

Regulations and other acts

Gouvernement du Québec

O.C. 1209-96, 25 September 1996

An Act respecting the Société de développement industriel du Québec
(R.S.Q., c. S-11.01)

Business Start-up Support Program — Amendments

Regulation to amend the Business Start-up Support Program

WHEREAS under section 5 of the Act respecting the Société de développement industriel du Québec (R.S.Q., c. S-11.01), the Government may establish, by regulation, financial assistance programs designed to promote economic development in Québec;

WHEREAS section 47 of that Act empowers the Government to make regulations, among others to establish criteria to determine which businesses may receive financial assistance, to determine the form of financial assistance and to determine the conditions a business must fulfil to obtain such financial assistance;

WHEREAS by Order in Council 832-96 dated 3 July 1996, the Government made the Business Start-up Support Program;

WHEREAS it is expedient to enable businesses located within the territory of the regional county municipalities of Caniapiscau, Charlevoix, Charlevoix-Est, Francheville, La Jacques Cartier, Lac-Saint-Jean-Est, La Haute-Côte-Nord, Le Domaine-du-Roy, Le Fjord-du-Saguenay, Le Haut-Saint-Maurice, Manicouagan, Maria-Chapdelaine, Mékinac, Minganie and Sept-Rivières, and having suffered loss as a result of the July 1996 flooding, to obtain financial assistance for the purpose of supporting the resumption of their operations;

WHEREAS to that end, it is expedient to amend the Business Start-up Support Program;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published pursuant to section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 13 of that Act, the reason justifying the absence of prior publication must be published with the regulation;

WHEREAS under section 18 of that Act, a regulation may come into force between the date of its publication in the *Gazette officielle du Québec* and the date applicable under section 17 of that Act, where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS the Government is of the opinion that the urgency owing to the necessity of refloating the economy in the regional county municipalities of Caniapiscau, Charlevoix, Charlevoix-Est, Francheville, La Jacques Cartier, Lac-Saint-Jean-Est, La Haute-Côte-Nord, Le Domaine-du-Roy, Le Fjord-du-Saguenay, Le Haut-Saint-Maurice, Manicouagan, Maria-Chapdelaine, Mékinac, Minganie and Sept-Rivières justifies the absence of prior publication of the Regulation and its coming into force before the date applicable under section 17 of that Act;

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

THAT the Regulation to amend the Business Start-up Support Program, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Business Start-up Support Program

An Act respecting the Société de développement industriel du Québec
(R.S.Q., c. S-11.01, ss. 5 and 47)

1. The Business Start-up Support Program, made by Order in Council 832-96 dated 3 July 1996, is amended by adding the following at the end of section 1:

“The objective of the Program is also to enable the Corporation to provide financial support to businesses having suffered material or financial loss as a result of the July 1996 flooding in designated regions, so as to enable such businesses to resume operations and reattain profitability.”.

2. The following is inserted after section 9:

**“DIVISION III.1
SUPPORT FOR RESUMPTION OF BUSINESS
OPERATIONS FOLLOWING A DISASTER**

9.1 In this Division, “designated region” means the territory of the regional county municipalities of Caniapiscau, Charlevoix, Charlevoix-Est, Francheville, La Jacques Cartier, Lac-Saint-Jean-Est, La Haute-Côte-Nord, Le Domaine-du-Roy, Le Fjord-du-Saguenay, Le Haut-Saint-Maurice, Manicouagan, Maria-Chapdelaine, Mékinac, Minganie and Sept-Rivières.

9.2 The assistance provided for in Division III may also be granted to a business located in a designated region and having suffered material or financial loss as the result of the July 1996 flooding.

9.3 The guaranteed loan amount shall be used to repair the damages suffered or to rebuild the working capital of a business so as to enable it to resume operations or reattain profitability.

9.4 An application for financial assistance under this Division shall be submitted to the Corporation no later than 31 December 1996.

9.5 The maximum duration of a guarantee granted under this Division is eight years from the date of the first disbursement on the loan.

9.6 Interest on the loan is payable to the lender from the date of the first disbursement of the loan.

Reimbursement of the principal of the loan shall start with the first month following the second anniversary of the disbursement of the loan and shall be divided into equal annual instalments, irrespective of the amount of the loan or the number of instalments agreed upon.

9.7 The maximum rate of interest payable to the lender shall be either a variable rate equal to the lender’s prime rate plus 1 3/4 %, or a fixed rate equal to the 5-year rate on hypothecs plus 1 3/4 %.

9.8 Division II and sections 6 to 9 of Division III do not apply to financial assistance granted under this Division.”.

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

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Gouvernement du Québec

O.C. 1210-96, 25 September 1996

Code of Penal Procedure
(R.S.Q., c. C-25.1)

**Tariff of court costs in penal matters
— Amendments**

Regulation to amend the Tariff of court costs in penal matters

WHEREAS under article 166.2 of the Code of Penal Procedure (R.S.Q., c. C-25.1), introduced by section 22 of Chapter 51 of the Statutes of 1995, the Government may, by regulation, prescribe the amount of additional costs payable by a defendant who enters a plea of guilty or pays the whole amount of the fine and costs requested in the statement of offence before the trial;

WHEREAS under article 261 of the Code, the Government may, by regulation, fix the minimum amount of costs that may be reduced upon demand by the defendant who has been convicted by default of an offence, even if he pleads guilty to the offence;

WHEREAS under paragraphs 2, 3, 6 and 11 of article 367 of the Code, paragraph 6 of which has been amended by paragraph 2 of section 46 of Chapter 51 of the Statutes of 1995, the Government may, by regulation:

— fix the court fees payable under the Code;

— fix the costs that may be awarded against a party in first instance or in appeal;

— fix, for the purposes of the security contemplated in article 76, the amount of costs added to the amount of the minimum fine;

— fix the costs of execution of the judgment that may be awarded against a party;

WHEREAS by Order in Council 1412-93 dated 6 October 1993, the Government made the Tariff of court costs in penal matters;

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 Tariff of court costs in penal matters was published on page 2894 of Part 2 of the *Gazette officielle du Québec* of 3 July 1996, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;