



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 20

(2001, chapter 20)

**An Act to amend the Act respecting the
legal publicity of sole proprietorships,
partnerships and legal persons**

**Introduced 15 May 2001
Passage in principle 12 June 2001
Passage 21 June 2001
Assented to 21 June 2001**

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EXPLANATORY NOTE

This bill gives effect to the Budget Speech of 29 March 2001 and amends the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons in order to exempt legal persons and groups registered by the Inspector General of Financial Institutions from filing the annual declaration required under the Act for the year during which they are first registered. Moreover, the bill maintains the imposition of a fee for the tardy filing of an annual declaration.

Bill 20

AN ACT TO AMEND THE ACT RESPECTING THE LEGAL PUBLICITY OF SOLE PROPRIETORSHIPS, PARTNERSHIPS AND LEGAL PERSONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 4 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., chapter P-45) is amended by inserting the following paragraph after the first paragraph :

“Every registrant which, pursuant to an exemption established by regulation, does not declare the information required under subparagraph 4 of the first paragraph and subparagraphs 1 and 6 of the second paragraph of section 10, shall be considered as neither domiciled nor having an establishment in Québec for the purposes of this section, and must also designate an attorney residing in Québec.”

2. Section 10 of the said Act is amended by replacing “A declaration” in the first line of the first paragraph by “Save an exemption established by regulation, a declaration”.

3. Section 26 of the said Act is amended by adding the following paragraph :

“The obligation to update information exists from the year following the year during which the registrant is first registered.”

4. Section 27 of the said Act is amended

(1) by striking out the first paragraph ;

(2) by striking out “also” in the third line of the second paragraph.

5. Section 79 of the said Act is amended by adding the following paragraph :

“In the case of a copy or extract of a document deposited in the register in respect of a registrant which has availed itself of an exemption established by regulation under the third paragraph of section 97, the Inspector General shall delete the information covered by the exemption from the extract or copy. An extract or copy so issued and certified in accordance with section 80 is deemed to be a true extract or copy.”

6. Section 97 of the said Act is amended by adding the following paragraph after the second paragraph :

“In special circumstances, the Government may also, by regulation, grant an exemption to a class of registrants as regards the requirement to declare certain information under section 10.”

7. Section 517 of the said Act is amended by inserting the following paragraph after the second paragraph :

“Where access to a record or the issue of a copy or extract of a document is requested in respect of a registrant which has availed itself of an exemption established by regulation under the third paragraph of section 97, the Inspector General shall delete the information covered by the exemption from the record, extract or copy. An extract or copy so issued and certified by the Inspector General is deemed to be a true extract or copy.”

8. The said Act is amended by replacing “supplementary fees” in the following provisions by “tardy filing fee” :

- (1) the second paragraph of section 30;
- (2) subparagraph 5 of the first paragraph of section 31 ;
- (3) the second paragraph of section 98.

9. This Act comes into force on 21 June 2001, except section 8, which comes into force on 1 January 2002.