

Gazette
officielle
DU Québec

Part

2

No. 40A

8 October 2010

Laws and Regulations

Volume 142

Summary

Table of Contents
Draft Regulations
Erratum
Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2010

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

NOTICE TO USERS

The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Centre de services partagés du Québec (R.S.Q., c. C-8.1.1) and the Regulation respecting the *Gazette officielle du Québec* (Order in Council 1259-97 dated 24 September 1997), amended by the Regulation to amend the Regulation respecting the *Gazette officielle du Québec* (Order in Council 264-2004 dated 24 March 2004 (2004, G.O. 2, 1176). Partie 1, entitled "Avis juridiques", is published at least every Saturday. If a Saturday is a legal holiday, the Official Publisher is authorized to publish it on the preceding day or on the following Monday. Partie 2, entitled "Lois et règlements", and the English edition, Part 2 "Laws and Regulations", are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

Part 2 – LAWS AND REGULATIONS

Internet

The *Gazette officielle du Québec* Part 2 will be available on the Internet at noon each Wednesday at the following address:

www.publicationsduquebec.gouv.qc.ca

Contents

Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
- (4) decisions of the Conseil du trésor and ministers' orders whose publications in the *Gazette officielle du Québec* is required by law or by the Government;
- (5) regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by law;
- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

French edition

In addition to the documents referred to in paragraphs 1 to 7 above, the French version of the *Gazette officielle du Québec* contains the orders in council of the Government.

Rates*

1. Annual subscription:

	Printed version	Internet
Partie 1 "Avis juridiques":	\$185	\$163
Partie 2 "Lois et règlements":	\$253	\$219
Part 2 "Laws and Regulations":	\$253	\$219

2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$9.54 per copy.

3. Downloading of documents from the Internet version of the *Gazette officielle du Québec* Part 2: \$6.74.

4. Publication of a notice in Partie 1: \$1.29 per agate line.

5. Publication of a notice in Part 2: \$0.85 per agate line. A minimum rate of \$186 is applied, however, in the case of a publication of fewer than 220 agate lines.

* **Taxes not included.**

General conditions

The Division of the *Gazette officielle du Québec* must receive manuscripts, **at the latest, by 11:00 a.m. on the Monday** preceding the week of publication. Requests received after that time will appear in the following edition. All requests must be accompanied by a signed manuscript. In addition, the electronic version of each notice to be published must be provided by e-mail, to the following address: gazette.officielle@cspq.gouv.qc.ca

For information concerning the publication of notices, please call :

Gazette officielle du Québec
1000, route de l'Église, bureau 500
Québec (Québec) G1V 3V9
Telephone : 418 644-7794

Fax: 418 644-7813

Internet: gazette.officielle@cspq.gouv.qc.ca

Subscriptions

Internet: www.publicationsduquebec.gouv.qc.ca

Printed:

Les Publications du Québec
Customer service – Subscriptions
1000, route de l'Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 643-5150
Toll free: 1 800 463-2100

Fax: 418 643-6177

Toll free: 1 800 561-3479

All claims must be reported to us within 20 days of the shipping date.

Table of Contents**Page**

Draft Regulations

Brokerage of bulk trucking services 2765A

Erratum

Brokerage of bulk trucking services 2767A

Draft Regulations

Draft Regulation

Transport Act
(R.S.Q., c. T-12)

Brokerage of bulk trucking services — 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 brokerage of bulk trucking services, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes it possible, when assessing the representativeness of a non-profit legal person or a cooperative for the issue or renewal of a brokerage permit, to consider the subscriptions of all operators of heavy vehicles registered in the bulk trucking register that have had their principal establishment in the zone for which the permit is applied for since 1 November of the preceding year. In addition, it specifies that a contract for brokerage services entered into by an operator of heavy vehicles further to intimidation, threats or reprisals cannot be taken into account for establishing the representativeness of a legal person.

The draft Regulation also prescribes that, in 2011, a brokerage permit is to be issued or renewed for a term of not more than 1 year, expiring on 31 March 2012. Lastly, the draft Regulation provides for administrative simplifications.

Among the provisions of the draft Regulation, only the shortening of the term of the brokerage permit will have a minor financial impact on the clientele. The administrative simplifications will have a positive financial impact. The draft Regulation does not impose a significant administrative burden on brokerage agencies.

Further information may be obtained by contacting Yanick Blouin, Ministère des Transports, 700, boulevard René-Lévesque Est, 2^e étage, Québec (Québec) G1R 5H1; telephone: 418 644-4719, extension 2345; fax: 418 644-5178; e-mail: yanick.blouin@mtq.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 Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

SAM HAMAD,
Minister of Transport

Regulation to amend the Regulation respecting the brokerage of bulk trucking services*

Transport Act
(R.S.Q., c. T-12, s. 5, pars. *b, d, e, f, m, n, n.1, o, o.1, o.2* and *q*)

1. The Regulation respecting the brokerage of bulk trucking services is amended in section 4

(1) by replacing “that have their principal establishment in the zone for which the permit is applied for and that are interested in subscribing to a brokerage service” in the first paragraph by “and that have had their principal establishment in the zone for which the permit is applied for since 1 November of the preceding year”;

(2) by striking out the third sentence in the second paragraph;

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

“A contract for brokerage services entered into by an operator of heavy vehicles further to intimidation, threats or reprisals cannot be taken into account for establishing the representativeness of a legal person.”.

2. Section 5 is amended by replacing subparagraph 1 of the first paragraph by the following:

* The Regulation respecting the brokerage of bulk trucking services, made by Order in Council 1483-99 dated 17 December 1999 (1999, *G.O.* 2, 5079), was last amended by the regulation made by Order in Council 190-2010 dated 10 March 2010 (2010, *G.O.* 2, 721). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 April 2010.

“(1) file with the Commission

(a) the application and the information that will establish its representativeness, using the appropriate forms;

(b) the originals of all brokerage contracts, upon request by the Commission;

(c) its revenue and expenditure forecasts with an application for the fixing of its brokerage fees;”.

3. Section 9 is replaced by the following:

“**9.** In 2011, a brokerage permit is to be issued or renewed for a term of not more than 1 year, expiring on 31 March 2012.”.

4. Section 12 is amended

(1) by replacing “no later than 1 March of each year” by “, upon request”;

(2) by striking out “updated to 10 February”.

5. Schedule 1 is amended by replacing the last paragraph of part 2 by the following:

“A copy of this contract must be filed in the transferor’s record. The record must be kept by the broker throughout the term of his or her permit. A copy of this contract must be provided to the Commission upon request.”.

6. The provisions of this Regulation come into force on 31 December 2010.

Erratum

Gouvernement du Québec

O.C. 190-2010, 17 March 2010

Transport Act
(R.S.Q., c. T-12)

Brokerage of bulk trucking services — Amendments

Regulation to amend the Regulation respecting the
brokerage of bulk trucking services

Gazette officielle du Québec, Part 2, March 17, 2010,
Volume 142, No. 11, page 721.

On page 721, the heading of the Order in Council
should read “O.C. 190-2010, 10 March 2010” instead of
“O.C. 190-2010, 17 March 2010”.

1063

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

	Page	Comments
Brokerage of bulk trucking services (Transport Act, R.S.Q., c. T-12)	2767A	Erratum
Brokerage of bulk trucking services (Transport Act, R.S.Q., c. T-12)	2765A	Draft
Transport Act — Brokerage of bulk trucking services (R.S.Q., c. T-12)	2767A	Erratum
Transport Act — Brokerage of bulk trucking services (R.S.Q., c. T-12)	2765A	Draft

