to Épargne Placements Québec, obtain repayment of the principal and payment of any interest falling due in respect of the hypothecated security, if the security is repayable in advance of the maturity date.

**64.** If a hypothecary creditor that is an authorized purchaser of the hypothecated security exercises the remedy of taking in payment, the hypothecary creditor, with the participant's consent or pursuant to an irrevocable judgment, is entitled to have ownership of the security transferred in accordance with sections 37 to 44.

A hypothecary creditor who is not an authorized purchaser of the hypothecated security is entitled, with the consent of the participant or pursuant to an irrevocable judgment, to repayment of the principal and payment of any interest falling due in respect of the hypothecated security, if the security is repayable in advance of the maturity date.

**65.** Épargne Placements Québec may, on the written request of a participant, agree to the value of securities designated by the participant being frozen in favour of a third party for the amount of the principal only or for the principal and interest.

No transaction may be made with respect to the securities while the funds are frozen, except for reinvestment at maturity, unless written authorization is given by the third party in whose favour the funds have been frozen.

The funds are frozen by an entry in the book based system to that effect, with mention of the name and address of the third party in whose favour they have been frozen and, if applicable, the expiry date of the freezing. The entry is removed if the third party agrees to the removal in writing; an entry setting a date on which the freezing of the funds expires is automatically cancelled at 00:00 a.m. on the day after that date.

**66.** This Regulation replaces the Regulation respecting savings products made by Order in Council 1038-96 dated 21 August 1996.

**67.** This Regulation comes into force on 1 January 2009.

Épargne  
Placements

Québec

1 800 463-5229

333, Grande Allée Est  
Québec (Québec) G1R 5W3APPLICATION FOR TRANSFER  
BETWEEN PARTICIPANTS

Schedule I (ss. 30 and 39)

## IMPORTANT INSTRUCTIONS

1. Please print in block letters
2. The participant (or representative) must sign in section 1
3. The recipient of the transfer (or representative) must sign in section 2
4. The signature of the participant (or representative) MUST be certified in section 4
5. In the case of a succession, attach the originals (or certified copies) of the death certificate and the will.

## 1. IDENTIFICATION OF THE PARTICIPANT

The participant is:  an individual or his (her) succession  
 a general or a limited partnership, legal person, foundation or trust

Last name and first name of the participant or business name (BLOCK LETTERS)

Represented by\* (if applicable):

Last name and first name of the representative (BLOCK LETTERS)

\* If more than one representative, provide the information on a separate sheet if need be.

X \_\_\_\_\_ Date \_\_\_\_\_  
 Signature of the participant or representative DD MM YYYY

X \_\_\_\_\_ Date \_\_\_\_\_  
 Signature of another representative (IF REQUIRED) DD MM YYYY

Participant number

Social insurance number  
for an INDIVIDUAL, if participant number unknown

## 2. IDENTIFICATION OF THE RECIPIENT OF THE TRANSFER

The recipient is:  an individual or his (her) succession  
 a general or a limited partnership, legal person, foundation or trust

Represented by\* (if applicable):

Last name and first name of the representative (BLOCK LETTERS)

X \_\_\_\_\_ Date \_\_\_\_\_  
 Signature of the recipient or representative DD MM YYYY

\* If more than one representative, provide the information on a separate sheet if need be.

Participant number

Social insurance number  
for an INDIVIDUAL, if participant number unknown

## 3. DESCRIPTION OF THE SAVINGS PRODUCTS TRANSFERRED (according to the issue details of the products in question)

Product (According to the name indicated on the portfolio statement)	Par value	Maturity date
_____	\$ _____	DD MM YYYY
_____	\$ _____	DD MM YYYY

If more than two products, attach a separate sheet.

## 4. CERTIFICATION OF THE SIGNATURE OF THE PARTICIPANT (OR REPRESENTATIVE)

The signature of the participant (or representative) must be certified by the financial institution or by a notary, lawyer, commissioner for oaths or by a person authorized by Épargne Placements Québec.

Signed at \_\_\_\_\_ Date \_\_\_\_\_  
 Name of the city or municipality (BLOCK LETTERS) DD MM YYYY

\_\_\_\_\_ Title or profession  
 Last name and first name of the person certifying (BLOCK LETTERS)

By signing below, I certify that the signature that appears in section 1 or, as the case may be, in the appendix to this form, is truly that of the participant (or representative), as identified on this form or on this appendix.

X \_\_\_\_\_  
 Signature of the person certifying

Telephone \_\_\_\_\_ Ext. \_\_\_\_\_

Seal, mark or stamp of the financial institution

## RESERVED – Sending the form

Date DD MM YYYY Time \_\_\_\_\_ Agent no. \_\_\_\_\_ Remit before 12 noon or 8 p.m.

Épargne  
Placements

Québec

333, Grande Allée Est  
Québec (Québec) G1R 5W3

1 800 463-5229

# NOTICE OF HYPOTHEC

Schedule II (s. 61)

## 1. HYPOTHECARY CREDITOR (BLOCK LETTERS)

Name of financial institution \_\_\_\_\_ Inst. number \_\_\_\_\_ Transit \_\_\_\_\_

Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_ Prov. \_\_\_\_\_ Postal code \_\_\_\_\_

Representative(s) of the institution:

1) \_\_\_\_\_

Last name and first name (BLOCK LETTERS) \_\_\_\_\_ Title \_\_\_\_\_ Telephone \_\_\_\_\_ Ext. \_\_\_\_\_

2) \_\_\_\_\_

Last name and first name (BLOCK LETTERS) \_\_\_\_\_ Title \_\_\_\_\_ Telephone \_\_\_\_\_ Ext. \_\_\_\_\_

## 2. PARTICIPANT (HYPOTHECARY DEBTOR)

The participant is:  an individual or his (her) succession  
 a corporation, legal person, foundation or trust

Date of birth \_\_\_\_\_

Name of the participant – Last name and first name if an INDIVIDUAL (BLOCK LETTERS) DD MM YYYY \_\_\_\_\_

Participant number (if known) \_\_\_\_\_

Number \_\_\_\_\_ Street \_\_\_\_\_ Apt. \_\_\_\_\_

City \_\_\_\_\_ Prov. \_\_\_\_\_ Postal code \_\_\_\_\_

Represented by (if applicable)\*: \_\_\_\_\_

Last name and first name (BLOCK LETTERS) \_\_\_\_\_ Title \_\_\_\_\_ Telephone \_\_\_\_\_ Ext. \_\_\_\_\_

Social insurance number for an INDIVIDUAL \_\_\_\_\_

\* If more than one representative, provide the information on a separate sheet.

## 3. DESCRIPTION OF HYPOTHECATED SECURITIES

Product (According to the name indicated on the portfolio statement)	Par value	Type of interest*	Maturity date
_____	\$ _____	_____	DD MM YYYY
_____	\$ _____	_____	DD MM YYYY
_____	\$ _____	_____	DD MM YYYY

Attach a separate sheet if needed. Total par value: \$ \_\_\_\_\_ Amount of hypothec: \$ \_\_\_\_\_

**Attention:** For Québec Stock Index Bonds, and for all simple interest (IPA and IPM) savings products, only the principal can be subject to a movable hypothec.

\* Type of interest: ICA = Interest compounded annually IPA = Interest paid annually IPM = Interest paid monthly

## 4. SIGNATURES

The signatories require registration of this notice of hypothec in the book based system:

Signed at \_\_\_\_\_ Date \_\_\_\_\_

Name of the city or municipality (BLOCK LETTERS) DD MM YYYY

X \_\_\_\_\_ X \_\_\_\_\_

Signature of the participant (hypothecary debtor) or representative Signature of representative 1 of the financial institution

X \_\_\_\_\_ X \_\_\_\_\_

Signature of another representative of the participant (IF REQUIRED) Signature of representative 2 of the financial institution, if necessary

**ATTENTION: These documents will be returned to you if the stamp of the financial institution does not appear below.**

Seal, mark or stamp of the financial institution

### ASSIGNMENT AND HYPOTHEC OF SECURITIES

For the purposes of section 74 of the Financial Administration Act, the Minister of Finance may make applicable the provisions of this chapter to any of the savings products by declaring, at the time they are issued, whether they are unassignable or assignable and whether or not they may be charged with a movable hypothec.

A security may be assigned, by onerous or gratuitous title, only on the following conditions:

1. the security is a savings product that has been declared assignable;
2. the assignee belongs to a class of authorized purchasers of the savings product.

An assignment of security must be effected through a transfer made in accordance with the provisions that apply for that purpose. The assignment may be set up against Épargne Placements Québec only as of such transfer.

A security may be charged with a hypothec only on the following conditions:

1. the security is a savings product that has been declared a savings product that may be hypothecated;
2. the hypothec is granted to a financial institution that is a bank, a trust company, a savings company or a savings and credit union, or to the Québec government for the purposes set out in the Regulation respecting savings products.

In addition to the conditions mentioned in the preceding paragraph, the hypothec must be a hypothec with delivery; delivery results from an entry in the book based system of the rights of the hypothecary creditor in the hypothecated security.

The hypothec may not charge all of a participant's securities. A hypothec on all of a participant's property or claims may not be set up against Épargne Placements Québec in relation to the participant's securities.

Upon receiving a notice of hypothec, Épargne Placements Québec carries out the required registrations in the book based system.

The notice must be given by completing the "Notice of Hypothec" form.

A transaction request regarding a hypothecated security must be made in writing and be accompanied by the consent of the hypothecary creditor.

Subject to the remedy of taking in payment, the hypothecary creditor may not, in advance of the maturity date of the hypothecated security, collect the interest or the principal pertaining to such security.

However, the creditor may, in the event of the participant's default and upon written notice to Épargne Placements Québec, obtain repayment of the principal and payment of any interest falling due in respect of the hypothecated security, if the security is repayable in advance of the maturity date.

In the event the hypothecary creditor exercises the remedy of taking in payment, it is entitled, if it is an authorized purchaser of the hypothecated security and upon presentation of the written consent of the participant or an irrevocable judgment, to obtain a transfer of the ownership of the security in accordance with the provisions that apply for that purpose.

If the creditor is not an authorized purchaser of the hypothecated security, it is entitled to obtain, upon presentation of the written consent of the participant or an irrevocable judgment, the repayment of the principal and the interest payable, if any, regarding the hypothecated security if such security is repayable in advance of the maturity date.



Gouvernement du Québec

**O.C. 1135-2008**, 10 December 2008

Code of Civil Procedure  
(R.S.Q., c. C-25)

**Determination of child support payments  
— Amendment**

Regulation to amend the Regulation respecting the determination of child support payments

WHEREAS, under article 825.8 of the Code of Civil Procedure (R.S.Q., c. C-25), the Government, by regulation, is to establish standards for the determination of the child support payments to be made by a parent, on the basis of the basic parental contribution determined in respect of the child, of the child care expenses, post-secondary education expenses and special expenses relating to the child and of the parents' custodial arrangement in respect of the child;

WHEREAS, under that article, the Government is to prescribe the use of a form and of a related table determining, on the basis of the parents' disposable income and the number of children, the basic parental contribution, as well as the production of evidentiary documents;

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 determination of child support payments was published in Part 2 of the *Gazette officielle du Québec* of 8 October 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendments;

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

THAT the Regulation to amend the Regulation respecting the determination of child support payments, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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**Regulation to amend the Regulation  
respecting the determination of child  
support payments\***

Code of Civil Procedure  
(R.S.Q., c. C-25, a. 825.8)

**1.** Schedules I and II to the Regulation respecting the determination of child support payments are replaced by Schedules I and II attached to this Regulation.

**2.** This Regulation comes into force on 1 January 2009.

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\* The Regulation respecting the determination of child support payments, made by Order in Council 484-97 dated 9 April 1997 (1997, *G.O.* 2, 1651), was last amended by the regulation made by Order in Council 1102-2007 dated 12 December 2007 (2007, *G.O.* 2, 3656A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 September 2008.

**SCHEDULE I**

(s. 3)

**CANADA**

Province of Québec

District of \_\_\_\_\_

File No. \_\_\_\_\_

**CHILD SUPPORT  
DETERMINATION FORM**Father's form Mother's form Produced jointly Established by the court 

Please complete in block letters.

The parents may complete the form together and must attach all required documents. If they do not complete the form together, the parent who completes the form must provide all information and documents in respect of himself or herself. That parent may also indicate any known information about the other parent.

**Part 1 – Identification**

100 Surname \_\_\_\_\_ Given name(s) \_\_\_\_\_  
(Father's identification)

101 Surname \_\_\_\_\_ Given name(s) \_\_\_\_\_  
(Mother's identification)

Indicate the date of birth of each common child of the parents in respect of whom the application is made.

102 \_\_\_\_\_ 104 \_\_\_\_\_ 106 \_\_\_\_\_  
Year Month Day Year Month Day Year Month Day

103 \_\_\_\_\_ 105 \_\_\_\_\_ 107 \_\_\_\_\_  
Year Month Day Year Month Day Year Month Day

**Part 2 – Statement of parents' income**

Indicate income for the current year or foreseeable income for the next 12 months, as the case may be. Attach a copy of federal and provincial income tax returns and assessment notices for the last fiscal year \_\_\_\_\_. Also attach the requested documents and any other document used to establish income.

	FATHER	MOTHER
200 Gross salary (Attach pay slip)	_____	_____
201 Commissions/tips	_____	_____
202 Net income from a business or self-employment (Gross income less expenses relating to the business or self-employment) (Attach financial statements)	_____	_____
203 Employment insurance benefits and parental insurance benefits	_____	_____
204 Support paid by a third party and received for own needs	_____	_____
205 Retirement or disability benefits, or other benefits	_____	_____
206 Interest, dividends, and other investment income	_____	_____
207 Net rentals (Gross rental income less expenses associated with the rental of immovables) (Attach a statement of income and expenses for each immovable)	_____	_____
208 Other income (Excluding family-related government transfers, last-resort financial assistance benefits and any sums granted by the Minister of Education under a financial assistance program for education expenses) (Please specify: _____)	_____	_____
209 <b>TOTAL</b> (Add lines 200 to 208)	_____	_____

**Part 3 – Calculation of parents’ disposable income for the purpose of calculating the contribution**

	FATHER	MOTHER
300 Annual income (Line 209)	_____	_____
301 Basic deduction (See table)	_____	_____
302 Deduction for union dues	_____	_____
303 Deduction for professional fees	_____	_____
304 Total deductions (Add lines 301 to 303)	_____	_____
305 Disposable income of each parent (Line 300 - line 304) Enter "0" if negative	_____	_____
306 Disposable income of both parents (Add the two amounts from line 305)	_____	
307 Distribution factor (%) of income		
Father's disposable income (line 305 ÷ line 306 x 100)	_____ %	
Mother's disposable income (line 305 ÷ line 306 x 100)		_____ %

**Part 4 – Calculation of the annual parental contribution**

**Note 1: This contribution covers the children’s complete needs excluding the expenses in line 406.**

400 Number of common children of the parents in respect of whom the application is made		_____	
401 Basic parental contribution according to disposable income of both parents (line 306) and the number of children (line 400) (See Note 1)		_____	
402 Basic parental contribution of each parent (Line 401 x line 307)		_____	_____
	<b>FATHER</b>	<b>MOTHER</b>	
403 Net child care expenses	_____ +	_____	_____
404 Net post-secondary education expenses	_____ +	_____	_____
405 Net special expenses (Please specify: _____)	_____ +	_____	_____
406 Total expenses (See Note 2) (Add lines 403 to 405)	_____ +	_____	_____
407 Contribution of each parent to expenses (Line 406 x line 307)		_____	_____

**Part 5 – Calculation of annual support according to custody time**

(Complete only the division that applies to your situation.)

**Note 2:** *The child support amount payable calculated under this part assumes that the total expenses (line 406) are paid by the parent receiving the support payments. Otherwise, please make the required adjustments as they apply to your situation in line 512.1, 518.1, 526.1, 534.1 or 564.1, and give the reasons.*

**Note 3:** *The child support amount established in line 533 or 559 assumes that the basic parental contribution will be assumed by each parent on the basis of the custody apportionment factor. If this is not the case, please make the required adjustments as they apply to your situation in line 534.1 or 564.1, and give the reasons.*

**Division 1 Sole custody**

(Complete this division if the non-custodial parent assumes visiting and outing rights representing 20% or less of custody time.)

FATHER MOTHER

510	Identify the non-custodial parent ("X")	_____	_____
511	Annual contribution of both parents (Line 401 + line 406)	_____	_____
512	Annual support payable by the non-custodial parent ( <b>See Note 2</b> ) (Line 511 x line 307)	_____	_____
512.1	Adjusted annual support payable Reason: _____	_____	_____

**Division 1.1 Adjustment for visiting and prolonged outing rights**

(Complete this division if the non-custodial parent assumes visiting and outing rights representing between 20% and 40% of custody time.)

513	Identify the non-custodial parent ("X")	_____	_____
514	Annual contribution of both parents (Line 401 + line 406)	_____	_____
515	Percentage of custody time represented by visiting and prolonged outing rights (Number of days _____ ÷ 365 x 100)	_____	_____%
516	Compensation for visiting and prolonged outing rights (Percentage from line 515 _____ - 20% = _____ % x line 401)	_____	_____
517	Adjusted annual contribution of both parents (Line 514 - line 516)	_____	_____
518	Annual support payable by the non-custodial parent ( <b>See Note 2</b> ) (Line 517 x line 307)	_____	_____
518.1	Adjusted annual support payable Reason: _____	_____	_____

**Division 2 Sole custody granted to each parent**

(Complete this division if each parent has sole custody of at least one child.)

520	Indicate the number of children in the father's custody	_____	_____
521	Indicate the number of children in the mother's custody	_____	_____
522	Basic parental contribution of each parent (Line 402)	_____	_____
523	Average cost per child (Line 401 ÷ line 400)	_____	_____
524	Cost of care for each parent (Father: line 523 x line 520) (Mother: line 523 x line 521)	_____	_____
525	Basic annual support (Line 522 - line 524) Enter "0" if negative	_____	_____
526	Annual support payable ( <b>See Note 2</b> ) (Line 525 + line 407) Enter "0" if line 525 is "0"	_____	_____
526.1	Adjusted annual support payable Reason: _____	_____	_____

**Part 5 – Calculation of annual support based on custody time (cont'd)****Division 3 Shared custody**

(Fill out this division if each parent has at least 40% of custody time in respect of all the children.)

		FATHER	MOTHER
530	Distribution factor (%) of custody (Father: number of days of custody _____ ÷ 365 x 100) (Mother: number of days of custody _____ ÷ 365 x 100)	_____ %	_____ %
531	Basic parental contribution of each parent (Line 402)	_____	_____
532	Cost of care for each parent (Line 401 x line 530)	_____	_____
533	Basic annual support ( <b>See Note 3</b> ) (Line 531 - line 532) Enter "0" if negative	_____	_____
534	Annual support payable ( <b>See Note 2</b> ) (Line 533 + line 407) Enter "0" if line 533 is "0"	_____	_____
534.1	Adjusted annual support payable Reason: _____	_____	_____

**Division 4 Sole custody and/or custody with visiting and prolonged outing rights and/or shared custody**

(Fill out this division if more than one type of custody arrangement applies: sole custody and/or custody of a child with visiting and outing rights representing between 20% and 40% of custody time and/or shared custody.)

		FATHER	MOTHER
540	<b>Average cost per child</b> (Line 401 ÷ line 400)	_____	_____
541	<b>Number of children in sole custody</b>	_____	_____
542	Cost of care of children in sole custody (Line 540 x line 541)	_____	_____
543	Basic contribution of the custodial parent (Line 542 x line 307)	_____	_____
544	Difference between the cost of care and the basic contribution of custodial parent (Line 542 - line 543)	_____	_____
545	Basic annual support payable for children in sole custody (Father: line 544 of mother - line 544 of father) Enter "0" if the result is negative (Mother: line 544 of father - line 544 of mother) Enter "0" if the result is negative	_____	_____
546	<b>Number of children in a situation of custody with visiting and prolonged outing rights</b>	_____	_____
547	Cost of care of children in a situation of prolonged custody (Line 540 x line 546)	_____	_____
548 (f)	Percentage of custody time represented by visiting and prolonged outing rights (father) (Number of days of custody _____ ÷ 365 x 100)	_____ %	
548 (m)	Percentage of custody time represented by visiting and prolonged outing rights (mother) (Number of days of custody _____ ÷ 365 x 100)		_____ %

**Part 5 – Calculation of annual support based on custody time (cont'd)****Division 4 (cont'd)**

549 (f)	Compensation for father's visiting and prolonged outing rights (Percentage from line 548 (f) _____ - 20 % = _____ % X line 547 (mother)	_____	_____
549 (m)	Compensation for mother's visiting and prolonged outing rights (Percentage from line 548 (m) _____ - 20 % = _____ % X line 547 (father)	_____	_____
550	Cost of care of children in a situation of prolonged custody – adjusted (Line 547 - line 549)	_____	_____
551	Custodial parent's basic annual contribution (Line 550 x line 307)	_____	_____
552	Difference between the cost of care and the basic annual contribution (Line 550 - line 551)	_____	_____
553	Annual support payable for custody with visiting and prolonged outing rights (Father: line 552 of mother - line 552 of father) Enter "0" if the result is negative (Mother: line 552 of father - line 552 of mother) Enter "0" if the result is negative	_____	_____
<b>554</b>	<b>Number of children in shared custody</b>	_____	
555	Cost of care of children in shared custody (Line 540 x line 554)	_____	_____
556	Distribution factor (%) of shared custody (Father: number of days of custody _____ ÷ 365 x 100) (Mother: number of days of custody _____ ÷ 365 x 100)	_____ %	_____ %
557	Basic parental contribution of each parent for children in shared custody (Line 555 x line 307)	_____	_____
558	Cost of shared custody for each parent (Line 555 x line 556)	_____	_____
559	Basic annual support for the children in shared custody ( <b>See Note 3</b> ) (Line 557 - line 558) Enter "0" if negative	_____	_____

**Summary of Division 4**

560	Basic annual support for children in sole custody (Line 545)	_____	_____
561	Annual support payable for custody with visiting and prolonged outing rights (Line 553)	_____	_____
562	Basic annual support for the children in shared custody (Line 559)	_____	_____
563	Total basic annual support ( <b>See Note 3</b> ) (Father: (lines 560 + 561 + 562 of father) – (lines 560 + 561 + 562 of mother)) Enter "0" if negative (Mother: (lines 560 + 561 + 562 of mother) – (lines 560 + 561 + 562 of father)) Enter "0" if negative	_____	_____
564	Support payable ( <b>See Note 2</b> ) (Line 563 + line 407) Enter "0" if line 563 is "0"	_____	_____
564.1	Adjusted annual support payable Reason: _____	_____	_____

**Part 6 – Capacity to pay of debtor**

- 600 Disposable income of the parent required to pay support  
(Line 305) \_\_\_\_\_
- 601 Multiply line 600 by 50% \_\_\_\_\_
- 602 Annual support payable based on the calculations  
under a division of Part 5 \_\_\_\_\_
- 603 Annual support payable  
(Enter the lesser amount between lines 601 and 602) \_\_\_\_\_

**Part 7 – Agreement between parents**

(Fill out this part if the parents agree on a support amount that departs from the amount calculated under one of the divisions in Part 5 or Part 6 of this form.)

- 700 Annual support payable \_\_\_\_\_
- 701 Annual support payable according to agreement between parents \_\_\_\_\_
- 702 Difference between the two amounts  
(Line 701 \_\_\_\_\_ - line 700 \_\_\_\_\_) \_\_\_\_\_
- 703 State precisely the reasons for that difference:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Part 8 – Payment frequency**

- 800 Enter the payment frequency and the amount of support payable (**See Note 4**):
 

<input type="checkbox"/> Monthly (÷ 12)	\$ _____	<input type="checkbox"/> Twice monthly (÷ 24)	\$ _____
<input type="checkbox"/> Every two weeks (÷ 26)	\$ _____	<input type="checkbox"/> Weekly (÷ 52)	\$ _____
<input type="checkbox"/> Other (Please specify: _____)		\$ _____	

This frequency has been:

offered       requested       agreed on       determined by the court

- 801 Date of first payment: \_\_\_\_\_
- Year                      Month                      Day

**Note 4:** If support payments are made through the Minister of Revenue pursuant to the Act to facilitate the payment of support, the payment frequency may be adjusted according to the terms and conditions set forth in the Act.

**Part 9 – Statement of each parent's assets and liabilities**

**ASSETS:** Give cash amounts, amounts deposited in bank accounts or other financial institutions and the market value of property in each of the following categories (regardless of any debt related thereto): immovables, furniture, automobiles, works of art, jewellery, shares, bonds, interests in a business, other investments, pension plans, retirement savings plans, receivables, etc.

**LIABILITIES:** Give debts or financial commitments of any nature in the form of loans or credit (hypothecary loans, personal loans, lines of credit, credit cards, instalment purchases, security, etc.) or that you must pay under a statute (fiscal debts, assessments, dues and other unpaid duties or fees, etc.) or court decision (damages, support, employment insurance or income security overpayment, fines, etc.)

FATHER'S ASSETS	VALUE	FATHER'S LIABILITIES	VALUE
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Others (attach details)	_____	Others (attach details)	_____
<b>TOTAL</b>	<b>=====</b>	<b>TOTAL</b>	<b>=====</b>
		<b>SUMMARY (assets - liabilities)</b>	<b>=====</b>

MOTHER'S ASSETS	VALUE	MOTHER'S LIABILITIES	VALUE
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Others (attach details)	_____	Others (attach details)	_____
<b>TOTAL</b>	<b>=====</b>	<b>TOTAL</b>	<b>=====</b>
		<b>SUMMARY (assets - liabilities)</b>	<b>=====</b>

**Part 10 – Declaration under oath**

I declare that the above information is accurate and complete for my part, and I sign:

at  
this      day of

\_\_\_\_\_  
Father's signature

Declaration made under oath before me

at  
this      day of

\_\_\_\_\_  
Signature of person authorized to administer oaths

I declare that the above information is accurate and complete for my part, and I sign:

at  
this      day of

\_\_\_\_\_  
Mother's signature

Declaration made under oath before me

at  
this      day of

\_\_\_\_\_  
Signature of person authorized to administer oaths



**SCHEDULE II**

(s. 3)

**BASIC PARENTAL CONTRIBUTION DETERMINATION TABLE**  
(Effective as of 1 January 2009)

	Disposable Income of Parents (\$)	Basic Annual Contribution (\$)					
		Number of Children					
		1 child	2 children	3 children	4 children	5 children	6 children <sup>(1)</sup>
1 -	1 000	500	500	500	500	500	500
1 001 -	2 000	1 000	1 000	1 000	1 000	1 000	1 000
2 001 -	3 000	1 500	1 500	1 500	1 500	1 500	1 500
3 001 -	4 000	2 000	2 000	2 000	2 000	2 000	2 000
4 001 -	5 000	2 430	2 500	2 500	2 500	2 500	2 500
5 001 -	6 000	2 480	3 000	3 000	3 000	3 000	3 000
6 001 -	7 000	2 590	3 500	3 500	3 500	3 500	3 500
7 001 -	8 000	2 690	4 000	4 000	4 000	4 000	4 000
8 001 -	9 000	2 770	4 320	4 500	4 500	4 500	4 500
9 001 -	10 000	2 830	4 440	5 000	5 000	5 000	5 000
10 001 -	12 000	2 990	4 640	5 490	6 000	6 000	6 000
12 001 -	14 000	3 150	4 900	5 810	6 750	7 000	7 000
14 001 -	16 000	3 350	5 170	6 180	7 180	8 000	8 000
16 001 -	18 000	3 540	5 460	6 570	7 670	8 790	9 000
18 001 -	20 000	3 760	5 770	6 980	8 210	9 410	10 000
20 001 -	22 000	4 030	6 180	7 500	8 820	10 140	11 000
22 001 -	24 000	4 240	6 510	7 930	9 330	10 750	12 000
24 001 -	26 000	4 460	6 870	8 380	9 890	11 410	12 930
26 001 -	28 000	4 690	7 160	8 830	10 460	12 120	13 760
28 001 -	30 000	4 900	7 460	9 200	10 970	12 720	14 480
30 001 -	32 000	5 090	7 720	9 600	11 490	13 350	15 230
32 001 -	34 000	5 290	8 000	10 010	11 980	13 970	15 970
34 001 -	36 000	5 500	8 260	10 370	12 480	14 580	16 680
36 001 -	38 000	5 680	8 570	10 710	12 860	15 020	17 170
38 001 -	40 000	5 900	8 820	11 030	13 250	15 470	17 660
40 001 -	42 000	6 100	9 070	11 370	13 640	15 920	18 190
42 001 -	44 000	6 300	9 360	11 680	14 000	16 320	18 640
44 001 -	46 000	6 500	9 600	12 000	14 390	16 770	19 180
46 001 -	48 000	6 690	9 910	12 360	14 830	17 300	19 770
48 001 -	50 000	6 890	10 140	12 710	15 260	17 810	20 360
50 001 -	52 000	7 100	10 410	13 060	15 720	18 340	21 000
52 001 -	54 000	7 300	10 700	13 410	16 120	18 850	21 570
54 001 -	56 000	7 480	10 960	13 770	16 610	19 410	22 220
56 001 -	58 000	7 680	11 230	14 120	16 990	19 900	22 790
58 001 -	60 000	7 880	11 470	14 450	17 430	20 410	23 380

Disposable Income of Parents (\$)		Basic Annual Contribution (\$)					
		Number of Children					
		1 child	2 children	3 children	4 children	5 children	6 children <sup>(1)</sup>
60 001 -	62 000	8 070	11 740	14 780	17 840	20 890	23 930
62 001 -	64 000	8 240	11 980	15 140	18 270	21 420	24 560
64 001 -	66 000	8 430	12 240	15 480	18 690	21 910	25 120
66 001 -	68 000	8 620	12 440	15 740	19 050	22 350	25 660
68 001 -	70 000	8 730	12 640	16 020	19 420	22 810	26 200
70 001 -	72 000	8 870	12 830	16 290	19 730	23 200	26 660
72 001 -	74 000	9 010	13 020	16 560	20 090	23 640	27 170
74 001 -	76 000	9 180	13 200	16 830	20 460	24 090	27 710
76 001 -	78 000	9 280	13 350	17 030	20 720	24 390	28 070
78 001 -	80 000	9 400	13 520	17 260	20 990	24 730	28 470
80 001 -	82 000	9 520	13 670	17 460	21 260	25 050	28 850
82 001 -	84 000	9 620	13 820	17 680	21 530	25 390	29 240
84 001 -	86 000	9 790	13 980	17 890	21 780	25 700	29 600
86 001 -	88 000	9 880	14 100	18 060	22 020	25 980	29 940
88 001 -	90 000	9 950	14 220	18 210	22 200	26 190	30 190
90 001 -	92 000	10 040	14 340	18 400	22 440	26 500	30 550
92 001 -	94 000	10 130	14 460	18 550	22 640	26 710	30 790
94 001 -	96 000	10 240	14 580	18 730	22 860	27 000	31 120
96 001 -	98 000	10 310	14 700	18 860	23 050	27 220	31 420
98 001 -	100 000	10 410	14 800	19 010	23 210	27 430	31 650
100 001 -	102 000	10 490	14 900	19 170	23 420	27 680	31 940
102 001 -	104 000	10 560	15 000	19 320	23 580	27 920	32 190
104 001 -	106 000	10 650	15 110	19 450	23 790	28 130	32 460
106 001 -	108 000	10 720	15 230	19 620	23 980	28 390	32 740
108 001 -	110 000	10 790	15 320	19 780	24 170	28 610	33 000
110 001 -	112 000	10 890	15 430	19 920	24 340	28 850	33 280
112 001 -	114 000	10 970	15 520	20 080	24 540	29 100	33 540
114 001 -	116 000	11 060	15 630	20 220	24 710	29 300	33 790
116 001 -	118 000	11 130	15 720	20 360	24 870	29 520	34 050
118 001 -	120 000	11 210	15 820	20 500	25 080	29 730	34 280
120 001 -	122 000	11 280	15 910	20 630	25 230	29 940	34 530
122 001 -	124 000	11 340	16 020	20 770	25 410	30 170	34 780
124 001 -	126 000	11 420	16 110	20 910	25 560	30 390	35 040
126 001 -	128 000	11 510	16 200	21 060	25 750	30 600	35 300
128 001 -	130 000	11 580	16 300	21 190	25 910	30 800	35 540
130 001 -	132 000	11 650	16 410	21 350	26 080	31 030	35 780
132 001 -	134 000	11 720	16 490	21 470	26 280	31 250	36 030
134 001 -	136 000	11 800	16 590	21 610	26 440	31 450	36 290
136 001 -	138 000	11 880	16 670	21 770	26 600	31 690	36 530
138 001 -	140 000	11 950	16 780	21 900	26 790	31 900	36 790

	Disposable Income of Parents (\$)	Basic Annual Contribution (\$)					
		Number of Children					
		1 child	2 children	3 children	4 children	5 children	6 children <sup>(1)</sup>
140 001 -	142 000	12 030	16 870	22 040	26 960	32 110	37 030
142 001 -	144 000	12 110	16 980	22 180	27 130	32 340	37 290
144 001 -	146 000	12 180	17 070	22 320	27 280	32 560	37 540
146 001 -	148 000	12 260	17 160	22 470	27 500	32 770	37 790
148 001 -	150 000	12 340	17 270	22 610	27 650	33 000	38 050
150 001 -	152 000	12 420	17 370	22 740	27 820	33 210	38 290
152 001 -	154 000	12 480	17 450	22 880	28 000	33 430	38 520
154 001 -	156 000	12 570	17 560	23 050	28 180	33 670	38 800
156 001 -	158 000	12 640	17 670	23 170	28 340	33 860	39 050
158 001 -	160 000	12 720	17 750	23 300	28 520	34 100	39 310
160 001 -	162 000	12 790	17 840	23 460	28 710	34 310	39 550
162 001 -	164 000	12 870	17 940	23 600	28 880	34 520	39 790
164 001 -	166 000	12 940	18 050	23 750	29 050	34 740	40 060
166 001 -	168 000	13 010	18 150	23 880	29 220	34 980	40 310
168 001 -	170 000	13 090	18 240	24 010	29 400	35 180	40 550
170 001 -	172 000	13 180	18 340	24 170	29 580	35 410	40 820
172 001 -	174 000	13 260	18 440	24 300	29 750	35 610	41 050
174 001 -	176 000	13 330	18 530	24 450	29 930	35 850	41 330
176 001 -	178 000	13 400	18 640	24 580	30 100	36 060	41 570
178 001 -	180 000	13 480	18 750	24 760	30 280	36 280	41 830
180 001 -	182 000	13 570	18 830	24 880	30 450	36 510	42 080
182 001 -	184 000	13 640	18 940	25 020	30 620	36 720	42 320
184 001 -	186 000	13 700	19 030	25 170	30 800	36 930	42 580
186 001 -	188 000	13 790	19 110	25 310	30 990	37 170	42 840
188 001 -	190 000	13 860	19 210	25 450	31 140	37 380	43 090
190 001 -	192 000	13 940	19 320	25 590	31 340	37 600	43 340
192 001 -	194 000	14 020	19 430	25 730	31 520	37 820	43 610
194 001 -	196 000	14 100	19 520	25 890	31 680	38 050	43 850
196 001 -	198 000	14 170	19 620	26 030	31 860	38 250	44 110
198 001 -	200 000	14 240	19 720	26 170	32 040	38 490	44 350
Disposable income greater than \$ 200,000 <sup>(2)</sup>		14 240	19 720	26 170	32 040	38 490	44 350
		plus	plus	plus	plus	plus	plus
		3.5 %	4.5 %	6.5 %	8.0 %	10.0 %	11.5 %
		of	of	of	of	of	of
		excess	excess	excess	excess	excess	excess
		amount	amount	amount	amount	amount	amount

(1) For families of 7 children or more, multiply the difference between 5 and 6 children by the number of additional children and add the product to the basic annual contribution for 6 children (s.11).

(2) For the portion of income exceeding \$200,000, the percentage indicated is shown for information purposes only (s.10).

**Amount of the basic deduction for the purpose of calculating disposable income (line 301 on the Child Support Determination Form) effective as of 1 January 2009: \$10,100**

Gouvernement du Québec

**O.C. 1144-2008**, 10 December 2008

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

**Road vehicles**

— **Towing and impounding charges**  
— **Amendments**

Regulation to amend the Regulation respecting towing and impounding charges for road vehicles seized under section 209.1 or 209.2 of the Highway Safety Code

WHEREAS, under subparagraph 50 of the first paragraph of section 621 of the Highway Safety Code (R.S.Q., c. C-24.2), amended by section 86 of chapter 14 of the Statutes of 2008, the Government may by regulation determine the towing and daily impounding charges for a road vehicle seized by a peace officer on behalf of the Société de l'assurance automobile du Québec;

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 towing and impounding charges for road vehicles seized under section 209.1 or 209.2 of the Highway Safety Code was published in Part 2 of the *Gazette officielle du Québec* of 17 September 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting towing and impounding charges for road vehicles seized under section 209.1 or 209.2 of the Highway Safety Code, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting towing and impounding charges for road vehicles seized under section 209.1 or 209.2 of the Highway Safety Code\***

Highway Safety Code  
(R.S.Q., c. C-24.2, s. 621, 1st par., subpar. 50;  
2008, c. 14, s. 86)

**1.** The Regulation respecting towing and impounding charges for road vehicles seized under section 209.1 or 209.2 of the Highway Safety Code is amended by replacing its title by the following:

“REGULATION RESPECTING TOWING AND IMPOUNDING CHARGES FOR SEIZED ROAD VEHICLES”.

**2.** Section 1 is amended by striking out “section 209.1 or 209.2 of” in the first paragraph.

**3.** Section 2 is amended by striking out “section 209.1 or 209.2 of” in the first paragraph.

**4.** Section 4 is amended by striking out “section 209.1 or 209.2 of” in the part preceding paragraph 1.

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

9056

Gouvernement du Québec

**O.C. 1145-2008**, 10 December 2008

Individual and Family Assistance Act  
(R.S.Q., c. A-13.1.1)

**Individual and family assistance**  
— **Amendments**

Regulation to amend the Individual and Family Assistance Regulation

WHEREAS, pursuant to sections 131 to 136 of the Individual and Family Assistance Act (R.S.Q., c. A-13.1.1), the Government made the Individual and Family Assistance Regulation by Order in Council 1073-2006 dated 22 November 2006;

\* The Regulation respecting towing and impounding charges for road vehicles seized under section 209.1 or 209.2 of the Highway Safety Code, made by Order in Council 751-2008 dated 25 June 2008 (2008, *G.O.* 2, 2938), has not been amended.

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as prescribed by section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of prior publication must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication:

— the amendments in the Regulation attached to this Order in Council are made to increase, as of 1 January 2009, the benefits granted under the Social Solidarity Program, in accordance with the Government Action Plan to Combat Poverty and Social Exclusion, made by Décret 416-2004 dated 28 April 2004, according to the rate that applies to personal income taxation, which was made public only on 4 November 2008;

— the amendments are also intended to increase according to the same rate, as of 1 January 2009, the benefits granted under the Social Assistance Program, in accordance with the Update on Québec's Economic and Financial Situation, made public by the Minister of Finance on 4 November 2008;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Individual and Family Assistance Regulation, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Individual and Family Assistance Regulation\*

Individual and Family Assistance Act  
(R.S.Q., c. A-13.1.1, s.132, pars. 1, 2, 7, 10, 13, 17 and 20, s. 133, par. 1 and s. 136)

**1.** The Individual and Family Assistance Regulation is amended in section 52

(1) by replacing “\$862”, “\$1,232”, “\$1,460”, “\$1,282”, “\$1,529” and “\$1,757” in the first paragraph by “\$883”, “\$1,262”, “\$1,495”, “\$1,313”, “\$1,566” and “\$1,799” respectively;

(2) by replacing “\$228” in the second paragraph by “\$233”;

(3) by replacing “\$862”, “\$247” and “\$228” in the third paragraph by “\$883”, “\$253” and “\$233” respectively;

(4) by replacing “\$167” in the fourth paragraph by “\$171”;

(5) by replacing “\$862” in the fifth paragraph by “\$883”.

**2.** Section 53 is amended

(1) by replacing “\$5,370”, “\$5,598”, “\$5,247” and “\$5,475” in the first paragraph by “\$5,379”, “\$5,612”, “\$5,253” and “\$5,486” respectively;

(2) by replacing “\$228” in the second paragraph by “\$233”;

(3) by replacing “\$247” and “\$228” in the third paragraph by “\$253” and “\$233” respectively;

(4) by replacing “\$167” in the fourth paragraph by “\$171”.

**3.** Section 56 is amended by replacing “\$551” and “\$854” by “\$564” and “\$874” respectively.

**4.** Section 57 is amended by replacing “\$451” and “\$754” in the part before paragraph 1 by “\$464” and “\$774” respectively.

\* The Individual and Family Assistance Regulation, made by Order in Council 1073-2006 dated 22 November 2006 (2006 G.O. 2, 3877), was last amended by the regulation made by Order in Council 861-2008 dated 3 September 2008 (2008, G.O. 2, 4584). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 September 2008.

**5.** Section 59 is amended by replacing “\$152” and “\$102” by “\$156” and “\$106” respectively.

**6.** Section 60 is amended by replacing “\$179” by “\$183”.

**7.** Section 64 is amended

(1) by replacing “\$117” in the first paragraph by “\$120”;

(2) by replacing “\$201” and “\$117” in the second paragraph by “\$206” and “\$120” respectively.

**8.** Section 66 is amended

(1) by replacing “\$14.50” in subparagraph 1 of the first paragraph by “\$14.83”;

(2) by replacing “\$29” in subparagraph 2 of the first paragraph by “\$29.67”;

(3) by replacing “\$9.83” in the second paragraph by “\$10.09”.

**9.** Section 75 is amended by replacing “\$167” in the second paragraph by “\$171”.

**10.** Section 116 is amended

(1) by replacing “\$862”, “\$1,232”, “\$1,460”, “\$1,282”, “\$1,529” and “\$1,757” in the first paragraph by “\$883”, “\$1,262”, “\$1,495”, “\$1,313”, “\$1,566” and “\$1,799” respectively;

(2) by replacing “\$228” in the second paragraph by “\$233”;

(3) by replacing “\$862”, “\$247” and “\$228” in the third paragraph by “\$883”, “\$253” and “\$233” respectively;

(4) by replacing “\$167” in the fourth paragraph by “\$171”;

(5) by replacing “\$862” in the fifth paragraph by “\$883”.

**11.** Section 132 is amended

(1) by replacing “\$370”, “\$598”, “\$247” and “\$475” in the first paragraph by “\$379”, “\$612”, “\$253” and “\$486” respectively;

(2) by replacing “\$228” in the second paragraph by “\$233”;

(3) by replacing “\$247” and “\$228” in the third paragraph by “\$253” and “\$233” respectively;

(4) by replacing “\$167” in the fourth paragraph by “\$171”.

**12.** Section 156 is amended

(1) by replacing “\$838” in the first paragraph by “\$858”;

(2) by replacing “\$1,253” in the second paragraph by “\$1,283”.

**13.** Section 157 is amended

(1) by replacing “\$424” in the first paragraph by “\$434”;

(2) by replacing “\$179” in the second paragraph by “\$183”.

**14.** This Regulation comes into force on 1 January 2009.

9055

Gouvernement du Québec

**O.C. 1146-2008**, 10 December 2008

An Act respecting workforce vocational training and qualification  
(R.S.Q., c. F-5)

**Certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry**  
— Amendments

Regulation to amend the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry

WHEREAS, under section 30 of the Act respecting workforce vocational training and qualification (R.S.Q., c. F-5), the Government may make regulations to ensure the efficient carrying out of the Act and, in particular,

determine the qualification required to carry on trades or vocations, render obligatory apprenticeship and the certificate of qualification for the carrying on of a trade or vocation, determine the conditions for admission to apprenticeship and to the examinations for qualification, for obtaining and renewal of certificates of qualification, and fix certain duties exigible;

WHEREAS the Government made the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry by Order in Council 279-2006 dated 29 March 2006;

WHEREAS it is expedient to amend the Regulation;

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 certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry was published in the *Gazette officielle du Québec* of 1 October 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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## **Regulation to amend the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry\***

An Act respecting workforce vocational training and qualification  
(R.S.Q., c. F-5, s. 30, 1st par., subpars. *a* to *c*, *g*, *h* and *l* and s. 41.1, 1st par.; 2006, c. 58, s. 63)

**1.** The Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry is amended in section 1

(1) by inserting the following definition in alphabetical order:

““mine” means the establishment, with or without a treatment or processing plant, in which exploration work is performed, except the drilling of an artesian well, or the extraction of soil or sub-soil for removing a mineral substance in order to obtain a commercial or industrial product, including the buildings, warehouses, garages and workshops located at the surface in which work is performed related to the exploration for or the extraction of a mineral substance; (*mine*)”;

(2) by inserting “thermal” before “energy” in the definition of “combustion and heating system”.

**2.** Section 2 is amended by adding the following at the end of the second paragraph:

“(4) work carried out in a mine and in a pellet plant or a mineral concentration plant related to a mine and also on any equipment necessary for the transportation of such a substance.”.

**3.** Section 21 is amended by striking out the second paragraph.

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\* The Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry, made by Order in Council 279-2006 dated 29 March 2006 (2006, *G.O.* 2, 1252), was last amended by the regulation made by Order in Council 1127-2007 dated 12 December 2007 (2007, *G.O.* 2, 3660A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 September 2008.

**4.** Section 22 is amended

(1) by replacing “third” by “fourth”;

(2) by replacing “for 2-year periods” by “, without paying duties, for 4-year periods”.

**5.** Section 23 is replaced by the following:

“**23.** If the holder of a certificate of qualification, referred to in this Regulation or in the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels, made by Order in Council 280-2006 dated 29 March 2006, qualifies for a new certificate, the certificate is valid for the unexpired period of the first certificate.”.

**6.** Section 24 is replaced by the following:

“**24.** A certificate of qualification is renewed on request by the holder, if the holder has taken the required training, if applicable, under section 25.”.

**7.** Section 25 is amended by replacing “complete” in the second paragraph by “take”.

**8.** Section 26 is amended by replacing “has not been renewed for more than four consecutive years” by “has lapsed for more than 6 consecutive years”.

**9.** Section 27 is replaced by the following:

“**27.** A person whose certificate of qualification has lapsed for 6 consecutive years or less must comply with any training requirements that could have been required under section 25 for a certificate to be issued.”.

**10.** Section 28 is amended

(1) by replacing “apprenticeship card” in subparagraph 2 of the first paragraph by “one or more apprenticeship cards”;

(2) by striking out subparagraphs 6, 7 and 9 of the first paragraph;

(3) by inserting the following after the first paragraph:

“For the purposes of subparagraph 2 of the first paragraph, the apprenticeship cards issued under the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels are taken into account.”;

(4) by replacing “The duties” in the second paragraph by “The duties referred to in the first paragraph”.

**11.** Section 29 is amended by replacing “the construction industry commissioner” by “the Commission des relations du travail”.

**12.** The following is inserted after section 31:

“**31.1.** The employer must ensure that the work carried on by an apprentice is supervised as provided in the first and second paragraphs of section 17.”.

**13.** Section 36 is amended

(1) by replacing “pay the duties exigible for the renewal of a certificate of qualification prescribed by this Regulation for a certificate to be issued” in the first paragraph by “apply for a certificate to be issued and comply with any training requirements that could have been required under section 25”;

(2) by replacing “second” in the first paragraph by “fourth”;

(3) by striking out the second paragraph;

(4) by adding the following at the end:

“The application for a certificate of qualification referred to in the first paragraph must be made not later than 31 March 2009.”.

**14.** The following is inserted after section 36:

“**36.1.** The Minister issues to an apprentice, on the request of the apprentice and recommendation of the apprentice’s employer, an attestation of experience listed in the following table if the apprentice proves, by means of supporting documents, that he or she carries on a trade referred to in the certificate corresponding to such an attestation of experience and has accumulated the number of hours of practice in the table for work referred to in that certificate.

Attestations of experience	Number of hours of practice required
Attestation of experience in process pipe fitting (ATPT)	1200
Attestation of experience in elevating platform mechanics (AMPFÉ)	4000
Attestation of experience in passenger ropeway mechanics (AMRM)	3000



An attestation of experience is considered to be a certificate of qualification for the purposes of sections 1 to 3, 8, 16, 17, 22 to 28, 30 and 31. Despite section 9, the holder is eligible for the qualification examination, on payment of the duties exigible, and sections 11 to 13 apply to the examination to which the holder is admitted, with the necessary modifications.

The application for an attestation of experience referred to in the first paragraph must be made not later than 31 March 2009.”.

**15.** Section 38 is amended by striking out the second paragraph.

**16.** This Regulation comes into force on 1 January 2009.

9054

Gouvernement du Québec

### O.C. 1147-2008, 10 December 2008

An Act respecting workforce vocational training and qualification (R.S.Q., c. F-5)

#### **Certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels — Amendments**

Regulation to amend the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels

WHEREAS, under section 30 of the Act respecting workforce vocational training and qualification (R.S.Q., c. F-5), the Government may make regulations to ensure the efficient carrying out of the Act and, in particular, determine the qualification required to carry on trades or vocations, render obligatory apprenticeship and the certificate of qualification for the carrying on of a trade or vocation, determine the conditions for admission to apprenticeship and to the examinations for qualification, for obtaining and renewal of certificates of qualification, and fix certain duties exigible;

WHEREAS the Government made the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels by Order in Council 280-2006 dated 29 March 2006;

WHEREAS it is expedient to amend the Regulation;

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 certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels was published in the *Gazette officielle du Québec* of 1 October 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### **Regulation to amend the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels\***

An Act respecting workforce vocational training and qualification (R.S.Q., c. F-5, s. 30, 1st par., subpars. *a* to *c*, *g*, *h* and *l* and s. 41.1, 1st par.; 2006, c. 58, s. 63)

**1.** The Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels is amended in section 1 by inserting the following definition in alphabetical order:

““mine” means the establishment, with or without a treatment or processing plant, in which exploration work is performed, except the drilling of an artesian well, or the extraction of soil or sub-soil for removing a mineral substance in order to obtain a commercial or industrial product, including the buildings, warehouses, garages and workshops located at the surface in which work is performed related to the exploration for or the extraction of a mineral substance; (*mine*)”.

\* The Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels, made by Order in Council 280-2006 dated 29 March 2006 (2006, *G.O.* 2, 1260), was amended once by the regulation made by Order in Council 1128-2007 dated 12 December 2007 (2007, *G.O.* 2, 3661A).

**2.** Section 2 is amended by replacing the second paragraph by the following:

“The Regulation does not apply to

(1) work carried out by a manufacturer in its workshops on the gas appliances and components of appliances it manufactures;

(2) work carried out by a manufacturer on the pressure vessels it manufactures;

(3) work for which a certificate of qualification in stationary engine mechanics is required when work is carried out in a mine and in a pellet plant or a mineral concentration plant related to a mine and also on any equipment necessary for the transportation of such a substance.”.

**3.** Section 3 is amended by replacing paragraph 6 by the following:

“(6) certificate in restricted gas appliance maintenance techniques (TERAG) for the start-up, maintenance, repair or removal of any type of gas appliance installed on the premises of the employer of the holder of the certificate;”.

**4.** Section 27 is amended by striking out the second paragraph.

**5.** Section 28 is amended

(1) by replacing “third” in the first paragraph by “fourth”;

(2) by replacing “for 2-year periods” in the first paragraph by “, without paying duties, for 4-year periods”;

(3) by striking out the second paragraph.

**6.** Section 29 is amended by replacing the first sentence by the following:

“If the holder of a certificate of qualification, referred to in this Regulation or in the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry, made by Order in Council 279-2006 dated 29 March 2006, qualifies for a new certificate, the new certificate is valid for the unexpired period of the first certificate.”.

**7.** Section 30 is replaced by the following:

“**30.** A certificate of qualification is renewed upon request by the holder, if the holder has taken the required training, if applicable, under section 31.”.

**8.** Section 31 is amended

(1) by replacing “complete” in the second paragraph by “take”;

(2) by striking out the third paragraph.

**9.** Section 32 is amended by replacing “has not been renewed for more than 4 consecutive years” by “has lapsed for more than 6 consecutive years”.

**10.** Section 33 is replaced by the following:

“**33.** A person whose certificate of qualification has lapsed for 6 consecutive years or less must comply with any training requirements that could have been required under section 31 for a certificate to be issued.”.

**11.** Section 34 is amended

(1) by replacing “apprenticeship card” in subparagraph 2 of the first paragraph by “one or more apprenticeship cards”;

(2) by striking out subparagraphs 6, 7 and 9 of the first paragraph;

(3) by inserting the following after the first paragraph:

“For the purposes of subparagraph 2 of the first paragraph, the apprenticeship cards issued under the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry are taken into account.”;

(4) by replacing “The duties” in the second paragraph by “The duties referred to in the first paragraph”.

**12.** Section 35 is amended by replacing “the construction industry commissioner” by “the Commission des relations du travail”.

**13.** The following is inserted after section 37:

“**37.1.** The employer must ensure that the work carried on by an apprentice is supervised as provided in the first and second paragraphs of section 21.

The employer must also ensure that the work is supervised in the manner set out in the situations referred to in the second paragraph of section 6, section 7 or section 8.”.

**14.** Section 48 is amended

(1) by replacing “pay the duties exigible for the renewal of a certificate of qualification prescribed by this Regulation to be issued a certificate” in the first paragraph by “apply for a certificate to be issued and comply with any training requirements that could have been required under section 25”;

(2) by replacing “second” in the first paragraph by “fourth”;

(3) by striking out the second paragraph;

(4) by adding the following paragraph at the end:

“The application for a certificate of qualification referred to in the first paragraph must be made not later than 31 March 2009.”.

**15.** The following is added after section 48:

“**48.1.** Despite section 28, the certificate of qualification in cylinder and vehicle filling (RBV) issued before 1 January 2009 remains valid until its expiry date.

If applicable, before the first renewal in accordance with section 31, the holder must successfully complete the training required under section 31 within 4 years of the notice by the Minister to that effect.”.

**16.** Section 50 is amended by striking out the second paragraph.

**17.** This Regulation comes into force on 1 January 2009.

9053

**M.O., 2008****Order number AM 2008-12 of the Minister of Transport dated 15 December 2008**

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

Heavy vehicles whose speed limiter must be activated and set at a maximum speed of 105 km/h

THE MINISTER OF TRANSPORT,

CONSIDERING the first paragraph of section 519.15.3 of the Highway Safety Code (R.S.Q., c. C-24.2), according to which an operator may not allow a heavy vehicle to be driven unless the speed limiter with which the vehicle

has been equipped is activated and set at a maximum speed of 105 km/h and is in proper working order;

CONSIDERING the second paragraph of section 519.15.3, which provides that the section applies only to the heavy vehicles specified by an order of the Minister of Transport published in the *Gazette officielle du Québec*;

CONSIDERING that it is expedient to specify the heavy vehicles to which section 519.15.3 of the Highway Safety Code applies;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Minister’s Order respecting heavy vehicles whose speed limiter must be activated and set at a maximum speed of 105 km/h was published in Part 2 of the *Gazette officielle du Québec* of 29 October 2008 with a notice that it could be made by the Minister of Transport on the expiry of 45 days following that publication and that any person wishing to comment on the draft Minister’s Order was requested to submit comments within the 45-day period, and that it is expedient to make the Minister’s Order without amendment;

## ORDERS AS FOLLOWS:

1. Heavy vehicles whose speed limiter must be activated and set at a maximum speed of 105 km/h are the heavy vehicles assembled after 31 December 1994 and whose gross vehicle weight rating is at least 11,794 kg, except emergency vehicles, tool vehicles, buses, trailers, semi-trailers, detachable axles and vehicles used for personal purposes.

“Gross vehicle weight rating” means the value specified by the manufacturer as the loaded weight of a single vehicle and known as the “gross vehicle weight rating” (GVWR) or “poids nominal brut du véhicule” (PNBV).

2. This Order comes into force on 1 January 2009.

JULIE BOULET,  
*Minister of Transport*

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

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