

Gazette officielle du Québec

Part 2 Laws and Regulations

Volume 128
12 June 1996
No. 24

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Legal deposit — 1st Quarter 1968
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PROVINCE OF QUÉBEC

2nd SESSION

35th LEGISLATURE

QUÉBEC, 30 MAY 1996

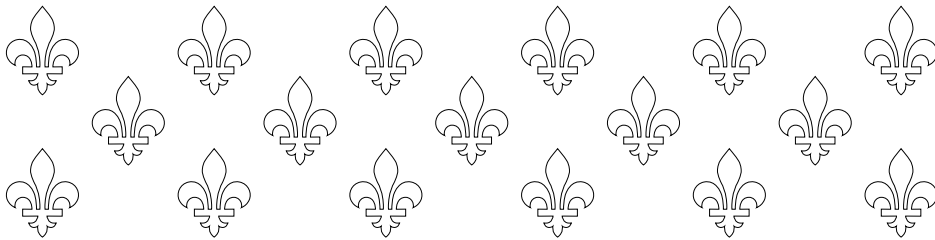
OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 30 May 1996

This day, at forty-five minutes past night o'clock in the morning, His Excellency the Lieutenant-Governor was pleased to sanction the following bill:

6 Appropriation Act No. 2, 1996-97

To this bill the Royal assent was affixed by His Excellency the Lieutenant-Governor.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 6
(1996, chapter 3)

Appropriation Act No. 2, 1996-97

Introduced 28 May 1996
Passage in principle 28 May 1996
Passage 28 May 1996
Assented to 30 May 1996

Québec Official Publisher
1996

EXPLANATORY NOTES

The object of this bill is to authorize the Government to pay out of the consolidated revenue fund the sum of \$21 126 971 750.00 being the appropriations to be voted for each of the programs of the portfolios set forth in the Schedule, less the amounts already voted.

The authorized sum appears in the estimates of expenses of Québec for the fiscal year 1996-97.

Bill 6

Appropriation Act No. 2, 1996-97

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Government may take out of the consolidated revenue fund a sum not exceeding \$21 126 971 750.00 to defray a part of the expenses of Québec proposed in the estimates for the fiscal year 1996-97 as laid before the National Assembly, not otherwise provided for, being the amount of the appropriations to be voted for each of the various programs listed in the Schedule less the amounts of the appropriations appearing in the special warrant No. 1 1995-96 (\$315 100 000.00) applicable to the fiscal year 1996-97 in accordance with section 2 of the Appropriation Act No. 1, 1996-97, and the amounts of the other appropriations appearing in the Appropriation Act No. 1, 1996-97 (\$7 532 119 650.00).

2. This Act comes into force on 30 May 1996.

SCHEDULE

AFFAIRES MUNICIPALES

PROGRAM 1

Municipal Development	4 346 850.00
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PROGRAM 2

Financial Assistance for Municipalities and Northern Villages	69 395 125.00
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PROGRAM 3

Financial Compensation	119 357 800.00
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PROGRAM 4

General Administration	26 033 175.00
------------------------	---------------

PROGRAM 5

Development of Recreation and Sport	24 020 725.00
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PROGRAM 6

Financial Assistance for the Construction of Water and Sewer Systems and for Sewage Treatment	392 123 850.00
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PROGRAM 7

Administrative and Quasi-judicial Agencies	9 249 075.00
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PROGRAM 8

Société d'habitation du Québec	212 091 075.00
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PROGRAM 9

Conciliation between Tenants and Landlords	<u>10 955 175.00</u>
--	----------------------

867 572 850.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

PROGRAM 1

Training, Research and Technological Development	31 835 475.00
--	---------------

PROGRAM 2

Farm Financing	42 857 075.00
----------------	---------------

PROGRAM 3

Assistance for Agri-food Businesses	100 819 500.00
-------------------------------------	----------------

PROGRAM 4

Farm Insurance	204 287 700.00
----------------	----------------

PROGRAM 5

Regulatory Support	31 533 150.00
--------------------	---------------

PROGRAM 6

Internal Management and Support	29 797 725.00
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PROGRAM 7

Fisheries and Aquiculture Development	<u>13 879 125.00</u>
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455 009 750.00

ASSEMBLÉE NATIONALE ET PERSONNES DÉSIGNÉES

PROGRAM 4

The Public Protector	3 808 425.00
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PROGRAM 5

The Auditor General	<u>10 066 125.00</u>
---------------------	----------------------

	13 874 550.00
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CONSEIL DU TRÉSOR, ADMINISTRATION ET FONCTION PUBLIQUE

PROGRAM 1

Conseil du trésor	45 911 775.00
-------------------	---------------

PROGRAM 2

Commission administrative des régimes de retraite et d'assurances	18 175 800.00
--	---------------

PROGRAM 3

Retirement and Insurance Plans	16 892 025.00
--------------------------------	---------------

PROGRAM 4

Office des ressources humaines	19 160 700.00
--------------------------------	---------------

PROGRAM 5

Contributions of the Government as an Employer	176 496 225.00
--	----------------

PROGRAM 6

Commission de la fonction publique	1 549 350.00
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PROGRAM 8

Contingency Fund	198 279 300.00
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476 465 175.00

CONSEIL EXÉCUTIF

PROGRAM 1

Lieutenant-Governor's Office	555 600.00
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PROGRAM 2

Support Services for the Prime Minister and the Conseil exécutif	77 886 375.00
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PROGRAM 3

Canadian Intergovernmental Affairs	<u>7 735 650.00</u>
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	86 177 625.00
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CULTURE ET COMMUNICATIONS

PROGRAM 1

Internal Management and Support	23 685 150.00
---------------------------------	---------------

PROGRAM 2

Cultural and Communications Assistance	90 898 725.00
--	---------------

PROGRAM 3

National Institutions	22 558 875.00
-----------------------	---------------

PROGRAM 4

Agencies and Government Corporations	<u>172 501 125.00</u>
--------------------------------------	-----------------------

309 643 875.00

DÉVELOPPEMENT DES RÉGIONS ET AFFAIRES AUTOCHTONES

PROGRAM 1

Development of Regions	108 696 225.00
------------------------	----------------

PROGRAM 2

Native Affairs	<u>3 390 450.00</u>
----------------	---------------------

	112 086 675.00
--	----------------

ÉDUCATION

PROGRAM 1

Administration	85 462 800.00
----------------	---------------

PROGRAM 2

Consultation and Assessment	3 856 350.00
-----------------------------	--------------

PROGRAM 3

Financial Assistance to Students	333 079 875.00
----------------------------------	----------------

PROGRAM 4

Preschool, Primary and Secondary Education	3 993 912 000.00
--	------------------

PROGRAM 5

College Education	982 745 325.00
-------------------	----------------

PROGRAM 6

University and Scientific Affairs	1 269 426 450.00
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PROGRAM 7

Tourism and Hotel Industry Management	14 893 500.00
---------------------------------------	---------------

6 683 376 300.00

EMPLOI, SOLIDARITÉ ET CONDITION FÉMININE

PROGRAM 1

Secretariat for Concerted Action	1 014 525.00
----------------------------------	--------------

PROGRAM 2

Société québécoise de développement de la main-d'oeuvre	172 837 500.00
--	----------------

PROGRAM 3

Income Security	2 595 476 100.00
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PROGRAM 4

Status of Women	3 980 850.00
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PROGRAM 5

Independent Community Action	<u>3 100 000.00</u>
------------------------------	---------------------

2 776 408 975.00

ENVIRONNEMENT ET FAUNE

PROGRAM 1

Environment and Wildlife Protection and Development	43 332 600.00
--	---------------

PROGRAM 2

Regional Operations	96 586 650.00
---------------------	---------------

PROGRAM 3

Internal Management and Support	40 935 150.00
---------------------------------	---------------

PROGRAM 4

Advisory Bodies	<u>3 932 325.00</u>
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184 786 725.00

FINANCES

PROGRAM 1

Economic and Fiscal Policies Studies	5 317 275.00
--------------------------------------	--------------

PROGRAM 2

Financial Policies and Operations	4 750 350.00
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PROGRAM 3

Comptroller of Finance	13 868 250.00
------------------------	---------------

PROGRAM 5

Internal Management and Support	11 106 900.00
---------------------------------	---------------

PROGRAM 6

The Inspector General of Financial Institutions	16 356 225.00
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PROGRAM 7

Control, Supervision and Development of the Securities Trade	5 990 025.00
---	--------------

PROGRAM 8

Statistics, Socio-economic Forecasts and Overall Research	5 312 475.00
--	--------------

	62 701 500.00
--	---------------

INDUSTRIE, COMMERCE, SCIENCE ET TECHNOLOGIE

PROGRAM 1

Technical Support for the Manufacturing and Commercial Sectors, for the Development of Science, Technology and External Trade	47 413 425.00
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PROGRAM 2

Financial Support for the Manufacturing and Commercial Sectors, for the Development of Science, Technology and External Trade	179 249 400.00
---	----------------

PROGRAM 3

Support for Government Corporations and Agencies	31 831 650.00
--	---------------

PROGRAM 4

Promotion and Development of Tourism	<u>38 223 075.00</u>
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296 717 550.00

JUSTICE

PROGRAM 1

Formulation of Decisions	12 903 225.00
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PROGRAM 2

Administration of Justice	169 699 200.00
---------------------------	----------------

PROGRAM 3

Assistance to Persons Brought before the Courts	<u>85 457 100.00</u>
---	----------------------

	268 059 525.00
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OFFICE DES SERVICES DE GARDE À L'ENFANCE

PROGRAM 1

Office des services de garde à l'enfance

181 301 700.00

181 301 700.00

RELATIONS AVEC LES CITOYENS

PROGRAM 1

Citizen Relations	29 136 825.00
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PROGRAM 2

Immigration and Integration	<u>74 858 475.00</u>
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103 995 300.00

RELATIONS INTERNATIONALES

PROGRAM 1

International Affairs Promotion and Development	<u>66 264 375.00</u>
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66 264 375.00

RESSOURCES NATURELLES

PROGRAM 1

Land Inventory and Management	16 489 500.00
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PROGRAM 2

Inventory and Management of Forest Heritage	129 930 400.00
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PROGRAM 3

Forestry Financing	1 676 225.00
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PROGRAM 4

Mineral Resources Management and Development	34 654 900.00
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PROGRAM 5

Administration and Administrative Support	50 045 925.00
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PROGRAM 6

Régie du gaz naturel	1 585 275.00
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PROGRAM 7

Energy Development	<u>7 859 400.00</u>
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242 241 625.00

REVENU

PROGRAM 1

Tax Administration

211 279 800.00

211 279 800.00

SANTÉ ET SERVICES SOCIAUX

PROGRAM 1

Services Provided by Local Community Service Centres	575 394 675.00
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PROGRAM 2

Support for Volunteer Organizations	92 381 400.00
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PROGRAM 3

Services Provided by Care Hospital Centres	2 720 853 450.00
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PROGRAM 4

Services Provided by Child and Youth Protection Centres and Rehabilitation Centres for Youth and Mothers in Difficulty	373 531 800.00
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PROGRAM 5

Services Provided by Rehabilitation Centres for Mentally or Physically Handicapped Persons and for Drug Addicts	388 575 375.00
---	----------------

PROGRAM 6

Services Provided by Reception Lodging Centres and by Extended Care Hospital Centres	981 797 025.00
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PROGRAM 7

Coordination of Research	46 397 175.00
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PROGRAM 8

National Initiatives and Activities Related to the Operation of the Network	726 984 975.00
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PROGRAM 9

Office des personnes handicapées du Québec	<u>35 805 825.00</u>
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5 941 721 700.00

SÉCURITÉ PUBLIQUE

PROGRAM 1

Internal Management and Control of Activities Relating to Alcohol, Racing and Gambling	32 828 400.00
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PROGRAM 2

Sûreté du Québec	276 595 575.00
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PROGRAM 3

Custody of Prisoners and Reintegration of Delinquents into Society	165 384 225.00
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PROGRAM 4

Safety and Prevention	<u>39 285 450.00</u>
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514 093 650.00

TRANSPORTS

PROGRAM 1

Land Transportation Systems	212 003 400.00
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PROGRAM 2

Road Construction and Maintenance of Transportation Infrastructures	600 880 575.00
--	----------------

PROGRAM 3

Internal Management and Support	62 364 450.00
---------------------------------	---------------

PROGRAM 4

Commission des transports du Québec	6 850 425.00
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PROGRAM 5

Maritime and Air Transportation	35 372 100.00
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PROGRAM 6

School Transportation	<u>305 297 200.00</u>
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	1 222 768 150.00
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TRAVAIL

PROGRAM 1

Labour

50 424 375.00

50 424 375.00

21 126 971 750.00

Regulations and other acts

Gouvernement du Québec

O.C. 615-96, 29 May 1996

An Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10)

Amendment to Schedule II.1 to the Act

Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan

WHEREAS under paragraph 6 of section 2 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), enacted by section 3 of Chapter 46 of the Statutes of 1995, the plan applies to an employee who is released without pay by his employer for union activities and who is in the employ of a body designated in Schedule II.1 if the employee belongs to the class of employees mentioned in that schedule in respect of that body;

WHEREAS under section 220 of the Act, the Government may, by order, amend Schedules I, II, II.1, II.2, III, III.1 and VI and any such order may have effect 12 months or less before it is made;

WHEREAS it is expedient to amend Schedule II.1 to the Act;

IT IS ORDERED, therefore, upon the recommendation of the Minister for Administration and the Public Service, Chairman of the Conseil du trésor:

THAT the Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan

An Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10. s. 220)

1. Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), amended by Orders in Council 1728-93 and 1729-93 dated 8 December 1993, 556-94 dated 20 April 1994, 1227-94 dated 17 August 1994, 1323-94 dated 7 September 1994, 1322-95 dated 4 October 1995 and 82-96 and 83-96 dated 24 January 1996, as well as by section 14 of Chapter 74 of the Statutes of 1993 and section 21 of Chapter 46 of the Statutes of 1995, is further amended by inserting, in alphabetical order, the words "The Syndicat professionnel des infirmières et infirmiers de l'Estrie (S.P.I.I.E.)".

2. This Amendment has effect from 1 June 1995.

9761

Gouvernement du Québec

O.C. 621-96, 29 May 1996

An Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., c. M-14)

Signing of certain permits

— Amendment

Regulation to amend the Regulation respecting the signing of certain permits of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation

WHEREAS under the first paragraph of section 12 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., c. M-14), no deed, document or writing is binding upon the department or attributable to the Minister unless signed by him, the Deputy Minister or an officer and only, in the last case, to the extent determined by regulation of the Government published in the *Gazette officielle du Québec*;

WHEREAS it is expedient to authorize the officers who hold the positions mentioned in the Regulation attached to this Order in Council to sign with the same authority as the Minister of Agriculture, Fisheries and Food certain permits of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation;

WHEREAS it is expedient to amend the Regulation respecting the signing of certain permits of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, made by Order in Council 1541-95 dated 29 November 1995;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation to amend the Regulation respecting the signing of certain permits of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the signing of certain permits of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation

An Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation
(R.S.Q., c. M-14, s. 12)

1. The Regulation respecting the signing of certain permits of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, made by Order in Council 1541-95 dated 29 November 1995, is amended by substituting the following for paragraphs 2 and 3 of section 4:

“(2) the regional directors of the Direction générale des pêches et de l'aquiculture commerciales.”.

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

9760

Gouvernement du Québec

O.C. 635-96, 29 May 1996

Environment Quality Act
(R.S.Q., c. Q-2)

Prevention of water pollution in livestock operations

Regulation to amend the Regulation respecting the prevention of water pollution in livestock operations

WHEREAS under paragraphs *a*, *c* to *f* and *k* of section 31 and subparagraphs *c* and *k* of the first paragraph of section 70 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may make regulations on the matters listed therein;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and with section 124 of the Environment Quality Act, a draft Regulation to amend the Regulation respecting the prevention of water pollution in livestock operations was published in Part 2 of the *Gazette officielle du Québec* of 20 December 1995, with a notice that it could be made by the Government upon the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments so as to take into account the comments received following publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation to amend the Regulation respecting the prevention of water pollution in livestock operations, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the prevention of water pollution in livestock operations

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, pars. *a*, *c*, *d*, *e* and *f*; s. 70, 1st par., subpars. *c* and *k*, and s. 124.1)

1. The Regulation respecting the prevention of water pollution in livestock operations (R.R.Q., 1981, c. Q-2, r.18), amended by the Regulations made by Orders in Council 1536-84 dated 27 June 1984, 257-87 dated

18 February 1987, 1655-90 dated 28 November 1990, 1776-92 dated 9 December 1992 and 1848-93 dated 15 December 1993, is further amended by substituting the following for the first paragraph of section 10:

“10. Limited activities: Where, in a municipality listed in Schedule G or H, or in a municipality where the areas necessary for spreading the manures produced there are insufficient considering the ratios mentioned in Schedule F, a project intended

— to undertake to operate a liquid manure livestock operation,

— to expand such an operation,

— to increase the number of animal units forming part of livestock on liquid manure, or

— to change the type of livestock by replacing it with livestock on liquid manure,

has been the subject of a certificate of authorization granted after (enter here the date of coming into force of this section), all the liquid manures resulting from the installations or activities thus authorized, as well as, where applicable, all the other liquid manures resulting from the operation to which the above-mentioned certificate pertains and already operated by the person to whom that certificate was issued, shall be disposed of or treated by one of the following methods:

(a) the manure is spread on land owned by the person to whom the above-mentioned certificate of authorization was issued;

(b) a manure management organization approved by the Minister takes charge of the manure; or

(c) the manure is treated as authorized by the Minister under section 22 or 32 of the Act.”

2. Section 10.1 is revoked.

3. Section 23 of the Regulation is amended by adding the following after the first paragraph:

“The minimum terms of the agreements provided for in section 21 do not apply to agreements entered into with a manure management organization approved by the Minister.”

4. Section 39 of the Regulation is amended by adding the following after the second paragraph:

“However, where a manure management organization approved by the Minister takes charge of the ma-

nure, the organization shall keep the record of spreadings indicating, in particular, the volume and type of manure spread, the origin and destination of the manure, the cadastral number of the lots where the manure is spread, the type of crops grown on those lots and the number of hectares devoted to those crops, the date of each spreading, as well as an evaluation of agronomic efficiency. The organization shall preserve such record for 2 years.”

5. Section 40 of the Regulation is amended by adding the following after the third paragraph:

“Where a manure management organization approved by the Minister takes charge of the manure, the organization shall ensure that the manure in its charge is evenly spread, in accordance with the provisions of section 39, without exceeding the maximum annual quantity specified in Schedule F according to the type of crops. The organization shall also ensure that the liquid manure in its charge and resulting from the installations and activities covered by a project mentioned in section 10 is actually spread outside the municipalities listed in Schedule G, or that its equivalent in fertilizers in the form of azote or phosphor and made up of other manure is spread outside those municipalities.

Furthermore, the organization shall at all times have in its possession spreading agreements and it shall ensure that the same area is not the subject of more than one agreement at the same time.”

6. The Regulation is amended by substituting the Schedules to this Regulation for Schedules G and H.

7. This Regulation applies in particular in reserved areas and agricultural zones established in accordance with the Act to preserve agricultural land (R.S.Q., c. P-41.1).

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

“SCHEDULE G

LIST OF MUNICIPALITIES (SECTION 10)

M.R.C. de D’Autray

Saint-Didace (parish)
 Saint-Norbert (parish)
 Saint-Gabriel-de-Brandon (parish)
 Saint-Gabriel (town)
 Saint-Charles-de-Mandeville (undesignated)
 Sainte-Élisabeth (parish)
 Saint-Cléophas (parish)

M.R.C. de Joliette

Saint-Paul (undesignated)
 Saint-Ambroise-de-Kildare (parish)
 Notre-Dame-des-Prairies (undesignated)
 Saint-Charles-Borromée (undesignated)
 Sainte-Mélanie (undesignated)

M.R.C. de L'Assomption

L'Épiphanie (parish)

M.R.C. de La Rivière-du-Nord

Sainte-Sophie (undesignated)
 Prévost (undesignated)

M.R.C. de Matawinie

Saint-Damien (parish)
 Saint-Félix-de-Valois (parish)
 Saint-Félix-de-Valois (village)
 Saint-Jean-de-Matha (undesignated)
 Sainte-Béatrix (undesignated)
 Sainte-Émélie-de-l'Énergie (parish)

M.R.C. de Montcalm

Saint-Esprit (parish)
 Saint-Roch-de-l'Achigan (parish)
 Saint-Roch-Ouest (undesignated)
 Saint-Lin (undesignated)

M.R.C. d'Acton

Acton Vale (town)
 Béthanie (undesignated)
 Roxton (township)
 Roxton Falls (village)
 Saint-Éphrem-d'Upton (parish)
 Saint-André-d'Acton (parish)
 Sainte-Christine (parish)
 Saint-Théodore-d'Acton (parish)
 Saint-Nazaire-d'Acton (parish)
 Upton (village)

M.R.C. de Drummond

Kingsey (township)
 Lefebvre (undesignated)
 Wickham (undesignated)
 Saint-Nicéphore (undesignated)
 Saint-Charles-de-Drummond (undesignated)
 Saint-Germain-de-Grantham (parish)
 Saint-Edmond-de-Grantham (parish)
 Saint-Eugène (undesignated)

M.R.C. de La Haute-Yamaska

Granby (township)
 Granby (town)
 Saint-Alphonse (parish)
 Shefford (township)
 Warden (village)
 Waterloo (town)
 Sainte-Cécile-de-Milton (township)
 Roxton-Pond (parish)
 Roxton-Pond (village)
 Saint-Joachim-de-Shefford (parish)

M.R.C. des Maskoutains

Saint-Pie (parish)
 Saint-Dominique (undesignated)
 Saint-Simon (parish)
 Saint-Hugues (undesignated)
 Saint-Louis (parish)
 La Présentation (parish)
 Saint-Hyacinthe (town)
 Saint-Hyacinthe-le-Confesseur (parish)
 Notre-Dame-de-Saint-Hyacinthe (parish)
 Saint-Jude (parish)
 Saint-Valérien-de-Milton (township)
 Saint-Liboire (parish)
 Saint-Liboire (village)
 Sainte-Hélène-de-Bagot (undesignated)

M.R.C. de Rouville

Rougemont (village)
 Saint-Ange-Gardien (parish)
 L'Ange-Gardien (village)
 Saint-Paul-d'Abbotsford (parish)
 Saint-Michel-de-Rougemont (parish)
 Saint-Mathias-sur-Richelieu (undesignated)
 Saint-Jean-Baptiste (parish)

M.R.C. de La Vallée-du-Richelieu

Saint-Mathieu-de-Beloeil (undesignated)
 Beloeil (town)
 McMasterville (village)

M.R.C. de Lotbinière

Saint-Gilles (parish)
 Saint-Narcisse-de-Beaurivage (parish)
 Saint-Patrice-de-Beaurivage (undesignated)
 Saint-Sylvestre (parish)
 Saint-Sylvestre (village)

M.R.C. des Chutes-de-la-Chaudière

Saint-Nicolas (town)
Saint-Lambert-de-Lauzon (parish)

M.R.C. de Desjardins

Saint-Henri (undesignated)

M.R.C. de Robert-Cliche

Saint-Séverin (parish)
Saint-Jules (parish)

M.R.C. de Bellechasse

Saint-Anselme (parish)
Saint-Anselme (village)
Honfleur (undesignated)
Saint-Gervais (undesignated)
Saint-Raphaël (undesignated)
Sainte-Claire (undesignated)
Armagh (undesignated)
Saint-Malachie (parish)
Saint-Nazaire-de-Dorchester (parish)

M.R.C. de La Nouvelle-Beauce

Saint-Isidore (undesignated)
Saint-Bernard (undesignated)
Sainte-Hénédine (parish)
Saint-Elzéar-de-Beauce (undesignated)
Saint-Elzéar (village)
Sainte-Marie (town)
Sainte-Marguerite (parish)
Saints-Anges (parish)
Tachereau-Fortier (undesignated)
Scott (village)".

“SCHEDULE H**LIST OF MUNICIPALITIES (SECTION 10)**

Charlemagne (town)
Chertsey (undesignated)
Crabtree (undesignated)
Entrelacs (undesignated)
Joliette (town)
L'Assomption (town)
Laurentides (town)
Le Gardeur (town)
L'Épiphanie (town)
New-Glasgow (village)
Notre-Dame-de-la-Merci (undesignated)
Notre-Dame-de-Lourdes (parish)
Rawdon (township)

Rawdon (village)
Repentigny (town)
Sacré-Coeur-de-Crabtree (undesignated)
Sainte-Julienne (parish)
Sainte-Marceline-de-Kildare (undesignated)
Sainte-Marie-Salomée (parish)
Saint-Alexis (parish)
Saint-Alexis (village)
Saint-Alphonse-Rodriguez (undesignated)
Saint-Antoine-de-Lavaltrie (parish)
Saint-Calixte (undesignated)
Saint-Côme (parish)
Saint-Donat (undesignated)
Saint-Gérard-Magella (parish), comté de L'Assomption
Saint-Hippolyte (parish)
Saint-Jacques (parish)
Saint-Jacques (village)
Saint-Liguori (parish)
Saint-Pierre (village)
Saint-Zénon (parish)".

9762

Decision CCQ-962086, 29 May 1996

Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20)

**Complementary social benefit plans
in the construction industry
— Amendment**

Please take note that by decision CCQ-962086 of 29 May 1996, the Commission de la construction du Québec has enacted the Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry.

Please take note that under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be enacted without having been published notwithstanding the publication requirement in section 8 of that Act if the authority enacting it is of the opinion that the urgency of the situation requires it;

Please take note that the Commission de la construction du Québec is of opinion that the urgency of the situation requires that this regulation be enacted without prior prepublication, particularly for the following reasons:

— the amendments to the insurance plans shall only come into force at the beginning of an insurance period. The parties affected by these plans, employers and salaried employees of the construction industry, have agreed

of the necessity of enforcing the provisions relating to insurance plans as of 1 July 1996, which corresponds to the beginning of an insurance period.

Please take note that the Commission as submitted the draft regulation, prior to its adoption, to the Joint Committee on Construction, for the purposes of consultation, in accordance with section 123.3 of the Act respecting labour relations, vocational training and manpower management in the construction industry. This committee is composed of representatives from parties representing employers and salaried employees of the construction industry who are affected by this regulation. According to section 18 of that Act, the Commission is bound to the committee's decisions as regards to the use of social security funds. The Joint Committee of Construction has issued a notice stating that it was in favour of adopting the Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry.

Le secrétaire,
HUGUES FERRON

Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 92; 1995, c. 8, s. 42)

1. The Regulation respecting complementary social benefit plans in the construction industry, enacted by decision CCQ-951991 dated 25 October 1995 and amended by the Regulation enacted by decision CCQ-962072 dated 24 April 1996, is further amended by substituting number "80" for number "70" throughout section 32.

2. Section 33 of this Regulation is amended:

(1) by adding the following to subsection 3 of the first paragraph:

"(4) for a retired employee who is least 65 years of age, \$504.59 for the insurance period beginning on 1 July 1996.";

(2) by adding the following to the second paragraph: "However, supplemental plans do not apply in the case of a retired employee who is at least 70 years of age.".

3. Section 51 of this Regulation is replaced by the following:

"**51.** Coverage under the life insurance plan provided for in this section ceases on the date of the 70th birthday of the insured employee, but ceases on the date of the 80th birthday of the insured employee covered by the insurance plan for retired employees."

4. Section 79 of this Regulation is amended by inserting, after the word "employees", the words "if he is at least 70 years of age".

5. This Regulation comes into force on 1 July 1996.

9768

Notice of adoption

An Act respecting horse racing
(R.S.Q., c. C-72.1)

Rules respecting Standardbred horse racing — Amendments

Notice is hereby given that, at its sittings of 17 May and 27 May 1996, the Régie des alcools, des courses et des jeux made the Rules to amend the Rules respecting Standardbred horse racing, the text of which appears below.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Rules was published in Part 2 of the *Gazette officielle du Québec* of 6 March 1996, with a notice that they could be made by the Régie des alcools, des courses et des jeux at the expiry of 45 days following that publication.

GHISLAIN K. LAFLAMME,
President and Director General

Rules to amend the Rules respecting Standardbred horse racing

An Act respecting racing
(R.S.Q., c. C-72.1, s. 103, 1st par., subpars. 1 to 4, 6, 14, 15 and 21)

1. The Rules respecting Standardbred horse racing, made by the Commission des courses du Québec on 19 September 1990, published in Part 2 of the *Gazette officielle du Québec* on 3 October 1990 (122 *G.O.* 2, 2491) and amended by the Rules made on 6 March 1991 (123 *G.O.* 2, 1172), on 5 November 1992 (124 *G.O.* 2, 4982) and on 14 September 1995 (1995, 127 *G.O.* 2, 4241) are further amended, in section 1,

(1) by adding the words “and amended by Order in Council 1240-85 dated 19 June 1985” after the year “1983” in paragraph 2;

(2) by substituting the words “Pari-Mutuel Betting Supervision Regulations (1991), 125 Can. Gaz. II, 1913” for the words “Race Track Supervision Regulations (C.R.C., 1978, c. 441)” in paragraph 33;

(3) by substituting the words “Pari-Mutuel Betting” for the words “Race Track” in paragraph 34;

(4) by substituting the following for paragraph 35:

“(35) “entry” means several horses declared or participating in a race that are owned by the same owner;”;

(5) by substituting the following for paragraph 44:

“(44) “starting line” means a real vertical line which is marked on the inside of the racing strip and at which the recording of the duration of a race begins;

(44.1) “safety line” means a real vertical line which is marked on the inside of the racing strip not less than 200 feet from the beginning of the first turn;”;

(6) by substituting the words “Pari-Mutuel Betting” for the words “Race Track” in paragraph 53.

2. The following is substituted for section 2:

“These Rules apply to Standardbred horse races held at a class A, B or C race track as defined in the Regulation respecting Standardbred horse racing.”.

3. Sections 4 and 5 are revoked.

4. Section 6 is amended by deleting subparagraph 2 of the first paragraph.

5. Section 13 is amended:

(1) by adding the following at the end of the second paragraph: “and shall give the statement to the racing judges before the horse starts in a race following the race from which it was scratched.”; and

(2) by adding the following at the end of the fourth paragraph: “Such certificate is no longer required after the expiry of 30 days from the date of the horse’s entry on the “Veterinarian’s List”.”.

6. Section 23 is amended by deleting the second paragraph.

7. Section 31 is amended by substituting “3 hours” for “90 minutes” in the second paragraph.

8. The following is substituted for section 32:

“**32.** Any person outside the paddock who wishes to communicate with a person inside the paddock during the period beginning 15 minutes before the post time of the first race with parimutuel of a race program and ending at the end of the last race of the program shall obtain the authorization of the racing judges.

A person inside the paddock during the period mentioned in the first paragraph shall use no communication device.”

9. Section 35 is amended by substituting the words “these Rules” for the words “a licence or a pass”.

10. Section 36 is amended by substituting “2 hours” for “90 minutes”.

11. The following is substituted for section 38:

“**38.** The association shall post in the paddock a list of the veterinarians on duty and shall ensure that the veterinarians are available at least 45 minutes before the post time of the first race of a race program and throughout that program.

A veterinarian on duty shall not be a veterinarian of the board.”.

12. Section 43 is amended by inserting the words “or is declared in a race” after the words “of a race track”.

13. Section 52 is amended by adding the words “any nerve blocking that has been done must not have been at a level higher than the pastern;” at the end of subparagraph 4 of the first paragraph.

14. Section 53 is amended by deleting the second paragraph.

15. Section 59 is amended

(1) by deleting the words “, nor the racing officials”; and

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

“A racing official shall not take part in a race as an owner, authorized agent, driver, trainer or groom.”.

16. Section 70 is amended by adding the following paragraph at the end:

“(4) for a licence holder, not appearing before a racing judge when summoned to appear.”.

17. Section 74 of the English text is amended by substituting the word “incorrectly” for the word “impolitely” in paragraph 1.

18. Section 84 is amended by adding the words “, unless it has been interfered with” at the end of subparagraph 8 of the first paragraph of section 84.

19. Section 93 is amended by deleting the second paragraph.

20. The following is substituted for section 106:

“**106.** The owner of a mare, the owner’s agent or the trainer may not declare the mare in a claiming race from the date on which she is first serviced to the end of her gestation period.”.

21. Section 115 is amended by inserting the following after paragraph 3 of the first paragraph:

“(4) he shall indicate to the association that a horse has been claimed so that the association can announce the information to the public during the parade.”.

22. Section 120 is amended

(1) by substituting the numeral “60” for the numeral “30” in the second paragraph; and

(2) by adding the words “or the safety line, as the case may be.” at the end of the third paragraph.

23. Section 125 of the French text is amended by inserting the words “au cours” after the words “la course”.

24. Section 130 is amended

(1) by substituting the numeral “90” for the numeral “30” in that part preceding paragraph 1; and

(2) by substituting the numeral “90” for the numeral “30” in paragraph 2.

25. Section 135 is amended by inserting the words “at the same gait” after the words “that is to be held”.

26. Section 159 is amended by substituting the word “presumed” for the word “deemed” in the third paragraph.

27. Section 175 is amended

(1) by adding the words “, unless it has been interfered with” at the end of subparagraph 5 of the first paragraph;

(2) by inserting the following after subparagraph 5 of the first paragraph:

“(6) it shall meet the time standard set by the race secretary, unless it has been interfered with.”; and

(3) by inserting the words “not less than 4 years old” after the word “horse”.

28. Section 189 is amended by adding the following paragraph at the end:

“At the request of the trainer or owner of a horse, or of the owner’s agent, the race secretary is authorized to declare the horse in a race with different conditions for participation, where the minimum number of declarations has not been reached or where the maximum number of declarations has been exceeded.”.

29. Section 193 is amended by adding the following at the end of the second paragraph: “, except where the horse’s last start took place outside Québec, in which case the owner, the owner’s agent or the trainer shall file with the race secretary the certificate referred to in section 53 at least 1 hour before the start of the race in which the horse is to run.”.

30. Section 197 is amended

(1) by substituting the words “declaration under oath” for the words “sworn statement or solemn affirmation”; and

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

“A horse that is scratched by the racing judges upon a person’s failure to make a declaration under oath or to provide such a document may not be declared in another race until its owner, the owner’s agent or its trainer has made the requisite declaration or filed the requisite document.”.

31. Section 201 is amended by adding the following at the end of the first paragraph:

“(4) where 2 or more horses are trained by the same trainer, preference is first given to only one horse.”.

32. Section 210 is amended

(1) by deleting the words “, first from among horses that have been organized as an entry due to their owner-

ship and then from among horses that have been organized as an entry because of their trainers”; and

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

“For the purposes of this section, horses trained by the same trainer shall be dealt with in the same manner as horses constituting an entry.”.

33. Section 232 is amended

(1) by inserting the words “the statement by a veterinarian prescribed in the second paragraph of section 13,” after “section 193,” in subparagraph 3 of the first paragraph;

(2) by substituting the words “does not have” for the words “is not under the responsibility of” in subparagraph 8 of the first paragraph; and

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

“(9) a drug, a medication or a mixture containing sodium bicarbonate has been administered to a horse within 24 hours preceding the race in which the horse is to start;

(10) the results of the analysis of blood samples taken under sections 345.1 and 345.3 are positive;

(11) the trainer of the horse, the trainer’s representative or the owner of the horse refuses to submit the horse to the blood sampling procedure described in sections 345.1 and 345.3;

(12) a horse participating in a race is not in the paddock within the time prescribed in section 236.”.

34. Section 234 is amended

(1) by substituting “2 hours” for “90 minutes” in that part preceding paragraph 1;

(2) by inserting the words “and who are at least 10 years old” after the words “for whom the owner answers” in paragraph 1.

35. Section 236 is amended by substituting “2 hours” for “one hour”.

36. Section 252 is amended by adding the words “or the safety line, as the case may be” after the words “the starting line” in the third paragraph.

37. Section 259 is amended by deleting from paragraph 3 the words “, for the purposes of the Race Track Supervision Regulation,”.

38. Section 271 is amended by deleting from paragraph 9 the words “or come into contact with a post in that rail”.

39. Section 273 is amended by deleting the words “During a race series,”.

40. Section 275 is revoked.

41. The following is substituted for the fourth paragraph of section 285:

“Where, during a race, the wheel of a horse’s sulky leaves a racing strip that does not have a continuous hub rail, the racing judges shall disqualify the horse, unless the horse left the racing strip as a result of an interference or collision, or as a result of the effects of an interference or collision. They shall then determine the position order of the horses.”.

42. Section 295 is amended by inserting the words “or an inspector from the board” after the words “The president of the racing judges”.

43. Section 303 is amended by inserting the words “An inspector from” before the words “the board”.

44. Section 339 is amended by substituting the words “Pari-Mutuel Betting” for the words “Race Track”.

45. The following is substituted for section 343:

“**343.** A horse that is disqualified in accordance with section 341 may not participate or be declared in a race before the expiry of 30 days from the date on which it is disqualified.”.

46. Section 344 is amended by substituting the words “Pari-Mutuel Betting” for the words “Race Track”.

47. The following is substituted for section 345:

“**345.** No person who organizes, holds or participates in an activity subject to the Act shall have in his possession at a racetrack an injectable substance, a syringe, a hypodermic needle or other device that could be used to inject or in any way introduce a drug or other substance into a horse, unless the person is a veterinarian.

No licence holder shall prepare a mixture containing sodium bicarbonate or cause such mixture to be absorbed by a horse within 24 hours preceding a race in which the horse is to participate.

No person shall inject a horse with a drug or medication or in any way administer a drug or medication to a horse within 24 hours preceding a race in which the horse is to start.

Within 2 hours preceding the start of the first race with or without pari-mutuel of a race program and during such program, no licence holder shall administer to a horse in the paddock a substance other than the water provided by the Association.”.

48. The following is inserted after section 345:

“**345.1** During the 2-hour period preceding the time at which a horse is to start in a race, a blood sample may be taken for the purposes of analysis by a person authorized by the board in accordance with section 90 of the Act. When taking a blood sample, that person shall:

(1) write, on the container used to hold the blood sample, the horse’s tattoo number and the date and number of the race;

(2) write, on the back of the analysis record, in addition to his signature, the horse’s tattoo number and the date, time and place of the sampling.

345.2 Subject to section 345.9, blood analysis results are positive if the 3 following criteria are met:

(1) blood pH exceeds 7.43;

(2) bicarbonate (HCO_3) concentration is greater than 38 millimoles per litre of blood;

(3) sodium (Na) concentration is greater than 147 millimoles per litre of blood.

345.3 Where the results of the first blood analysis are positive, a second blood sample shall be taken from the horse.

345.4 Where the results of the second analysis of the horse’s blood are positive, the person authorized by the board:

(1) shall so inform the racing judges;

(2) shall write, on the container used to hold the blood sample, the horse’s tattoo number and the date and number of the race;

(3) shall write, on the back of the analysis record, in addition to his signature, the horse’s tattoo number and the date, time and place of the sampling.

345.5 The analysis records for the first and second blood samples, along with the information written on the back of those records by a person authorized by the board, constitute *prima facie* evidence of the bicarbonate and sodium concentrations and the pH in the horse’s blood, and of the horse’s identity, without it being necessary to prove the signature or the official capacities of the person who signed.

345.6 Where the analysis results are positive, a horse’s trainer, a trainer’s representative or a horse’s owner who feels that the analysis results are physiologically normal due to a physiological trait specific to the horse shall establish that those results are in fact normal during isolation of the horse pursuant to section 345.9.

345.7 A horse shall not be isolated for more than 72 hours, during which time the pH and the bicarbonate (HCO_3) and sodium (Na) concentrations shall be measured.

345.8 The horse may not be declared in or participate in a race while in isolation.

345.9 Where the analyses done on a horse in isolation demonstrate that, due to a physiological trait specific to that horse, the pH or the bicarbonate (HCO_3) or sodium (Na) concentration recorded is physiologically normal for that horse, the board shall determine new criteria for that horse for the purposes of section 345.2.

345.10 The methodology used in the analyses done on a horse in isolation shall meet the criteria for analytical precision established by the International Federation of Clinical Chemistry and the American Association for Clinical Chemistry.”.

49. Section 360 is amended by inserting the word “interested” before the word “person”.

50. The following is substituted for sections 362 to 364:

“**362.** Failure to comply with any of the provisions of sections 7 and 8, the second paragraph of section 13, the second paragraph of section 20, the first and second paragraphs of section 22, sections 23 to 29, 32 to 39 or 40 to 46, the third paragraph of section 47, sections 48, 50, 51, 53 to 76, the second and third paragraphs of section 78, sections 79, 80, 85, 87, 88, 90 and 93, the first, second, fourth and fifth paragraphs of section 94, section 97, 106, 111, 112, 123, 124, 130 and 131, the first paragraph of section 132, sections 133, 135, 136, 141 to 143 and 147, the second paragraph of section 156, sections 160, 161, 163, 166, 167, 173, 179, 182, 188 to 190, 192 to 195, 200, 207 and 208, the first paragraph of

section 211, sections 222 to 224 and 234 to 241, the first paragraph of section 243, sections 244 to 248, the first paragraph of section 252, the third paragraph of section 255, the first paragraph of section 257, paragraph 2 of section 261, sections 262 to 274, 276 to 284, 289, 294, 296 to 298 and 308, the second paragraph of section 310, sections 316, 317, 329 and 360 constitutes a violation, and such violation entails one or more of the following administrative measures:

- (1) a reprimand;
- (2) suspension, for a given period of time, of all or some of the privileges attached to a holder's licence;
- (3) revocation of a holder's licence, in which case a period of time not exceeding 5 years shall be determined during which the holder may not apply for the issue of that type of licence;
- (4) denial of access to all race tracks and all areas within race tracks, for a period not exceeding 5 years;
- (5) a fine of not less than \$50 and not more than \$3 000 for each day the violation continues.

363. Any licence holder commits a violation where, through his acts or his failure to act, he aids another person in violating any of the provisions of section 345.

364. Any violation of any of the provisions of paragraph 1 of section 261 or of section 345 or 363 entails both of the following administrative measures:

- (1) suspension of all or some of the privileges attached to a holder's licence for a period of not less than 30 days or, where the licence would expire during such period, revocation of the holder's licence. The licence holder shall not apply for the issue of that type of licence before the expiry of the suspension period, which may not exceed 5 years;
- (2) denial of access to all race tracks and all areas within race tracks, for a period not exceeding 5 years.”.

51. The following is substituted for section 365:

“**365.** The racing judges may not impose an administrative measure on a licence holder where such measure includes the suspension, for a period of more than 60 days, of all or some of the privileges granted under a licence or the revocation of the holder's licence where a new application cannot be made before the expiry of a period of more than 60 days following the revocation.

In the above cases, the racing judges shall refer the matter to the board, which shall deal with it in accordance with section 51 of the Act.”.

52. Section 369 is amended

(1) by substituting the words “Any interested person may lodge an appeal” for the words “An appeal may be lodged” in that part preceding paragraph 1; and

(2) by adding the following after paragraph 4:

“(5) revocation of a holder's licence.”.

53. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec* except for sections 2 to 4, which will come into force on the date of the coming into force of the Rules respecting Standardbred horse racing held at class D race tracks.

9756

Draft Regulations

Draft By-law

Real Estate Brokerage Act
(R.S.Q., c. C-73.1)

Association des courtiers et agents immobiliers du Québec — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the By-law amending the By-law of the Association des courtiers et agents immobiliers du Québec, the text of which appears below, may be submitted to the Government for approval with or without amendments upon the expiry of 45 days following this publication.

The draft By-law proposed by the Association des courtiers et agents immobiliers du Québec substantially amends the existing By-law. Its main purpose is to eliminate the category of certificate for a real estate agent restricted to loans secured by immovable hypothec. Only one category of restricted certificate will be preserved, that is, the category of certificate for a broker restricted to loans secured by immovable hypothec.

The draft By-law is also intended to amend the conditions and procedures for obtaining, suspending, cancelling, renewing or reinstating certificates, by providing, in particular:

— that a chartered real estate broker shall pay the duties exigible not later than on 20 November, while an affiliated real estate agent or broker will have to pay the duties not later than on 10 December;

— that a certificate issued in September, October, November or December will be valid for a period of more than 12 months, from its issuance to 31 December of the following year;

— that, in certain cases of renewal, a compulsory continuing education course of at least 15 hours per year be set up, to be given by the Association.

Furthermore, the draft By-law amends the conditions for carrying on the activities of real estate broker, the cases where a person referred to in section 13 of the Act must devote himself exclusively to managing duties in a place of business, as well as the terms and conditions for disclosing the status of real estate broker or agent.

The draft By-law contains major amendments to the mandatory forms. The proposed amendments will reduce the number of pages in the forms and, according to the Association, will make their use and understanding easier.

It also proposes to amend certain rules respecting advertising, particularly the obligation for brokers and agents to display their category of certificate in any advertising or soliciting of clients.

As regards trust accounts, the Association proposes several amendments, including a new procedure to follow where a broker receives a request for reimbursement from a depositor that does not meet the conditions under which those sums may be used or where he receives a request for withdrawal from a third party.

The proposed By-law also contains amendments respecting the disclosing of the sharing of remuneration and the records, books and registers to be kept by a broker. In particular, a broker will have to keep records containing certain basic particulars on each affiliated real estate broker or agent who is in his employ or authorized to act on his behalf.

Finally, the draft By-law amends the rules respecting the financing fund and the categories of members.

To date, according to the Association, study of the matter has not revealed any impact on the public, on businesses and, in particular, small and medium-sized businesses. Only real estate agents and brokers will be affected, as well as the Association's activities.

Additional information may be obtained from Mr. Serge Cayer, Director General and Secretary, Association des courtiers et agents immobiliers du Québec, 500, boulevard René-Lévesque Ouest, bureau 700, Montréal (Québec), H2Z 1W7. Tel.: (514) 392-4800, fax: (514) 392-4801.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Inspector General of Financial Institutions, 800, place d'Youville, 9^e étage, Québec (Québec), G1R 4Y5. Comments will be sent to the Minister of Finance by the Inspector General of Financial Institutions.

ALFRED VAILLANCOURT,
*Acting Inspector General
of Financial Institutions*

By-law amending the By-law of the Association des courtiers et agents immobiliers du Québec

Real Estate Brokerage Act
(R.S.Q., c. C-73-1, s. 74)

1. The By-Law of the Association des courtiers et agents immobiliers du Québec, approved by Order-in-Council 1865-93 of December 15, 1993, is amended by the deletion of paragraph (6) of section 1.

2. Section 3 of such by-law is amended by replacing the last sentence with the following:

“A holder of this certificate may not employ or authorize to act on his behalf a holder of a real estate broker’s or agent’s certificate.”

3. Section 7 of such by-law is repealed.

4. Section 9 of such by-law is amended:

(1) by replacing, in subparagraph *a* of paragraph (1), the words “any other name that he intends to use” with the words “the only assumed name he will use”;

(2) by replacing, in subparagraph *e* of paragraph (1), the words “of any” with the words “of the last”;

(3) by deleting, in subparagraph *e* of paragraph (1), after the word “held”, the words “in the 5 years preceding his application”;

(4) by replacing paragraph (5) with the following:

“where applicable, a copy of the declaration of registration in accordance with the Act respecting the legal publicity of sole proprietorship, partnerships and legal persons (R.S.Q., c. P-45), as well as a copy of any amending declaration”;

(5) by deleting paragraph (6);

(6) by deleting, in subparagraphs *a* and *b* of paragraph (7), the words “the original or” and “certified true”;

(7) by adding, to subparagraphs *a* and *b* of paragraph (7), after the word “certificate”, the words “or is referred to in section 7 or 13 of the Real Estate Brokerage Act (R.S.Q., c. C-73.1)”;

(8) by replacing subparagraph *c* of paragraph (7) with the following:

“2 identical, color photographs, measuring 43 millimetres by 54 millimetres (1 3/4” x 2 1/4”) on white background, of the face, head and shoulders, head uncovered”;

(9) by adding, to subparagraph *d* of paragraph (7), after the word “Act”, the words “unless this person already holds a chartered or affiliated real estate broker’s or chartered real estate agent’s certificate or is referred to in section 7 or 13 of the Real Estate Brokerage Act (R.S.Q., c. C-73.1)”;

(10) by replacing paragraph (9) with the following:

“a statement to the effect that it will not carry out any activity prohibited by the Real Estate Brokerage Act (R.S.Q., c. C-73-1)”;

(11) by deleting paragraph (10).

5. Section 11 of such by-law is amended:

(1) by replacing, in subparagraph *b* of paragraph (1), the words “of any” with the words “of the last”;

(2) by deleting, in subparagraph *b* of paragraph (1), after the word “held”, the words “in the 5 years preceding its application”;

(3) by replacing, in subparagraph *e* of paragraph (2), the words “of any” with the words “of the last”;

(4) by deleting, in subparagraph *e* of paragraph (2), after the word “held”, the words “in the 5 years preceding the application”;

(5) by deleting, in paragraph (7), the words “where applicable, a copy of the registration in each district where the applicant carries on or plans to carry on its activities, of its partnership declaration in accordance with the Companies and Partnerships Declaration Act, or”;

(6) by deleting paragraph (8);

(7) by deleting, in subparagraphs *a* and *b* of paragraph (9), the words “the original or” and the words “certified true”;

(8) by adding, to subparagraphs *a* and *b* of paragraph (9), after the word “certificate”, the words “or is referred to in section 7 or 13 of the Real Estate Brokerage Act (R.S.Q., c. C-73-1)”;

(9) by replacing subparagraph *c* of paragraph (9) with the following:

“2 identical, color photographs, measuring 43 millimetres by 54 millimetres (1 3/4" x 2 1/4") on white background, of the face, head and shoulders, head uncovered”;

(10) by adding, to subparagraph *d* of paragraph (9), after the word “Act”, the words “unless this person already holds a chartered or affiliated real estate broker’s or chartered real estate agent’s certificate or he is referred to in section 7 or 13 of the Real Estate Brokerage Act (R.S.Q., c. C-73.1)”;

(11) by replacing paragraph (11) with the following:

“a statement to the effect that it will not carry out any activity prohibited by the Real Estate Brokerage Act (R.S.Q., c. C-73.1)”;

(12) by deleting paragraph (12).

6. Section 13 of such by-law is amended:

(1) by replacing, in subparagraph *a* of paragraph (1), the words “any other name that it intends to use” with the words “the only assumed name it will use”;

(2) by replacing, in subparagraph *b* of paragraph (1), the words “of any” with the words “of the last”;

(3) by deleting, in subparagraph *b* of paragraph (1), after the word “held”, the words “in the 5 years preceding the application”;

(4) by replacing, in subparagraph *e* of paragraph (2), the words “of any” with the words “of the last”;

(5) by deleting, in subparagraph *e* of paragraph (2), after the word “held”, the words “in the 5 years preceding the application”;

(6) by deleting, in paragraph (7), the words “where applicable, a copy of the registration in each district where it carries on or plans to carry on its activities, of its declaration in accordance with section 1 of the Companies and Partnerships Declaration Act, or”;

(7) by deleting paragraph (8);

(8) by deleting, in subparagraphs *a* and *b* of paragraph (9), the words “the original or” and the words “certified true”;

(9) by adding, in subparagraphs *a* and *b* of paragraph (9), after the word “certificate”, the words “or is referred to in section 7 or 13 of the Real Estate Brokerage Act (R.S.Q., c. C-73-1)”;

(10) by replacing subparagraph *c* of paragraph (9) with the following:

“2 identical, color photographs, measuring 43 millimetres by 54 millimetres (1 3/4" x 2 1/4") on white background, of the face, head and shoulders, head uncovered”;

(11) by adding, in subparagraph *d* of paragraph (9), after the word “Act”, the words “unless this person already holds a chartered or affiliated real estate broker’s or chartered real estate agent’s certificate or is covered by section 7 or 13 of the Real Estate Brokerage Act (R.S.Q., c. C-73.1)”;

(12) by replacing paragraph (11) with the following:

“a statement to the effect that it will not carry out any activity prohibited by the Real Estate Brokerage Act (R.S.Q., c. C-73.1)”;

(13) by deleting paragraph (12).

7. Section 17 of such by-law is amended by inserting, after paragraph (3), the following:

“(3.1) the name of the market intermediary in insurance or the insurer that is its employer.”;

8. Section 19 of such by-law is amended:

(1) by replacing, in subparagraph *a* of paragraph (1), the words “any other name that he or it intends to use” by the words “the only assumed name he or it will use”;

(2) by inserting in subparagraph (6), after the word “Act” the words “or who is the manager of the place of business who employs him”;

(3) by deleting paragraph (8).

9. Subdivision 6 of Division III of Chapter I of such by-law, consisting of sections 22 and 23, is repealed.

10. Section 24 of such by-law is amended by deleting, after the words “real estate broker’s certificate” the words “, of a certificate for a real estate broker restricted to loans secured by immovable hypothec”.

11. Section 25 of such by-law is amended by deleting the last sentence.

12. Section 26 of such by-law is amended:

(1) by replacing, in subparagraph *a* of paragraphs (1) and (3), the words “any other name that he intends to use” with the words “the only assumed name he uses”;

(2) by replacing, in subparagraph *a* of paragraph (2), the words “any other name that it intends to use” with the words “the only assumed name it uses”;

(3) by deleting, in paragraphs (1), (2), (3) and (4), the words “, and the corresponding telephone number”;

(4) by replacing, in subparagraph *b* of paragraph (4), the words “any other name that he or it intends to use” with the words “the only assumed name” he or it uses;

(5) by deleting subparagraph *d* of paragraph (4);

(6) by deleting paragraph (5);

(7) by replacing subparagraph *c* of paragraph (6) with the following:

“the date of issue, renewal or reinstatement of the certificate”;

(8) by replacing, in subparagraph *e* of paragraph (6), the words “the specialist titles, provided for” with the words “the specialist title, provided for”.

13. Section 27 of such by-law is replaced by the following:

“A real estate broker or agent’s certificate is valid for a 12-month period from January 1 to December 31.

However, the first paragraph does not apply to a certificate issued during the course of the year, which may be valid for less than 12 months, from its date of issue or renewal to December 31 of the same year. The foregoing notwithstanding, a certificate that is issued in September, October, November and December may be valid for more than 12 months, from its date of issue to December 31 of the following year.

In the case where a certificate is issued for a period exceeding 12 months, the amounts mentioned in subparagraphs (1) to (6) of the first paragraph of section 1 of the By-Law respecting chargeable fees and specialist titles of the Association des courtiers et agents immobiliers du Québec are increased in proportion to the number of months remaining between the time the application is made and the end of the calendar year, including the month during which the application is made.”.

14. Section 28 of such by-law is amended by adding, after paragraph (2), the following:

“(3) when he requests it.”.

15. Section 29 of such by-law is amended:

(1) by deleting, in paragraph (1), after the words “chartered real estate broker’s certificate” the words “of a certificate for a real estate broker restricted to loans secured by immovable hypothec or”;

(2) by replacing paragraph (2) with the following:

“when he ceases to be employed by a multidisciplinary firm or authorized to act on its behalf”;

(3) by adding, after paragraph (2), the following:

“(3) when he requests it.”.

16. Section 31 of such by-law is replaced by the following:

“A real estate broker’s or agent’s certificate is suspended when the Secretary of the Association finds that a financial institution refuses to honor a payment made by credit card, cheque or other bill of exchange to settle the fees provided for in Division 1 of the By-law respecting chargeable fees and specialist titles of the Association des courtiers et agents immobiliers du Québec or a contribution to the Fonds d’indemnisation provided for in Division V of the Regulation respecting the application of the Real Estate Brokerage Act.

This certificate can only be reinstated if the sums owed by virtue of the first paragraph and the fees chargeable for such a reinstatement are paid by means of a certified cheque, bank draft or cash.”.

17. Section 32 of such by-law is replaced by the following:

“A real estate broker’s or agent’s certificate is suspended by operation of law when the Secretary of the Association finds the certificate holder in default of paying to the Association a fine imposed under the Act.

A natural person referred to in Section 7 or Section 13 of the Act is incapable to act the purpose mentioned in terms when the Secretary of the Association finds that this person has failed to comply with any sanction imposed under the Act.”.

18. Section 34 of such by-law is amended:

(1) by deleting, in paragraph (4), after the word “penalties”, the words “concerning the required qualifications in the case of a natural person or concerning the conditions provided for in paragraphs (4) to (9) of section 10 in the case of a partnership or in paragraphs (4) to (9) of section 12 in the case of a legal person”;

(2) by adding, after paragraph (9), the following:

“(10) particularly where the holder applies for another category of certificate from the Association.”

19. Section 35 of such by-law is amended:

(1) by deleting, in paragraph (2), after the word “pre-
tences”, the words “concerning the required qualifica-
tions”;

(2) by deleting paragraph (3);

(3) by adding, after paragraph (4), the following:

“(5) when the certificate holder requests it.”

20. Section 39 of such by-law is replaced by the following:

“The Association shall, following the suspension or cancellation of a certificate, for cases other than those provided for under sections 137 and 138 of the Act, send a written notice to the natural person, partnership or legal person whose certificate has been suspended or cancelled. This notice shall state the cause and effective date of the suspension or cancellation.

Despite the first paragraph, the Association is not obliged to provide the notice stipulated therein if it is of the opinion that the natural person, partnership or legal person has already been informed of the suspension or cancellation.

A notice of this suspension or cancellation may also be published or sent to the Association members.”

21. Section 40 of such by-law is replaced with the following:

“A certificate holder wishing to have his certificate renewed must pay the fees provided for in Chapter I of the By-law respecting chargeable fees and specialist titles of the Association des courtiers et agents immobiliers du Québec for the renewal of a certificate, as well as the contributions to the Fonds d’indemnisation provided for in Chapter V of the Regulation respecting the application of the Real Estate Brokerage Act. In the case of a real estate broker’s certificate, other than the affiliated real estate broker, this payment must be made no later than November 20, and in the case of an affiliated real estate broker’s or agent’s certificate, no later than December 10.

The holder whose payment for renewal is made after the date provided for in the first paragraph, but no later than the expiry date of his certificate, shall pay, in addition to the chargeable fees mentioned in paragraph 2,

the sum of 25 dollars at the time of renewal of his certificate.

An application for renewal of a certificate may be accepted after the expiry date of the certificate if the applicant shows that it was impossible for him to act prior to that date.”

22. Section 41 of such by-law is replaced by the following:

“The applicant referred to in section 40 shall send with his application any information or document that represents a change in relation to those which he may have provided at the time of an application for issue, reinstatement, at the last renewal or which he may have provided the Association after issue, reinstatement or renewal.”

23. Such by-law is amended by inserting the following after section 41:

“**41.1** For any renewal of a certificate taking effect after January 1, 1998 and for any other renewal thereafter, an applicant who is a natural person shall also have taken a continuing education course dispensed by the Association of a total duration of at least 15 hours during the year preceding the year for which the application for renewal of a certificate is made.

If the applicant is a partnership or a legal person, its representative shall also have taken the continuing education course provided for in the first paragraph.

If the applicant is a chartered real estate broker’s certificate holder, the natural person who manages each place of business or who acts as assistant to a person who manages a place of business shall also have taken the advanced training course provided for in the first paragraph.

However, this section does not apply:

(1) to an applicant whose certificate was issued in the year preceding the year for which the renewal is being requested;

(2) if the applicant is a partnership or a legal person, to its representative who has had his qualifications recognized during the year preceding the year for which the renewal is being requested;

(3) to the natural person who manages each place of business or who acts as assistant to a person who manages a place of business, where he has had his qualifications recognized in the year preceding the year for which the renewal is being requested.”

24. Section 42 of such by-law is replaced by the following:

“For a suspended real estate broker’s or agent’s certificate to be reinstated, the cause that gave rise to the suspension must no longer exist or, where applicable, the period of the suspension must have elapsed. In addition, the holder of the certificate shall apply to the Association in writing for reinstatement prior to the expiry date of the certificate.

The applicant shall also pay the fees provided for in Chapter I of the By-Law respecting chargeable fees and specialist titles of the Association des courtiers et agents immobiliers du Québec for reinstatement of a certificate.”

25. Section 43 of such by-law is repealed.

26. Section 44 of such by-law is replaced with the following:

“A certificate holder referred to in section 42 shall also send with his application any information or document that represents a change in relation to those sent at the time of the application for a certificate, of the application for a reinstatement, or of the most recent renewal or which he may have sent the Association after an issue, a reinstatement or renewal.”

27. Section 45 of such by-law is amended by adding, after the first paragraph, the following:

“The first paragraph notwithstanding, the Association is not obliged to advise the holder of a chartered real estate broker’s certificate or multidisciplinary firm’s certificate whose name appears on the certificate concerned when it is of the opinion that the holder is already so informed.”

28. Section 46 of such by-law is amended by deleting the last sentence.

29. Section 47 of such by-law is replaced with the following:

“The examination provided for in section 79 of the Act shall be prepared by the Association and shall deal with the following subjects:

(1) in the case of a chartered or affiliated real estate broker or a chartered real estate agent, those provided for by the Regulation respecting the application of the Real Estate Brokerage Act for this category of certificate, as well as for the affiliated real estate agent’s certificate;

(2) in the case of a real estate broker restricted to loans secured by immovable hypothec, those provided for by the Regulation respecting the application of the Real Estate Brokerage Act for this category of certificate;

(3) in the case of an affiliated real estate agent, those provided for by the Regulation respecting the application of the Real Estate Brokerage Act for this category of certificate.”

30. Section 50 of such by-law is amended by replacing the word “shall” with the word “may”.

31. Section 51 of such by-law is amended by deleting the last sentence.

32. Section 52 of such by-law is amended:

(1) by replacing, after the word “may”, the words “not file a new application for a certificate or take another examination until 6 months after the date of the supplemental examination” with the words “only take one more supplemental examination, within 3 months of the initial supplemental examination”;

(2) by adding, after the first paragraph, the following:

“A candidate may not take more than 2 supplemental examinations for the same application for issue of a certificate.”

33. Section 63 of such by-law is amended by replacing the number “16” with the number “10”.

34. Section 67 of such by-law is amended by deleting the words “, of a certificate for a real estate broker restricted to loans secured by immovable hypothec”.

35. Section 70 of such by-law is amended:

(1) by deleting, after the words “chartered real estate broker’s certificate”, the words “, of a certificate for a real estate broker restricted to loans secured by immovable hypothec”.

(2) by replacing, after the words “chartered real estate agent”, the words “, of affiliated real estate agent or of real estate agent restricted to loans secured by immovable hypothec” with the words “or affiliated real estate agent.”

36. Section 71 of such by-law is amended by replacing, in subparagraph *b* of paragraph (1), the number “16” with the number “10”.

37. Such by-law is amended by inserting, after Section 71, the following:

“**71.1** The holder of a chartered real estate broker’s certificate or a certificate restricted to loans secured by immovable hypothec who as a dispute with the holder of a certificate in one of these categories, arising from a transaction covered in Section 1 of the Act, shall request reconciliation and, where applicable, arbitration from a member board of the Fédération des chambres immobilières du Québec, from this Fédération or from the Association, courts not included.”.

38. Section 72 of such by-law is amended by deleting, in paragraph (2), the words “, of a certificate for a real estate broker restricted to loans secured by immovable hypothec”.

39. Sections 73 and 74 of such by-law are repealed.

40. Such by-law is modified by inserting, after Section 76, the following:

“**76.1** The holder of a real estate broker or agent certificate shall follow the rules set out in Sections 91 to 100 when completing documents.”.

41. Section 77 of such by-law is amended by replacing the first paragraph with the following:

“The holder of a chartered real estate broker’s certificate, the affiliated real estate agent or broker employed by or authorized to act on his behalf shall give the chartered real estate broker’s contracting party a copy of any document containing information used to describe the immovable, business or loan secured by immovable hypothec covered by the brokerage contract.”.

42. Section 78 of such by-law is replaced by the following:

“The holder of a real estate broker’s or agent’s certificate shall, as soon as possible after receiving it, present any transaction proposal to the prospective contracting party. When the holder receives more than one proposal, he shall present each without preference as to, namely, the chronological order of reception, the identity of the holder of a real estate broker’s or agent’s certificate who has taken it and the circumstances surrounding the taking of the proposal.

This presentation shall be made by the holder of a chartered real estate broker’s certificate whom the prospective contracting party as retained to act as an intermediary, unless this holder provides written authorization to the contrary.”.

43. This by-law is amended by inserting, after Section 79, the following:

“**79.1** The holder of a real estate broker’s certificate, other than an affiliated real estate broker’s certificate, who is a natural or legal person may use a single assumed name in the carrying on of his or its activities in Québec.

The holder covered by the first paragraph who declares an assumed name shall use this assumed name in the course of his or its activities in Québec.

The holder covered by the first paragraph who uses an assumed name may not use any other name, with the exception of a natural person who may use his given name and surname in conjunction with his assumed name.”.

44. Section 80 of such by-law is amended:

(1) by replacing paragraph (2) with the following:

“where 30 or more persons who have held an affiliated real estate agent’s certificate for any length of time are assigned to that place of business”;

(2) by deleting paragraph (3).

45. Section 81 of such by-law is amended:

(1) by replacing the words “the certificates provided for in paragraphs 2 and 6” with the words “the certificate provided for in paragraph 2”;

(2) by inserting in paragraph 12, after the word “Act”, the words “who manages the place of business.”.

46. Section 82 of such by-law is amended by replacing the words “other than those provided for in paragraphs 2 and 6” with the words “other than that provided for in paragraph 2”.

47. Divisions I and II of Chapter VII of such by-law, consisting of sections 85 and 86, are repealed.

48. The title of Division III of Chapter VII of such by-law is amended by deleting the word “Other”.

49. Section 87 of such by-law is amended:

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

“The minimum content of the forms entitled “Exclusive Brokerage Contract — Sale of a Chiefly Residential Immovable”, “Non-Exclusive Brokerage Contract —

Sale of a Chiefly Residential Immovable”, “Promise to Purchase”, “General Annex”, “Counter-Proposal” and “Amendments and Notice of Fulfilment of Conditions” is prescribed in Schedules 1 to 6.”;

(2) by adding, after the first paragraph, the following:

“The forms entitled “Exclusive Brokerage Contract — Sale of a Chiefly Residential Immovable” and “Non-Exclusive Brokerage Contract — Sale of a Chiefly Residential Immovable” must, in addition, contain the particulars laid down in Chapter III of the Act and Chapter IV of the Regulation respecting the application of the Real Estate Brokerage Act.”.

50. Section 88 of such by-law is amended:

(1) by replacing, in the first line, the word “The” with the words “The Association shall publish the”;

(2) by inserting in the third line, after the word “Act”, the word “which”;

(3) by inserting, in paragraph (1), after the word “measuring”, the word “approximately”;

(4) by deleting paragraphs (3) and (4);

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

“The Association may reproduce its logo on the mandatory form as well as its title and the words “Mandatory form”. The title shall be printed in at least 12-point type and the words in at least 6-point type”;

(6) by replacing, in paragraph (6), after the word “followed”, the words “by 5 numerals” with the words “by at least 5 numerals”.

51. Section 90 of such by-law is amended:

(1) by deleting the words “, “Annex A — Immovable””;

(2) by deleting, after the word “Annex”, the letter “G”;

(3) by deleting, after the word “Counter-Proposal”, the words “to a Promise to Purchase”.

52. Section 94 of such by-law is amended:

(1) by deleting the words ““Annex A — Immovable””;

(2) by deleting, after the word “Annex”, the letter “G”;

(3) by deleting, after the word “Counter-Proposal”, the words “to a Promise to Purchase”.

(4) by replacing the words “or “Promise to Purchase”, as the case may be” with the words “, “Promise to Purchase” or, as the case may be, “Counter-Proposal””.

53. Section 99 of such by-law is amended by replacing the words “or “Promise to Purchase” with the words “, “Promise to Purchase” or “Counter-Proposal””.

54. Section 100 of such by-law is amended:

(1) by deleting, in both paragraphs, after the word “Annex”, the letter “G”;

(2) by replacing, in both paragraphs, the words “or “Promise to Purchase”” with the words “, “Promise to Purchase” or “Counter-Proposal””.

55. Section 101 of this by-law is amended by deleting the second paragraph.

56. Section 103 of such by-law is replaced by the following:

“In any advertising, soliciting of clients and representations relating to the carrying on of the activity of real estate broker referred to in section 1 of the Act, a member shall not pass on any false information, misleading or incomplete, particularly with regard to a price, which shall be the price provided for in the brokerage contract or in the transaction proposal referred to in section 1 of the Act, or with regard to a name, trademark, slogan or logo.”.

57. Section 104 of such by-law is amended:

(1) by replacing paragraph (1) with the following:

“if he holds a chartered real estate broker’s certificate:

a) his name or, where applicable, the only assumed name he uses in Québec in the carrying on of his activities indicated on his certificate;

b) the category of real estate broker’s certificate that he holds, except in the case of an advertisement in a periodical or on an electronic bulletin board, in which case he need only mention “real estate broker”. The foregoing notwithstanding, he need only mention “broker” if it is an advertisement under the real estate heading or section of a periodical or electronic bulletin board;

c) the telephone number of his principal establishment in Québec or of any of his places of business,

except in the case of an advertisement in a periodical or on an electronic bulletin board or in the case of a sign identifying with a place of business.”;

(2) by replacing subparagraph *a* in paragraph (2) with the following:

“his name or, where applicable, the only assumed name he uses in Québec in the carrying on of his activities indicated on his certificate”;

(3) by deleting, in subparagraph *b* of paragraph (2), after the word “holds”, the words “”, except in the case of an advertisement in a periodical, in which case he need mention only the fact that he is acting as a real estate broker restricted to loans secured by immovable hypothec”;

(4) by replacing, in subparagraph *c* of paragraph (2), the words “or on a sign” with the words “or on an electronic bulletin board or in the case of a sign identifying with a place of business”;

(5) by adding, in subparagraph *b* of paragraph (3), after the word “periodical”, the words “or on an electronic bulletin board”;

(6) by replacing, in subparagraph *c* of paragraph (3), the words “the name” with the words “the name or, where applicable, the only assumed name”;

(7) by inserting, in subparagraph *d* of paragraph (3), after the word “firm”, the words “, except in the case of an advertisement in a periodical or on an electronic bulletin board, in which case he need only mention “real estate broker”. The foregoing notwithstanding, he need only mention “broker” for an advertisement under the real estate heading or section of a periodical or electronic bulletin board”;

(8) by replacing, in subparagraph *e* of paragraph (3), the words “or on a sign” with the words “or on an electronic bulletin board or in the case of a sign identifying a place of business”;

(9) by deleting paragraph (4);

(10) by adding, after the first paragraph, the following:

“Paragraphs (1) and (2) of the first paragraph notwithstanding, the members referred to in these paragraphs who held a real estate broker’s certificate on (*indicate here the date of the day preceding the effective date of this section*) have a period of 3 years, after the coming into force of such paragraph, with which to

comply with the provisions of these paragraphs with regard to their sign identifying a place of business.”.

58. Section 105 of such by-law is amended by replacing paragraph (1) with the following:

“if he holds a chartered real estate broker’s certificate, the address of his principal establishment in Québec or of any of his places of business and, if he is a franchisee, the following words: “independent franchisee”.

59. Section 109 of such by-law is amended:

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

“The certificate holder referred to in Section 108 shall open a single general trust account in which he shall deposit sums received on behalf of others. These accounts must be opened in Québec in a single financial institution whose deposits are guaranteed under the Deposit Insurance Act (R.S.Q., c. A-26) or insured under the Canada Deposit Insurance Corporation Act (R.S.Q., 1985, c. C-3).”;

(2) by adding, after the first paragraph, the two following paragraphs:

“These deposits shall be made in accordance with the terms and conditions of the agreement designating the certificate holder as the trustee of these sums.

The interest generated by the sums deposited in a general trust account shall be paid into the financing fund set up under the second paragraph of section 74 of the Act.”.

60. Section 111 of such by-law is amended by replacing the numeral “6” with the numeral “7”.

61. Section 112 of such by-law is repealed.

62. Such by-law is amended by inserting, after section 112, the following:

“**112.1** The certificate holder referred to in section 108 shall only withdraw from a general trust account:

(1) the money which was deposited in the trust account in violation of such by-law;

(2) the sum which is transferred directly into a special trust account and held on a client’s behalf;

(3) the sum to remit to a client or on his behalf;

(4) the sum required for payment of the compensation relating to the transaction, in accordance with the terms and conditions of the written agreement concluded to this effect, following the signing of the contract evidencing the real estate transaction;

(5) the sum required to reimburse the real estate broker for expenses incurred on behalf of a client, in accordance with the terms and conditions of the agreement concluded to this effect.”.

63. Section 113 of such by-law is repealed.

64. Section 114 of such by-law is amended by replacing, after the number “108”, the word “deposit”, with the word “transfer”.

65. Section 115 of such by-law is amended by deleting, after the word “receipt”, the words “in the form in Schedule 8”.

66. Section 116 of such by-law is replaced with the following:

“As soon as a certificate holder referred to in section 108 deposits a sum into a general trust account, he shall issue the depositor a receipt, as provided in Schedule 8, bearing the number attributed by the real estate broker to the transaction concerned. The certificate holder shall keep a duplicate of the receipt on file.”.

67. Section 118 of such by-law is amended by deleting, after the word “general”, the words “or special”.

68. Section 119 of such by-law is amended by deleting, after the word “general”, the words “or special”.

69. Section 120 of such by-law is amended by replacing the number “10” with the number “9”.

70. Section 122 of such by-law is amended:

(1) by adding in subparagraph (1), after the words “account and”, the words “ transfers related to”;

(2) by replacing, in paragraph (1) the number “11” with the number “10”;

(3) by replacing, in paragraph (2) the number “12” with the number “11”;

(4) by replacing, in paragraph (3) the number “13” with the number “12”;

(5) by replacing, in the second paragraph, the numbers “11” “12”, “13”, with the numbers “10”, “11”, “12”.

71. Section 123 of such by-law is replaced with the following:

“A certificate holder referred to in section 108 shall ensure that a written record is made of the conditions under which a sum received as a deposit on the sale price and deposited in a trust account must be returned to the depositor when the transaction is not concluded.”.

72. Section 125 of such by-law is amended:

(1) by deleting, after the word “general”, the words “or special”;

(2) by inserting, after the number “108”, the words “, or transferred into a special trust account of the latter.”.

73. Section 126 of such by-law is amended by replacing the number “14” with the number “13”.

74. Such by-law is amended by inserting, after section 126, the following two sections:

126.1 When a depositor makes a written request for reimbursement of sums deposited in a trust account of a certificate holder referred to in section 108, the certificate holder shall follow the procedure below in the event that such request does not meet the conditions under which these sums may be used:

(1) send a written notice to the other parties to the transaction referred to in section 1 of the Act to the effect that such a written request for reimbursement has been made. This notice shall be sent by any means providing proof of the date of receipt;

(2) send a copy of the notice mentioned in paragraph (1) to the depositor. This copy shall be sent by any means providing proof of the date of receipt;

(3) where applicable, remit the deposited sums to the depositor when the time period stipulated in the notice mentioned in paragraph (1) expires.

126.2 When a person other than the depositor makes a written request for payment of sums deposited in a trust account of a certificate holder referred to in section 108, this certificate holder shall follow the procedure below in the event that such request does not meet the conditions under which these sums may be used:

(1) send a written notice to the parties to the transaction referred to in section 1 of the Act to the effect that such a written request for payment has been made. This notice shall be sent by any means providing proof of the date of receipt;

(2) if the person who made the request for payment is not party to the transaction, send him a copy of the notice mentioned in paragraph (1). This copy shall be sent by any means providing proof of the date of receipt.”

75. Section 127 of such by-law is amended:

(1) by replacing, in first paragraph, the word “commission” with the word “compensation”;

(2) by adding, in paragraph (7), after the word “Act”, the words “or who manages a place of business”.

76. Section 130 of such by-law is amended by adding, after paragraph (9), the following:

“(10) a record for each affiliated real estate broker or real estate agent who is employed by him or authorized to act on his behalf.”

77. Section 131 of such by-law is amended by replacing, in paragraph (2), the words “stock-in-trade” with the words “business”.

78. Section 132 of such by-law is amended:

(1) by deleting, after the words “to each brokerage contract”, the words “or in alphanumerical order of the addresses or cadastral descriptions”;

(2) by replacing, in paragraph (1), the words “stock-in-trade” with the words “business”.

79. Section 133 of such by-law is amended by replacing, in paragraph (2), the words “stock-in-trade” with the word “business”.

80. Section 134 of such by-law is amended:

(1) by replacing, in paragraph (4), the words “stock-in-trade”, with the word “business”;

(2) by deleting, in paragraphs (7) and (8), the word “natural”;

(3) by adding, in paragraph (10), after the word “place of business”, the words “, where he or it has more than one place of business”;

(4) by deleting, in paragraph (14), after the word “compensation”, the words “as well as the numbers of their respective certificates”;

(5) by deleting paragraph (17);

(6) by deleting, in paragraph (18), after the word “stating”, the word “whether”;

(7) by deleting, in paragraph (19), after the word “transaction”, the words “including the name of his firm”;

(8) by deleting paragraph (21).

81. Section 135 of such by-law is amended:

(1) by deleting paragraph (5);

(2) by inserting, after subparagraph (5) the following:

“(5.1) a copy of the document evidencing the type of investments for sums held in a special trust account;”;

(3) by adding, after paragraph (7), the following:

“(8) a copy of the invoice submitted for payment of the compensation relating to the transaction.”

82. Section 136 of such by-law is amended:

(1) by replacing, in paragraph (4), the word “stock-in-trade” with the word “business”;

(2) by adding, in paragraph (10), after the word “business”, the words “where he or it has more than one place of business”;

(3) by deleting paragraph (15).

83. Section 137 of such by-law is amended:

(1) by replacing, in paragraph (1), after the word “deposited”, the words “into the” with “into a”;

(2) by deleting subparagraph *d* of paragraph (1);

(3) by adding, after subparagraph *f* of paragraph (1), the following subparagraph:

“(g) the identification of the special account, in the case where the client claimed the interest;”;

(4) by replacing, in paragraph (2), after the word “withdrawn”, the word “from the” with the words “from a”;

(5) by adding, after subparagraph *f* of paragraph (2), the following subparagraph:

“(g) the identification of the special account, where the client claimed the interest;”;

(6) by replacing paragraph (3) with the following:

“in the case of a sum deposited in a general trust account and transferred into a special trust account:

(a) the number attributed to the transaction by the certificate holder;

(b) the sum transferred from the general account to the special account;

(c) the date the sum was transferred to the special account, if it is different from the date the sum was deposited into the general account;

(d) the type of investment;

(e) the date the sum was transferred from the special account into the general account;

(f) the sum transferred from the special account into the general account, indicating which portion of this sum is capital, and which part, interest.”;

(7) by deleting paragraph (4).

84. Section 138 of such by-law is amended:

(1) by replacing, in paragraph (4), the word “stock-in-trade” with the words “business”;

(2) by adding, in paragraph (5), after the word “business”, the words “where he or it has more than one place of business”;

(3) by deleting, in paragraph (7), after the word “intermediary” the words “as well as the number of his or its certificate.”;

85. Such by-law is amended by inserting, after section 139, the following:

“**139.1** The record for each affiliated real estate broker or real estate agent who is employed by the certificate holder referred to in section 130 or authorized to act on his or its behalf shall contain the following documents:

(1) the copy of the effective certificate of the affiliated real estate broker or real estate agent since he has been in the employ of the certificate holder referred to in Section 130 or authorized to act on his or its behalf;

(2) any other document relating to the affiliated real estate broker or real estate agent, including any correspondence, claims or disciplinary decisions.”.

86. Section 143 of such by-law is amended by replacing, in paragraph (2), the number “16” with the number “10”.

87. Section 148 of such by-law is amended by replacing the number “16” with the number “10”.

88. Section 151 of such by-law is repealed.

89. Section 153 of this by-law is amended by deleting, after the words “that interest directly to the fund”, the words “less any administration fees”.

90. Section 156 of such by-law is amended by replacing the number “16” with the number “10”.

91. This by-law is amended par inserting, after section 165 the following:

“**SCHEDULE 1**

(s. 87)

EXCLUSIVE BROKERAGE CONTRACT — SALE OF A CHIEFLY RESIDENTIAL IMMOVABLE

The SELLER retains exclusively the services of the BROKER to offer for sale the immovable described hereunder and to act as an intermediary to carry out an agreement to sell. This contract is irrevocable up until 11:59 p.m. on _____.

The sale price asked is _____ (\$_____). This sum shall be paid in full, in cash, upon the act of sale, unless otherwise provided herein. Any tax that may be imposed as a result of the sale of the immovable (GST, QST, other) and to be collected by the SELLER shall then be remitted by the prospective BUYER to the SELLER.

Existing hypothecary loan: _____

Included in the sale are:

1) heating, electrical and lighting installations of a permanent nature;

2) other inclusions: _____

Excluded from the sale are:

the following leased appliances:

If the IMMOVABLE is held in divided co-ownership, there shall be no adjustments in respect of the contingency fund or any other fund of the co-ownership.

Date or deadline for occupancy: _____

Date or deadline for signing the act of sale: _____

If the SELLER places his initials in the box opposite, the BROKER shall send as soon as possible a description of the IMMOVABLE to the service _____ for distribution to the brokers and agents who subscribe to this service. **Without the SELLER's initials, the BROKER cannot send a description to the service.**

The SELLER shall pay the BROKER a compensation of:

_____ percent (_____ %) of the sale price in the cases provided for in 1, 2 or 3 below or of the price in section (*indicate the number*) in the case 4; or

_____ dollars (\$_____) in the cases provided for in 1,2,3 and 4 below:

1) where an agreement to sell the IMMOVABLE conforming to the conditions of sale set out in the contract is submitted to the SELLER during the term of the contract, or

2) where an agreement concerning the sale of the IMMOVABLE is concluded during the term of the contract, whether through the broker or not, or

3) where a sale takes place, within 180 days following the expiry date of the contract, with a person who was interested in the IMMOVABLE during the term of the contract, unless, during that period, the seller concluded with another real estate broker a contract stipulated to be exclusive for the sale of the IMMOVABLE, or

4) where a willful act of the SELLER prevents the free performance of the contract.

The SELLER shall remit, in addition to the compensation referred to in (*indicate the number the provision establishing the compensation*), any taxes that may be imposed as a result of a service rendered by the BROKER (GST, QST, other).

The SELLER declares that the information contained in this contract is accurate and that as soon as he becomes aware thereof, he shall supply the BROKER with any additional information relating to the IMMOVABLE.

The SELLER also declares that:

unless otherwise stipulated, particularly (*indicate the number of the provision*) or any annex forming part of this contract:

1) he is not aware of any factor relating to the IMMOVABLE and liable to significantly reduce the value thereof, reduce the income generated thereby, increase the expenses related thereto or restrict the use or utilization thereof;

2) he has not received any notice of non-compliance in respect to the IMMOVABLE which has not been complied with;

3) he is not a non-resident of Canada within the meaning of the provincial and federal taxation laws;

4) the municipality provides water and sewer services to the IMMOVABLE;

5) he is the sole owner of the IMMOVABLE or is duly authorized to sign this contract and to accept any agreement to sell the IMMOVABLE;

6) his spouse consents to and, if need be, assists in this contract and shall intervene in the acceptance of any agreement to sell the IMMOVABLE;

7) the immovable is not the subject of a brokerage contract with another broker, of any agreement to sell, exchange or lease the IMMOVABLE, or of a lease containing a right to preference or a right of first refusal in favour of a third party;

8) the IMMOVABLE shall be sold free of all real rights and other encumbrances, other than the usual and apparent public utility servitudes, and that the SELLER shall be liable to the eventual buyer for any violation of public law restrictions on the IMMOVABLE that is an exception to property ordinary law;

9) he has not received any notice from a lessee or from the spouse of a lessee to the effect that the IMMOVABLE or part thereof is used as a family residence;

10) no notice liable to amend the existing leases, **described particularly (*indicate the number of the provision*) or any annex forming part of this contract**, has been sent by any of the parties and no proceedings are pending before the Régie du logement;

11) the IMMOVABLE is not an immovable referred to in Section 1785 of the Civil Code of Québec, that is an existing or planned residential immovable, which is being sold by the builder or a promoter to a natural person who acquires it to occupy it, whether or not the sale includes the transfer to him of the seller's rights over the land.

The SELLER acknowledges the right of the BROKER to share his compensation with another broker who will have contributed with him, even though the latter is at arm's length with the SELLER. The BROKER shall be deemed to have assigned all or part of his claim to a contributing broker on the date of the agreement to sell the IMMOVABLE.

During the term of this contract, the SELLER undertakes not to, directly or indirectly:

1) offer the IMMOVABLE for sale on his own or through a person other than the BROKER;

2) become party to an agreement concerning the sale, exchange or lease of the IMMOVABLE otherwise than through the BROKER.

Where requested by the BROKER, the SELLER shall supply to the BROKER the following documents in his possession: purchase contract and any other title of ownership, real estate tax receipts, leases, hypothecary loan contract, certificate of location describing the actual state of the IMMOVABLE (or an extract therefore describing the divided co-ownership portion), plan, service contract, proxy, the co-ownership's financial statements, declaration of co-ownership and, generally, any documents that may be required for any adjustments to be made at the time of the sale.

The SELLER gives the broker the exclusive right:

1) to show the immovable at any reasonable time, with any appointment to be arranged directly with the occupant of the premises. The BROKER may allow other brokers to exercise that right in whole or in part;

2) to do any advertising that he considers appropriate, such as posting a sign indicating that the IMMOVABLE is for sale or is sold, if an agreement on the sale of the IMMOVABLE is concluded and all its conditions, except that of signing the act of sale, have been satisfied. The BROKER may allow other brokers to exercise that right in whole or in part. The right to post a sign is subject to any applicable regulations or by-laws, such as municipal by-laws or contained in a declaration of co-ownership;

3) to obtain from the hypothecary creditor any information or documents concerning his hypothecary loan and, for that purpose, the SELLER authorizes the hypothecary creditor to supply the BROKER with this information or these documents.

The SELLER shall provide the eventual buyer with a good title. The IMMOVABLE shall be sold free of all real rights and other encumbrances, other than the usual

and apparent public utility servitudes, and the SELLER shall be liable to the eventual buyer for any violation of public law restrictions on the IMMOVABLE that is an exception to property ordinary law, **unless otherwise stipulated, particularly (indicate the number of the provision) or any annex forming part of this contract.**

The SELLER shall also supply the eventual buyer with the titles in his possession, including his act of acquisition and any declarations of co-ownership, as well as a certificate of location describing the current state of the IMMOVABLE. In the case where the IMMOVABLE is held in co-ownership, an extract of the certificate describing the divided portion shall be sufficient.

The costs relating to the repayment and cancellation of any debt secured by hypothec, prior claim or any other real right affecting the IMMOVABLE shall be borne by the seller where payment of these costs will not be assumed by the BUYER. The costs relating to repayment include any penalty exigible for early repayment.

In accordance with standard practice in his field, the BROKER undertakes:

1) to offer the IMMOVABLE for sale honestly, diligently and competently;

2) to submit to the SELLER, as soon as possible, any promise to purchase relating to the IMMOVABLE which he receives in writing;

3) to make the usual verification, notably concerning all facts or information mentioned in advertising relating to the sale of the IMMOVABLE;

4) to inform the SELLER in writing, without delay, of any interest that he plans to acquire, whether directly or indirectly, in the immovable;

5) to inform the SELLER in writing, without delay, that he is also representing the potential buyer of the IMMOVABLE, for compensation, where a brokerage contract with the buyer exists;

6) to notify the SELLER in writing, without delay, that the agent or broker referred to in this contract as acting on behalf of the broker is no longer authorized to do so and to provide the seller with the name of a substitute;

7) to notify the SELLER in writing, without delay, whether or not he agrees to terminate this contract, at the SELLER's request, where the real estate agent or the broker designated in the contract as acting on his behalf is no longer authorized to do so;

8) to notify the SELLER in writing, without delay, if his real estate broker's certificate is suspended, cancelled or not renewed or if he is otherwise unable to continue to act as a real estate broker;

The BROKER shall carry out faithfully the obligations imposed upon him by this contract and by law, notably any advertising that he has undertaken to make, any promises, any guarantees or any other benefits offered to the SELLER or to an eventual buyer of the IMMOVABLE.

SCHEDULE 2

(s. 87)

NON-EXCLUSIVE BROKERAGE CONTRACT — SALE OF A CHIEFLY RESIDENTIAL IMMOVABLE

The SELLER retains non-exclusively, the services of the BROKER to offer for sale the immovable described hereunder and to act as an intermediary to carry out an agreement to sell. This contract is irrevocable up until 11:59 p.m. on _____. The seller may sell on his own the immovable described hereafter or through another broker.

The sale price asked is _____ (\$_____). This sum shall be paid in full, in cash, upon the act of sale, unless otherwise provided herein. Any tax that may be imposed as a result of the sale of the immovable (GST, QST, other) and to be collected by the SELLER shall then be remitted by the prospective BUYER to the SELLER.

Existing hypothecary loan: _____

Included in the sale are:

1) heating, electrical and lighting installations of a permanent nature;

2) other inclusions: _____

Excluded from the sale are:

the following leased appliances:

If the IMMOVABLE is held in divided co-ownership, there shall be no adjustments in respect of the contingency fund or any other fund of the co-ownership.

Date or deadline for occupancy: _____ Date
or deadline for signing the act of sale: _____

The SELLER shall pay the BROKER a compensation of:

_____ percent (_____ %) of the sale price in the cases provided for in 1 and 2 below, or of the price stipulated in (*indicate the number of the provision establishing the sale price*) in the case 3; or

_____ dollars (\$_____) in the cases provided for in 1, 2 and 3 below:

1) where an agreement to sell the IMMOVABLE conforming to the conditions of sale set out in the contract is submitted to the SELLER during the term of the contract, or

2) where an agreement concerning the sale of the IMMOVABLE is concluded during the term of the contract through the broker, or

3) where a willful act of the SELLER prevents the free performance of the contract.

The SELLER shall remit, in addition to the compensation referred to in (*indicate the number of the provision establishing the compensation*), any taxes that may be imposed as a result of a service rendered by the BROKER (GST, QST, other).

The SELLER declares that the information contained in this contract is accurate and that as soon as he becomes aware thereof, he shall supply the BROKER with any additional information relating to the IMMOVABLE.

The SELLER also declares that

unless otherwise stipulated, particularly (*indicate the number of the provision*) or any annex forming part of this contract, and subject to any amendment which he shall supply to the BROKER as soon as he becomes aware thereof:

1) he is not aware of any factor relating to the IMMOVABLE and liable to significantly reduce the value thereof, reduce the income generated thereby, increase the expenses related thereto or restrict the use or utilization thereof;

2) he has not received any notice of non-compliance in respect to the IMMOVABLE which has not been complied with;

3) he is not a non-resident of Canada within the meaning of the provincial and federal taxation laws;

4) the municipality provides water and sewer services to the IMMOVABLE;

5) he is the sole owner of the IMMOVABLE or is duly authorized to sign this contract and to accept any agreement to sell the IMMOVABLE;

6) his spouse consents to and, if need be, assists in this contract and shall intervene in the acceptance of any agreement to sell the IMMOVABLE;

7) the IMMOVABLE is not the subject of a brokerage contract with another broker, of any agreement to sell, exchange or lease the IMMOVABLE, or of a lease containing a right to preference or a right of first refusal in favour of a third party;

8) the IMMOVABLE shall be sold free of all real rights and other encumbrances, other than the usual and apparent public utility servitudes, and that the SELLER shall be liable to the eventual buyer for any violation of public law restrictions on the IMMOVABLE that is an exception to property ordinary law;

9) he has not received any notice from a lessee or from the spouse of a lessee to the effect that the IMMOVABLE or part thereof is used as a family residence;

10) no notice liable to amend the existing leases, **described particularly (*indicate the number of the provision*) or any annex forming part of this contract**, has been sent by any of the parties and no proceedings are pending before the Régie du logement;

11) the IMMOVABLE is not an immovable referred to in Section 1785 of the Civil Code of Québec, that is an existing or planned residential immovable, which is being sold by the builder or a promoter to a natural person who acquires it to occupy it, whether or not the sale includes the transfer to him of the seller's rights over the land.

The SELLER acknowledges the right of the BROKER to share his compensation with another broker who will have contributed with him, even though the latter is at arm's length with the SELLER. The BROKER shall be deemed to have assigned all or part of his claim to a contributing broker on the date of the agreement to sell the IMMOVABLE.

Where requested by the BROKER, the SELLER shall supply to the BROKER the following documents in his possession: purchase contract and any other title of ownership, real estate tax receipts, leases, hypothecary loan contract, certificate of location describing the actual state of the IMMOVABLE (or an extract therefrom describing the divided co-ownership portion), plan, service contract, proxy, the co-ownership's financial state-

ments, declaration of co-ownership and, generally, any documents that may be required for any adjustments to be made at the time of the sale.

The SELLER gives the broker the right:

1) to show the immovable at any reasonable time, with any appointment to be arranged directly with the occupant of the premises. The BROKER may allow other brokers to exercise that right in whole or in part;

2) to do any advertising that he considers appropriate, such as posting a sign indicating that the IMMOVABLE is for sale or is sold, if an agreement on the sale of the IMMOVABLE is concluded and all its conditions, except that of signing the act of sale, have been satisfied. The BROKER may allow other brokers to exercise that right in whole or in part. The right to post a sign is subject to any applicable regulations or by-laws, such as municipal by-laws or contained in a declaration of co-ownership;

3) to obtain from the hypothecary creditor any information or documents concerning his hypothecary loan and, for that purpose, the SELLER authorizes the hypothecary creditor to supply the BROKER with this information or these documents;

The SELLER shall provide the eventual buyer with a good title. The IMMOVABLE shall be sold free of all real rights and other encumbrances, other than the usual and apparent public utility servitudes, and the SELLER shall be liable to the eventual buyer for any violation of public law restrictions on the IMMOVABLE that is an exception to property ordinary law, **unless otherwise stipulated, particularly (*indicate the number of the provision*) or any annex forming part of this contract**.

The SELLER shall also supply the eventual buyer with the titles in his possession, including his act of acquisition and any declarations of co-ownership, as well as a certificate of location describing the current state of the IMMOVABLE. In the case where the IMMOVABLE is held in co-ownership, an extract of the certificate describing the divided portion shall be sufficient.

The costs relating to the repayment and cancellation of any debt secured by hypothec, prior claim or any other real right affecting the IMMOVABLE shall be borne by the seller where payment of these costs will not be assumed by the BUYER. The costs relating to repayment include any penalty exigible for early repayment.

In accordance with standard practice in his field, the BROKER undertakes:

1) to offer the IMMOVABLE for sale honestly, diligently and competently;

2) to submit to the SELLER, as soon as possible, any promise to purchase relating to the IMMOVABLE which he receives in writing;

3) to make the usual verification, notably concerning all facts or information mentioned in advertising relating to the sale of the IMMOVABLE;

4) to inform the SELLER in writing, without delay, of any interest that he plans to acquire, whether directly or indirectly, in the immovable;

5) to inform the SELLER in writing, without delay, that he is also representing the potential buyer of the IMMOVABLE, for compensation, where a brokerage contract with the buyer exists;

6) to notify the SELLER in writing, without delay, that the agent or broker referred to in this contract as acting on behalf of the broker is no longer authorized to do so and to provide the seller with the name of a substitute;

7) to notify the SELLER in writing, without delay, whether or not he agrees to terminate this contract, at the SELLER's request, where the real estate agent or the broker designated in the contract as acting on his behalf is no longer authorized to do so;

8) to notify the SELLER in writing, without delay, if his real estate broker's certificate is suspended, cancelled or not renewed or if he is otherwise unable to continue to act as a real estate broker.

The BROKER shall carry out faithfully the obligations imposed upon him by this contract and by law, notably any advertising that he has undertaken to make, any promises, any guarantees or any other benefits offered to the SELLER or to an eventual buyer of the IMMOVABLE.”.

92. This by-law is amended by replacing Schedule 1 by the following:

“SCHEDULE 3
(s. 87)

PROMISE TO PURCHASE

The BUYER promises to purchase, through _____, real estate broker, represented by _____, the immovable described hereinafter, at the price and under the conditions stated below.

The purchase price shall be _____ dollars (\$_____) which the BUYER will pay in full upon the signing of the act of sale, unless another method is provided for below. Any tax that may be imposed as a result of the sale of the IMMOVABLE (GST, QST, other) and that is to be collected by the SELLER shall then be remitted to the latter by the BUYER.

With this promise, the BUYER remits to the intermediary referred to above, as an instalment on the sale price, the sum of _____ dollars (\$_____) by cheque payable to the order of: “_____ in trust” (hereinafter called the TRUSTEE). Following the acceptance of this promise, the cheque may be certified and shall be given to the TRUSTEE, who shall deposit it into a trust account until the signing of the act of sale, whereupon that sum shall be applied against the purchase price. As soon as he has deposited that sum into a trust account, the TRUSTEE shall give the depositor a receipt. Should this promise become null and void, the TRUSTEE shall, upon a request by the BUYER, refund the deposit to the latter without interest, and the TRUSTEE may require that such request is made in writing. Failing that, the TRUSTEE may only dispose of this deposit in accordance with this promise or the law.

Deposit paid in accordance with (*indicate the number the provision establishing the account*):

Upon the signing of the act of sale, the BUYER shall pay, or shall cause to be paid, by certified cheque payable to the order of the acting notary in trust, an additional sum of approximately: _____

This sum shall include any amount to be obtained in the form of a new hypothecary loan, in accordance with (*indicate the number*).

The BUYER shall assume, in accordance with (*indicate the number*), the obligations relating to the existing hypothecary loans, whose balances total approximately: _____

The BUYER shall reimburse the SELLER, in accordance with (*indicate the number*), the balance of the sale price, which is: _____

TOTAL PRICE _____

The BUYER will take in good faith, as soon as possible and at his expense, all steps necessary to obtain a loan of \$_____, secured by a _____ rank hypothec; this loan shall bear interest at the current rate, which shall not exceed _____ % per year (calculated semi-annually and not in advance) and shall be payable in instalments of not more than _____ (com-

bining principal and interest), calculated according to an amortization plan of _____ years, the balance becoming due in _____ years.

The BUYER will supply to the SELLER, within a period of _____ days following acceptance of this promise, a copy of the undertaking by a hypothecary lender to grant the BUYER such a loan. The receipt of such an undertaking within that period shall have the effect of fully satisfying the undertakings specified in this Division (*indicate the number*).

In the absence of proof of such an undertaking, the SELLER may, within a period of 5 days following the expiry of the period provided for in (*indicate the number of the provision establishing the agreement deadline*) or following receipt of a notice of refusal, notify the BUYER, in writing:

a) that he is requiring the BUYER to file immediately and at his expense, with a hypothecary lender designated by the SELLER, a new application for a hypothecary loan conforming to the conditions set out in (*indicate the number of the provision establishing these conditions*). Should the BUYER not succeed in obtaining, within the period stipulated in the SELLER'S notice, a written undertaking from that hypothecary lender to grant the BUYER the loan applied for, this promise shall become null and void. However, the receipt of such an undertaking within that period shall have the effect of fully satisfying the undertakings specified in this Division (*indicate the number*); or

b) that he renders this promise null and void.

Where the SELLER does not avail himself of the provisions of paragraph *a* or *b* above within the period stipulated, this promise shall become null and void.

The BUYER shall take in good faith, as soon as possible and at his expense, all steps necessary to obtain the hypothecary creditor's consent, where such consent is required, for the BUYER to assume the hypothecary obligations relating to the loan having a balance of approximately \$_____, secured by a _____ rank hypothec held by _____; this loan, which bears interest at the rate of _____ % per year (calculated semi-annually and not in advance), is payable in instalments of _____ (combining principal and interest), the balance becoming due on _____.

The BUYER will supply to the SELLER, within a period of _____ days following acceptance of this promise, a copy of the hypothecary creditor's consent. The receipt of such consent within that period shall have the effect of fully satisfying the undertakings specified in this Division (*indicate the number*).

In the absence of proof of such consent, the SELLER may, within a period of 5 days following the expiry of the period provided for in (*indicate the number of the provision establishing the deadline to provide a copy of acceptance from the hypothecary creditor*) or following receipt of a notice of refusal:

a) himself request, for and on behalf of the BUYER, the hypothecary creditor's written consent for the BUYER to assume the SELLER'S hypothecary obligations. Should the SELLER not succeed in obtaining such written consent within a period of 5 days, this promise shall become null and void. However, the receipt of such consent within that period shall have the effect of fully satisfying the undertakings specified in this Division (*indicate the number*); or

b) render this promise null and void by giving notice in writing to that effect.

Where the SELLER does not avail himself of the provisions of paragraphs *a* or *b* above within the period stipulated, this promise shall become null and void.

The BUYER shall reimburse the SELLER the balance of the sale price, as referred to in (*indicate the number of the provision establishing the balance of the sale price*), which shall be secured by a _____ rank hypothec subsequent to a hypothec securing a loan having a balance of not more than \$_____; this balance of the sale price shall bear interest at the rate of _____ % per year (calculated semi-annually and not in advance) and shall be payable in instalments of _____ (combining principal and interest), calculated according to an amortization plan of _____ years, the balance becoming due in _____ years.

The BUYER shall, at any time, have the right to reimburse in advance, without penalty, all or part of the balance, as long as such reimbursement is by instalments of \$_____ or any multiple thereof.

The act of sale shall contain a resolatory clause, the clauses usually guaranteeing payment of a balance of the sale price of an immovable and a clause whereby the SELLER consents to giving up priority of rank should a new hypothec be created in accordance with Division (*indicate the number*), or should a hypothec already ranking ahead of the balance of the sale price be renewed or replaced, provided that the balance of the loans secured by such hypothecs is not increased and the BUYER is not in default of fulfilling his obligations.

The balance of the sale price shall not be transferred without the prior written consent of the SELLER.

The BUYER and the SELLER shall sign an act of sale before _____, notary, on or before _____. The BUYER shall be the owner upon the signing of the act of sale.

Upon the signing of the act of sale, all the adjustments shall be made as of _____, particularly in respect of general and special real estate taxes, co-ownership expenses, fuel reserves and income or expenses relating to the IMMOVABLE. If the IMMOVABLE is held in divided co-ownership, there shall be no adjustments in respect of the contingency fund or any other funds of the co-ownership.

The SELLER and the BUYER irrevocably instruct the acting notary to withhold from the proceeds of the sale and to pay directly to _____, broker, the compensation provided for in the brokerage contract awarded by the SELLER. The preceding notwithstanding, the acting notary shall pay part of this compensation to the broker contributing to this promise when the listing broker will have given the notary written instructions to that effect.

Included in the sale are:

1) heating, electrical and lighting installations of a permanent nature;

2) other inclusions: _____

Excluded from the sale are:

the following leased appliances:

The SELLER will render the IMMOVABLE that he occupies available for occupancy by the BUYER from _____, and will leave it free of any property not included in this promise, failing which the BUYER may have it removed at the SELLER'S expense. If the SELLER vacates the IMMOVABLE before that date, he shall nevertheless remain responsible for keeping it in the condition that it was in when the BUYER examined it.

If the occupancy of the IMMOVABLE is to be subsequent to the signing of the act of sale, the purchase price shall be adjusted by an amount equal to \$_____ per month, calculated from the date of signing of the act of sale to the scheduled date of occupancy, as compensation for the SELLER'S occupancy of the IMMOVABLE during that period. The SELLER shall continue, during that period, to assume the heating, electricity and general maintenance costs relating to IMMOVABLE.

The BUYER and the SELLER declare that their consent is not the result of any representation or condition not contained in the promise. The BUYER irrevocably binds himself until _____ hours _____, on _____. Should the SELLER accept it within such period of time, this promise shall constitute a contract legally binding the BUYER and the SELLER until fulfilment of all conditions herein. Should the SELLER not accept it within such period of time, this promise shall become null and void. **Any refusal or any counter-proposal by the SELLER shall have the effect of rendering this promise null and void.**

The BUYER has examined the IMMOVABLE and the declaration of co-ownership and declares that he is satisfied therewith, unless otherwise stipulated, particularly in Division (*indicate the number*) or any annex forming part of this promise.

The BUYER will assume the costs of the act of sale, of its publication and of the copies required.

Warning: In the event that due to the BUYER'S fault, no act of sale is executed for the IMMOVABLE, the BUYER could be held liable by a court to compensate directly the broker bound to the SELLER by brokerage contract, by paying him the compensation that the SELLER would have to pay him.

The BUYER, after the signing of the act of sale, shall pay any applicable transfer duties.

The BUYER shall not sell, assign or otherwise alienate his rights in this promise without obtaining the prior written consent of the SELLER.

The SELLER declares that the information contained in the promise to purchase is accurate and that as soon as he becomes aware thereof, he shall supply the BUYER with any additional information relating to the IMMOVABLE.

Moreover the SELLER declares;

unless otherwise stipulated particularly (*indicate the number of the provision*) or any annex forming part of this promise, and subject to any amendment which he shall supply to the BUYER as soon as he becomes aware thereof:

1) he is not aware of any factor relating to the IMMOVABLE and liable to significantly reduce the value thereof, reduce the income generated thereby, increase the expenses relating thereto or restrict the use or utilization thereof;

2) he has not received any notice of non-compliance in respect to the IMMOVABLE which has not been complied with;

3) he is not a non-resident of Canada within the meaning of the provincial and federal taxation laws;

4) the municipality provides water and sewer services to the IMMOVABLE;

5) he is the sole owner of the IMMOVABLE or is duly authorized to sign this contract and to accept this promise;

6) his spouse consents to and, if need be, assists into this promise and will intervene in the act of sale.

7) the immovable is not the subject of any agreement to sell, exchange or lease the IMMOVABLE, or a lease containing a right to preference or a right of first refusal in favor of a third party.

8) he has not received any notice from a lessee or from the spouse of a lessee to the effect that the IMMOVABLE or part thereof is used as a family residence;

9) no notice liable to amend the existing leases, described particularly in Division (*indicate the number*) or any annex forming part of this promise, has been sent by any of the parties and no proceedings are pending before the Régie du logement;

10) the IMMOVABLE is not an immovable referred to in Section 1785 of the Civil Code of Québec, that is an existing or planned residential immovable, which is being sold by the builder or a promoter to a natural person who acquires it to occupy it, whether or not the sale includes the transfer to him of the seller's rights over the land;

The SELLER promises to sell the IMMOVABLE to the BUYER and, unless otherwise stipulated, particularly in Division (*indicate the number*) or any annex forming part of this promise, shall deliver the IMMOVABLE in the condition that it was in when the BUYER examined it.

The SELLER shall supply the BUYER with a valid title of ownership. The IMMOVABLE shall be sold free of all real rights and other encumbrances, other than the usual and apparent public utility servitudes, and the BUYER shall be liable to the SELLER for any violation of public law restrictions on the IMMOVABLE that is an exception to property ordinary law, unless otherwise stipulated, particularly in Division (*indicate the number*) or any annex forming part of this promise.

The SELLER shall also supply the BUYER with the titles in his possession, including his act of acquisition and any declarations of co-ownership, as well as a certificate of location describing the current state of the IMMOVABLE. In the case where the IMMOVABLE is held in co-ownership, an extract of the certificate describing the divided portion shall be sufficient. These documents shall be sent to the acting notary mentioned in (*indicate the number of the provision establishing the acting notary*).

The costs relating to the repayment and cancellation of any debt secured by hypothec, prior claim or any other real right shall be borne by the SELLER where payment of those costs will not be assumed by the BUYER. The costs relating to repayment include any penalty exigible for early repayment.

Should the BUYER or the SELLER be notified, before the signing of the act of sale, of any defect or irregularity whatsoever affecting the declarations and obligations of the SELLER contained herein, the SELLER shall, within 21 days following receipt of a written notice to that effect, notify the BUYER, in writing, that he has remedied that defect or irregularity at his expense or that he is unable to remedy it.

Within 5 days of receiving a notice from the SELLER to the effect that he has been unable to correct a defect or irregularity, or after the 21-day time period has expired in the absence of any notice, the BUYER may advise the SELLER in writing:

a) that he is purchasing with the alleged defects or irregularities, in which case the SELLER'S obligations shall be reduced accordingly, or

b) that he renders this promise null and void, in which case the fees, expenses and costs reasonably incurred until then by the BUYER and the SELLER shall be borne only by the SELLER.

Where the BUYER has not availed himself of the provisions of paragraphs *a* or *b* above within the period stipulated, this promise shall become null and void, in which case the BUYER and the SELLER shall bear the fees, expenses and costs incurred by them until then.

If part of the IMMOVABLE constitutes the SELLER'S family residence, or where rendered necessary by the SELLER'S matrimonial regime, the SELLER shall remit to the BUYER, as soon as this promise is accepted, either a document evidencing the consent and, if need be, the assistance of his spouse together with the latter's undertaking to intervene in the act of sale, or a copy of a judgement authorizing the SELLER to dispose of the IMMOVABLE without the consent and, if need be, the

assistance of his spouse. Failing that, the BUYER may, by giving written notice to that effect, render this promise null and void.”.

93. Schedule 2 of such by-law is repealed.

94. This by-law is amended by replacing Schedule 3 by the following:

“SCHEDULE 4
(s. 87)

ANNEX GENERAL

The provisions of this Annex are an integral part of the form referred to: _____

(*indicate the form of which the annex is part of*)
(herein after called the CONTRACT) pertaining to the IMMOVABLE situated at: _____

SUPPLEMENTARY CONDITIONS

95. This by-law is amended by replacing Schedule 4 by the following:

“SCHEDULE 5
(s. 87)

COUNTER-PROPOSAL

The COUNTER-PROPOSER promises
to sell or lease to _____
to buy or lease from _____

the RESPONDENT the immovable or the premises situated at (*indicate the immovable or the premisses*) _____ (Hereinafter called the IMMOVABLE), in accordance with the conditions set out in the form referred to: (*indicate the form*) (hereinafter called the PROMISE), with the amendments indicated below.

Any previous counter-proposal made by either of the parties shall be null and void.

AMENDMENTS TO THE CONDITIONS OF THE PROMISE

The conditions set out in the annexes referred to hereinafter are an integral part of this counter-proposal:

(*indicate the annex or annexes forming part of this counter-proposal*)

All other conditions of the PROMISE shall remain unchanged.

The COUNTER-PROPOSER and the RESPONDENT declare that their consent is not the result of any representation or condition not contained herein. The COUNTER-PROPOSER irrevocably binds himself until _____ o'clock, on _____. Should the RESPONDENT accept it within this period of time, this counter-proposal shall constitute a contract legally binding the COUNTER-PROPOSER and the RESPONDENT, until fulfilment of all conditions herein. Should the RESPONDENT not accept it within such a period of time, this counter-proposal shall become null and void. Any refusal or any counter-proposal by the RESPONDENT shall have the effect of rendering this counter-proposal null and void.”.

96. This by-law is amended by replacing Schedule 5 by the following:

“SCHEDULE 6
(s. 87)

AMENDMENTS AND NOTICE OF FULFILMENT OF CONDITIONS

The contracting parties amend the form entitled:

Brokerage contract (*indicate the number of the brokerage contract*)

Promise to purchase (*indicate the number of the promise to purchase*)

Counter-proposal (*indicate the number of the counter-proposal*)

Promise to lease (*indicate the number of the promise to lease*)

(Hereinafter called the CONTRACT),

pertaining to the IMMOVABLE or the premisses situated at _____.

a) The time of expiry or the period for acceptance referred to in clause _____ of the CONTRACT is extended until 23:59 , on _____.

b) The price referred to in clause _____ of the CONTRACT is amended and shall be _____ dollars (\$_____).

OTHER AMENDMENTS

The conditions stipulated in clauses _____ of the CONTRACT have been fulfilled.

There is a waiver of the conditions stipulated in clauses _____ of the contract.

All other conditions of the CONTRACT shall remain unchanged.”.

97. This by-law is amended by replacing Schedule 6 by the following:

“SCHEDULE 7

(s. 111)

DECLARATION RELATED TO THE OPENING OF A GENERAL TRUST ACCOUNT

To: _____ (name and address of financial institution) _____

I, the undersigned, _____, as a real estate broker or as the representative for the purposes of the Real Estate Brokerage Act (R.S.Q., c. C-73.1) of, _____, real estate broker, holding certificate number _____ and having its main establishment at _____, declare the following:

(1) general trust account bearing number: _____ is open at your institution in the name of _____ “in trust”;

(2) the account contains sums that I receive or will receive in trust in the course of my real estate brokerage functions;

(3) the account is governed by the Real Estate Brokerage Act;

(4) under section 11 of that Act, the interest accrued on the sums on deposit in the account must be paid to the financing fund established by the Association des courtiers et agents immobiliers du Québec;

(5) your institution is authorized to pay directly to the financing fund of the Association des courtiers et agents immobiliers du Québec, for public information, the interest accrued on the account, under the agreement entered into with the Association;

(6) in accordance with your registers, the persons whose names and signatures appear below are authorized to sign, on behalf of the real estate broker, any document related to current transactions in the account:

(name)(signature)

(name)(signature)

(7) the Association des courtiers et agents immobiliers du Québec is authorized to request and obtain at all times from your institution any information, explanation or copy of a document necessary or useful for auditing purposes, particularly concerning this trust account or any other special account where these sums may have been transferred.

IN WITNESS WHEREOF, I have signed _____ in _____ on this _____ day of _____.

Signature of real estate broker or representative”.

98. Schedules 7 and 8 of this by-law are repealed.

99. This by-law is amended by replacing Schedule 9 by the following:

“SCHEDULE 8

(s. 116)

INTRUST ACCOUNT RECEIPT

(the number attributed by the real estate broker to the transaction)

(date)

Received from _____ (name of depositor)

(address of depositor)

the sum of _____ dollars (\$_____), for deposit into the trust account of the undersigned real estate broker.

That sum has been received by the undersigned as an instalment on the sale price.

The undersigned will use that sum for those purposes, in accordance with the Real Estate Brokerage Act (R.S.Q., c. C-73.1) and the regulations made thereunder.

(certificate number of real estate broker)

(name and address of real estate broker)

Signature of person authorized by real estate broker”.

100. This by-law is amended by replacing Schedule 10 by the following:

“SCHEDULE 9
(s. 120)

NOTICE OF THE CLOSING OF A GENERAL TRUST ACCOUNT

Association des courtiers et agents immobiliers du Québec

(address of Association)

I, the undersigned, hereby notify you, in accordance with section 120 of the By-law of the Association des courtiers et agents immobiliers du Québec, that general trust account number _____, opened with _____ (name and address of financial institution) _____ was closed on the _____ day of _____.

IN WITNESS WHEREOF, I have signed in _____ on this _____ day of _____.

_____ (certificate number of real estate broker) _____

_____ (name and address of real estate broker) _____

Signature of real estate broker or of representative”.

101. This by-law is amended by replacing Schedule 11 by the following:

“SCHEDULE 10
(s. 122)

SUMMARY OF DEPOSITS AND WITHDRAWALS FROM THE GENERAL TRUST ACCOUNT

AND OF TRANSFERS CONCERNING THE SPECIAL TRUST ACCOUNTS

For the quarter covering the period from _____, _____ to _____.

Information concerning my general trust account:

Account balance, as shown in accounting register at beginning of quarter: \$_____

PLUS: Total sums deposited or transferred from a special trust account: \$_____

MINUS: Total sums withdrawn or transferred to a special trust account: \$_____

Account balance as shown in accounting register at end of quarter: \$_____

Information concerning all my special trust accounts:

Account balances, as shown in accounting registers at beginning of quarter: \$_____

PLUS: Total sums transferred from the general trust account during the quarter: \$_____

PLUS: Total interest deposited during the quarter: \$_____

MINUS: Total sums transferred from the general trust account during the quarter, including the interest: \$_____

Account balances, as shown in accounting registers at end of quarter: \$_____

Information concerning all my trust accounts:

Total balances of accounting registers at end of quarter: \$_____

IN WITNESS WHEREOF, I have signed in _____ on this _____ day of _____.

(certificate number of real estate broker)

(name and address of real estate broker)

Signature of person authorized by real estate broker”.

102. This by-law is amended by replacing Schedule 12 by the following:

“SCHEDULE 11
(s. 122)

BANK RECONCILIATION STATEMENT OF GENERAL TRUST ACCOUNT

AND OF EACH SPECIAL TRUST ACCOUNT

For quarter ended _____.

Information concerning my general trust account, number _____, opened with _____ (name and address of financial institution) _____.

Account balance, as shown on statement from financial institution: \$_____

PLUS: sums not yet deposited: \$_____

SUB-TOTAL: \$_____

MINUS: outstanding cheques, bills of exchange and transfer slips: \$_____

TOTAL: account balance after reconciliation: \$_____

Balance, as shown in accounting register: \$_____

DIFFERENCE: \$_____

Information concerning my special trust accounts

Total of special accounts balances, as shown on statements of transfer from financial institution: \$_____

Information concerning all my trust accounts:

Total account balances after reconciliation: \$_____

IN WITNESS WHEREOF, I have signed in _____ on this _____ day of _____.

(certificate number of real estate broker)

(name and address of real estate broker)

Signature of person authorized by real estate broker”.

103. This by-law is amended by replacing Schedule 13 by the following:

“SCHEDULE 12
(s. 122)

DETAILED LIST OF SUMS HELD IN TRUST

For quarter ended _____.

Information concerning my general trust account:

Number attributed by certificate holder to each transaction: _____

Sum held in regard to each transaction: \$_____

Total sums held in general account: \$_____

Information concerning all my special trust accounts:

Number attributed by certificate holder to each transaction: _____

Sum held in each special account: \$_____

Total sums held in special accounts: \$_____

Information concerning all my trust accounts:

Total sums held: \$_____

IN WITNESS WHEREOF, I have signed in _____ on this _____ day of _____.

(certificate number of real estate broker)

(name and address of real estate broker)

Signature of person authorized by real estate broker”.

104. This by-law is amended by replacing Schedule 14 by the following:

“SCHEDULE 13
(s. 126)

DECLARATION CONCERNING THE ABSENCE OF TRUST ACCOUNT TRANSACTIONS

Association des courtiers et agents immobiliers du Québec

(address of Association)

I, the undersigned, _____, as a real estate broker or as the representative for the purposes of the Real Estate Brokerage Act (R.S.Q., c. C-73.1) of _____, real estate broker, holding certificate number _____ and having its principal establishment at _____, declare the following:

(1) I do not intend to receive sums on behalf of others in the course of the activity of real estate broker;

(2) if, after this declaration, I receive sums on behalf of others in the course of my real estate brokerage activities, I undertake to comply with the provisions of the Real Estate Brokerage Act and the regulations made thereunder concerning the opening and maintaining of a trust account.

IN WITNESS WHEREOF, I have signed in _____
on this _____ day of _____.

Signature of real estate broker or of representative”.

105. This by-law shall come into force on the 15th day following its publication in the *Gazette officielle du Québec*.

Notwithstanding the first paragraph, the effective mandatory forms (*indicate the date of the day preceeding the day when this section came into force*) may still be used during the year following the coming into force of this By-Law.

9755

Draft Regulation

Companies Act
(R.S.Q., c. C-38)

Fees to be paid — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting fees to be paid under Part IA of the Companies Act, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to change the fees to be paid for the issuance of a certificate of incorporation and a certificate of amendment of status.

The draft Regulation will have an impact on businesses being incorporated and on businesses wishing to amend their status.

Further information may be obtained by contacting Mrs. Louise Milhomme, Directrice générale de l'administration et des entreprises, Inspector General of Financial Institutions, 800, place d'Youville, 9^e étage, Québec (Québec), G1R 4Y5, tel.: 694-5017, fax: 643-3336.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Finance, 12, rue Saint-Louis, 1^{er} étage, Québec (Québec), G1R 5L3, together with a copy to the Inspector General of Financial Institutions, 800, place d'Youville, 9^e étage, Québec (Québec), G1R 4Y5.

BERNARD LANDRY,
Minister of Finance

Regulation to amend the Regulation respecting fees to be paid under Part IA of the Companies Act

Companies Act
(R.S.Q., c. C-38, s. 123.169, par. 1)

1. The Regulation respecting fees to be paid under Part IA of the Companies Act (R.R.Q., 1981, c. C-38, r. 2), amended by the Regulations made by Orders in Council 430-86 dated 9 April 1986, 753-90 dated 30 May 1990, 1250-91 dated 11 September 1991, 1688-92 dated 25 November 1992, 1277-93 dated 8 September 1993 and 1858-93 dated 15 December 1993, is further amended by substituting the following for subparagraphs *a* and *d* of paragraph 1 of section 1:

“(a) a certificate of incorporation: \$383;

(b) a certificate of amendment: \$179.”.

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

9758

Municipal Affairs

Gouvernement du Québec

O.C. 617-96, 29 May 1996

An Act respecting municipal territorial organization (R.S.Q., c. O-9)

Amalgamation of the Ville de Saint-Félicien and the Municipalité de Saint-Méthode

WHEREAS each of the municipal councils of the Ville de Saint-Félicien and the Municipalité de Saint-Méthode adopted a by-law authorizing the filing of a joint application with the Government, requesting that it constitute a local municipality resulting from the amalgamation of the two municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs:

WHEREAS no objection was sent to the Minister of Municipal Affairs, and he did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application with the amendments proposed by the Minister of Municipal Affairs and approved by the councils of the applicant municipalities;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs:

THAT the application be granted and that a local municipality resulting from the amalgamation of the Ville de Saint-Félicien and the Municipalité de Saint-Méthode be constituted, under the following conditions:

(1) The name of the new town is "Ville de Saint-Félicien".

(2) The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 25 March 1996; that description is attached as a Schedule to this Order in Council.

(3) The new town is governed by the Cities and Towns Act (R.S.Q., c. C-19).

(4) The new town is part of the Municipalité régionale de comté du Domaine-du-Roy.

(5) A provisional council shall remain in office until the first general election. It shall be composed of all the members of the two councils existing at the time of the coming into force of this Order in Council. The quorum shall be half the existing members, plus one. The current mayors shall alternate as mayor and acting mayor of the provisional council. The mayor of the former Ville de Saint-Félicien shall act as mayor of the new town for the first month of the calendar.

(6) The first general election shall be held on the first Sunday in November 1996. The second general election shall be held in the year 2000.

(7) For the first general election, the council of the new town shall be composed of 9 members, that is, a mayor and eight councillors. For the second general election, the council of the new town shall be composed of 7 members, that is, a mayor and 6 councillors.

(8) For the first general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if that election were an election of the council members of the former Municipalité de Saint-Méthode, will be eligible for seats 1 and 2.

(9) For the second general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if that election were an election of the council members of the former Municipalité de Saint-Méthode, will be eligible for seat 1.

(10) Mr. Michel Légaré of the former Municipalité de Saint-Méthode shall act as service head of the new town until such time as the council formed by the persons elected in the first general election decides otherwise.

(11) Any budgets adopted by each of the former municipalities for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new town, and the expenditures and revenues shall be calculated separately as if those municipalities had continued to exist. Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the

budgets of each of the former municipalities in proportion to their standardized real estate values, established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992, amended by Order in Council 719-94 dated 18 May 1994), as appearing in the financial reports of those municipalities for the last fiscal year ended before the coming into force of this Order in Council.

(12) The terms and conditions for apportioning the cost of the joint services provided for in the intermunicipal agreements in force prior to the coming into force of this Order in Council shall continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

(13) Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used for the benefit of the ratepayers in the sector formed of the territory of the former municipality. It may be allocated for public works in the sector formed of the territory of that former municipality or for the reimbursement of the principal and interest on loans that were contracted by the former municipality and have matured.

(14) Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall remain charged to all the taxable immovables of that former municipality.

(15) Any debt or gain that may result from legal proceedings in respect of an act committed by a former municipality shall continue to be charged or credited to all the taxable immovables in that former municipality.

(16) The new town shall have the rights, obligations and responsibilities of the former municipalities. It shall become, without continuance of suit, a party to any proceeding in the place and stead of those former municipalities.

The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of each of the former municipalities shall remain in force in the territory for which they were drawn up, until they are amended, cancelled or revoked, and insofar as they are compatible with this Order in Council.

(17) All the movable and immovable property belonging to each of the former municipalities shall become the property of the new town.

(18) In accordance with the Order in Council concerning the amendment of the agreement respecting the Cour municipale de la Ville de Saint-Félicien, made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale de Saint-Félicien shall have jurisdiction over the territory of the new town.

(19) A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Ville de Saint-Félicien".

That municipal bureau shall replace the municipal housing bureaus of the former municipalities, which are dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) apply to the municipal housing bureau of the new Ville de Saint-Félicien as if it had been incorporated by letters patent under section 57 of that Act.

(20) The council of the new town may, within two years of the coming into force of this Order in Council, revise zoning, subdivision and building by-laws, by-laws provided for in section 116 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) and by-laws respecting minor exemptions from planning by-laws, respecting development programs, site planning and architectural integration programs or respecting municipal works agreements of each of the former municipalities, in accordance with the following terms and conditions:

— for consultation purposes, those revised by-laws shall be deemed to be by-laws affecting all of the territory of the new town;

— for the purposes of the approval of qualified voters, as the case may be, those revised by-laws shall be deemed to be by-laws affecting all of the territory of the new town and must, in accordance with the Act respecting elections and referendums in municipalities, be approved by all the qualified voters in the territory of the new town;

— notwithstanding sections 131 and 132 of the Act respecting land use planning and development, those revised by-laws of the new town may amend, replace or revoke a provision pertaining to a matter covered by any of subparagraphs 1 to 6 and 10 to 22 of the second paragraph of section 113 or a matter covered in any of subparagraphs 1, 3, 4 and 4.1 of the second paragraph of section 115, insofar as each such provision is aimed at revising into one single by-law the provisions contained in the zoning by-law or the provisions contained in the subdivision by-law of each of the former municipalities.

(21) An annual tax credit shall be granted to the owners of taxable immovables of the sector formed of the territory of the former Municipalité de Saint-Méthode for the first five complete fiscal years following the coming into force of this Order in Council. The credit will be \$0.75 per \$100 of assessment for the first year and shall decrease by \$0.15 per \$100 of assessment per year for each subsequent year.

(22) The working capital of the former Ville de Saint-Félicien shall become the working capital of the new town.

(23) Any tax levied under a loan by-law of the former Ville de Saint-Félicien or of the former Municipalité de Saint-Méthode on all the taxable immovables of their territory shall be replaced by a tax levied on all the taxable immovables of the territory of the new municipality.

The taxation clauses provided for in those by-laws are amended accordingly.

However, the taxes levied on the taxable immovables of a sector of the territory of a former municipality under the loan by-laws of either of those former municipalities shall remain the same.

(24) Notwithstanding section 23, for the first full fiscal year following the coming into force of this Order in Council, the annual reimbursement of maturities in principal and interest on loans made under by-laws 270 and 296 of the former Municipalité de Saint-Méthode, as well as the amounts owing to the Société québécoise d'assainissement des eaux, shall be charged to all the taxable immovables of the territory of the new town on the basis of their value as it appears on the assessment roll in force each year.

The taxation clauses provided for in those by-laws are amended accordingly.

(25) The subsidy of \$500 000 granted within the scope of the amalgamation (PAFREM) shall be used in its entirety for the annual reimbursement of maturities in principal and interest on the loans made under by-laws 270 and 296 of the former Municipalité de Saint-Méthode. The amount used shall be \$100 000 per year over a five-year period from the first full fiscal year following the coming into force of this Order in Council.

(26) At the end of the last fiscal year for which the former municipalities adopted separate budgets, the by-law on the costs of the water supply and sewer service of the former Ville de Saint-Félicien shall apply to the new town until such time as the council decides otherwise.

(27) This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF
THE TERRITORY OF THE NEW VILLE DE
SAINT-FÉLICIEN, IN THE MUNICIPALITÉ
RÉGIONALE DE COMTÉ DU DOMAINE-DU-ROY

The present territory of the Municipalité de Saint-Méthode and of the Ville de Saint-Félicien, in the Municipalité régionale de comté du Domaine-du-Roy, comprising in reference to the cadastres of the townships of Ashuapmouchouan, Demeulles, Parent and Racine, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, railway rights of way, islands, lakes, watercourses or parts thereof, the whole enclosed within the limits described below, namely: starting from the meeting point of the line dividing the townships of Albanel and Parent and the line dividing ranges 12 and 13 of the Canton de Parent; thence, successively, the following lines and demarcations: the said line dividing the ranges and its extension to the centre line of rivière Mistassini; the centre line of the said river downstream and skirting to the left the islands closest to the right bank and to the right the islands closest to the left bank to a straight line perpendicular to the right bank of rivière Mistassini whose point of origin is the northeastern end of the line dividing lots 61 and 62 of range 4 of the cadastre of the Canton de Parent; the said straight line to its point of origin; in a general southeasterly, southwesterly and northwesterly direction, the limit of the Canton de Parent to the line dividing ranges 1 and 2 of the said township; southwesterly, the extension of the said line dividing the ranges in rivière Ashuapmushuan to a line passing midway between the left bank of the said river and the northeast bank of island number 6 of the cadastre of the Canton d'Ashuapmouchouan; in a general easterly direction, the line passing midway between the left bank of rivière Ashuapmushuan and the north bank of islands numbers 6 and 5 of the cadastre of the Canton d'Ashuapmouchouan and the centre line of the said river to the extension of the centre line of rivière à l'Ours; the said extension and the centre line of the said river to the line dividing the townships of Ashuapmouchouan and Demeulles; part of the said line dividing the townships, southwesterly, to the southwest line of the Canton de Demeulles; in reference to the cadastre of the said Canton de Demeulles, part of the said southwest line to the line dividing lots 27 and 28 of range 7; the said line dividing the lots in ranges 7 and 6; part of the line dividing ranges 6 and 5, southeasterly, to the line dividing lots 26 and 27 of range 5; the said line dividing the

lots; part of the line dividing ranges 5 and 4, northwesterly, to the northwest line of the Canton de Demeulles; part of the northwest line of the said township, northeasterly, and its extension into rivière Ashuapmushuan to the apex of the western angle of the Canton de Parent; finally, part of the northwest line of the Canton de Parent to the starting point; the said limits define the territory of the new Ville de Saint-Félicien.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 25 March 1996

Prepared by GILLES CLOUTIER,
Land Surveyor

F-124

9765

Gouvernement du Québec

O.C. 618-96, 29 May 1996

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Rectification of the territorial boundaries of the Paroisse de Sainte-Anne-de-Sorel and the Paroisse de Saint-François-du-Lac and validation of acts performed by the latter parish

WHEREAS the territorial boundaries of the Paroisse de Sainte-Anne-de-Sorel and the Paroisse de Saint-François-du-Lac are imprecise;

WHEREAS the territory covered by this application concerns Île d'Embarras, formed of lot 222 of the cadastre of the Paroisse de Sainte-Anne and of lot 1119 of the cadastre of the Paroisse de Saint-François-du-Lac;

WHEREAS the Paroisse de Saint-François-du-Lac acted without right on lot 222 of the cadastre of the Paroisse de Sainte-Anne;

WHEREAS it is more probable that lot 1119 of the cadastre of the Paroisse de Saint-François-du-Lac is part of the Paroisse de Sainte-Anne-de-Sorel;

WHEREAS the Minister of Municipal Affairs has sent to both municipalities, in accordance with section 179 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), a notice containing the proposed rectification and validation of acts that he intends to submit to the Government;

WHEREAS the Paroisse de Sainte-Anne-de-Sorel and the Paroisse de Saint-François-du-Lac have notified the Minister of Municipal Affairs of their agreement on the proposal;

WHEREAS in accordance with section 181 of the Act respecting municipal territorial organization, the Minister of Municipal Affairs required both municipalities to have the proposed rectification published;

WHEREAS the proposed rectification was published in the territory of both municipalities and the Minister has received no objection;

WHEREAS under sections 178 and 192 of the Act respecting municipal territorial organization, the Government may rectify the territorial boundaries of those municipalities and validate any act performed without right by the Paroisse de Saint-François-du-Lac in respect of a territory not subject to its jurisdiction and provide for the termination of the administration of the affairs of the said territory;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs:

THAT the territorial boundaries of the Paroisse de Sainte-Anne-de-Sorel and the Paroisse de Saint-François-du-Lac be rectified and that the acts performed by the Paroisse de Saint-François-du-Lac be validated, as follows:

(1) The description of the territorial boundaries of the Paroisse de Sainte-Anne-de-Sorel includes the territory described by the Minister of Natural Resources on 22 September 1995; that description appears in Schedule A to this Order in Council.

(2) The rectification has effect from 14 May 1877.

(3) The description of the territorial boundaries of the Paroisse de Saint-François-du-Lac does not include the territory described in Schedule A.

(4) The acts performed by the Paroisse de Saint-François-du-Lac in respect of the territory described in Schedule A are validated.

(5) The Paroisse de Saint-François-du-Lac shall, on the date of coming into force of the rectification, terminate its administration of the affairs of the territory described in Schedule A.

(6) This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,
Clek of the Conseil exécutif

SCHEDULE A**OFFICIAL DESCRIPTION PREPARED FOR THE
PURPOSE OF RECTIFYING A PART OF THE
TERRITORIAL BOUNDARIES OF THE PAROISSE
DE SAINTE-ANNE-DE-SOREL, IN THE
MUNICIPALITÉ RÉGIONALE DE COMTÉ DU
BAS-RICHELIEU, AND OF THE PAROISSE DE
SAINT-FRANCOIS-DU-LAC, IN THE
MUNICIPALITÉ RÉGIONALE DE COMTÉ DE
NICOLET-YAMASKA**

The following territory, namely, lots 1119 of the cadastre of the Paroisse de Saint-François-du-Lac and 222 of the cadastre of the Paroisse de Sainte-Anne, constituting Île d'Embarras and half the channels adjacent to those lots are part of the Paroisse de Sainte-Anne-de-Sorel, in the Municipalité régionale de comté du Bas-Richelieu. The boundaries of the territory are described as follows: starting from the meeting point of the line passing midway between the southeastern limit of lots 1119 of the cadastre of the Paroisse de Saint-François-du-Lac and 222 of the cadastre of the Paroisse de Sainte-Anne and the northwestern limit of lot 1 of the latter cadastre, being the centre line of chenal d'Embarras, and of the extension of the southwest line of lot 1119, being the extension of the line dividing the cadastre of the Paroisse de Saint-François-du-Lac from the cadastres of the parishes of Saint-Michel and Sainte-Anne; thence, successively, the following lines and demarcations: north-easterly and northwesterly, the said centre line and that of chenal Croche to the centre line of chenal du Doré passing northwest of Île d'Embarras; southwesterly, the centre line of the latter channel to the extension of the centre line of chenal d'Embarras; finally, the said extension, the centre line of the said channel and the line passing midway between the southeastern limit of lots 1119 of the cadastre of the Paroisse de Saint-François-du-Lac and 222 of the cadastre of the Paroisse de Sainte-Anne and the northwestern limit of lot 1 of the latter cadastre to the starting point.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 22 September 1995

Prepared by: GILLES CLOUTIER,
Land Surveyor

A-91
F-49

Gouvernement du Québec

O.C. 619-96, 29 May 1996

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Transfer of the territories of the Ville de Bromptonville and of the Canton de Brompton from the territory of the Municipalité régionale de comté du Val-Saint-François to that of the Municipalité régionale de comté de Sherbrooke

WHEREAS under section 210.61 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), the Government may, by order, following an application by a local municipality, detach the territory of the local municipality from that of the regional county municipality to which it belongs and attach it to that of another regional county municipality;

WHEREAS under section 210.81 of the same Act and section 109 of Chapter 65 of the Statutes of 1993, the Government may, to give effect to the recommendation of the Minister of Municipal Affairs, amend by order the letters patent constituting the regional county municipalities affected by the transfer of territory;

WHEREAS under the same provision, the amending order shall describe the new territory of the regional county municipalities and shall set out the conditions applicable to the transfer of territory;

WHEREAS the Council of the Ville de Bromptonville and the Council of the Canton de Brompton respectively adopted on 22 January 1996 resolutions 02-96-018 and 96-01-016 for the purpose of applying to the Government to detach their territory from that of the Municipalité régionale de comté du Val-Saint-François and to attach it to that of the Municipalité régionale de comté de Sherbrooke in accordance with the conditions set out in those resolutions;

WHEREAS it is expedient to grant the requests of the Ville de Bromptonville and of the Canton de Brompton and to amend the letters patent of the Regional County Municipalities of Val-Saint-François and Sherbrooke in order to describe their new territory;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs:

THAT the territory of the Ville de Bromptonville and that of the Canton de Brompton be detached from the territory of the Municipalité régionale de comté du Val-Saint-François and that they be attached to that of the Municipalité régionale de comté de Sherbrooke, under the following conditions:

(1) The Ville de Bromptonville shall not participate in the apportionment of the assets of the Municipalité régionale de comté du Val-Saint-François;

(2) The Ville de Bromptonville shall pay to the Municipalité régionale de comté du Val-Saint-François an amount of \$10 040, which shall be paid in two instalments as follows:

— Amount payable before 1 June 1996:	\$1 830
— Amount payable before 1 June 1997:	\$8 210;

(3) The Canton de Brompton shall not participate in the apportionment of the assets of the Municipalité régionale de comté du Val-Saint-François;

(4) The Municipalité régionale de comté du Val-Saint-François shall retain its jurisdiction in matters of assessment in the Canton de Brompton up to the expiry of the assessment service contract concluded with the partnership of Morin, Roy, Désilets & Associés and covering the period from 1 January 1991 to 31 December 2001;

From the date of expiry of that contract, the Municipalité régionale de comté de Sherbrooke shall have jurisdiction in matters of assessment which devolve upon it under section 5 of the Act respecting municipal taxation (R.S.Q., c. F-2.1);

(5) The Canton de Brompton shall pay to the Municipalité régionale de comté du Val-Saint-François an amount of \$7 728, which shall be paid in 2 instalments as follows:

— Amount payable before 1 June 1996:	\$1 818;
— Amount payable before 1 June 1997:	\$5 910;

THAT the letters patent establishing the Municipalité régionale de comté du Val-Saint-François be amended by substituting the following for the second paragraph of its purview:

“The boundaries of the territory of the Municipalité régionale de comté du Val-Saint-François are the boundaries described by the Minister of Natural Resources in the official description of that territory dated 26 March 1995 which appears in Schedule A to these letters patent as if they were a part thereof.”;

THAT the letters patent establishing the Municipalité régionale de comté de Sherbrooke be amended by substituting the following for the second paragraph of the purview:

“The boundaries of the territory of the Municipalité régionale de comté de Sherbrooke are the boundaries described by the Minister of Natural Resources in the

official description of that territory dated 26 March 1995 which appear in Schedule A to these letters patent as if they were a part thereof.”.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE NEW
TERRITORY OF THE MUNICIPALITÉ
RÉGIONALE DE COMTÉ DU VAL-SAINT-
FRANÇOIS

The new territory of the Municipalité régionale de comté du Val-Saint-François is delimited as follows: starting from the north corner of the Canton de Cleveland; thence, successively, the following lines and demarcations: the northwest line of the Canton de Cleveland and its extension to the centre line of rivière Saint-François; the centre line of the said river upstream to the extension of the northwest line of the Canton de Melbourne; the said extension and the said northwest line; part of the northeast and north lines of the Canton d'Ely; in reference to the cadastre of the said township, the west line of lot 516; the north and west lines of lot 583; the south line of lots 581 and 582; the line dividing ranges 6 and 7 and the centre line of the public road dividing the said ranges; the extension of the north line of lot 639; the north line of the said lot and its extension; the centre line of the road dividing ranges 7 and 8; the extension and the north line of lot 729; part of the line dividing ranges 8 and 9 southerly; part of the north and west lines of the Canton de Stukely; the line dividing ranges 5 and 6 of that township; part of the east line of the said township; part of the south line of the Canton de Brompton to the extension in lac Brompton of the line dividing ranges 13 and 14 of the Canton d'Orford; in reference to the cadastre of that township, the said extension and part of the said line dividing the ranges; the north line of lots 730, 693, 660-1 and its extension across lac Montjoie; the north line of lots 661-1, 661-2, 629-1, 629-2, 630-1, 630-2, 630-3, 631-1 and 631-2; part of the west line of lot 573-2; part of the line dividing ranges 9 and 10; the north line of lots 566-1, 435, 344-2, 344-1, 247, 248-1, 249-1, 182 and 185; the west line of lot 120; part of the north line of the Canton d'Orford to the line dividing ranges 6 and 7 of the cadastre of the Canton de Brompton; in reference to the cadastre of that township, part of the said line dividing the ranges; the northwest line of lot 19A in ranges 6, 5 and 4; the northwest line of lots 19A and 19B of range 3 and its extension to the centre line of rivière Saint-François; the centre line of the said river; the extension and the line dividing lots 972 and 973 of the cadastre of the Canton de Windsor; in reference to the cadastre of that township, part of the line dividing ranges 14 and 15; the line dividing lots 955 and 954; part of the line dividing ranges 13 and 14; part of the line dividing the townships of Windsor and Stoke; in reference to the cadastre of the Canton de Stoke, part of the line dividing

ranges 4 and 5; the southeast line of lot 9 in ranges 4 and 3; part of the line dividing ranges 2 and 3; the southeast line of lot 11D of range 2; part of the line dividing ranges 1 and 2; the southeast line of lots 12A, 12B and 12C of range 1; part of the north line of the Canton d'Ascot to the northwest line of lot 21A of range 3 of the cadastre of the Canton de Stoke; in reference to that cadastre, the northwest line of the said lot and the northwest line of lots 21B and 21A of range 4, 21C, 21B and 21A of range 5, 21C and 21A of range 6 and 21 of ranges 7 and 8; part of the line dividing ranges 8 and 9 southeasterly; part of the southeast line, the northeast line and part of the northwest line of the Canton de Stoke to the line dividing ranges 6 and 7 of the Canton de Windsor; in reference to the cadastre of that township, part of the line dividing ranges 6 and 7; the southeast line of lots 461, 399 and 398; part of the line dividing ranges 4 and 5; part of the southeast line of the Canton de Shipton; in reference to the cadastre of that township, part of the line dividing ranges 6 and 7; the northwest line of lot 4F of range 7; part of the line dividing ranges 7 and 8; the northwest line of lots 6C and 6A of range 8; finally, part of the northeast line of the Canton de Cleveland to the starting point.

That regional county municipality includes the following municipalities: the towns of Richmond, Valcourt and Windsor; the villages of Kingsbury, Melbourne, Saint-Grégoire-de-Greenlay and Lawrenceville; the parishes of Saint-Denis-de-Brompton and Saint-François-Xavier-de-Brompton, the townships of Cleveland, Melbourne and Valcourt; the municipalities of Bonsecours, Maricourt, Racine, Saint-Claude, Sainte-Anne-de-Larochelle, Stoke and Val-Joli.

Note: The official description appearing in Schedule A to the letters patent published on 15 March 1995, (*G.O.*, Part 2, Vol. 127, No. 11, p. 942) and defining the limits of the territory of the Municipalité régionale de comté du Val-Saint-François is amended and replaced by the presents in order to take into account the amalgamation of a part of the territory of the Municipalité de Maricourt with that of the Paroisse de Sainte-Christine (*G.O.*, Partie 1, Vol. 144, No. 53, p. 9700) and the transfer of the territories of the Ville de Bromptonville and of the Canton de Brompton, located in the Municipalité régionale de comté du Val-Saint-François, to that of the Municipalité régionale de comté de Sherbrooke. The contents of the second paragraph reflect the current situation.

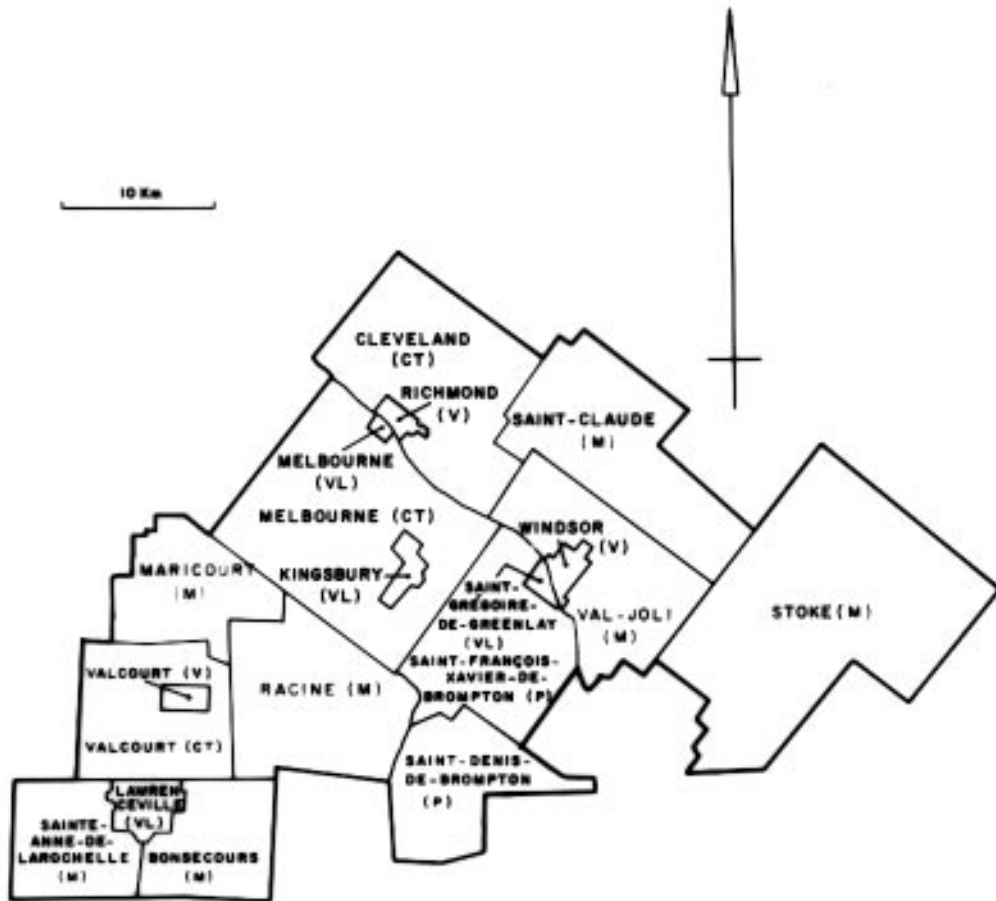
Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 26 March 1995

Prepared by: GILLES CLOUTIER,
Land Surveyor

MRC-42



Gouvernement du Québec
Ministère des Ressources naturelles
Service de l'arpentage



Municipalité régionale
de comté du
Val-Saint-François

OFFICIAL DESCRIPTION OF THE NEW
TERRITORY OF THE MUNICIPALITÉ
RÉGIONALE DE COMTÉ DE SHERBROOKE

The new territory of the Municipalité régionale de comté de Sherbrooke is delimited as follows: starting from the northwest corner of lot 730 of the cadastre of the Canton d'Orford; thence, successively, the following lines and demarcations: in reference to that cadastre, the north line of lots 730, 693, 660-1 and its extension across lac Montjoie; the north line of lots 661-1, 661-2, 629-1, 629-2, 630-1, 630-2, 630-3, 631-1 and 631-2; part of the west line of lot 573-2 and part of the line dividing ranges 9 and 10; the north line of lots 566-1, 435, 344-2, 344-1, 247, 248-1, 249-1, 182 and 185; the west line of lot 120; part of the north line of the Canton d'Orford to the line dividing ranges 6 and 7 of the cadastre of the Canton de Brompton; in reference to the cadastre of that township, part of the said line dividing the ranges; the northwest line of lot 19A in ranges 6, 5 and 4; the northwest line of lots 19A and 19B of range 3 and its extension to the centre line of rivière Saint-François; the centre line of the said river; the extension and the line dividing lots 972 and 973 of the cadastre of the Canton de Windsor; in reference to the cadastre of that township, part of the line dividing ranges 14 and 15; the line dividing lots 955 and 954; part of the line dividing ranges 13 and 14; part of the line dividing the townships of Windsor and Stoke; in reference to the cadastre of the Canton de Stoke, part of the line dividing ranges 4 and 5; the southeast line of lot 9 in ranges 4 and 3; part of the line dividing ranges 2 and 3; the southeast line of lot 11D of range 2; part of the line dividing ranges 1 and 2; the southeast line of lots 12A, 12B and 12C of range 1; part of the north line of the Canton d'Ascot to the line dividing ranges 3 and 4 of the said township; in reference to the cadastre of the Canton d'Ascot, part of the said line dividing the ranges; the north line of lot 20B of range 3; part of the north line of lot 20A of the said range and its extension to the centre line of rivière Saint-François; the said centre line in a southwesterly direction to the northerly extension of the line dividing ranges 3 and 4, that extension passing by the east bank of the islands met there; southerly, the said extension, part of the said line dividing the ranges, the west side of the right of way of chemin Spring and its extension to the southwest side of the right of way of route number 108; southeasterly, the southwest side of the said right of way to the line dividing lots 12E and 11D from lots 12D and 11C of range 3; the said line dividing the lots; the south line of lot 11D of range 3; southerly, part of the line dividing ranges 3 and 4 passing by the west side of the right of way of Bower and

Bartlett roads to the south line of the Canton d'Ascot; westerly, part of the said south line to the line dividing ranges 4 and 5 of the Canton de Compton; in reference to the cadastre of the Village de Waterville, the east line of lots 351, 350, 350A, 341, 340,337 and 336; part of the south line of lot 336 and the east line of lot 335A; the south line of lots 335A, 335 and 332, the latter extended across a part of rivière Coaticook, in the south line of lot 333 (island) and up to the centre line of the said river southwest of the said island; the centre line of the said river downstream to the extension of the east line of lot 315; the said extension and the east line of lots 315, 328, 328-1 and 329; the south line of lots 329, 357, 330, 9, 8 and 6; the west side of the public road limiting lot 6 to the west; the south line of lots 2 and 1; the west line of lots 1 and 5; the north line of lot 5; the west line of lots 279, 280, 281 and 286; the north line of lots 286, 283, 357 and 285; the west line of lots 297, 358, 290 and 287; part of the south line of the townships of Ascot and Orford to the line dividing ranges 11 and 12 of the Canton d'Orford; in reference to that cadastre, part of the said line dividing the ranges; the south line of lots 712, 763 and 764; finally, part of the line dividing ranges 13 and 14 to the starting point.

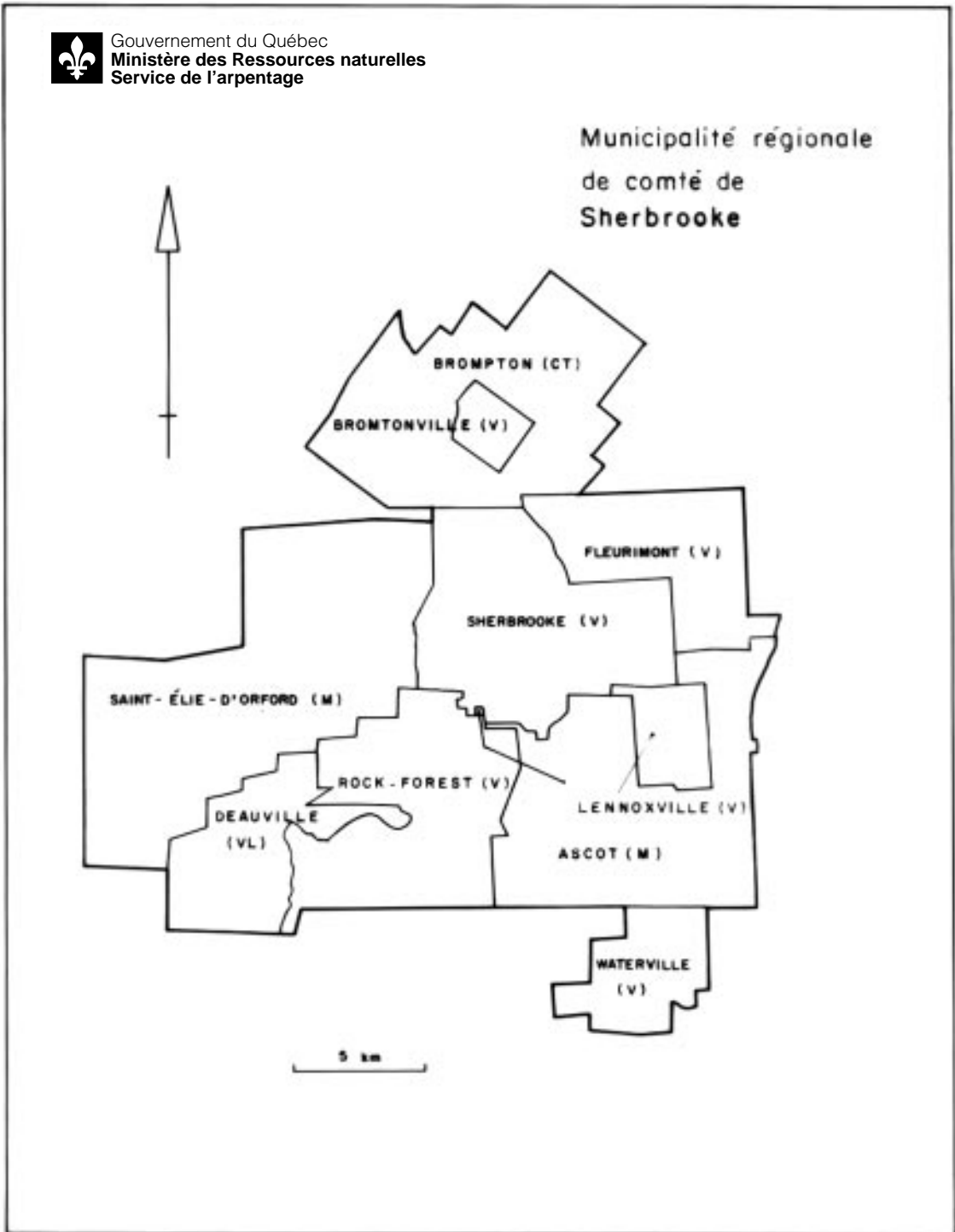
That regional county municipality includes the towns of Bromptonville, Fleurimont, Lennoxville, Rock Forest, Sherbrooke and Waterville; the Village de Deauville; the Canton de Brompton; the municipalities of Ascot and Sainte-Élie-d'Orford.

Note: The official description appearing in the notice published on 11 March 1995 (*G.O.*, Partie 1, Vol. 127, No 10, p. 315) and defining the limits of the territory of the Municipalité régionale de comté de Sherbrooke is amended and replaced by the presents in order to take into account the transfer of the territory of the Ville de Bromptonville and of the Canton de Brompton, located in the Municipalité régionale de comté de Val-Saint-François, to that of the Municipalité régionale de comté de Sherbrooke. The contents of the second paragraph reflect the current situation.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 26 March 1995

Prepared by: GILLES CLOUTIER,
Land Surveyor

MRC-43



Transport

Gouvernement du Québec

O.C. 686-96, 5 June 1996

An Act respecting roads
(R.S.Q., c. V-9)

Roads under the management of the Minister of Transport

WHEREAS under section 2 of the Act respecting roads (R.S.Q., c. 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;

WHEREAS under section 3 of the 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 of Transport shall, from the date indicated in the order, be managed by a municipality in accordance with subdivision 22.2 of Division XI of the Cities and Towns Act (R.S.Q., c. C-19), or, as the case may be, Chapter 0.1 of Title XIX of the Municipal Code of Québec (R.S.Q., c. C-27.1);

WHEREAS Orders in Council 292-93 dated 3 March 1993, 492-93 dated 31 March 1993, 1127-93 dated 11 August 1993, 1607-93 dated 17 November 1993, 1292-94 dated 17 August 1994, 73-95 dated 18 January 1995, 485-95 dated 5 April 1995 and 325-96 dated 13 March 1996 determined, by municipality, the roads under the management of the Minister of Transport;

WHEREAS it is expedient to amend the Schedule to those Orders in Council, with respect to certain municipalities, in order to correct the description of certain roads;

WHEREAS it is expedient to list the roads whose right of way has been widened but whose length remains the same;

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

THAT the Schedules to Orders in Council 292-93 dated 3 March 1993, 492-93 dated 31 March 1993, 1127-93 dated 11 August 1993, 1607-93 dated 17 November 1993, 1292-94 dated 17 August 1994, 73-95 dated 18 January 1995, 485-95 dated 5 April 1995 and 325-96 dated 13 March 1996, concerning roads under the management of the Minister of Transport, be amended, with respect to the municipalities indicated,

by correcting the description and the width of the right of way of the roads listed in the Schedule to this Order in Council;

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

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

SCHEDULE

ROADS UNDER THE MANAGEMENT OF THE MINISTER OF TRANSPORT

EXPLANATORY NOTE

The roads or parts of roads appearing in the Schedule to this Order in Council concerning roads under the management of the Minister of Transport are described under the following 5 headings:

- (1) Route class
- (2) Section identification
- (3) Name
- (4) Beginning of maintenance
- (5) Length in kilometres

(1) Route class

The designation of the route classes is taken from the functional classification established by the Minister of Transport.

(2) Section identification

The roads are identified by a sequence of figures composed of 7 different groups:

- Group 1: road number;
- Group 2: road segment number;
- Group 3: road section number;

Group 4: the only figure other than zero that may appear in this group is 3, and it is used to identify one or more ramps;

Group 5: this group of figures indicates the sequential number of an intersection within a road segment;

Group 6: a figure for computer validation;

Group 7: a letter identifying a ramp (where necessary).

(3) Name

For roads whose number is lower than 1 000, the road number is indicated instead of the road name (e.g. "Route 132", not "boulevard Marie-Victorin").

For roads whose number is 1 000 or more, the road name is indicated instead of the road number, which is not commonly used (e.g. "chemin de la Tourbière", not "Route 43820").

Where there are one or more ramps along a road section, the total number of ramps for that section is also indicated; the combined length of all the ramps is indicated under "Length in kilometres".

(4) Beginning of maintenance

A description of physical landmarks used to situate the beginning of roads or road sections is indicated. The principal landmarks include municipal boundaries, intersections with other roads, or centres of bridges. In

order to facilitate orientation, road segments and sections maintained by the Minister of Transport are numbered from west to east and from south to north, except for feeder roads and resource access roads whose numbers are 10 000 or higher, which do not necessarily follow this rule.

(5) Length in kilometres

The length in kilometres is indicated for each road or part of a road. That length, which is determined by the Minister of Transport, corresponds to the actual distance that a vehicle would travel between 2 points without taking into account the configuration of the road (number of lanes, extra width, etc.). Thus, the length is the same whether the road is an autoroute or a feeder road.

NOTE: Due to technical constraints, the designation of the places appearing in the Schedules do not necessarily comply with the standards of the Commission de toponymie.

CORRECTIONS TO THE DESCRIPTION:**ANJOU, V (6601000)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Autoroute	00040-03-060-0-00-7	Autoroute 40	Limit Saint-Léonard, v	0.64
	00040-03-070-0-00-5	Autoroute 40 10 ramps	Bridge on autoroute 25 south	3.04 3.89

is replaced by

Autoroute	00040-03-065-0-00-2	Autoroute 40 10 ramps	Limit Saint-Léonard, v	3.68 3.89
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DORVAL, C (6608500)

Route class	Section identification	Name	Beginning of maintenance	Length in km
Autoroute	00040-02-090-0-00-3	Autoroute 40 4 ramps	Limit Pointe-Claire, v	2.60 1.10
		is replaced by		
Autoroute	00040-02-090-0-00-3	Autoroute 40 4 ramps	Limit Pointe-Claire, v	2.36 1.10

LACHINE, V (6608000)

Route class	Section identification	Name	Beginning of maintenance	Length in km
Autoroute	00020-02-073-0-00-6	Autoroute 20 8 ramps	Bridge on autoroute 13	3.62 3.82
is replaced by				
Autoroute	00020-02-073-0-00-6	Autoroute 20 15 ramps	Bridge on autoroute 13	3.62 6.38

MONTRÉAL, V (6602500)

Route class	Section identification	Name	Beginning of maintenance	Length in km
Autoroute	00015-02-047-000-9	Autoroute 15 3 ramps	Exit A-20 west of A-15 north	1.13 2.45
	00015-02-051-000-2	Autoroute 15 3 ramps	Bridge on boulevard Maisonneuve	0.31 0.35
	00015-02-053-000-0	Autoroute 15 6 ramps	Intersection route 138	1.29 1.47
	00015-02-060-000-1	Autoroute 15	Bridge on chemin-de-la-Côte-Saint-Luc	1.09
	00015-02-070-000-9	Autoroute 15 2 ramps	Bridge on boulevard Édouard-Montpetit	1.25 0.66
	00015-02-080-000-7	Autoroute 15 1 ramp	Bridge on rue Vézina	0.21 0.27
	00015-02-090-000-5	Autoroute 15 3 ramps	Bridge on railway	1.21 1.20
	00025-01-007-0-00-8	Autoroute 25 3 ramps	Bridge on chemin de l'Île-Charron	3.05 0.26
	00040-03-101-0-00-8	Autoroute 40 8 ramps	Limit Montréal-Est, v	7.55 1.37
	00720-01-040-0-00-3	Autoroute 720 2 ramps	West limit of paralume Viger tunnel	1.45 0.63
is replaced by				
Autoroute	00015-02-075-000-4	Autoroute 15 18 ramps	Exit A-20 west of A-15 north	6.47 6.40
	00025-01-007-0-00-8	Autoroute 25 4 ramps	Bridge on chemin de l'Île-Charron	3.05 0.82
	00040-03-101-0-00-8	Autoroute 40 11 ramps	Limit Montréal-Est, v	7.55 2.70
	00720-01-040-0-00-3	Autoroute 720 3 ramps	West limit of paralume Viger tunnel	1.09 0.99

SAINT-LAURENT, V (6607500)

Route class	Section identification	Name	Beginning of maintenance	Length in km
Autoroute	00013-02-020-3-01-7-A	1 ramp	Exit autoroute 520 west	0.55
		4 ramps		0.86
	00040-02-101-0-00-0	Autoroute 40	Limit Dorval, c	2.12
		4 ramps		1.32
is replaced by				
Autoroute	00013-02-020-3-01-7-A	1 ramp	Exit autoroute 520 west	0.55
		5 ramps		1.02
	00040-02-101-0-00-0	Autoroute 40	Limit Dorval, c	2.36
		4 ramps		1.32

SAINTE-GENEVIÈVE-DE-BATISCAN, P (3702000)

Route class	Section identification	Name	Beginning of maintenance	Length in km
Autoroute	00040-06-110-0-00-0	Autoroute 40	Limit Batiscan, sd	1.97
		4 ramps		2.97
is replaced by				
Autoroute	00040-06-110-0-00-0	Autoroute 40	Limit Batiscan, m	1.97
		5 ramps		3.34

SENNEVILLE, VL (6612500)

Route class	Section identification	Name	Beginning of maintenance	Length in km
Autoroute	00040-02-020-0-00-8	Autoroute 40	Limit east bridge on lac des Deux-Montagnes	1.13
		5 ramps		1.77
is replaced by				
Autoroute	00040-02-020-0-00-8	Autoroute 40	Limit east bridge on lac des Deux-Montagnes	1.13
		2 ramps		1.77

SOREL, V (5305700)

Route class	Section identification	Name	Beginning of maintenance	Length in km
National	00133-02-241-0-00-4	Route 133	Intersection autoroute 30	0.62
is replaced by				
National	00133-02-241-0-00-4	Route 133 (rue Victoria and rue Élizabeth)	Intersection autoroute 30	0.62

CHANGES IN WIDTH OF THE RIGHT-OF-WAY:

CHICOUTIMI, V (9405000)

Route class	Section identification	Name	Beginning of maintenance	Length in km
National	00175-03-181-0-00-5	Route 175 1 ramp	105 metres north of rue Roberge	4.95 0.13
	00175-03-191-0-00-3	Route 175	Intersection route 170	0.67

JONQUIÈRE, V (9407000)

Route class	Section identification	Name	Beginning of maintenance	Length in km
National	00170-01-251-0-00-5	Route 170	Limit Chicoutimi, v	6.80

RIVIÈRE-MALBAIE, M (1504500)

Route class	Section identification	Name	Beginning of maintenance	Length in km
National	00138-08-070-0-00-6	Route 138	Limit Clermont, v	4.40

SAINT-HENRI-DE-TAILLON, M (9307000)

Route class	Section identification	Name	Beginning of maintenance	Length in km
National	00169-01-254-0-00-4	Route 169	Limit Delisle, m	10.88

SAINTE-JEANNE-D'ARC, VL (9201500)

Route class	Section identification	Name	Beginning of maintenance	Length in km
National	00169-02-040-0-00-1	Route 169	Limit Péribonka, m	11.14

Parliamentary Committees

Committee on Culture

Notice of general consultation

Issues connected with the development of the information highway

The Committee on Culture will hold a general consultation and public hearings from September 1996 on issues connected with the development of the information highway, with special emphasis on cultural, linguistic and societal issues (such as accessibility and confidentiality). To this effect, the Committee has published a consultation paper, entitled "Les enjeux du développement de l'infoute québécoise", available upon request (this document is also available on the Internet site of the National Assembly).

Individuals or organizations wishing to express their opinions on this matter must forward submissions to the Committee on Culture.

Submissions must be received by the Secrétariat des commissions no later than 30 August 1996, and must be accompanied by a summary of their contents. Twenty-five copies of both documents, on 21,5 cm by 28 cm (8½ x 11 inch) paper, are required.

After examining the submissions received, the Committee will select the individuals and organizations it will hear.

Individuals and organizations wishing their submissions to be transmitted to the Press Gallery must submit an additional thirty-five copies.

It is also possible to submit an opinion to the members of the Committee by electronic mail. However, persons using this approach must not include text files with their message.

Submissions, correspondence and requests for information should be addressed to:

M. Robert Jolicoeur
Secrétaire de la Commission de la culture
Secrétariat des commissions
Hôtel du Parlement
Bureau 3.28
Québec (Québec)
G1A 1A3

Tel.: (418) 643-2722
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Notice published by the Secrétariat des commissions

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Notices

Notice of extension

An Act respecting provisional administration of the Parity Committee for the Flat Glass Industry and the Corporation de formation des vitriers et travailleurs du verre du Québec (1994, c. 9)

Flat Glass Industry — Provisional administration of the Parity Committee

Provisional administration of the Parity Committee for the Flat Glass Industry

Pursuant to section 2 of the Act respecting the provisional administration of the Parity Committee for the Flat Glass Industry and the Corporation de formation des vitriers et travailleurs du verre du Québec (1994, c. 9), the Minister of Labour gives notice as follows:

The suspension of the powers and functions of the members, officers, substitutes and mandataries of the Parity Committee for the Flat Glass Industry, including those of its secretary, in effect since 13 June 1994, under the Act respecting the provisional administration of the Parity Committee for the Flat Glass Industry and the Corporation de formation des vitriers et travailleurs du verre du Québec, is further extended for a period of six months, effective from 13 June 1996, in accordance with section 2 of that Act.

MATTHIAS RIOUX,
Minister of Labour

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

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