

(e) *Baccalauréat en gestion des ressources humaines* from Université du Québec à Montréal.”.

2. 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. 1420-2002, 4 December 2002

Travel Agents Act
(R.S.Q., c. A-10)

Travel agents — Amendments

Regulation to amend the Regulation respecting travel agents

WHEREAS, under subparagraph *b* of the first paragraph of section 36 of the Travel Agents Act (R.S.Q., c. A-10), the Government may make regulations, *inter alia*, to prescribe the terms and conditions of issue or renewal of a licence and the qualifications required of a person applying for a licence or on whose behalf a licence is applied for, as well as the conditions to be met;

WHEREAS, under subparagraph *c* of the first paragraph of section 36 of the Act, the Government may make regulations, *inter alia*, to require collective security of travel agents as a whole or of such classes of them as the Government may indicate and fix the terms and conditions of administration and use of that security;

WHEREAS the Government made the Regulation respecting travel agents (R.R.Q., 1981, c. A-10, r.1);

WHEREAS it is expedient to amend the Regulation in order to prescribe therein new conditions governing the issue of licences and a measure to temporarily replenish the collective security fund of travel agents;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a draft regulation may be made without having been published as required under section 8 of that Act where 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, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— it is in the public’s interest, for the protection of consumers, to immediately add new conditions for obtaining a travel agent’s licence in order to reduce the risk of further massive recourses to the collective security fund of travel agents;

— approximately 6 000 claims from clients of travel agents are awaiting payment out of the collective security fund of travel wholesalers and it is necessary to make the proposed regulatory amendments to obtain the sums necessary to indemnify those clients;

WHEREAS it is expedient to make the Regulation attached to this Order in Council and to prescribe therein that it come into force on the date of its publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Population, Regions and Native Affairs and Minister of Relations with the Citizens and Immigration:

THAT the Regulation to amend the Regulation respecting travel agents, attached to this Order in Council, be made;

THAT the Regulation come into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,
Clerk of the conseil exécutif

Regulation to amend the Regulation respecting travel agents*

Travel Agents Act
(R.S.Q., c. A-10, s. 36, 1st par., subpars. *b* and *c*)

1. Section 6 of the Regulation respecting travel agents is amended

(1) by inserting the following subparagraph after subparagraph *c* of the second paragraph:

“(c.1)

i. establish that the person has never held a licence nor held the position of manager, director, administrator, partner or silent partner for a travel agent who was the cause of payment of a claim by any of the collective security funds and who did not reimburse the fund;

ii. in the case of a person acting on behalf of a legal person, association or partnership, exclude without delay from the association, partnership or legal person any manager, director, administrator, partner or silent partner who held a licence or the position of manager, director, administrator, partner or silent partner for a travel agent who was the cause of payment of a claim by any of the collective security funds and who did not reimburse the fund;”;

(2) by inserting the following subparagraph after subparagraph *j* of the third paragraph:

“(j.1) ensure that the travel agent on whose behalf a licence is applied for will not sell or offer for sale any air transport services or package deals that include air transport unless the carrier holds all the licences and approvals and complies with all the requirements prescribed by the competent authorities of all the states in question to make the flight;”.

2. Section 44 is amended by adding the following paragraph to subsection 2:

“Should the amount of the collective security fund of a category of travel agents be insufficient to pay for the settlement of all the claims that must be paid by that fund, the President may advance money to that fund and be repaid out of the contributions to that fund.”.

* The Regulation respecting travel agents (R.R.Q., 1981, c. A-10, r.1) was last amended by Order in Council 473-2000 dated 12 April 2000 (2000, *G.O.* 2, 2078). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 September 2002.

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. 1477-2002, 11 December 2002

Building Act
(R.S.Q., c. B-1.1)

Regulation — Amendment

Regulation to amend the Regulation respecting the application of the Building Act

WHEREAS, under the first paragraph of section 153 of the Building Act (R.S.Q. c. B-1.1), the Board shall annually fix the levy on contractors, or owners of buildings, facilities intended for use by the public or installations independent of buildings, on manufacturers of pressure installations and on owners and operators of gas undertakings, according to the method of financing it has chosen;

WHEREAS, under Rule 2-008 of the Canadian Electrical Code, Part I, Eighteenth edition, introduced by paragraph 5 of section 5.04 of the Regulation to amend the Construction Code approved by Order in Council 961-2002 dated 21 August 2002, the levy which every electrical contractor shall pay annually to the Régie du bâtiment du Québec is \$600 plus an amount corresponding to 2½% of the contractor’s total wages;

WHEREAS, under the second paragraph of section 153 of the Building Act, the levy rate shall be indexed annually according to the percentage increase in the Consumer Price Index for Canada published by Statistics Canada under the Statistics Act (R.S.C., 1985, c. S-19) for the 12 months of the preceding year in relation to the 12 months of the year preceding that year;

WHEREAS, under section 4.1 and subparagraph 1 of the first paragraph of section 182 of the Building Act, the Government may, by regulation, exempt from the application of the Act, in whole or in part, categories of contractors;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation may be made without having been published as provided for in section 8 of the Act where the authority making it is of the opinion that the urgency of the situation requires it;