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Part

2

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Laws and Regulations

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Summary

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

Gouvernement du Québec

O.C. 100-2012, 16 February 2012

An Act to amend the Highway Safety Code and other legislative provisions (2010, c. 34) — 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 other legislative provisions

WHEREAS the Act to amend the Highway Safety Code and other legislative provisions (2010, c. 34) was assented to on 10 December 2010;

WHEREAS, under section 108 of the Act, the provisions of the Act came into force on 10 December 2010, except paragraphs 1 to 4 of that section;

WHEREAS, under paragraph 1 of section 108 of the Act, section 95 of the Act came into force on 17 January 2011;

WHEREAS, under paragraph 2 of section 108 of the Act, sections 57, 59, 63 to 65, 67 to 69, 79, 80 and 92 of the Act came into force on 9 January 2011;

WHEREAS, under paragraph 3 of section 108 of the Act, section 51 as regards paragraph 2, section 55, section 62 as regards section 434.0.1 of the Highway Safety Code, section 72 as regards paragraphs 1 and 3, and sections 73 to 75 and 77 came into force on 10 March 2011;

WHEREAS, under paragraph 4 of section 108 of the Act, section 4, section 5 as regards paragraph 2, sections 6 to 12, section 13 as regards paragraph 1, sections 14, 15, 17 to 23, 25 to 39, 41, 42, 53, 54, 60 and 61, section 62 as regards sections 434.1 to 434.6 of the Highway Safety Code, sections 66, 71, 76 and 83, section 91 as regards subparagraph 17 of the first paragraph and the fifth paragraph of section 626 of the Highway Safety Code, and sections 99 to 102 come into force on 30 June 2012, unless the Government sets an earlier date or earlier dates for the coming into force of those provisions;

WHEREAS it is expedient to set 15 April 2012 as the date of coming into force of section 28, section 35 as regards paragraph 2 and section 102 of the Act to amend the Highway Safety Code and other legislative provisions;

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

THAT section 28, section 35 as regards paragraph 2 and section 102 of the Act to amend the Highway Safety Code and other legislative provisions (2010, c. 34) come into force on 15 April 2012.

GILLES PAQUIN,
Clerk of the Conseil exécutif

1921

Regulations and other Acts

Gouvernement du Québec

O.C. 95-2012, 16 February 2012

An Act respecting prescription drug insurance
(R.S.Q., c. A-29.01)

Exercice of the functions provided for in sections 57 and 58 of the Act respecting prescription drug insurance by the Régie de l'assurance maladie du Québec

WHEREAS, under section 57 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01), the Régie de l'assurance maladie du Québec is responsible for making recommendations to the Minister of Health and Social Services on changes in the price of medications already entered on the list provided for in section 60 of the Act;

WHEREAS section 58 of the Act respecting prescription drug insurance provides that for the purposes of section 57, the Board may require accredited manufacturers and wholesalers, or manufacturers and wholesalers who have applied for accreditation, to provide information on the price of the medications they offer for sale;

WHEREAS, under the first paragraph of section 90 of the Act respecting the Institut national d'excellence en santé et en services sociaux (R.S.Q., c. I-13.03), the Board succeeds to the functions of the Conseil du médicament that are entrusted to it;

WHEREAS, under the second paragraph of section 90 of the Act respecting the Institut national d'excellence en santé et en services sociaux, the institute exercises the functions of the Conseil du médicament entrusted to the Régie de l'assurance maladie du Québec under sections 57 and 58 of the Act respecting prescription drug insurance until the date set by the Government;

WHEREAS it is expedient to set 1 March 2012 as the date from which the Board exercises the functions entrusted to it by sections 57 and 58 of the Act respecting prescription drug insurance;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT 1 March 2012 be set as the date from which the Régie de l'assurance maladie du Québec exercises the functions entrusted to it by sections 57 and 58 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01).

GILLES PAQUIN,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 115-2012, 22 February 2012

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1)

Funding of pension plans of the municipal and university sectors — Amendment

CONCERNING the Regulation to amend the Regulation respecting the funding of pension plans of the municipal and university sectors

WHEREAS, under the second paragraph of section 2 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1), the Government may, by regulation and on the conditions it determines, exempt any pension plan or category of pension plan it designates from the application of all or part of this Act, particularly by reason of the special characteristics of the plan or category or by reason of the complexity of the Act in relation to the number of members in the plan and prescribe special rules applicable to the plan or category;

WHEREAS, in accordance with the third paragraph of that section, such regulation may, if it so provides, have retroactive effect from a date that is prior to the date of its coming into force but not prior to 31 December of the penultimate year preceding the year in which it was published in the *Gazette officielle du Québec* under section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS, in accordance with sections 10, 11 and 12 of the Regulations Act, a draft Regulation to amend the Regulation respecting the funding of pension plans of the municipal and university sectors, attached hereto, was

published in part 2 of the *Gazette officielle du Québec* on 21 December 2011, with a notice that it could be made by the Government on the expiry of 30 days following this publication;

WHEREAS, in accordance with the first paragraph of section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that makes it is of the opinion that the urgency of the situation requires it;

WHEREAS, in accordance with the second paragraph of section 18 of this Act, the reason justifying such coming into force shall be published with the regulation;

WHEREAS, the Government is of the opinion that the urgency of the following circumstances justifies such coming into force of the Regulation to amend the Regulation respecting the funding of pension plans of the municipal and university sectors:

— under the relief measures regarding the 2008 financial crisis, until 1 January 2012, monthly payments may be reduced to one-third or 20% of the amount otherwise established, according to whether the employer is a municipality or an educational institution at the university level;

— the purpose of the measures contained in the Regulation to amend the Regulation respecting the funding of pension plans of the municipal and university sectors is to extend this option to 1 January 2014;

— for the fiscal year ending on 31 December 2012, the measures will not have full effect unless they come into force early in the fiscal year, as only monthly payments made after the date of coming into force may be adjusted;

WHEREAS it is expedient to make the amended Regulation;

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

THAT the Regulation to amend the Regulation respecting the funding of pension plans of the municipal and university sectors, attached hereto, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the funding of pension plans of the municipal and university sectors

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1, s. 2, par. 2 and 3)

1. The Regulation respecting the funding of pension plans of the municipal and university sectors (c. R-15.1, r. 2) is amended by inserting, after section 39, the following:

“**39.1.** An employer participating in a pension plan — or, in the case of a multi-employer plan, even where it is not considered as such under section 11 of the Act, the participating employers jointly — may, in writing, instruct the pension committee managing the plan that the monthly payments be reduced according to the conditions provided for in section 41 where the following conditions are met:

(1) the payments become due after 31 December 2011 and before 1 January 2014;

(2) the payments relate to the technical actuarial deficiency determined during a complete actuarial valuation of the plan dated after 30 December 2008 and prior to 31 December 2013.

The pension committee that receives instructions given under the first paragraph shall notify the Régie as soon as possible, by sending it the following information in writing:

(1) the date on which the pension committee received the instructions;

(2) the amount, at the date of the actuarial valuation whereby it is determined, of the technical actuarial deficiency related to the monthly payments referred to in the instructions;

(3) the date of the actuarial valuation as well as the date on which the deficiency's amortization period ends, established in accordance with section 142 of the Act;

(4) the monthly payments relating to the amortization payments, established in accordance with section 141 of the Act and this section that become due as regards the deficiency until 31 December 2013 and thereafter.

Any report on an actuarial valuation that determines an unfunded actuarial liability related to the monthly payments to which the instructions refer must also contain the information.

Notwithstanding the second paragraph of section 120 of the Act, where such a report has already been sent to the Régie, it is deemed to be amended by the writing referred to in the second paragraph above as at the date on which the instructions were received by the pension committee.”.

2. Section 42 of the Regulation is amended by inserting “or section 39.1” after “in section 39”.

3. The Regulation is amended by inserting, after section 42, the following:

“**42.1.** For the purposes of applying the first paragraph of section 6 at the beginning of a fiscal year of the pension plan during which the pension committee was instructed to apply the measure provided for in section 39.1, the amortization payment determined for that fiscal year in relation to the technical actuarial deficiency is deemed to be one-third or 20% of the payment otherwise determined, according to whether the plan is referred to in paragraph 1 or in paragraph 2 of the first paragraph of section 41.

For the purposes of applying the first paragraph of section 14, where the monthly payments relating to an amortization payment are reduced further to instructions given in accordance with section 39.1, the value of the amortization payments remaining to be paid to amortize a funding deficiency shall be determined taking into account the reduction of the monthly payments.”.

4. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*. However, it has effect from 31 December 2011.

1913

Gouvernement du Québec

O.C. 116-2012, 22 February 2012

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1)

Exemption of certain pension plans from the application of provisions of the Act — Amendment

CONCERNING the Regulation to amend the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act

WHEREAS, under the second paragraph of section 2 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1), the Government may, by regulation and on the conditions it determines, exempt any pension plan or category of pension plan it designates from the application of all or part of this Act, particularly by reason of the special characteristics of the plan or category or by reason of the complexity of the Act in relation to the number of members in the plan and prescribe special rules applicable to the plan or category;

WHEREAS, in accordance with the third paragraph of that section, such regulation may, if it so provides, have retroactive effect from a date that is prior to the date of its coming into force but not prior to 31 December of the penultimate year preceding the year in which it was published in the *Gazette officielle du Québec* under section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS, in accordance with sections 10, 11 and 12 of the Regulations Act, a draft Regulation to amend the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act, attached hereto, was published in part 2 of the *Gazette Officielle du Québec* on 21 December 2011, with a notice that it could be made by the Government on the expiry of 30 days following this publication;

WHEREAS, in accordance with the first paragraph of section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that makes it is of the opinion that the urgency of the situation requires it;

WHEREAS, in accordance with the second paragraph of section 18 of the Regulations Act, the reason justifying such coming into force shall be published with the regulation;

WHEREAS, the Government is of the opinion that the urgency of the following circumstances justifies such coming into force of the Regulation to amend the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act:

— under the relief measures regarding the 2008 financial crisis, until 1 January 2012, monthly payments to the Régime de retraite du personnel des CPE et des garderies privées conventionnées du Québec and the Régime complémentaire de rentes des techniciens ambulanciers œuvrant au Québec may be reduced to 20% of the amount otherwise established;

— the purpose of the measures contained in the Regulation to amend the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act is to extend this option to 1 January 2014;

— for the fiscal year ending on 31 December 2012, the measures will not have full effect unless they come into force early in the fiscal year, as only monthly payments made after the date of coming into force may be adjusted;

WHEREAS it is expedient to make the un-amended Regulation;

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

THAT the Regulation to amend the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act, attached hereto, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1, s. 2, par. 2 and 3)

1. The second paragraph of section 1 of the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act (c. R-15.1, r. 8) is amended by inserting “or section 39.1” after “in section 39”.

2. The second paragraph of section 1.1 of the Regulation is amended by inserting “or section 39.1” after “in section 39”.

3. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*. However, it has effect from 31 December 2011.

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M.O., 2012

Order of the Minister of Revenue dated 9 February 2012

An Act respecting the legal publicity of enterprises
(R.S.Q., c. P-44.1)

CONCERNING the Regulation respecting the application of the Act respecting the legal publicity of enterprises

THE MINISTER OF REVENUE,

CONSIDERING section 148 of the Act respecting the legal publicity of enterprises (R.S.Q., c. P-44.1), which provides that the Minister of Revenue may make regulations determining the elements that the statement of information must contain, classification systems to allow a registrant to declare an activity code, additional information that may be required from the registrant and the period for filing the annual update;

CONSIDERING section 149 of the Act respecting the legal publicity of enterprises, which provides that the Minister of Revenue may make a regulation to determine the exemptions that may be granted to certain registrants in special circumstances;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 2 November 2011, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), of a draft of the Regulation respecting the application of the Act respecting the legal publicity of enterprises with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING the expiry of the 45-day period;

CONSIDERING that no comment has been made since that publication and that it is expedient to make the Regulation respecting the application of the Act respecting the legal publicity of enterprises without amendment;

ORDERS AS FOLLOWS:

The Regulation respecting the application of the Act respecting the legal publicity of enterprises, attached to this Order, is hereby made.

Québec, 9 February 2012

RAYMOND BACHAND,
Minister of Revenue

Regulation respecting the application of the Act respecting the legal publicity of enterprises

An Act respecting the legal publicity of enterprises (R.S.Q., c. P-44.1, ss. 148 and 149)

DIVISION I

STATEMENT OF INFORMATION

1. The statement of information in respect of each registrant who is registered or was previously registered shall contain the following elements, where applicable:

(1) the information referred to in sections 33 to 35.1 of the Act respecting the legal publicity of enterprises (R.S.Q., c. P-44.1);

(2) the date of registration;

(3) an entry indicating that the registrant is proceeding with its liquidation or dissolution;

(4) an entry in respect of the registrant's bankruptcy;

(5) the year for which the registrant has met the annual updating obligation;

(6) an entry in respect of the cancellation of the registrant's registration, including the date and circumstances;

(7) an entry in respect of a waiver of the communication of information or a waiver of the filing of a document granted in accordance with section 74 of the Act;

(8) the date of deposit of the registrant's most recent updating declaration;

(9) an entry indicating that one of the requests referred to in sections 132 to 134 of the Act has been submitted to the enterprise registrar;

(10) an entry indicating that a decision has been rendered by the Administrative Tribunal of Québec;

(11) the end date of the period, determined under Division III, during which the registrant must meet the annual updating obligation;

(12) an entry in respect of a waiver of the communication of information under Division V.

The statement of information shall also indicate, if applicable, that a document has been deposited but that the content thereof has not yet been added to the statement of information.

DIVISION II

CLASSIFICATION SYSTEM

2. For the purposes of subparagraphs 7 to 9 of the second paragraph of section 33 of the Act, the classification system for registrants' activities corresponds to the *Classification des activités économiques du Québec* published by the Bureau de la statistique du Québec in 1990 and its updates.

DIVISION III

PERIOD FOR FILING AN ANNUAL UPDATING DECLARATION

3. The period for filing a registrant's annual updating declaration corresponds to,

(1) in the case of a legal person required to file a fiscal return under section 1000 of the Taxation Act (R.S.Q., c. I-3), the period that starts on the day after the end date of its taxation year and ends on the day that is six months after that date;

(2) in the case of a trust required to file a fiscal return under section 1000 of the Taxation Act, the period that starts on the day after the end date of its taxation year and ends on the day that is three months after that date;

(3) in the case of a natural person or a partnership, the period that starts on 1 January and ends on 15 June; and

(4) in all other cases, the period that starts on 15 May and ends on 15 November.

DIVISION IV

REGISTRANTS EXEMPTED FROM DESIGNATING AN ATTORNEY

4. Registrants based in Ontario and domiciled in Canada, with the exception of limited partnerships, who are building contractors subject to the Ontario-Quebec Agreement on Public Procurement and Construction Labour Mobility of 24 December 1993 or to any other subsequent agreement entered into by the Gouvernement du Québec and the Government of Ontario as regards mobility in the construction industry are exempted from the requirement to designate an attorney in accordance with section 26 of the Act.

DIVISION V REGISTRANTS EXEMPTED FROM DECLARING CERTAIN INFORMATION

5. Registrants who offer shelter to victims of violence and registrants composed of persons or groups of persons offering shelter to such victims are exempted from declaring

(1) the information referred to in subparagraph 4 of the first paragraph of section 33 of the Act and subparagraphs 1 and 8 of the second paragraph of that section; and

(2) the domicile of the persons referred to in subparagraphs 2 and 4 of the second paragraph of section 33 of the Act.

Registrants who offer support services to victims of violence and registrants composed of persons or groups of persons offering such services are also exempted from declaring the information referred to in the first paragraph where the disclosure of such information represents a serious threat to their safety.

DIVISION VI TRANSITIONAL, REVOKING AND FINAL PROVISIONS

6. Despite the application of paragraph 2 of section 3, a registrant who is a trust already registered before the date of coming into force of paragraph 2 of section 31 of chapter 40 of the statutes of 2010 is required to meet the annual updating obligation for the calendar year that includes that date only once, and must do so on or before either the end date of the period provided for in paragraph 2 of that section or 15 November.

7. This regulation revokes Divisions IV to V.2 of the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.R.Q., c. P-45, r. 1).

8. This regulation shall come into force on the fifteenth day following its publication in the *Gazette officielle du Québec* except for the provisions of subparagraph 1 of the first paragraph of section 1 concerning information in respect of a trust, the provisions of paragraph 2 of section 3 and the provisions of section 6, which shall come into force on the date of coming into force of paragraph 2 of section 31 of chapter 40 of the statutes of 2010.

Notice of adoption

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

Taxi owners

— Maximum number of permits per taxi servicing area and certain conditions of operation

— Amendment

CONCERNING the Regulation amending the Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation

Notice is given, pursuant to section 10.1 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01), that the Commission des transports du Québec has adopted the Regulation amending the Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation of which the text is reproduced below.

This regulation reduces to five (5) the maximum number of taxi owner's permits that can be issued in the Saint-Félicien servicing area. According to the Commission's assessment, this number takes into account a balance between the demand for taxi services in this servicing area and the profitability of the concerned companies holding taxi owner's permits. This amendment is further to a consultation, among others with the concerned permit holders, pursuant to section 10.1 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01).

Pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft regulation was published in Part 2 of the *Gazette officielle du Québec* of December 28, 2011, with a notice that it could be adopted upon expiry of a 45-day period following its publication. Following its publication, the Commission did not receive any comment.

Pursuant to section 17 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation amending the Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation, attached hereto, comes into force 15 days after the date of its publication in the *Gazette officielle du Québec*.

CHRISTIAN DANEAU,
*Secretary of the Commission
des transports du Québec*

**Regulation amending the Regulation
respecting the maximum number of taxi
owner's permits per taxi servicing area
and certain conditions of operation**

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

1. The schedule of the Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation is amended with the replacement of the number 10 by the number 5 in the Taxi Owner's Permits column for the Saint-Félicien servicing area (administrative number 209102).

2. This Regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec*.

Draft Regulations

Draft Regulation

An Act respecting contracting by public bodies (R.S.Q., c. C-65.1, amended by S.Q., 2011, c. 35)

Register of enterprises ineligible for public contracts and oversight and monitoring measures — Implementation

Notice is hereby given, in accordance with section 10 of the Regulations Act (R.S.Q., c. R-18.1) and section 67 of the Act to prevent, combat and punish certain fraudulent practices in the construction industry and make other amendments to the Building Act (2011, c. 35), that the Regulation respecting the register of enterprises ineligible for public contracts and oversight and monitoring measures, appearing below, may be made by the Government on the expiry of 21 days following this publication.

The draft Regulation determines the offences in respect of which conviction is considered for the purposes of the ineligibility of a contractor or contractor's associate for public contracts and specifies for each offence or group of offences the period of ineligibility.

It also determines the cases and conditions in which and the procedure by which a contractor or an associate of the contractor must have been convicted by a final judgment of a minimum number of offences, and it sets the minimum number of offences required.

The draft Regulation also determines the offences under the regulatory provisions respecting the attestation from Revenu Québec in respect of which a conviction may not be considered by the Minister of Revenue in computing the minimum number of offences required.

It also designates the public bodies and bodies referred to in section 7 of the Act respecting contracting by public bodies that must provide to the Chair of the Conseil du trésor the information that must be recorded in the register of ineligible enterprises and it determines the cases, conditions and manner in which the information must be communicated.

The draft Regulation also establishes oversight measures that may be applied to an ineligible contractor by an accredited person, and determines the cases, conditions, period and manner in which those measures are to be applied to the contractor.

Lastly, the draft Regulation establishes the procedure and conditions for the issue of the accreditation enabling a person to apply oversight and monitoring measures to an ineligible contractor and it fixes the conditions for the renewal, suspension or cancellation of accreditation.

The draft Regulation has no impact on the public. As for enterprises, the proposed measures are likely to affect only enterprises that enter into contracts with the State and that have been convicted of any of the offences determined in the Regulation. The enterprises that will be entered in the register of ineligible enterprises will indeed be banned from public contracts for the period indicated, unless they are granted authorization. They will not be allowed either to continue the performance of contracts in progress starting from their entry in the register. They will however be allowed to keep operating in the private sector.

Further information on the draft Regulation may be obtained by contacting Robert Villeneuve, Director, Réglementation et politiques de gestion contractuelle, Secrétariat of the Conseil du trésor, 875, Grande Allée Est, bur. 2.339, Québec (Québec) G1R 5R8; telephone: 418 643-0875, extension 4938; fax: 418 528-6877; email: robert.villeneuve@sct.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 21-day period to the Chair of the Conseil du trésor and Minister responsible for Government Administration, 875, Grande Allée Est, Québec (Québec) G1R 5R8.

MICHELLE COURCHESNE,
*Chair of the Conseil du trésor and
Minister responsible for Government
Administration*

Regulation respecting the register of enterprises ineligible for public contracts and oversight and monitoring measures

An Act respecting contracting by public bodies (R.S.Q., c. C-65.1, s. 23, 1st par., subpars. 8 to 10, 12 and 13; 2011, c. 35, s. 56)

CHAPTER I

OFFENCES AND PERIOD OF INELIGIBILITY

1. The offences under a federal law or a Québec law or under a regulation under such a law in respect of which a conviction is considered for the purposes of ineligibility for public contracts are determined in Schedule 1, as well as the period of such ineligibility.

2. The convictions of a contractor or of an associate of a contractor in respect of the offences determined in Schedule 1 are considered as follows for the purposes of ineligibility for public contracts:

(1) a conviction in respect of an offence determined in Division I of Schedule 1 entails ineligibility for public contracts for the period indicated in the Schedule in respect of the offence concerned;

(2) 5 convictions in respect of one or more offences determined in Division II of Schedule 1 entail ineligibility for public contracts for the period indicated in that Division, if those convictions occur within a period of 36 consecutive months;

(3) a number of convictions equivalent to the number of offences established in accordance with section 3, in respect of one or more offences determined in Division III of Schedule 1 entails ineligibility for public contracts for the period indicated in that Division, if those convictions occur within a period of 36 consecutive months.

Five convictions cumulated by a contractor or an associate of a contractor within a period of 36 consecutive months in respect of offences determined in part in Division II and in part in Division III of Schedule 1 entail ineligibility for public contracts for the period indicated in Division II of the Schedule.

3. The number of offences referred to in subparagraph 3 of the first paragraph of section 2 for a contractor that has reported, as an employer, hours of work to the Commission de la construction du Québec is established on the basis of the number of hours reported during the reference period and is

(1) 3 offences for a number of hours of work less than 50,000;

(2) 4 offences for a number of hours of work equal to or greater than 50,000 but less than 100,000;

(3) 5 offences for a number of hours of work equal to or greater than 100,000.

The number of offences is 3 in the case of a contractor that has not reported any hour of work to the Commission during the reference period.

The reference period corresponds to 12 monthly consecutive periods of work ending on the last Saturday in August of the calendar year prior to the year in which the last considered conviction occurred.

CHAPTER II

OFFENCES THAT MAY BE DISREGARDED BY THE MINISTER OF REVENUE

4. A conviction for an offence referred to in Divisions II and III of Schedule 1 may, in accordance with section 21.2.1 of the Act, be disregarded by the Minister of Revenue in the computation of the number of offences required for the purposes of sections 2 and 3.

CHAPTER III

COMMUNICATION OF INFORMATION TO THE CHAIR OF THE CONSEIL DU TRÉSOR

5. The following bodies must, in accordance with the provisions of this Chapter, communicate to the Chair of the Conseil du trésor the information provided for in paragraphs 1 to 3 of section 21.7 of the Act that is in their possession:

(1) the Agence du revenu du Québec;

(2) the Autorité des marchés financiers;

(3) the Director of Criminal and Penal Prosecutions.

6. Each body referred to in section 5 must designate from among the members of its personnel those who are authorized to send the information referred to in that section to the employees of the secretariat of the Conseil du trésor designated by the Chair of the Conseil du trésor.

7. The information referred to in section 5 must be sent by electronic means, using the form provided by the secretariat of the Conseil du trésor, within 10 business days following either the date on which the judgment

convicting for an offence determined in Division I of Schedule 1 becomes final, or the date on which the judgment that is the last relevant conviction for an offence determined in Divisions II and III of Schedule 1 becomes final.

Despite the first paragraph, where a request has been made to the Minister of Revenue under the second paragraph of section 21.2.1 of the Act in respect of a conviction which, if it was considered, would cause the minimum number of offences required for the purposes of sections 2 and 3 to be attained, the information referred to in section 5 must be sent within the 10 business days of the decision of the Minister of Revenue denying the contractor's request.

CHAPTER IV **OVERSIGHT AND MONITORING OF A** **CONTRACTOR INELIGIBLE FOR PUBLIC** **CONTRACTS**

DIVISION I **ESTABLISHMENT OF MEASURES**

8. The oversight measures for an ineligible contractor that may be applied in the course of the performance of a public contract include

(1) surveillance of the costs and deadlines for the goods provided, the planned services or work carried out in conformity with the public contract;

(2) surveillance of the progress reports produced by the contractor in accordance with the terms and conditions of the public contract;

(3) audit into any charges and hours billed in conformity with the terms and conditions of the public contracts and the amendments made to it;

(4) audit into the financial information contained in the progress reports produced by the contractor in accordance with the terms and conditions of the public contract;

(5) audit into the contractor's compliance with the formalities provided for in laws and regulations in fiscal matters in the course of the performance of the public contract;

(6) recommendations made to the contractor with respect to the corrections the contractor could make following the audit or surveillance work done by the accredited person; and

(7) follow-up of the implementation, by the contractor, of the recommendations made following the audit or surveillance work by the accredited person.

DIVISION II **OVERSIGHT AND MONITORING CONTRACT**

9. For the purposes of sections 21.3 and 21.5 of the Act, the body that is a party to a public contract is bound to designate the accredited person who will be responsible for the application of the oversight and monitoring measures determined, as the case may be, by the Conseil du trésor or the minister responsible for the body.

The body must so inform the secretariat of the Conseil du trésor.

10. The accredited person may not, under penalty of accreditation,

(1) carry out an oversight and monitoring contract with an ineligible contractor if the person has a direct or indirect interest in that contractor that is likely to put his or her personal interest in conflict with the obligations resulting from his or her mandate;

(2) obtain assistance in the performance of such contract from a person who has a direct or indirect interest in the ineligible contractor subject to the oversight and monitoring measures that is likely to put his or her personal interest in conflict with the obligations resulting from his or her functions.

11. The application of the oversight and monitoring measures is preceded by the conclusion of a contract between the ineligible contractor and the accredited person responsible for applying the measures.

The oversight and monitoring contract must be completed from the standard contract prepared by the secretariat of the Conseil du trésor. That contract must specify the measures to be applied, indicate the hourly rate for fees payable to the accredited person and, if applicable, to the persons assisting the accredited person and, if applicable, provide for the payment by the contractor of an advance to the accredited person which may not exceed the amount of \$5,000.

The fees are established according to an hourly basis agreed upon by the body that is a party to the public contract and the accredited person. The hourly rate may not exceed \$175 and the amount payable for each fraction of an hour is calculated pro rata to the hourly rate agreed upon.

A copy of the duly signed oversight and monitoring contract must be sent without delay to the body by the accredited person.

A contractor who does not enter into the oversight and monitoring contract in accordance with this section and the conditions set pursuant to the second paragraph of section 21.3 of the Act is deemed to have defaulted on performance of the public contract.

For the purposes of this Division, an oversight and monitoring contract entered into by a for-profit legal person established for a private interest or a general, limited or undeclared partnership within which the designated accredited person practises his or her profession is deemed to be a contract entered into by the accredited person.

12. An ineligible contractor must take all necessary measures to enable the accredited person to adequately apply the measures to which the contractor is subject.

Without restricting the generality of the foregoing, the contractor must, upon request by the accredited person, send the latter all information and documents necessary for the application of those measures.

13. The oversight and monitoring measures apply until the public contract or the period of ineligibility for public contracts has ended, whichever comes first. After the end, a 30-day period is allocated to the accredited person to produce the final report referred to in section 15.

14. The accredited person must, as soon as possible, notify the body that is a party to the public contract of any contravention of the provisions of the oversight and monitoring contract by the ineligible contractor, including non-payment of fees. The body then sends a written notice to the contractor, enjoining the contractor to remedy the contravention within the time set by the body.

A contractor who does not remedy the contravention within the time set is deemed to have defaulted on performance of the public contract.

15. The accredited person must periodically report to the body that is a party to the public contract and to the ineligible contractor on the application of the oversight and monitoring measures.

The accredited person must also produce in triplicate a final report on the performance of the oversight and monitoring contract, including in particular a description of the actions taken and observations made by the accredited person within the context of that contract.

The final report must be sent to the contractor, to the body and to the Conseil du trésor or the minister responsible for the body, depending on whether the oversight and monitoring measures were imposed under section 21.3 or 21.5 of the Act.

CHAPTER V ACCREDITATION OF PERSONS RESPONSIBLE FOR APPLYING OVERSIGHT AND MONITORING MEASURES

DIVISION I PROCEDURE AND CONDITIONS FOR THE ISSUE OF ACCREDITATION

16. The accreditation allowing to apply the oversight and monitoring measures to a contractor ineligible for public contracts may be issued to a person who

(1) is a member of the Ordre professionnel des comptables agréés du Québec, the Ordre professionnel des comptables généraux accrédités du Québec or the Ordre professionnel des comptables en management accrédités du Québec;

(2) has a minimum of 10 years of experience in the carrying out of accounting audit mandates, including 5 years as project manager or main resource;

(3) holds a public accountancy permit issued by a professional order referred to in paragraph 1;

(4) within 5 years prior to the application for accreditation, has not been convicted of an indictable offence or offence listed below or, if convicted, has been granted a pardon;

(a) an offence provided for in sections 45, 46 and 47 of the Competition Act (R.S.C. 1985, c. C-34) regarding a public call for tenders or a contract from a public administration in Canada;

(b) an indictable offence or offence provided for, as the case may be, in sections 119 to 125, 346, 380, 382, 382.1, 462.31 and 467.11 to 467.13 of the Criminal Code (R.S.C. 1985, c. C-46);

(c) an offence provided for in sections 238 and 239 of the Income Tax Act (R.S.C. 1985, c. 1, 5th Suppl.);

(d) an offence provided for in sections 96, 97, 101, 102, 108, 326, 327, 329 and 330 of the Excise Tax Act (R.S.C. 1985, c. E-15);

(e) an offence provided for in sections 60.1, 60.2, 62, 62.0.1, 62.1, 68 and 68.0.1 of the Fiscal Administration Act (R.S.Q., c. A-6.002);

(f) an offence provided for in section 14.2 of the Tobacco Tax Act (R.S.Q., c. I-2);

(g) an offence provided for in sections 42.1 and 43 of the Fuel Tax Act (R.S.Q., c. T-1);

(5) within 5 years prior to the application for accreditation, has not seen his or her accreditation cancelled by reason of a conflict of interest in the performance of an oversight or monitoring contract;

(6) is not registered in the register of enterprises ineligible for public contracts or, if such is the case, the period of ineligibility for public contracts is over.

17. To obtain accreditation, a person must

(1) file an application on the form prepared for that purpose by the secretariat of the Conseil du trésor, duly complete it and send it to the Chair of the Conseil du trésor before the date indicated in the notice of accreditation broadcast in the electronic tendering system;

(2) provide a document proving that the person is a member of a professional order referred to in paragraph 1 of section 16 and holds a public accountancy permit;

(3) provide a document issued by a police force of Québec certifying that the data banks accessible to the police force do not contain any information making it possible to establish the presence of an impediment referred to in paragraph 4 of section 16;

(4) meet the requirements provided for in paragraphs 2, 5 and 6 of section 16;

(5) pay the fees determined in section 18 for the examination of the application.

18. Non-refundable fees of \$200 are required upon the filing of an application for accreditation or application for renewal.

19. The accreditation of a person is valid for 3 years as of its issue or renewal.

DIVISION II RENEWAL, SUSPENSION AND CANCELLATION OF ACCREDITATION

20. To renew accreditation, an accredited person must

(1) file an application on the form prepared for that purpose by the secretariat of the Conseil du trésor, duly complete it and send it to the Chair of the Conseil du trésor at least 60 days before the expiry of the accreditation;

(2) provide the documents referred to in paragraphs 2 and 3 of section 17 proving that, on the date of the application for renewal, the person meets the requirements provided for in paragraphs 1, 3 and 4 of section 16;

(3) pay the fees determined in section 18 for the examination of the application.

21. The Chair of the Conseil du trésor suspends the accreditation of a person who

(1) is temporarily struck off the roll of the professional order to which the person belongs; or

(2) is registered in the register of enterprises ineligible for public contracts.

The suspension of an accreditation does not result in an extension of its validity period.

22. The Chair of the Conseil du trésor cancels the accreditation of a person who

(1) is permanently struck off the roll of the professional order to which the person belongs;

(2) is convicted of an indictable offence or offence set out in paragraph 4 of section 16;

(3) has made a false statement upon applying for or renewing accreditation; or

(4) has, or is assisted by a person having, in contravention of section 10, a direct or indirect interest in the ineligible contractor in respect of whom the person applies oversight and monitoring measures.

DIVISION III DECISIONS REGARDING ACCREDITATION

23. The Chair of the Conseil du trésor must, before refusing to issue or renew accreditation, or before suspending or cancelling it, inform in writing the person concerned of the grounds for such decision.

24. The person concerned may, within 30 days of receiving the grounds for the decision of the Chair of the Conseil du trésor, send the Chair any comments on those grounds.

25. Within 30 days following, as the case may be, the expiry of the 30-day period provided for in section 24 or receipt of the comments of the person concerned, the Chair of the Conseil du trésor upholds or not his or her decision and so informs the person concerned in writing. If the Chair fails to act within the prescribed time, accreditation must be issued, renewed or maintained, as the case may be.

26. The Chair of the Conseil du trésor informs the bodies that are parties to public contracts with an ineligible contractor subject to oversight and monitoring measures applied by the person whose accreditation was not renewed or was suspended or cancelled so that they may designate another accredited person who will take over the application of the current measures.

The provisions of Division II of Chapter IV apply with the necessary modifications.

CHAPTER VI

FINAL

27. The provisions of this Regulation come into force on (*insert the date of coming into force of section 49 of chapter 17 of the Statutes of 2011*), except the provisions of Division I of Chapter V, which will come into force on the fifteenth day following the date of publication of this Regulation in the *Gazette officielle du Québec*.

SCHEDULE 1

(s. 1)

OFFENCES AND PERIOD OF INELIGIBILITY

Acts and regulations	Sections	Summary description of offence	Period of ineligibility
DIVISION I			
Criminal Code (R.S.C. 1985, c. C-46)	119	Bribery of judicial officers	5 years
	120	Bribery of officers	5 years
	121	Frauds on the government	5 years
	122	Breach of trust by public officer	5 years
	123	Municipal corruption	5 years
	124	Selling or purchasing office	5 years
	125	Influencing or negotiating appointments or dealing in offices	5 years
	132	Perjury in connection with a public contract	5 years
	136	Witness giving contradictory evidence in connection with a public contract	5 years
	139	Obstructing justice	1 year
	220	Causing death by criminal negligence in connection with a public contract	5 years
	221	Causing bodily harm by criminal negligence in connection with a public contract	5 years
	236	Manslaughter committed in connection with a public contract	5 years
	336	Criminal breach of trust	5 years
	346	Extortion	2 years
	362	False pretence or false statement	5 years
	366	False document	5 years
	368	Use of forged document	5 years
	374	Drawing document without authority	1 year
	375	Obtaining something by instrument based on forged document	5 years
380	Fraud – property, money or valuable security or service	5 years	
382	Fraudulent manipulation of stock exchange transactions	2 years	
382.1	Prohibited insider trading	2 years	

Acts and regulations	Sections	Summary description of offence	Period of ineligibility
	388	Misleading receipt or acknowledgment	5 years
	390	Fraudulent receipts, certificates or acknowledgments under Bank Act	1 year
	392	Disposal of property to defraud creditors	1 year
	397	Falsification of books and documents	5 years
	398	Falsifying employment record	5 years
	402	Trader failing to keep accounts	1 year
	422	Criminal breach of contract	2 years
	423	Intimidation in connection with a public contract	2 years
	423.1	Intimidation of a justice system participant or a journalist	2 years
	425	Offences by employers	2 years
	425.1	Threats and retaliation against employees	2 years
	426	Secret commissions	5 years
	430 (2)	Mischief causing actual danger to life	2 years
	430 (5.1)	Omission likely to constitute mischief	2 years
	462.31	Laundering proceeds of crime	5 years
	463	Attempts and accessories	Period identical to the period relating to the offence concerned
	464	Counselling offence that is not committed	Period identical to the period relating to the offence concerned
	465	Conspiracy	Period identical to the period relating to the offence concerned
	467.11	Participation in activities of criminal organization	5 years
	467.12	Commission of offence for criminal organization	5 years
	467.13	Instructing commission of offence for criminal organization	5 years

Acts and regulations	Sections	Summary description of offence	Period of ineligibility
Competition Act (R.S.C. 1985, c. C-34)	45	Conspiracies, agreements or arrangements between competitors	5 years
	46	Implementation of foreign directives	5 years
	47	Bid-rigging	5 years
Corruption of Foreign Public Officials Act (S.C. 1998, c. 34)	3	Bribing a foreign public official	5 years
Controlled Drugs and Substances Act (S.C. 1996, c. 19)	5	Trafficking in substance and possession for purpose of trafficking	5 years
	6	Importing or exporting substances and possession for the purpose of exporting	5 years
	7	Production of substance	5 years
Income Tax Act (R.S.C. 1985, c. 1, 5th Supplement)	239 (1) (a)	Making, or participating in, assenting to or acquiescing in the making of, false or deceptive statements in a return, certificate, statement, document or answer	5 years
	239 (1) (b)	Having destroyed, altered, mutilated, secreted or otherwise disposed of the records or books of account of a taxpayer to evade payment of a tax	5 years
	239 (1) (c)	Making, or assenting to or acquiescing in the making of, false or deceptive entries, or having omitted to enter a material particular, in records or books of account of a taxpayer	5 years
	239 (1) (d)	Having wilfully evaded or attempted to evade compliance with the Act or payment of taxes	5 years
	239 (1) (e)	Having conspired with any person to commit an offence described in paragraphs a to d of subsection 1 of section 239	5 years

Excise Tax Act (R.S.C. 1985, c. E-15)	327 (1) (a)	Making, or participating in, assenting to or acquiescing in the making of, false or deceptive statements in a return, application, certificate, statement, document or answer	5 years
	327 (1) (b)	Destroying, altering or otherwise disposing of documents or making, or assenting to or acquiescing in the making of, false entries, or in the omission, to enter a material particular in the documents of a person for the purpose of evading payment or remittance of any tax or obtaining a refund or rebate to which the person is not entitled	5 years
	327 (1) (c)	Having wilfully evaded or attempted to evade compliance with the Act or payment or remittance of tax or net tax imposed under the Act	5 years
	327 (1) (d)	Having wilfully, in any manner, obtained or attempted to obtain a rebate or refund to which the person is not entitled	5 years
	327 (1) (e)	Having conspired with any person to commit an offence described in paragraphs a to c of subsection 1 of section 327	5 years
Tax Administration Act (R.S.Q., c. A-6.002)	60.1	Contravening section 34.1 – keeping a register in electronic form with a "zapper"	4 years
	60.2	Contravening section 34.2 – manufacturing or making a "zapper" available	4 years

	61	Contravening sections 38, 39, 43 or section 1015 of the Taxation Act, sections 59 and 63 of the Act respecting the Québec Pension Plan or sections 60 and 62 of the Act respecting parental insurance - hindering or attempting to hinder - contravening a formal demand, etc.	1 year
	61.0.0.1	Contravening sections 34, 35 to 35.5 or section 350.52 of the Act respecting the Québec sales tax - poor keeping of registers, supporting documents and other documents – not using a sales recording module for restaurant services, etc.	3 years
	61.0.1	Failing to comply with the requirement to be registered under the Act respecting the Québec sales tax	1 year
	61.2	Non-compliance with an order made under any of sections 39.2, 40.1.3 and 61.1 of the Tax Administration Act	3 years
	62	Making false or deceptive statements – evading payment or remittance of a duty – obtaining a refund without being entitled thereto – conspiring to commit such an offence	5 years
	62.0.1	Failing to pay, deduct, withhold, collect or remit a duty and failing to file a return - conspiring to commit such an offence	5 years
	62.1	Evading remittance or payment of a duty - destroying, altering or secreting registers and supporting documents - false entries - omitting to enter a material particular in the records or supporting documents - conspiring to commit such an offence	5 years

	68	Having directed, authorized or participated in the commission of an offence by a corporation	Period identical to the period relating to the offence committed by the corporation
	68.0.1	Aiding another person to commit a fiscal offence	Period identical to the period relating to the offence committed by the person helped
Deposit Insurance Act (R.S.Q., c. A-26)	46 (b)	Furnishing the Autorité des marchés financiers with false information	5 years
	46 (d)	Hindering or attempting to hinder the work of a person in the performance of his or her functions required or authorized by the Act	1 year
An Act respecting insurance (R.S.Q., c. A-32)	406 (c)	Knowingly giving the Autorité des marchés financiers incorrect information	5 years
	406 (e)	Hindering or attempting to hinder the work of a person in the performance of his or her functions obliged or authorized by the Act	1 year
	406 (g)	Publishing or filing with the Autorité des marchés financiers a statement or report that the person knows to be false or making in a book or register an entry that the person knows to be false or refusing or neglecting to make an entry which the person is bound to make under the Act	1 year
	406 (u)	Failing to comply with an order of the Autorité des marchés financiers	1 year
An Act respecting the Autorité des marchés financiers (R.S.Q., c. A-33.2)	19	Hindering the action of the Autorité des marchés financiers or a person it has authorized in the exercise of a power under section 9, 10, 12 or 13	1 year

An Act respecting financial services cooperatives (R.S.Q., c. C-67.3)	605	Knowingly furnishing information, reports or other documents that are false or misleading	5 years
	608	Hindering a person who, as part of the person's duties, is making an inspection, an audit, an examination or an investigation	1 year
	609	Failing to comply with an order or written instructions issued by the Autorité des marchés financiers	1 year
An Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2)	16 with 485	Not acting with honesty and loyalty	4 years
	468 (4)	Attempting to hinder a representative of the Autorité des marchés financiers in the exercise of his or her functions for the purposes of an investigation or inspection	1 year
	469.1	Making a misrepresentation when pursuing activities governed by the Act	5 years
Money-Services Businesses Act (R.S.Q., c. E-12.000001)	66 (1)	Making a misrepresentation when pursuing activities governed by the Act	5 years
	66 (2)	Hindering or attempting to hinder the work of a person acting on behalf of the Autorité des marchés financiers	1 year
	66 (3)	Hindering or attempting to hinder an inspector or an investigator, refusing to provide an inspector or an investigator with information or a document, concealing or destroying a document or property	1 year
Tobacco Tax Act (R.S.Q., c. I-2)	14.2 (b)	Selling, delivering or being in possession of tobacco intended for retail sale in Québec and contained in a package which is not identified in accordance with section 13.1	2 years
	14.2 (c)	Using a certificate or a permit issued in the name of another person	1 year

Derivatives Act (R.S.Q., c. I-14.01)	65 with 160	Not acting with honesty and loyalty	4 years
	144 with 160	Using information on an investment program for the person's own benefit in trading in derivatives included in the program	2 years
	145.1 with 160	Trading in or recommending that a standardized derivative that is the subject of material order information be traded in or disclosing the information to anyone	2 years
	148 (6)	Providing false documents or information, or access to false documents or information, to the Autorité des marchés financiers	5 years
	150	Influencing or attempting to influence the market price or the value of a derivative by means of unfair, improper or fraudulent practices	2 years
	151	Defrauding, engaging in market manipulation, dishonest practices, fraudulent tactics	2 years
	152	Making a misrepresentation	2 years
	159	Hindering the Autorité des marchés financiers or a person it has authorized in the exercise of a power under section 115 or 116	1 year
An Act respecting trust companies and savings companies (R.S.Q., c. S-29.01)	356	Giving false or misleading information	5 years
	360	Hindering or attempting to hinder a person in the performance of his or her functions required or authorized by the Act	1 year
	361	Failing to comply with a written direction given by the Autorité des marchés financiers	1 year

Fuel Tax Act (R.S.Q., c. T-1)	42.1 (b)	Using a certificate or a permit issued in the name of another person	1 year
	43 (a)	Destroying or removing or attempting to destroy or remove the colouring or any other means of identifying fuel oil	2 years
	43 (b)	Storing, selling, using or carrying as uncoloured fuel oil any coloured fuel oil or fuel oil whose colouring or any other means of identifying it has been destroyed or removed	2 years
	43.1 (a)	Acquiring or using coloured fuel oil for purposes not permitted	1 year
	43.1 (b)	Having in his or her possession coloured fuel oil stored in a propulsion tank	1 year
	43.1 (c)	Selling coloured fuel oil in a filling station	1 year
	43.1 (d)	Having in his or her possession coloured fuel oil in a service station for purposes other than heating the building	1 year
	43.1 (e)	Filling, with coloured fuel oil, the tank supplying a propulsion engine	1 year
	44	Obtaining or attempting to obtain a refund by means of false or misleading statements	5 years
Securities Act (R.S.Q., c. V-1.1)	11 with 202	Making a distribution without a prospectus	2 years
	160 with 202	Not dealing fairly, honestly, loyally and in good faith	4 years
	187 with 202	Offence of an insider on securities of a reporting issuer or change in an economic interest in a financial instrument related to those securities	2 years
	188 with 202	Disclosing privileged information to a third person or recommending that a third person trade in the securities of the issuer of which the offender is the insider	2 years

	189.1 with 202	Unlawfully using privileged information	2 years
	190	Unlawfully using information concerning an investment program established by an investment fund or by an adviser who manages a portfolio	2 years
	191.1	Due to privileged information, trading in or recommending that a third person trade in a security that is the subject of material order information or disclosing such information	2 years
	195 (1)	Contravening a decision of the Autorité des marchés financiers or the Bureau de décision et de révision	1 year
	195 (5)	Attempting to hinder a representative of the Autorité des marchés financiers in the exercise of his or her functions in the course or for the purposes of an inspection or an investigation	1 year
	195 (6)	Providing the Autorité des marchés financiers with false documents or information, or access to false documents or information	5 years
	195.2	Influencing or attempting to influence the market price or the value of securities by means of unfair, improper or fraudulent practices	4 years
	196	Making a misrepresentation	5 years
	197	Making a misrepresentation	5 years
	199.1	Engaging or participating in any transaction in securities or any trading method relating to a transaction in securities, or in any act, practice or course of conduct knowing that it perpetrates a fraud or is misleading	2 years

Regulation respecting supply contracts, service contracts and construction contracts of bodies referred to in section 7 of the Act respecting contracting by public bodies (R.R.Q., c. C-65.1, r. 1.1)	7 with 10	Submitting an attestation from Revenu Québec that contains false or inaccurate information, submitting the attestation of a third person, or making a false declaration regarding the holding of an attestation	5 years
	8 with 10	Helping another person to contravene section 7	
Regulation respecting supply contracts of public bodies (R.R.Q., c. C-65.1, r. 2)	37.4 with 45.1	Submitting an attestation from Revenu Québec that contains false or inaccurate information, producing the attestation of a third person, or making a false declaration regarding the holding of an attestation	
	37.5 with 45.1	Helping another person to contravene section 37.4	
Regulation respecting service contracts of public bodies (R.R.Q., c. C-65.1, r. 4)	50.4 with 58.1	Submitting an attestation from Revenu Québec that contains false or inaccurate information, producing the attestation of a third person, or making a false declaration regarding the holding of an attestation	
	50.5 with 58.1	Helping another person to contravene section 50.4	
Regulation respecting construction contracts of public bodies (R.R.Q., c. C-65.1, r. 5)	40.6 with 58.1	Submitting an attestation from Revenu Québec that contains false or inaccurate information, producing the attestation of a third person, or making a false declaration regarding the holding of an attestation	
	40.7 with 58.1	Helping another person to contravene section 40.6	

Regulation respecting construction contracts of municipal bodies (Order in Council 841-2011 dated 17 August 2011)	7 with 10	Forwarding an attestation from Revenu Québec that contains false or inaccurate information, using the attestation of a third person, or making a false declaration regarding the holding of an attestation	
	8 with 10	Assisting another person in contravening section 7	
DIVISION II			
Regulation respecting supply contracts, service contracts and construction contracts of bodies referred to in section 7 of the Act respecting contracting by public bodies (R.R.Q., c. C-65.1, r. 1.1)	5 with 10	Not obtaining a copy of the subcontractor's attestation from Revenu Québec or not ensuring that it complies with the Regulation	1 year
	6 with 10	Not forwarding a list relating to subcontracts or not forwarding an amended list relating to subcontracts	
Regulation respecting construction contracts of public bodies (R.R.Q., c. C-65.1, r. 5)	40.4 with 58.1	Not obtaining a copy of the subcontractor's attestation from Revenu Québec or not ensuring that it complies with the Regulation	
	40.5 with 58.1	Not forwarding a list relating to subcontracts or not forwarding an amended list relating to subcontracts	
Regulation respecting construction contracts of municipal bodies (Order in Council 841-2011 dated 17 August 2011)	5 with 10	Not obtaining a copy of the subcontractor's attestation from Revenu Québec or not making sure that it complies with the Regulation	
	6 with 10	Not sending a list relating to subcontracts or not sending an amended list relating to subcontracts	

DIVISION III			
Regulation respecting supply contracts, service contracts and construction contracts of bodies referred to in section 7 of the Act respecting contracting by public bodies (R.R.Q., c. C-65.1, r. 1.1)	2, second paragraph with 10	Subcontractor not holding an attestation from Revenu Québec	1 year
Regulation respecting construction contracts of public bodies (R.R.Q., c. C-65.1, r. 5)	40.1, second paragraph with 58.1	Subcontractor not holding an attestation from Revenu Québec	
Regulation respecting construction contracts of municipal bodies (Order in Council 841-2011 dated 17 August 2011)	2, second paragraph with 10	Subcontractor not holding an attestation from Revenu Québec	

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

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