

# Gazette officielle du Québec

## Part 2 Laws and Regulations

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### Summary

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## Coming into force of Acts

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Gouvernement du Québec

### **O.C. 1192-99, 20 October 1999**

COMING INTO FORCE of the text of the copy of the updating to 1 April 1998 and 1 March 1999 for Chapters D-17, I-2, I-3, I-4, L-3, M-31, R-20.1, T-0.1 and T-1 of the loose-leaf edition of the Revised Statutes of Québec

WHEREAS the Official Publisher has completed the printing of the updating to 1 April 1998 and 1 March 1999 for Chapters D-17, I-2, I-3, I-4, L-3, M-31, R-20.1, T-0.1 and T-1 of the loose-leaf edition of the Revised Statutes of Québec;

WHEREAS a copy of the updating to 1 April 1998 and 1 March 1999 for Chapters D-17, I-2, I-3, I-4, L-3, M-31, R-20.1, T-0.1 and T-1 of the loose-leaf edition of the Revised Statutes of Québec has been sent to the Lieutenant-Governor and has been deposited in the office of the Secretary General of the National Assembly of Québec, attested to by the signature of the Lieutenant-Governor and of the Minister of Justice, the whole in accordance with the Act respecting the consolidation of the statutes and regulations (R.S.Q., c. R-3);

WHEREAS under section 7 of that Act, the Government shall, after the deposit of the copy, fix the date from which the text of the revised or updated statutes will come into force;

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

THAT the text of the copy of the updating to 1 April 1998 and 1 March 1999 for Chapters D-17, I-2, I-3, I-4, L-3, M-31, R-20.1, T-0.1 and T-1 of the loose-leaf edition of the Revised Statutes of Québec, attested to by the signature of the Lieutenant-Governor and of the Minister of Justice and deposited in the office of the Secretary General of the National Assembly of Québec, come into force on 1 November 1999, and have force of law with the reservation that any provision of an Act comprised in the Revised Statutes of Québec not yet in force on 31 October 1999 pursuant to the provisions of that Act not be brought into force by this Order in Council but come into force only on the date fixed in accordance with the Act containing that provision.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*



## Regulations and other acts

Gouvernement du Québec

### O.C. 1171-99, 13 October 1999

An Act respecting the distribution of financial products and services  
(1998, c. 37)

#### **Chambre de la sécurité financière — Governing compulsory professional development**

Regulation of the Chambre de la sécurité financière governing compulsory professional development

WHEREAS under subparagraph 2 of the first paragraph of section 313 of the Act respecting the distribution of financial products and services (1998, c. 37), each Chamber shall determine, by regulation, the rules governing compulsory professional development in each sector or class of sectors other than financial planning in which its contributors carry on business;

WHEREAS under the second paragraph of that section, a regulation made under the first paragraph shall be submitted to the Government for approval with or without amendment;

WHEREAS in accordance with that section, the Chambre de la sécurité financière adopted the Regulation of the Chambre de la sécurité financière governing compulsory professional development;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of that Regulation was published as a draft in the *Gazette officielle du Québec* of 12 May 1999 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation, with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for the Economy and Finance and Minister of Finance:

THAT the Regulation of the Chambre de la sécurité financière governing compulsory professional development, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

### **Regulation governing compulsory professional development of the Chambre de la sécurité financière**

An Act respecting the distribution of financial products and services  
(1998, c. 37, s. 313, 1st par., subpar. 2)

#### **DIVISION I SCOPE**

**1.** This Regulation applies to all representatives, whether or not they are independent, who hold a certificate issued by the Bureau des services financiers authorizing them to practise in any one of the following sectors including the classes thereof:

- (1) insurance of persons;
- (2) group insurance of persons;
- (3) group savings plan brokerage;
- (4) investment contract brokerage;
- (5) scholarship plan brokerage.

For the purposes of this Regulation, the sectors listed in subsections (3) to (5) are considered a single sector.

#### **DIVISION II OBLIGATIONS**

**2.** Any representative who holds a certificate issued before January 1, 2000, shall, between that date and December 31, 2001, take part in training activities recognized by the Chambre de la sécurité financière in accordance with Division III. These training activities shall consist of 30 professional development units and pertain to the following subjects if the representative holds a certificate authorizing him to practise in only one of the sectors mentioned in section 1: employee benefits, group insurance, accident or health insurance, disability insurance, life insurance, Civil Code, accounting, client counselling, ethics, legal aspects of insurance, economics, finance, management of an insurance or investment firm, investments, pensions, retirement planning, business planning, financial planning, tax planning, estate planning, professional practice, professional liability, actuarial sciences, annuities and underwriting or risk management.

Over the course of this period, this representative shall also take part in training activities recognized by the Chamber and consisting of, in addition to the 30

PDUs required under the first paragraph, 10 additional PDUs in the subjects provided for therein for each of the other sectors mentioned in section 1 in which he is authorized to practise by virtue of his certificate.

The number of PDUs to be accumulated by any representative who is issued a certificate between January 1, 2000, and December 31, 2001, or who is authorized to practise in a new sector over the course of this period shall be prorated based on the number of complete months he has held a certificate during these 24 months, unless he has held the certificate for less than 6 months.

In this Regulation, the term “professional development unit,” or “PDU,” means the quantitative value assigned to a training activity recognized by the Chamber, one PDU representing one hour of the activity.

**3.** As of January 1, 2002, any representative who holds a certificate shall, between that date and December 31, 2003, and every 24 months thereafter, take part in training activities recognized by the Chamber in accordance with Division III. These training activities shall consist of at least 60 PDUs and pertain to the subjects mentioned in the first paragraph of section 2. At least 10 of these PDUs shall pertain to the subjects below that are specific to each of the sectors mentioned in section 1 in which he is authorized to practise by virtue of his certificate:

- (1) insurance of persons
  - (a) life insurance;
  - (b) accident or health insurance;
  - (c) disability insurance;
  - (d) legal aspects of insurance;
  - (e) economics;
  - (f) finance;
  - (g) retirement planning;
  - (h) financial planning;
  - (i) tax planning;
  - (j) estate planning;
  - (k) underwriting or risk management;
  - (l) Civil Code;
  - (m) accounting;
  - (n) client counselling;
  - (o) ethics;
  - (p) management of an insurance or investment firm;
  - (q) investments;
  - (r) pensions;
  - (s) business planning;
  - (t) professional practice;
  - (u) annuities;
  - (v) professional liability;
  - (w) actuarial sciences;

(2) group insurance of persons

- (a) group insurance;
- (b) employee benefits;
- (c) any subject mentioned in paragraphs *c* and *d*, and *k* to *w* of subsection (1);

(3) group savings plan brokerage, investment contract brokerage and scholarship plan brokerage: all subjects mentioned in paragraphs *e* to *j* and *l* to *w* in subsection (1).

The number of PDUs to be accumulated by any representative who is issued a certificate between January 1, 2002, and December 31, 2003, or over the course of any 24-month period thereafter or who is authorized to practise in a new sector over the course of one of these periods shall be prorated based on the number of complete months he has held a certificate during these 24 months, unless he has held the certificate for less than 6 months.

**4.** Notwithstanding sections 2 and 3, any representative who holds a certificate authorizing him to practise only in the accident or health insurance class shall, over the course of each 12-month period that elapses between January 1, 2000, and December 31, 2001, take part in training activities recognized by the Chamber in accordance with Division III. These training activities shall consist of 15 PDUs and pertain to the subjects provided for in the first paragraph of section 2. For each subsequent 12-month period, he shall accumulate 30 PDUs.

The number of PDUs to be accumulated by any representative to whom such a certificate is issued over the course of one of the periods mentioned in the first paragraph shall be prorated based on the number of complete months he has held a certificate during these 12 months, unless he has held the certificate for less than 6 months.

**5.** The Chamber may relieve a representative from the obligations provided for in section 2, 3 or 4 if, due to overwhelming circumstances, he was unable to comply with them.

The fact that a representative was suspended or struck off the roll, that his certificate was cancelled or revoked pursuant to a decision of the disciplinary committee of the Chamber or pursuant to an enforceable decision of the disciplinary committee of the Association des intermédiaires en assurance de personnes du Québec, or that his certificate was revoked, suspended, not renewed or included restrictions and conditions imposed by the Bureau does not constitute overwhelming circumstances.



**6.** The representative referred to in the second paragraph of section 5 can take part in training activities recognized by the Chamber and earn PDUs. However, he may not act in the capacity of trainer, instructor or facilitator in these activities.

**7.** A representative who, over the course of a 24-month period for representatives referred to in sections 2 and 3, and over the course of a 12-month period for representatives referred to in section 4, takes part in training activities recognized by the Chamber and consisting of more PDUs than those provided for in section 2, 3 or 4 cannot carry them forward to a subsequent period.

**8.** Each representative shall keep the proofs of attendance, or the exam or test results attestations which are given to him by the person, organization or institution who offers training activities recognized by the Chamber.

### **DIVISION III** **RECOGNITION OF TRAINING ACTIVITIES**

**9.** The Chamber shall recognize a training activity that pertains to one of the subjects mentioned in section 2, if it develops the following professional skills:

- (1) personal development;
- (2) business development;
- (3) technical development;
- (4) clientele development.

However, it shall not recognize and assign PDUs for any activity offered by a person, organization or educational institution that pertains to specific insurance of persons or group insurance of persons products, or other financial products, including securities, nor for any training activity designed to motivate representatives to sell these products.

**10.** An application for recognition of a training activity may be submitted to the Chamber, before or after the activity is held, by the representative himself or by the person, organization or educational institution who is offering the activity.

**11.** The application for recognition shall include the following:

- (1) a description of the training activity;
- (2) an explanation of how this activity will be conducted;

(3) an explanation of how this activity develops the professional skills mentioned in section 9;

(4) if the application is submitted before the activity is held, the name and address of the person responsible for this activity;

(5) if the application is submitted by the representative after the activity is held, proof that he has attended this activity;

(6) the method of controlling the successful completion of the activity, if applicable;

(7) if the application is submitted after the activity is held by the person, organization or the educational institutional who offered it, the list of participants;

(8) the number of PDUs requested for the training activity.

**12.** The Chamber will recognize or refuse to recognize an activity within 45 days of receipt of the application. If the application is rejected or if the activity is recognized for a lesser number of PDUs than requested, the Chamber will provide an explanation to the applicant.

**13.** The recognition of an activity is valid for two years.

**14.** The person responsible for an activity shall submit any change to its content, duration or method of control to the Chamber.

The Chamber may then continue to recognize or may stop recognizing the activity, or increase or decrease the number of PDUs assigned to it.

**15.** The Chamber may stop recognizing an activity, or increase or decrease the number of PDUs assigned to it if it notices that the activity being offered is different from one that was recognized.

**16.** A representative who acts in the capacity of trainer, instructor or facilitator in an activity is entitled, only once for this activity, to double the number of PDUs assigned to it.

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

Gouvernement du Québec

## O.C. 1175-99, 13 October 1999

An Act respecting the Ministère des Ressources naturelles  
(R.S.Q., c. M-25.2)

Program for the delegation of the management of intramunicipal lands in the public domain to regional county municipalities in the administrative region of Bas-Saint-Laurent

WHEREAS the Government and the Conseil régional de concertation et de développement du Bas-Saint-Laurent, as part of the government policy on regional development, have agreed on a proposed specific agreement on intramunicipal territory in the public domain ;

WHEREAS the parties involved discussed the delegation of powers and responsibilities to the regional county municipalities in the region with respect to intramunicipal lands in the public domain ;

WHEREAS the Government made a proposal to the Conseil régional de concertation et de développement du Bas-Saint-Laurent with a view to signing the specific agreement ;

WHEREAS on 2 June 1999, the Conseil régional approved, by resolution, the content of the specific agreement proposed by the Government which defines the measures, provisions and commitments agreed to by the parties ;

WHEREAS one of the principal measures contemplated in the proposed specific agreement, which should further the socio-economic development of the region's communities, is the delegation of the management of intramunicipal lands in the public domain to the regional county municipalities of the Bas-Saint-Laurent region ;

WHEREAS under section 17.13 of the Act respecting the Ministère des Ressources naturelles (R.S.Q., c. M-25.2), the Minister may, with the approval of the Government, prepare programs for the development of lands in the public domain that are under his authority in order to foster regional development ;

WHEREAS under section 17.14 of that Act, amended by section 126 of Chapter 93 of the Statutes of 1997, the Minister of Natural Resources may, for the purposes of

such programs, entrust the management of lands in the public domain and the movables and immovables located on them to a legal person designated by the Minister, which may then carry out the Minister's powers and responsibilities under the Act respecting the lands in the public domain (R.S.Q., c. T-8.1, amended by Chapter 43 of the Statutes of 1997 and Chapter 24 of the Statutes of 1998), to the extent and according to the terms and conditions set out in the program ;

WHEREAS that section allows the Minister to determine which powers provided for in section 71 of the Act respecting the lands in the public domain may be exercised by the legal person by means of by-laws, to the extent and according to the terms and conditions set out in the program ;

WHEREAS under sections 14.11 to 14.12.2 of the Municipal Code of Québec (R.S.Q., c. C-27.1, amended by sections 68 and 69 of Chapter 93 of the Statutes of 1997 and section 29 of Chapter 31 of the Statutes of 1998), every municipality may participate in the programs prepared by the Minister of Natural Resources and has the necessary powers to meet the commitments and assume the responsibilities under the programs with respect to any designated land in the public domain ;

WHEREAS it is expedient to approve the program which authorizes the Minister of Natural Resources to delegate to the regional county municipalities in the administrative region of Bas-Saint-Laurent the management of intramunicipal lands in the public domain identified in the territorial management agreements to be signed under the program ;

WHEREAS it is expedient to entrust the management of the program to the Minister of Natural Resources ;

WHEREAS the program planning is administered by the Minister in conjunction with the other departments and government bodies concerned ;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources :

THAT the Program for the delegation of the management of intramunicipal lands in the public domain to regional county municipalities in the administrative region of Bas-Saint-Laurent, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

PROGRAM FOR THE DELEGATION OF THE MANAGEMENT OF INTRAMUNICIPAL LANDS IN THE PUBLIC DOMAIN TO REGIONAL COUNTY MUNICIPALITIES IN THE ADMINISTRATIVE REGION OF BAS-SAINT-LAURENT

### 1. OBJECTIVE OF THE PROGRAM

To promote regional development by developing intramunicipal lands in the public domain in the administrative region of Bas-Saint-Laurent and by entrusting their management to the regional county municipalities in that region.

### 2. DEFINITIONS

For the purposes of this Program, unless the context indicates otherwise,

2.1 “territorial management agreement” means a multisectoral act of delegation whereby the Government entrusts management powers and responsibilities to a regional county municipality (RCM), on certain conditions; (*convention de gestion territoriale*)

2.2 “agreement” means the specific agreement between the Government and the Conseil régional de concertation et de développement du Bas-Saint-Laurent (CRCD du Bas-Saint-Laurent) on the management and development of the Bas-Saint-Laurent intramunicipal territory in the public domain; (*entente*)

2.3 “Minister” means the Minister of Natural Resources; (*ministre*)

2.4 “Program” means this program, prepared under Division II.2 of the Act respecting the Ministère des Ressources naturelles (R.S.Q., c. M-25.2, amended by section 126 of Chapter 93 of the Statutes of 1997. (*programme*)

### 3. CONDITIONS OF ELIGIBILITY

To be eligible for the Program, a regional county municipality in the administrative region of Bas-Saint-Laurent shall

3.1 adopt a resolution whereby the municipality states its acceptance of the agreement and of all the terms and conditions, commitments and obligations under the agreement and the Program;

3.2 establish, by by-law, a development fund under sections 688.7 to 688.9 of the Municipal Code of Québec (R.S.Q., c. C-27.1); and

3.3 create, by by-law, a multiresource committee in charge of advising the RCM and representing all interests related to and to the preservation of natural environments and to the development and use of the territory covered by the delegation. Furthermore, the voting powers of the committee should be apportioned fairly to prevent the committee’s decision from being directed by particular interests or groups.

### 4. TERRITORY COVERED

4.1 The intramunicipal lands in the public domain on which the powers and responsibilities delegated under this Program shall be exercised are the lots, parcels of lots and any other part of the public domain including the buildings, improvements and movable property therein, which are located in the administrative region of Bas-Saint-Laurent, within the limits of the municipal territory of the region and are under the Minister’s jurisdiction. The lands are shown on the “Terres publiques intramunicipales déléguées” map for the Bas-Saint-Laurent region dated February 1999.

4.2 In addition to the lands referred to in 4.1, the lands in the public domain exempt from timber supply and forest management agreements, in an unorganized territory, which constitute a small area of lands in the Picard unorganized territory, and those of the former Parke forest educative centre, except for the area used for the arboretum of the Ministère des Ressources naturelles.

4.3 The following are expressly excluded from the territory covered :

(1) the water domain, that is, the beds of lakes and rivers up to the normal high water mark, including the water powers;

(2) lands in the public domain flooded following the construction and maintenance of a dam or any work related to the dam or required for its operation;

(3) any right-of-way of a route or highway under the management of the Minister of Transport of Québec, including in particular its infrastructure and all the works useful for its development or management; and

(4) any other land identified by the Minister.

4.4 Where land under the responsibility of an RCM is required for public use or interest or for any other purpose by order of the Government, or where land was incorrectly identified as included in intramunicipal lands in the public domain, the Minister may, after notification, exclude that land from the Program.

Such exclusion by the Minister could eventually lead to a fair compensation for any improvement made on that land by the RCM, at its own expense, without assistance from development funds or any government financial assistance program since the signing of the territorial management agreement, as well as for any actual damage, without further compensation or indemnity for any loss of expected profits or revenues.

## 5. DELEGATED POWERS AND RESPONSIBILITIES

For the purposes of the Program, the Minister may delegate to an RCM the powers and responsibilities with respect to land planning and management referred to in sections 5.1 and 5.2. That delegation is subject to the terms and conditions provided for in section 7.

The powers and responsibilities so delegated shall be exercised on the whole of the lands identified by the Minister in a list attached to the territorial management agreement.

In addition to those lands, the Minister may, after notification, delegate the management of any other intramunicipal public land under his jurisdiction.

### 5.1 Planning

With respect to planning, the Minister shall delegate to the RCM the responsibility for planning the development and use of the public territory (intramunicipal lands in the public domain and its natural resources) covered by the territorial management agreement signed by the RCM for at least five years. To that end, the RCM shall comply with the deadline fixed by the Minister and take into account the concerns of the population and users of the territory and resources. The RCM shall forward its planning to the Minister for approval before any other consultation. The RCM shall review the planning, make any necessary changes, ensure follow-up and include it in its development plan.

The Minister may intervene to help find a concerted solution that would lead to the adoption of the planning should the RCM be unable to reach a consensus on the carrying out of the planning. If need be, the Minister may impose an arbitration procedure.

#### 5.1.1 The planning must:

(1) define the territory's vocation without changing that of the special interest lands identified by the Government in the public land use plan;

(2) indicate the general rules, terms and conditions for harmonizing and integrating the uses of the territory;

(3) take into account the Government's territory development guidelines and its special concerns communicated during the preparation of the said planning; and

(4) take into account the regional strategic plan of the CRCD du Bas-Saint-Laurent.

### 5.2 Land management

For the purposes of this Program, the Minister shall entrust the management of intramunicipal lands in the public domain to an RCM that exercises the following powers and responsibilities under the Act respecting the lands in the public domain (R.S.Q., c. T-8.1, amended by Chapter 43 of the Statutes of 1997 and Chapter 24 of the Statutes of 1998) and its regulations:

(1) manage the land rights already granted other than leases for the utilization of water powers. To that end, the RCM shall manage and respect the rights granted until they expire, renew them and cancel them if the beneficiary fails to meet his obligations;

(2) grant and manage new land rights other than leases for the utilization of water powers, renew them, ensure the follow-up, amend them with the consent of the parties involved and cancel them if the beneficiary fails to meet his obligations;

(3) manage the buildings, improvements and movable property located on the lands covered by the delegation and, if need be, dispose of them according to the regulatory provisions;

(4) sell land, grant rights under emphyteutic contracts, transfer land gratuitously for public use in accordance with the regulations. However, the RCM shall first obtain the Minister's consent before granting those rights;

(5) grant servitudes and any other right;

(6) grant temporary occupation and visitor's licences;

(7) collect and keep all income, including expenses arising from the management of lands covered by the delegation;

(8) renounce the right of ownership of the Minister of Natural Resources in favour of the occupant of the land in the course of a cadastral renovation in accordance with sections 40.1 et seq. of the Act respecting the lands in the public domain (R.S.Q., c. T-8.1) and according to the criteria established by the Minister for such a renunciation;

(9) rectify any deed of alienation granted by the RCM and waive or amend the restrictive clauses in a deed of alienation granted by the RCM, in accordance with sections 35.1 and 40 of the Act respecting the lands in the public domain, or change the purposes therein;

(10) acquire by mutual agreement (gift, purchase, trade), for the benefit of the public domain, private lands, buildings, improvements and movable property. However, the RCM shall obtain the Minister's consent prior to such a transaction;

(11) publish a declaration stating that the land forms part of the public domain in accordance with sections 19 et seq. of the Act respecting the lands in the public domain;

(12) authorize the construction of roads other than forest and mining roads in accordance with sections 55 et seq. of the Act respecting the lands in the public domain;

(13) control the use and occupation of the territory

— by treating situations of illegal occupation and use, including in particular illegal dumping sites and gates within the meaning of the Act respecting the lands in the public domain, according to strict rules and methods in keeping with the Government's position that no privilege may be granted to anyone who illegally occupies or uses land in the public domain;

— by treating situations of precarious occupation according to the Regulation respecting the regularization of certain kinds of occupation of lands in the public domain, made under the Act respecting the lands in the public domain by Order in Council 233-89 dated 22 February 1989;

(14) institute penal proceedings in its own name for an offence committed on the territory covered by the management delegation, provided for in the Act respecting the lands in the public domain and its regulations, or in the by-laws adopted by the RCM in accordance with section 6;

(15) exercise all the recourses and powers conferred upon the Minister of Natural Resources under sections 60 to 66 of the Act respecting the lands in the public domain; and

(16) cause the limit between the public domain and private property to be determined and the signature of the owner to be affixed to the documents pertaining to cadastral operations, boundary marking or any motion for the judicial recognition of the right over property concerning the lands in the public domain covered by

the management delegation, in accordance with land survey instructions issued by the Minister of Natural Resources, as provided for in section 17 et seq. of the Act respecting the lands in the public domain.

## 6. REGULATORY POWERS

For the purposes of this Program, the Minister shall determine that an RCM may exercise, by means of by-laws adopted under subparagraph 5 of the second paragraph of section 14.12 of the Municipal Code of Québec (R.S.Q., c. C-27.1, amended by section 68 of Chapter 93 of the Statutes of 1999) and according to the conditions set out in section 6.1 of this Program, the powers referred to in subparagraphs 3 and 7 to 11 of the first paragraph and the second paragraph of section 71 of the Act respecting the lands in the public domain.

### 6.1 Conditions applicable to regulatory powers

The by-laws of the RCM, whose coming into force is subject to the rules prescribed by the Municipal Code of Québec, shall be first submitted to the Minister who may approve them, having ascertained that they are in keeping with the Government's principles and objectives and their regional consistency. More specifically, the RCM shall comply with the following principles:

(1) it shall keep the delegated intramunicipal lands in the public domain open to the public, in particular by allowing the free movement of persons;

(2) it shall preserve public access to the public water domain;

(3) it shall impose a tariff based on the market value; and

(4) it shall grant no privilege to a person who illegally occupies or uses land in the public domain, except to regularize a precarious situation eligible for a title under the Regulation respecting the regularization of certain kinds of occupation of lands in the public domain, made under the Act respecting the lands in the public domain by Order in Council 233-89 dated 22 February 1989.

By-laws respecting administration expenses shall pertain only to the cases already provided for in the regulations made under the Act respecting the lands in the public domain.

## 7. GENERAL TERMS AND CONDITIONS

7.1 An RCM entrusted with the management of intramunicipal lands in the public domain by the Minister under this Program, shall, in respect of all the follow-

ing items, comply with the corresponding terms and conditions:

Access to the public domain: the RCM shall maintain public access to the public domain and the public water domain;

Alienation of land: the Minister's agreement to a land alienation may be transmitted either in the course of the development and use planning referred to in section 5.1, or by a specific notice for projects not referred to in that planning;

Land surveying: any land surveying on lands in the public domain or affecting their limits, including boundary marking, and in particular the one required for an alienation, shall be carried out in accordance with sections 17 et seq. of the Act respecting the lands in the public domain and with the instructions of the of the Minister of Natural Resources.

Native peoples: the land rights granted by the RCM shall comply with government policy concerning Native peoples;

Multiresource committee: the RCM shall see that the representation referred to in section 3.3 is preserved. It shall request the committee's written advice on the following matters, that is, the development and use planning for the territory for which the RCM is responsible, the compliance of the development plans with the said planning and the use of the development fund;

Costs and expenses related to land management: all the costs and expenses related to the land management shall be charged, as the case may be, to the RCM, the acquirer, the applicant or the beneficiary of the right. Those costs and expenses include land surveying on land in the public domain, cadastral registration, boundary marking and the publication of rights for any transaction carried out by the RCM;

Land rights granted by the State: the RCM shall respect the rights granted by the State in accordance with the titles issued until they expire, renew them unless the beneficiary of the right is at fault and make sure, in exercising the powers and responsibilities delegated under the program, not to restrict in any way the exercise of a right granted or to be granted by the State;

Land rights related to vacation: land rights related to vacation shall respect the vacation development objectives set out in the Guide de développement de la villégiature sur les terres du domaine public prepared in April 1994 and in the Plan régional de développement de villégiature de la région du Bas-Saint-Laurent pre-

pared in May 1995 or any other document replacing them;

State and area of intramunicipal lands in the public domain: in exercising delegated powers and responsibilities, the RCM shall accept the lands as they are delimited, designated or surveyed at the time the territorial management agreement is signed, without any guarantee by the Minister as to their state or area; and

Rules and procedures: the operating rules and administrative procedures adopted by the RCM shall provide fair granting of rights and alienation of land on the territory covered for all those concerned and recognize the special principles and objectives defined in the territorial management agreement.

7.2 The RCM shall file the following reports:

(1) an annual report at 31 March to the Minister on its activities and the use of the income from start-up assistance, duties or similar income from the management of the applicable territory and income from the development carried out in that territory;

(2) every five years, an activity report to the Minister and the CRCD du Bas-Saint-Laurent on the results obtained versus the objectives set forth in the agreement and the objectives defined in the territorial management agreement, and on the assessment of the RCM's management of the powers and responsibilities delegated to it. In addition, the RCM shall make public the highlights of the report.

The Minister and the RCM shall agree within 12 months of the signing of the territorial management agreement on the objectives to be attained and on assessment criteria; and

(3) a report on the management of the fund including detailed statements of account and a detailed report on the expenditure of the amounts paid into the fund, according to a departmental grid.

7.3 The intramunicipal lands in the public domain covered by the delegation shall be administered and managed by the RCM without financial compensation from the Government.

7.4 The RCM shall collect and keep the income from the management of the intramunicipal lands in the public domain covered by the delegation, including administration expenses, from the date the territorial management agreement is signed. However, any amount collected by the Gouvernement du Québec or owed to it on the date of the signing remains its property without adjustment.

7.5 The Minister shall register in the Terrier or in any other register designated by him all alienations and rights granted by the RCM on the lands in question and shall issue attestations in writing of the information entered therein; the RCM shall collect all exigible expenses, including interest income, and shall remit them entirely to the Minister, according to the terms and conditions defined in the territorial management agreement. When the Minister will have implemented a formal procedure to make it possible for the RCM to directly enter rights in the official land register, he will contact the RCM to adapt the relevant terms and conditions in the territorial management agreement.

7.6 An RCM that exercises the powers and responsibilities provided for in this Program acts in its own name and any action it takes is in no way binding on the Government.

Subject to the special provisions of section 6, the RCM shall comply with the Act respecting the lands in the public domain and its regulations, as amended.

## 8. FINAL PROVISIONS

8.1 The territorial management agreement respecting land planning and management has a renewable five-year term.

When the land management delegation expires, the Minister shall again be fully responsible for the management of the intramunicipal lands in the public domain that he had delegated.

The Minister may also terminate the delegation if the RCM fails to comply with the terms and conditions applicable to the delegation.

8.2 Where the Minister is again responsible for the management of intramunicipal lands in the public domain he had delegated, the RCM shall send the Minister all the information required, including, in particular, the up-to-date books and records kept by the RCM for managing the lands. The RCM shall also give the Minister all the records that the Minister entrusted to it.

8.3 Any contestation by the holder of a right that was granted by the RCM and that results from differences in the management methods applied by the RCM and the Minister shall be submitted to the Minister.

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Gouvernement du Québec

## O.C. 1176-99, 13 October 1999

Forest Act  
(R.S.Q., c. F-4.1)

Agreement respecting the transfer to the regional county municipalities of the Bas-Saint-Laurent region, on an experimental basis, of responsibilities in the field of public forest management

WHEREAS the Gouvernement du Québec and the Conseil régional de concertation et de développement du Bas-Saint-Laurent have both consented to sign a specific agreement on the management and the development of the intramunicipal public territory of the Bas-Saint-Laurent in order to promote that territory's contribution to the revitalization, consolidation and economic development of the region and the local communities;

WHEREAS the delegation of powers and responsibilities for the management and development is one of the principal measures defined in the specific agreement and the delegation is based on the compliance with government principles and guidelines concerning land use, development and management of public territory and also on achieving objectives by giving the regional county municipalities (RCMs) and the parties involved at the regional and local levels the necessary freedom of choice with respect to the means of implementation;

WHEREAS under the Forest Act (R.S.Q., c. F-4.1), the Minister of Natural Resources holds the powers and responsibilities in the field of forest management;

WHEREAS under section 10.5 of the Municipal Code of Québec (R.S.Q., c. 27.1), an RCM may enter into an agreement with the Government under which certain responsibilities that are assigned by an Act or regulation to the Government, to a Minister or to a government body are transferred to the municipality on an experimental basis;

WHEREAS under section 10.6 of the Municipal Code of Québec, such agreement must set out the conditions governing the exercise of the assigned responsibility, the duration and, where applicable, the possibility of renewal, and the rules relating to the financing required for its implementation;

WHEREAS under section 10.8 of the Municipal Code of Québec, such agreement shall prevail over any inconsistent provision of any general law or special Act or any regulation thereunder;

WHEREAS the transfer to the RCMs of responsibility for the management of forests in the public domain contributes to the carrying out of the current experiments in inhabited forests in the RCMs of La Matapédia and Matane;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Natural Resources and the Minister of State for Municipal Affairs and Greater Montréal:

THAT the Minister of Natural Resources be authorized to sign for and on behalf of the Government an agreement with each RCM of the Bas-Saint-Laurent region under which each will be entrusted with the responsibility for the management of the public forests that currently constitute public forest reserves and are within the limits of the local municipalities, on an experimental basis. Those responsibilities are identified in the Schedule to this Order in Council;

THAT the agreement have a five-year term, subject to renewal;

THAT the agreement include the following regional county municipalities: Kamouraska, La Matapédia, La Mitis, Les Basques, Matane, Rimouski-Neigette, Rivière-du-Loup and Témiscouata;

THAT the agreement be entered into on the following conditions:

(a) each RCM shall consent, before the signing of any delegation agreement, by resolution, to all the terms, obligations and conditions of the specific agreement;

(b) in exercising the responsibilities transferred to them, the RCMs shall comply with the provisions of the Forest Act (R.S.Q., c. F-4.1) and the regulations made thereunder particularly as regards the sustainable development of forests, preservation of forest production and of the forest environment;

(c) the RCMs shall not adopt restrictions favouring the use of the resource on a local level, to the detriment of more promising projects with respect to job creation and future development;

(d) the RCMs shall complete the multiresource inventories;

(e) the RCMs shall prepare, for the approval of the Minister of Natural Resources, a forest management plan including, in particular, an estimate of the forest production and a five-year plan for the forest management activities;

(f) the RCMs shall consult the Société de la faune et des parcs du Québec on the forest management plans prepared by the holders of forest management contracts in accordance with the terms and conditions agreed to by the parties;

(g) the RCMs shall be members of the organizations for the protection of forests recognized by the Minister of Natural Resources and shall pay their portion of the costs. The RCM's contribution to the organizations shall apply to the territory where the RCMs will not have forest management contracts for 800 hectares or more. Where such contracts will be entered into, the RCMs must require that the parties to such contracts be members of the organizations and pay a portion of costs;

(h) RCMs shall submit a report to the Minister of Natural Resources of the activities carried out and of the use made of the revenues from forest management on 31 March of each year and every five years, a report of activities assessing the results of the experimental forest management;

(i) the Minister of Natural Resources shall continue to assume the powers and responsibilities not expressly transferred to the RCMs;

(j) if need be, the Minister of Natural Resources may specify the scope of the transferred powers in the field of forest management.

THAT the agreements to be entered into with the RCMs comply with the provisions of the specific agreement on the management and development of the intramunicipal public territory of the Bas-Saint-Laurent.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

## SCHEDULE

Responsibilities defined in the Forest Act (R.S.Q., c. F-4.1) and referred to in the proposed agreement with the regional county municipalities of the Bas-Saint-Laurent region on the experimental delegation of forest management:

— the granting of forest management permits of the following classes:

— for the harvest of firewood for domestic or commercial purposes;

— for the cultivation and operation of a sugar bush for acericultural purposes;



- for public utility works;
- for mining activities;
- for a wildlife and recreational development project;
- the management of public forest reserves and the sale of timber. Notwithstanding the provisions of the Act, the marketing of timber may be assumed by each RCM on its own terms;
- the conclusion of forest management contracts;
- the granting of permits for the construction or improvement of forest roads and authorizations regarding the width of the right-of-way and the destination of timber harvested during the construction or improvement of roads other than forest roads;
- control of the access to forest roads for reasons of public interest, particularly in cases of fire, during the thaw period or for safety reasons;
- the application of forest management standards, in accordance with the Regulation respecting standards of forest management for forests in the public domain made by Order in Council 498-96 dated 24 April 1996, or prescribing standards according to sections 25.2 and 25.3 of the Forest Act;
- the collection of duties payable by holders of authorizations, permits or rights granted by the RCMs in accordance with the applicable regulations. The duties, minus the administration expenses incurred in the exercise of the delegated powers, shall be paid by the RCM into a development fund set up by the RCM in accordance with the provisions of the laws governing municipalities; the sums paid into the fund shall be used primarily to support development activities for the intramunicipal public territory;
- the supervision and control of forest management activities, in accordance with the Forest Act and the regulations thereunder. The RCM shall advise the Minister of Natural Resources of any offence against the Forest Act or the regulations in force and shall send the relevant record, including technical evidence needed to describe the offence;
- the determining of the forest management activities and silvicultural treatments authorized as payment of dues under section 73.1 of the Forest Act, as amended by section 6 of Chapter 33 of the Statutes of 1997; the determining of their value in accordance with the rules of calculation established by the Government by regula-

tion (s. 73.3 of the Forest Act). Any resolution adopted for those purposes by the RCM shall be approved by the Minister of Natural Resources before its coming into force.

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Gouvernement du Québec

### **O.C. 1178-99, 13 October 1999**

An Act to foster the development of manpower training (R.S.Q., c. D-7.1)

#### **Exemptions to the application of Division II of Chapter II of the Act**

Regulation respecting exemptions to the application of Division II of Chapter II of the Act to foster the development of manpower training

WHEREAS under subparagraph 3 of the first paragraph of section 20 of the Act to foster the development of manpower training (R.S.Q., c. D-7.1), amended by section 3 of Chapter 20 of the Statutes of 1997 and by section 77 of Chapter 63 of the Statutes of 1997, the Commission des partenaires du marché du travail may make regulations to exempt classes of employers or enterprises from the application of Chapter II of the Act or any part thereof on such conditions as may be prescribed therein;

WHEREAS under section 22 of that Act, amended by section 6 of Chapter 20 of the Statutes of 1997 and by section 79 of Chapter 63 of the Statutes of 1997, such regulations require the approval of the Government;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 22 October 1997 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS the 45-day period is expired;

WHEREAS the Commission des partenaires du marché du travail has examined the comments received;

WHEREAS the Commission des partenaires du marché du travail adopted the Regulation respecting exemptions to the application of Division II of Chapter II of the Act to foster the development of manpower training, with amendments, at its meeting of 24 February 1999;

WHEREAS it is expedient to approve the Regulation ;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Labour and Employment and Minister responsible for Employment :

THAT the Regulation respecting exemptions to the application of Division II of Chapter II of the Act to foster the development of manpower training, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

### **Regulation respecting exemptions to the application of Division II of Chapter II of the Act to foster the development of manpower training**

An Act to foster the development of manpower training (R.S.Q., c. D-7.1, s. 20, 1st par., subpar. 3 ; 1997, c. 20, s. 3 ; 1997, c. 63, s. 77)

**1.** Any employer may be exempted from the application of Division II of Chapter II of the Act to foster the development of manpower training (R.S.Q., c. D-7.1) for three consecutive calendar years. To that end, he must submit an application to Emploi-Québec during the first calendar year covered by the application, using the form supplied by Emploi-Québec.

**2.** The Minister responsible for the administration of that Act shall grant an exemption if the following conditions are met :

(1) the employer's expenditures within the meaning of the Regulation respecting eligible training expenditures, made by Order in Council 1586-95 dated 6 December 1995, for the training of personnel, including apprentices, trainees and teachers undergoing refresher training in the workplace, represent an average of at least 2 % of its total payroll over the three calendar years preceding the employer's application, excluding the amounts carried forward in accordance with section 11 of the Act ;

(2) the employer has a training service accredited by the Minister under the Regulation respecting the accreditation of training bodies, training instructors and training services, approved by Order in Council 764-97 dated 11 June 1997 and, where the training is carried out within the institution or firm, training is provided by professional training instructors, or by qualified personnel of such employer or of a supplier of material, equip-

ment or software ; for the purposes of this subparagraph, an employer whose total payroll is \$500 000 or less may have only one professional training instructor ; and

(3) for the three years covered by the application, the employer has developed a comprehensive training plan covering the needs of all categories of personnel, and an agreement on such plan has been reached with personnel representatives ; any agreement reached with an association or union accredited under a statute to represent employees or a group of employees shall be signed by a representative of the association or union.

For the purposes of this Regulation, a professional training instructor is a natural person employed by the employer who, although not accredited as such under the Regulation respecting the accreditation of training bodies, training instructors and training services, meets accreditation requirements.

**3.** The employer shall also undertake, under a memorandum of agreement with the Minister,

(1) to continue to participate in the development of training for his personnel during the period covered by the exemption, in accordance with section 2 ;

(2) to ensure the competence of his professional training instructors, in particular through training or upgrading activities ;

(3) to provide on the form supplied by Emploi-Québec the information required under section 3 of the Regulation respecting eligible training expenditures ;

(4) to allow a representative of the Minister to meet with his representative or professional training instructors if the Minister considers it necessary.

**4.** The Minister may cancel an exemption if the conditions stipulated in this Regulation or the undertakings stated in the memorandum of agreement provided for in section 3 are not complied with. Such cancellation takes effect on 31 December of the current year.

**5.** The exemption may be renewed for three calendar years provided that the employer complies with all the conditions stipulated in this Regulation and renews the undertakings stated in the memorandum of agreement.

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

Gouvernement du Québec

**O.C. 1179-99**, 13 October 1999

Gas Distribution Act  
(R.S.Q., c. D-10)

**Gas and public safety**  
— Amendments

Regulation to amend the Regulation respecting gas and public safety

WHEREAS under section 2 of the Gas Distribution Act (R.S.Q., c. D-10), the Régie du bâtiment du Québec may make regulations respecting public safety and the prevention of accidents resulting from the conveyance, possession, distribution and use of gas in Québec;

WHEREAS the Régie du bâtiment du Québec adopted the Regulation to amend the Regulation respecting gas and public safety at its meeting on 16 February 1999;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting gas and public safety was published in Part 2 of the *Gazette officielle du Québec* of 28 April 1999 with a notice that it could be approved by the Government, with or without amendments, upon the expiry of 45 days following the publication;

WHEREAS the comments received were studied;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon recommendation of the Minister of State for Labour and Employment and Minister of Labour:

THAT the Regulation to amend the Regulation respecting gas and public safety, attached hereto, be approved.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting gas and public safety<sup>(\*)</sup>**

Gas Distribution Act  
(R.S.Q., c. D-10, s. 2)

**1.** The following is substituted for section 4 of the Regulation respecting gas and public safety:

“**4.** A gas installer who undertakes installation work, that is, replacement of, add-ons or changes to an existing gas installation, or makes a new installation, shall declare to the Board any work carried out in the following buildings:

(1) educational institutions, hospitals, long-term care centres, places of worship or meeting places, or any other public building;

(2) any other building where gas is supplied at a pressure in excess of 3.5 kPa; or

(3) any other building where the input rating of the burner unit of a gas appliance exceeds 120 kilowatts or where the total input rating of the installed capacity exceeds 300 kilowatts.

The declaration of work shall be forwarded to the Board no later than the twentieth day of the month following the date of the beginning of the work. There shall be as many declarations as there are separate installations. The gas installation of each consumer constitutes a separate installation.”

**2.** The following is inserted after section 4:

“**4.1.** The declaration of work shall be completed and signed by the installer or a person authorized by power of attorney and shall include the following information:

(1) the name, address and telephone number of the place where the gas will be installed;

(2) the name, address and telephone number of the gas installer;

(3) the file number which the Board assigned to the installer as holder of a licence issued under the Building Act (R.S.Q., c. B-1.1);

(\*) The Regulation respecting gas and public safety (R.R.Q., 1981, c. D-10, r.4) was last amended by the Regulation approved by Order in Council 1498-98 dated 27 November 1998 (1998, *G.O.* 2, 4590). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

(4) the use of the building ;

(5) the type of work to be carried out, such as new installation work or replacement of, changes or add-ons to an existing gas installation ;

(6) the number, capacity and type of appliances installed ;

(7) the name of the organization that approved each appliance ;

(8) the name, address and telephone number of the gas distributor ;

(9) the type of gas ;

(10) the pressure of gas supply to the building ;

(11) the date of the beginning of the work ; and

(12) the date the declaration of work was signed.

It may be made on the form provided by the Board for that purpose.”.

**3.** The following is substituted for section 27:

“**27.** A gas installer who undertakes installation work, that is, replacement of, add-ons, or changes to an existing gas installation or makes a new installation, shall declare to the Board any work carried out in the following buildings :

(1) educational institutions, hospitals, long-term care centres, places of worship or meeting places, or any public building ;

(2) any other building where gas is supplied at a pressure in excess of 3.5 kPa ; or

(3) any other building where the input rating of the burner unit of a gas appliance exceeds 120 kilowatts or where the total input rating of the installed capacity exceeds 300 kilowatts.

The declaration of work shall be forwarded to the Board no later than the twentieth day of the month following the date of the beginning of the work. There

shall be as many declarations as there are separate installations. The gas installation of each consumer constitutes a separate installation.”.

**4.** The following is inserted after section 27.

“**27.1.** The declaration of work shall be completed and signed by the installer or a person authorized by power of attorney and shall include the following information :

(1) the name, address and telephone number of the place where the gas will be installed ;

(2) the name, address and telephone number of the gas installer ;

(3) the use of the building ;

(4) the type of work to be carried out, such as new installation work or replacement of, changes or add-ons to an existing gas installation ;

(5) the number, capacity and type of appliances installed ;

(6) the name of the organization that approved each appliance ;

(7) the name, address and telephone number of the gas distributor ;

(8) the type of gas ;

(9) the pressure of gas supply to the building ;

(10) the date of the beginning of the work ; and

(11) the date the declaration of work was signed.

It may be made on the form provided by the Board for that purpose.”.

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

Gouvernement du Québec

**O.C. 1180-99, 13 October 1999**

Gas Distribution Act  
(R.S.Q., c. D-10)

**Régie du bâtiment du Québec  
— Repayment of expenses incurred by the Régie  
in the carrying out of the Act  
— Amendments**

Regulation to amend the Regulation respecting the repayment of expenses incurred by the Régie du bâtiment du Québec in the carrying out of the Gas Distribution Act

WHEREAS under paragraph *b* of section 12 of the Gas Distribution Act (R.S.Q., c. D-10), the Government may make provisions for the repayment, by the owners or operators of carryance or distribution undertaking, or by both, of the expenses incurred by the Régie du bâtiment du Québec in the carrying out of the Act;

WHEREAS the Regulation respecting the repayment of expenses by the Régie du bâtiment du Québec in the carrying out of the Gas Distribution Act was made by Order in Council 2073-84 dated 19 September 1984;

WHEREAS under that Regulation, duties are charged for the application for prior authorization that gas installers must make to the Board for a gas installation; that authorization is required under sections 4 and 27 of the Regulation respecting gas and public safety (R.R.Q., 1981, c. D-10, r. 4);

WHEREAS it is expedient to amend the Regulation respecting the repayment of expenses incurred by the Régie du bâtiment du Québec in the carrying out of the Gas Distribution Act;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting the repayment of expenses incurred by the Régie du bâtiment du Québec in the carrying out of the Gas Distribution Act was published in Part 2 of the *Gazette officielle du Québec* of 28 April 1999 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS the comments received were studied;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour and Employment and Minister of Labour:

THAT the Regulation to amend the Regulation respecting the repayment of expenses incurred by the Régie du bâtiment du Québec in the carrying out of the Gas Distribution Act, attached hereto, be made.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation  
respecting the repayment of expenses  
incurred by the Régie du bâtiment du  
Québec in the carrying out of the Gas  
Distribution Act(\*)**

Gas Distribution Act  
(R.S.Q., c. D-10, s. 12, par. *b*)

**1.** The Regulation respecting the repayment of expenses incurred by the Régie du bâtiment du Québec in the carrying out of the Gas Distribution Act is amended by substituting, in the title of the French text, the word “application” for the word “exécution”.

**2.** The following is substituted for section 4:

“4. A duty of \$33, plus \$8.10 for each appliance covered, shall be collected for each declaration of installation work sent to the Board for a gas installation, as required under sections 4 and 27 of the Regulation respecting gas and public safety.

The duty shall be paid upon submitting the declaration and is not refundable.”.

**3.** This Regulation comes into force on the date of the coming into force of the Regulation to amend the Regulation respecting gas and public safety, approved by Order in Council 1179-99 dated 13 October 1999.

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\* The Regulation respecting the repayment of expenses incurred by the Régie du bâtiment du Québec in the carrying out of the Gas Distribution Act, made by Order in Council 2073-84 dated 19 September 1984 (1984, *G.O.* 2, 3496), was last amended by the Regulation made by Order in Council 943-95 dated 5 July 1995 (1995, *G.O.* 2, 2076). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

**M.O., 1999****Order of the Minister of Social Solidarity and of the Minister of State for Labour and Employment, Minister of Labour and Minister responsible for Employment dated 24 September 1999**

An Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, c. 63)

Recovery of amounts paid in respect of an employment-assistance measure, program or service

THE MINISTER OF SOCIAL SOLIDARITY AND THE MINISTER OF STATE FOR LABOUR AND EMPLOYMENT, MINISTER OF LABOUR AND MINISTER RESPONSIBLE FOR EMPLOYMENT,

CONSIDERING section 14.1 of the Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, c. 63) enacted by section 202 of the Act respecting income support, employment assistance and social solidarity (1998, c. 36), which provides that any amount paid in respect of an employment-assistance measure, program or service designated by ministerial order is deemed to be an amount paid under Title I of the Act respecting income support, employment assistance and social solidarity and is recoverable pursuant to the provisions of Chapter II of Title III of that Act;

CONSIDERING section 222 of the Act respecting income support, employment assistance and social solidarity, which provides that section 202 applies to any amount owed to the Minister, even if the claim was established before 1 October 1999, except if the case is pending on that date and that the new 5-year prescription period shall apply having regard to the time already elapsed;

ORDER THAT:

The amounts paid to an individual in respect of the following employment-assistance measures, programs or services, from the date on which this order is published, shall be recoverable pursuant to the provisions of Chapter II of Title III of the Act respecting income support, employment assistance and social solidarity:

- Training purchases;
- Social integration;
- Manpower training measures;

- Employment-based training projects;
- Job preparation projects;
- Local skills development projects;
- Employment-assistance services;
- Self-employment support;
- Individual training support;
- Subsidy and loan program for workers (SPRINT);
- Return-to-work supplement.

Montréal, 24 September 1999

ANDRÉ BOISCLAIR,  
*Minister of Social  
Solidarity*

DIANE LEMIEUX,  
*Minister of State for  
Labour and Employment,  
Minister of Labour and  
Minister responsible  
for Employment*

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## Draft Regulations

### Draft Regulation

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

#### Register, monthly report, notices from employers and designation of a representative — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation to amend the Regulation respecting the register, monthly report, notices from employers and the designation of a representative”, the text of which appears below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

This Draft Regulation will allow employers of the construction industry, for whom less than 11 employees usually work, to transmit by telephone their mandatory monthly report to the Commission de la construction du Québec. It also brings concordance amendments.

Further information may be obtained from M<sup>e</sup> Jean Ménard, Director, Direction des services juridiques, Commission de la construction du Québec, 3530, Jean-Talon Ouest, Montréal (Québec) H3R 2G3; tel.: (514) 341-3124, ext. 6425; fax: (514) 341-4287; e-mail: jean.menard@ccq.org

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to Mr. André Ménard, Chairman and Chief executive officer of the Commission de la construction du Québec, 3530, Jean-Talon Ouest, Montréal (Québec) H3R 2G3.

ANDRÉ MÉNARD,  
*Chairman and Chief executive officer  
of the Commission de la construction du Québec*

### Regulation to amend the Regulation respecting the register, monthly report, notices from employers and the designation of a representative<sup>(\*)</sup>

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 82, 1st par., subpar. b; 1998, c. 46, s. 115)

**1.** The Regulation respecting the register, monthly report, notices from employers and the designation of a representative is amended by substituting the following for section 11:

“**11.** Every employer must send to the Commission a monthly report giving the necessary information allowing to identify each of his employees and indicating, for each of them and for each week, his competency including, as the case may be, the apprenticeship period, the regular and extra hours done each week and the nature of such work, the designation of the sector in which the work was performed, the wage paid including, as the case may be, the presentation hours, the paid holidays, the levy and the applicable contributions, assessments and dues. The independent contractor must indicate that information concerning the hours he worked himself.

This report may be sent:

(1) on paper, either by completing the form provided by the Commission or by means of a printout of data processed by software, provided that, in the latter case, the information is clear and intelligible, and is presented in the same order as on that form;

(2) by computer medium, either by sending magnetic tapes or diskettes or by sending data by modem, provided that the report contains all the information prescribed in the form provided by the Commission and that the equipment and software used are compatible with those used by the Commission;

(3) by telephone, under the conditions and in the manner set forth in section 11.1.

<sup>(\*)</sup> The Regulation respecting the register, monthly report, notices from employers and the designation of a representative, approved by Order in Council 1528-96 dated 4 December 1996 (1996, G.O. 2, 5328), has not been amended since.

**11.1.** An employer who meets the requirements provided for in Division I and for whom less than 11 employees usually work during a monthly period of work may transmit his report by telephone.

The employer shall first register to that effect with the Commission, which shall provide him with a security code which, with the identification number provided for in section 1, makes it possible to identify the employer when he transmits the report. The Commission may change the code upon request.

The report may be transmitted by calling the Commission at the number and during the periods provided for this purpose.

After the report is transmitted, the Commission shall send the employer a notice of assessment indicating the amounts referred to in section 13 that he must pay, according to the information provided.”.

**2.** Section 13 is amended:

(1) by substituting the following for the part preceding paragraph 1:

“**13.** The employer must, at the latest on the date provided for in the first paragraph of section 12, pay amounts equal to the following:”;

(2) by adding the following after paragraph 8:

“(9) fees provided for in section 126.0.2 of the Act.”.

**3.** Schedule I is repealed.

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

3165

## Draft Regulation

An Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01)

### Threatened or vulnerable species

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 respecting threatened or vulnerable species, 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 designate as threatened species the beluga, St. Lawrence population, the wolverine, the horned grebe, the loggerhead shrike, the piping plover and the Eastern spiny softshell and, as a vulnerable species, the Western chorus frog, the whole in accordance with the list of threatened or vulnerable vertebrates which are likely to be so designated, published in 1993 in the *Gazette officielle du Québec*.

Designating those seven wildlife species as threatened or vulnerable species has no impact on businesses, particularly small and medium-sized businesses.

Further information may be obtained by contacting:

Mr. Paul Potvin

Direction générale du Patrimoine faunique et naturel  
Service de la réglementation  
675, boulevard René-Lévesque Est, 10<sup>e</sup> étage, boîte 91  
Québec (Québec) G1R 5V7

Telephone: (418) 521-3880, extension 4146

Fax: (418) 528-0834

E-mail: paul.potvin@mef.gouv.qc.ca

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 responsible for Wildlife and Parks, 700, boulevard René-Lévesque Est, 29<sup>e</sup> étage, Québec (Québec) G1R 5H1.

GUY CHEVRETTE,  
*Minister responsible for  
Wildlife and Parks*

## Regulation respecting threatened or vulnerable species

An Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01, s. 10)

### DIVISION I THREATENED WILDLIFE SPECIES

**1.** The following are designated as threatened species:

(1) the beluga, St. Lawrence population (*Delphinapterus leucas*);

(2) the wolverine (*Gulo gulo*);

(3) the copper redhorse (*Moxostoma hubbsi*)

(4) the horned grebe (*Podiceps auritus*);



- (5) the loggerhead shrike (*Lanius ludovicianus*);
- (6) the piping plover (*Charadrius melodus*);
- (7) the Eastern spiny softshell (*Apalone spinifera*).

## DIVISION II VULNERABLE WILDLIFE SPECIES

- 2.** The Western chorus frog (*Pseudacris triseriata*) is designated as a vulnerable species.

## DIVISION III FINAL

- 3.** This Regulation replaces the Copper Redhorse Regulation, made by Order in Council 257-99 dated 24 March 1999.

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

3166

## Draft Regulation

Travel Agents Act  
(R.S.Q., c. A-10)

### Travel agents — 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 travel agents, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The main purpose of the draft is to harmonize the Regulation with the amendments to the Travel Agents Act made by the Act respecting the implementation of the Agreement on Internal Trade (1997, c. 9) and with those made by the Act respecting the implementation of the Act respecting administrative justice (1997, c. 43). The draft Regulation also proposes concordance amendments of technical nature, such as the replacement of the Licence Application form prescribed in Schedule A.

The amendments will have no impact on the present legislative and regulatory burden imposed on the travel industry.

Further information may be obtained by contacting Mr. Gérard Denis, Office de la protection du consommateur, 5199, rue Sherbrooke Est, bureau 3721, Montréal (Québec), H1T 3X2; tel.: (514) 873-8601, fax: (514) 864-2400.

Any person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Relations with the Citizens and Immigration, 360, rue McGill, 4<sup>e</sup> étage, Montréal (Québec), H2Y 2E9.

ROBERT PERREAULT,  
*Minister of Relations with the  
Citizens and Immigration*

## Regulation to amend the Regulation respecting travel agents\*

Travel Agents Act  
(R.S.Q., c. A-10, s. 36, 1st par., subpars. *b*, *c*, *e*  
and *i*; 1997, c. 9 and c. 43)

**1.** Section 5 of the Regulation respecting travel agents is amended in the French version by substituting the words “délivré” and “délivrés” for the word “émis” wherever it appears.

**2.** Section 6 is amended

(1) by deleting subparagraphs *ii* and *iii* of paragraph *a*;

(2) by substituting the following for subparagraph *iv* of paragraph *a*:

“iv. furnish his name and date of birth, the address of his domicile or main residence, telephone number and, where applicable, fax number, and undertake to inform the president without delay of any change in those particulars;

v. in the case of a person acting on behalf of an association, partnership or legal person, furnish the name and address of the managers, directors, partners and silent partners of the undertaking and specify their status and interest in the undertaking;”;

\* The Regulation respecting travel agents (R.R.Q., 1981, c. A-10, r.1) was last amended by the Regulation made by Order in council 601-94 dated 27 April 1994 (1994, *G.O.* 2, 1587). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

(3) by substituting the following for subparagraph *i* of paragraph *b*:

“i. not have been found guilty of fraud, forgery or fraudulent operations in any contractual or commercial matter;”;

(4) by substituting the words “legal person” for the word “corporation” in paragraphs *b* and *c*;

(5) by substituting the following for paragraph *d*:

“(d) i. in the case of a retail travel agent, establish and maintain a principal establishment open to the general public without distinction;

ii. in the case of a wholesale travel agent, establish and maintain a principal establishment open to retail travel agents;”;

(6) by substituting, in the French version of paragraph *e*, the words “titulaire d’un permis délivré” for the words “détenteur d’un permis émis”; and

(7) by substituting the following for paragraph *g*:

“(g) i. where a travel agent is required to register, furnish the registration number assigned under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45), a copy of the declaration of registration and a copy of any updating declaration provided for in that Act;

ii. in the case of a legal person, furnish a true copy of the constituting act and, where applicable, of any document amending the constituting act;”.

**3.** The designation “Form LAV-1” is substituted for “Form 1-76” in the part preceding paragraph *a* of sections 7 and 8.

**4.** Section 10 is amended

(1) by substituting the word “titulaire” for the word “détenteur” in the French version of the first paragraph; and

(2) by substituting the expression “Form LAV-1” for “Form 1-76” in the second paragraph.

**5.** The following is substituted for section 11:

“**11.** The holder of a travel agent’s licence must frame his licence and post it in a conspicuous place in his principal establishment so that it is readily readable by the clients.

Where applicable, he must also do it in each establishment with the licence duplicate issued for that establishment.”.

**6.** The word “titulaire” is substituted for the word “détenteur” wherever it appears in the French version of section 14.

**7.** The words “acquiescence in the judgment” are substituted for the words “confession of judgment” in subparagraph *a* of section 28.

**8.** The following is substituted for subsection 2 of section 29:

“(2) Travel agents operating more than one establishment: where a travel agent operates more than one establishment, once the principal establishment and one or more other establishments have completed two years of activity, the security to be provided may be calculated by adding the turnover of the principal establishment and of each of the other establishments having completed two years of activity, provided they all carry on similar activities, either as a retailer or wholesaler, and that such activities be carried on under the same legal entity. In such case, the security must indicate the complete designation of the undertaking and of each establishment to be covered by such security. During the first two years of activity of an establishment other than the principal, the security to be provided must be calculated as if that establishment was a legal entity distinct from the principal establishment.”.

**9.** The word “titulaire” is substituted for the word “détenteur” in the French version of section 35.

**10.** The word “délivrer” is substituted for the word “émettre” in the French version of section 37.

**11.** The following is substituted for subsection 4 of section 38:

“(4) Where a travel agent operates more than one establishment, once the principal establishment and one or more other establishments have completed two years of activity, the contribution to be provided may be calculated by totalling the turnovers of the principal establishment and of each other establishment having completed two years of activity, provided they all carry on similar activities, either as a retailer or a wholesaler, and provided that those activities are carried on under the same legal entity. During the first two years of activity of an establishment other than the principal, the contribution to be provided shall be calculated as if that establishment was a legal entity distinct from the principal establishment.”.

**12.** The words “pertaining to presumed sound investments provided for in the Civil Code” are substituted for the words “established in articles 981 o *et seq.* of the Civil Code” in the first paragraph of section 42.

**13.** Form LAV-1 attached to this Order in Council is substituted for Form 1-76 in Schedule A to the Regulation.

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

**SCHEDULE**



Gouvernement du Québec  
Office de la protection du consommateur  
Direction des affaires juridiques et des pratiques commerciales  
Service des permis

**APPLICATION FOR A TRAVEL AGENT'S LICENCE**


Form LAV-1

RESERVED FOR THE OFFICE

Licence No.:

Merchant No.:

<b>Division 1 - Type of application and licence class</b> (See guide on page 2)	
<p><b>1.1</b> TYPE OF APPLICATION - (Check ✓ the applicable box)</p> <p><input type="checkbox"/> First application</p> <p><input type="checkbox"/> Change of holder : reason <input type="radio"/> death <input type="radio"/> resignation <input type="radio"/> other _____</p>	
<p><b>1.2</b> THIS APPLICATION IS MADE AS :</p> <p><input type="checkbox"/> Retailer    <input type="checkbox"/> Wholesaler    <input type="checkbox"/> Carrier, check the category :</p> <p style="margin-left: 40px;"><input type="radio"/> air    <input type="radio"/> maritime    <input type="radio"/> road    <input type="radio"/> rail</p>	
<p><b>1.3</b> DOES THE TRAVEL AGENT FOR THE BENEFIT OF WHOM THIS APPLICATION IS MADE ALSO CARRY ON BUSINESS AS A :</p> <p><input type="checkbox"/> Retailer / licence No. : _____    <input type="checkbox"/> Wholesaler / licence No. : _____    <input type="checkbox"/> Carrier / licence No. : _____</p>	
<b>Division 2 - Personal identification of applicant (natural person)</b>	
<p><b>2.1</b> SURNAME, GIVEN NAME AND PERSONAL ADDRESS</p> <p>Surname, given name : _____</p> <p>No. street : _____</p> <p>Town : _____</p> <p>Prov. : _____    Postal code : _____</p> <p>Telephone : _____    Fax : _____</p>	
<p><b>2.2</b> DATE OF BIRTH    YR _____ MTH _____ DAY _____</p>	
<p><b>2.3</b> MAILING ADDRESS, IF DIFFERENT : </p> <p>Language : <input type="checkbox"/> French    <input type="checkbox"/> English</p> <p>Name : _____</p> <p>No. street : _____</p> <p>Town : _____    Prov. : _____    Postal code : _____</p>	
<b>Division 3 - Legal registration of the merchant declared to the Inspector General of Financial Institutions (IGFI) - (Sole proprietorship, partnership or legal person)</b>	
<p><b>3.1</b> NAME AND ADDRESS OF PRINCIPAL ESTABLISHMENT IN QUÉBEC, FOR WHICH A LICENCE IS REQUESTED</p> <p>Name of legal entity : _____</p> <p>Address of principal establishment</p> <p>No. street : _____</p> <p>Town : _____    Province : _____</p> <p>Province : _____    Postal code : _____</p> <p>Telephone : _____    Fax : _____</p> <p>E-mail address : _____</p>	<p><b>3.3</b> NAME AND ADDRESS OF THE UNDERTAKING'S CORPORATE SEAT (If different from item 3.1)</p> <p>Name : _____</p> <p>No. street : _____</p> <p>Town : _____    Province : _____</p> <p>Country : _____    Postal code : _____</p> <p>Telephone : _____    Fax : _____</p>
<p><b>3.2</b> DATE OF BEGINNING OF COMMERCIAL ACTIVITIES IN QUÉBEC    YR _____ MTH _____ DAY _____</p>	
<p><b>3.4</b> ENTER THE OTHER NAMES USED IN QUÉBEC (Attach registration copies)    Check ✓ the name(s) that must appear on your licence :</p> <p>_____ <input type="checkbox"/></p> <p>_____ <input type="checkbox"/></p> <p>_____ <input type="checkbox"/></p> <p>_____ <input type="checkbox"/></p>	
<p><b>3.5</b> NUMBER OF ESTABLISHMENTS IN QUÉBEC FOR WHICH A LICENCE IS REQUESTED (Fill out and attach Schedule A).    _____</p>	
<p><b>3.6</b> TYPE OF UNDERTAKING- (Check ✓ the applicable box)</p> <p><input type="checkbox"/> Sole proprietorship    <input type="checkbox"/> Partnership    <input type="checkbox"/> Legal person (company)    <input type="checkbox"/> Association</p>	
<p><b>3.7</b> REGISTRATION    Date : YR _____ MTH _____ DAY _____    Registration number : _____</p> <p>(Attach a true copy of the declaration of registration provided by the IGFI)</p>	
<p><b>3.8</b> CONSTITUTING ACT    Federal <input type="checkbox"/>    Provincial <input type="checkbox"/>    Other <input type="checkbox"/> :</p> <p>(Attach a copy of your constituting act (charter) _____)</p>	
<p><b>3.9</b> NAME AND PERSONAL ADDRESS OF THE PERSONS RELATED TO THE UNDERTAKING</p> <p>Fill out and attach Schedule B. (Only if the merchant is a partnership or legal person «company»)</p>	

<b>Division 4 - Application of the Act</b>	
<p><b>4.1</b> A) Has the applicant, association, partnership, legal person on whose behalf the licence is applied for, or an officer, a director or a partner of the association, partnership or legal person on whose behalf the licence is requested :</p> <ul style="list-style-type: none"> <li>■ exercised the functions of a travel agent and gone bankrupt in the last five years ?      yes <input type="checkbox"/>      no <input type="checkbox"/></li> <li>■ been found guilty of an offence against the Travel Agents Act or of fraud, forgery or fraudulent operations in contractual or commercial matters ?      yes <input type="checkbox"/>      no <input type="checkbox"/></li> </ul> <p>B) Has the applicant, a director or a partner of the association, partnership or legal person on whose behalf the licence is applied for been an officer, a director or a partner of an association, partnership or legal person that has exercised the functions of a travel agent and has gone bankrupt during the last five years or that has been found guilty of an offence against the Travel Agents Act or of fraud, forgery or fraudulent operations in contractual or commercial matters ?      yes <input type="checkbox"/>      no <input type="checkbox"/></p>	
<p><b>4.2</b> IF THE ANSWER TO ONE OF THE ABOVE QUESTIONS IS YES, PLEASE SPECIFY :  <b>NOTE : Attach an additional sheet if you lack space</b></p> <ul style="list-style-type: none"> <li>■ Name of person :</li> <li>■ Nature of offence or reason :</li> <li>■ Date of judgment :</li> <li>■ Court record No. :</li> <li>■ Fine imposed and paid :</li> <li>■ Other information :</li> </ul>	
<b>Division 5 - Security and duties</b>	
<p><b>Cost of licence</b></p> <p><b>5.1</b> AMOUNT OF DUTIES :      \$ <input style="width: 50px;" type="text"/></p> <p><b>5.2</b> FORM OF PAYMENT :      Cash <input type="checkbox"/>      Cheque <input type="checkbox"/>      Postal money order <input type="checkbox"/>      Bank money order <input type="checkbox"/></p> <p><b>Individual security</b></p> <p><b>5.3</b> TYPE OF SECURITY AND AMOUNT PROVIDED :          (Check the applicable box(es).)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Individual guarantee policy - Amount : \$ <input style="width: 50px;" type="text"/></li> <li><input type="checkbox"/> Bond - Amount : \$ <input style="width: 50px;" type="text"/></li> <li><input type="checkbox"/> Money - Amount : \$ <input style="width: 50px;" type="text"/></li> <li><input type="checkbox"/> Cheque - Amount : \$ <input style="width: 50px;" type="text"/></li> </ul> <p>Specify the number and name of the institution providing security</p> <p><b>5.4</b> Policy No. : <input style="width: 150px;" type="text"/></p> <p><b>5.5</b> Name : _____          No. street : _____          Town : _____          Province : _____      Postal code : _____          Telephone : _____      Fax : _____</p> <p> <b>Attach the original of the guarantee policy</b>  <b>CAUTION :</b> Your guarantee policy must bear the same name(s) and address as your declaration of registration with the IGFI. (See items 3.1 and 3.4, page 1 of this form)</p>	

Collective security

5.6 AMOUNT PROVIDED : \$

5.7 FORM OF PAYMENT : Money  Certified check  Postal money order  Bank money order

**Division 6 - Financial information**

6.1 DATE OF YOUR FISCAL YEAR from : MTH \_\_\_\_ DAY \_\_\_\_ to : MTH \_\_\_\_ DAY \_\_\_\_

6.2 DECLARATION OF A TRUST ACCOUNT  
(Fill out and attach Schedule C)

6.3 DESIGNATION OF A SIGNER (OPTIONAL)  
(Fill out and attach Schedule C-1)

6.4 NAME AND ADDRESS OF THE EXTERNAL ACCOUNTANT-AUDITOR OF THE TRAVEL AGENT :

Name : \_\_\_\_\_

No. street : \_\_\_\_\_

Town : \_\_\_\_\_

Province : \_\_\_\_\_ Postal code : \_\_\_\_\_

Telephone : \_\_\_\_\_ Fax : \_\_\_\_\_

6.5 IS HE OR SHE A ?  CA  CGA  CMA  Other (specify) : \_\_\_\_\_

**Division 7 - Personal information on the applicant**

7.1 ARE YOU A CANADIAN CITIZEN ? yes  no

**Functions of a travel agent**

7.2 HAVE YOU EXERCISED THE FUNCTIONS OF A TRAVEL AGENT OR CONSULTANT FOR AT LEAST TWO YEARS ON A FULL-TIME AND PERMANENT BASIS ?


a) For your own account ?  
yes  no  from : YR \_\_\_\_ MTH \_\_\_\_ DAY \_\_\_\_ to : YR \_\_\_\_ MTH \_\_\_\_ DAY \_\_\_\_

b) For the account of (an)other travel agent(s) ?  
yes  no  from : YR \_\_\_\_ MTH \_\_\_\_ DAY \_\_\_\_ to : YR \_\_\_\_ MTH \_\_\_\_ DAY \_\_\_\_

c) If you answered yes in a) or b), enter the name(s) used to exercise those functions :

Name : _____	Name : _____
No. street : _____	No. street : _____
Town : _____	Town : _____
Province : _____ Postal code : _____	Province : _____ Postal code : _____
Telephone : _____ Fax : _____	Telephone : _____ Fax : _____

7.3 DO YOU HAVE FINANCIAL INTERESTS OR OTHER INTERESTS WITH A TRAVEL AGENT OTHER THAN THE ONE FOR WHOM THIS APPLICATION IS MADE ? yes  no

IF YES, WHAT IS YOUR FUNCTION ?  \_\_\_\_\_

Specify the name(s) of the other travel agent

Name : _____	Name : _____
No. street : _____	No. street : _____
Town : _____	Town : _____
Province : _____ Postal code : _____	Province : _____ Postal code : _____
Telephone : _____ Fax : _____	Telephone : _____ Fax : _____

7.4 DO YOU INTEND TO EXERCISE THE PROFESSION OF TRAVEL AGENT ON A PERMANENT AND FULL-TIME BASIS, AT THE PRINCIPAL ESTABLISHMENT OF THE AGENCY ? yes  no

7.5 LIST YOUR OCCUPATIONS OF THE LAST FIVE YEARS. (Fill out and attach Schedule D).

7.6 IS THE AGENCY YOU ARE REPRESENTING A PROFIT-SEEKING UNDERTAKING ? yes  no

**Division 8 - Certification**

I \_\_\_\_\_  
(write in block letters)

declare that the information provided in this application and all attached documents is true and complete.

Signed at : \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

The applicant undertakes to notify the president in writing and without delay of any change occurring in the above information during the validity period of the licence.

Applicant's signature

Position

«The applicant recognizes that, to obtain the security necessary for the issue of the licence, the Surety will bind himself with the applicant's express consent within the meaning of the first paragraph of article 2356 of the Civil Code of Québec, even if the applicant does not sign the security.»

Any false statement makes the applicant liable to the penalties provided for in the Travel Agents Act.



Gouvernement du Québec  
 Office de la protection du consommateur  
 Direction des affaires juridiques et des pratiques commerciales  
 Service des permis

Form LAV-1

**SCHEDULE A - IDENTIFICATION OF ESTABLISHMENTS**

Enter all the other establishments owned by the merchant in Québec  
 (Attach an additional sheet if you lack space)

Name No. street Town Province Postal code Telephone : Fax :	Name No. street Town Province Postal code Telephone : Fax :
Name No. street Town Province Postal code Telephone : Fax :	Name No. street Town Province Postal code Telephone : Fax :
Name No. street Town Province Postal code Telephone : Fax :	Name No. street Town Province Postal code Telephone : Fax :

**SCHEDULE B - IDENTIFICATION OF PARTNERS OR DIRECTORS**

Enter the names and personal addresses of the partners or directors  
 (Attach an additional sheet if you lack space)

Surname Given name Date of birth % Participation Position in partnership or legal person No. street Town Province Postal code Telephone : Fax :	Surname Given name Date of birth % Participation Position in partnership or legal person No. street Town Province Postal code Telephone : Fax :
Surname Given name Date of birth % Participation Position in partnership or legal person No. street Town Province Postal code Telephone : Fax :	Surname Given name Date of birth % Participation Position in partnership or legal person No. street Town Province Postal code Telephone : Fax :
Surname Given name Date of birth % Participation Position in partnership or legal person No. street Town Province Postal code Telephone : Fax :	Surname Given name Date of birth % Participation Position in partnership or legal person No. street Town Province Postal code Telephone : Fax :





Gouvernement du Québec  
Office de la protection du consommateur  
Direction des affaires juridiques et des pratiques commerciales  
Service des permis

TRAVEL AGENT / SCHEDULE C (FORM LAV-1)

**FORM TO DECLARE THE OPENING OF  
A TRAVEL AGENT'S TRUST ACCOUNT**

EVERY TRUST ACCOUNT SHALL BE OPENED AND MAINTAINED IN QUÉBEC  
FOR EACH CURRENCY, THERE MUST BE A DISTINCT ACCOUNT AND A DISTINCT DECLARATION  
SHALL BE MADE FOR EACH TRUST ACCOUNT  
WHENEVER A CHANGE OCCURS IN THE TRUST ACCOUNT'S SIGNERS OR CO-SIGNERS,  
A NEW AUTHORIZATION SHALL BE PROVIDED TO THE OPC

**Legal registration of merchant**

Name of legal entity : \_\_\_\_\_  
Address of principal establishment : \_\_\_\_\_  
Town/prov. : \_\_\_\_\_ Postal code : \_\_\_\_\_  
Telephone : \_\_\_\_\_ Fax : \_\_\_\_\_  
Other names declared to the IGFI : 1- \_\_\_\_\_  
2- \_\_\_\_\_  
3- \_\_\_\_\_  
4- \_\_\_\_\_

**Designation of trust account covered by this declaration**

Account No. : \_\_\_\_\_ Currency : \_\_\_\_\_  
Name of financial institution : \_\_\_\_\_  
Transit No. of financial institution : \_\_\_\_\_  
Address of financial institution : \_\_\_\_\_  
Town/prov.: \_\_\_\_\_ Postal code : \_\_\_\_\_  
Telephone : \_\_\_\_\_ Fax : \_\_\_\_\_

**Identity of each of the trust account's signer or co-signer**

1.  Licensee  
Surname : \_\_\_\_\_ Given name(s) : \_\_\_\_\_  
(block letters) (block letters)  
Signature of licensee (compulsory) : \_\_\_\_\_  
2.  Signer or  Co-signer  
Surname : \_\_\_\_\_ Given name(s) : \_\_\_\_\_  
(block letters) (block letters)  
Signature of authorized signer or co-signer : \_\_\_\_\_  
3.  Signer or  Co-signer  
Surname : \_\_\_\_\_ Given name(s) : \_\_\_\_\_  
(block letters) (block letters)  
Signature of authorized signer or co-signer : \_\_\_\_\_

**Certification of financial institution**

I have read the information above and I declare that it is authentic, in the name of the financial institution.

Surname : \_\_\_\_\_ Given name(s) : \_\_\_\_\_  
(block letters) (block letters)  
Position : \_\_\_\_\_  
Signature : \_\_\_\_\_ Date : \_\_\_\_\_

**THE INSTITUTION SHALL AFFIX ITS SEAL OR ANOTHER CERTIFICATION PROOF ON THE COPY INTENDED FOR THE OPC; IT SHALL ALSO KEEP ITS OWN COPY.**



Gouvernement du Québec  
Office de la protection du consommateur  
Direction des affaires juridiques et des pratiques commerciales  
Service des permis

TRAVEL AGENT / SCHEDULE C-1 (Form LAV-1)

FORM TO AUTHORIZE A SIGNER OR CO-SIGNER  
FOR A TRAVEL AGENT'S TRUST ACCOUNT

EVERY TRUST ACCOUNT SHALL BE OPENED AND MAINTENED IN QUÉBEC

FOR EACH CURRENCY, THERE MUST BE A DISTINCT ACCOUNT AND A DISTINCT DECLARATION SHALL BE MADE FOR EACH TRUST ACCOUNT

WHENEVER A CHANGE OCCURS IN THE TRUST ACCOUNT'S SIGNERS OR CO-SIGNERS, A NEW AUTHORIZATION SHALL BE PROVIDED TO THE OPC

I, the undersigned \_\_\_\_\_, licensee  
No. \_\_\_\_\_, of the travel agency \_\_\_\_\_, declare that I have read section 27  
of the Regulation respecting travel agents (R.R.Q. 1981, c. A-10,r.1). Under that section, I authorize the person  
identified below to act on my behalf, from \_\_\_\_\_ to \_\_\_\_\_, as a (check one  
box only):

SIGNER or  CO-SIGNER of the trust account designated below.

Signature of licensee \_\_\_\_\_

Date \_\_\_\_\_

Identification of authorized signer or co-signer

Surname : \_\_\_\_\_ Given name(s) : \_\_\_\_\_  
(block letters) (block letters)

Personal address: \_\_\_\_\_

Town/prov.: \_\_\_\_\_ Postal code : \_\_\_\_\_

Telephone : \_\_\_\_\_ Fax : \_\_\_\_\_

Signature of authorized person : \_\_\_\_\_

Designation of trust account covered by the authorization

Account No.: \_\_\_\_\_ Currency : \_\_\_\_\_

Name of financial institution : \_\_\_\_\_

Transit No. of financial institution : \_\_\_\_\_

Address of financial institution : \_\_\_\_\_

Town/prov.: \_\_\_\_\_ Postal code : \_\_\_\_\_

Telephone : \_\_\_\_\_ Fax : \_\_\_\_\_

Certification of financial institution

I have read the information above and I declare that it is authentic, in the name of the financial institution.

Surname : \_\_\_\_\_ Given name(s) : \_\_\_\_\_  
(block letters) (block letters)

Position : \_\_\_\_\_

Signature : \_\_\_\_\_ Date : \_\_\_\_\_

THE INSTITUTION SHALL AFFIX ITS SEAL OR ANOTHER CERTIFICATION PROOF ON THE COPY INTENDED FOR THE OPC; IT SHALL ALSO KEEP ITS OWN COPY.



Gouvernement du Québec  
 Office de la protection du consommateur  
 Direction des affaires juridiques et des pratiques commerciales  
 Service des permis

Form LAV-1

**SCHEDULE D - LIST OF OCCUPATIONS IN THE LAST FIVE YEARS**

List your occupations during the last five years, beginning with the most recent  
 (Attach an additional sheet if you lack space)

Employer
Duration of employment : from to
Occupation
No. street
Town
Province Postal code
Telephone : Fax :

Employer
Duration of employment : from to
Occupation
No. street
Town
Province Postal code
Telephone : Fax :

Employer
Duration of employment : from to
Occupation
No. street
Town
Province Postal code
Telephone : Fax :

Employer
Duration of employment : from to
Occupation
No. street
Town
Province Postal code
Telephone : Fax :

Employer
Duration of employment : from to
Occupation
No. street
Town
Province Postal code
Telephone : Fax :

Employer
Duration of employment : from to
Occupation
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Province Postal code
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Employer
Duration of employment : from to
Occupation
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Province Postal code
Telephone : Fax :

Employer
Duration of employment : from to
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Employer
Duration of employment : from to
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Province Postal code
Telephone : Fax :

Employer
Duration of employment : from to
Occupation
No. street
Town
Province Postal code
Telephone : Fax :

Employer
Duration of employment : from to
Occupation
No. street
Town
Province Postal code
Telephone : Fax :



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

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