

(2) although an order has not been issued for that site, its waterproofness is similar to a site mentioned in subparagraph 1 and it has a system for collecting and treating leachates.

The operator of a sanitary landfill site that meets the conditions prescribed by subparagraph 1 or 2 of the third paragraph must accept meat unfit for human consumption mentioned in the said paragraph where it comes from the territory of the administrative region where the sanitary landfill site is located.

For the purposes of this section,

“meat unfit for human consumption” means the products mentioned in section 7.1.1 of the Regulation respecting food;

“administrative region” means any region established by Order in Council 2000-97 dated 22 December 1987, amended by Orders in Council 1399-88 dated 14 September 1988, 1389-89 dated 23 August 1989 and 965-97 dated 30 July 1997.”

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

2360

Gouvernement du Québec

O.C. 865-98, 22 June 1998

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

Private Investment and Job Creation Promotion Fund

Regulation to amend the Regulation respecting the Private Investment and Job Creation Promotion Fund

WHEREAS under section 2 of the Act respecting the Société de développement industriel du Québec (R.S.Q., c. S-11.01), the object of the Corporation is to promote economic development in Québec;

WHEREAS under section 3 of the Act, the Corporation shall grant financial assistance under a program;

WHEREAS under section 5 of the Act, the Government may establish, by regulation, financial assistance programs for businesses, designed to promote economic development in Québec;

WHEREAS under subparagraphs *b*, *c*, *n* and *p* of the first paragraph of section 47 of that Act, the Govern-

ment may make regulations, in particular to establish criteria to determine which businesses may receive financial assistance, to determine the form of such financial assistance and the conditions a business must fulfil to obtain it;

WHEREAS by Order in Council 530-97 dated 23 April 1997, the Government made the Regulation to amend the Regulation respecting the Private Investment and Job Creation Promotion Fund;

WHEREAS within the framework of the economic development strategy creating jobs by promoting private investments announced in the Budget Speech of 31 March 1998, it is expedient to amend the Regulation respecting the Private Investment and Job Creation Promotion Fund;

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 as prescribed 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 the Government is of the opinion that 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*:

(1) until such time as the Regulation to amend the Regulation respecting the Private Investment and Job Creation Promotion Fund is adopted, the new measures announced in the Budget Speech of 31 March 1998 may not be enforced;

(2) it is important that businesses be able to benefit as soon as possible from the implementation of the proposed measures;

WHEREAS it is expedient to make this Regulation;

IT IS ORDERED, therefore, upon 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 Private Investment and Job Creation Promotion Fund, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the Private Investment and Job Creation Promotion Fund(*)

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

1. The following is substituted for section 1 of the Regulation respecting the Private Investment and Job Creation Promotion Fund:

“**1.** The objective underlying this Regulation is to encourage businesses to carry out investment and export projects and to promote new projects. It may be designated as the “Private Investment and Job Creation Promotion Fund” or under the acronym “FAIRE”.”

2. The following paragraphs are substituted for paragraphs 5 and 6 of section 2:

“(5) “eligible expenses” means expenses directly related to the investment project or related to the working capital needed to carry out the project, except for expenses that give a right to Québec refundable tax credits;

(6) “amount” means the impact of financial assistance that is equivalent to:

(a) the amount of the interest charges assumed, the assistance in respect of manpower training or the non-refundable contribution; or

(b) the amount accounted for by the government, in respect of a guarantee on a financial commitment, a loan, a refundable contribution, the capital stock or the shares acquired by the Corporation;

(7) “export” means any activity for the purposes of

(a) selling goods, delivering services or executing contracts outside Québec;

(b) participating in the implementation outside Québec of public or industrial infrastructures consisting in their construction, operation and transfer;

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

(9) “added value distribution centre” means a commercial business whose activity consists in conditioning goods so as to give them an added value;

(10) “tax impact” means direct net tax impact for the Gouvernement du Québec during the first 5 years following the launching of the implementation of the project, as calculated by means of an econometric model;”

3. The following is substituted for section 4:

“**4.** The financial assistance must be necessary for carrying out the project in respect of which it is granted or for implementing a business in Québec.”

4. The following is substituted for section 6:

“**6.** The financial assistance must relate to one of the following:

(1) an investment project of more than \$10 000 000;

(2) a project that must create at least 100 jobs in a business carrying out the project;

(3) an investment project of more than \$2 000 000 by a business carrying out a first implementation in Québec whose project must create at least 50 jobs;

(4) an investment project of more than \$2 000 000 in the mining sector that must create or maintain at least 50 jobs in the business carrying it out;

(5) a project that must create at least 50 jobs in a business carrying out a project in the sector of multimedia, call centres, transaction processing centres or added value distribution centres;

(6) a feasibility or profitability study prior to obtaining a world-wide mandate of production of goods or services by a Québec subsidiary of a multinational business;

(7) a buyer credit of at least \$1 000 000 for the purchase of goods and services intended for export;

(8) a buyer credit granted for shipbuilding.”

5. The following is substituted for section 7:

“**7.** The project in respect of which financial assistance is granted must begin at the latest 6 months after it has been authorized, in accordance with section 25.”

6. The following is substituted for sections 10 to 12:

* The Regulation respecting the Private Investment and Job Creation Promotion Fund was made by Order in Council 530-97 dated 23 April 1997 (1997, G.O. 2, 1814).

“10. Financial assistance shall be in the form of:

(1) a guarantee of reimbursement of at least 70 % of the net loss in relation to a loan, a line of credit, a letter of credit or any other form of financial commitment granted by a lender to a lessor, a leasing operator to a business or for the benefit of a business;

(2) the assumption of interest charges on a loan;

(3) a contribution to worker training;

(4) a loan, a refundable or non-refundable contribution.

The financial assistance provided for in the first paragraph may be separated or combined and must entail a strong tax impact. However, the amount of financial assistance may not exceed 8 % of eligible expenses or 15 % of the payroll paid for jobs created during the first 3 years.

11. The financial assistance may, as a last resort to ensure the carrying out of a project that engenders considerable economic impact, and up to an amount of not more than 15 % of eligible expenses, consist in the purchase by the Corporation of capital stock or the shares of a business or in a combination of the financial assistance provided for in this Regulation.

11.1 For the purposes of sections 10 and 11, the expenses related to the working capital needed to carry out a project are eligible where the financial assistance consists in a guarantee or a loan.

12. Notwithstanding section 10, the financial assistance may

(1) consist in a guarantee of not more than 80 % of the net loss in respect of a buyer credit;

(2) consist in a guarantee of not more than 80 % of the net loss of a buyer credit in respect of shipbuilding granted to a Canadian buyer;

(3) reach 50 % of expenses related to a feasibility or profitability study prior to obtaining a world-wide mandate of production of goods or services by a Québec subsidiary of a multinational corporation up to a maximum of \$100 000.”

7. The following is substituted for section 14:

“14. Buyer credit may not exceed 75 % of the value of Québec exports.

Buyer credit of \$10 000 000 or more 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.”

8. The following is substituted for section 16:

“16. The financial assistance granted by the Corporation must be authorized prior to 1 April 2003.”

9. The following is substituted for section 25:

“25. The financial assistance provided for by this Program is granted by the Minister, without Government authorization, where the amount is less than \$10 000 000 and, by the Government, where the amount is \$10 000 000 or more.”

10. The following is substituted for section 30:

“30. The revenue generated by this Regulation shall be kept by the Corporation and the losses shall be borne by the Government.”

11. The following is substituted for the second sentence of section 32:

“However, no financial assistance may be granted after 31 March 2003. However, the Regulation respecting Private Investment and Job Creation Promotion Fund will continue to have effect after that date in respect of financial assistance already granted.”

12. The following is substituted for Schedule I:

“SCHEDULE I

(s. 9)

ACTIVITIES TO WHICH ASSISTANCE MUST PERTAIN

Pursuant to section 9 of this Regulation, the projects in respect of which financial assistance may be granted shall relate to the following activities:

(1) mining;

(2) manufacturing industries, including recycling;

(3) transportation by pipeline and storing;

(4) environmental restoration;

(5) added value distribution;

(6) the recovery, sorting and processing or treatment of waste or scrap, for the purpose of making a product or raw material used in manufacturing;

(7) call centres and transaction processing centres;

(8) services to businesses except the following:

(a) construction industries;

(b) communication and public services;

(c) retail trade, real property and insurance services;

(d) financial services except for data management centres;

(9) accomodation where the project pertains to the addition of sleeping-accomodation units justified by a local need or intended for customers not served by the current offer;

(10) entertainment and recreational services where the project pertains to

(a) the consolidation or the diversification of an alpine skiing centre except the costs related to the expansion of the skiable area or an increase in the centre's capacity;

(b) the cultural, natural, scientific, recreational, outdoor or other equipment or attractions offered to tourists on a regular basis and justified by a local need.

However, the financial assistance for the buyer credit may pertain to all the goods and services except government services.”.

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

2359

Gouvernement du Québec

O.C. 878-98, 22 June 1998

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

Inhalothérapeutes

— **Other terms and conditions for the issue of permits**

— **Amendments**

Regulation to amend the Regulation respecting the other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec

WHEREAS under paragraph *i* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of the Ordre professionnel des inhalothérapeutes du Québec may, by regulation, determine the other terms and conditions for issuing permits, specialist's certificates or special authorizations, in particular the obligation to serve the periods of professional training and to pass the professional examinations it determines;

WHEREAS under the same section, the Bureau made the Regulation respecting the other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec, approved by Order in Council 1019-94 dated 6 July 1994 and amended by the Regulation approved by Order in Council 573-97 dated 30 April 1997;

WHEREAS it is expedient to amend the Regulation;

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 the *Gazette officielle du Québec* of 21 January 1998 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95 of the Code, the Office des professions du Québec has made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

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