

Gouvernement du Québec

O.C. 1043-2000, 30 August 2000

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

**Forest Management Funding Program
— Amendments**

Regulation to amend the Forest Management Funding Program

WHEREAS under section 124.37 of the Forests Act (R.S.Q., c. F-4.1), the Government shall establish, by regulation, a forest management funding program to encourage the establishment, maintenance or development of forest production units of 80 hectares or more and the establishment or development of forest service enterprises;

WHEREAS under section 172.2 of the Act, the Government may, by regulation, prescribe any measure necessary for the establishment and implementation of the forest management funding program provided for in section 124.37 of the Act and in particular:

(1) determine the conditions, criteria and scope of the program, which may vary, in particular, according to the nature of the activities concerned, and prescribe exclusions;

(2) establish criteria to be used to determine the persons or classes of persons who may avail themselves of the program, and prescribe exclusions;

WHEREAS it is expedient to amend the Forest Management Funding Program made by Order in Council 384-97 dated 26 March 1997;

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 Forest Management Funding Program was published in Part 2 of the *Gazette officielle du Québec* of 1 March 2000, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS no comments on the draft Regulation were received before the expiry of the 45-day period;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Forest Management Funding Program, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

**Regulation to amend the Forest
Management Funding Program***

Forest Act
(R.S.Q., c. F-4.1, s. 124.37)

1. Section 2 of the Forest Management Funding Program is amended

(1) by inserting the words “or interests in an entity certified as a forest producer, non-voting shares or preferred shares, as the case may be,” after the word “assets” in the definition of the word “loan”;

(2) by inserting the words “or interests in an entity certified as a forest producer, non-voting shares or preferred shares, as the case may be,” after the word “assets” in paragraph 3 of the definition of the word “lender”.

2. The following is substituted for the third paragraph of section 4:

“The following shall be considered to be a forest producer for the purposes of this Program:

(1) a person who or an organization which, without being a forest producer, is composed of at least one forest producer or one person holding interests in an entity certified as a forest producer;

(2) a natural person who, without being a forest producer, acquires at least a 20 % interest in an entity certified as a forest producer and who meets the other conditions of this Program. The loan thus granted shall be used exclusively to acquire such interest and, as soon as that natural person holds at least a 20 % interest, to acquire any other share or preferred share of such an entity, where applicable.”

3. Section 6 is amended by adding “to determine the area of a forest production unit, the Corporation shall take into account the area of any forest production unit held or operated by a person bound to the project;” at the end of subparagraph 2 of the second paragraph.

* The Forest Management Funding Program was made by Order in Council 384-97 dated 26 March 1997 (1997, *G.O.* 2, 1422) and has not been amended since.

4. Section 10 is amended

(1) by inserting the word “mainly” after the word “and” in paragraph 2;

(2) by adding the following at the end:

“(3) the acquisition or redemption of interests in an entity certified as a forest producer, including the acquisition or redemption of any other share or preferred share of such an entity.”.

5. Section 14 is amended

(1) by substituting “12, 24, 36, 48 or 60 months” for “12, 36 or 60 months” in the first paragraph;

(2) by adding the following after the second paragraph:

“Notwithstanding the foregoing, where it appears to the Corporation that a loan may not be totally paid within the time prescribed in accordance with the powers conferred upon it by subparagraph 1 of the first paragraph of section 16 of the Act respecting the Société de financement agricole, a borrower and a lender may agree to apply to the loan, for a period that may not exceed twelve months, an interim interest rate until the loan is fully paid, after which the applicable interest rate shall be the lender’s hypothecary interest rate in force at the end of that period. It shall be adjusted thereafter according to the provisions of the first paragraph.

For the purposes of this section,

“interim interest rate” means the prime interest rate as defined below, increased by $\frac{1}{2}$ %; it shall be adjusted whenever the prime interest rate is changed;

“prime interest rate” means,

(1) in the case of a lender that has such a rate, the lender’s prime interest rate;

(2) in the case of a lender that is a savings and credit union affiliated with a federation of Desjardins savings and credit unions of Québec, the prime rate of the Caisse centrale Desjardins du Québec; or

(3) in all other cases, the prime rate of the majority of the following institutions: the Caisse centrale Desjardins du Québec, the National Bank of Canada, the Royal Bank of Canada, the Canadian Imperial Bank of Commerce, the Bank of Montreal.”.

6. Section 15 is amended

(1) by inserting the words “or interests in an entity certified as a forest producer, non-voting shares or preferred shares, as the case may be,” after the word “assets”;

(2) by substituting “ten years” for “5 years”.

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

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Gouvernement du Québec

O.C. 1047-2000, 30 August 2000

Health Insurance Act
(R.S.Q., c. A-29; 1999, c. 89)

Devices which compensate for a physical deficiency and are insured under the Act — Amendments

Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act

WHEREAS, under subparagraph *h* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29, 1999, c. 89), the Government may, after consultation with the Régie de l’assurance maladie du Québec or upon its recommendation, make regulations to determine the physical deficiencies, the services and the sets or subsets of devices that compensate for a physical deficiency that must be considered to be insured services for the purposes of the fifth paragraph of section 3, fix the age of the insured persons referred to therein and determine classes of insured persons, determine the cost that may be assumed by the Board on behalf of an insured person with a physical deficiency and the cases and conditions in and on which the Board assumes the cost of those insured services and in and on which the services are furnished, and prescribe the cases and conditions in and on which such property may or must be recovered;

WHEREAS the Government made the Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act by Order in Council 612-94 dated 27 April 1994;

WHEREAS it is expedient to amend the Regulation;