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2

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Laws and Regulations

Volume 141

Summary

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Contents

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- (2) proclamations of Acts;
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Coming into force of Acts

Gouvernement du Québec

O.C. 1282-2009, 2 December 2009

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

— **Coming into force of sections of the Act**

COMING INTO FORCE of certain sections of the Act respecting the Agence nationale d'encadrement du secteur financier

WHEREAS, by Order in Council 45-2004 dated 21 January 2004, the Government set 1 January 2005 as the date of coming into force of sections 342, 343, 361, 378, 384, 390, 400, 403, 416, 418, 483, 484, 491, 727, 728 and 729 of the Act respecting the Agence nationale d'encadrement du secteur financier (2002, c. 45);

WHEREAS the Act respecting the Agence nationale d'encadrement du secteur financier (R.S.Q., c. A-7.03) became the Act respecting the Autorité des marchés financiers (R.S.Q., c. A-33.2) following the amendment made by paragraph 2 of section 90 of the Act to amend the Securities Act and other legislative provisions (2004, c. 37);

WHEREAS Order in Council 45-2004 dated 21 January 2004 was amended by Orders in Council 1169-2004 dated 15 December 2004, 1182-2005 dated 7 December 2005, 1080-2006 dated 29 November 2006, 877-2007 dated 10 October 2007, and 1064-2008 dated 5 November 2008, which postponed the coming into force of those sections to 1 January 2010;

WHEREAS it is expedient to postpone the date of coming into force of those sections;

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

THAT the last paragraph of the operative part of Order in Council 45-2004 dated 21 January 2004, as amended by Orders in Council 1169-2004 dated 15 December 2004, 1182-2005 dated 7 December 2005, 1080-2006 dated 29 November 2006, 877-2007 dated 10 October 2007 and 1064-2008 dated 5 November 2008, be struck out.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

9569

Gouvernement du Québec

O.C. 1290-2009, 2 December 2009

**An Act respecting the consolidation of
the statutes and regulations (R.S.Q., c. R-3)**
— **Coming into force of the text of the updating**

COMING INTO FORCE of the text of the updating to 1 August 2009 of the loose-leaf edition of the Revised Statutes of Québec

WHEREAS the Official Publisher has completed the printing of the updating to 1 August 2009 of the loose-leaf edition of the Revised Statutes of Québec;

WHEREAS, in accordance with section 6 of the Act respecting the consolidation of the statutes and regulations (R.S.Q., c. R-3), a copy of the updating, attested by the signatures of the Lieutenant-Governor and the Minister of Justice, has been deposited in the office of the Secretary General of the National Assembly of Québec;

WHEREAS, under section 7 of the Act, the Government is to fix the date from which the text of the updated Revised Statutes of Québec will come into force after the deposit of the copy;

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

THAT the text of the updating to 1 August 2009 of the loose-leaf edition of the Revised Statutes of Québec, a copy of which attested by the signatures of the Lieutenant-Governor and the Minister of Justice has been deposited in the office of the Secretary General of the National Assembly of Québec, come into force on 18 December 2009, it being understood that this Order in Council does not bring into force the legislative provisions that have been revised but not yet in force on that date.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

9571

Gouvernement du Québec

O.C. 1310-2009, 2 December 2009

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

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

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

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

WHEREAS, by Order in Council 857-2008 dated 3 September 2008, 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) enacted by that section, 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) enacted by that section, and section 103 of the Act to amend the Highway Safety Code and the Regulation respecting demerit points came into force on 3 September 2008;

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

WHEREAS, by Order in Council 1108-2008 dated 5 November 2008, sections 1, 7, 20, 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 subparagraph 1 of the first paragraph of section 209.2.1 of the Code enacted by that section, 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;

WHEREAS, by Order in Council 1143-2008 dated 10 December 2008, section 66 of the Act came into force on 1 January 2009 and section 67 came into force on 1 July 2009;

WHEREAS, by Order in Council 863-2009 dated 23 June 2009, section 105 of the Act came into force on 19 August 2009;

WHEREAS, by Order in Council 1206-2009 dated 18 November 2009, sections 8, 9, 12, 13 and 15, section 16 except “79,” and “, 185 and 191.2” in paragraph 2, sections 18, 19, 27, 29, 30, 32 and 33, paragraph 2 of section 35, section 40 insofar as it enacts subparagraph 1 of the first paragraph of section 209.2.1 of the Highway Safety Code, and sections 68 to 71, 75, 76, 84 to 86 and 96 of the Act to amend the Highway Safety Code and the Regulation respecting demerit points (2007, c. 40) come into force on 6 December 2009;

WHEREAS it is expedient to set 17 January 2010 as the date of coming into force of section 10, section 11 except the wording “, a moped” and section 17 of the Act;

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

THAT section 10, section 11 except the wording “, a moped” and section 17 of the Act to amend the Highway Safety Code and the Regulation respecting demerit points (2007, c. 40) come into force on 17 January 2010.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

9573

Regulations and other Acts

Gouvernement du Québec

O.C. 1259-2009, 2 December 2009

An Act respecting the Pension Plan of
Elected Municipal Officers
(R.S.Q., c. R-9.3)

Regulation — Amendment

Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers

WHEREAS, under subparagraph 5 of the first paragraph of section 75 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3), the Government may, by regulation, revise the rate of contribution, in accordance with section 65 of the Act;

WHEREAS the Government made the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers by Order in Council 1742-89 dated 15 November 1989, last amended by the regulation made by Order in Council 1036-2009 dated 30 September 2009;

WHEREAS it is expedient to again amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers was published in Part 2 of the *Gazette officielle du Québec* of 14 October 2009 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS no comments were received on the draft Regulation;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers*

An Act respecting the Pension Plan of
Elected Municipal Officers
(R.S.Q., c. R-9.3, ss. 65 and 75, 1st par., subpar. 5)

1. The Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers is amended in section 9.1

(1) by replacing the year “2003” by the year “2010”;

(2) by replacing “5.55%” by “6.15%”.

2. This Regulation comes into force on 1 January 2010.

9565

Gouvernement du Québec

O.C. 1267-2009, 2 December 2009

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

An Act respecting the boundaries of the waters in the domain of the State and the protection of wetlands along part of the Richelieu River
(2009, c. 31)

Extension of the period provided to publish the government-approved conservation plan for the Samuel-De Champlain proposed biodiversity reserve in the *Gazette officielle du Québec*

WHEREAS, under the first paragraph of section 16 of the Act respecting the boundaries of the waters in the domain of the State and the protection of wetlands along part of the Richelieu River (2009, c. 31), the area in the zones marked “A” on the map reproduced in Schedule I to the Act is deemed to be a proposed biodiversity reserve on

* The Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers, made by Order in Council 1742-89 dated 15 November 1989 (1989, *G.O.* 2, 4153), was last amended by the regulation made by Order in Council 1036-2009 dated 30 September 2009 (2009, *G.O.* 2, 3504). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

19 June 2009, in accordance with Title III of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), for a period of four years beginning on that date and is provisionally called the “Samuel-De Champlain proposed biodiversity reserve”;

WHEREAS, under the second paragraph of section 16 of the Act, not later than six months after 19 June 2009, but subject to an extension authorized by the Government, the Minister has the government-approved conservation plan for the proposed reserve published in the *Gazette officielle du Québec*;

WHEREAS, under the second paragraph of section 16 of the Act, during the period preceding the publication of the conservation plan, the activities permitted or prohibited on the proposed biodiversity reserve are those provided for in subparagraphs 1 and 2 of the first paragraph of section 92 of the Natural Heritage Conservation Act, with the necessary modifications;

WHEREAS the temporary scheme regarding permitted or prohibited activities must be completed and, therefore, will not be maintained as is in the conservation plan to be established;

WHEREAS the approval by the Government of the conservation plan for the proposed biodiversity reserve requires beforehand the holding of consultations, including those provided for in sections 8 *et seq.* of the Regulations Act (R.S.Q., c. R-18.1) and in the second paragraph of section 27 of the Natural Heritage Conservation Act, as well as the holding of negotiations aimed, in particular, at regulating the occupancy of the land in question;

WHEREAS the six-month period to publish the government-approved conservation plan for the Samuel-De Champlain proposed biodiversity reserve in the *Gazette officielle du Québec*, provided for in the Act respecting the boundaries of the waters in the domain of the State and the protection of wetlands along part of the Richelieu River, is insufficient to allow the completion of all preliminary tasks;

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

THAT the period provided to publish the government-approved conservation plan for the Samuel-De Champlain proposed biodiversity reserve in the *Gazette officielle du Québec* be extended to 18 December 2010, in accordance with the second paragraph of section 16 of the Act respecting the boundaries of the waters in the domain of the State and the protection of wetlands along part of the Richelieu River (2009, c. 31).

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Gouvernement du Québec

O.C. 1279-2009, 2 December 2009

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;

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 2010, 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;

— the amendments also increase according to the same rate, as of 1 January 2010, 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;

— the rate applicable to personal income taxation was made public only on 30 October 2009;

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 “\$883”, “\$1,262”, “\$1,495”, “\$1,313”, “\$1,566” and “\$1,799” in the first paragraph by “\$887”, “\$1,268”, “\$1,502”, “\$1,319”, “\$1,573” and “\$1,807” respectively;

(2) by replacing “\$233” in the second paragraph by “\$234”;

(3) by replacing “\$883”, “\$253” and “\$233” in the third paragraph by “\$887”, “\$254” and “\$234” respectively;

(4) by replacing “\$171” in the fourth paragraph by “\$172”;

(5) by replacing “\$883” in the fifth paragraph by “\$887”.

2. Section 53 is amended

(1) by replacing “\$5,379”, “\$5,612”, “\$5,253” and “\$5,486” in the first paragraph by “\$5,381”, “\$5,615”, “\$5,254” and “\$5,488” respectively;

(2) by replacing “\$233” in the second paragraph by “\$234”;

(3) by replacing “\$253” and “\$233” in the third paragraph by “\$254” and “\$234” respectively;

(4) by replacing “\$171” in the fourth paragraph by “\$172”.

3. Section 56 is amended by replacing “\$564” and “\$874” by “\$567” and “\$878” respectively.

4. Section 57 is amended by replacing “\$464” and “\$774” in the part preceding paragraph 1 by “\$467” and “\$778” respectively.

5. Section 59 is amended by replacing “\$156” and “\$106” by “\$157” and “\$107” respectively.

6. Section 60 is amended by replacing “\$183” by “\$184”.

7. Section 64 is amended

(1) by replacing “\$120” in the first paragraph by “\$121”;

(2) by replacing “\$206” and “\$120” in the second paragraph by “\$207” and “\$121” respectively.

8. Section 66 is amended

(1) by replacing “\$14.83” in subparagraph 1 of the first paragraph by “\$14.92”;

(2) by replacing “\$29.67” in subparagraph 2 of the first paragraph by “\$29.83”;

(3) by replacing “\$10.09” in the second paragraph by “\$10.16”.

9. Section 75 is amended by replacing “\$171” in the second paragraph by “\$172”.

10. Section 116 is amended

(1) by replacing “\$883”, “\$1,262”, “\$1,495”, “\$1,313”, “\$1,566” and “\$1,799” in the first paragraph by “\$887”, “\$1,268”, “\$1,502”, “\$1,319”, “\$1,573” and “\$1,807” respectively;

(2) by replacing “\$233” in the second paragraph by “\$234”;

(3) by replacing “\$883”, “\$253” and “\$233” in the third paragraph by “\$887”, “\$254” and “\$234” respectively;

(4) by replacing “\$171” in the fourth paragraph by “\$172”;

(5) by replacing “\$883” in the fifth paragraph by “\$887”.

11. Section 132 is amended

* 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 1043-2009 dated 30 September 2009 (2009, *G.O.* 2, 3480). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

(1) by replacing “\$379”, “\$612”, “\$253” and “\$486” in the first paragraph by “\$381”, “\$615”, “\$254” and “\$488” respectively;

(2) by replacing “\$233” in the second paragraph by “\$234”;

(3) by replacing “\$253” and “\$233” in the third paragraph by “\$254” and “\$234” respectively;

(4) by replacing “\$171” in the fourth paragraph by “\$172”.

12. Section 156 is amended

(1) by replacing “\$858” in the first paragraph by “\$862”;

(2) by replacing “\$1,283” in the second paragraph by “\$1,289”.

13. Section 157 is amended

(1) by replacing “\$434” in the first paragraph by “\$436”;

(2) by replacing “\$183” in the second paragraph by “\$184”.

14. This Regulation comes into force on 1 January 2010.

9568

Gouvernement du Québec

O.C. 1289-2009, 2 December 2009

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

**Selection of foreign nationals
— Amendments**

Regulation to amend the Regulation respecting the selection of foreign nationals

WHEREAS the Government may make regulations governing the matters referred to in section 3.3 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2);

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

WHEREAS a draft of the Regulation to amend the Regulation respecting the selection of foreign nationals was published in Part 2 of the *Gazette officielle du Québec* of 23 June 2009 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS comments were received within the 45-day period;

WHEREAS it is expedient to make the Regulation with amendments;

WHEREAS, under the second paragraph of section 3.3 of the Act respecting immigration to Québec, a regulation under any of subparagraphs *a* to *b.5*, *f.2* and *f.3* of the first paragraph of that section is not subject to the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) and, despite section 17 of that Act, comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date mentioned in the regulation;

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

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

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2, s. 3.3, 1st par., subpars. *a*, *b*,
b.1, *b.3*, *b.4*, *f* and *g*)

1. The Regulation respecting the selection of foreign nationals is amended in section 2 by striking out the last sentence of the third paragraph.

2. Section 5.01 is amended

(1) by replacing paragraph *a* by the following:

“(a) in the case where the main purpose of the stay is to study,

* The Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r.2) was last amended by the regulation made by Order in Council 675-2009 dated 10 June 2009 (2009, G.O. 2, 1861). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

i. the foreign national holds a certificate of acceptance, a study permit or a temporary resident permit, except if the foreign national is exempt therefrom under this Regulation or the Immigration and Refugee Protection Regulations (SOR/02-227);

ii. the foreign national complies with the conditions of the certificate or permit;

iii. the foreign national pursues, or has successfully completed, a secondary-level vocational training program of 900 hours or more, a program of full-time college or undergraduate studies of 12 months or more, a graduate specialization or a master's program or a doctoral program in a Québec educational institution in Québec; and

iv. if the foreign national pursues graduate studies or another program whose duration is less than 18 months, the foreign national has completed half of those studies or, if the other program is 18 months or more, the foreign national only has 12 months or less to complete the program;”;

(2) by replacing “of at least 1 year” in subparagraph iii of paragraph *b* by “or consecutive periods totalling at least 1 year”;

(3) by inserting the following after paragraph *b*:

“(b.1) in the case where the foreign national participates in a youth exchange program under an international agreement entered into by Québec or Canada,

i. the foreign national holds a work permit and complies with the conditions of the permit;

ii. the foreign national has been lawfully admitted in the territory for a period or consecutive periods totalling at least 1 year; and

iii. the foreign national holds full-time employment at the time of filing the foreign national's application;”.

3. Section 5.02 is amended by adding the following after paragraph *c*:

“(d) the application is made by a foreign national who meets the conditions set out in section 38.1;

(e) the application is made by a foreign national who meets the conditions set out in section 38.2, including the application of a foreign national whose program of studies will be completed within 6 months of the date of filing.”.

4. Section 18 is amended by adding the following after paragraph *c*:

“(d) is the subject of a positive opinion on his or her process of integration in Québec following the cancellation of the stay on removal orders with respect to a country of which he or she is a national, and has made a request for permanent resident status processed in Canada under section 25 of the Immigration and Refugee Protection Act or section 65.1 of the Immigration and Refugee Protection Regulations.”.

5. Section 22 is amended by replacing paragraph *c* by the following:

“(c) the application of a foreign national who is a skilled worker, in the following order:

i. the skilled worker referred to in section 38.1 or 38.2;

ii. the skilled worker or the accompanying spouse, including de facto spouse, who submits a validated employment offer;

iii. the skilled worker or the accompanying spouse, including de facto spouse, whose training belongs to a promising area in respect of the needs of the labour market according to the List of preferred areas of training;

iv. any other skilled worker;”.

6. Section 27 is amended by inserting the following after subsection 4:

“(4.1) Where a foreign national in the class of foreign nationals in a particularly distressful situation referred to in paragraph *d* of section 18 files an application with the Minister for a selection certificate, the Minister may issue the selection certificate if in the Minister's opinion the foreign national has settled successfully in Québec society, taking into account the steps taken to find employment, employments held, training received, his or her children's integration in school and his or her participation in community life.”.

7. Section 31 is amended by replacing the second paragraph by the following:

“Despite the first paragraph, the first paragraph does not apply

(a) where the accompanying spouse, including de facto spouse, is not a foreign national in the economic class;

(b) where the foreign national files an application under section 5.01 and the accompanying spouse, including de facto spouse, stays in Québec without being a temporary resident within the meaning of the Immigration and Refugee Protection Regulations.”.

8. The following is inserted after section 38:

“**38.1.** The Minister issues a selection certificate as a skilled worker to a foreign national who stayed temporarily in Québec with the main purpose of working in Québec or in the context of a youth exchange program under an international agreement entered into by Québec or Canada, if the foreign national

(a) complied with the conditions of the foreign national’s stay and the foreign national is lawfully in Québec at the time of filing his or her application;

(b) holds, at the time of filing his or her application, full-time employment in Québec, in a skill level higher than C within the meaning of the National Occupational Classification, and held such employment during a period totalling at least 12 months in the 24 months preceding that filing;

(c) has successfully completed at least 2 years of full-time studies in French at the secondary or post-secondary level during the 10 years preceding the filing of his or her application, successfully completed a level B1 French course, according to the Common European Framework of Reference for Languages or its equivalent, offered by a Québec educational institution in Québec, or accompanies the application with a document certifying that the foreign national has met the linguistic requirements of a professional order or with the result of a standardized French test showing a level B1 oral knowledge of French, according to the framework of reference or its equivalent; and

(d) complies with Factor 9, that deals with financial self-sufficiency, of the Selection grid for the economic class in Schedule A.

38.2. The Minister issues a selection certificate as a skilled worker to a foreign national who stayed temporarily in Québec with the main purpose of studying in Québec, if the following conditions are met:

(a) the foreign national stayed in Québec for at least half the duration of his or her program of studies and complied with the conditions of his or her stay;

(b) since the end of the program of studies, the foreign national has not undertaken other studies in Québec;

(c) the foreign national obtained from a Québec educational institution in Québec, after 13 February 2008, a secondary school vocational diploma which, alone or with an attestation of vocational specialization obtained consecutively, attests to 1,800 hours or more of continuing training, a diploma of college studies in a technical program, or a university diploma attesting to a bachelor’s degree, a master’s degree or a doctorate;

(d) the foreign national completed the program of studies in Québec in French, or the foreign national has successfully completed at least 2 years of full-time studies in French at the secondary or post-secondary level during the 10 years preceding the filing of his or her application, or the foreign national has successfully completed a level B1 French course, according to the Common European Framework of Reference for Languages or its equivalent, offered by a Québec educational institution in Québec, or the foreign national accompanies the application with a document certifying that the foreign national meets the linguistic requirements of a professional order or with the result of a standardized French test showing a level B1 oral knowledge of French, according to the framework of reference or its equivalent;

(e) the foreign national was not the holder of a scholarship with a condition to return to the foreign national’s country at the end of the studies or the foreign national complied with that condition; and

(f) the foreign national complies with Factor 9, that deals with financial self-sufficiency, of the Selection grid for the economic class in Schedule A.

38.3. Sections 31 and 32 do not apply to an application referred to in section 38.1 or 38.2.”.

9. This Regulation comes into force on 14 February 2010, except sections 4 and 6, which come into force on the date of publication of this Regulation.

9570

Gouvernement du Québec

O.C. 1291-2009, 2 December 2009

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 14 October 2009 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

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.** Schedule II to the Regulation respecting the determination of child support payments is replaced by Schedule II attached to this Regulation.
- 2.** This Regulation comes into force on 1 January 2010.

* 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 1135-2008 dated 10 December 2008 (2008, *G.O.* 2, 5505A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

SCHEDULE II

(s.3)

BASIC PARENTAL CONTRIBUTION DETERMINATION TABLE
(Effective as of 1 January 2010)

Disposable Income of Parents (\$)		Basic Annual Contribution (\$)					
		Number of Children					
		1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾
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	2 460	2 500	2 500	2 500	2 500	2 500
5 001 -	6 000	2 510	3 000	3 000	3 000	3 000	3 000
6 001 -	7 000	2 620	3 500	3 500	3 500	3 500	3 500
7 001 -	8 000	2 720	4 000	4 000	4 000	4 000	4 000
8 001 -	9 000	2 800	4 360	4 500	4 500	4 500	4 500
9 001 -	10 000	2 860	4 480	5 000	5 000	5 000	5 000
10 001 -	12 000	3 020	4 680	5 540	6 000	6 000	6 000
12 001 -	14 000	3 170	4 940	5 850	6 800	7 000	7 000
14 001 -	16 000	3 380	5 210	6 230	7 230	8 000	8 000
16 001 -	18 000	3 570	5 500	6 610	7 720	8 850	9 000
18 001 -	20 000	3 780	5 810	7 020	8 260	9 470	10 000
20 001 -	22 000	4 060	6 220	7 560	8 890	10 210	11 000
22 001 -	24 000	4 280	6 580	8 010	9 420	10 860	12 000
24 001 -	26 000	4 510	6 930	8 460	9 980	11 520	13 000
26 001 -	28 000	4 730	7 220	8 910	10 550	12 220	13 880
28 001 -	30 000	4 960	7 540	9 290	11 080	12 860	14 640
30 001 -	32 000	5 150	7 810	9 710	11 620	13 500	15 400
32 001 -	34 000	5 340	8 080	10 120	12 100	14 120	16 130
34 001 -	36 000	5 560	8 340	10 470	12 590	14 720	16 840
36 001 -	38 000	5 720	8 630	10 790	12 950	15 130	17 300
38 001 -	40 000	5 940	8 880	11 110	13 340	15 580	17 790
40 001 -	42 000	6 140	9 140	11 450	13 730	16 030	18 320
42 001 -	44 000	6 350	9 420	11 760	14 090	16 430	18 760
44 001 -	46 000	6 540	9 670	12 080	14 480	16 880	19 300
46 001 -	48 000	6 730	9 970	12 430	14 930	17 410	19 890
48 001 -	50 000	6 940	10 210	12 780	15 350	17 920	20 490
50 001 -	52 000	7 140	10 470	13 140	15 810	18 450	21 120
52 001 -	54 000	7 340	10 760	13 490	16 210	18 950	21 690
54 001 -	56 000	7 520	11 020	13 840	16 700	19 520	22 340
56 001 -	58 000	7 720	11 290	14 190	17 080	20 000	22 910
58 001 -	60 000	7 920	11 530	14 520	17 510	20 520	23 500
60 001 -	62 000	8 110	11 790	14 860	17 930	21 000	24 050
62 001 -	64 000	8 290	12 040	15 210	18 360	21 520	24 680
64 001 -	66 000	8 470	12 300	15 550	18 780	22 010	25 240
66 001 -	68 000	8 670	12 520	15 840	19 170	22 490	25 820
68 001 -	70 000	8 800	12 740	16 150	19 580	22 990	26 410

Disposable Income of Parents (\$)			Basic Annual Contribution (\$)					
			Number of Children					
			1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾
70 001 - 72 000	-	72 000	8 950	12 950	16 440	19 910	23 420	26 900
72 001 - 74 000	-	74 000	9 090	13 140	16 710	20 270	23 860	27 420
74 001 - 76 000	-	76 000	9 260	13 320	16 980	20 640	24 310	27 960
76 001 - 78 000	-	78 000	9 370	13 460	17 180	20 900	24 610	28 320
78 001 - 80 000	-	80 000	9 480	13 640	17 410	21 170	24 950	28 720
80 001 - 82 000	-	82 000	9 600	13 780	17 600	21 440	25 260	29 090
82 001 - 84 000	-	84 000	9 700	13 940	17 830	21 710	25 600	29 480
84 001 - 86 000	-	86 000	9 870	14 090	18 040	21 960	25 910	29 840
86 001 - 88 000	-	88 000	9 960	14 210	18 200	22 200	26 190	30 180
88 001 - 90 000	-	90 000	10 030	14 330	18 350	22 380	26 400	30 430
90 001 - 92 000	-	92 000	10 120	14 450	18 540	22 610	26 710	30 780
92 001 - 94 000	-	94 000	10 210	14 570	18 700	22 810	26 910	31 030
94 001 - 96 000	-	96 000	10 320	14 690	18 870	23 030	27 200	31 360
96 001 - 98 000	-	98 000	10 390	14 800	19 000	23 220	27 430	31 650
98 001 - 100 000	-	100 000	10 480	14 910	19 150	23 380	27 630	31 880
100 001 - 102 000	-	102 000	10 560	15 010	19 310	23 590	27 880	32 170
102 001 - 104 000	-	104 000	10 640	15 100	19 450	23 750	28 110	32 420
104 001 - 106 000	-	106 000	10 720	15 220	19 590	23 960	28 330	32 690
106 001 - 108 000	-	108 000	10 790	15 330	19 760	24 150	28 580	32 960
108 001 - 110 000	-	110 000	10 870	15 430	19 910	24 330	28 800	33 220
110 001 - 112 000	-	112 000	10 960	15 530	20 060	24 500	29 040	33 500
112 001 - 114 000	-	114 000	11 040	15 620	20 210	24 700	29 290	33 760
114 001 - 116 000	-	116 000	11 140	15 740	20 360	24 890	29 510	34 030
116 001 - 118 000	-	118 000	11 220	15 840	20 510	25 060	29 740	34 310
118 001 - 120 000	-	120 000	11 290	15 930	20 650	25 260	29 950	34 530
120 001 - 122 000	-	122 000	11 360	16 020	20 770	25 410	30 160	34 780
122 001 - 124 000	-	124 000	11 420	16 130	20 920	25 590	30 380	35 020
124 001 - 126 000	-	126 000	11 500	16 220	21 050	25 740	30 600	35 280
126 001 - 128 000	-	128 000	11 590	16 310	21 210	25 930	30 810	35 540
128 001 - 130 000	-	130 000	11 650	16 410	21 340	26 090	31 010	35 780
130 001 - 132 000	-	132 000	11 730	16 520	21 490	26 260	31 240	36 020
132 001 - 134 000	-	134 000	11 800	16 600	21 620	26 450	31 460	36 270
134 001 - 136 000	-	136 000	11 870	16 700	21 750	26 620	31 660	36 530
136 001 - 138 000	-	138 000	11 960	16 780	21 910	26 770	31 890	36 770
138 001 - 140 000	-	140 000	12 030	16 890	22 040	26 960	32 110	37 030
140 001 - 142 000	-	142 000	12 110	16 970	22 180	27 130	32 320	37 270
142 001 - 144 000	-	144 000	12 180	17 090	22 320	27 300	32 540	37 520
144 001 - 146 000	-	146 000	12 260	17 170	22 460	27 450	32 770	37 770
146 001 - 148 000	-	148 000	12 340	17 270	22 610	27 670	32 970	38 030
148 001 - 150 000	-	150 000	12 410	17 380	22 750	27 820	33 200	38 280
150 001 - 152 000	-	152 000	12 490	17 470	22 880	27 990	33 410	38 520
152 001 - 154 000	-	154 000	12 560	17 560	23 020	28 170	33 630	38 750
154 001 - 156 000	-	156 000	12 650	17 660	23 180	28 350	33 860	39 030
156 001 - 158 000	-	158 000	12 710	17 770	23 310	28 510	34 060	39 280
158 001 - 160 000	-	160 000	12 790	17 860	23 430	28 680	34 290	39 530

Disposable Income of Parents (\$)	Basic Annual Contribution (\$)						
	Number of Children						
	1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾	
160 001 - 162 000	12 860	17 940	23 590	28 870	34 510	39 780	
162 001 - 164 000	12 950	18 040	23 730	29 050	34 710	40 010	
164 001 - 166 000	13 010	18 160	23 880	29 210	34 940	40 280	
166 001 - 168 000	13 080	18 250	24 020	29 390	35 170	40 530	
168 001 - 170 000	13 160	18 340	24 140	29 560	35 370	40 770	
170 001 - 172 000	13 250	18 440	24 300	29 740	35 600	41 040	
172 001 - 174 000	13 330	18 540	24 440	29 910	35 800	41 270	
174 001 - 176 000	13 400	18 630	24 580	30 090	36 040	41 550	
176 001 - 178 000	13 470	18 740	24 710	30 260	36 250	41 790	
178 001 - 180 000	13 550	18 840	24 890	30 440	36 470	42 040	
180 001 - 182 000	13 640	18 930	25 010	30 600	36 700	42 300	
182 001 - 184 000	13 710	19 040	25 150	30 780	36 910	42 530	
184 001 - 186 000	13 770	19 120	25 290	30 960	37 120	42 800	
186 001 - 188 000	13 860	19 210	25 440	31 140	37 350	43 050	
188 001 - 190 000	13 930	19 310	25 580	31 300	37 570	43 310	
190 001 - 192 000	14 010	19 420	25 710	31 490	37 780	43 550	
192 001 - 194 000	14 090	19 520	25 850	31 670	38 010	43 820	
194 001 - 196 000	14 170	19 610	26 020	31 840	38 240	44 060	
196 001 - 198 000	14 230	19 720	26 160	32 010	38 430	44 320	
198 001 - 200 000	14 310	19 820	26 290	32 190	38 680	44 560	
Disposable income greater than \$200,000 ⁽²⁾	14 310	19 820	26 290	32 190	38 680	44 560	
	plus 3.5% of excess amount	plus 4.5% of excess amount	plus 6.5% of excess amount	plus 8.0% of excess amount	plus 10.0% of excess amount	plus 11.5% of excess amount	

(1) For situations involving 7 children or more, the basic parental contribution shall be established by multiplying the difference between the amounts prescribed for 5 and 6 children by the number of additional children and by adding the product thus obtained to the amount prescribed for 6 children (s.11).

(2) For the part of income exceeding \$200,000, the percentage indicated is shown for information purposes only. The court may, if it deems it appropriate, fix for that part of the disposable income an amount different from the amount that would be obtained using that percentage (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 2010 : \$10,100

Gouvernement du Québec

O.C. 1303-2009, 2 December 2009

An Act respecting parental insurance
(R.S.Q., c. A-29.011)

Tobacco Tax Act
(R.S.Q., c. I-2)

Taxation Act
(R.S.Q., c. I-3)

An Act respecting the Ministère du Revenu
(R.S.Q., c. M-31)

An Act respecting the Régie de l'assurance
maladie du Québec
(R.S.Q., c. R-5)

An Act respecting the Québec Pension Plan
(R.S.Q., c. R-9)

An Act respecting the Québec sales tax
(R.S.Q., c. T-0.1)

Fuel Tax Act
(R.S.Q., c. T-1)

Various regulations of a fiscal nature — Amendments

Regulations to amend various regulations of a fiscal nature

WHEREAS, under subparagraph 2 of the first paragraph of section 78 of the Act respecting parental insurance (R.S.Q., c. A-29.011), the Government may make regulations prescribing the measures that are required for the purposes of Chapter IV of the Act;

WHEREAS, under section 19 of the Tobacco Tax Act (R.S.Q., c. I-2), for the purpose of carrying into effect the provisions of the Act according to their true intent or of supplying any deficiency therein, the Government may make such regulations, not inconsistent with the Act, as are considered necessary;

WHEREAS, under subparagraphs *e.2* and *f* of the first paragraph of section 1086 of the Taxation Act (R.S.Q., c. I-3), the Government may make regulations to require any person included in one of the classes of persons it determines to file any return it may prescribe relating to any information necessary for the establishment of an assessment provided for in the Act and to send, where applicable, a copy of the return or of a part thereof to

any person to whom the return or part thereof relates and to whom it indicates in the regulation, and to generally prescribe the measures required for the application of the Act;

WHEREAS, under the first paragraph of section 96 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31), the Government may make regulations, in particular to prescribe the measures required to carry out the Act, to give effect to any agreement entered into under section 9 of the Act and to exempt from the duties provided for by a fiscal law, under the conditions which it prescribes, prescribed international organizations, their head officers and their employees and the members of their families;

WHEREAS, under paragraph *b* of section 35 of the Act respecting the Régie de l'assurance maladie du Québec (R.S.Q., c. R-5), the Government may make regulations to generally prescribe the measures for the carrying out of Division I of Chapter IV of the Act;

WHEREAS, under paragraph *j* of section 81 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9), the Government may make regulations enacting any measure necessary or useful to carry out Title III in particular of the Act;

WHEREAS, under the first paragraph of section 677 of the Act respecting the Québec sales tax (R.S.Q., c. T-0.1), amended by section 673 of chapter 5 and by section 535 of chapter 15 of the statutes of 2009, the Government may make regulations to prescribe the measures required for the purposes of the Act;

WHEREAS subparagraph *q* of the first paragraph of section 1 of the Fuel Tax Act (R.S.Q., c. T-1) provides that "regulation" means any regulation made by the Government under the Act;

WHEREAS it is expedient to amend the Regulation respecting the application of the Tobacco Tax Act (Order in Council 1929-86 dated 16 December 1986), the Regulation respecting the Taxation Act (R.R.Q., 1981, c. I-3, r.1), the Regulation respecting fiscal administration (R.R.Q., 1981, c. M-31, r.1), the Regulation respecting the Québec sales tax (Order in Council 1607-92 dated 4 November 1992) and the Regulation respecting the application of the Fuel Tax Act (R.R.Q., 1981, c. T-1, r.1), primarily to give effect to the fiscal measures announced by the Minister of Finance in the Budget Speech of 23 March 2006, 24 May 2007, 13 March 2008 and 19 March 2009 and in Information Bulletins published by the Ministère des Finances, in particular on 20 December 2006, 26 June 2007, 9 November 2007, 20 December 2007 and 10 January 2008, as well as to

the legislative amendments made to the Tobacco Tax Act, the Taxation Act, the Act respecting the Ministère du Revenu and the Fuel Tax Act by chapters 5 and 15 of the statutes of 2009;

WHEREAS it is expedient to amend the Regulation respecting fiscal administration to update the delegations of signing authority to reflect the changes that have occurred in certain fiscal laws and in the administrative structure of the Ministère du Revenu;

WHEREAS it is expedient to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families (Order in Council 1285-87 dated 19 August 1987) to include the International Council of Societies of Industrial Design (ICSID) and the International Council of Graphic Design Associations (ICOGRADA) as organizations eligible for fiscal exemptions under the Regulation, pursuant to Orders in Council 1157-2007 and 1158-2007 dated 19 December 2007, to remove the World Conservation Union (IUCN) as such an organization, pursuant to the agreement termination protocol between the Gouvernement du Québec and that organization which came into force on 12 September 2008, and to reflect the change made to the name of another organization;

WHEREAS it is expedient to amend the Regulation respecting the Québec sales tax to include the Director of Criminal and Penal Prosecutions as a mandatory exempted from payment of the Québec sales tax, to remove the construction industry commissioner, the Corporation d'hébergement du Québec and the enterprise registrar as such mandataries and to reflect the change made to the name of another mandatory pursuant to the Reciprocal Taxation Memorandum of Agreement (Canada-Québec);

WHEREAS it is expedient to amend the Regulation respecting parental insurance plan premiums (Order in Council 1249-2005 dated 14 December 2005), the Regulation respecting fiscal administration, the Regulation respecting contributions to the Québec Health Insurance Plan (R.R.Q., 1981, c. R-5, r.1), the Regulation respecting contributions to the Québec Pension Plan (R.R.Q., 1981, c. R-9, r.2) and the Regulation respecting the Québec sales tax to make consequential amendments to references to the Regulation respecting the Taxation Act as a result of the changes made to the divisions and the renumbering of the texts in that latter regulation;

WHEREAS it is expedient, with a view to more efficient application of the Tobacco Tax Act, the Taxation Act, the Act respecting the Ministère du Revenu, the Act

respecting the Québec sales tax and the Fuel Tax Act, to amend the Regulation respecting the application of the Tobacco Tax Act, the Regulation respecting the Taxation Act, the Regulation respecting fiscal administration and the Regulation respecting the application of the Fuel Tax Act to make technical, terminological and consequential amendments;

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 provided for in section 8 of the Act, if the authority making it is of the opinion that the fiscal nature of the norms established, amended or revoked in the regulation warrants it;

WHEREAS, under section 18 of the Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or revoked in the regulation warrants it;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established, amended or revoked by the regulations attached to this Order in Council warrants the absence of prior publication and such coming into force;

WHEREAS section 27 of the Act provides that the Act does not prevent a regulation from taking effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made expressly provides therefor;

WHEREAS, under the second paragraph of section 78 of the Act respecting parental insurance, a regulation made under Chapter IV of the Act comes into force on the date of its publication in the *Gazette officielle du Québec* and, if the regulation so provides, may have effect from a date that is later or earlier than the date of publication. In the latter case, however, the date may not be earlier than the date on which the legislative provision under which the regulation is made becomes effective;

WHEREAS, under section 20 of the Tobacco Tax Act, every regulation made under the Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein; such a regulation may also, once published and where it so provides, take effect on a date prior to its publication but not prior to the date on which the legislative provision under which it is made takes effect;

WHEREAS, under the second paragraph of section 1086 of the Taxation Act, the regulations made under the Act come into force on the date of their publication in the

Gazette officielle du Québec or on any later date fixed therein and they may also, once published and if they so provide, apply to a period prior to their publication, but not prior to the taxation year 1972;

WHEREAS, under section 97 of the Act respecting the Ministère du Revenu, every regulation made under the Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein; such a regulation may also, if it so provides, apply to a period prior to its publication;

WHEREAS, under section 36 of the Act respecting the Régie de l'assurance maladie du Québec, every regulation made under Division I of Chapter IV of the Act comes into force on the day of its publication in the *Gazette officielle du Québec* and, if it so provides, it may take effect from a date prior or subsequent to the date of its publication; in this latter case, however, the date may not be prior to the effective date of the legislative provision under which the regulation was made;

WHEREAS, under 82.1 of the Act respecting the Québec Pension Plan, every regulation made under Title III of the Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein and may, once published and where it so provides, take effect from a date prior to its publication but not prior to the date from which the legislation under which it is made takes effect;

WHEREAS, under the second paragraph of section 677 of the Act respecting the Québec sales tax, a regulation made under the Act comes into force on the date of its publication in the *Gazette officielle du Québec*, unless the regulation fixes another date which may in no case be prior to 1 July 1992;

WHEREAS, under section 56 of the Fuel Tax Act, every regulation made under the Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein and may also, once published and where it so provides, take effect on a date prior to its publication but not prior to the date on which the legislative provision under which it is made takes effect;

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

THAT the regulations attached to this Order in Council be made:

— Regulation to amend the Regulation respecting parental insurance plan premiums;

— Regulation to amend the Regulation respecting the application of the Tobacco Tax Act;

— Regulation to amend the Regulation respecting the Taxation Act;

— Regulation to amend the Regulation respecting fiscal administration;

— Regulation to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families;

— Regulation to amend the Regulation respecting contributions to the Québec Health Insurance Plan;

— Regulation to amend the Regulation respecting contributions to the Québec Pension Plan;

— Regulation to amend the Regulation respecting the Québec sales tax;

— Regulation to amend the Regulation respecting the application of the Fuel Tax Act.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting parental insurance plan premiums*

An Act respecting parental insurance (R.S.Q., c. A-29.011, s. 78, 1st par., subpar. 2 and 2nd par.)

1. (1) Section 7 of the Regulation respecting parental insurance plan premiums is amended by replacing “Title XXVII” by “Title XL”.

(2) Subsection 1 has effect from 4 March 2009.

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

* The Regulation respecting parental insurance plan premiums, made by Order in Council 1249-2005 dated 14 December 2005 (2005, G.O. 2, 5533), has not been amended since it was made.

Regulation to amend the Regulation respecting the application of the Tobacco Tax Act*

Tobacco Tax Act
(R.S.Q., c. I-2, ss. 19 and 20)

1. Section 1.4 of the Regulation respecting the application of the Tobacco Tax Act is amended by replacing paragraphs *g* and *h* by the following:

“(g) the quantity of raw tobacco transported in kilograms or the number of packages of tobacco transported by type of product;

“(h) every address and date of unloading as well as the quantity of raw tobacco in kilograms or the number of packages of tobacco by type of product unloaded at each place.”.

2. Section 1.5 of the Regulation is replaced by the following:

“**1.5.** For the purposes of section 7.10 of the Act,

(a) the register that must be kept by the storer shall indicate

i. the dates on which raw tobacco or packages of tobacco are received and shipped,

ii. the quantities of raw tobacco in kilograms or the number of packages of tobacco by type of product received and shipped,

iii. the number of the receiving and shipping documents,

iv. the name and address of the shipper and of the receiver,

v. in the case of raw tobacco,

(1) if it does not belong to the storer, the name and address of the owner and the quantities stored in kilograms,

(2) if the storer is a manufacturer, the quantities used each day, in kilograms, to manufacture tobacco, or

(3) if the storer produces raw tobacco, the date of baling or placing into containers, the number of bales or containers prepared and the total weight of the raw tobacco in kilograms, and

vi. in the case of packages of tobacco, the jurisdiction under which an identification mark is affixed;

(b) the register that must be kept by the carrier shall, for each load transported, indicate

i. the dates on which the raw tobacco or packages of tobacco were taken charge of and delivered,

ii. the name and address of the shipper and of the receiver,

iii. the quantities of raw tobacco in kilograms or the number of packages of tobacco by type of product, and

iv. the number of the delivery document; and

(c) the register that must be kept by the importer shall, for each occurrence of tobacco brought into Québec, indicate

i. the date on which the tobacco was brought into Québec,

ii. the name and address of the customs broker, where applicable,

iii. the name and address of the vendor, the number of the vendor’s invoice and the date of the sale,

iv. the quantities of raw tobacco in kilograms or the number of packages of tobacco by type of product,

v. the name and address of the carrier,

vi. the number of every document issued by, as the case may be, the Canada Border Services Agency or the Canada Revenue Agency relating to importing into Canada, where applicable, and

vii. the number of the receiving document.”.

3. The Regulation is amended by inserting the following before section 1.7:

“**1.6.1.** For the purposes of the fifth paragraph of section 17.2 of the Act, the invoice or any other document the holder of a collection officer’s permit must give the retail vendor shall indicate

* The Regulation respecting the application of the Tobacco Tax Act, made by Order in Council 1929-86 dated 16 December 1986 (1986, *G.O.* 2, 3156), was last amended by the Regulation to amend the Regulation respecting the application of the Tobacco Tax Act made by Order in Council 134-2009 dated 18 February 2009 (2009, *G.O.* 2, 213). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

- (a) a serial number;
- (b) the date on which the retail vendor acquired the cigars and the address of the place of delivery;
- (c) the name and address of the parties and the retail vendor's registration number;
- (d) the quantities, sold or delivered, of cigars by type of cigar, with a description of each type of cigar and an indication of the number of packages and cigars per package; and
- (e) for each cigar, its sale price, taxable price, the amount equal to the tax collected or to be collected and the total of the amount equal to the tax collected or to be collected by type of cigar.”

4. (1) Sections 11.1 to 11.3 of the Regulation are revoked.

(2) Subsection 1 has effect from 4 June 2009.

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

Regulation to amend the Regulation respecting the Taxation Act*

Taxation Act
(R.S.Q., c. I-3, s. 1086, 1st par., subpars. e.2 and f and 2nd par.)

1. (1) Section 41.1.1R1 of the Regulation respecting the Taxation Act is amended by replacing paragraphs *a* and *b* by the following:

“(a) 24 cents, except where paragraph *b* applies; and

(b) 21 cents if the individual referred to in that section 41.1.1 is engaged principally in selling or leasing automobiles and an automobile is made available in the year to the individual or a person related to the individual by the individual's employer or a person related to the employer.”

(2) Subsection 1 applies from the taxation year 2008.

2. Section 130R5 of the Regulation is amended by striking out the definition of “mining”.

3. Section 130R30 of the Regulation is replaced by the following:

“**130R30.** The proportion of the part of the capital cost incurred in a particular taxation year of a particular leasehold interest may not exceed the amount obtained by deducting from that part of the capital cost the aggregate of the amounts deductible and claimed in previous years in respect thereof.”

4. Section 130R36 of the Regulation is amended in the French text by replacing “encouru” par “engagé”.

5. Section 130R122 of the Regulation is amended in the French text by replacing “encouru” in the portion before paragraph *a* by “engagé”.

6. (1) Section 133.2.1R1 of the Regulation is amended by replacing paragraphs *a* and *b* by the following:

“(a) the product obtained by multiplying \$0.52 by the number of those kilometres, up to and including 5,000;

(b) the product obtained by multiplying \$0.46 by the number of those kilometres in excess of 5,000; and”.

(2) Subsection 1 applies in respect of kilometres driven after 31 December 2007.

7. Section 154R2 of the Regulation is replaced by the following:

“**154R2.** Where the quadrennial or special survey of a vessel has not, at the end of the year in which a survey is scheduled to occur, been completed to the extent that the vessel is permitted to proceed on a voyage, the taxpayer referred to in section 154R1 may deduct the amount obtained by deducting from the estimate of the expenses the amount of the expenses actually incurred in the year for the survey.”

8. Section 154R3 of the Regulation is amended in the French text by replacing “encourus” par “engagés”.

9. (1) Chapter V of Title XIX of the Regulation, comprising section 306.1R1, is revoked.

(2) Subsection 1 applies to taxation years that begin after 31 December 1995.

10. (1) Section 360R21 of the Regulation is amended by replacing “subsection 1 of section 333.2” in paragraph *a* by “the first paragraph of section 333.2”.

* The Regulation respecting the Taxation Act (R.R.Q., 1981, c. I-3, r.1) was last amended by the Regulation to amend the Regulation respecting the Taxation Act made by Order in Council 134-2009 dated 18 February 2009 (2009, *G.O.* 2, 213). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

(2) Subsection 1 has effect from 20 December 2006.

11. (1) Section 360R25 of the Regulation is amended by replacing “subsection 1 of section 333.2” in paragraph *a* by “the first paragraph of section 333.2”.

(2) Subsection 1 has effect from 20 December 2006.

12. (1) Section 360R61 of the Regulation is amended by replacing “paragraph *f* of section 418.26” in subparagraph *i* of paragraph *d* by “subparagraph *f* of the first paragraph of section 418.26”.

(2) Subsection 1 has effect from 20 December 2006.

13. (1) Chapter XI of Title XXI of the Regulation, comprising sections 470R1 to 479R1, is revoked.

(2) Subsection 1 has effect from 20 December 2006.

14. (1) Section 559R1 of the Regulation is revoked.

(2) Subsection 1 has effect from 20 December 2006.

15. (1) The Regulation is amended by inserting the following after section 559R1:

“**560R1.** The prescribed tax referred to in subparagraph *b* of the third paragraph of section 560 of the Act is the prescribed tax provided for by Part VII of the Income Tax Act (Statutes of Canada, 1970-71-72, chapter 63), as it read on 31 March 1977.”.

(2) Subsection 1 has effect from 20 December 2006.

16. (1) Section 752.0.11.1R1 of the Regulation is amended

(1) by replacing the period at the end of paragraph *z.5* by a semi-colon;

(2) by adding the following after paragraph *z.5*:

“(z.6) an altered auditory feedback device designed to be used by a person who has a speech impairment;

(z.7) an electrotherapy device designed to be used by a person who has a severe mobility impairment or a medical condition;

(z.8) a standing device designed to be used for standing therapy by a person who has a severe mobility impairment; and

(z.9) a pressure pulse therapy device designed to be used by a person who has a balance disorder.”.

(2) Subsection 1 applies from the taxation year 2008.

17. (1) Chapter XXI of Title XXXII of the Regulation, comprising section 851.20R1, is revoked.

(2) Subsection 1 has effect from 20 December 2006.

18. (1) Section 853R1 of the Regulation is revoked.

(2) Subsection 1 has effect from 20 December 2006.

19. (1) Section 895R1 of the Regulation is amended

(1) by replacing the portion before paragraph *a* by the following:

“**895R1.** For the purposes of paragraphs *f* and *f.1* of section 895 of the Act;”

(2) by replacing the period at the end of paragraph *b* by “; and”;

(3) by adding the following after paragraph *b*:

“(c) a training program means a post-secondary level program lasting not less than 3 consecutive weeks, under which a participating student must devote not less than 12 hours per month to the courses in the program.”.

(2) Subsection 1 applies from the taxation year 2007.

20. (1) Section 1015R1 of the Regulation is amended

(1) by replacing subparagraph *i* of paragraph *b* of the definition of “personal tax credits” by the following:

i. may deduct from the employee’s tax otherwise payable for the year under section 752.0.0.1 of the Act;”;

(2) by replacing “e.4” in paragraph *h* of the definition of “remuneration” by “e.5”.

(2) Paragraph 1 of subsection 1 applies from the taxation year 2008.

(3) Paragraph 2 of subsection 1 applies from the taxation year 2003.

21. Section 1015R5 of the Regulation is replaced by the following:

“**1015R5.** For the purposes of this chapter, the amount obtained by subtracting, from the payment of remuneration to an employee, the aggregate determined in respect of remuneration under section 1015R6 in respect of the employee, and deducted by an employer in respect of that remuneration, is deemed to be the amount of the remuneration paid or to be paid.”.

22. (1) Section 1025R1 of the Regulation is amended

(1) by replacing the period at the end of paragraph *d* by “; and”;

(2) by adding the following after paragraph *d*:

“(e) section 313.11 of the Act and Chapter II.1 of Title VI of Book III of Part I of the Act.”.

(2) Subsection 1 applies in respect of payments to be made on or before a day that is subsequent to 31 December 2007.

23. (1) Section 1029.8.1R3 of the Regulation is amended by replacing paragraph *c* by the following:

“(c) IDÉA Innovation PME inc.;”.

(2) Subsection 1 has effect from 4 September 2007.

24. (1) Section 1054R1 of the Regulation is amended

(1) by replacing the portion before paragraph *b* by the following:

“**1054R1.** For the purposes of subparagraph *d* of the first paragraph of section 1054 of the Act, the following documents are prescribed documents:

(a) a declaration from the legal representative specifying the part of one or more capital losses from the disposition of capital property referred to in subparagraph *a* of the first paragraph of section 1054 of the Act and the part of any deductible amount referred to in subparagraph *b* of that paragraph in respect of which that subparagraph *a* or subparagraph *b*, as the case may be, applies;”;

(2) by replacing “in paragraph *a* of that section” in paragraph *b* by “in subparagraph *a* of the first paragraph of section 1054 of the Act”;

(3) by replacing “in paragraph *b* of section 1054” in paragraph *c* by “in subparagraph *b* of the first paragraph of section 1054”.

(2) Subsection 1 has effect from 20 December 2006.

25. (1) Section 1054R2 of the Regulation is replaced by the following:

“**1054R2.** The amended fiscal return and the prescribed documents referred to in subparagraph *d* of the first paragraph of section 1054 of the Act must be filed with the Minister on or before the filing-due date that applies

to the taxpayer for the taxation year of the taxpayer’s death or, if later, the filing-due date that applies to the first taxation year of the deceased taxpayer’s succession.”.

(2) Subsection 1 has effect from 20 December 2006.

26. (1) Section 1056.4R1 of the Regulation is amended

(1) by replacing subparagraph *a* of the first paragraph by the following:

“(a) the first paragraph of section 87.4, section 92.12, the first paragraph of section 93.9, subsection 2 of section 96, any of sections 101.6, 180 to 182 and 257.2, the first paragraph of section 279, section 299, any of paragraphs *c* to *e* of section 418.23 or 418.24, any of sections 442, 444, 450, 454, 499 and 502, paragraph *f* of section 578.1 or any of sections 656.4, 659, 935.7 and 1055.1 of the Act;”;

(2) by inserting the following after subparagraph *a* of the second paragraph:

“(a.1) a reference to section 96 or 279 of the Act is a reference to that section when it applies as a consequence of the application of section 96.0.1 or 278.1, as the case may be, of the Act; or”.

(2) Subsection 1 has effect from 20 December 2006.

27. (1) Section 1086R1 of the Regulation is amended replacing “e.4” in subparagraph *c* of the second paragraph “ by “e.5”.

(2) Subsection 1 applies from the taxation year 2003.

28. (1) Section 1086R3 of the Regulation is amended by replacing the first paragraph by the following:

“**1086R3.** Every person must file an information return in prescribed form if the person pays

(a) an amount that, pursuant to section 929 of the Act, must be included in computing a taxpayer’s income for a taxation year;

(b) an amount that is an eligible amount within the meaning of the first paragraph of section 935.1 of the Act; or

(c) an amount that is an eligible amount within the meaning of the first paragraph of section 935.12 of the Act.”.

(2) Subsection 1 applies in respect of payments made after 31 December 1998. However, where section 1086R3 of the Regulation applies in respect of payments made before 1 January 2002, it is to be read without reference to subparagraph *b* of the first paragraph.

29. (1) Section 1086R78 of the Regulation is amended by replacing the portion before subparagraph *a* of the first paragraph by the following:

“**1086R78.** Every member of a partnership that, at any time in a fiscal period of the partnership, carries on a business in Québec or carries on a business outside Québec in Canada and one of the members of which is an individual resident in Québec or a corporation having an establishment in Québec, or that is a Canadian partnership or a SIFT partnership one of the members of which is such an individual or such a corporation, must file for that fiscal period an information return in prescribed form containing the following information:”.

(2) Subsection 1 has effect from 31 October 2006.

30. Section 1086R93 of the Regulation is amended in the first paragraph

(1) by replacing “présenter une déclaration” in the French text by “produire une déclaration”;

(2) by striking out “with the Minister” wherever those words appear.

31. (1) The Regulation is amended by inserting the following after section 1086R97:

“**1086R97.1.** Every informal caregiver who attributes or is deemed to attribute for a taxation year to an eligible individual in relation to a care recipient, an amount pursuant to section 1029.8.61.74 of the Act, must file an information return in prescribed form in relation to the volunteer respite services provided to the care recipient for that year by the eligible individual in relation to the care recipient.

In this section, “care recipient”, “eligible individual”, “informal caregiver” and “volunteer respite services” have the meaning assigned by the first paragraph of section 1029.8.61.71 of the Act.”.

(2) Subsection 1 applies from the taxation year 2007.

32. (1) Section 1121.7R1 of the Regulation is revoked.

(2) Subsection 1 applies to taxation years that end after 19 December 2006.

33. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

Regulation to amend the Regulation respecting fiscal administration*

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, s. 96, 1st par. and s. 97)

1. The Regulation respecting fiscal administration is amended by inserting the following after “§§1. — Direction générale de la législation et des enquêtes”:

“**7R2.1.** A public servant who holds the position of Director of Objections at Québec within the Direction générale de la législation, des enquêtes et du registraire des entreprises is authorized to sign the documents required for the purposes of the provisions mentioned in sections 7R3 to 7R4.”.

2. Section 7R3 of the Regulation is amended

(1) by replacing the portion before paragraph 1 by the following:

“**7R3.** A public servant who holds the position of Director of Objections at Montréal within the Direction générale de la législation, des enquêtes et du registraire des entreprises is authorized to sign the documents required for the purposes of”;

(2) by replacing “7R3.2” in paragraph 1 by “7R3.4”.

3. Section 7R3.2 of the Regulation is replaced by the following:

“**7R3.2.** A public servant who holds a position of head of an objection service at the Direction des oppositions de Québec within the Direction générale de la législation, des enquêtes et du registraire des entreprises is authorized to sign the documents required for the purposes of the provisions mentioned in sections 7R3.3 to 7R4.”.

4. The Regulation is amended by inserting the following after section 7R3.2:

“**7R3.3.** A public servant who holds the position of Head of the Service de l’enregistrement et du soutien opérationnel at the Direction des oppositions de Québec within the Direction générale de la législation, des enquêtes et du registraire des entreprises is authorized to sign the

* The Regulation respecting fiscal administration (R.R.Q., 1981, c. M-31, r.1) was last amended by the Regulation to amend the Regulation respecting fiscal administration made by Order in Council 134-2009 dated 18 February 2009 (2009, *G.O.* 2, 213). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

documents required for the purposes of section 39 in relation to a formal demand other than that sent to an advocate or notary and section 93.1.4 of the Act.

7R3.4. A public servant who holds a position of head of an objection service at the Direction des oppositions de Montréal within the Direction générale de la législation, des enquêtes et du registraire des entreprises is authorized to sign the documents required for the purposes of

- (1) the provisions mentioned in section 7R4; and
- (2) section 39 of the Act in relation to a formal demand other than that sent to an advocate or notary.

7R3.5. A public servant governed by the collective labour agreement for professionals who holds a position of objection officer at the Direction des oppositions de Québec within the Direction générale de la législation, des enquêtes et du registraire des entreprises is authorized to sign the documents required for the purposes of

- (1) the provisions mentioned in section 7R4; and
- (2) section 62 of the Act to facilitate the payment of support (R.S.Q., c. P-2.2)."

5. Section 7R4 of the Regulation is amended

(1) by replacing the portion before paragraph 1 by the following:

"**7R4.** A public servant governed by the collective labour agreement for professionals who holds a position of objection officer at the Direction des oppositions de Montréal within the Direction générale de la législation, des enquêtes et du registraire des entreprises is authorized to sign the documents required for the purposes of";

(2) by striking out paragraph 2.1.

6. Section 7R4.1 of the Regulation is amended by replacing "7R3" by "7R2.1".

7. (1) Section 7R5 of the Regulation is amended

(1) by replacing "Direction générale de la législation et des enquêtes" in the portion before paragraph 1 by "Direction générale de la législation, des enquêtes et du registraire des entreprises";

(2) by replacing "1016, 1029.7.6, 1029.8.34, 1029.8.36.15, 1049.2.2" in paragraph 2 by "725.1.6, 1016, 1029.7.6, 1029.8.34, 1029.8.36.15";

(3) by replacing paragraph 3 by the following:

"(3) sections 130R59 and 1015R14, paragraph 1 of Class 1 in Schedule B to the Regulation respecting the Taxation Act (R.R.Q., 1981, c. I-3, r.1), subparagraph b of the first paragraph of Class 2 in that Schedule B and Classes 24, 27 and 34 in that Schedule B.".

(2) Paragraph 1 of subsection 1 has effect from 1 April 2009.

(3) Paragraph 3 of subsection 1 has effect from 4 March 2009.

8. (1) Section 7R10 of the Regulation is amended by replacing the portion before paragraph 1 by the following:

"**7R10.** A public servant who holds a position of Director or Assistant Director, head of a division, or advocate or notary at the Direction du contentieux of the Ministère du Revenu is authorized to sign the documents required for the purposes of".

(2) Subsection 1 has effect from 1 December 2009.

9. (1) Section 7R13 of the Regulation is amended

(1) by replacing "Direction générale de la législation et des enquêtes" in the portion before paragraph 1 by "Direction générale de la législation, des enquêtes et du registraire des entreprises";

(2) by inserting "40.3, 40.4," after "39," in paragraph 2;

(3) by replacing paragraph 3 by the following:

"(3) sections 6.1.1, 6.2, 6.3, 6.4 and 6.7 of the Tobacco Tax Act (R.S.Q., c. I-2).";

(4) by striking out "40.4, 40.5," in paragraph 5.

(2) Paragraph 1 of subsection 1 has effect from 1 April 2009.

(3) Paragraphs 2 and 4 of subsection 1 have effect from 4 June 2009.

(4) Paragraph 3 of subsection 1, where it adds "6.1.1" in paragraph 3 of section 7R13 of the Regulation, has effect from 1 February 2008, and where it strikes out "13.4.3 and 13.5" in that paragraph, has effect from 4 June 2009.

10. (1) Section 7R14 of the Regulation is amended

(1) by replacing “Direction générale de la législation et des enquêtes” in the portion before paragraph 1 by “Direction générale de la législation, des enquêtes et du registraire des entreprises”;

(2) by replacing “section 58.1” in paragraph 2 by “sections 40.5, 40.7, 58.1 and 68.0.2”;

(4) by striking out “section 7.0.6,” in paragraph 4.

(2) Paragraph 1 of subsection 1 has effect from 1 April 2009.

(3) Paragraph 2 of subsection 1 has effect from 4 June 2009.

11. (1) Section 7R16 of the Regulation is replaced by the following:

“**7R16.** A public servant who holds the position of Director of mail and the shipping centre at Québec, the position of Director, mail, at Montréal, or a position of Director, records management, in the Direction principale du traitement massif, or a public servant who holds a position of head of a service in the Direction du courrier et du centre d’expédition de Québec, in the Direction du courrier de Montréal or in either of the records management directorates at the Direction principale du traitement massif within the Direction générale du traitement et des technologies is authorized to sign the documents required for the purposes of sections 42, 58.1, 71 and 86 of the Act.”.

(2) Subsection 1 has effect from 9 July 2008.

12. (1) Section 7R22 of the Regulation is amended in the first paragraph

(1) by inserting “12.0.3.1,” after “10,” in subparagraph 2;

(2) by inserting the following after subparagraph 6:

“(6.1) section 6.1.1 of the Tobacco Tax Act (R.S.Q., c. I-2);”.

(2) Paragraph 1 of subsection 1 has effect from 1 July 2009.

13. (1) Section 7R57.3 of the Regulation is amended by replacing paragraph 2 by the following:

“(2) the first paragraph of section 6.3, sections 325, 435, 444, 525 and 527.1, the second paragraph of section 647 and subparagraph *d* of the second paragraph of section 677 of the Taxation Act (R.S.Q., c. I-3).”.

(2) Subsection 1, where it adds “the first paragraph of section 6.3” in paragraph 2 of section 7R57.3 of the Regulation, has effect from 21 December 2002.

14. Section 7R57.5 of the Regulation is amended by inserting “1056.4.0.1,” after “1056.4,” in subparagraph 3 of the first paragraph.

15. (1) Section 7R57.7 of the Regulation is amended by replacing “subsection 9 of section 130R2” in paragraph 5 by “section 130R13”.

(2) Paragraph 1 has effect from 4 March 2009.

16. Section 7R57.8 of the Regulation is amended by replacing paragraph 3 by the following:

“(3) sections 435, 444, 519.1, 520, 525 and 527.1, subparagraph *d* of the second paragraph of section 677, subparagraphs *ii* and *iii* of subparagraph *f* of the first paragraph of section 832.23, subparagraphs *ii* and *iii* of subparagraph *f* of the first paragraph of section 832.24, subparagraph *ii* of subparagraph *i* of the first paragraph of section 935.12 in relation to the definition of “eligible amount”, paragraph *d* of section 935.13, paragraph *f* of subsection 2 of section 1000 and sections 1001, 1006, 1056.4, 1056.4.0.1, 1098, 1100 and 1102.1 of the Taxation Act (R.S.Q., c. I-3); and”.

17. (1) Section 7R57.9 of the Regulation is amended by replacing subparagraph 2 of the first paragraph by the following:

“(2) the first paragraph of section 6.3, paragraph *c* of section 21.4.10, subparagraph *b* and subparagraph *i* of subparagraphs *c* and *d* of the first paragraph of section 21.4.11, sections 84.1, 85 and 98, the second paragraph of section 647 and sections 776.33 and 1029.8.61.63 of the Taxation Act (R.S.Q., c. I-3).”.

(2) Subsection 1, where it adds “the first paragraph of section 6.3” in subparagraph 2 of the first paragraph of section 7R57.9 of the Regulation, has effect from 21 December 2002.

18. (1) Section 7R57.15 of the Regulation is amended

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

“(3) the first paragraph of section 6.3, sections 7.3, 325, 359.12.1, 361, 435, 444, 519.1, 520, 522, 525, 527.1 and 581, subparagraph *d* of the second paragraph of section 677, sections 725.1.6 and 771.1.4, subparagraphs *ii* and *iii* of subparagraph *f* of the first paragraph

of section 832.23, subparagraphs ii and iii of subparagraph *f* of the first paragraph of section 832.24, sections 851.48, 895, 895.0.1 and 898.1, paragraph *a* of section 905.0.5, sections 905.0.7 and 905.0.19, subparagraph *b* of the first paragraph of section 905.0.21, sections 965.5, 965.11.9, 965.11.13 and 965.11.19.3, paragraph *f* of subsection 2 of section 1000 and sections 1001, 1006, 1029.7.6, 1029.7.9, 1056.4, 1056.4.0.1, 1082.13, 1098, 1100 and 1102.1 of the Taxation Act (R.S.Q., c. I-3);”;

(2) by replacing “subsection 9 of section 130R2” in subparagraph 4 of the first paragraph by “section 130R13”;

(3) by striking out “and section 7.0.6 and the second paragraph of section 678 of the Taxation Act” in the second paragraph.

(2) Paragraph 1 of subsection 1, where it adds “the first paragraph of section 6.3” in subparagraph 3 of the first paragraph of section 7R57.15 of the Regulation, has effect from 21 December 2002.

(3) Paragraph 2 of subsection 1 has effect from 4 March 2009.

19. (1) Section 7R57.16 of the Regulation is amended

(1) by replacing “sections 7.0.6, 42.15, 84.1, 85, 85.6, 98, 195 and 216, the second paragraph of section 647, the second paragraph of section 678” in subparagraph 3 of the first paragraph by “the first paragraph of section 6.3, paragraph *c* of section 21.4.10, paragraph *b* and subparagraph *i* of subparagraphs *c* and *d* of the first paragraph of section 21.4.11, sections 42.15, 84.1, 85 and 98, the second paragraph of section 647”;

(2) by striking out “and section 7.0.6 and the second paragraph of section 678 of the Taxation Act” in the second paragraph.

(2) Paragraph 1 of subsection 1, where it adds “the first paragraph of section 6.3” in subparagraph 3 of the first paragraph of section 7R57.16 of the Regulation, has effect from 21 December 2002.

20. (1) Section 7R57.19 of the Regulation is amended

(1) by replacing subparagraph 5 of the first paragraph by the following:

“(5) the first paragraph of section 6.3, sections 7.3, 42.15, 325, 359.10, 359.12.1, 361, 435, 444, 519.1, 520, 522, 525, 527.1 and 581, subparagraph *d* of the second paragraph of section 677, section 725.1.6, subparagraphs ii and iii of subparagraph *f* of the first paragraph

of section 832.23, subparagraphs ii and iii of subparagraph *f* of the first paragraph of section 832.24, sections 895, 895.0.1 and 898.1, paragraph *a* of section 905.0.5, sections 905.0.7 and 905.0.19, subparagraph *b* of the first paragraph of section 905.0.21, subparagraph ii of subparagraph *i* of the first paragraph of section 935.12 in relation to the definition of “eligible amount”, paragraph *d* of section 935.13, sections 965.5, 965.11.9, 965.11.13 and 965.11.19.3, paragraph *f* of subsection 2 of section 1000 and sections 1001, 1006, 1029.7.6, 1029.7.9, 1056.4, 1056.4.0.1, 1098, 1100 and 1102.1 of the Taxation Act (R.S.Q., c. I-3);”;

(2) by replacing “subsection 9 of section 130R2” in subparagraph 6 of the first paragraph by “section 130R13”;

(3) by striking out “and section 7.0.6, the second paragraph of section 678 and” in the second paragraph.

(2) Paragraph 1 of subsection 1, where it adds “the first paragraph of section 6.3” in subparagraph 5 of the first paragraph of section 7R57.19 of the Regulation, has effect from 21 December 2002.

(3) Paragraph 2 of subsection 1 has effect from 4 March 2009.

21. (1) Section 7R57.20 of the Regulation is amended by replacing “sections 7.0.6, 84.1, 85, 85.6, 98, 195 and 216, the second paragraph of section 647, the second paragraph of section 678” in subparagraph 3 of the first paragraph by “the first paragraph of section 6.3, paragraph *c* of section 21.4.10, paragraph *b* and subparagraph *i* of subparagraphs *c* and *d* of the first paragraph of section 21.4.11, sections 84.1, 85 and 98, the second paragraph of section 647”.

(2) Subsection 1, where it adds “the first paragraph of section 6.3” in subparagraph 3 of the first paragraph of section 7R57.20 of the Regulation, has effect from 21 December 2002.

22. Section 7R78.1 of the Regulation is amended

(1) by replacing “of section 7R78.3, section” in paragraph 1 by “of sections 7R78.2.1 and 7R78.3, sections 7R78.3.1 and”;

(2) by replacing paragraph 4 by the following:

“(4) section 358.0.2, the second paragraph of section 647, subparagraph ii of paragraph *a* of section 752.0.18.10 and sections 851.48 and 905.0.7 of the Taxation Act (R.S.Q., c. I-3).”.

23. Section 7R78.2 of the Regulation is amended by replacing “section 7R78.3 and in section” in subparagraph 1 of the first paragraph by “sections 7R78.2.1 and 7R78.3 and in sections 7R78.3.1 and”.

24. The Regulation is amended by inserting the following after section 7R78.2:

“**7R78.2.1.** A public servant who holds a position of head of the tax rebate application service in the Direction de la cotisation des mandataires at the Direction principale de la cotisation des entreprises within the Direction générale des entreprises is authorized to sign the documents required for the purposes of the provisions mentioned in the first paragraph of section 7R78.3 and in sections 7R78.3.1 and 7R78.4.

A facsimile of the signature of a public servant holding a position mentioned in the first paragraph may be affixed to the documents required for the purposes of the first paragraph of section 39 of the Act and sections 416.1, 417, 417.1, 417.2 and 418 of the Act respecting the Québec sales tax (R.S.Q., c. T-0.1).”.

25. Section 7R78.3 of the Regulation is amended in the first paragraph

(1) by replacing “A public servant” in the portion before subparagraph 1 by “Subject to section 7R78.2.1, a public servant”;

(2) by replacing subparagraph 7 by the following:

“(7) sections 75.1, subparagraph *c* of paragraph 1 of section 75.9, sections 202, 317.1, 317.2, 339, 340, 341, 343, 344, 345, 350.15, 350.16, 411.1, 415, 416, 416.1, 417, 417.1, 417.2 and 418, paragraph 1 of section 433.9, subparagraph 3 of the second paragraph of section 434 and sections 458.1.2, 458.6, 473.3, 473.7, 475, 476, 477, 494, 495, 498, 505, 528, 532, 538, 539 and 541.31 of the Act respecting the Québec sales tax (R.S.Q., c. T-0.1).”;

(3) by inserting “R345.200, R345.300,” after “R345.100,” in subparagraph 10.

26. The Regulation is amended by inserting the following after section 7R78.3:

“**7R78.3.1.** A public servant governed by the collective labour agreement for professionals who holds a position of financial management officer (expert level) or a public servant governed by the collective labour agreement for public servants who holds a position of tax audit officer (main class) in one of the tax rebate application services in the Direction de la cotisation des

mandataires at the Direction principale de la cotisation des entreprises within the Direction générale des entreprises is authorized to sign the documents required for the purposes of

(1) the provisions mentioned in section 7R78.4; and

(2) paragraph 2 of section 370.12 of the Act respecting the Québec sales tax (R.S.Q., c. T-0.1).”.

27. Section 7R78.4 of the Regulation is amended by replacing “A public servant” by “Subject to section 7R78.3.1, a public servant”.

28. (1) Section 7R78.6 of the Regulation is amended in the first paragraph

(1) by inserting “paragraph *c* of section 359.8.1 and” before “sections 359.12.1” in subparagraph 2;

(2) by replacing “subsection 9 of section 130R2” in subparagraph 3 by “section 130R13”.

(2) Paragraph 2 of subsection 1 has effect from 4 March 2009.

29. Section 7R78.8 of the Regulation is amended by replacing subparagraph 5 of the first paragraph by the following:

“(5) paragraph *c* of section 21.4.10, subparagraph *b* and subparagraph *i* of subparagraphs *c* and *d* of the first paragraph of section 21.4.11, sections 21.22, 21.24 and 725.1.6, subparagraphs *ii* and *iii* of subparagraph *f* of the first paragraph of section 832.24, sections 895, 895.0.1, 898.1 and 905.0.19, subparagraph *ii* of subparagraph *i* of the first paragraph of section 935.12 in relation to the definition of “eligible amount”, paragraph *d* of section 935.13, sections 965.5, 965.11.9, 965.11.13, 965.11.19.3, 1006, 1029.7.6, 1029.7.9, 1056.4, 1056.4.0.1, 1098, 1100 and 1102.1 and subsection 1 of section 1168 of the Taxation Act (R.S.Q., c. I-3).”.

30. Section 7R78.9 of the Regulation is amended by replacing subparagraph 2 of the first paragraph by the following:

“(2) section 7.0.6, paragraph *c* of section 21.4.10, subparagraph *b* and subparagraph *i* of subparagraphs *c* and *d* of the first paragraph of section 21.4.11, sections 84.1, 85, 98, 165.4, 519.1, 520, 520.1 and 522, the fourth paragraph of section 736, section 771.1.4, paragraph *f* of subsection 2 of section 1000 and sections 1001 and 1141.7 of the Taxation Act (R.S.Q., c. I-3).”.

31. (1) Section 7R78.10 of the Regulation is amended

(1) by adding the following after subparagraph 2 of the first paragraph:

“(3) section 358.0.2, subparagraph ii of paragraph *a* of section 752.0.18.10 and sections 851.48 and 905.0.7 of the Taxation Act (R.S.Q., c. I-3).”;

(2) by replacing “(R.S.Q., c. I-3) and sections 891R1,” in the second paragraph by “and sections”.

(2) Paragraph 2 of subsection 1, where it strikes out “891R1” in the second paragraph of section 7R78.10 of the Regulation, has effect from 12 October 2004.

32. (1) Section 7R78.11 of the Regulation is amended in the first paragraph

(1) by replacing subparagraph 6 by the following:

“(6) section 7.0.6, paragraph *c* of section 21.4.10, subparagraph *b* and subparagraph *i* of subparagraphs *c* and *d* of the first paragraph of section 21.4.11, sections 85, 98, 361 and 525, the second paragraph of section 647, subparagraphs ii and iii of subparagraph *f* of the first paragraph of section 832.24, sections 895, 895.0.1, 898.1 and 905.0.19, subparagraph ii of subparagraph *i* of the first paragraph of section 935.12 in relation to the definition of “eligible amount”, paragraph *d* of section 935.13, paragraph *f* of subsection 2 of section 1000, sections 1001, 1006, 1082.13, 1098, 1100 and 1102.1 and subsection 1 of section 1168 of the Taxation Act (R.S.Q., c. I-3);”;

(2) by replacing “subsection 9 of section 130R2” in subparagraph 7 by “section 130R13”.

(2) Paragraph 2 of subsection 1 has effect from 4 March 2009.

33. Section 7R78.13 of the Regulation is amended by replacing “7R78.14 and” in subparagraph 1 of the first paragraph by “7R78.14 to”.**34.** (1) Section 7R78.14 of the Regulation is amended

(1) by replacing “of section” in subparagraph 1 of the first paragraph by “of sections 7R78.14.1 and”;

(2) by replacing subparagraph 8 of the first paragraph by the following:

“(8) sections 21.22 and 21.24, paragraph *c* of section 359.8.1, sections 359.12.1, 361, 443, 500, 519.1, 520, 525, 527.1, 581, 725.1.6 and 726.6.2, subparagraphs ii and iii of subparagraph *f* of the first paragraph

of section 832.23, subparagraphs ii and iii of subparagraph *f* of the first paragraph of section 832.24, sections 895, 895.0.1 and 898.1, paragraph *a* of section 905.0.5, subparagraph *b* of the first paragraph of section 905.0.21, subparagraph ii of subparagraph *i* of the first paragraph of section 935.12 in relation to the definition of “eligible amount”, paragraph *d* of section 935.13, sections 965.5, 965.11.9, 965.11.13, 965.11.19.3 and 985.15, paragraph *f* of subsection 2 of section 1000, sections 1001, 1006, 1029.7.6, 1029.7.9, 1056.4, 1056.4.0.1, 1082.13, 1098, 1100 and 1102.1 and subsection 1 of section 1168 of the Taxation Act (R.S.Q., c. I-3);”;

(3) by replacing “subsection 9 of section 130R2 and sections 891R1” in subparagraph 9 of the first paragraph by “sections 130R13”;

(4) by replacing “, 75.1,” in subparagraph 13 of the first paragraph by “and 75.1, subparagraph *c* of paragraph 1 of section 75.9, sections” and by replacing “, 541.31 and 541.43” in that subparagraph by “and 541.31”;

(5) by inserting “R345.200, R345.300,” after “R345.100,” in subparagraph 16 of the first paragraph;

(6) by replacing “416, 416.1, 417, 417.1 and 418” in the second paragraph by “350.23.9, 350.23.10, 416, 416.1, 417, 417.1, 418, 427.5 and 427.6”.

(2) Paragraph 2 of subsection 1, where it adds “895” in subparagraph 8 of the first paragraph of section 7R78.14 of the Regulation, has effect from 1 May 2004.

(3) Paragraph 3 of subsection 1, where it replaces “subsection 9 of section 130R2” by “130R13” in subparagraph 9 of the first paragraph of section 7R78.14 of the Regulation, has effect from 4 March 2009, and where it strikes out “891R1” in that subparagraph, has effect from 1 May 2004.

35. The Regulation is amended by inserting the following after section 7R78.14:

“**7R78.14.1.** A public servant governed by the collective labour agreement for professionals who holds a position of financial management officer (expert level) or a public servant governed by the collective labour agreement for public servants who holds a position of tax audit officer (main class) in one of the regional business audit directorates within the Direction générale des entreprises is authorized to sign the documents required for the purposes of

(1) the provisions mentioned in the first paragraph of section 7R78.15; and

(2) paragraph 2 of section 370.12 of the Act respecting the Québec sales tax (R.S.Q., c. T-0.1).

A facsimile of the signature of a public servant holding one of the positions mentioned in the first paragraph may be affixed to the documents required for the purposes of sections 7.0.6 and 1016 of the Taxation Act (R.S.Q., c. I-3).”.

36. Section 7R78.15 of the Regulation is amended

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

“(3) section 7.0.6, paragraph *c* of section 21.4.10, subparagraph *b* and subparagraph *i* of subparagraphs *c* and *d* of the first paragraph of section 21.4.11, sections 42.15, 84.1, 85, 98 and 165.4, the second paragraph of section 647 and sections 1016 and 1141.7 of the Taxation Act (R.S.Q., c. I-3); and”;

(2) by inserting “and sections 350.23.9, 350.23.10, 427.5 and 427.6 of the Act respecting the Québec sales tax” after “Act” in the second paragraph.

37. Section 7R78.17 of the Regulation is replaced by the following:

“**7R78.17.** A public servant who holds the position of Senior Director of business client services within the Direction générale des entreprises is authorized to sign the documents required for the purposes of

(1) the provisions mentioned in the first paragraph of sections 7R78.18 to 7R78.20; and

(2) section 358.0.2, subparagraph *ii* of paragraph *a* of section 752.0.18.10 and sections 851.48 and 905.0.7 of the Taxation Act (R.S.Q., c. I-3).

A facsimile of the signature of the public servant mentioned in the first paragraph may be affixed to the documents required for the purposes of section 1016 of the Taxation Act.”.

38. (1) Section 7R78.19 of the Regulation is amended

(1) by replacing subparagraph 6 of the first paragraph by the following:

“(6) section 1 in relation to the definition of “recognized arts organization”, sections 21.22, 21.24 and 21.42, paragraph *c* of section 359.8.1, sections 359.10, 359.12.1, 361, 443, 500, 519.1, 520, 522, 525, 527.1, 581, 725.1.6 and 726.6.2, the fourth paragraph of section 736, paragraphs *f* and *g* of section 752.0.18.3, subparagraphs *ii*

and *iii* of subparagraph *f* of the first paragraph of section 832.24, sections 895, 895.0.1 and 898.1, paragraph *a* of section 905.0.5, subparagraph *b* of the first paragraph of section 905.0.21, subparagraph *ii* of subparagraph *i* of the first paragraph of section 935.12 in relation to the definition of “eligible amount”, paragraph *d* of section 935.13, sections 965.5, 965.11.9, 965.11.13, 965.11.19.3, 985.5, 985.6, 985.7, 985.8, 985.8.1, 985.8.5, 985.9.4, 985.15, 985.29, 985.31, 985.33, 985.34, 985.35.2, 985.35.4, 985.35.6, 985.35.12, 985.35.14 and 985.35.16, section 985.36 in relation to the definition of “recognized political education organization”, paragraph *f* of subsection 2 of section 1000, sections 1001, 1006, 1029.7.6, 1029.7.9, 1056.4, 1056.4.0.1, 1079.3, 1098, 1100 and 1102.1 and subsection 1 of section 1168 of the Taxation Act (R.S.Q., c. I-3);”;

(2) by replacing “subsection 9 of section 130R2 and sections 891R1” in subparagraph 7 of the first paragraph by “sections 130R13”;

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

“(9) section 75.1, subparagraph *c* of paragraph 1 of section 75.9, sections 202, 297.1.3, 297.1.4, 297.1.6, 297.1.7, 317.1, 339, 340, 341, 341.0.1, 343, 344, 345, 350.15, 416, 416.1, 417, 417.1, 417.2 and 418, paragraph 1 of section 433.9, subparagraph 3 of the second paragraph of section 434 and sections 458.1.2, 458.6, 473.3, 473.7, 475, 476, 477, 494, 495, 498, 505, 526.1, 526.2, 528, 532, 538, 539 and 541.31 of the Act respecting the Québec sales tax (R.S.Q., c. T-0.1);”;

(4) by inserting “R345.200, R345.300,” after “R345.100,” in subparagraph 12 of the first paragraph;

(5) by replacing the second paragraph by the following:

“A facsimile of the signature of a public servant holding a position mentioned in the first paragraph may be affixed to the documents required for the purposes of the first paragraph of section 39 of the Act in relation to a formal demand other than that sent to an advocate or notary, article 66 of the Code of Penal Procedure, sections 7.0.6 and 1016 of the Taxation Act, sections 985.9.2R2 and 985.9.2R3 of the Regulation respecting the Taxation Act and sections 350.23.9, 350.23.10, 416, 416.1, 417, 417.1, 417.2, 418, 427.5 and 427.6 of the Act respecting the Québec sales tax.”.

(2) Paragraph 1 of subsection 1, where it adds “895” in subparagraph 6 of the first paragraph of section 7R78.19 of the Regulation, has effect from 1 May 2004.

(3) Paragraph 2 of subsection 1, where it replaces “subsection 9 of section 130R2” by “130R13” in subparagraph 7 of the first paragraph of section 7R78.19 of the Regulation, has effect from 4 March 2009, and where it strikes out “891R1” in that subparagraph, has effect from 1 May 2004.

(4) Paragraph 5 of subsection 1, where it strikes out “891R1” in the second paragraph of section 7R78.19, has effect from 1 May 2004.

39. Section 7R78.20 of the Regulation is amended

(1) by replacing subparagraph 2 of the first paragraph by the following:

“(2) section 7.06, paragraph *c* of section 21.4.10, subparagraph *b* and subparagraph *i* of subparagraphs *c* and *d* of the first paragraph of section 21.4.11, sections 42.15, 84.1, 85, 98 and 165.4, the second paragraph of section 647 and sections 1016 and 1141.7 of the Taxation Act (R.S.Q., c. I-3); and”;

(2) by replacing “and sections 7.0.6 and 1016 of the Taxation Act” in the second paragraph by “, sections 7.0.6 and 1016 of the Taxation Act and sections 350.23.9, 350.23.10, 427.5 and 427.6 of the Act respecting the Québec sales tax”.

40. (1) The Regulation is amended by inserting the following after “§5.2. — Direction de la lutte contre les planifications fiscales abusives”:

“**7R78.20.1.** A public servant who holds the position of Senior Director, abusive tax planning control, within the Ministère du Revenu, is authorized to sign the documents required for the purposes of the provisions mentioned in sections 7R78.21 to 7R78.23.”.

(2) Subsection 1 has effect from 4 March 2009.

41. (1) The heading “Direction de la lutte contre les planifications fiscales abusives” of subdivision 5.2 of subdivision 1 of Division II of the Regulation is amended by inserting “principale” after “Direction”.

(2) Subsection 1 has effect from 4 March 2009.

42. (1) Section 7R78.21 of the Regulation is amended by inserting “at the Direction principale de la lutte contre les planifications fiscales abusives” after “control,” in the portion before paragraph 1.

(2) Subsection 1 has effect from 4 March 2009.

43. (1) Section 7R78.22 of the Regulation is amended by inserting “in the Direction principale de la lutte contre les planifications fiscales abusives” after “abusives” in the portion before paragraph 1.

(2) Subsection 1 has effect from 4 March 2009.

44. (1) Section 7R78.23 of the Regulation is amended by inserting “in the Direction principale de la lutte contre les planifications fiscales abusives” after “abusives”.

(2) Subsection 1 has effect from 4 March 2009.

45. The Regulation is amended by inserting the following after section 7R78.23:

“§5.3. *Régie des rentes du Québec*

7R78.24. A public servant of the Régie des rentes du Québec who holds the position of Director of legal affairs, Director of assessment, statistics and review or Director of family assistance programs is authorized to sign the documents required for the purposes of section 1029.8.61.56 of the Taxation Act (R.S.Q., c. I-3).”.

46. Section 7R79.2.1 of the Regulation is revoked.

47. Section 7R79.3 of the Regulation is amended by striking out paragraph 2.

48. Section 7R79.6 of the Regulation is amended by striking out paragraph 2.

49. Section 7R79.7 of the Regulation is amended by striking out paragraph 2.

50. Section 7R79.8 of the Regulation is amended by striking out paragraph 2.

51. Section 7R79.9 of the Regulation is amended by striking out paragraph 2.

52. Section 7R79.10 of the Regulation is amended by striking out paragraph 2.

53. Section 7R79.11 of the Regulation is amended by striking out paragraph 2.

54. Section 7R79.12 of the Regulation is amended by striking out paragraph 2.

55. Section 7R79.13 of the Regulation is amended by striking out paragraph 1.

56. Section 7R79.14 of the Regulation is amended by striking out paragraph 2.

57. (1) Subdivision 1.1.1.1.3 of subdivision 1.1.1.1 of subdivision 1.1.1 of Division II of the Regulation is revoked.

(2) Subsection 1 has effect from 8 September 2008.

58. (1) The Regulation is amended by inserting the following after section 7R79.14.4:

“**§§§1.1.1.2.** *Direction des services administratifs et techniques*

7R79.14.5. A public servant who holds the position of Director, administrative and technical services, or the position of Head of the Service du soutien aux opérations des biens non réclamés at the Direction des services administratifs et techniques within the Direction générale du centre de perception fiscale et des biens non réclamés is authorized to sign any document in connection with

(1) the obtaining of documents in order to take jurisdiction;

(2) the notice of quality referred to in article 699 of the Civil Code or in section 32 of the Public Curator Act (R.S.Q., c. C-81);

(3) the discharge of any sum relating to a debt, release of security or approval of any claim against unclaimed property and their payment if the patrimony so allows;

(4) the discharge of any sum relating to a succession;

(5) a settlement and a partition or a transaction referred to in section 36 of the Public Curator Act, up to a value not in excess of \$100,000;

(6) the approval of a claim against unclaimed property, up to \$100,000;

(7) the sale, expropriation, creation of a servitude or hypothec or any other alienation concerning an immovable;

(8) the renewal of a debt secured by a hypothec;

(9) the correction or ratification of the title to an immovable;

(10) the sale of any movable property at auction, by agreement or through a third person, the disposition of such property by other means in accordance with the procedures in force and the moving and storage of such property;

(11) the valuation and safekeeping of unclaimed financial products;

(12) authorization to transfer a retirement savings plan to a registered retirement savings fund;

(13) authorization to convert an annuity contract or a pension plan into a locked-in retirement account or to convert that account into a life income fund;

(14) the opening, transfer or closing of an account with a broker or another third person;

(15) the management, conversion or transfer of personal or joint portfolios from one broker to another;

(16) the security deed in relation to securities, for the purpose of obtaining a duplicate of a lost or destroyed certificate;

(17) transactions relating to the management or liquidation of securities in registered form;

(18) the sitting on a board of directors of a legal person and the administration or dissolution of a legal person, including the signing of legal notices and any document relating to the rights attached to securities administered by the Minister of Revenue;

(19) fiscal laws;

(20) the redirection of mail or the termination of service by the postmaster;

(21) the rendering of accounts and the handing over of property to persons entitled to it on termination of the administration of the Minister of Revenue; and

(22) management of an advance of funds or a credit margin, up to \$10,000 per file.

7R79.14.6. A public servant governed by the collective labour agreement for professionals who holds a position of financial management officer, socioeconomic research and planning officer, computer and administrative processes analyst or administrative attaché in the Service du soutien aux opérations des biens non réclamés at the Direction des services administratifs et techniques within the Direction générale du centre de perception fiscale et des biens non réclamés is authorized to sign any document in connection with

(1) the obtaining of documents in order to take jurisdiction;

(2) the notice of quality referred to in section 32 of the Public Curator Act (R.S.Q., c. C-81);

(3) the valuation and safekeeping of unclaimed property;

(4) the sale of any movable property at auction;

(5) the abandonment or destruction of any movable property in accordance with the procedures in force;

(6) the redirection of mail or the termination of service by the postmaster; and

(7) the rendering of accounts and the handing over of property of a value not in excess of \$5,000 to persons entitled to it on termination of the administration of the Minister of Revenue.

7R79.14.7. A public servant governed by the collective labour agreement for public servants who holds a position of administration technician in the Service du soutien aux opérations des biens non réclamés at the Direction des services administratifs et techniques within the Direction générale du centre de perception fiscale et des biens non réclamés is authorized to sign any document in connection with

(1) the obtaining of documents in order to take jurisdiction;

(2) the valuation and safekeeping of unclaimed property;

(3) the sale of any security in registered form, up to a value not in excess of \$2,000, and the opening, transfer or closing of an account with a broker;

(4) the sale of any movable property at auction;

(5) the redirection of mail or the termination of service by the postmaster; and

(6) the rendering of accounts and the handing over of property of a value not in excess of \$2,000 to persons entitled to it on termination of the administration of the Minister of Revenue.

7R79.14.8. A public servant governed by the collective labour agreement for public servants who holds a position of office clerk or information officer in the Service du soutien aux opérations des biens non réclamés at the Direction des services administratifs et techniques within the Direction générale du centre de perception fiscale et des biens non réclamés is authorized to sign any document in connection with

(1) the obtaining of documents in order to take jurisdiction;

(2) the valuation and safekeeping of unclaimed property; and

(3) the redirection of mail or the termination of service by the postmaster.”

(2) Subsection 1 has effect from 8 September 2008.

59. Section 7R80.1 of the Regulation is amended by replacing “who holds the position of Director of the Direction des communications of” by “of the Ministère du Conseil exécutif who holds the position of Director, public relations and communications, at”.

60. The Regulation is amended by inserting the following after section 7R84:

“**7R84.1.** A public servant of the Ministère du Conseil exécutif who holds the position of Director, public relations and communications, at the Ministère du Revenu is authorized to sign any purchase, typesetting and printing, leasing or services contract the amount of which does not exceed \$50,000.”

61. Section 7R85 of the Regulation is amended by replacing “A public servant” by “Subject to section 7R84.1, a public servant”.

62. (1) Section 7R87 of the Regulation is amended by replacing “Direction de la conception” by “Direction”.

(2) Subsection 1 has effect from 17 April 2009.

63. (1) Section 9.0.6R8 of the Regulation is replaced by the following:

“**9.0.6R8.** The Minister may cancel or refuse to renew the license and decals, in accordance with section R345.100 or R345.300 of the Agreement.”

(2) Subsection 1 has effect from 1 January 2008.

64. (1) The Regulation is amended by inserting the following after section 9.0.6R8:

“**9.0.6R8.1.** The Minister may renew the license and decals, in accordance with section R345.200 of the Agreement.”

(2) Subsection 1 has effect from 1 July 1998.

65. (1) The Regulation is amended by inserting the following after section 10R5:

**“DIVISION II.1.1
FEES**

12.0.3.1R1. The fees required to be paid by a person pursuant to section 12.0.3.1 of the Act are as follows:

(1) \$93, if a public servant of the Direction générale du centre de perception fiscale et des biens non réclamés of the Ministère du Revenu makes, in respect of the person, a first intervention referred to in that section;

(2) \$75, if the Minister applies for the registration of a legal movable hypothec for an amount owed by the person under a fiscal law, and \$185 in the case of an application for the registration of a legal immovable hypothec;

(3) \$20, if the Minister applies for the cancellation of the registration of a legal movable hypothec, and \$130 in the case of an application for the cancellation of the registration of a legal immovable hypothec.

12.0.3.1R2. The fees set in paragraphs 1 to 3 of section 12.0.3.1R1 are adjusted on 1 April of each year based on the percentage change in the general Consumer Price Index for Canada for the period ending on 31 December of the preceding year, as determined by Statistics Canada under the Statistics Act (R.S.C., 1985, c. S-19).

Once adjusted, the amounts are reduced to the nearest dollar if they contain a fraction of a dollar less than \$0.50; they are increased to the nearest dollar if they contain a fraction of a dollar equal to or greater than \$0.50.

The fee adjustment has effect from 1 April.

The Minister of Revenue informs the public of the annual adjustment through the *Gazette officielle du Québec* or by such other means as the Minister considers appropriate.”.

(2) Subsection 1 has effect from 1 July 2009.

66. (1) The Regulation is amended by inserting the following after section 40.1.1R1:

**“DIVISION V.0.2
COSTS OF SEIZURE AND PRESERVATION**

40.3R1. For the purposes of the second paragraph of section 40.3 of the Act,

(a) the costs of seizure correspond to the actual cost for removing and towing or transporting the vehicle seized to the storage location;

(b) the costs of preservation are set, as applicable,

i. at \$6 per day for storage of the vehicle seized, if the vehicle is in the custody of a person designated for that purpose by the Minister and with whom the Minister has entered into a seized vehicle storage or custody agreement, except if the vehicle seized occupies an area greater than 16.5 square metres, in which case that amount is increased by \$0.50 per square metre or part thereof occupied that exceeds that 16.5 square metre area,

ii. at the actual cost of storing the vehicle seized, where custody of the vehicle seized cannot be immediately entrusted to a person referred to in subparagraph i and the vehicle is temporarily in the custody of a person designated for that purpose by the Minister,

iii. at the actual cost for the services relating to the custody and surveillance of the vehicle seized; and

(c) the payment of a deposit to the Minister may be made by postal money order, a certified cheque to the order of the Minister, drawn on a financial institution, or any other instrument of payment providing the same guarantees to the Minister, as well as by a transfer of funds to an account held by the Minister in a financial institution.

40.3R2. For the purposes of sections 40.3 and 40.4 of the Act, a public servant who holds the position of Senior Director, investigations, or a position of director at the Direction principale des enquêtes within the Direction générale de la législation, des enquêtes et du registraire des entreprises at the Ministère du Revenu is authorized to keep the deposits paid under those sections. Those deposits are paid into a trust account opened in a financial institution for that purpose by that person.

40.10R1. For the purposes of the second paragraph of section 40.10 and the first paragraph of section 68.0.2 of the Act,

(a) the costs of seizure correspond

i. in the case of a vehicle, to the costs referred to in paragraph a of section 40.3R1,

ii. in the case of movable property other than a vehicle, to the actual cost for removing the property and transporting it to the storage location,

iii. where applicable, to the actual cost for the opening of doors, and

iv. where applicable, to the disbursements, costs and fees of the bailiff who inventoried the property seized; and

(b) the costs of preservation correspond

i. in the case of a vehicle, to the costs set in paragraph *b* of section 40.3R1,

ii. in the case of fuel, to the actual cost for its storage in a tank or a cistern and for any pumping operation relating to the storage,

iii. in the case of movable property, other than a vehicle, or fuel in the custody of a person designated for that purpose by the Minister and with whom the Minister has entered into a seized property storage or custody agreement, to \$1 per day for each square metre or part thereof occupied, except if the property seized must be stored in a specialized establishment on account of the nature of the property, in which case the costs of preservation correspond to the actual cost,

iv. in the case of movable property, other than a vehicle, or fuel in the custody of a person designated for that purpose by the Minister other than a person referred to in subparagraph iii, to the actual cost,

v. in the case of a placing under lock and key of the seized property or the affixing of seals, to the actual cost relating to the use of the equipment necessary for that purpose or, where applicable, to the disbursements, costs and fees of the bailiff who placed the property under lock and key or who affixed the seals, and

vi. in the case of a custodial or surveillance service in connection with the property seized, to the actual cost.”.

(2) Subsection 1 has effect from 4 June 2009.

67. Section 96R9 of the Regulation is amended by adding “, as it read before being revoked” at the end of the definition of “reserve”.

68. (1) The Regulation is amended by replacing “Direction générale de la législation et des enquêtes” by “Direction générale de la législation, des enquêtes et du registraire des entreprises” in the following provisions:

– the heading of subdivision 1 of subdivision 1 of Division II;

– the portion of each of sections 7R6 and 7R7 before paragraph 1;

– section 7R8;

– the portion of section 7R12 before paragraph 1;

– sections 7R13.1, 7R15, 7R15.2, 7R89, 8R1, 8R2, 40.1.1R1 and 69.0.0.12R1.

(2) Subsection 1 has effect from 1 April 2009.

69. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

Regulation to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families*

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, s. 96, 1st par., subpar. *b* and s. 97)

1. (1) Section 8.2 of the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families is amended in the second paragraph

(1) by replacing the period at the end of paragraph 3 by a semi-colon;

(2) by adding the following after paragraph 3:

“(4) the individual is an employee of the International Council of Societies of Industrial Design (ICSID) and meets the conditions referred to in subparagraphs *b* to *f* of paragraph 1; or

(5) the individual is an employee of the International Council of Graphic Design Associations (ICOGRADA) and meets the conditions referred to in subparagraphs *b* to *f* of paragraph 1.”.

(2) Paragraph 2 of subsection 1, where it enacts subparagraph 4 of the second paragraph of section 8.2 of the Regulation, applies from the taxation year 2008, except for the purposes of sections 8.5 and 8.6 of the Regulation, where the latter section refers to the rebate or refund provided for in section 8.5, in which case it applies in respect of duties imposed after 1 April 2008.

* The Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families, made by Order in Council 1285-87 dated 19 August 1987 (1987, *G.O.* 2, 3236), was last amended by the Regulation to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families, made by Order in Council 1282-2003 dated 3 December 2003 (2003, *G.O.* 2, 3552). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

(3) Paragraph 2 of subsection 1, where it enacts subparagraph 5 of the second paragraph of section 8.2 of the Regulation, applies from the taxation year 2008, except for the purposes of sections 8.5 and 8.6 of the Regulation, where the latter section refers to the rebate or refund provided for in section 8.5, in which case it applies in respect of duties imposed after 1 May 2008.

2. (1) Section 8.3 of the Regulation is amended by replacing “subparagraph 1 or 2” by “any of subparagraphs 1, 2, 4 and 5”.

(2) Subsection 1 applies from the taxation year 2008.

3. (1) Section 8.5 of the Regulation is amended by replacing “subparagraph 1 or 2” in the portion before subparagraph 1 of the first paragraph by “any of subparagraphs 1, 2, 4 and 5”.

(2) Subsection 1 applies in respect of duties imposed

(1) after 1 April 2008 to an individual referred to in subparagraph 4 of the second paragraph of section 8.2 of the Regulation;

(2) after 1 May 2008 to an individual referred to in subparagraph 5 of the second paragraph of section 8.2 of the Regulation.

4. (1) Section 8.6 of the Regulation is amended by replacing “subparagraph 1 or 2” in the portion before subparagraph 1 by “any of subparagraphs 1, 2, 4 and 5”.

(2) Subsection 1 applies from the taxation year 2008, except in respect of rebates or refunds provided for in section 8.5 of the Regulation, in which case it applies to duties imposed

(1) after 1 April 2008 to the spouse of an individual referred to in subparagraph 4 of the second paragraph of section 8.2 of the Regulation;

(2) after 1 May 2008 to the spouse of an individual referred to in subparagraph 5 of the second paragraph of section 8.2 of the Regulation.

5. (1) Schedule A to the Regulation is amended

(1) by replacing “Association des universités partiellement ou entièrement de langue française (AUPELF)” by “Agence universitaire de la francophonie”;

(2) by striking out “World Conservation Union (IUCN)”.

(2) Paragraph 1 of subsection 1 has effect from 8 June 2001. In addition, where Schedule A to the Regulation has effect

(1) after 9 November 1994 and before 6 July 2000, it is to be read with the reference to “Association des universités partiellement ou entièrement de langue française (AUPELF)” replaced by a reference to “AUPELF-UREF (Agence francophone pour l’enseignement supérieur et la recherche)”;

(2) after 5 July 2000 and before 8 June 2001, it is to be read with the reference to “Association des universités partiellement ou entièrement de langue française (AUPELF)” replaced by a reference to “AUPELF-UREF (Agence universitaire de la francophonie)”.

(3) Paragraph 2 of subsection 1 applies from the taxation year 2010, except for the purposes of sections 4, 4.1 and 7 of the Regulation, where the latter section refers to the rebate or refund provided for in section 4.1 of the Regulation, in which case it applies in respect of duties imposed after 31 December 2009.

6. (1) Schedule B to the Regulation is amended by inserting the following in alphabetical order:

“International Council of Graphic Design Associations (ICOGRADA);

International Council of Societies of Industrial Design (ICSID);”.

(2) Subsection 1 has effect from 1 January 2005, except for the purposes of section 8.4 of the Regulation, in which case it applies in respect of duties imposed after 31 December 2004.

(3) Despite section 10.1 of the Regulation, the International Council of Societies of Industrial Design (ICSID) may file with the Minister of Revenue an application for a refund or rebate provided for in section 8.4 of the Regulation for duties imposed after 31 December 2004 and before 1 April 2008, if the application is filed with the Minister of Revenue on or before 31 March 2010.

(4) Despite section 10.1 of the Regulation, the International Council of Graphic Design Associations (ICOGRADA) may file with the Minister of Revenue an application for a refund or rebate provided for in section 8.4 of the Regulation for duties imposed after 31 December 2004 and before 1 May 2008, if the application is filed with the Minister of Revenue on or before 30 April 2010.

7. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

Regulation to amend the Regulation respecting contributions to the Québec Health Insurance Plan*

An Act respecting the Régie de l'assurance maladie du Québec

(R.S.Q., c. R-5, s. 35, par. b and s. 36)

1. (1) Section 3 of the Regulation respecting contributions to the Québec Health Insurance Plan is amended by replacing “Title XXVII of the Regulation respecting the Taxation Act, except section 1086R14 and the first paragraph of section 1086R18, applies *mutatis mutandis*” by “Title XL of the Regulation respecting the Taxation Act, except section 1086R67 and the first paragraph of section 1086R71, applies, with the necessary modifications,”.

(2) Subsection 1 has effect from 4 March 2009.

2. (1) Section 5 of the Regulation is amended by replacing “sections 22R1 to 22R18” by “sections 22R1 to 22R21”.

(2) Subsection 1 has effect from 4 March 2009.

3. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

Regulation to amend the Regulation respecting contributions to the Québec Pension Plan*

An Act respecting the Québec Pension Plan (R.S.Q., c. R-9, s. 81, par. j and s. 82.1)

1. (1) Section 11 of the Regulation respecting contributions to the Québec Pension Plan is amended by replacing “Title XXVII” by “Title XL”.

(2) Subsection 1 has effect from 4 March 2009.

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

* The Regulation respecting contributions to the Québec Health Insurance Plan (R.R.Q. 1981, c. R-5, r.1) was last amended by the Regulation to amend the Regulation respecting contributions to the Québec Health Insurance Plan made by Order in Council 1116-2007 dated 12 December 2007 (2007, *G.O.* 2, 4042). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

* The Regulation respecting contributions to the Québec Pension Plan (R.R.Q. 1981, c. R-9, r.2) was last amended by the Regulation to amend the Regulation respecting contributions to the Québec Pension Plan made by Order in Council 1116-2007 dated 12 December 2007 (2007, *G.O.* 2, 4042). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

Regulation to amend the Regulation respecting the Québec sales tax*

An Act respecting the Québec sales tax (R.S.Q., c. T-0.1, s. 677, 1st and 2nd pars.)

1. (1) Section 290R1 of the Regulation respecting the Québec sales tax is amended by replacing “5.3%” by “4.7%”.

(2) Subsection 1 has effect from the taxation year 2008.

2. (1) Section 518R5 of the Regulation is replaced by the following:

“**518R5.** For the purposes of section 518R4, where the premium is payable by a corporation which has establishments in Québec and elsewhere, the proportion to be used shall be that determined under Title XXVII of the Regulation respecting the Taxation Act (R.R.Q., 1981, c. I-3, r.1) without reference to sections 771R12 and 771R43 of that Regulation.”.

(2) Subsection 1 has effect from 4 March 2009.

3. (1) Section 518R6 of the Regulation is amended by replacing “Title XX” by “Title XXVII”.

(2) Subsection 1 has effect from 4 March 2009.

4. (1) Schedule II.0.1 to the Regulation is amended by adding the following at the end:

“2009 models

- 2009 Chevrolet Malibu Hybrid
- 2009 two-wheel drive Ford Escape Hybrid (HEV)
- 2009 Honda Civic Hybrid
- 2009 Nissan Altima Hybrid
- 2009 Saturn Aura Hybrid
- 2009 Toyota Camry Hybrid
- 2009 Toyota Prius”.

* The Regulation respecting the Québec sales tax, made by Order in Council 1607-92 dated 4 November 1992 (1992, *G.O.* 2, 4952), was last amended by the Regulation to amend the Regulation respecting the Québec sales tax made by Orders in Council 74-2009 dated 28 January 2009 (2009, *G.O.* 2, 71) and 134-2009 dated 18 February 2009 (2009, *G.O.* 2, 213). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

(2) Subsection 1 applies in respect of the supply or the bringing into Québec of a vehicle before 1 January 2009.

5. (1) Schedule III to the Regulation is amended

(1) by inserting “Director of Criminal and Penal Prosecutions” in alphabetical order;

(2) by replacing “Commission de reconnaissance des associations d’artistes” by “Commission de reconnaissance des associations d’artistes et des associations de producteurs”;

(3) by striking out “Construction industry commissioner”, “Corporation d’hébergement du Québec” and “Enterprise registrar”.

(2) Paragraph 1 of subsection 1 has effect from 5 March 2007.

(3) Paragraph 2 of subsection 1 has effect from 12 June 1997.

(4) Paragraph 3 of subsection 1 has effect from

(1) 1 April 2008 as regards the construction industry commissioner;

(2) 1 April 2009 as regards the Corporation d’hébergement du Québec;

(3) 1 April 2007 as regards the enterprise registrar.

6. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

Regulation to amend the Regulation respecting the application of the Fuel Tax Act*

Fuel Tax Act
(R.S.Q., c. T-1, s. 1, 1st par., subpar. *q* and s. 56)

1. Section 10.2R1 of the Regulation respecting the application of the Fuel Tax Act is amended

(1) by replacing “Band” in paragraphs 0.*a* and *a* and in subparagraphs i and ii of paragraph *a.2* by “band”;

(2) by replacing “entity mandated by a Band” in paragraph 0.*a* and in the portion of paragraph *a.2* before subparagraph i by “band-empowered entity”;

(3) by replacing “Bands” in paragraph *a.1* and in subparagraphs i and ii of paragraph *a.2* by “bands”.

2. Section 10.2R1.1 of the Regulation is amended

(1) by replacing “An entity mandated by a Band” in the portion before paragraph *a* by “A band-empowered entity”;

(2) by replacing “Band” and “Bands” wherever those words appear by “band” and “bands” respectively.

3. Section 10.2R1.2 of the Regulation is amended

(1) by replacing “An entity mandated by a Band” in the portion before paragraph *a* by “A band-empowered entity”;

(2) by replacing “Band” and “Bands” wherever those words appear by “band” and “bands” respectively.

4. Section 10.2R2 of the Regulation is amended

(1) in the first paragraph,

(*a*) by replacing “Band” and “entity mandated by a Band” in subparagraph iii of subparagraph *a* by “band” and “band-empowered entity” respectively;

(*b*) by replacing “Band” and “an entity mandated by a Band” in subparagraph *b* by “band” and “a band-empowered entity” respectively;

(2) in the second paragraph, by replacing “the entity mandated by a Band” and “an entity mandated by a Band” by “the band-empowered entity” and “a band-empowered entity” respectively.

5. (1) Division IV.0.1 of the Regulation is revoked.

(2) Subsection 1 has effect from 4 June 2009.

6. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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* The Regulation respecting the application of the Fuel Tax Act (R.R.Q. 1981, c. T-1, r.1) was last amended by the Regulation to amend the Regulation respecting the application of the Fuel Tax Act made by Order in Council 134-2009 dated 18 February 2009 (2009, *G.O.* 2, 213). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

Gouvernement du Québec

O.C. 1311-2009, 2 December 2009

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

Licences — Amendments

Regulation to amend the Regulation respecting licences

WHEREAS the second paragraph of section 66 of the Highway Safety Code (R.S.Q., c. C-24.2), made by section 10 of the Act to amend the Highway Safety Code and the Regulation respecting demerit points (2007, c. 40), provides that a person applying for a licence other than a moped licence or a farm tractor licence must also have held a probationary licence for the period prescribed by regulation;

WHEREAS, under the first paragraph of section 66.1 of the Highway Safety Code, made by section 11 of the Act to amend the Highway Safety Code and the Regulation respecting demerit points, persons applying for their first licence to drive a motorcycle, a moped or another passenger vehicle must successfully complete a driving course appropriate for the class of licence requested, given by a driving school recognized by a body approved by the Société;

WHEREAS the second paragraph of section 66.1 of the Code specifies that the course must comprise a theoretical part and a practical part, and that the deadline for the successful completion of each part of the course and the cases in which a person may be exempted from taking the course are determined by government regulation;

WHEREAS, under paragraph 6 of section 619 of the Code, the Government may by regulation prescribe, according to the nature, class or category of a licence, the documents and information which must be produced with an application for the issue or renewal of such a licence or the payment of amounts under section 93.1 as well as any other condition or formality for obtaining or renewing that licence;

WHEREAS, under paragraph 6.4 of section 619 of the Code, amended by section 74 of chapter 40 of the Statutes of 2007, the Government may by regulation determine, for obtaining a driver's licence under any of sections 66 and 92.0.1, the period during which a person must have held a probationary licence and establish the cases where the period may be reduced and the terms and conditions permitting such a reduction;

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

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 licences was published in Part 2 of the *Gazette officielle du Québec* of 30 June 2009 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 Transport:

THAT the Regulation to amend the Regulation respecting licences be made.

GÉRARD BIBEAU,
Clerck of the Conseil exécutif

Regulation to amend the Regulation respecting licences*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 619, pars. 6 and 6.4;
2007, c. 40, ss. 10, 11 and 74)

1. The Regulation respecting licences is amended in section 12.1

(1) by striking out “at least” in paragraph 1;

(2) by replacing “an attestation, from a driving school recognized by a body certified by the Société, of his successful completion of the appropriate driving course for the class of licence applied for” in paragraph 2 by “a certificate from a driving school recognized by a body approved by the Société, showing that the person has successfully completed the theoretical and practical parts of the driving course appropriate for driving the vehicle covered by the class of licence”.

2. The following is inserted after section 12.1:

* The Regulation respecting licences, made by Order in Council 1421-91 dated 16 October 1991 (1991, *G.O.* 2, 4146), was last amended by the regulation made by Order in Council 1110-2008 dated 5 November 2008 (2008, *G.O.* 2, 5139). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

“**12.2.** A person wishing to obtain a class 5 learner’s licence must submit a certificate from a driving school recognized by a body approved by the Société, showing that the person has successfully completed the theoretical part of the driving course appropriate for driving the vehicle covered by the class of licence, which is a prerequisite for beginning the first unit of the practical part of the course.”.

3. Section 20 is replaced by the following:

“**20.** A person wishing to obtain a class 6A, 6B or 6C probationary licence for the first time must,

(1) if the person obtained a class 6A learner’s licence before 1 January 2001,

(a) submit his or her class 6A learner’s licence, which the person must have held for 8 months; and

(b) submit a certificate from a driving school recognized by a body approved by the Société, showing that the person has successfully completed the theoretical and practical parts of the driving course appropriate for driving the vehicle covered by the class of licence applied for;

(2) if the person obtained a class 6A learner’s licence on or after 1 January 2001 but before 17 January 2010, submit his or her class 6A learner’s licence, which the person must have held for 7 months; or

(3) if the person obtained a class 6A learner’s licence on or after 17 January 2010, submit his or her class 6A learner’s licence, which the person must have held for 11 months.”.

4. Section 22 is replaced by the following:

“**22.** A person wishing to obtain a class 5 probationary licence must,

(1) if the person obtained a class 5 learner’s licence before 17 January 2010, submit his or her class 5 learner’s licence, which the person must have held for 12 months, or for 8 months where the person submits a certificate from a driving school recognized by a body approved by the Société, showing that the person has successfully completed the practical part of the driving course appropriate for driving the vehicle covered by the class of licence;

(2) if the person obtained a class 5 learner’s licence on or after 17 January 2010,

(a) submit his or her class 5 learner’s licence, which the person must have held for 12 months; and

(b) submit a certificate from a driving school recognized by a body approved by the Société, showing that the person has successfully completed the theoretical and practical parts of the driving course appropriate for driving the vehicle covered by the class of licence.”.

5. Section 25 is amended by striking out “4B, 4C or” in paragraph 1.

6. Section 27 is replaced by the following:

“**27.** A probationary licence is valid,

(1) if it was issued before 17 January 2010, for a period of 2 years from its date of issue, if the holder is under 23 years of age. In the case of a holder who is 23 years of age or older, a probationary licence is valid from its date of issue until the end of the day preceding the holder’s 25th birthday; or

(2) if it was issued on or after 17 January 2010, for a period of 2 years from its date of issue.

Despite the foregoing, a probationary licence obtained subsequently to a probationary licence that was cancelled by the Société or at the holder’s request is valid for the duration that completes the period determined in subparagraph 1 or 2 of the first paragraph, as the case may be. Where a probationary licence is suspended, its period of validity is extended for a duration equal to the duration of the suspension, but not later than the end of the day preceding the holder’s 25th birthday, if the licence was issued under subparagraph 1 of the first paragraph.

A probationary licence issued to a person referred to in section 92.0.1 of the Highway Safety Code is valid for the duration that completes the period determined in subparagraph 1 or 2 of the first paragraph, as the case may be.”.

7. Section 32.2 is amended by inserting the following after the first paragraph:

“On the same conditions as those provided for in the first paragraph, a person is also exempted from the obligation to have successfully completed the theoretical and practical parts of the driving course appropriate for driving the vehicle covered by the class of licence applied for, to obtain a probationary licence or a class 5 driver’s licence.”.

8. Section 35 is replaced by the following:

“**35.** A person wishing to obtain a class 6A, 6B or 6C driver’s licence for the first time must,

(1) if it is a first probationary licence authorizing the person to drive a road vehicle other than a vehicle to which class 6D or class 8 applies, have held a probationary licence of the class applied for during the period determined in subparagraph 1 or 2 of the first paragraph of section 27, as the case may be;

(2) if it is not a first driver’s licence authorizing the person to drive a road vehicle other than a vehicle to which class 6D or class 8 applies, and if the person obtained a class 6A learner’s licence before 1 January 2001,

(a) submit his or her class 6A learner’s licence, which the person must have held for 8 months; and

(b) submit a certificate from a driving school recognized by a body approved by the Société, showing that the person has successfully completed the theoretical and practical parts of the driving course appropriate for the driving of the vehicle covered by the class of licence applied for;

(3) if it is not a first driver’s licence authorizing the person to drive a road vehicle other than a vehicle to which class 6D or class 8 applies, and if the person obtained a class 6A learner’s licence on or after 1 January 2001 but before 17 January 2010, submit his or her class 6A learner’s licence, which the person must have held for 7 months;

(4) if it is not a first driver’s licence authorizing the person to drive a road vehicle other than a vehicle to which class 6D or class 8 applies, and if the person obtained a class 6A learner’s licence on or after 17 January 2010, submit his or her class 6A learner’s licence, which the person must have held for 11 months;

(5) if the person is a person referred to in section 92.0.1 of the Highway Safety Code, have held a probationary licence for the duration that completes the period determined in subparagraph 1 or 2 of the first paragraph of section 27, as the case may be.”.

9. Section 39 is replaced by the following:

“**39.** A person wishing to obtain a class 5 driver’s licence must,

(1) if it is a first driver’s licence authorizing the person to drive a road vehicle other than a vehicle to which class 6D or class 8 applies, have held a probation-

ary licence of the class applied for during the period determined in subparagraph 1 or 2 of the first paragraph of section 27, as the case may be;

(2) if it is not a first driver’s licence authorizing the person to drive a road vehicle other than a vehicle to which class 6D or class 8 applies, and if the person obtained a class 5 learner’s licence before 17 January 2010, submit his or her class 5 learner’s licence, which the person must have held for 12 months, or for 8 months where the person submits a certificate from a driving school recognized by a body approved by the Société, showing that the person has successfully completed the practical part of the driving course appropriate for driving the vehicle covered by the class of licence applied for;

(3) if it is not a first driver’s licence authorizing the person to drive a road vehicle other than a vehicle to which class 6D or class 8 applies, and if the person obtained a class 5 learner’s licence on or after 17 January 2010,

(a) submit his or her class 5 learner’s licence, which the person must have held for 12 months; and

(b) submit a certificate from a driving school recognized by a body approved by the Société, showing that the person has successfully completed the theoretical and practical parts of the driving course appropriate for driving the vehicle covered by the class of licence applied for;

(4) if the person is a person referred to in section 92.0.1 of the Highway Safety Code, have held a probationary licence of the class applied for, for the duration that completes the period determined in subparagraph 1 or 2 of the first paragraph of section 27, as the case may be.”.

10. Section 42 is amended by replacing “of validity determined in the first paragraph of section 27” in paragraph 1 by “determined in subparagraph 1 or 2 of the first paragraph of section 27, as the case may be”.

11. Section 43 is amended by replacing “of validity determined in the first paragraph of section 27” in paragraph 1 by “determined in subparagraph 1 or 2 of the first paragraph of section 27, as the case may be”.

12. Chapter V.1 is revoked.

13. The title of Division V.1 in Chapter VIII is amended by replacing “76” by “76.1.1”.

14. Sections 73.3, 73.4, 73.8, 73.9, 75.1, 76, 77, 78, 84.1, 84.2 and 84.3 are amended by replacing “76” wherever it appears by “76.1.1”.

15. Section 85 is replaced by the following:

“**85.** The Société furnishes the documents that a person must fill out or have filled out for the purposes of paragraph 2 of section 24, paragraph 3 of section 25, subparagraph *b* of paragraph 2 of section 42, subparagraph *b* of paragraph 2 and subparagraph *c* of paragraph 3 of section 43.”

16. Division VIII of Chapter VIII is revoked.

17. This Regulation comes into force on 17 January 2010.

9574

Gouvernement du Québec

O.C. 1312-2009, 2 December 2009

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

Road vehicle

— **Access to driving in connection with the health of drivers**

— **Amendments**

Regulation to amend the Regulation respecting access to driving a road vehicle in connection with the health of drivers

WHEREAS, under paragraph 2 of section 619 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may by regulation determine the cases where and establish the criteria according to which conditions may be attached to a licence;

WHEREAS, under paragraph 8 of section 619 of the Code, the Government may by regulation establish the health standards which identify the illnesses, deficiencies and conditions affecting a person that are considered as being essentially or relatively inconsistent with the driving of a road vehicle or class or sub-class of road vehicles;

WHEREAS the Regulation respecting access to driving a road vehicle in connection with the health of drivers was made by the Government by Order in Council 32-89 dated 18 January 1989;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R18.1), a draft of the Regulation to amend the Regulation respecting access to driving a road vehicle in connection with the health of drivers was published in Part 2 of the *Gazette officielle du Québec* of 13 May 2009 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 access to driving a road vehicle in connection with the health of drivers, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting access to driving a road vehicle in connection with the health of drivers*

Highway Safety Code
(R.S.Q., c. C24.2, s. 619, pars. 2 and 8)

1. Section 3 of the Regulation respecting access to driving a road vehicle in connection with the health of drivers is amended by striking out the third paragraph.

2. Section 4 is revoked.

3. Sections 5 and 6 are replaced by the following:

“**5.** Visual acuity of less than 6/15 with both eyes open and examined together is essentially inconsistent with driving a road vehicle.

6. Visual acuity of less than 6/9 with both eyes open and examined together is essentially inconsistent with driving an articulated or non-articulated heavy vehicle, a bus, an emergency vehicle, a minibus or a taxi.”

4. Section 7 is revoked.

5. Section 8 is replaced by the following:

“**8.** A horizontal field of vision of less than 150 continuous degrees along the horizontal meridian and less than 10 continuous degrees above fixation and less than 20 continuous degrees below fixation with both eyes open and examined together is essentially inconsistent with driving an articulated or non-articulated heavy vehicle, a bus, an emergency vehicle, a minibus or a taxi.”

* The Regulation respecting access to driving a road vehicle in connection with the health of drivers, approved by Order in Council 32-89 dated 18 January 1989 (1989, *G.O.* 2, 142), was last amended by the regulation approved by Order in Council 1423-97 dated 29 October 1997 (1997, *G.O.* 2, 5450). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

6. Section 9 is revoked.

7. Section 10 is replaced by the following:

“**10.** A horizontal field of vision of less than 100 continuous degrees along the horizontal meridian and less than 10 continuous degrees above fixation and less than 20 continuous degrees below fixation or less than 30 continuous degrees on each side of the vertical meridian, with both eyes open and examined together, is essentially inconsistent with driving a road vehicle.”.

8. Sections 11 and 12 are revoked.

9. Section 14 is replaced by the following:

“**14.** A severe colour vision deficiency that prevents a driver from distinguishing traffic lights is essentially inconsistent with driving a road vehicle.”.

10. Section 21 is replaced by the following:

“**21.** For the purposes of this Division, the following functional cardiac classification is established:

(1) Class I: no limitation of activity and no symptoms from daily activities;

(2) Class II: slight limitation of activity but comfortable at rest or during mild physical activity;

(3) Class III: marked limitation of activity and comfortable only at rest;

(4) Class IV: the person should be at complete rest, confined to bed or chair and any physical activity brings on discomfort and symptoms may occur even at rest.”.

11. Section 24 is replaced by the following:

“**24.** A cardiopathy that places a person in Class III or IV or in LV Class III is essentially inconsistent with driving an articulated or non-articulated heavy vehicle, a bus, an emergency vehicle or a minibus.

For the purposes of this section, the following functional classification of the left ventricle is established:

(1) LV Class I: ejection fraction > 50%;

(2) LV Class II: ejection fraction from 35% to 49%;

(3) LV Class III: ejection fraction < 35%.”.

12. Sections 24.1 and 25 are revoked.

13. Section 33 is replaced by the following:

“**33.** Anatomical or functional loss of a limb or a limb joint or limb immobilization is essentially inconsistent with driving a road vehicle unless the person shows, to the satisfaction of the Société, that the person can safely drive a road vehicle corresponding to the class of licence concerned or to the class the person wishes to obtain.”.

14. Sections 34 to 39 are revoked.

15. Section 40 is amended by replacing “in sections 33 to 39” by “in section 33”.

16. Section 49 is replaced by the following:

“**49.** Where a period of less than 5 years has elapsed since the last seizure, epilepsy is essentially inconsistent with driving an articulated or non-articulated heavy vehicle, a bus, an emergency vehicle, a minibus or a taxi, unless the person

(1) has had only partial simple seizures, somatosensory seizures or motor seizures involving one anatomical area having no impact on driving; the seizures are always of the same type and do not perturb the person’s state of consciousness, and a period of not less than 3 years has elapsed since the first seizure;

(2) has had one or more seizures resulting from an interruption or change in the treatment for epilepsy prescribed by a physician while epilepsy was closely supervised, and the person had no seizure during the 5 preceding years if a period of not less than 6 months has elapsed since the last seizure resulting from the interruption or change in the treatment and treatment has resumed; or

(3) has had one or more seizures in a brief period of time due to an intercurrent disease whose cause has been clearly established, which are unlikely to recur in a person who is usually closely supervised and closely follows the treatment, provided that the person had no seizure during the 5 preceding years and a period of not less than 6 months has elapsed since the last seizure.”.

17. Section 50 is amended by striking out “having a net mass not exceeding 2,500 kg” in the part preceding paragraph 1.

18. Section 55 is replaced by the following:

“**55.** Insulin-treated diabetes mellitus is essentially inconsistent with driving an articulated or non-articulated heavy vehicle, a bus, an emergency vehicle or a minibus, unless the person meets the following conditions:

(1) the person has had no hypoglycemic episode requiring the intervention of a third person for 6 months;

(2) the person shows a good understanding of the disease;

(3) the person's glycosylated hemoglobin is less than twice the normal limit;

(4) self-monitoring of glycemia is going well; and

(5) the person's condition is subject to an annual medical follow-up.”.

19. Section 56 is revoked.

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

9575

Gouvernement du Québec

O.C. 1313-2009, 2 December 2009

Transport Act
(R.S.Q., c. T-12)

**Transport of passengers by water
— Amendments**

Regulation to amend the Regulation respecting the transport of passengers by water

WHEREAS paragraphs *c*, *d*, *e*, *f* and *k* of section 5 of the Transport Act (R.S.Q., c. T-12) empower the Government to make regulations to determine what activities require a permit for the transport of persons, to provide exceptions to the activities requiring a permit as regards, among other things, the types of persons transported and the kinds of services and to prescribe conditions for the issue, maintaining, assignment, transfer or renewal of a permit, and to prescribe annual dues or other duties payable to the Commission des transports du Québec;

WHEREAS the Government made the Regulation respecting the transport of passengers by water by Order in Council 147-98 dated 4 February 1998;

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 transport of passengers by water was published in Part 2 of the *Gazette officielle du Québec* of 15 April 2009 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 the transport of passengers by water, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting the transport of passengers
by water***

Transport Act
(R.S.Q., c. T-12, s. 5, pars. *c*, *d*, *e*, *f* and *k*)

1. The Regulation respecting the transport of passengers by water is amended by replacing section 2 by the following:

“**2.** No permit is required in the following cases:

(1) the rental of a pleasure craft without crew;

(2) white-water rafting in a non-motorized craft or any other water sport;

(3) transport by water provided by

(a) the holder of an outfitter's licence in connection with activities incidental to the outfitting operation;

(b) an agency having signed a lease granting it exclusive fishing rights for purposes other than outfitting activities under subparagraph 5 of the second paragraph of section 86.1 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1);

(c) an agency to which the management of a controlled zone has been entrusted, in whole or in part, pursuant to section 106 of the Act respecting the conservation and development of wildlife;

(d) a person, an association or a body or agency authorized by contract to organize activities or provide services for profit or operate a commercial undertaking

* The Regulation respecting the transport of passengers by water, made by Order in Council 147-98 dated 4 February 1998 (1998, G.O. 2, 1205), has not been amended since it was made.

with a view to the development or utilization of wildlife or its habitat, as the case may be, or for the purposes of recreational activities pursuant to sections 109, 118 and 127 of the Act respecting the conservation and development of wildlife;

(e) the Société des établissements de plein air du Québec or its mandataries; or

(f) a person, an association or a body authorized by contract to operate a business, provide a service or organize an activity pursuant to section 8.1 of the Parks Act (R.S.Q., c. P-9); and

(4) transport of marine pilots.

For the purposes of subparagraph 2 of the first paragraph, “water sport” means any physical activity involving the use of a craft on various bodies of water, provided by a person who is a member of a sports body that has adopted a safety regulation approved pursuant to section 27 of the Act respecting safety in sports (R.S.Q., c. S-3.1) or by a person who is a member of a sports body affiliated to a sports federation that has adopted such a regulation approved pursuant to section 27 of that Act.”.

2. Section 3 is amended

(1) by striking out paragraph 1;

(2) by replacing “for the period of validity of the permit” in paragraph 2 by “for the period of operation of the service authorized by the permit”;

(3) by striking out “whose gross tonnage is greater than 5 tons or” in paragraph 2;

(4) by replacing paragraph 4 by the following:

“(4) he attests in a document that each ship and its crew to be used in providing the service meet the requirements of the federal regulations relating to the inspection, capacity and safety of ships and the competence of their crew;”.

3. Section 6 is amended by replacing “15 June” in the second paragraph by “15 July”.

4. Section 9 is amended by striking out “at all times” and by replacing “in the boarding area in full view of the public” by “in full view of the public during boarding”.

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

9576

M.O., 2009

Order number AM 2009-13 of the Minister of Immigration and Cultural Communities dated 3 December 2009

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

Prescribed form to give an undertaking

THE MINISTER OF IMMIGRATION AND CULTURAL COMMUNITIES,

CONSIDERING section 3.1.1 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2), which provides that the application for an undertaking to assist a foreign national in settling in Québec must be made on the form prescribed by the Minister;

CONSIDERING the Minister’s Order dated 29 September 2006, published in the *Gazette officielle du Québec* of 11 October 2006, concerning the prescribing as of 16 October 2006 of six forms to give an undertaking and an additional document;

CONSIDERING it is expedient to replace the Undertaking – Family class form prescribed by the Minister’s Order dated 29 September 2006;

ORDERS AS FOLLOWS:

Is prescribed, as of 1 January 2010, pursuant to the Act respecting immigration to Québec, the Undertaking – Family class form attached to this order;

This form replaces the one that was prescribed by the Minister’s Order dated 29 September 2006.

YOLANDE JAMES,
The Minister of Immigration and Cultural Communities

Immigration
et Communautés
culturelles

Québec



UNDERTAKING

Family Class

For official use only

File No. :

Please note that this application form must be filled out in French. This English translation is included only to help you do so accurately.

SECTION 1 IDENTIFICATION OF SPONSORS					
A. Identification of sponsor					
<p>Family name at birth: _____ Family name after marriage: _____ (if applicable)</p> <p>First name: _____ Date of birth: _____ Year / Month / Day</p> <p>Sex: <input type="checkbox"/> F <input type="checkbox"/> M Civil status: _____ Status: <input type="checkbox"/> Permanent resident <input type="checkbox"/> Canadian citizen</p> <p>Social Insurance Number: [][][][][][][][][] Telephone No. at home: _____</p> <p>Residential address: _____ Telephone No. at work: _____</p> <p>_____ I have been married previously <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>_____ Mailing address (if different): _____ I am the father or mother of children born from a _____ previous union <input type="checkbox"/> Yes <input type="checkbox"/> No</p>					
B. Identification of co-signer spouse (if applicable)					
<p>After having referred to the <i>Sponsor's Guide</i>, the sponsor's spouse or de facto spouse may decide to participate in the undertaking. In that case, this person must fill out the "Declaration" in Section 5 of this form, and sign the undertaking. For further information, call our general information service at the number indicated in the <i>Sponsor's Guide</i>.</p> <p>Family name at birth: _____ Family name after marriage: _____ (if applicable)</p> <p>First name: _____ Date of birth: _____ Year / Month / Day</p> <p>Sex: <input type="checkbox"/> F <input type="checkbox"/> M Status: <input type="checkbox"/> Permanent resident <input type="checkbox"/> Canadian citizen</p> <p>Relationship with sponsor: <input type="checkbox"/> Spouse <input type="checkbox"/> De facto spouse I have been married previously <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Social Insurance Number: [][][][][][][][][] I am the father or mother of children from a _____ previous union <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Telephone no. at work: _____</p>					
SECTION 2 IDENTIFICATION OF THE PRINCIPAL SPONSORED PERSON					
FAMILY NAME (at birth) AND FIRST NAME	RELATIONSHIP with sponsor	SEX	DATE OF BIRTH Year / Month / Day	HOME ADDRESS	TERM OF THE UNDERTAKING*
FAMILY NAME (after marriage, if applicable): _____					

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File No. :

SECTION 3 IDENTIFICATION OF THE PRINCIPAL SPONSORED PERSON'S FAMILY MEMBERS						
A Members of the principal sponsored person's family who are accompanying that person to Québec						
	FAMILY NAME (at birth) AND FIRST NAME	RELATIONSHIP with sponsored person	SEX	DATE OF BIRTH Year / Month / Day	HOME ADDRESS	TERM OF THE UNDERTAKING*
1						
FAMILY NAME (after marriage, if applicable):						
2						
3						
4						
5						
6						
B Members of the principal sponsored person's family who are not accompanying that person to Québec and who are not covered by the undertaking						
1						
2						
3						
4						
* This undertaking is valid for three years for the spouse, de facto spouse, and conjugal partner. In the case of a child under the age of 16, the undertaking is valid for ten years or until the age of majority (18 years), whichever is longer. In the case of a child aged 16 or over, the undertaking is valid for three years or until age 25, whichever is longer. For other sponsored persons, the undertaking is valid for ten years. The obligations set forth herein come into force from the moment the sponsored person is admitted as a permanent resident or under a temporary resident permit. The age of a child is determined on this same date.						
SECTION 4 IDENTIFICATION OF DECISIONS REGARDING CHILDREN WHO HAVE BEEN OR ARE IN THE PROCESS OF BEING ADOPTED						
Check the box that corresponds to your situation						
<input type="checkbox"/>		The child I wish to sponsor will be adopted abroad according to a procedure authorized by the Secrétariat à l'adoption internationale (licensed agency or minister's order).				
<input type="checkbox"/>		The child I wish to sponsor has already been the subject of a judgment (or decision) regarding his or her placement or adoption.				
		Indicate the country, city and date on which you obtained your judgment or decision, and attach the documents you obtained to your application.				
		The judgment or decision was rendered in _____ on _____				
		City/Country Year / Month / Day				
		Age of the child at the time of the judgment or decision _____				
		Check only one of the following boxes.				
<input type="checkbox"/>		I was living in Québec at the time of the judgment or decision.				
<input type="checkbox"/>		I was living abroad at the time of the judgment or decision (before immigrating to Québec).				

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File No. :

SECTION 5 DECLARATION		
SPONSOR	CO-SIGNER SPOUSE	You must indicate by "yes" or "no" if the following statements apply to you. The spouse should fill out this section only if co-signer to the undertaking.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I am domiciled in Québec.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I am a recipient of last resort assistance benefits.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I am subject to a removal order from Canada (deportation order).
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I am detained in a jail or penitentiary.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I have been subject to a recourse for non-payment of support payments in the past five years.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	If "yes", I have repaid all outstanding amounts.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I have been convicted, in or outside Canada, of a sexual offence or an attempt or threat to commit such an offence against another person; or an offence involving bodily injury or an attempt or threat to commit such an offence against a member of my family or a relative, my spouse, my de facto spouse, my conjugal partner, or a member of their family or a relative of theirs.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	If "yes", I was acquitted upon final appeal, rehabilitated as defined in the Criminal Records Act (R.S.C. (1985), c. C-47), or have served my sentence at least five years before filing this application.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	I have sponsored someone before.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	If "yes", I have complied with the financial obligations related to that undertaking.
SECTION 6 DECLARATION OF THE PERSON SPONSORING A SPOUSE		
		You must answer the following two questions.
<input type="checkbox"/> Yes <input type="checkbox"/> No		At the time of my marriage, I was someone else's spouse.
<input type="checkbox"/> Yes <input type="checkbox"/> No		I have a de facto spouse or a conjugal partner, and I have been living separate and apart from my spouse for at least one year.
SECTION 7 DECLARATION OF THE PERSON SPONSORING A DE FACTO SPOUSE		
		Answer only one of the following two questions.
<input type="checkbox"/> Yes <input type="checkbox"/> No		I reside with, and have been in a conjugal relationship with _____ Name of de facto spouse since _____ . Year / Month / Day
<input type="checkbox"/> Yes <input type="checkbox"/> No		I have been in a conjugal relationship with _____ Name of de facto spouse since _____ . Due to persecution or penal control, we are unable to reside together. Year / Month / Day
SECTION 8 DECLARATION OF THE PERSON SPONSORING A CONJUGAL PARTNER		
<input type="checkbox"/> Yes <input type="checkbox"/> No		I have been in a conjugal relationship with _____ Name of conjugal partner since _____ and this person lives outside Canada. Year / Month / Day

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File No. :

SECTION 9 IMPORTANT INFORMATION

The amounts required to provide for basic needs are determined in Schedule C of the Regulation respecting the selection of foreign nationals. They include food, clothing, personal necessities, and any other expenses pertaining to living accommodations, insofar as the sponsored persons reasonably need them. These amounts are indexed annually.

The sponsor's spouse or de facto spouse participating in the undertaking as co-signer spouse is responsible of this undertaking jointly and with solidarity.

The undertaking lapses if the sponsored persons do not qualify under the Regulation respecting the selection of foreign nationals, are not admitted as permanent residents or as holders of a temporary resident permit, or do not obtain a Québec Selection Certificate within 24 months following the date on which the undertaking was accepted by the immigration officer.

SECTION 10 PROTECTION OF PERSONAL INFORMATION

The personal information collected in this document is necessary in order to process your undertaking application, and is required under the terms of the Act respecting immigration to Québec, the Regulation respecting the selection of foreign nationals, and the incumbent administrative rules.

This information may also be used by the Ministry to verify directly or by the means of an intermediate the accuracy of the information provided, for the purpose of research, statistics, program evaluation, or to convey to you any information that is liable to affect your undertaking.

The personal information provided is confidential and cannot be disclosed without your consent, unless authorized by law. Under certain conditions, the law allows for personal information to be communicated without permission if such communication is necessary in order to

- enforce a law in Québec;
- exercise the powers of an agency of the Government of Québec or the Government of Canada, particularly federal immigration officials;
- render a service provided by the Ministry, or fulfill a service contract awarded by the Ministry;
- lay charges for violating a law that is applicable in Québec, or to respond to an emergency.

Access to this information within the Ministry is restricted to the persons authorized to receive it in order to carry out their duties. Any omission or refusal to answer, with the exception of the optional sections, may result in the rejection of your application or cause delays in the processing of your file.

You can obtain information pertaining to your file held by the Ministry, and if necessary, corrections may be requested in writing. For additional information, please contact the office processing your application. If the latter cannot provide the information requested, contact the person within the Ministry responsible for the protection of personal information at Secrétariat général du Ministère de l'Immigration et des Communautés culturelles, located at: Édifice Gérard-Godin, 360, rue McGill, 4^e étage, Montréal (Québec), H2Y 2E9.

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File No. :

SECTION 11 DECLARATION AND UNDERTAKING

The undertaking is a contract that binds you to provide for your sponsored person's basic needs throughout the term of the undertaking.

I declare that the information contained in this form is complete and accurate.

I declare that I have read the notice respecting the "Protection of personal information" in Section 10 of this form.

I further acknowledge being informed that:

- the Minister of Immigration and Cultural Communities may request from any other department or body information related to the sponsor's address, and may forward a copy of this undertaking to the sponsored person(s);
- the Minister may revoke an undertaking or a *Québec Selection Certificate* if the undertaking was accepted or the certificate issued on the strength of false or misleading information or documents, were accepted or issued by mistake, or if the conditions required for the acceptance of the undertaking or the issue of the *Québec Selection Certificate* cease to exist (in no other case may an undertaking be revoked);
- the undertaking is effective, and cannot be cancelled, once the sponsored person has obtained permanent residence or is admitted under a temporary resident permit;
- the Minister may reject an application that contains false or misleading information or documents;
- the Minister may refuse to consider an undertaking application from someone who has provided false or misleading information or documents within the past two years;
- legal proceedings may be taken against the sponsor and the co-signer spouse if they fail to comply with the undertaking or if they provide false or misleading information.

I acknowledge having read the information contained in this form and in the *Sponsor's Guide*, and I understand the nature and scope of the undertaking that binds me to the persons covered by my undertaking application. Consequently:

1. I undertake to provide, during the entire term of the undertaking, for the basic needs of the sponsored person(s), as established in Schedule C to the Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r. 2);
2. I undertake to reimburse the Government of Québec any amount that the latter may grant to the sponsored person(s), as special benefits or last resort assistance benefits, in accordance with the Individual and Family assistance Act (R.S.Q., c.A-13.1.1);
3. I undertake to reimburse the Government of any province of Canada the amount paid as special benefits, last resort assistance benefits or other similar benefits it may grant to the sponsored person(s).

In witness whereof, I have signed in: _____

City

Sponsor's signature

Year / Month / Day

Co-signer spouse's signature (if applicable)

SECTION 12 DECISION (for official use only)
 Undertaking accepted

 Undertaking denied

 Undertaking rejected

Name of authorized officer

Signature

Year / Month / Day

M.O., 2009**Order number 2009-012 of the Minister of Health and Social Services dated 30 November 2009**

An Act respecting health services and social services (R.S.Q., c. S-4.2)

CONCERNING the application of the Conditions governing the implementation of the second phase of the experimental Québec Health Record project

WHEREAS pursuant to the first paragraph of Section 434 of the Act respecting health services and social services (R.S.Q., c. S-4.2), the Minister of Health and Social Services, in performing his duties under the Act, may, notwithstanding any inconsistent provision, to the extent and on the conditions set by the government, implement any experimental project concerning the organization of the human or material resources of institutions for the purpose of fostering integrated organization and the provision of health services and social services;

WHEREAS the government determined the conditions governing the implementation of the second phase of the experimental Québec Health Record project in order number 757-2009 dated 18 June 2009;

WHEREAS the second phase of the experimental Québec Health Record project began on 1 July 2009;

WHEREAS pursuant to Section 74 of the conditions governing the implementation of this project, those participating in the experimental Québec Health Record project include authorized practitioners specified in Section 12 who practice at institutions, family medicine groups, professional private consulting offices, specialized medical centers, and community pharmacies in the territory of a health and social services agency specified in Section 119 of these conditions, a list and update of which appear in the appendix to the information document on implementation of the second phase of the Québec Health Record project, published on the Ministère de la Santé et des Services sociaux website;

WHEREAS pursuant to the first paragraph of Section 119 of the conditions governing the implementation of the project, the Minister may, during the second phase of the experimental project, determine, by ministerial order, the date on which a Health Record may be constituted for the persons referred to in Section 6 who reside in the territory of the Capitale-Nationale, Saguenay-Lac-Saint-Jean, or Lanaudière health and social services agency or in the territory of any other health and social services agency designated by the Minister;

WHEREAS anyone residing in the territory of a health and social services agency designated by the Minister in the order made under the first paragraph of Section 119 may receive services at any demonstration site where an authorized practitioner practices and agrees to take part in the experimental project on a voluntary basis;

WHEREAS there is a requirement to determine the date on which a Health Record may be constituted for anyone residing in the territory of the health and social services agency in the Capitale-Nationale region who is entered in the register of insured persons kept by Régie de l'assurance maladie du Québec and does not register a refusal to have a Health Record;

IN CONSEQUENCE WHEREOF the Minister of Health and Social Services determines, as follows, the dates on which a Health Record may be constituted for anyone residing in the territory of the health and social services agency in the Capitale-Nationale region on 22 January 2010 who is entered in the register of insured persons kept by Régie de l'assurance maladie du Québec and does not register a refusal to have a Health Record during the preliminary refusal registration period, which shall be determined based on the health and social services centre for the territory in which they reside:

Health and social services centre	Preliminary refusal registration period	Health Record date of constitution
Vieille-Capitale	22-01-2010 to 12-02-2010	15 February 2010
Québec-Nord	05-02-2010 to 26-02-2010	1 March 2010
Charlevoix Portneuf	19-02-2010 to 12-03-2010	15 March 2010

YVES BOLDOC,
Minister of Health and Social Services

9561

Draft Regulations

Notice

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Solid waste removal in the Montréal region — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour received from the contracting parties an application to amend the Decree respecting solid waste removal in the Montréal region (R.R.Q., 1981, c. D-2, r.29) and that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Decree to amend the Decree respecting solid waste removal in the Montréal region, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree is intended to increase the minimum hourly wage for the years 2010 to 2012.

The consultation period will specify the extent of the impact of the amendments applied for. According to the 2008 annual report of the Comité paritaire sur l'enlèvement des déchets solides de la région de Montréal, 271 employers, 1,536 employees and 25 artisans are subject to the Decree.

Further information may be obtained by contacting:

Patrick Bourassa
Direction des politiques du travail
Ministère du Travail, 200, chemin Sainte-Foy, 5^e étage
Québec (Québec) G1R 5S1
Telephone: 418 528-9738
Fax: 418 643-9454
E-mail: patrick.bourassa@travail.gouv.qc.ca

Any person wishing to comment on the draft Decree is requested to submit written comments within the 45-day period to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

JOCELIN DUMAS,
Deputy Minister of Labour

Decree to amend the Decree respecting solid waste removal in the Montréal region*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 2 and 6.1)

1. The Decree respecting solid waste removal in the Montréal region is amended by replacing section 6.01 by the following:

“**6.01.** The minimum hourly wage is the following:

Class of employment	As of 2010 07 04	As of 2011 07 04	As of 2012 07 04
1. Full-time employee:			
A) driver			
i. self-loading truck:	\$19.00	\$19.50	\$20.00
ii. side-loading truck:	\$19.89	\$20.39	\$20.89
iii. other vehicle:	\$18.79	\$19.29	\$19.79
B) helper:	\$18.47	\$18.97	\$19.47
2. Part-time employee:			
A) truck driver any category:	\$18.21	\$18.71	\$19.21
B) helper:	\$17.93	\$18.43	\$18.93

2. This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

9559

* The Decree respecting solid waste removal in the Montréal region (R.R.Q., 1981, c. D-2, r.29) was last amended by the regulation made by Order in Council 489-2007 dated 20 June 2007 (2007, *G.O.* 2, 1601). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 November 2009.

Notice

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Security guards — Amendments

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour received from the contracting parties an application to amend the Decree respecting security guards (R.R.Q., 1981, c. D-2, r.1) and that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Decree to amend the Decree respecting security guards, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree reintroduces a premium that was paid to Class B employees entrusted with the direction or supervision of one or more Class B employees, which was erroneously abolished by Order in Council 767-2009 dated 18 June 2009.

The consultation period will specify the extent of the impact of the amendments applied for. According to the 2008 annual report of the Comité paritaire sur les agents de sécurité, 172 employers and 18,961 employees are subject to the Decree.

Further information may be obtained by contacting:

Patrick Bourassa
Direction des politiques du travail
Ministère du Travail, 200, chemin Sainte-Foy, 5^e étage
Québec (Québec) G1R 5S1
Telephone: 418 528-9738
Fax: 418 643-9454
E-mail: patrick.bourassa@travail.gouv.qc.ca

Any person wishing to comment on the draft Decree is requested to submit written comments within the 45-day period to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

JOCELIN DUMAS,
Deputy Minister of Labour

Decree to amend the Decree respecting security guards*

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, ss. 2 and 6.1)

1. The Decree respecting security guards is amended in section 4.07

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

“A Class B employee entrusted with the direction or supervision of one or several Class B employees receives \$0.25 per hour in addition to the hourly rate set in the first paragraph for a Class B employee.”;

(2) by striking out the fourth and fifth paragraphs.

2. Schedule I to the Decree is revoked.

3. This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

9558

Draft Regulation

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

Exemptions from the application of Title VIII.1 — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting exemptions from the application of Title VIII.1 of the Highway Safety Code, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation replaces the net mass of 3,000 kg or less by the gross vehicle weight rating of less than 4,500 kg as a criterion of exemption from the standards relating to the pre-departure inspection of heavy vehicles to harmonize with the new definition of “heavy vehicle” that will be provided for in the Act respecting owners, operators and drivers of heavy vehicles (R.S.Q., c. P-30.3) as of the coming into force of section 3 of chapter 39 of the Statutes of 2005. The gross vehicle weight rating is the weight of the vehicle plus the maximum load it can carry.

* The Decree respecting security guards (R.R.Q., 1981, c. D-2, r.1) was last amended by the regulation made by Order in Council 767-2009 dated 18 June 2009 (2009, *G.O.* 2, 1889). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 November 2009.

In addition, the draft Regulation removes the length of a trailer or a semi-trailer as a criterion of exemption from the standards relating to the pre-departure inspection of heavy vehicles because a trailer or semi-trailer that has a gross weight rating of less than 4,500 kg generally has a length under 10 metres.

These amendments subject, allowing for exceptions, drivers and operators of road vehicles or combinations of road vehicles having a gross vehicle weight rating of 4,500 kg or more to the requirements relating to pre-departure inspection, even if the net mass of the vehicle is 3,000 kg or less. The amendments also exempt from those requirements vehicles having a gross vehicle weight rating of less than 4,500 kg even if their net mass is greater than 3,000 kg.

Further information may be obtained by contacting Linda Thériault, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-22, C.P. 19600, Québec (Québec) G1K 8J6, telephone: 418 528-4886.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

JULIE BOULET,
Minister of Transport

Regulation to amend the Regulation respecting exemptions from the application of Title VIII.1 of the Highway Safety Code*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 621, 1st par., subpar. 42)

1. The Regulation respecting exemptions from the application of Title VIII.1 of the Highway Safety Code is amended in section 2

(1) by replacing “the net mass of each vehicle in the combination is 3 000 kg or less, provided that the length of the trailer or semi-trailer, including the coupling system, is 10 metres or less” in paragraph 4 by “the gross vehicle weight rating of each vehicle in the combination is less than 4,500 kg”;

* The Regulation respecting exemptions from the application of Title VIII.1 of the Highway Safety Code, made by Order in Council 622-99 dated 2 June 1999 (1999, *G.O.* 2, 1618), was amended only once, by the regulation made by Order in Council 368-2007 dated 23 May 2007 (2007, *G.O.* 2, 1468).

(2) by replacing “a net mass of less than 3,000 kg” in paragraph 6 by “a gross vehicle weight rating of less than 4,500 kg”.

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

9589

Draft Regulation

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

Hours of driving and rest of heavy vehicle drivers — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the hours of driving and rest of heavy vehicle drivers, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation replaces the net mass of 3,000 kg or less by the gross vehicle weight rating of less than 4,500 kg as a criterion of exemption from the standards relating to hours of driving and rest of heavy vehicle drivers to harmonize with the new definition of “heavy vehicle” that will be provided for in the Act respecting owners, operators and drivers of heavy vehicles (R.S.Q., c. P-30.3) as of the coming into force of section 3 of chapter 39 of the Statutes of 2005. The gross vehicle weight rating is the weight of the vehicle plus the maximum load it can carry.

In addition, the draft Regulation removes the length of a trailer or a semi-trailer as a criterion of exemption from the standards relating to hours of driving and rest of heavy vehicle drivers because a trailer or semi-trailer that has a gross weight rating of less than 4,500 kg generally has a length under 10 metres.

These amendments subject, allowing for exceptions, drivers and operators of road vehicles or combinations of road vehicles having a gross vehicle weight rating of 4,500 kg or more to the requirements relating to hours of driving and rest, even if the net mass of the vehicle is 3,000 kg or less. The amendments also exempt from those requirements vehicles having a gross vehicle weight rating of less than 4,500 kg even if their net mass is greater than 3,000 kg.

Further information may be obtained by contacting Linda Thériault, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-22, C.P. 19600, Québec (Québec) G1K 8J6, telephone: 418 528-4886.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

JULIE BOULET,
Minister of Transport

Regulation to amend the Regulation respecting the hours of driving and rest of heavy vehicle drivers*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 621, 1st par., subpar. 42)

1. The Regulation respecting the hours of driving and rest of heavy vehicle drivers is amended in section 4

(1) by replacing “the net mass of each vehicle is 3,000 kg or less, provided that the length of the trailer or semi-trailer, including the coupling system, is 10 metres or less” in subparagraph 7 of the first paragraph by “the gross vehicle weight rating of each vehicle is less than 4,500 kg”;

(2) by replacing “a net mass of less than 3,000 kg” in subparagraph 8 of the first paragraph by “a gross vehicle weight rating of less than 4,500 kg”.

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

9588

Draft Regulation

An Act respecting labour standards
(R.S.Q., c. N-1.1)

Labour standards — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R18.1), that the Regulation to amend the Regulation respecting labour standards, appearing below, may be made by the Government on the expiry of 45 days following this publication.

As of 1 May 2010, the draft Regulation increases the general rate of minimum wage from \$9.00 per hour to \$9.50 per hour and increases the minimum wage payable to an employee who receives gratuities or tips from \$8.00 per hour to \$8.25 per hour. As of the same date, it also increases the minimum wage payable to raspberry or strawberry pickers, which will now be established on the basis of the weight and type of fruit picked. Moreover, the wages of apple pickers will no longer be established on the basis of yield, but will follow the general rules. Lastly, the draft Regulation provides that the minimum wage will not apply to an employee assigned mainly to non-mechanized operations relating to the picking of processing vegetables, from 1 May 2010 to 1 January 2011.

The proposed increases of minimum wage will contribute to improve the buying power of low-income employees and allow them to take part in the collective growth. It will also help businesses to remain competitive by taking into account their capacity to pay.

Further information may be obtained by contacting Maryse Chasle, Ministère du Travail, Direction des politiques du travail, 200, chemin Sainte-Foy, 5^e étage, Québec (Québec) G1R 5S1; telephone: 418 643-1432; fax: 418 643-9454; e-mail: maryse.chasle@travail.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

SAM HAMAD,
Minister of Labour

* The Regulation respecting the hours of driving and rest of heavy vehicle drivers, made by Order in Council 367-2007 dated 23 May 2007 (2007, G.O. 2, 1457), has never been amended.

Regulation to amend the Regulation respecting labour standards*

An Act respecting labour standards
(R.S.Q., c. N-1.1, s. 40, 1st par., s. 89, par. 1,
and s. 91, 1st par.)

1. The Regulation respecting labour standards is amended in section 3 by replacing “\$9.00” by “\$9.50”.

2. Section 4 is amended by replacing “\$8.00” by “\$8.25”.

3. Section 4.1 is amended

(1) by replacing the first paragraph by the following:

“The minimum wage payable to an employee assigned mainly to non-mechanized operations relating to the picking of raspberries or strawberries is established on the basis of yield according to the following rules:

(1) for an employee assigned to the picking of raspberries: \$2.98 per kilogram;

(2) for an employee assigned to the picking of strawberries: \$0.79 per kilogram.”;

(2) by striking out the last paragraph.

4. Paragraph 6 of section 2 of the Regulation, as it read before ceasing to have effect pursuant to section 3 of the Regulation to amend the Regulation respecting labour standards, made by Order in Council 283-2007 dated 28 March 2007, is made again and will cease to have effect on 1 January 2011.

5. This Regulation comes into force on 1 May 2010.

9593

Draft Regulation

An Act respecting labour standards
(R.S.Q., c. N-1.1)

Clothing industry

— Labour standards specific to certain sectors

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting labour standards specific to certain sectors of the clothing industry, appearing below, may be made by the Government on the expiry of 45 days following this publication.

As of 1 May 2010, the draft Regulation increases the rate of minimum wage that applies to certain sectors of the clothing industry from \$9.00 per hour to \$9.50 per hour. Four sectors of the clothing industry are subject to the Regulation respecting labour standards specific to certain sectors of the clothing industry: the women’s clothing industry, the men’s clothing industry, the men’s and boys’ shirt industry and the leather glove industry.

The proposed increase of minimum wage in these sectors will allow the employees working in them to be paid at a rate equal to the general rate of minimum wage. The increase will improve the buying power of low-income employees and allow them to take part in the collective growth. It will also help businesses in the sectors of activity concerned to remain competitive by taking into account their capacity to pay.

Further information may be obtained by contacting Maryse Chasle, Ministère du Travail, Direction des politiques du travail, 200, chemin Sainte-Foy, 5^e étage, Québec (Québec) G1R 5S1; telephone: 418 643-1432; fax: 418 643-9454; e-mail: maryse.chasle@travail.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

SAM HAMAD,
Minister of Labour

* The Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3) was last amended by the regulations made by Order in Council 449-2009 dated 8 April 2009 (2009, *G.O.* 2, 1307) and by Order in Council 311-2008 dated 2 April 2008 (2008, *G.O.* 2, 1087). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

Regulation to amend the Regulation respecting labour standards specific to certain sectors of the clothing industry*

An Act respecting labour standards
(R.S.Q., c. N-1.1, s. 92.1, 1st par., subpar. 1)

1. The Regulation respecting labour standards specific to certain sectors of the clothing industry is amended in section 3 by replacing “\$9.00” by “\$9.50”.

2. This Regulation comes into force on 1 May 2010.

9594

Draft Regulation

An Act respecting owners, operators and drivers of heavy vehicles
(R.S.Q., c. P-30.3)

Regulation — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends certain provisions of the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles to harmonize the content with the new definition of “heavy vehicle” that will be provided for in the Act respecting owners, operators and drivers of heavy vehicles (R.S.Q., c. P-30.3) as of the coming into force of section 3 of chapter 39 of the Statutes of 2005. The draft Regulation replaces the net mass of 3,000 kg or less by the gross vehicle weight rating of less than 4,500 kg. The gross vehicle weight rating is the weight of the vehicle plus the maximum load it can carry. The amendments to the Regulation will exempt from the application of the Act respecting owners, operators and drivers of heavy vehicles, combinations of road vehicles each having a gross vehicle weight rating of less than 4,500 kg, and motorized road vehicles having a gross vehicle weight rating of less than 4,500 kg. The draft Regulation also excludes from the application of the Act, passenger vehicles used for

passenger transportation for baptisms, weddings, civil unions and funerals, and antique passenger vehicles that are over 30 years old used for passenger transportation.

In addition, the draft Regulation provides that owners and operators who, because of the amendments to the Act, will have to register for the first time in the *Registre des propriétaires et des exploitants de véhicules lourds*, will have six months to comply as of the coming into force of this draft Regulation.

The draft Regulation also provides a reduction of \$5 of the applicable fees when a technological means available on the *Commission des transports du Québec* website is used for registration in the *Registre des propriétaires et des exploitants de véhicules lourds* and for registration on the list of transport service intermediaries.

Lastly, the draft Regulation adds municipalities and territories to the list in Schedule I to the Regulation where owners and operators who use heavy vehicles will be exempt from the registration in the *Registre des propriétaires et des exploitants de véhicules lourds*.

Further information may be obtained by contacting Denis Bédard, Direction du transport routier des marchandises, Ministère des Transports, 700, boulevard René-Lévesque Est, 2^e étage, Québec (Québec) G1R 5H1; telephone: 418 644-4719, extension 2276; fax: 418 644-5178.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

JULIE BOULET,
Minister of Transport

Regulation to amend the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles*

An Act respecting owners, operators and drivers of heavy vehicles
(R.S.Q., c. P-30.3, s. 3, par. 1, s. 4, 2nd par., s. 6, 1st par., and s. 16, 1st par.)

1. The Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles is amended in section 2

* The Regulation respecting labour standards specific to certain sectors of the clothing industry, made by Order in Council 1288-2003 dated 3 December 2003 (2003, *G.O.* 2, 3601), was last amended by the regulations made by Order in Council 450-2009 dated 8 April 2009 (2009, *G.O.* 2, 1585) and by Order in Council 312-2008 dated 2 April 2008 (2008, *G.O.* 2, 1088). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

* The Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles, made by Order in Council 986-98 dated 21 July 1998 (1998, *G.O.* 2, 3303), was last amended by the regulation made by Order in Council 1144-2006 dated 12 December 2006 (2006, *G.O.* 2, 4085). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

(1) by replacing “a net weight of 3,000 kg or less, provided that the length of the trailer or semi-trailer, including the coupling system, is 10 metres or less” in paragraph 2 by “a gross vehicle weight rating of less than 4,500 kg”;

(2) by replacing “net weight is 3,000 kg or less” in paragraph 4 by “gross vehicle weight rating is less than 4,500 kg”;

(3) by adding “, passenger vehicles within the meaning of section 4 of the Highway Safety Code, used for passenger transportation for baptisms, weddings, civil unions and funerals or antique passenger vehicles, that are more than 30 years old, used for passenger transportation” at the end of paragraph 6.

2. The following is inserted after section 3.1:

“**3.2.** The fees referred to in sections 3 and 3.1 are reduced by \$5 where a technological means available on the Commission des transports du Québec website is used for an application.”.

3. Schedule I is amended

(1) by inserting “Baie-Rouge (Côte-Nord)” after “Baie-des-Moutons (Côte-Nord)”;

(2) by inserting “Bonne-Espérance (Côte-Nord)” after “Blanc-Sablon (Côte-Nord)”;

(3) by inserting “Côte-Nord-du-Golfe-du-Saint-Laurent (Côte-Nord)” after “Clova (Mauricie)”;

(4) by inserting “Gros-Mécatina (Côte-Nord)” after “Etamamiou (Côte-Nord)”;

(5) by inserting “Kattinik/mine Raglan (Nord-du-Québec)” after “Kangirsuk (Nord-du-Québec)”;

(6) by inserting “Press (Abitibi-Témiscamingue)” after “Poste de la Baleine (Nord-du-Québec)”;

(7) by inserting “Salmon-Bay (Côte-Nord)” after “Salluit (Nord-du-Québec)”;

(8) by inserting “Wemindji (Nord-du-Québec)” after “Waskaganish (Nord-du-Québec)”.

4. Every person who, as of the coming into force of this Regulation, is required to register in the Registre des propriétaires et des exploitants de véhicules lourds, has until (*insert the date occurring six months after the date of coming into force of this Regulation*) to register.

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

9591

Draft Regulation

Automobile Insurance Act
(R.S.Q., c. A-25)

Reimbursement of certain expenses — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation to amend the Regulation respecting the reimbursement of certain expenses”, made by the Société de l’assurance automobile du Québec, the text of which appears below, may be submitted to the Government for approval on the expiry of 45 days from this publication.

The purpose of the Draft Regulation is to revise the rules and the rates applicable to the reimbursement by the Société of the expenses incurred by an accident victim to obtain a report prepared by a physician. The maximum amount that could be reimbursed would vary from 25 \$ to 70 \$, depending upon the type of medical report obtained. The Regulation as amended also provides for four types of medical reports, each having a specific content.

To date, analysis of this matter has shown a positive impact on accident victims, since the new rates more accurately reflect the actual costs involved in obtaining a medical report, and no impact on businesses, particularly small- and medium-sized businesses.

Additional information may be obtained by contacting Ms. Édith Lapointe, Société de l’assurance automobile du Québec, 333, boulevard Jean-Lesage, S-4-11, case postale 19600, Québec (Québec) G1K 8J6; telephone: (418) 528-4386.

Any interested person having comments to make concerning the Draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

JULIE BOULET,
Minister of Transport

Regulation to amend the Regulation respecting the reimbursement of certain expenses*

Automobile Insurance Act
(R.S.Q., c. A-25, s. 83.2, 2nd par., and s. 195, par. 16)

1. The Regulation respecting the reimbursement of certain expenses is amended by substituting the following for section 50:

“**50.** Expenses incurred for the obtaining of a report prepared by a health care professional within the meaning of section 83.8 of the Act and needed for the processing of a claim qualify for reimbursement to a maximum of the following amounts:

- (1) in the case of a report prepared by a health care professional other than a physician, 25 \$;
- (2) in the case of a report prepared by a physician:
 - (a) 25 \$ for an “Initial Medical Report”;
 - (b) 70 \$ for a “Medical Assessment Report”;
 - (c) 70 \$ for a “Medical Progress Report”;
 - (d) 65 \$ for a “Medical Aftereffects Report.”

Where a report is prepared by a physician otherwise than on a form provided for that purpose by the Société for a medical report referred to in subparagraph 2 of the first paragraph, it qualifies for reimbursement to a maximum amount of 25 \$.”

2. The words “by sections 83.5 and 83.13” are substituted for the words “by section 83.5” in sections 55 and 56.

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

9592

* The latest amendments to the Regulation respecting the reimbursement of certain expenses, approved by Order in Council 1925-89 of 13 December 1989 (1989, *G.O.* 2, 4661), were made by the Regulation approved by Order in Council 1138-2009 of 28 October 2009 (2009, *G.O.* 2, 5314). For prior amendments, see *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2009, updated to 1 March 2009.

Draft Regulation

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

Road signs — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting road signs, appearing below, may be made by the Minister of Transport on the expiry of 45 days following this publication.

The draft Regulation replaces the net weight of more than 3,000 kg in the definition of “truck” by the gross vehicle weight rating of 4,500 kg or more.

In addition, the draft Regulation provides a reference to the definition of “gross vehicle weight” that will be added to the Regulation respecting safety standards for road vehicles which corresponds, allowing for exceptions, to the value specified by the vehicle manufacturer.

The draft Regulation also replaces the P-231-1 sign, which announces a brake check area, to clearly indicate the obligation for drivers of road vehicles or combinations of road vehicles whose total loaded weight is at least 3,000 kg to check the condition of the brakes themselves by bringing the vehicle to a stop.

Lastly, the draft Regulation amends certain provisions to exclude, from the signs relating to the obligation to drive a vehicle to a truck weight station, combinations of road vehicles in which each vehicle has a gross vehicle weight rating of less than 4,500 kg, or road vehicles used for recreational purposes.

Further information may be obtained by contacting Denis Bédard, Direction du transport routier des marchandises, Ministère des Transports, 700, boulevard René-Lévesque Est, 2^e étage, Québec (Québec) G1R 5H1; telephone: 418 644-4719, extension 2276; fax: 418 644-5178.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

Québec, 6 November 2009

JULIE BOULET,
Minister of Transport

Regulation to amend the Regulation respecting road signs*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 289)

1. The Regulation respecting road signs is amended in section 1.1

(1) by replacing the definition of “truck” by the following:

““truck” means a road vehicle with a gross vehicle weight rating of 4,500 kg or more, designed and equipped mainly for the transportation of goods or of the machinery with which it is permanently equipped and its accessories. Combinations of road vehicles in which at least one vehicle has a gross vehicle weight rating of 4,500 kg or more are also trucks (*camion*).”

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

““gross vehicle weight rating” means the gross vehicle weight rating within the meaning of the Regulation respecting safety standards for road vehicles, made by Order in Council 1483-98 dated 27 November 1998; (*poids nominal brut*)”;

(3) by revoking the definition of “equipment transport vehicle”.

2. Section 4.1 is amended by replacing “tool vehicles and equipment transport vehicles” by “and tool vehicles”.

3. Section 33 is amended by replacing the illustration of the P-231-1 sign by the following:



4. Section 35 is amended by replacing the second paragraph by the following:

“However, P-240 signs do not apply to combinations of road vehicles in which each vehicle has a gross vehicle weight rating of less than 4,500 kg, or to road vehicles used for recreational purposes.”.

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

9563

Draft Regulation

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

Road vehicle registration — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting road vehicle registration, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides a reference to the definition of “gross vehicle weight rating” that will be added to the Regulation respecting safety standards for road vehicles which corresponds, allowing for exceptions, to the value specified by the vehicle manufacturer.

The draft Regulation adds the gross vehicle weight rating, if the weight of a road vehicle is 4,500 kg or more, to the road vehicle registration register of the Société de l'assurance automobile du Québec in order to identify road vehicles that have that weight.

The draft Regulation provides that individuals and enterprises that own a vehicle having a gross vehicle weight rating of 4,500 kg or more will have to declare, on registration, the gross vehicle weight rating and provide, in support, in the case of the acquisition of a new vehicle, a manufacturer's certificate indicating that weight.

There is no financial impact on individuals and enterprises.

* The Regulation respecting road signs, made by Minister's Order dated 15 June 1999 (M.O., 1999) (1999, *G.O.* 2, 1642), was last amended by the regulation made by the Minister of Transport's Order 2008-11 dated 5 November 2008 (2008, *G.O.* 2, 5091A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

Further information may be obtained by contacting Bernard Drolet, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-31, C.P. 19600, Québec (Québec) G1K 8J6, telephone: 418 528-3225.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

JULIE BOULET,
Minister of Transport

Regulation to amend the Regulation respecting road vehicle registration*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 618, par. 3)

1. The Regulation respecting road vehicle registration is amended in section 2 by inserting the following definition in alphabetical order:

““gross vehicle weight rating” means the gross vehicle weight rating within the meaning of the Regulation respecting safety standards for road vehicles made by Order in Council 1483-98 dated 27 November 1998; (*poids nominal brut*)”.

2. Section 13 is amended by inserting the following after paragraph 7:

“(7.1) the gross vehicle weight rating, if it is 4,500 kg or more;”.

3. Section 47 is amended by inserting “and its gross vehicle weight rating, if it is 4,500 kg or more” in the second paragraph after “dispatch”.

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

9586

* The Regulation respecting road vehicle registration, made by Order in Council 1420-91 dated 16 October 1991 (1991, *G.O.* 2, 4111), was last amended by the regulation made by Order in Council 688-2009 dated 10 June 2009 (2009, *G.O.* 2, 1803A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

Draft Regulation

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

Safety standards for road vehicles — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting safety standards for road vehicles, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The Highway Safety Code was amended in 2008 to replace the net mass of more than 3,000 kg by the gross vehicle weight rating of 4,500 kg or more as a criterion governing mechanical inspection. The amendment requires, before its coming into force, amendments to certain rules in the Regulation respecting safety standards for road vehicles.

Consequently, the draft Regulation proposes that the gross vehicle weight rating be the value specified by the manufacturer as the loaded weight of a single vehicle (weight of the vehicle plus the maximum load it can carry). However, the draft Regulation provides, in certain cases, other ways to establish the gross vehicle weight rating. For example, where the value specified by the manufacturer is obsolete because of changes made to the vehicle, the gross vehicle weight rating is the value established by an engineer. In the case of a trailer or semi-trailer made by hand, the weight is the value established by an engineer or by a calculation based on the load capacity of the tires.

In addition, the draft Regulation replaces, in various provisions, the net mass greater than 3,000 kg by the gross vehicle weight rating equal to or greater than 4,500 kg and replaces the net mass equal to or less than 3,000 kg by the gross vehicle weight rating less than 4,500 kg.

The draft Regulation also requires the registration of the gross vehicle weight rating of road vehicles, where the rating is 4,500 kg or more, in the certificate of mechanical inspection in order to identify vehicles that have that weight.

The proposed adjustments require owners of road vehicles having a gross vehicle weight rating of at least 4,500 kg and a net mass of 3,000 kg or less to submit the vehicles to an annual mechanical inspection. They will

also have to comply with certain particular safety standards that applied to vehicles having a net mass of more than 3,000 kg regarding braking systems, the condition of tires and play in the steering system. Owners of road vehicles having a net mass of more than 3,000 kg but a gross vehicle weight rating of less than 4,500 kg will not be subject to the annual inspection and the particular standards.

Further information may be obtained by contacting Alexandre Guay, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-21, C. P. 19600, Québec (Québec) G1K 8J6; telephone: 418 528-3080.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

JULIE BOULET,
Minister of Transport

Regulation to amend the Regulation respecting safety standards for road vehicles*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 621, 1st par., subpars. 25, 25.1, 28 to 30, 32, 32.1, 32.2, 32.5 and 42)

1. The Regulation respecting safety standards for road vehicles is amended in section 2

(1) by striking out the definitions of “gross vehicle weight rating” and “GVWR” and “heavy truck”;

(2) by replacing “net mass exceeds 3 000 kg” in the definition of “trailer” by “gross vehicle weight rating is 4,500 kg or more”.

2. The following is inserted after section 2:

“**2.1.** For the purposes of this Regulation, the gross vehicle weight rating is the value specified by the manufacturer as the weight of a single loaded vehicle under the name “gross vehicle weight rating”, “GVWR”, “poids nominal brut du véhicule” or “PNBV”.

In the following cases, the gross vehicle weight rating is the value established by an engineer:

(1) where there is no document from the manufacturer specifying the weight;

(2) where the value specified by the manufacturer is obsolete because of the changes made to the vehicle.

The gross vehicle weight rating of a vehicle made by hand is the value established by an engineer. The gross vehicle weight rating may also be established, in the case of a trailer made by hand, by multiplying the sum of the load capacity of the trailer’s tires by 1.1 and, in the case of a semi-trailer made by hand, by multiplying the sum of the load capacity of the semi-trailer’s tires by 1.25.

For the purposes of this section, an engineer is a person who is a member of the Ordre des ingénieurs du Québec or any other person legally authorized to practise the profession in Québec.”.

3. Section 3 is amended by replacing “net mass is 3 000 kg or less” in paragraph 3 by “gross vehicle weight rating is less than 4,500 kg”.

4. Section 6 is amended by replacing “a weight of 3 000 kg or less” in paragraph 4 by “a gross vehicle weight rating of less than 4,500 kg”.

5. Section 8 is amended by replacing “and type of road vehicle” in paragraph 2 by “, type of road vehicle and gross vehicle weight rating, where it is 4,500 kg or more”.

6. Section 32 is amended by replacing the words “net mass is 3 000 kg or less” wherever they appear in the second paragraph by the words “gross vehicle weight rating is less than 4,500 kg”.

7. Section 33 is amended by replacing “net mass is 3 000 kg or less” and “net mass is more than 3 000 kg” in the second paragraph by “gross vehicle weight rating is less than 4,500 kg” and “gross vehicle weight rating is 4,500 kg or more”, respectively.

8. Section 102 is amended by replacing “a net mass greater than 3 000 kg” in paragraph 1 by “a gross vehicle weight rating of 4,500 kg or more”.

9. Section 107 is amended

(1) by replacing “net mass is 3 000 kg or less” in paragraph 1 by “gross vehicle weight rating is less than 4,500 kg”;

* The Regulation respecting safety standards for road vehicles, made by Order in Council 1483-98 dated 27 November 1998 (1998, *G.O.* 2, 4557), was last amended by the regulation made by Order in Council 187-2008 dated 5 March 2008 (2008, *G.O.* 2, 960). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

(2) by replacing “net mass is greater than 3 000 kg” in paragraph 2 by “gross vehicle weight rating is 4,500 kg or more”.

10. Section 120 is amended

(1) by replacing “net mass exceeds 3 000 kg” in paragraph 1 by “gross vehicle weight rating is 4,500 kg or more”;

(2) by replacing “net mass exceeds 3 000 kg” in paragraph 5 by “gross vehicle weight rating is 4,500 kg or more”.

11. Section 167 is amended

(1) by replacing “a net mass of 3 000 kg or less” in subparagraph a of paragraph 7 by “a gross vehicle weight rating of less than 4,500 kg”;

(2) by replacing “a net mass of more than 3 000 kg” in subparagraph b of paragraph 7 by “a gross vehicle weight rating of 4,500 kg or more”.

12. Section 170 is amended by replacing “net mass is more than 3 000 kg” in paragraph 2 by “gross vehicle weight rating is 4,500 kg or more”.

13. Section 197.1 is amended by replacing “a net weight of 3 000 kg or less” in the first paragraph by “a gross vehicle weight rating of less than 4,500 kg”.

14. Section 209 is amended

(1) by replacing “heavy trucks” in paragraph 3 by “motorized road vehicles having a gross vehicle weight rating of 7,258 kg or more”;

(2) by replacing “heavy trucks” in subparagraph *d* of paragraph 5 by “motorized road vehicles having a gross vehicle weight rating of 7,258 kg or more”.

15. Section 210 is amended by replacing “heavy trucks” in subparagraph 6 of the first paragraph by “motorized road vehicles having a gross vehicle weight rating of 7,258 kg or more”.

16. Section 211 is amended by replacing “heavy trucks” in paragraph 7 by “motorized road vehicles having a gross vehicle weight rating of 7,258 kg or more”.

17. Section 216 is amended by replacing “heavy trucks” in subparagraph 4 of the first paragraph by “motorized road vehicles having a gross vehicle weight rating of 7,258 kg or more”.

18. Schedule II is amended by replacing “Motor vehicle with a net weight of more than 3 000 kg excluding emergency vehicles” by “Motorized road vehicle with a gross vehicle weight rating of 4,500 kg or more, excluding emergency vehicles”.

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

9587

Draft Regulation

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

Special permits — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting special permits, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides a reference to the definition of “gross vehicle weight rating” that will be added to the Regulation respecting safety standards for road vehicles which corresponds, allowing for exceptions, to the value specified by the vehicle manufacturer.

The draft Regulation also provides that escort vehicles that accompany outsized vehicles must have a gross vehicle weight rating of less than 4,500 kg. Escort vehicles must currently have a net mass of 3,000 kg or less.

Further information may be obtained by contacting Denis Bédard, Direction du transport routier des marchandises, Ministère des Transports, 700, boulevard René-Lévesque Est, 2^e étage, Québec (Québec) G1R 5H1; telephone: 418 644-4719, extension 2276; fax: 418 644-5178.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 2^e étage, Québec (Québec) G1R 5H1.

JULIE BOULET,
Minister of Transport

Regulation to amend the Regulation respecting special permits*

Highway Safety Code

(R.S.Q., c. C-24.2, s. 621, 1st par., subpar. 20)

1. The Regulation respecting special permits is amended in section 0.1 by inserting the following definition in alphabetical order:

““gross vehicle weight rating” means the gross vehicle weight rating within the meaning of the Regulation respecting safety standards for road vehicles made by Order in Council 1483-98 dated 27 November 1998; (*poids nominal brut*)”.

2. Section 9 is amended by replacing paragraph 1 by the following:

“(1) have a gross vehicle weight rating of less than 4,500 kg;”.

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

9590

* The Regulation respecting special permits, made by Order in Council 1444-90 dated 3 October 1990 (1990, *G.O.* 2, 2567), was last amended by the regulation made by Order in Council 384-99 dated 31 March 1999 (1999, *G.O.* 2, 478). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

Municipal Affairs

Gouvernement du Québec

O.C. 1258-2009, 2 December 2009

An Act respecting municipal territorial organization
(R.S.Q. c. O-9)

Transfer of the territory of Ville de Bromont from the territory of Municipalité régionale de comté de La Haute-Yamaska to the territory of Municipalité régionale de comté de Brome-Missisquoi

WHEREAS, under section 210.61 of the Act respecting municipal territorial organization (R.S.Q. c. O-9), the Government may, by order, following an application by a local municipality, detach the territory of the local municipality from the regional municipal territory to which it belongs and attach it to that of another regional county municipality;

WHEREAS, under section 210.81 of that Act and section 109 of the Act to amend the Act respecting municipal territorial organization and other legislative provisions (1993, c. 65), the Government may by order, to give effect to the recommendation of the Minister of Municipal Affairs, Regions and Land Occupancy, amend the letters patent constituting the regional county municipalities affected by the transfer of territory;

WHEREAS, under the above-mentioned section 210.81, the amending order is to describe the new territory of the regional county municipalities and set out the conditions applicable to the transfer of territory;

WHEREAS the council of Ville de Bromont adopted, on 6 February 2006, resolution No. 2006-02-292 to request the Government to detach its territory from the territory of Municipalité régionale de comté de La Haute-Yamaska and to attach it to the territory of Municipalité régionale de comté de Brome-Missisquoi;

WHEREAS it is expedient to grant the application of Ville de Bromont with the amendments proposed by the Minister of Municipal Affairs, Regions and Land Occupancy, which were approved by the council of the applicant municipality;

WHEREAS it is expedient, therefore, to amend the letters patent of the regional county municipalities of La Haute-Yamaska and Brome-Missisquoi to describe their new respective territory;

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

THAT the territory of Ville de Bromont be detached from the territory of Municipalité régionale de comté de La Haute-Yamaska and attached to the territory of Municipalité régionale de comté de Brome-Missisquoi on the following conditions:

1. Ville de Bromont becomes, as of the date of coming into force of this Order in Council, the owner of the containers and roll-out containers on its territory and belonging to Municipalité régionale de comté de La Haute-Yamaska as part of its jurisdiction in matters of collection, transportation and disposal of household refuse and recyclable materials.

2. An amount corresponding to 12.88% of the surplus accumulated to 31 December 2009 in relation to part 1 of the budget of Municipalité régionale de comté de La Haute-Yamaska is to be paid by the latter to Ville de Bromont. However, any part of the accumulated surplus assigned to the payment of interest on the optical fibre network, where applicable, is not taken into consideration to determine the amount paid to Ville de Bromont.

3. An amount corresponding to 12.88% of the net investment at 31 December 2009 in the following long-term assets of Municipalité régionale de comté de La Haute-Yamaska is paid by the latter to Ville de Bromont:

(a) all movable assets, except those related to the assessment service and Maison régionale du tourisme and except the roll-out containers and containers acquired by the regional county municipality as part of its jurisdiction in matters of collection, transportation and disposal of household refuse and recyclable materials;

(b) the house and land situated at Saint-Joachim-de-Shefford (lots 179 (part), 180 (part), 181 (part) and 200 of the cadastre of Canton de Shefford;

(c) the lands located near kilometre 65 of Autoroute 10 (lots 3411620, 2592181, 2592515, 2592518 and 3411614 of the cadastre of Québec).

4. Ville de Bromont is to pay its share of the balance of the debt to 31 December 2009 on the loan by-laws of Municipalité régionale de comté de La Haute-Yamaska, according to the distribution method provided for in those by-laws. It will have to pay the amounts required for that purpose on a yearly basis to the regional county municipality.

The town may, upon renewing a loan, pay in one instalment the share of the principal that it would have provided upon maturity of the loan. The payable share is calculated according to the distribution method provided for in the by-law, as it applies at the time of payment. Such payment exempts the town from paying the amounts provided for in the first paragraph, for the remaining of the loan's term fixed in the by-law.

To make the payment required in the second paragraph, the town may, by by-law not requiring approval from the Minister of Municipal Affairs, Regions and Land Occupancy, order any loan.

5. Where applicable, Ville de Bromont pays its share of the expenditures incurred for the work on municipal watercourses before the coming into force of this Order in Council. Its share is established according to the distribution method provided for in the by-law of Municipalité régionale de comté de La Haute-Yamaska, which may be amended in accordance with the watercourse management policy of the regional county municipality.

6. Ville de Bromont takes part to any debt or gain that might result following legal proceedings initiated by reason of an act or acts performed by Municipalité régionale de comté de La Haute-Yamaska before the coming into force of this Order in Council. Such participation is made in proportion to the standardized property value of the town in relation to the total standardized property values of the local municipalities whose territory was included in the territory of Municipalité régionale de comté de La Haute-Yamaska on the day before the coming into force of this Order in Council. That calculation is performed by using the standardized property value of each of those municipalities as it appears in its financial report for the fiscal year 2009;

7. Ville de Bromont pays its share of the expenditures incurred for any contract or agreement of Municipalité régionale de comté de La Haute-Yamaska in matters of collection, transportation and disposal of household refuse, collection of recyclable materials, drainage of septic tanks for isolated dwellings, which continues to have effect in the territory of the town after the coming into force of this Order in Council amending the territorial limits of the regional county municipalities, until the date the contract or agreement expires or is renewed, unless the parties agree to terminate it, in respect of the town's territory, before the stipulated term.

The share of Ville de Bromont is determined according to the distribution method provided for in the by-law concerned of the regional county municipality.

In matters of collection, transportation and disposal of household refuse, Ville de Bromont and Municipalité régionale de comté de La Haute-Yamaska must seek to reach an agreement with the contractor so that Ville de Bromont succeeds, in respect of its territory, to the rights and obligations of the regional county municipality under the current contract, in full compliance of the contract's terms and conditions, until it expires.

As regards the collection of recyclable materials, Ville de Bromont and Municipalité régionale de comté de La Haute-Yamaska must seek to reach an agreement with the contractor so that the current contract be cancelled in respect of the territory of Ville de Bromont.

Ville de Bromont pays the legal expenses required to amend or cancel the above-mentioned contracts, up to \$1,000 per contract.

8. Ville de Bromont is to pay its share of the yearly expenditures related to the management of Maison régionale du tourisme situated at Exit 68 of Autoroute 10. It must also pay its share of any expenditure to renovate the immovable or any new construction on the same site. Such participation is proportional to the standardized property value of the town in relation to the total standardized property values of the local municipalities whose territory was comprised in the territory of Municipalité régionale de comté de La Haute-Yamaska on the day before the coming into force of this Order in Council. That calculation is performed by using the standardized property value of each of those municipalities as it appears on their last summary of the property assessment roll filed before the date on which the annual budget of Maison régionale du tourisme is set.

Ville de Bromont becomes a member of the Corporation d'aménagement récréo-touristique de La Haute-Yamaska (CARTHY) and thus has a seat on the board of directors and, as a member, pays its share of the annual expenditures required for the Corporation's operation. Such participation is proportional to the standardized property value of the town in relation to the total standardized property values of the local municipalities whose territory was comprised in the territory of Municipalité régionale de comté de La Haute-Yamaska on the day before the coming into force of this Order in Council. That calculation is performed by using the standardized property value of each of those municipalities as it appears on their last summary of the property assessment roll filed before the date on which the annual budget of the CARTHY is set.

Ville de Bromont must pay its share of the annual expenditures related to the management and maintenance of the regional optic fibre network of Municipalité régionale de comté de La Haute-Yamaska. It also pays its share of the annual expenditures required for the maintenance of the local optic fibre network, which continues to be maintained by the regional county municipality.

9. Should the loans granted by the Centre local de développement de La Haute-Yamaska to Bromont enterprises be transferred to the Centre local de développement de Brome-Missisquoi, within the framework of the local investment fund, Ville de Bromont will stand surety for those enterprises in respect of those loans.

10. Municipalité régionale de comté de La Haute-Yamaska gives to Municipalité régionale de comté de Brome-Missisquoi, upon request from the latter, and free of charge, a copy of all documents, plans and data specific to the territory of Ville de Bromont.

11. Ville de Bromont, for 4 years as of 2010, pays to Municipalité régionale de comté de La Haute-Yamaska, as basic compensation, the following amounts:

- (a) \$284,450 for 2010;
- (b) \$199,115 for 2011;
- (c) \$113,780 for 2012;
- (d) \$28,445 for 2013.

The amount must be paid before 1 July of each year.

Ville de Bromont also pays to Municipalité régionale de comté de La Haute-Yamaska an additional amount of \$31,805 as compensation for all the expenses paid by the regional county municipality to give effect to the transfer of territory. That amount, added to the basic compensation, stands in lieu of indemnity in respect of expenses incurred by the regional county municipality for the remuneration of personnel, the negotiation of the transfer, professional services, travel, copies of documents and its participation to the sittings of the land use planning commission.

Ville de Bromont also pays to Municipalité régionale de comté de la Haute-Yamaska a financial compensation of \$10,000 so that it may adapt its principal orientation documents, such as its development plan, its plan for the management of residual materials and its interim control by-law.

Lastly, Ville de Bromont pays, upon presentation of invoices, an amount not exceeding \$5,000 so that the regional county municipality may make modifications to the optic fibre network.

12. Unless otherwise provided for, any amount due by either party is paid within 4 months of the coming into force of this Order in Council, except the annual amounts which are paid within 30 days of the invoice date.

Any amount due in relation to legal proceedings is paid by the debtor party within 4 months of the final judgment.

13. Ville de Bromont pays to Municipalité régionale de comté de Brome-Missisquoi an amount equivalent to 16.84% of the value of the capital assets of the regional county municipality and the Centre local de développement Brome-Missisquoi, calculated on 31 December 2009.

14. Ville de Bromont pays to Municipalité régionale de comté de Brome-Missisquoi an amount equivalent to 16.84% of the value of the surpluses accumulated by the regional county municipality and the Centre local de développement Brome-Missisquoi, calculated on 31 December 2009.

15. Ville de Bromont pays to Municipalité régionale de comté de Brome-Missisquoi an amount of \$12,630, which corresponds to 16.84% of the contribution of the regional county municipality to the Société locale d'investissement dans le développement de l'emploi (SOLIDE) of Municipalité régionale de comté de Brome-Missisquoi.

16. Ville de Bromont pays to Municipalité régionale de comté de Brome-Missisquoi an amount of \$10,954 to cover the expenses required to modify the urban planning and regional development instruments resulting from the integration of the town's territory into the territory of the regional county municipality.

17. Any amount due to Municipalité régionale de comté de Brome-Missisquoi by Ville de Bromont is paid in 5 equal and consecutive instalments paid on 1 July of each year. The first payment is made on 1 July 2010 and the payments made in 2011, 2012, 2013 and 2014 bear interest at the annual rate of 2% as of 1 July 2010.

18. As of 1 January 2010 and for 20 years, a joint land use planning commission is established and it has jurisdiction over the territory of the census agglomeration of Granby.

19. The commission is composed of the warden of Municipalité régionale de comté de La Haute-Yamaska, the warden of Municipalité régionale de comté de Brome-Missisquoi, the mayor of Ville de Granby, the mayor of Ville de Bromont, the mayor of Municipalité de Saint-Alphonse-de-Granby and an additional member appointed by and among the members of the council of Municipalité régionale de comté de Brome-Missisquoi. If the mayor

of Granby, Bromont or Saint-Alphonse-de-Granby is also a warden, the council of the mayor's municipality is to designate another representative among its members who will sit on the commission.

Should a municipality whose territory is comprised in the territory of the regional county municipality of La Haute-Yamaska or Brome-Missisquoi be added to or removed from the census agglomeration of Granby, the mayor of that municipality sits on the commission or quits the commission, as the case may be. In either case, an additional representative must be appointed by and among the members of the council of either regional county municipality or quit, as the case may be, so as to maintain balance in the representation of the two regional county municipalities within the commission.

20. The wardens of each regional county municipality are to alternate every two years as chair and vice-chair of the commission. For the first two years, the warden of *Municipalité régionale de comté de La Haute-Yamaska* acts as chair and the warden of *Municipalité régionale de comté de Brome-Missisquoi* acts as vice-chair.

21. The chair calls and presides at sittings of the commission and ensures that they are properly conducted. Two members of the commission may also call a sitting.

The vice-chair replaces the chair where the chair is unable to act or where the office of chair is vacant. In the absence of the chair, the vice-chair presides at any sitting of the commission.

22. The quorum of the commission is a majority of its members. Every member present has one vote.

Every notice, report, recommendation or document of the commission is adopted by a simple majority.

23. The Minister of Municipal Affairs, Regions and Land Occupancy must be notified where there is no quorum at a sitting of the commission or in the case of a tie-vote on any vote of the commission. Where there is no quorum at a sitting or during a vote on the inclusion or exclusion of a lot from the agricultural zone, the *Commission de protection du territoire agricole du Québec* must also be notified.

The chair must send without delay the notices provided for in the first paragraph. Failing that, the vice-chair is to do it.

24. The commission may adopt internal management by-laws relating to its sittings and the conduct of its affairs.

25. The council of each regional county municipality must assign to the commission any persons whose services it may require to carry out its mandate.

26. The function of the commission is to examine, on its own initiative or at the request of the council of one of the regional county municipalities concerned, any matter relating to modifications of the general policies on land use of the territory or of the urbanization perimeter, referred to in subparagraphs 2 and 3 of the first paragraph of section 5 of the Act respecting land use planning and development (R.S.Q., c. A-19.1), or relating to the inclusion or exclusion of a lot from the agricultural zone.

A further function of a commission is to give its opinion to the regional county municipalities concerned and to make recommendations on matters within its jurisdiction.

Where one of the regional county municipalities or a local municipality whose territory is comprised within the territory of the census agglomeration of Granby applies for the inclusion or exclusion from the agricultural zone of a lot included in the agglomeration, it must send without delay a copy of that application to the other municipalities referred to in this paragraph.

27. The commission informs the *Commission de protection du territoire agricole du Québec* of every opinion or recommendation it gives on the inclusion or exclusion of a lot from the agricultural zone.

28. Before giving an opinion under section 51, 53.7, 56.4, 56.14 and 65 of the Act respecting land use planning and development to a regional county municipality concerned, the Minister of Municipal Affairs, Regions and Land Occupancy must, where applicable, consult the commission on matters within its jurisdiction. Any objection or disapproval expressed by the Minister under any of those sections may be based, in addition to the reasons related to the government aims referred to in those sections, on reasons based on the opinion of the commission;

THAT the letters patent issued on 24 November 1993 and constituting *Municipalité régionale de comté de La Haute-Yamaska* be amended

(1) by replacing the second paragraph of the operative part by the following:

“The limits of the territory of *Municipalité régionale de comté de La Haute-Yamaska* are those described by the Minister of Natural Resources and Wildlife in the official description of that territory dated 17 September 2009, which appears in Schedule A to these letters patent as if it was part of the letters patent.”;

(2) by replacing Schedule A to those letters patent by Schedule 1 to this Order in Council;

THAT the letters patent issued on 2 June 1993 and constituting Municipalité régionale de comté de Brome-Missisquoi be amended

(1) by replacing the second paragraph of the operative part by the following:

“The limits of the territory of Municipalité régionale de comté de Brome-Missisquoi are those described by the Minister of Natural Resources and Wildlife in the official description of that territory dated 17 September 2009, which appears in Schedule A to these letters patent as if it was part of the letters patent.”;

(2) by replacing Schedule A to those letters patent by Schedule 2 to this Order in Council;

THAT this Order in Council come into force on 1 January 2010.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

SCHEDULE 1

OFFICIAL DESCRIPTION OF THE NEW TERRITORY OF MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LA HAUTE-YAMASKA

The new territory of Municipalité régionale de comté de la Haute-Yamaska comprises the territory delimited as follows: commencing at the apex of the northeast angle of lot 147 of the cadastre of Canton de Roxton, thence, successively, the following lines and demarcations: successively southerly, in reference to the original lots of the said cadastre, the east line of lots 147, 100 and 53 thence, in reference to the original lots of the cadastre of Canton de Shefford, the east line of lots 192 to 194, 197, 306, 307, 309, 308, 446 to 448, 659, 658, 775, 872 and 1020 thence, in reference to the lots of the cadastre of Québec, the east line of lots 3 398 303, 2 593 496, 3 317 849, 2 594 020, 2 594 019 and 2 594 018; westerly, the south line of lots 2 594 018, 2 594 017, 3 317 814, 2 594 004, 2 594 002, 3 317 863, 3 317 877, 3 397 036, 3 317 884, 3 317 874, 3 397 017, 3 397 018, 2 593 975 to 2 593 979, 3 317 836, 3 317 803, 3 317 920 in declining order to 3 317 914, 3 317 497 and 3 317 913; northerly, the west line of lots 3 317 913, 2 593 574, 3 411 697 and 2 593 571; successively easterly and northwesterly, following the south and southwest sides of the right of way of Autoroute des Cantons de l'Est, part of the south line of lot 3 317 817 thence the south and southwest line of lot 3 317 806; northerly, the west line of lots 3 317 806

and 2 593 613; northeasterly, following the southeast side of the right of way of Route 241 (Rue Shefford), the northwest line of lots 2 593 613, 2 593 614, 3 318 083, 2 594 063, 2 594 059, 3 317 763 and 3 317 771; in a general northwesterly direction, the southwest line of lots 3 317 925, 2 593 677, 2 593 667, 2 593 671 to 2 593 676, 2 593 383, 2 593 384, 2 593 380, 3 317 807, 2 593 388, 2 593 386 and 2 593 393; westerly, the south line of lots, 3 317 769, 2 595 724, 2 595 722, 2 595 723, 2 595 709, 2 595 720, 3 318 044 and 2 596 273 to 2 596 275; southerly, part of the east line of lot 1 141 950, thence the east line of lots 1 143 692, 1 141 709 and 1 143 631; westerly, following the south side of the right of way of Autoroute des Cantons de l'Est, the south line of lots 1 143 631, 1 143 630, a south line of lot 1 143 629 extended into the said lot to the apex of the northeast angle of lot 2 591 588, the other south line of lot 1 143 629, the south line of lots 1 143 628, 1 402 930 extended through lots 1 403 028 and 1 403 071, thence the south line of lots 1 402 929 and 1 402 926; southerly, the east line of lots 2 592 231, 2 592 232, 2 592 222, 2 592 233, 3 931 888, 3 931 889, 2 592 256 and part of the east line of lot 2 592 116 to the apex of the northwest angle of lot 2 591 632; westerly, the extension into lot 2 592 116, the north line of lot 2 591 632 to its intersection with the extension to the north of the east line of lot 2 592 118; successively southerly, the said extension of the east line of lot 2 592 118, the east line of lot 2 592 118 thence its extension to the south line of lot 2 591 902; westerly, part of the south line of lot 2 591 902; southerly, part of the east line of lot 3 374 274 and the east line of lots 3 776 619, 3 519 961, 3 519 978, 3 519 977 and 3 519 979; successively westerly, the south line of lots 3 519 979, 3 711 873, 3 521 493, 3 521 492, 3 521 491, 3 521 469, 3 521 475, 3 521 471, 3 520 221, 4 389 292, 3 520 222, 3 520 228, 3 967 472, 3 520 242, 3 520 241, 3 520 223 extended into rivière Yamaska and lots 3 520 247, 3 520 251 and 3 520 249 to the apex of the southeast angle of lot 3 520 248 thence part of the south line of that lot to the apex of the northeast angle of lot 3 520 254; southerly, the east line of lot 3 520 254, extended to the median line of rivière Yamaska; in general southerly and westerly directions, the said median line, to its intersection with the extension to the south of the west line of lot 3 520 285; northerly, the said extension and the west line of lots 3 520 285, 3 522 183, 3 521 888, 3 516 070, 3 851 078, 3 374 309, 2 593 303, 2 592 109, 2 592 399, 2 593 325, 2 592 492, 2 592 398, 2 592 397, 2 592 396, 3 851 004, 3 851 005, 1 651 318, 1 648 040, 1 651 272, 1 651 283, 1 647 996, 1 648 018, 1 648 029, 1 651 305, 1 648 051, 1 648 184, 1 651 821, 1 651 201, 1 651 200, 1 652 407, 1 651 791, 1 648 384, 1 652 003, 1 651 829, 1 651 830, 1 651 831, 1 651 192, 1 651 859, 3 556 618, 3 851 538, 3 882 365, 3 556 619, 3 556 616, 3 556 617, 3 555 631, 3 556 071, 3 555 333, 3 555 332, 3 555 663, 3 555 659, 3 556 069, 3 555 644 extended into rivière Noire to the apex of the southwest angle of lot 3 555 302, the west line of lots 3 555 302,

3 556 059, 3 555 374, 3 555 371, 3 555 376, 3 556 054, 3 556 064 and 3 555 906; successively easterly, the north line of lot 3 555 906, a line in lot 3 555 891 to the apex of the northwest angle of lot 3 555 909 thence the north line of lots 3 555 909 and 3 555 837; southerly, the east line of lots 3 555 837, 3 555 504 extended into rivière Noire to the apex of the north angle of lot 3 555 363, the east line of lots 3 555 363, 3 556 946 and 3 555 911; easterly, part of the north line of lot 3 555 679 and the north line of lots 3 555 680, 3 913 952, 3 555 678, 3 556 715, 3 556 714, 3 556 716, 3 556 717, 3 882 370, 3 882 369, 3 556 719, 3 556 720, 3 882 340, 3 882 339, 3 556 718, 3 557 192, 3 556 721, 3 555 556, 3 555 843, 3 555 571, 3 877 420, 3 555 557, 3 555 560, 3 555 561, 3 555 565, 3 555 570, 3 877 419, 3 555 559, 3 555 562, 3 555 567, 3 555 568, 3 555 572, 3 555 566 and 3 555 563 to the western limit of the cadastre of the parish of Sainte-Pudentienne; in reference to the original lots of the said cadastre, northerly, the west line of lot 4 of rang 6, Canton Milton; easterly, the north line of lots 4 and 3 of rang 6, Canton Milton; northerly, part of the west line of lot 2B of rang 6, Canton Milton; successively easterly, passing to the south side of the right of way of chemin Égypte Est and chemin du Sixième Rang, the north line of lots 2B, 2A, 1E, 1D, 1C and 1B of rang 6, Canton Milton thence the north line of lots 1A to 1D, 2A to 2D, 3A, 3B, 4A, 4B, 5A to 5C, 6A, 6D and 7A to 7C of rang 6, Canton Roxton; southerly, the east line of lot 7C of rang 6, Canton Roxton; easterly, the north line of lots 8A, 8B, 9E, 9F, 10C and 10D of rang 5, Canton Roxton; successively southerly, the east line of lots 10D and 10B of rang 5, Canton Roxton thence the east line of lots 10B, 29 and 10A of rang 4, Canton Roxton; successively easterly, the north line of lot 11C of rang 3, Canton Roxton thence in reference to the original lots of the cadastre of Canton de Roxton, the north line of lots 101, 102, 104, 105, 107 to 124, 126 to 131, 134, 135 and 137 to 147, to the point of commencement.

This regional county municipality includes the following municipalities: Ville de Granby and Ville de Waterloo; Village de Warden; Municipalité du canton de Shefford; the parish of Saint-Joachim-de-Shefford and the municipalities of Roxton Pond, Saint-Alphonse-de-Granby and Sainte-Cécile-de-Milton.

The official description appearing in the notice published in the *Gazette officielle du Québec* of 4 October 1986 (*G.O.*, vol. 118, n° 40, p. 5015) and defining the boundaries of the territory of Municipalité régionale de comté de la Haute-Yamaska is amended and replaced by this description to take into account the transfer of Ville de Bromont, situated in Municipalité régionale de comté de la Haute-Yamaska, to the territory of Municipalité régionale de comté de Brome-Missisquoi. The area mentioned in the second paragraph reflects the current situation.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 17 September 2009

Prepared by: _____
GENEVIÈVE TÉTREAUULT,
Land surveyor

SCHEDULE 2

OFFICIAL DESCRIPTION OF THE NEW TERRITORY OF MUNICIPALITÉ RÉGIONALE DE COMTÉ DE BROME-MISSISQUOI

The new territory of Municipalité régionale de comté de Brome-Missisquoi comprises the territory delimited as follows: commencing from the northeast corner of lot 358 of the cadastre of Canton de Bolton; thence, successively, the following lines and demarcations: southerly, in reference to the said cadastre, the east line of original lots 358 to 360, 363, 366, 367, 370 to 377, 379, 383, 384, 386, 387, 391 to 401, 404, 409, 413, 418, 419, 421, 424, 426 to 429, 432 and 434; westerly, the south line of original lots 434, 433, 353, 263, 262, 261, 260, 135, 134 and 133; southerly, the dividing line between the cadastres of Canton de Sutton and Canton de Potton to the Québec – U. S. border; westerly, the Québec – U. S. border to the median line of lac Champlain (baie Missisquoi); northeasterly, successively, the median line of the said lake to the apex of the southwest angle of lot 1 of the cadastre of the parish of Saint-Armand-Ouest, thence part of the dividing line between the cadastre of the parish of Saint-Georges-de-Clarenceville and the cadastres of the parish of Saint-Armand-Ouest and Canton de Stanbrigitte to the apex of the southeast angle of the original lot 181 of the cadastre of the parish of Saint-Georges-de-Clarenceville; westerly, in reference to the original lots of the latter cadastre, the south line of lots 181 and 170; northerly, the west line of lot 170; easterly, part of the dividing line between the cadastres of the parish of Saint-Georges-de-Clarenceville and the cadastre of the parish of Saint-Sébastien to the apex of the southwest angle of original lot 318 of the cadastre of the parish of Saint-Sébastien; successively, in reference to the original lots of the said cadastre, northerly and southeasterly, the west line and the northeast line of lot 318 to the northwest side of the right of way of Route 202; northeasterly, part of the said right of way to the west line of lot 348; northerly, the west line of lots 348, 347, 346 and 178; easterly, the north line of lots 178 in declining order to 172 and part of the north line of lot 171 to the dividing line between the cadastres of the parish of Saint-Sébastien and the parish of Notre-Dame-des-Anges-de-Stanbrigitte; successively northerly, northwest-

erly and northeasterly, part of the broken line separating the cadastre of the parish of Notre-Dame-des-Anges-de-Stanbridge from the cadastres of the parishes of Saint-Sébastien and Saint-Alexandre to the southwest line of the original lot 87 of the cadastre of the parish of Saint-Alexandre; in reference to the original lots of the said cadastre, northwesterly, the southwest line of lots 87 to 91; northeasterly and southeasterly, the northwest line and part of the northeast line of lot 91 to the west line of lot 42; northerly, the west line of lot 42; southeasterly, part of the dividing line between the cadastres of the parish of Saint-Alexandre and the parish of Sainte-Brigide to the west line of the original lot 333 of the latter cadastre; successively, in reference to the original lots of the cadastre of the parish of Sainte-Brigide, the west line of lots 333 and 332; southeasterly, the northeast line of lot 332; northerly, part of the west line of lot 361; southeasterly, the northeast line of lots 361, 360, 359 and part of the northeast line of lot 358 to the west line of lot 362; northerly, the west line of lots 362 to 368; easterly and northeasterly, the north and northwest line of lot 368; in a general northerly direction, the west line of lots 369 to 377; southeasterly, the northeast line of lots 377 and 506; northerly, part of the line dividing the cadastres of the parish of Saint-Romuald-de-Farnham-Ouest and the parish of Sainte-Brigide to the north side of the right of way of a railway (lot 536 of cadastre of the parish of Sainte-Brigide); westerly, the north side of the right of way of the said railway to the southwest side of the right of way of Route 104 (Rang Double); northwesterly, the southwest side of the right of way of the said road to the extension to the south of the west line of lot 426 of the cadastre of the parish of Sainte-Brigide; in reference to that cadastre, northerly, the said extension and part of the west line of lot 426 to the north side of the right of way of montée des Écossais; in a general northeasterly direction, the northwest side of montée des Écossais crossing lots 426 and 425 and bordering to the northwest lots 427 and 490 to the west side of Route 233 (rang des Écossais); northerly, the west side of the said Route 233 to the extension to the west of the north line of lot 418 of the cadastre of the parish of Saint-Romuald-de-Farnham-Ouest; easterly, the said extension and the north line of lot 418; southeasterly, the northeast line of lots 418, 416 and 415, extended to the median line of rivière Yamaska; in a general northerly direction, the median line of the said river to its intersection with the extension to the northwest of the northeast line of lot 404 of the cadastre of the parish of Saint-Romuald-de-Farnham-Ouest; southeasterly, the said extension then part of the northeast limit of the cadastre of the parish of Saint-Romuald-de-Farnham-Ouest to the dividing line between lots 270 and 269; successively northerly and easterly, the west and north lines of lot 269; southeasterly, the northeast line of lots 269, 265, 266, 264 and 263 extended to the median line of rivière Yamaska; the

median line of the said river downstream to its intersection with the extension to the northwest of the northeast line of lot 266; southeasterly, the said extension and the broken line bordering to the northeast lots 266, 254, 257 to 259, 155, 153 and 152 to the northwest line of lot 3 711 558 of the cadastre of Québec; in reference to the latter cadastre, northeasterly, the northwest line of lots 3 711 558, 3 711 559, 3 522 212 and 3 711 821 extended to the median line of rivière Yamaska; in general easterly and northerly directions, the said median line to its intersection with the extension to the south of the west line of lot 3 520 264; northerly, the said extension and the said west line; successively easterly, the north line of lot 3 520 264 extended into lots 3 520 249, 3 520 251, 3 520 247 and rivière Yamaska to the apex of the southwest angle of lot 3 520 223, thence the north line of lots 3 520 479, 3 520 484, 3 520 492, 3 520 495, 3 520 489, 3 520 501, 3 520 503, 3 520 507, 2 928 624, 2 929 036 and 2 928 845; northerly, the west line of lots 2 928 848, 2 929 031, 2 928 620, 2 928 622, 2 928 607 and 2 929 023; easterly, the north line of lots 2 929 023, 2 928 982 and part of the north line of lot 2 929 081 to its intersection with the extension to the south of the west line of lot 2 592 116; northerly, the said extension and the west line of lot 2 592 116 extended to its intersection with the extension to the west of the north line of lot 2 591 632; easterly, the said extension of the north line of lot 2 591 632 to the apex of the southwest angle of lot 2 591 628; northerly, the west line of lots 2 591 628 and 2 591 642; easterly, following the south side of the right of way of Autoroute des Cantons de l'Est, the north line of lots 2 591 642, 2 591 639, 2 591 901, 2 591 900 extended into lots 1 403 071 and 1 403 028, the north line of lots 2 591 894, 2 591 591, 2 591 589, 2 591 588 extended into lot 1 143 629 to the apex of the northwest angle of lot 3 936 426, the north line of lots 3 936 426, 2 591 364, 2 591 362, 2 591 361, 2 591 367, 2 591 886, 2 591 179 and 2 591 178; northerly, the west line of lots 3 317 787, 2 593 519, 3 317 934 and 2 593 400; easterly, the north line of lots 2 593 400, 2 593 399 and 3 317 792; in a general southeasterly direction, the northeast line of lots 3 317 792 and 3 317 793; southwesterly, the southeast line of lot 3 317 793 and part of the southeast line of lot 3 317 721 (rue Shefford (Route 241)) to the apex of the north angle of lot 2 593 633; southerly, the east line of lots 2 593 633, 2 593 632, 2 593 631 and 3 317 786; successively southeasterly and easterly following the southwest and south sides of Autoroute des Cantons de l'Est, the northeast line of 2 593 557, 4 347 406, 3 317 790, 2 593 601, 3 396 998, 4 399 225, thence the north line of lots 2 593 801, 2 593 796, 3 317 788, 2 593 797, again 3 317 788, 2 593 572, 3 398 300 and 4 428 177; southerly, the east line of lots 4 428 177, 2 593 813 and 3 317 715; successively easterly, part of the north line of lot 3 940 312 and the north line of lots 3 940 309, 3 940 312, 3 940 311, 3 940 307, 3 940 306, 3 940 304, 3 938 545, 3 938 544,

4 345 205, 3 938 542, 3 938 549, 3 938 547, 3 938 543, 3 939 647, 3 938 379, 3 938 378, 3 940 317, 4 202 996, 3 940 314 and 3 940 559 thence in reference to the original lots of the cadastre of Canton de Brome, the north line of lots 1117 to 1121 and 1424 to 1426; lastly, easterly, in reference to the original lots of the cadastre of Canton de Bolton, the north line of lots 1 to 3, 136, 138, 264, 1889 (right of way of a railway), 354, 355, 357 and 358, to the point of commencement.

This regional county municipality includes the following municipalities: Ville de Bedford, Ville de Bromont, Ville de Cowansville, Ville de Dunham, Ville de Farnham, Ville de Lac-Brome and Ville de Sutton; Village d'Abercorn and Village de Brome; Municipalité du canton de Bedford and the municipalities of Bolton-Ouest, Brigham, East Farnham, Frelighsburg, Notre-Dame-de-Stanbridge, Saint-Armand, Sainte-Sabine, Saint-Ignace-de Stanbridge, Saint-Pierre-de-Véronne-à-Pike-River, Stanbridge East and Stanbridge Station.

The official description appearing in the notice published in the *Gazette officielle du Québec* of 4 October 1986 (*G.O.*, vol. 118, n° 40, p. 5015) and defining the boundaries of the territory of Municipalité régionale de comté de Brome-Missisquoi is amended and replaced by this description to take into account the transfer of Ville de Bromont, situated in Municipalité régionale de comté de la Haute-Yamaska, to the territory of Municipalité régionale de comté de Brome-Missisquoi. The area mentioned in the second paragraph reflects the current situation.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 17 September 2009

Prepared by: _____
GENEVIÈVE TÉTREAUULT,
Land surveyor

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Parliamentary Committees

Committee on Transportation and the Environment

General consultation

Bill 71, An Act to again amend the Highway Safety Code and other legislative provisions

The Committee on Transportation and the Environment will be holding public hearings beginning February 10, 2010, as part of its general consultation on Bill 71, An Act to again amend the Highway Safety Code and other legislative provisions. This bill is available on the Committee's web page at www.assnat.qc.ca; it may also be obtained by contacting the committee clerk.

Individuals and organizations wishing to express their views on this subject must submit a brief to the Committees Secretariat no later than January 25, 2010. Briefs must be on letter-size paper and include a summary of their contents. They may be sent by email (Word or unlocked PDF) or regular mail, or hand delivered at the reception desk of the Committees Secretariat.

Individuals wishing to voice their views during public hearings without submitting a brief must file a request to that effect with the committee clerk no later than January 25, 2010. The request must include a short statement summarizing the nature of the presentation to be made.

On the basis of these briefs and requests, the Committee decides which individuals and organizations it will hear.

Unless the Committee decides otherwise, briefs will be made public and posted on the Committee's web page, along with any personal information they contain.

Deadlines for submitting briefs and requests are subject to change, as is the opening-date for public hearings. If changes are made, the information will be made public via the National Assembly's website without further notice being published in the newspapers.

Briefs, requests, correspondence and inquiries should be addressed to Mr. Dany Henley, Clerk ad interim of the Committee on Transportation and the Environment, édifice Pamphile-Le May, 1035, rue des Parlementaires, 3^e étage, Québec (Québec), G1A 1A3.

Telephone: 418-643-2722 Fax: 418-643-0248

Email: cte@assnat.qc.ca

Toll-free number: 1 866 337-8837

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Notices

Notice

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

Carmen-Lavoie Nature Reserve — Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), that the Minister of Sustainable Development, Environment and Parks has recognized as a nature reserve a private property, situated on the territory of the Municipality of Saint-Mathieu-du-Parc, Regional County Municipality of Maskinongé, known and designated as being two parts of lot number 3 of Range 12 of the Paroisse de Saint-Mathieu cadastre, Shawinigan registry division. This property, of an area of 2,539 hectares, is more fully described in property description and plan prepared and signed by Mr. Yves Béland, land surveyor, on March 17th 2009, in his field notes 8471.

This recognition takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

*Director of Ecological Heritage
and Parks,*

PATRICK BEAUCHESNE

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Notice

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

Montagnes-Vertes Nature Reserve (Secteur Conservation de la nature – Canada) — Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), that the Minister of Sustainable Development, Environment and Parks has recognized as a nature reserve a private property which extends over 4 558,05 hectares. This property, in the Sutton Mountains, on the territory of the Municipality of Ville de Sutton, known and designated as a parts a lots 452, 453, 458, 561, 580, 859, 860, 861, 865, 867, 868, 1243, 1249, 1250, 1252, 1253-41, 1254 and 1255; two parts a lots 866, 1246, 1247 and 1253; a lots 559, 560, 562, 563, 579, 865-1,

865-2, 866-1, 866-2, 867-1, 868-1, 869, 870, 1244, 1245, 1251, 1252-5, 1252-6, 1253-42 and 1254, upon Official Plan and Book of Reference for the Canton de Sutton, Brome Registration Division, Regional County Municipality of Brome-Missisquoi and on the territory of the Municipality of the Canton de Potton, known and designated as a parts a lots 86, 153 and 250; a lots 84, 85, 87, 88, 89, 90, 91, 92, 93A, 94, 95, 96, 156, 157, 160, 161, 162, 163, 164, 165, 166, 167, 168, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 360, 368, 369 and 370, upon Official Plan and Book of Reference for the Canton de Potton, Brome Registration Division, Regional County Municipality of Memphrémagog.

This recognition takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
*Director of Ecological Heritage
and Parks*

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Notice

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

Montagnes-Vertes Nature Reserve (Secteur Conservation de la nature – Québec) — Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), that the Minister of Sustainable Development, Environment and Parks has recognized as a nature reserve a private property which extends over 1 018,7 hectares. This property, in the Sutton Mountains, on the territory of the Municipality of Canton de Potton, known and designated as a parts a lots 155, 159, 588, 589, 591 and 592, tree parts a lots 158 and a lots 361, 362, 363, 364, 365, 366, 367 and 590 upon Official Plan and Book of Reference for the Canton de Potton, Brome Registration Division, Regional County Municipality of Memphrémagog, on the territory of the Municipality of Bolton-Ouest, known and designated as a lots 133 upon Official Plan and Book of Reference for the Canton de Bolton, Brome Registration Division, Regional County Municipality of Brome-Missisquoi and on the territory of the Municipality of the Ville de Sutton, known and

designated as a parts a lots 85, 589A, 589, 859, 860 and 861 and a lots 84, 871, 872, 873, 874, 875 and 876 upon Official Plan and Book of Reference for the Canton de Sutton, Brome Registration Division, Regional County Municipality of Brome-Missisquoi.

This recognition takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
*Director of Ecological Heritage
and Parks*

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

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