

WHEREAS under the second paragraph of section 677 of the Act respecting the Québec sales tax, amended by section 174 of Chapter 9 of the Statutes of 2002 and by section 18 of Chapter 58 of the Statutes of 2002, a regulation made under that Act comes into force on the date of its publication in the *Gazette officielle du Québec*, unless it fixes another date which may in no case be prior to 1 July 1992;

IT IS ORDERED, therefore, on the recommendation of the Minister of Revenue:

THAT the Regulation attached hereto and entitled as follows be made and entitled Regulation to amend the Regulation respecting the Québec sales tax.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the Québec sales tax*

An Act respecting the Québec sales tax (R.S.Q., c. T-0.1, s. 677, 1st par., subsec. 22; 2002, c. 9, s. 174 and 2002, c. 58, s. 18)

1. Section 677R3 of this Regulation is amended by adding the following paragraph:

“It is the same for alcoholic beverages, except for alcohol or spirits, which are intended for sale, for take out or delivery with a meal, by an establishment that primarily and ordinarily sells meals for consumption on the premises.”.

2. Section 677R6 of the Regulation is amended by adding the following paragraph:

“Notwithstanding the first paragraph, alcoholic beverages other than alcohol or spirits, conserved in an identified container, may be sold to a consumer for take out or delivery with a meal by an establishment that primarily and ordinarily sells meals for consumption on the premises.”.

3. Section 677R8 is of the Regulation replaced by the following:

“**677R8.** An alcoholic beverage conserved in an identified container may not be used or consumed elsewhere than in an establishment, except in the case mentioned in the second paragraph of section 677R6.”.

4. This Regulation is replaced by inserting, after section 677R9.1, the following:

“**677R9.1.1.** Beer intended for sale for take out or delivery with a meal, by an establishment that primarily and ordinarily sells meals for consumption on the premises, shall be in an identified container and shall be sold and delivered in such a container.”.

5. Section 677R9.3 of the Regulation is replaced by the following:

“**677R9.3.** For the purposes of subparagraph 60 of the first paragraph of section 677 of the Act, the contravention of any of sections 677R9.1 to 677R9.2 shall constitute an offence.”.

6. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec* and has effect from 18 December 2002.

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Gouvernement du Québec

O.C. 179-2003, 19 February 2003

Lobbying Transparency and Ethics Act (2002, c. 23)

Exclusions Regulation

Lobbying Transparency and Ethics Act Exclusions Regulation

WHEREAS, under paragraphs 2 and 7 of section 66 of the Lobbying Transparency and Ethics Act (2002, c. 23), the Government may make regulations excluding persons, bodies or agencies or lobbying activities from the application of the Act or determining special conditions under which persons, bodies or agencies or lobbying activities are subject to its application and prescribing any other measure that is necessary for the carrying out of the Act;

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 Part 2 of the *Gazette officielle du Québec* of 20 November 2002 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

The regulation respecting the Québec sales tax, made by Order in Council 1607-92 dated 4 November 1992 (1992, *G.O.* 2, 4952, was last amended by the Regulation made by Order in Council 1470-2002 dated 11 December 2002 (2002, *G.O.* 2, 6552). For previous amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 September 2002.

WHEREAS the 45-day period has expired;

WHEREAS, under section 18 of the Regulations Act (R.S.Q., c. R-18.1), a regulation may come into force within a period shorter than that applicable under section 17 of the Act where the authority that is making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under that section, the reason justifying 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 such coming into force:

— the definition of “organization lobbyist” provided for in section 72 of the Lobbying Transparency and Ethics Act is in force until the date of coming into force of the first regulation made under paragraph 2 of section 66 of that Act or until 1 March 2003, whichever is earlier;

— pursuant to that provision, the regulation must come into force no later than 1 March 2003;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Justice:

THAT the Lobbying Transparency and Ethics Act Exclusions Regulation, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Lobbying Transparency and Ethics Act Exclusions Regulation

Lobbying Transparency and Ethics Act
(2002, c. 23, s. 66, pars. 2 and 7)

1. Notwithstanding section 3 of the Lobbying Transparency and Ethics Act (2002, c. 23), the following persons, bodies or agencies, as well as the persons elected or appointed to one of those bodies or agencies, and the members of the personnel of those persons, bodies or agencies are not considered to be lobbyists for the purposes of the Act:

(1) the Lieutenant-Governor, the National Assembly, any person designated by the National Assembly to an office under its jurisdiction and any body or agency to which the National Assembly or one of its committees appoints the majority of the members;

(2) university level institutions referred to in paragraphs 1 to 11 of section 1 of the Act respecting educational institutions at the university level (R.S.Q., c. E-14.1);

(3) general and vocational colleges established under the General and Vocational Colleges Act (R.S.Q., c. C-29);

(4) school boards governed by the Education Act (R.S.Q., c. I-13.3) or the Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., c. I-14) and the Comité de gestion de la taxe scolaire de l'île de Montréal;

(5) private institutions accredited for the purposes of subsidies under the Act respecting private education (R.S.Q., c. E-9.1);

(6) any other educational institution over half of the expenditures of which are provided for in the estimates tabled in the National Assembly otherwise than under a transferred appropriation;

(7) public or private institutions under agreement referred to in the Act respecting health services and social services (R.S.Q., c. S-4.2);

(8) regional councils established under the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5);

(9) municipalities of fewer than 10,000 inhabitants and any body referred to in section 18 or 19 of the Act respecting the pension plan of elected municipal officers (R.S.Q., c. R-9.3);

(10) regional development councils and local development centres referred to in the Act respecting the Ministère des Régions (R.S.Q., c. M-25.001); and

(11) any person whose job or function consists, even substantially, in lobbying on behalf of an association or other non-profit group not constituted to serve management, union or professional interests, nor composed of a majority of members that are profit-seeking enterprises or representatives of profit-seeking enterprises.

2. The Act does not apply to submissions made by a person who is not a consultant lobbyist on behalf of the Bureau des services financiers, the Chambre de la sécurité financière or the Chambre de l'assurance de dommages to the Minister responsible for the Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2) or for the Act respecting the Agence nationale d'encadrement du secteur financier (2002, c. 45) or on behalf of the Association des courtiers et agents immobiliers du Québec to the Minister responsible for the Real Estate Brokerage Act (R.S.Q., c. C-73.1) concerning the development, introduction, amendment or defeat of proposals concerning those Acts and the regulations made thereunder.

3. Considering section 71 of the Lobbying Transparency and Ethics Act, the provisions of paragraph 9 of section 1 will cease to have effect on 1 July 2005.

4. This Regulation comes into force on 1 March 2003.

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Gouvernement du Québec

Agreement

An Act respecting elections and referendums in municipalities
(R.S.Q., c. E-2.2)

AGREEMENT CONCERNING NEW METHODS OF VOTING FOR AN ELECTION USING “ACCU-VOTE ES 2000” BALLOT BOXES

AGREEMENT ENTERED INTO

BETWEEN

The MUNICIPALITY OF MONT-LAURIER, a legal person established in the public interest, having its head office at 485, Mercier Street, Mont-Laurier, Province of Québec, represented by the mayor, Yves Cyr, and the clerk or secretary-treasurer, Blandine Boulianne, under resolution number 03-01-056, hereinafter called

THE MUNICIPALITY

AND

Mtre. Marcel Blanchet, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (R.S.Q., c. E-3.3), acting in that capacity and having his main office at 3460, rue de La Pérade, Sainte-Foy, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

the Honourable André Boisclair, in his capacity as MINISTER OF MUNICIPAL AFFAIRS AND GREATER MONTRÉAL, having his main office at 10, rue Pierre-Olivier-Chauveau, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the council of the MUNICIPALITY, by its resolution No. 03-01-056, passed at its meeting of January 28, 2003, expressed the desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities and to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of electronic ballot boxes for the general election of March 2, 2003 in the MUNICIPALITY;

WHEREAS under sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2):

“**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

659.3. After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer.”;

WHEREAS the MUNICIPALITY expressed the desire to avail itself of those provisions to hold a general election on March 2, 2003 and, could, with the necessary adaptations, avail itself of those provisions for elections held after the date of the agreement, the necessary adaptations to be included in an addendum to this agreement;

WHEREAS it is expedient to provide the procedure that applies to the territory of the MUNICIPALITY for that general election;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the MUNICIPALITY is solely responsible for the technological choice elected;