

(3) the Directive concernant l'ensemble des conditions de travail des cadres œuvrant en établissement de détention à titre d'agents de la paix à l'exclusion des directeurs des établissements de détention;

(4) the Directive concernant l'ensemble des conditions de travail des cadres œuvrant en établissement de détention à titre de directeurs des établissements de détention;

(5) the Directive concernant la rémunération et les conditions de travail des commissaires du travail;

(6) the Directive concernant la rémunération et les conditions de travail des médiateurs et conciliateurs;

(7) the Directive concernant l'ensemble des conditions de travail des conseillères et conseillers en gestion des ressources humaines;

(8) the Directive concernant les conditions de travail des fonctionnaires;

(9) the Directive concernant l'attribution des taux de traitement ou taux de salaire et des bonis à certains fonctionnaires;

(10) the Directive sur les frais remboursables lors d'un déplacement et autres frais inhérents;

(11) the Directive sur le remboursement des frais de déplacement des cadres;

(12) the Directive sur les frais remboursables lors d'un déplacement à l'extérieur du Québec;

(13) the Directive sur les déménagements des fonctionnaires; and

(14) the Directive concernant les indemnités et les allocations versées aux fonctionnaires affectés à l'extérieur du Québec.”

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. 1489-2002, 18 December 2002

An Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan (1990, c. 5)

Régime de retraite des membres de la Sûreté du Québec

— **Partition and assignment of benefits accrued**

Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des membres de la Sûreté du Québec

WHEREAS, under the first paragraph of section 52 of the Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan (1990, c. 5), notwithstanding any provision of any Act, regulation or order inconsistent therewith, the Government may, by order, render the special measures provided in Chapter VII.1 of Title I of the Act respecting Government and Public Employees Retirement Plan (R.S.Q., c. R-10) and in the regulations thereunder applicable, in whole or in part and adapted as required to the Régime de retraite pour les membres de la Sûreté du Québec for the purposes of partition and assignment of benefits between spouses;

WHEREAS, under the second paragraph of that section, the Government may also, by the same order, prescribe special provisions for the establishment and assessment of benefits accrued under the Régime de retraite pour les membres de la Sûreté du Québec and for the reduction of the sums payable under such plan by reason of payment of the sums awarded to the spouse;

WHEREAS, in accordance with section 52 of the Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan, the Government made Order in Council 756-91 dated 5 June 1991 respecting the partition and assignment of benefits accrued under the Régime de retraite pour les membres de la Sûreté du Québec, which refers to the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan made by Order in Council 351-91 dated 20 March 1991;

WHEREAS it is expedient to consolidate into one regulation the rules respecting the establishment, assessment and reduction of benefits accrued for the purposes of partition and assignment of benefits accrued under the Régime de retraite pour les membres de la Sûreté du Québec, for purposes of simplification and future amendments;

WHEREAS it is also expedient to make certain amendments to the provisions respecting the partition and assignment of benefits accrued under that pension plan in order to take into account the amendments made to that pension plan since 1997;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des membres de la Sûreté du Québec, attached hereto, was published in Part 2 of the *Gazette officielle du Québec* of 18 September 2002, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS comments were received with respect to the draft Regulation;

WHEREAS it is expedient to make the Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des membres de la Sûreté du Québec without amendment, despite the comments received;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Administration and the Public Service, Minister responsible for Administration and Public Service and Chair of the Conseil du trésor:

THAT the special measures provided in Chapter VII.1 of Title I of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), rendered applicable to the Régime de retraite pour les membres de la Sûreté du Québec, adapted as required, by Order in Council 756-91 dated 5 June 1991, continue to apply thereto;

THAT the Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des membres de la Sûreté du Québec be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des membres de la Sûreté du Québec

An Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan
(1990, c. 5, s. 52)

DIVISION I STATEMENT OF THE MEMBER'S OR FORMER MEMBER'S BENEFITS

1. Any application to obtain a statement referred to in section 122.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) must contain the following information and be accompanied by the following documents:

(1) the name, address, social insurance number and date of birth of the member or former member and of his or her spouse;

(2) a marriage certificate and, where applicable, the date on which the spouses resumed living together;

(3) a written confirmation from a certified mediator to the effect that he or she has obtained a mandate of family mediation or a copy of the application for separation from bed and board, divorce, annulment of marriage or payment of a compensatory allowance or, where applicable, a copy of the judgment ruling on such an application; and

(4) the information that must be provided by the employer in its annual report, in accordance with the provisions of the Régime de retraite des membres de la Sûreté du Québec, for the year during which the assessment is determined up to the date set for that assessment, as well as for the previous year; that information shall be certified by an authorized representative of the employer.

Any application made under this section is also valid for the other pension plans administered by the Commission administrative des régimes de retraite et d'assurances or for which the Commission is responsible for paying benefits.

2. Within 90 days of the date of receipt of a duly completed application, the Commission shall provide the member or former member and his or her spouse with a statement containing the following information:

(1) the date on which the member or former member became a member of the Régime de retraite des membres de la Sûreté du Québec and, where applicable, the date on which he or she ceased to be a member thereof;

(2) the benefits accrued to the member or former member, without taking into account any reduction resulting from a prior partition or assignment of benefits, from the time when he or she became a member of the plan to the date of assessment provided for in the second paragraph of section 122.2 of the Act respecting the Government and Public Employees Retirement Plan, as well as the value of those benefits;

(3) the benefits accrued for the period of the marriage as well as their value;

(4) where applicable, the value of the reduction of the accrued benefits as a result of any prior partition or assignment of benefits and that would be applicable at the date of the assessment; and

(5) the terms and conditions for payment of the sums awarded to the spouse in accordance with Division III.

The statement of benefits and values shall be established at the date of assessment on the basis of information known to the Commission, not later than the date of that statement.

DIVISION II **ESTABLISHMENT AND ASSESSMENT** **OF ACCRUED BENEFITS**

§1. Establishment of benefits

3. The benefits accrued under the Régime de retraite des membres de la Sûreté du Québec, including benefits accrued in the form of pension credit by members who took part in the Régime de retraite des employés de la Ville de Gatineau and who were integrated into the Sûreté du Québec on 1 January 1999, shall be established in accordance with the provisions of this plan, taking into account the following provisions:

(1) where the plan provides for the option between a refund of contributions and a deferred retirement pension and where that option has not been exercised at the date of assessment, the benefits accrued are those whose value is the higher between such a refund and a deferred retirement pension payable from age 60;

(2) where the plan provides that the member would be entitled to a deferred retirement pension if he or she ceased to hold employment while having at least 10 years of service for eligibility purposes and having reached age

45 but without having 20 years of service for eligibility purposes or having reached age 60, his or her benefits are deemed to correspond to a deferred retirement pension payable from age 60; and

(3) where the plan provides that the member would be entitled to a retirement pension if he or she ceased to hold employment while having at least 20 years of service for eligibility purposes but without having reached age 60, his or her benefits are deemed to correspond to a deferred retirement pension payable at the age corresponding to the lower of:

(a) 60; or

(b) the number "N" obtained from the following formula:

$H + (35 - I) = N$, in which:

"H" represents the number corresponding to the member's age at the date of assessment; and

"I" represents the number of years of service credited to the member at the date of assessment, excluding years recognized as pension credit for members who took part in the Régime de retraite des membres de la Sûreté du Québec and who were integrated into the Sûreté du Québec on 1 January 1999.

The benefits accrued for the period of the marriage shall be established in accordance with the first paragraph on the basis of the years or parts of a year of service credited during that period, on the assumption that the member or former member acquired for that period benefits of the same type as those accrued to him or her from the beginning of membership to the date of assessment.

For the purposes of establishing and assessing the accrued benefits, those benefits shall correspond to the benefits acquired under the plan at the date of assessment on the basis of the years or parts of a year of service credited at that date. For those purposes, the member is deemed to have ceased to be covered by the plan at the date of assessment.

4. The years or parts of a year of service redeemed, other than those credited by sections 6 and 7, if any, shall be credited proportionately to the amounts paid in capital for their payment out of the total capital amount. Those years or parts of a year are deemed to be credited for the period of the marriage to the extent that they were paid during that period.

5. In the case of autoroute police officers, where the number of years or parts of a year of service credited to the Régime de retraite des membres de la Sûreté du Québec is less than the number of years or parts of a year of service recognized under the Civil Service Superannuation Plan or the Government and Public Employees Retirement Plan and where a fraction of the number of those years is comprised in the period of the marriage, the number of years or parts of a year of service credited and comprised in the period of the marriage is equal to the number “A” in the following formula:

$$B \times \frac{C}{D} = A, \text{ in which:}$$

“B” represents the number of years or parts of a year of service credited under the Régime de retraite des membres de la Sûreté du Québec with respect to years served as an autoroute police officer;

“C” represents the number of years or parts of a year of service recognized under the initial pension plan for the period of the marriage; and

“D” represents the number of years or parts of a year of service recognized under the initial pension plan.

6. In the case of a former municipal police officer who participates in the Régime de retraite des membres de la Sûreté du Québec following the abolition of the municipal police force that was employing the officer immediately before the date of his or her integration into the Sûreté du Québec, where the number of years of service or parts thereof credited to the Régime de retraite des membres de la Sûreté du Québec is less than the number of years of service or parts thereof recognized under the initial pension plan and where a fraction of the number of years is included in the period of the marriage, the number of years of service or parts thereof credited under the Régime de retraite des membres de la Sûreté du Québec and that are included in the period of the marriage shall be equal to the number “A” in the following formula:

$$B \times \frac{E}{F} = A, \text{ in which:}$$

“B” represents the number of years or parts of a year of service credited, using moneys directly taken from the initial pension plan, to the Régime de retraite des membres de la Sûreté du Québec with respect to years served as a municipal police officer in the abolished police force;

“E” represents the number of calendar days elapsed under the initial pension plan for the period of the marriage; and

“F” represents the number of calendar days elapsed while participating in the initial pension plan.

For the purposes of this section, the initial pension plan is a supplemental pension plan with fixed contributions within the meaning of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1), in which the former municipal police officer was participating immediately before the date of his or her integration into the Sûreté du Québec and from which the moneys are directly transferred into the Régime de retraite des membres de la Sûreté du Québec.

7. Where the number of years of service or parts thereof credited to the Régime de retraite des membres de la Sûreté du Québec in respect of a member of the Sûreté du Québec, in accordance with a transfer agreement approved by the Government in compliance with the Entente concernant la conclusion d’ententes de transfert dated 22 January 2002 between the Government and the Association des policiers provinciaux du Québec, is less than the number of years of service or parts thereof recognized under the initial pension plan and where a fraction of the number of those years is comprised in the period of the marriage, the number of years or parts of a year of service credited in accordance with the agreement and comprised in the period of the marriage is equal to the number represented by the letter “A” in the following formula:

$$B \times \frac{C}{D} = A, \text{ in which:}$$

“B” represents the number of years or parts of a year of service credited under the Régime de retraite des membres de la Sûreté du Québec in accordance with the transfer agreement;

“C” represents the number of years or parts of a year of service recognized under the initial pension plan for the period of the marriage; and

“D” represents the number of years or parts of a year of service recognized under the initial pension plan.

Notwithstanding the foregoing, if the number of years of service or parts thereof recognized under the initial pension plan for the period of the marriage is unknown by the Commission, the number of years of service or parts thereof credited in accordance with the transfer agreement and included in the period of the marriage shall be equal to the number represented by the letter “A” in the following formula:

$$\frac{B \times E}{F} = A, \text{ in which:}$$

“B” represents the number of years or parts of a year of service credited to the Régime de retraite des membres de la Sûreté du Québec in accordance with the transfer agreement;

“E” represents the number of calendar days elapsed under the initial pension plan for the period of the marriage; and

“F” represents the number of calendar days elapsed while participating in the initial pension plan.

§2. Assessment of benefits

8. Where the accrued benefits consist in a refund of contributions, the value of those benefits corresponds to the contributions paid with interest calculated in accordance with the Act respecting the Government and Public Employees Retirement Plan and accrued to the date of assessment, as though the refund was made at that date. The same applies in respect of the value of the benefits accrued for the period of the marriage.

9. The actuarial value of the benefits shall be established according to the following actuarial method and assumptions:

(1) actuarial method:

the actuarial method is the “distribution of benefits” method;

(2) actuarial assumptions:

those provided for in Schedule I to the Régime de retraite des membres de la Sûreté du Québec in respect of the mortality rate, the spouse’s age, the rate of interest and the rate of increase in the Pension Plan Index within the meaning of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9). The proportion of the members having a spouse on the date of assessment is 100%.

10. Where the accrued benefits correspond to a retirement pension, a deferred retirement pension or a pension credit, the value of those benefits is equal to amount “D” in the following formula:

$$d_1 + d_2 + d_3 + d_4 = D, \text{ in which:}$$

“d₁” represents the actuarial value of the portion of any retirement pension that, from the date on which it is paid, is indexed in accordance with the rate of increase in the Pension Index within the meaning of the Act respecting the Québec Pension Plan;

“d₂” represents the actuarial value of the portion of any retirement pension that, from the date on which it is paid, is indexed by the amount by which that rate exceeds 3%;

“d₃” represents the actuarial value of the part of any retirement pension which, from the date on which it is paid, is indexed at the highest rate between:

(a) 50% of the rate of increase in the Pension Index determined under the Act respecting the Québec Pension Plan; or

(b) the amount by which the rate of increase in the Pension Index determined under the Act respecting the Québec Pension Plan exceeds 3%; and

“d₄” represents the actuarial value of each pension credit that, from the date on which it is paid, is indexed at 75% of the rate of increase in the Pension Index determined under the Act respecting the Québec Pension Plan.

The value of the benefits accrued for the period of the marriage shall be established in accordance with the first paragraph.

11. Where the accrued benefits consist in a benefit that is being paid at the date of assessment or that would be if the former member had made an application to that effect or that would otherwise be paid at that date, the value of those benefits shall be obtained by calculating the actuarial value of such a benefit.

The value of the benefits accrued for the period of the marriage shall be established in accordance with the first paragraph.

DIVISION III

PAYMENT OF THE SUMS AWARDED TO THE SPOUSE AS A RESULT OF THE PARTITION OR ASSIGNMENT OF BENEFITS

12. In this Division, the expression “life income fund” has the meaning given to it by sections 18 to 19.2 of the Regulation respecting supplemental pension plans, approved by Order in Council 1158-90 dated 8 August 1990, as amended, and the expressions “locked-in retirement account” and “annuity contract” have the meanings given to them by sections 29 and 30, respectively, of that Regulation.

13. An application for payment of the sums awarded to the spouse shall be preceded by an application for assessment made in accordance with Division I and shall contain the name and address of the member or former member and of his or her spouse, their social insurance numbers and their dates of birth.

That application is also valid for all pension plans for which the Commission has provided a statement.

14. An application for payment of the sums awarded to the spouse shall be accompanied by the following documents:

(1) the judgment ruling on separation from bed and board, divorce, annulment of marriage or payment of a compensatory allowance;

(2) where applicable, any other judgment relating to the partition or assignment of the member's or former member's benefits;

(3) where applicable, the agreement entered into between the spouses regarding the terms for payment out of the benefits accrued under the Régime de retraite des membres de la Sûreté du Québec; and

(4) the certificate of non-appeal or, as the case may be, the divorce certificate.

15. Upon receipt of a duly completed application for payment, the Commission shall send the member or former member a statement showing the sums awarded to the spouse as well as the amount of the reduction calculated pursuant to Division IV. The Commission shall also send the spouse a statement showing the sums awarded to him or her. Those statements shall be accompanied by a statement of the administrative expenses established in accordance with the Regulation respecting the recovery of certain administrative expenses and of certain other expenses within the framework of the partition and assignment between spouses of benefits accrued under a pension plan, made by Order in Council 352-91 dated 20 March 1991, as amended.

The spouse shall, within 60 days of the date on which the statement addressed to him or her was mailed, provide the Commission with the name and address of the financial institution and with an identification of the annuity contract, locked-in retirement account or life income fund or, where applicable, the registered retirement savings plan or registered retirement income fund into which the sums awarded to him or her must be transferred.

Unless the spouse was paid otherwise, the Commission shall, within 120 days following the expiry of the period provided for in the second paragraph, transfer the sums awarded to the spouse into an annuity contract, locked-in retirement account or life income fund or, where applicable, into a registered retirement savings plan or registered retirement income fund with a finan-

cial institution chosen by the spouse, provided that the steps necessary for the transfer of those sums were taken beforehand.

Should the spouse fail to indicate his or her choice and to take the necessary steps within the prescribed period, the Commission shall transfer those sums into a locked-in retirement account or, where applicable, into a registered retirement savings plan in the spouse's name with the financial institution with which the Commission reached an agreement to that effect.

Where the spouse proceeds by way of compulsory execution, the judgment authorizing a seizure by garnishment shall serve as an application for payment and this section applies.

16. The Commission shall transfer the sums awarded to the spouse into an annuity contract, locked-in retirement account or life income fund where those sums come from an entitlement to a retirement pension, a deferred retirement pension or a pension credit.

Notwithstanding the foregoing, the Commission shall transfer those sums into a registered retirement savings plan or registered retirement income fund where those sums come from an entitlement to a refund of contributions or, upon application by the spouse, shall transfer those sums into an annuity contract, locked-in retirement account or life income fund.

Notwithstanding the first and second paragraphs, those sums shall be paid to the spouse's successors in case of the spouse's death.

17. The sums awarded to the spouse shall be apportioned among each of the values calculated pursuant to the first paragraph of section 10, proportionately to the value of those sums divided by the total value of the benefits accrued under the plan at the date of assessment.

18. Interest compounded annually and accrued from the date of assessment to the date of payment shall be added to the sums awarded to the spouse at the rate determined for each period under Schedule VI to the Act respecting the Government and Public Employees Retirement Plan.

DIVISION IV **REDUCTION OF ACCRUED BENEFITS**

19. If the amount paid to the spouse comes from an entitlement to a refund of contributions, to a deferred retirement pension or a pension credit, the member's or

former member's benefits shall be established in accordance with the plan and shall be recalculated as follows:

(1) where the member or former member is entitled to a refund of contributions, to a payment of actuarial value or is entitled to transfer an amount under a transfer agreement approved by the Government, the amount of the refund, payment or transfer shall be reduced by the sums awarded to the spouse at the date of assessment with interest compounded annually at the rate determined for each period under Schedule VI to the Act respecting the Government and Public Employees Retirement Plan and accrued from the date of assessment to the date on which the refund, payment or transfer is made; or

(2) where the member or former member is entitled to a deferred retirement pension, to a retirement pension or to a pension credit, his or her pension or credit shall be reduced from the date on which it becomes payable or from the date of payment, as the case may be, by the amount of pension or credit that would be obtained on the basis of the sums awarded to the spouse at the date of assessment.

20. If the amount paid to the spouse comes from an entitlement to a retirement pension, to a pension credit or to any benefit that would otherwise be paid at the date of assessment, that pension or credit shall be reduced, from the date on which it becomes payable or from the date of payment, by the amount of pension or credit that would be obtained on the basis of the sums awarded to the spouse at the date of assessment.

21. Each part of any retirement pension corresponding to each of the indexing formulas applicable to it and each pension credit shall be respectively reduced by the amount of any pension corresponding to each of the indexing formulas applicable to it and by the amount of each pension credit that would be obtained on the basis of the sums awarded to the spouse at the date of assessment.

22. For the purposes of sections 19 and 21, the amount of pension or pension credit that would be obtained on the basis of the sums awarded to the spouse at the date of assessment shall be established at that date according to the actuarial method and assumptions provided for in section 9. That amount is presumed applicable on the same date as the date determined at the date of assessment for the deferred retirement pension or is presumed applicable on the date of the member's or former member's 60th birthday if the member was entitled, at the date of assessment, to a refund of contributions.

If the date on which the annual retirement pension becomes payable occurs before the date on which the amount of pension obtained pursuant to the first paragraph is presumed applicable or if the retirement pension is being paid on the date of payment and the latter date occurs before the date on which that amount of pension is presumed applicable, that amount of pension shall be reduced by 0.50% per month, calculated for each month between the date on which it begins to apply and the date on which it is presumed applicable, without exceeding 65%. The foregoing also applies to the amount of pension credit.

If the retired member retired before the date of payment and if that date occurs after the date on which the amount of pension obtained pursuant to the first paragraph is presumed applicable, that amount of pension shall be increased by 0.50% per month, calculated for each month between the date on which it is presumed applicable and the date on which it begins to apply if the retired member retired before the date on which that amount of pension is presumed to apply, or for each month between the date on which the retired member retired and the date on which that amount of pension begins to apply, if the retired member retired on the date on which that amount of pension is presumed applicable or thereafter.

23. For the purposes of sections 20 and 21, the amount of pension or pension credit that would be obtained on the basis of the sums awarded to the spouse at the date of assessment shall be established at that date in accordance with the actuarial method and assumptions provided for in section 9. That amount of pension is presumed applicable on the date of assessment.

The amount of pension obtained pursuant to the first paragraph shall be indexed in the same manner as the annual retirement pension or in the same manner as though it were being paid at the date of assessment, from 1 January following that date to 1 January of the year during which that amount begins to apply. The foregoing also applies to the amount of pension credit.

The amount of pension obtained pursuant to the first and second paragraphs shall be increased by 0.50% per month, calculated for each month between the date of assessment and the date on which that amount of pension begins to apply, if the annual retirement pension was being paid on the date of assessment or would have been if the former member had made an application to that effect, or for each month between the date of retirement and the date on which that amount of pension begins to apply, if the retired member retired between the date of assessment and the date of payment. The foregoing also applies to the amount of pension credit.

24. Any refund of contributions to be made following a death shall be reduced by the sums awarded to the spouse with interest compounded annually at the rate determined for each period under Schedule VI to the Act respecting the Government and Public Employees Retirement Plan and accrued from the date of assessment to the date on which the refund is made, except for the period during which a retirement pension is paid.

DIVISION V MISCELLANEOUS

25. This Regulation replaces Order in Council 756-91 dated 5 June 1991 respecting the partition and assignment of benefits accrued under the Régime de retraite pour les membres de la Sûreté du Québec, except the first paragraph of the operative part of that Order in Council. That Order in Council remains applicable to applications for a statement of benefits received by the Commission before the date of coming into force of this Regulation, following the introduction of an application for separation from bed and board, divorce, annulment of marriage or payment of a compensatory allowance, provided that there has been no discontinuance of suit.

26. 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. 1498-2002, 18 December 2002

Cinema Act
(R.S.Q., c. C-18.1)

Fees for examination and duties payable under the Act

— Amendments

Regulation to amend the Regulation respecting the fees for examination and duties payable under the Cinema Act

WHEREAS, under section 76 of the Cinema Act, no person may exhibit a film to the public, or possess, on premises where films are exhibited to the public, a print of a film unless a stamp showing the class of the film has been issued by the Régie du cinéma and affixed to the print;

WHEREAS, under section 76.1 of that Act, no person may sell, lease, lend or exchange on a commercial basis, or possess, in a video material retail outlet, a print of a film unless a stamp showing the class of the film has been issued by the Régie and affixed to the print;

WHEREAS, under section 87 of that Act, a trailer is considered to be a film for the application of the provisions of chapter III of that Act, except those of section 83 of that Act;

WHEREAS, under section 118 of that Act, the holder of a distributor's licence shall, before selling, leasing, lending or exchanging video material on a commercial basis, demonstrate before the Régie that the holder has the rights to distribute the film for the retailing of video material in accordance with section 79 of that Act;

WHEREAS, under section 119 of that Act, the Régie shall issue to the holder of a distributor's licence who meets the requirements set out in section 118 of that Act, on payment of the duties prescribed by regulation of the Government, a filing certificate for each film title and an attestation of the certificate for each print of video material intended to be sold, lent, leased or exchanged;

WHEREAS, under paragraph 6.1 of section 167 of that Act, the Régie may prescribe the duties payable to obtain a stamp;

WHEREAS, under paragraph 6.2 of section 167 of that Act, the Régie may prescribe the duties payable for the issue of a filing certificate and attestation and provide for an exemption with respect to the video material it determines;

WHEREAS section 169 of that Act provides that a regulation made by the Régie must be submitted for approval to the Government, which may amend it;

WHEREAS, pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 170 of the Cinema Act, the Régie made the Regulation to amend the Regulation respecting the fees for examination and duties payable under the Cinema Act and published it in Part 2 of the *Gazette officielle du Québec* of 25 September 2002, page 4876, with a notice that it would be submitted for approval to the Government on the expiry of 60 days from publication;

WHEREAS it is expedient to approve the Regulation with amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Culture and Communications and Minister of Culture and Communications: