

non-returnable beer containers, the previous agreement having expired on 31 December 1996;

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

THAT the Regulation to amend the Beer and Soft Drinks Distributors' Permits Regulation, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Beer and Soft Drinks Distributors' Permits Regulation(*)

An Act respecting the sale and distribution of beer and soft drinks in non-returnable containers (R.S.Q., c. P-9.2, s. 5, par. 3)

1. The Beer and Soft Drinks Distributors' Permits Regulation is amended by striking out, in paragraph 4 of section 3, the words ““can” type”.

2. 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. 1690-97, 17 December 1997

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

Business Financing Assistance Program — Amendments

Regulation to amend the Regulation respecting the Business Financing Assistance 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 under subparagraphs *b*, *c* and *n* of the first paragraph of section 47 of that Act, the Government may make regulations, in particular to establish criteria to determine which businesses may receive financial assistance, and to determine the form of such financial assistance and the conditions a business must fulfil to obtain it;

WHEREAS by Order in Council 709-96 dated 12 June 1996, the Government made the Regulation respecting the Business Financing Assistance Program;

WHEREAS in order to implement measures to improve the financing of export activities and to assist shipbuilding announced in the Budget Speech of 9 May 1996, it is expedient to again amend the Regulation respecting the Business Financing Assistance Program;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made notwithstanding the publication requirement in 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 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication of the Regulation and its coming into force on the date of its publication in the *Gazette officielle du Québec*: in a context of strong international competition, it is important that businesses may benefit as soon as possible from the implementation of the measures contained in the Regulation to amend the Regulation respecting the Business Financing Assistance Program, announced in the Budget Speech of 9 May 1996;

WHEREAS it is expedient to make that Regulation;

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 Regulation respecting the Business Financing Assistance Program, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

* The Beer and Soft Drinks Distributors' Permits Regulation was made by Order in Council 1542-84 dated 27 June 1984 (1984, *G.O.* 2, 3099) and amended by the Regulation made by Order in Council 1777-84 dated 8 August 1984 (1984, *G.O.* 2, 3246).

Regulation to amend the Regulation respecting the Business Financing Assistance Program⁽¹⁾

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

1. The Regulation respecting the Business Financing Assistance Program is amended by substituting the following for section 2:

“**2.** Any financial assistance granted under this Program shall be used to carry out an investment project, a technological innovation project, a design innovation project, an export project, a strategic business alliance project, a new economy project, an international convention organization project or a shipbuilding project, or to finance tax credits for scientific research and experimental development.”.

2. Section 3 is amended

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

“(*e*) participating in the implementation outside Québec of public or industrial infrastructures by constructing, operating and transferring them;”;

(2) by adding the following after paragraph 15:

“(16) “shipbuilding” means the building in a shipyard located in Québec of a ship of a minimum gross tonnage of 100 tons.”.

3. The following is added after section 8:

“**8.1** Financial assistance for the implementation outside Québec of public or industrial infrastructures may consist in purchasing capital stock or shares from a business.

8.2 Financial assistance may also be in the form of a buyer credit guarantee.

8.3 Financial assistance to shipbuilding shall be in the form of a buyer credit guarantee granted to a Canadian acquirer.”.

4. The following is added after paragraph *b* of section 11:

“(*c*) 80 % of the net loss resulting from buyer credit granted to a Canadian acquirer of a ship that is the object of shipbuilding.”.

5. The following is added after section 11:

“**11.1** Buyer credit is supplementary to the financing granted for a project by the Corporation for increasing exports, by the Canadian Commercial Corporation or any other financial institution, whether national, foreign or international; it may not exceed 50 % of the value of the project’s Québec content.”.

6. The following is substituted for section 12:

“**12.** Financial assistance granted under this Program may not be less than \$50 000; notwithstanding the foregoing, financial assistance granted to an adapted work centre may not be less than \$20 000 and the buyer credit may not be less than \$1 000 000.”.

7. The following is added after section 22:

“**22.1** Buyer credit for shipbuilding may not be granted unless the lender obtains and keeps for the duration of the guarantee a first hypothec on the ship that is the object thereof.”.

8. The following is added at the end of section 23:

“Those fees may not exceed 3 % of the guarantee, granted to the acquirer of a Canadian ship that is the object of shipbuilding.”.

9. The following is substituted for paragraph 3 of section 28:

“(3) of the Government where the amount is \$10 000 000 or more or is granted under section 8.1.”.

10. The following is substituted for DIVISION VIII:

“DIVISION VIII FINANCIAL PROVISIONS

33. The Corporation’s share in respect of the income and expenditures pertaining to each instance of financial assistance under this Regulation is limited to the first \$10 000 000 in each instance; the income and expenditures pertaining to any assistance in excess of \$10 000 000 shall be charged to the Government.

33.1 Notwithstanding section 33, the Corporation’s share in respect of the expenditures pertaining to each instance of financial assistance in the form of a buyer credit guarantee under section 11.1 is limited to the first

¹ The Regulation respecting the Business Financing Assistance Program, made by Order in Council 709-96 dated 12 June 1996 (1996, G.O. 2, 2770) was amended by the Regulation made by Order in Council 645-97 dated 13 May 1997 (1997, G.O. 2, 2211).

\$10 000 000 in each instance, in the proportion of 30 % chargeable to the Corporation and 70 % to the Government, and the expenditures pertaining to any assistance in excess of \$10 000 000 shall be charged to the Government; the income from each instance of assistance shall be credited in full to the Corporation.

33.2 Notwithstanding section 33, the Corporation's share in respect of the income and expenditures pertaining to each instance of financial assistance in the form of a buyer credit guarantee granted to the acquirer of a ship under section 8.3 is limited to the first \$10 000 000 in each instance, chargeable in equal proportions to the Corporation and the Government; the income and expenditures pertaining to any assistance in excess of \$10 000 000 shall be charged to the Government.”.

11. The words “, except buyer credit” are struck out in paragraph 5 of Schedule II.

12. 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. 1699-97, 17 December 1997

The amount of the contribution of each member of a professional order for the 1998-1999 fiscal year of the Office des professions du Québec

WHEREAS section 196.2 of the Professional Code (R.S.Q., c. C-26) stipulates that the expenditures incurred by the Office in a fiscal year shall be payable by the members of the professional orders;

WHEREAS under section 196.3 of the Act, each member of a professional order is required to pay a contribution equal to the total of the expenditures incurred by the Office for a year of reference, divided by the total number of members entered on the rolls of all orders on the last day of the year of reference;

WHEREAS section 196.5 of the Act determines that where, for a particular fiscal year, the total amount of the contributions paid under section 196.3 is less than or is more than the amount of the expenditures incurred by the Office, the contribution of each member, established in accordance with section 196.3, shall be increased or reduced, as the case may be;

WHEREAS the increase or reduction shall be determined by establishing the difference between the expenditures incurred by the Office for that fiscal year and the

total amount of contributions paid for the year of reference and dividing that difference by the total number of members entered on the roll of every order on the last day of that fiscal year. The charge payable pursuant to section 196.8 shall be deducted when the increase or reduction is determined;

WHEREAS for the purposes of this section, the 1998-1999 fiscal year is the first particular fiscal year for which the contribution of each member established in accordance with section 196.3 is increased or reduced. The year of reference used as the basis for computing the contribution begins on 1 April 1995 and ends on 31 March 1996;

WHEREAS it is expedient to fix the amount of the contribution of each member of an order;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT \$15.30 be fixed as the amount of the contribution of each member of a professional order for the 1998-1999 fiscal year.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1700-97, 17 December 1997

Professional Code
(R.S.Q., c. C-26)

Bar

— Accounting and trust accounts

— Amendment

Regulation to amend the By-law respecting accounting and trust accounts of advocates

WHEREAS under section 89 of the Professional Code (R.S.Q., c. C-26), the General Council of the Barreau du Québec must determine, by regulation, the terms, conditions and standards relating to the keeping and auditing of trust accounts, books and registers of the members of the Barreau;

WHEREAS the General Council adopted the By-law respecting accounting and trust accounts of advocates (R.R.Q., 1981, c. B-1, r. 3);