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Part

2

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Laws and Regulations

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Summary

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Contents

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Regulations and other Acts

Gouvernement du Québec

O.C. 833-2017, 23 August 2017

Supplemental Pension Plans Act
(chapter R-15.1)

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

CONCERNING the Regulation to amend the Regulation respecting the exemption of certain categories of 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 (chapter 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 the 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, under the third paragraph of that section, such a 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 second year preceding the year in which it was published in the *Gazette officielle du Québec* under section 8 of the Regulations Act (chapter R-18.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act, a draft of the Regulation to amend the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act was published in Part 2 of the *Gazette officielle du Québec* of 12 April 2017 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 amended Regulation;

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

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

MARC-ANTOINE ADAM,
Associate Secretary General

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

Supplemental Pension Plans Act
(chapter R-15.1, s. 2, 2nd and 3rd pars.)

1. Section 64.1 of the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act (chapter R-15.1, r. 7) is amended by adding the following paragraphs:

“However, the third paragraph of section 143, sections 210.1 and 240.3 as well as section 14 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6) apply as they read subsequent to 31 December 2015.

The same applies to the first paragraph of section 199.1 of the Act which applies where the employer has not had active members in its employ for 12 months.

For the purposes of the third paragraph of section 143, the summary establishment of the plan’s degree of solvency provided for under section 84 of this Regulation is considered to be the notice in section 119.1 referred to in section 143.”

2. Section 65 is amended:

(1) by replacing paragraph 6 with the following:

“(6) it provides that, for the purpose of respecting taxation rules, surplus assets may be appropriated to the payment of a contribution;”;

(2) by adding the following paragraph:

“(11) it provides that the benefits to be paid are calculated by multiplying their value by the degree of solvency of the plan even where the degree of solvency exceeds 100%.”.

3. Section 69 is amended:

(1) by inserting, after paragraph 5, the following:

(5.1) section 84, by replacing the first paragraph with the following paragraph:

“The additional pension shall be determined on the basis of the actuarial assumptions used in verifying the funding of a plan for the purpose of its most recent actuarial valuation.”;

(2) by inserting, after paragraph 7, the following:

(7.1) section 105, by replacing the first paragraph with the following paragraph:

“The amount of the pension paid under a pension plan governed by this Act and purchased with amounts transferred, even otherwise than under this chapter, shall be determined on the basis of the actuarial assumptions used in verifying the funding of a plan for the purpose of its most recent actuarial valuation.”;

(3) by inserting, after paragraph 9, the following:

(9.1) section 126, by inserting, after each occurrence of “fully funded”, “without taking into consideration the assumption concerning indexation provided for in paragraph 8 of section 69 the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act (chapter R-15.1, r. 7).”.

4. Section 71 is amended by striking out “and solvent” in subparagraph 3 of subparagraph b of paragraph 6.

5. Section 74 is amended:

(1) by replacing, “section 199” in subparagraph 3 of the second paragraph by “sections 199 and 199.1”;

(2) by adding, after subparagraph 3 of the second paragraph, the following paragraphs:

“(4) the amendment concerns the adjustment of the benefit provided for under section 86 and fully meets the conditions provided for under the plan;

“(5) the amendment does not involve additional obligations for the plan or the appropriation of surplus assets.”.

6. Section 75 is amended:

(1) by striking out, in the third paragraph, “and solvent”;

(2) by replacing, in the fifth paragraph, “first paragraph expressed their opposition in accordance with the third paragraph” by “second paragraph expressed their opposition in accordance with the fourth paragraph”;

(3) by replacing “subparagraph 2 or 3” in the sixth paragraph by “subparagraphs 2 to 5”.

7. Section 76 is amended by replacing, in the first paragraph, “the coming into force of the amendment for which an application for registration is made will not result in an insufficiency of assets in the fund of the plan that would prevent the plan from remaining fully funded and solvent” by “the requested amendment is in accordance with section 85”.

8. Section 78 is replaced by the following:

“**78.** No more than 30 days after the date on which the report on the actuarial valuation is produced, the pension committee shall inform the active members of any ensuing change to the member contribution. To do so, a notice is sent to each accredited association representing members as well as to each member not represented by such an association informing them that the change will take effect without further consultation according to the conditions provided for in the second paragraph of section 80.

However, a plan may provide that the active members can elect to have the pension credit adjusted in lieu of a change to the contribution rate. In such a case, the notice provided for in the first paragraph must indicate that the members must express their opinion on the proposed change to the member contribution and that the pension credit is to be adjusted accordingly for each accredited association or each group of unrepresented members that does not accept the proposal; the rules concerning consultations provided for in section 74 or 75 apply, with the necessary modifications.

The amendments to be made to the plan further to the decision of the active members are made without further consultation.”.

9. Section 79 is replaced by the following:

“**79.** An active member shall, in each fiscal year of the pension plan, pay the member contribution which, added to the employer contribution and the contributions of the other active members, is equal to the sum of the current service contribution determined in accordance with sections 124 and 125 of the Act and any amortization amounts established in application of section 90.”.

10. Section 80 is replaced by the following:

“**80.** The member contribution and the amortization payment are paid in equal instalments, at the frequency provided for under the plan. The instalments may represent an hourly rate or a proportion of the remuneration. The rate or proportion shall be uniform unless it is established using a variable authorized by Retraite Québec.

Where the member contribution is not determined at the beginning of the fiscal year, the member shall continue to pay the contribution fixed for the preceding year. Any variation in the amount of the monthly payments established by an actuarial valuation of the pension plan takes effect as of the first day of the first fiscal year following the one for which the contribution is calculated.”.

11. Section 83 is amended:

- (1) by striking out the first and second paragraphs;
- (2) by replacing the third paragraph with the following:

“Except in the case of plan termination or the withdrawal of an employer party to a multi-employer plan, payment of benefits is calculated as a product of the value of the benefits multiplied by the plan’s degree of solvency in accordance with the third paragraph of section 143 of the Act.”.

12. Section 84 is amended by replacing “paragraph 3” in the second sentence of the second paragraph by “paragraph 1 or 3”.

13. Section 85 is replaced by the following:

“**85.** Except where it has been made mandatory by the application of a new legislative or regulatory provision giving no latitude, a plan amendment that increases the plan’s commitments may not come into force unless the plan remains fully funded in the case of an amendment referred to under section 86 or, in the case of any other amendment, where the plan remains fully funded and solvent, once the commitments resulting from the amendment are taken into account.”.

14. Section 86 of the Regulation is amended:

- (1) by replacing the first paragraph by the following:

“A pension plan may, subject to section 85, be amended so that the pension of each of the members and beneficiaries is adjusted according to the Consumer Price Index for Canada; that adjustment cannot be less than 0% or greater than 4%. The conditions under which such a provision may be applied must be provided for under the plan.”;

- (2) by replacing the fourth paragraph by the following:

“The adjustment to the benefits of the members and beneficiaries that is provided for under the plan must be carried out in its entirety before the surplus assets are used for:

- (1) any amendment increasing the benefits of the members and beneficiaries;
- (2) any allocation of a portion of the surplus to the payment of member contributions.

Where applicable, the plan must remain fully funded and solvent so that the surplus assets may be used for such purposes.”.

15. Section 88 is revoked.

16. Section 90 is amended by replacing the first paragraph by the following:

“The amortization amounts to be paid in connection with an unfunded actuarial liability shall, for each fiscal year or part of a fiscal year of the pension plan included in the amortization period, be allocated subject to the terms and conditions prescribed by the plan text.”.

17. Section 91 is amended by striking out subparagraph 1 of the first paragraph.

18. Section 92 is revoked.

19. Section 93 is amended by replacing “236 and 237” by “210.1, 236 and 237”.

20. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. However, it has effect from 31 December 2016.

Gouvernement du Québec

O.C. 843-2017, 23 August 2017

Geologists Act
(chapter G-1.01)

Professional Code
(chapter C-26)

Géologues — Compensation fund of the Ordre des géologues du Québec — Revocation

Regulation to revoke the Regulation respecting the compensation fund of the Ordre des géologues du Québec

WHEREAS, under the first paragraph of section 89 of the Professional Code (chapter C-26), the members of an order may not, in the practice of their profession, hold funds or property, including advances on fees, on behalf of a client or another person, unless it is expressly authorized by the board of directors by regulation;

WHEREAS, under section 89.1 of the Code, a board of directors that makes a regulation under section 89 of the Code authorizing the members of the order to hold funds or property must determine by regulation the compensation procedure and, if appropriate, conditions for the setting up of a compensation fund and rules for the administration and investment of the sums making up the fund;

WHEREAS the members of the Ordre des géologues du Québec are no longer authorized to hold funds or property since the revocation of the Règlement sur la comptabilité en fidéicommiss des géologues (chapter G-1.01, r. 3.001) on 18 August 2016;

WHEREAS the board of directors of the Ordre des géologues du Québec made, on 12 August 2015, the French text of the Regulation to revoke the Regulation respecting the compensation fund of the Ordre des géologues du Québec and, on 9 May 2017, the English text of the Regulation;

WHEREAS, pursuant to section 95 of the Professional Code, and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting such an order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to revoke the Regulation respecting the compensation fund of the Ordre des géologues du Québec was published in Part 2 of the *Gazette officielle du Québec* of 24 August 2016, with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation on 24 May 2017 and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments only to the English text;

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

THAT the Regulation to revoke the Regulation respecting the compensation fund of the Ordre des géologues du Québec, attached to this Order in Council, be approved.

MARC-ANTOINE ADAM,
Associate Secretary General

Regulation to revoke the Regulation respecting the compensation fund of the Ordre des géologues du Québec

Geologists Act
(chapter G-1.01, s. 2)

Professional Code
(chapter C-26, s. 89.1)

1. The Regulation respecting the compensation fund of the Ordre des géologues du Québec (chapter G-1.01, r. 3.002) is revoked.

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

103110

Gouvernement du Québec

O.C. 844-2017, 23 August 2017

Professional Code
(chapter C-26)

Chartered professional accountants
— Code of ethics
— Amendment

Regulation to amend the Code of ethics of chartered professional accountants

WHEREAS, under section 87 of the Professional Code (chapter C-26), the board of directors of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, clients and the profession, particularly the duty to discharge professional obligations with integrity;

WHEREAS the board of directors of the Ordre des comptables professionnels agréés du Québec made the Regulation to amend the Code of ethics of chartered professional accountants on 14 April 2016;

WHEREAS, under section 95.3 of the Professional Code, a draft of the Regulation to amend the Code of ethics of chartered professional accountants was sent to every member of the Order at least 30 days before being made by the board of directors;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Code of ethics of chartered professional accountants was published in Part 2 of the *Gazette officielle du Québec* of 18 January 2017 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 24 May 2017 and then submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Code of ethics of chartered professional accountants, attached to this Order in Council, be approved.

MARC-ANTOINE ADAM,
Associate Secretary General

Regulation to amend the Code of ethics of chartered professional accountants

Professional Code
(chapter C-26, s. 87)

1. The Code of ethics of chartered professional accountants (chapter C-48.1, r. 6) is amended in section 36.4 by replacing the first sentence of the second paragraph by the following:

“The member shall comply with the independence standards provided for in Rule 204 of the CPA Code of Professional Conduct adopted on 20 June 2016 by CPA Canada’s Public Trust Committee and any subsequent amendments thereto.”

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

103111

Gouvernement du Québec

O.C. 845-2017, 23 August 2017

Professional Code
(chapter C-26)

Physiothérapie
— Professional activities that may be engaged in by members of the Ordre professionnel de la physiothérapie du Québec
— Amendment

Regulation to amend the Regulation respecting the professional activities that may be engaged in by members of the Ordre professionnel de la physiothérapie du Québec

WHEREAS, under paragraph *h* of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in

by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation and the terms and conditions on which such persons may engage in such activities;

WHEREAS, in accordance with paragraph *h* of section 94, the board of directors of the Collège des médecins du Québec consulted the Ordre des infirmières et infirmiers du Québec, the Ordre professionnel de la physiothérapie du Québec and the Ordre professionnel des inhalothérapeutes du Québec before making, on 10 June 2016, the Regulation to amend the Regulation respecting the professional activities that may be engaged in by members of the Ordre professionnel de la physiothérapie du Québec;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the professional activities that may be engaged in by members of the Ordre professionnel de la physiothérapie du Québec was published in Part 2 of the *Gazette officielle du Québec* of 28 September 2016 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 21 April 2017 and then submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the professional activities that may be engaged in by members of the Ordre professionnel de la physiothérapie du Québec, attached to this Order in Council, be approved.

MARC-ANTOINE ADAM,
Associate Secretary General

Regulation amending the Regulation respecting the professional activities that may be engaged in by members of the Ordre professionnel de la physiothérapie du Québec

Professional Code
(chapter C-26, s. 94, par. *h*)

1. The Regulation respecting the professional activities that may be engaged in by members of the Ordre professionnel de la physiothérapie du Québec (chapter M-9, r. 4) is amended by the insertion, after section 4, of the following:

“**4.1.** A physiotherapist may administer and adjust oxygen when proceeding to an assessment or applying treatment to a person needing supplementary oxygen except if that person is receiving invasive ventilation or non-invasive positive pressure ventilation.”.

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

103112

Gouvernement du Québec

O.C. 846-2017, 23 August 2017

Professional Code
(chapter C-26)

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

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

WHEREAS, under the first paragraph of section 184 of the Professional Code (chapter C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12 of the Code, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist’s certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Professional Code, the Office advised the Government, after consultation, in particular, with the educational institutions and the orders concerned, the Bureau de coopération interuniversitaire, the Fédération des cégeps and the Minister responsible for Higher Education;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), four draft Regulations to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders were published in Part 2 of the *Gazette officielle du Québec* of 8 June 2016, 5 October 2016 and 29 March 2017 with a notice that they could be made by the Government on the expiry of 45 days following their respective publication;

WHEREAS the Government obtained the advice of the Office and the advice of the Ordre des évaluateurs agréés du Québec, the Ordre des traducteurs, terminologues et interprètes agréés du Québec, the Ordre professionnel des criminologues du Québec and the Ordre professionnel de la physiothérapie du Québec for the provisions that concern each of them;

WHEREAS it is expedient to merge the four Regulations into one and to make that Regulation with amendments;

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

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

MARC-ANTOINE ADAM,
Associate Secretary General

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

Professional Code
(chapter C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) is amended by replacing section 1.26 by the following:

“1.26. The following diplomas awarded by the educational institutions designated below give access to the permit issued by the Ordre professionnel des évaluateurs agréés du Québec:

(1) Baccalauréat en administration des affaires (B.A.A.), concentration Gestion urbaine et immobilière, from Université Laval;

(2) Baccalauréat en administration des affaires (B.A.A.), concentration Gestion et évaluation immobilières, from the Université du Québec en Outaouais;

(3) Baccalauréat en administration des affaires (B.A.A.), obtained by combining 3 certificates including the certificate in real estate, from the Université du Québec à Montréal.».

2. Section 1.30 is amended by adding the following

(1) after subparagraph *g* of paragraph 1:

“(*h*) Maîtrise en traduction – option traduction professionnelle anglais-français from the Université de Montréal;

(*i*) Maîtrise en traductologie (professionnelle – sans mémoire) – option A from Concordia University;”;

(2) after subparagraph *f* of paragraph 3:

“(*g*) Maîtrise en traduction – option traduction professionnelle anglais-français from the Université de Montréal;

(*h*) Maîtrise en traductologie (professionnelle – sans mémoire) – option A from Concordia University.”.

3. The following is inserted after section 1.35:

“1.36. The following diplomas awarded by the educational institutions designated below give access to the permit issued by the Ordre professionnel des criminologues du Québec:

(1) Baccalauréat en criminologie (B.Sc.) (orientation Intervention) from the Université de Montréal;

(2) Maîtrise en criminologie (M.Sc.) (option Intervention) from the Université de Montréal, obtained following the successful completion of the qualifying program imposed by the university since 1993;

(3) Baccalauréat en criminologie (B.A.) from Université Laval.».

4. Section 2.12 is amended by replacing “physical rehabilitation technology” by “physiotherapy technology”.

5. Section 1.26, replaced by section 1 of this Regulation, remains applicable to persons who, on 1 October 2017, hold the diploma Bachelor of Commerce (Urban Analysis and Real Estate Concentration) awarded by McGill University or the diploma Baccalauréat en administration des affaires (affaires immobilières (évaluation)) from the Université du Québec à Montréal.

6. Section 2.12, amended by section 4 of this Regulation, remains applicable to persons who, on 1 October 2017, hold the diploma referred to in the amended section or are registered in the program leading to that diploma.

7. Section 6 of the Letters patent constituting the Ordre professionnel des criminologues du Québec (chapter C-26, r. 90.1) remains applicable to persons who, on 1 October 2017, hold any of the diplomas listed therein or who are registered in the program leading to any of the diplomas.

8. This Regulation comes into force on 1 October 2017.

103113

Gouvernement du Québec

O.C. 855-2017, 23 August 2017

An Act respecting roads
(chapter V-9)

Management of the Mont Bélair road located on the territory of Ville de Québec

CONCERNING the management of the Mont Bélair road located on the territory of Ville de Québec

WHEREAS, under the first paragraph of section 2 of the Act respecting roads (chapter V-9), the Government shall determine, by an order published in the *Gazette officielle du Québec*, the roads which shall be under the management of the Minister of Transport, Sustainable Mobility and Transport Electrification;

WHEREAS, under the first paragraph of section 3 of this Act, the Government may, by an order published in the *Gazette officielle du Québec*, determine that a road which is under the management of the Minister shall, from the date indicated in the order, be managed by a municipality in accordance with Chapter I and Division I of Chapter IX of Title II of the Municipal Powers Act (chapter C-47.1);

WHEREAS Order in Council number 292-93 of March 3, 1993 and its subsequent amendments have determined, by municipality, the roads under the management of the Minister;

WHEREAS it is appropriate to reamend the schedule to this Order in Council and its subsequent amendments, in order to determine that the Mont Bélair road located on the territory of Ville de Québec and under the management of the Minister shall pass under the management of Ville de Québec;

IT IS ORDERED accordingly, on the recommendation of the Minister of Transport, Sustainable Mobility and Transport Electrification:

THAT the schedule to Order in Council number 292-93 of March 3, 1993 and its subsequent amendments concerning the roads under the management of the Minister of Transport, Sustainable Mobility and Transport Electrification be reamended, by removing the Mont Bélair road in favour of Ville de Québec;

THAT this Order in Council take effect on the date of its publication in the *Gazette officielle du Québec*.

MARC-ANTOINE ADAM,
Associate Secretary General

SCHEDULE

ROADS UNDER THE MANAGEMENT OF THE MINISTER OF TRANSPORT, SUSTAINABLE MOBILITY AND TRANSPORT ELECTRIFICATION

PRESENTATION NOTE

The roads under the management of the Minister of Transport, Sustainable Mobility and Transport Electrification are described for each municipality where they are situated. The update of the schedule to Order in Council number 292-93 of March 3, 1993 and its subsequent amendments state the correction to the description of a road, the addition or removal of roads, and the changes affecting the right-of-way width of a road or its geometric redevelopment.

A) CORRECTION TO THE DESCRIPTION, ADDITION OR REMOVAL

The roads covered by a “Correction to the description”, “Addition” or “Removal” were described by means of the following five elements:

1. ROAD CLASS

The nomenclature of the road classes comes from the functional classification established by the Ministère des Transports, de la Mobilité durable et de l'Électrification des transports (MTMDET).

2. SECTION IDENTIFICATION

The roads are identified according to the coding used by the MTMDET to subdivide its road network. The coding breaks down into Road / Segment / Section / Sub-road. The sequence within the sub-road has evolved over the years (the current coding appears in bold in the examples below). Here is how to interpret the information:

Primary road

Road	Segment	Section	Sub-road	Description
00138	- 01	- 110	- 000-C	Primary road (000) with <u>C</u> ontiguous lanes
00020	- 02	- 090	- 000-S	Primary road (000) with <u>S</u> eparated (divided) roadways
00020	- 02	- 090	- 0-00-1	Primary road (000) with number serving for computer validation "1" (from 0 to 9)

Ramp

Road	Segment	Section	Sub-road	Description
00020	- 02	- 090	- 32A	Ramp (3), intersection No. 2, named "A"
00020	- 02	- 090	- 3-02-0-A	Ramp (3), intersection No. 02, named "0-A"

3. ROAD NAME

For roads with a number lower than 1000, this number is recorded in this element, and not the odonym. The odonym is used for other routes.

When one or more ramps exist along a road section, the total number of ramps attached to this section is also recorded in this element. The cumulative length of all these ramps is then found under the heading "Length in km".

4. LOCATION OF BEGINNING

This element contains the description of a physical reference point to locate the beginning of a road section or identifies a municipal limit in the cases where a road section is found in more than one municipality.

5. LENGTH IN KM

The length in kilometres is recorded for each road or part of a road. This length, established by the Minister of Transport, Sustainable Mobility and Transport Electrification, corresponds to the distance travelled by a vehicle between two points, without considering the number of lanes or the layout in contiguous lanes or divided roadways. Thus, the length is the same, whether for an autoroute or a collector road.

B) CHANGE OF RIGHT-OF-WAY WIDTH OR GEOMETRIC REDEVELOPMENT

The routes that are the object of a “Change of right-of-way width” or “Geometric redevelopment” are described by means of the same elements of section A above, as well as the plan number, the land surveyor’s name and the number of the land surveyor’s minutes.

QUÉBEC, V (2302700)

• Removal

Road class	Section identification	Road name	Location of beginning	Length in km
Resource access	41918-01-000-0-00-2	Mont Bélair road	Fence (communications tower)	3.25

103114

M.O., 2017

Order 2017-08 of the Minister of Transport, Sustainable Mobility and Transport Electrification dated 24 August 2017

An Act respecting transportation services by taxi (chapter S-6.01)

Implementation of the Pilot project concerning permits and training of certain drivers providing remunerated passenger transportation on the island of Montréal

THE MINISTER OF TRANSPORT, SUSTAINABLE MOBILITY AND TRANSPORT ELECTRIFICATION,

CONSIDERING the first paragraph of section 89.1 of the Act respecting transportation services by taxi (chapter S-6.01) providing that the Minister of Transport, Sustainable Mobility and Transport Electrification may, by order,

(1) authorize Pilot projects designed to experiment or innovate in the area of taxi transportation services or to study, improve or define standards applicable to that area; and

(2) within the scope of such Pilot projects, authorize any person or body that is a holder of a taxi owner’s permit or a taxi transportation service intermediary’s permit issued under the Act, or a business partner of such a holder, to offer or provide taxi transportation services in compliance with standards and rules prescribed by the Minister that differ from those set out in the Act and the regulations or any other Act or regulation whose administration falls under the Minister’s responsibility, for the purpose of increasing the safety of users, improving the quality of the services offered, ensuring supply management of taxi transportation services that takes into consideration the public’s needs or fostering the development of the taxi transportation services industry, all in compliance with the principle of equity toward holders operating under any permit at the time the Pilot project is implemented and with the applicable privacy protection rules;

CONSIDERING the second paragraph of that section which provides that

(1) such Pilot projects are to be conducted for a period of up to two years, which the Minister may extend by up to one year; and

(2) the Minister may determine the provisions of the Pilot project established under that section whose violation constitutes an offence and determine the minimum and maximum amounts for which the offender is liable, which may not be less than \$200 or more than \$3,000;

CONSIDERING the third paragraph of that section which provides that the details of the Pilot project must be published on the website of the Ministère des Transports, de la Mobilité durable et de l'Électrification des Transports and on the website of the Commission des transports du Québec at least 20 days before its implementation;

CONSIDERING the fourth paragraph of that section which provides that a Pilot project established under that section is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1);

CONSIDERING THAT it is expedient to authorize implementation of the Pilot project concerning permits and training of certain drivers providing remunerated passenger transportation on the island of Montréal;

ORDERS AS FOLLOWS:

DIVISION I PRELIMINARY

1. Implementation of the Pilot project concerning permits and training of certain drivers providing remunerated passenger transportation is hereby authorized. The Pilot project applies to the new drivers who enter into a contract of employment with a taxi transportation enterprise holding a taxi transportation service intermediary's permit or a contract of employment or leasing contract with a taxi transportation enterprise holding or leasing a taxi owner's permit. The taxi transportation enterprise must operate on the island of Montréal, in particular in taxi areas A-5, A-11 and A-12.

2. The Pilot project is designed to experiment and innovate with regard to the rules that apply to drivers providing remunerated passenger transportation. It is designed to establish new requirements for the type of permit to be held by such a driver. The Pilot project also modifies the training requirements for drivers by reducing the number of mandatory training hours and placing emphasis on improved customer service and safe transportation. A further purpose is to collect information on all services offered by the holder of a taxi transportation service intermediary's permit and by the holder of a taxi owner's permit, particularly as regards service safety and quality, and to study the impact on taxi transportation services.

3. For the purposes of this Pilot project, the provisions that apply to the holder of a taxi owner's permit also apply to the holder's business partner, in accordance with section 11 of the Pilot project to promote taxi transportation services using electric taxis (chapter S-6.01, r. 2.1).

4. The Minister of Transport, Sustainable Mobility and Transport Electrification authorizes enterprises holding a taxi transportation service intermediary's permit to provide the training to the new drivers in their employment or referred by the enterprises to a holder of taxi owner's permit.

The Minister also authorizes enterprises holding a taxi owner's permit and not doing business with a holder of a taxi transportation service intermediary's permit to provide the training to the new drivers in their employment.

5. The training must be of a minimum duration of 35 hours and deal with

(1) transportation of handicapped persons;

(2) the quality of the services offered;

(3) the legal and regulatory framework for transportation by taxi, including the legal framework for the Pilot project; and

(4) management of operations, the vehicle and any mobile phone application.

The training under subparagraph 1 must be of a minimum duration of 7 hours in accordance with section 25.2 of the Taxi Transportation Regulation (S-6.01, r. 3).

6. At the end of the training period, the enterprise that trained the driver must have the driver undergo an evaluation of the knowledge the driver has acquired.

DIVISION II CERTIFICATE OF COMPETENCE FROM THE BUREAU DU TAXI DE MONTRÉAL

7. The Bureau du taxi de Montréal may issue a certificate of competence to a person for the purposes of the Pilot project certifying that the conditions set out in section 8 are met.

8. To obtain from the Bureau du taxi de Montréal the issue of a certificate of competence referred to in section 7, a person must

(1) hold a Class 4C driver's licence issued under the Regulation respecting licences (chapter C-24.2, r. 34);

(2) have been the subject of a verification of criminal record carried out by a Québec police force in accordance with section 21.1 of the Taxi Transportation Regulation (chapter S-6.01, r. 3); and

(3) hold a training certificate confirming the evaluation referred to in section 6 has been successfully completed.

9. The validity period of a certificate of competence must not exceed the validity period of the Pilot project.

DIVISION III **OBLIGATIONS OF THE HOLDER OF** **A TAXI TRANSPORTATION SERVICE** **INTERMEDIARY'S PERMIT**

10. A holder of a taxi transportation service intermediary's permit wishing to take advantage of the provisions of the Pilot project must first submit for the Minister's approval,

- (1) the training content;
- (2) the training support documentation for participants and instructors;
- (3) all other instructional aids;
- (4) the evaluation;
- (5) a list of instructors;
- (6) the instructor selection process; and
- (7) any other information requested by the Minister for the purposes of the approval.

Any change in the elements listed in subparagraphs 1 to 6 while the Pilot project is in force must be approved by the Minister before being implemented.

11. The holder must make sure that every driver the holder hires or refers holds a certificate of competence.

12. Despite section 11, the holder may hire a driver who does not hold a certificate of competence or refer the driver to a holder of a taxi owner's permit if the driver holds a Class 4C driver's licence and a training certificate confirming the evaluation referred to in section 6 has been successfully completed.

Where no verification of criminal record has been carried out, the holder must, before entering into a contract under the first paragraph, have the driver sign a statement

of no criminal record, obtain proof that the background check request was made with a Québec police force, and verify the driver's file through a search of judicial records.

Every contract entered into pursuant to the first paragraph terminates 8 weeks after the date it is entered into unless the driver provides the holder with a certificate of competence.

13. The holder must issue to the driver with whom a contract has been entered into pursuant to section 12 a temporary identification card on which the driver's name, identification number and photo appear.

14. The holder must provide the driver with the training approved by the Minister under section 10. The holder must also issue a training certificate to the driver confirming the evaluation referred to in section 6 has been successfully completed.

15. In addition to the documents referred to in section 39 of the Taxi Transportation Regulation (chapter S-6.01, r. 3), the holder must, on the same conditions, keep a copy of the certificate of competence, the training certificate issued under section 14, if applicable, a copy of the temporary identification card, the statement of no criminal record and a copy of the judicial record.

16. Not later than 30 days after the end of a quarter, the holder must submit to the Minister a report stating

- (1) the number of drivers trained;
- (2) the number of drivers who completed the training successfully and the number of drivers who failed to do so;
- (3) the number of potential drivers rejected because of a criminal record incompatible with employment as a driver, and the nature of the offence.
- (4) the number and subject of any complaints received, and the measures taken to remedy the situation; and
- (5) any other element considered essential to the follow-up and assessment of the Pilot project.

For the purposes of this section, the first quarter begins on approval of the holder's participation in the Pilot project.

17. At the end of the Pilot project, the holder must submit to the Minister a report on the assessment of the application of the standards and rules prescribed under the Pilot project.

18. The holder must at all times provide access to driver files to a peace officer, a highway controller designated by the Société de l'assurance automobile du Québec, a person specially authorized by the Minister or an employee authorized for the purpose by a municipal or supramunicipal authority responsible for administering the Act respecting transportation services by taxi (chapter S-6.01).

The file contains the documents and information referred to in section 15.

19. No holder may hinder, in any manner, a person referred to in section 18, in particular by deceiving the person through concealment or false declaration, by refusing to provide the person with any information or document the person is entitled to require or examine, or by concealing or destroying any document or property relevant to an inspection or examination.

20. The holder must submit to the Minister, within the requested time, any information the Minister considers necessary for the follow-up and assessment of the Pilot project.

DIVISION IV OBLIGATIONS OF THE HOLDER OF A TAXI OWNER'S PERMIT

21. A taxi transportation enterprise holding a taxi owner's permit that is not doing business with a holder of a taxi transportation service intermediary's permit may avail itself of the Pilot project as regards the new drivers in its employment.

The obligations set out in Division III for the holder of a taxi transportation service intermediary's permit apply in such circumstances to the holder of the taxi owner's permit, with the necessary modifications.

DIVISION V OBLIGATIONS OF THE DRIVER

22. A person who, while the Pilot project is in force, enters into a contract of employment or leasing contract with a taxi transportation enterprise availing itself of the Pilot project to offer remunerated passenger transportation services using an automobile operated under a taxi owner's permit is a driver within the meaning of the Pilot project.

23. Under the Pilot project, a driver is not required to hold a taxi driver's permit issued under the Act respecting transportation services by taxi (chapter S-6.01).

The driver must, however, hold a Class 4C driver's licence issued by the Société de l'assurance automobile du Québec in accordance with the Highway Safety Code (chapter C-24.2) and a certificate of competence or a temporary identification card.

24. To enter into or maintain a contract with a holder of a taxi transportation service intermediary's permit or a holder of a taxi owner's permit, the driver must not, in the last five years, have been convicted of or charged with

(1) a criminal offence or an indictable offence committed in connection with the operation of a remunerated passenger transportation service;

(2) a criminal offence or an indictable offence related to the aptitudes and conduct required to provide passenger transportation services or to carry on the occupation of taxi driver; or

(3) a criminal offence or an indictable offence related to the trafficking, importation or exportation of narcotics, or to poppy or cannabis production, and provided for in section 5, 6 or 7 of the Controlled Drugs and Substances Act (S.C. 1996, chapter 19).

A driver who is charged with or convicted of a criminal offence or an indictable offence must immediately so inform the holder party to the contract.

25. The driver must, before providing remunerated passenger transportation, have taken the training described in section 5.

The driver must be in possession of the certificate of competence or the temporary identification card and produce it on request to a peace officer, a highway controller designated by the Société de l'assurance automobile du Québec, a person specially authorized by the Minister or an employee authorized for the purpose by a municipal or supramunicipal authority responsible for administering the Act respecting transportation services by taxi (chapter S-6.01).

26. When on duty, the driver must display the certificate of competence or the temporary identification card in such manner that a client sitting in the back seat can read the information it contains.

27. No driver may hinder, in any manner, a person referred to in section 18, in particular by deceiving the person through concealment or false declaration, by refusing to provide the person with any information or document the person is entitled to require or examine, or by concealing or destroying any document or property relevant to an inspection or examination.

DIVISION VI OFFENCES

28. Every holder is guilty of an offence and liable to a fine of \$1,000 to \$3,000 if the holder

(1) fails to first submit to the Minister the documents and information required by section 10;

(2) does not comply with any of the requirements of sections 11 and 12;

(3) fails to provide training to any new driver;

(4) fails to issue to the driver the certificate under section 14 confirming successful completion of the training or fails to issue the identification card required by section 13;

(5) does not keep the documents referred to in section 15;

(6) omits to submit the information required by sections 17 and 20; or

(7) fails to provide access at all times to driver files held under section 18 or to produce a document containing an extract from a file.

29. Every driver is liable to a fine of \$700 to \$3,000 if the driver

(1) does not hold a Class 4C driver's licence;

(2) provides passenger transportation services after being charged with or convicted of a criminal offence or an indictable offence under section 24 and fails to so inform the holder;

(3) has not taken the training described in section 5;

(4) is not in possession of the certificate of competence or the temporary identification card or fails to produce it as required by section 25; or

(5) fails to display the certificate of competence or the temporary identification card in the manner required by section 26.

30. Every person who, in any manner, hinders a person referred to in section 18 is liable to a fine of \$700 to \$3,000 in the case of a natural person and \$1,000 to \$3,000 in the case of a legal person.

31. In the case of a subsequent offence under sections 26 to 28, the minimum fine is doubled.

DIVISION VII TRANSITIONAL, MISCELLANEOUS AND FINAL

32. The Société de l'assurance automobile du Québec and every municipal or supramunicipal authority responsible for the administration of the Act respecting transportation services by taxi (chapter S-6.01) must make available to the Minister all information necessary for the Minister to make any decision in connection with the Pilot project.

33. Until such time as an agreement is entered into under sections 519.65, 519.66 and 519.67 of the Highway Safety Code (chapter C-24.2), highway controllers designated by the Société de l'assurance automobile du Québec are peace officers authorized to oversee application of the Pilot project. For that purpose, they may exercise the powers of inspection and inquiry provided for in sections 66, 67 and 67.1 of the Act respecting transportation services by taxi (chapter S-6.01) and have the immunity provided for in section 67.2 of that Act.

34. The rules of this Pilot project prevail over any inconsistent provision of the Act respecting transportation services by taxi (chapter S-6.01), its regulations and the regulations of any municipal or supramunicipal authority.

35. This Pilot project comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec* and terminates on (*insert the date that is two years after the date of coming into force of this Pilot project*).

LAURENT LESSARD,
*Minister of Transport, Sustainable Mobility
and Transport Electrification*

103122

M.O., 2017

Order number AM 2017-010 of the Minister of Forests, Wildlife and Parks dated 16 August 2017

An Act respecting the conservation and development of wildlife
(chapter C-61.1)

CONCERNING the Regulation to amend the Regulation respecting animals that must be declared

THE MINISTER OF FORESTS, WILDLIFE AND PARKS,

CONSIDERING subparagraph 11 of the first paragraph of section 163 of the Act respecting the conservation and development of wildlife (chapter C-61.1), which provides that the Minister may make regulations determining, for the purposes of section 68, the animals that must be reported to a wildlife protection officer;

CONSIDERING the first paragraph of section 164 of the Act, which provides that a regulation made under subparagraphs 10 to 12 of the first paragraph of section 163 is not subject to the publication requirements set out in section 8 of the Regulations Act (chapter R-18.1);

CONSIDERING the making of the Regulation respecting animals that must be declared (chapter C-61.1, r. 4);

CONSIDERING that it is expedient to amend a provision in the Regulation;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting animals that must be declared, attached hereto, is hereby made.

Québec, on August 16, 2017

LUC BLANCHETTE,
*Minister of Forests,
Wildlife and Parks*

Regulation to amend the Regulation respecting animals that must be declared

An Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 163, 1st par., subpar. 11)

1. The Regulation respecting animals that must be declared (chapter C-61.1, r. 4) is amended in subparagraph *b* of paragraph 2 of section 1

(1) by inserting “Wild turkey (*Meleagris gallopavo silvestris*)” in alphabetical order;

(2) by replacing “All diurnal” by “Diurnal”.

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

103108

Draft Regulations

Draft Regulation

An Act respecting the Société des alcools du Québec
(chapter S-13)

Purchase and bottling of spirits — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Purchase and Bottling of Spirits Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Purchase and Bottling of Spirits Regulation (chapter S-13, r. 1) to broaden its scope and to modernize it. It allows holders of distiller's permits to purchase and bottle the designated categories of spirits with the intention of selling them, in accordance with section 26 of the Act respecting the Société des alcools du Québec. The draft Regulation also proposes a review of the follow-up and monitoring procedures of the SAQ and the Régie des alcools, des courses et des jeux for a better and simpler application to holders of distiller's permits.

Study of the matter has shown no impact on the public and a moderate positive impact on small and medium-sized businesses.

Further information may be obtained by contacting David Bahan, Assistant Deputy Minister, Ministère des Finances, 12, rue Saint-Louis, bureau RC.18, Québec (Québec) G1R 5L3; telephone: 418 691-2225; fax: 418 644-8212; email: david.bahan@finances.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 Finance, 12, rue Saint-Louis, Québec (Québec) G1R 5L3.

CARLOS LEITÃO,
Minister of Finance

MARTIN COITEUX,
Minister of Public Security

Regulation to amend the Purchase and Bottling of Spirits Regulation

An Act respecting the Société des alcools du Québec
(chapter S-13, ss. 26 and 37, 1st par., subpar. 1)

1. The Purchase and Bottling of Spirits Regulation (chapter S-13, r. 1) is amended in section 2 by replacing paragraphs 2 to 5 by the following:

- “(2) brandy;
- (3) cognac;
- (4) dry gin;
- (5) rum;
- (6) tequila or mescal;
- (7) vodka;
- (8) Scottish whisky;
- (9) Irish whisky.”

2. Section 4 is revoked.

3. Paragraph 3 of section 6 is replaced by the following:

“(3) the place of origin of the spirits identified as follows:

“product of (country of origin and name of spirits);”

4. Section 7 is revoked.

5. Section 8 is replaced by the following:

“**8.** The holder of a distiller's permit who indicates the origin of spirits in accordance with paragraph 3 of section 6 shall fulfil the following obligations:

(1) the permit holder shall keep, for later verification by the Régie des alcools, des courses et des jeux, identification of the seal affixed to the container of spirits at the time of shipping;

(2) the permit holder shall keep, for later verification by the board, upon arrival of the spirits in Québec, a government attestation of the country of origin indicating the origin, age and aging of the spirits;

(3) the permit holder shall be able to demonstrate, at the board's request, if the seal is broken, that the spirits correspond to the attestation accompanying them;

(4) the permit holder shall store the spirits in identified vats;

(5) the permit holder shall enter daily in a production register any activity of production, processing, mixing, decanting or bottling that involves spirits referred to in section 1;

(6) the permit holder shall be able to declare, at the board's request, before shipping the bottled spirits, the origin of the spirits and, in the case of a mixture of spirits from the same country, the proportion of each of the spirits used.”.

6. Section 9 is amended by inserting “or the lot number” after “date of bottling”.

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

103115

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

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