

“Except for a written appearance or any proceeding of the same nature, in which case the costs are payable by every party who files a first such proceeding, the costs are payable only for the filing of the first proceeding included in a stage mentioned in this section. No costs, however, are payable by the applicant party for the filing of a written appearance or a proceeding of the same nature.”.

**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. 1282-2003, 3 December 2003

Tobacco Tax Act  
(R.S.Q., c. I-2)

Taxation Act  
(R.S.Q., c. I-3)

An Act respecting the Ministère du Revenu  
(R.S.Q., c. M-31)

An Act respecting the Québec sales tax  
(R.S.Q., c. T-0.1)

Fuel Tax Act  
(R.S.Q., c. T-1)

#### Various regulations of a fiscal nature — Amendments

Various regulations to amend regulations of a fiscal nature

WHEREAS, under the second paragraph of section 7.9 of the Tobacco Tax Act (R.S.Q., c. I-2), the Government may, by regulation, determine specific requirements for the manifest or way-bill that shall draw up every person who, in Québec, transports packages of tobacco intended for sale;

WHEREAS, under subparagraphs *e*, *e.2* and *f* of the first paragraph of section 1086 of the Taxation Act (R.S.Q., c. I-3), the Government may make regulations to establish classes of property for the purposes of section 130 of the Act, to require any person included in one of the classes of persons it determines to file any return it may prescribe relating to any information necessary for the establishment of an assessment provided for in the Act and to send, where applicable, a

copy of the return or of a part thereof to any person to whom the return or part thereof relates and to whom it indicates in the regulation, and to generally prescribe the measures required for the application of the Act;

WHEREAS, under subparagraph 4 of the first paragraph of section 9.0.6 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31), the Government may make regulations to take any other measures necessary to implement the agreement referred to in section 2 of the Act and its amendments;

WHEREAS, under the second paragraph of section 94 of that Act, the remission of an amount provided for in the first paragraph of that section 94 may be made by general regulation;

WHEREAS, under the first paragraph of section 96 of that Act, the Government may make regulations to prescribe the measures required to carry out the Act, to give effect to any agreement entered into under section 9 of the Act and to exempt from the duties provided for by a fiscal law, under the conditions which it prescribes, public servants or agents of the government of a country other than Canada, and the members of their families or personnel, and prescribed international organizations, their head officers and their employees and the members of their families;

WHEREAS, under the first paragraph of section 677 of the Act respecting the Québec sales tax (R.S.Q., c. T-0.1), amended by section 350 of chapter 2 of the Statutes of 2003, the Government may make regulations to prescribe the measures required for the purposes of the Act;

WHEREAS, under the second paragraph of section 10.2 of the Fuel Tax Act (R.S.Q., c. T-1), the Government may make regulations to define the word “reserve” for the purposes of this section;

WHEREAS it is expedient to amend the Regulation respecting the Taxation Act, the Regulation respecting fiscal administration and the Regulation respecting the Québec sales tax, primarily to give effect to the fiscal measures and terminology-related amendments introduced into the Taxation Act, the Act respecting the Ministère du Revenu and the Act respecting the Québec sales tax by chapter 39 of the Statutes of 1996, by chapter 85 of the Statutes of 1997, by chapter 5 of the Statutes of 2000, by chapters 7, 51 and 53 of the Statutes of 2001 and by chapters 9 and 40 of the Statutes of 2002 and announced by the Minister of Finance in the Budget Speeches delivered on 31 March 1998, 9 March 1999, 14 March 2000, 29 March 2001 and 1 November 2001, in the Information Bulletins issued by the Ministère des Finances in particular on 31 March 1994, 26 November

1996, 18 December 1997, 23 June 1998, 30 June 1999, 22 December 1999, 29 June 2000, 20 October 2000, 27 October 2000, 5 July 2001, 11 July 2002, 11 October 2002, 19 December 2002 and 16 May 2003, and in the technical document dated 13 February 1991;

WHEREAS it is expedient to amend the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families and the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families, to give effect to the agreements entered into under section 9 of the Act respecting the Ministère du Revenu and signed in accordance with Orders in Council 1256-98 dated 30 September 1998, 1201-2000 dated 11 October 2000, 1202-2000 dated 11 October 2000, 78-2001 dated 31 January 2001, 821-2001 dated 27 June 2001, 638-2002 dated 29 May 2002 and 930-2002 dated 21 August 2002;

WHEREAS it is expedient, with a view to more efficient application of the Tobacco Tax Act, the Taxation Act, the Act respecting the Ministère du Revenu, the Act respecting the Québec sales tax and the Fuel Tax Act, to amend the Regulation respecting the application of the Tobacco Tax Act, the Regulation respecting the Taxation Act, the Regulation respecting fiscal administration, the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families, the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families, the Regulation respecting fiscal privileges granted to members of a diplomatic mission or consular post and to the members of their families, the Road Vehicle Supply Remission Regulation, the Regulation respecting the Québec sales tax and the Regulation respecting the application of the Fuel Tax Act, to make various technical and consequential amendments;

WHEREAS it is expedient to amend the Regulation to amend the Regulation respecting the Taxation Act made by Order in Council 1631-96 dated 18 December 1996 to change a date of application relating to a provision amended by the Regulation;

WHEREAS it is expedient to amend the Regulation to amend the Regulation respecting the Taxation Act made by Order in Council 1451-2000 dated 13 December 2000 to introduce a transitional provision;

WHEREAS it is expedient to amend the Regulation to amend the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families made by Order in Council 1451-2000 dated 13 December 2000 to introduce a provision giving retroactive effect to the amendments made by the Regulation;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation may be made without the prior publication prescribed by section 8 of the Act if the authority making it is of the opinion that the fiscal nature of the norms established, amended or revoked in the regulation warrants 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 fiscal nature of the norms established, amended or revoked in the regulation warrants it;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established, amended or revoked by the Regulation warrants the absence of prior publication and such coming into force;

WHEREAS, under section 27 of the Regulations Act, the Act does not prevent a regulation from taking effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made expressly provides therefor;

WHEREAS, under section 20 of the Tobacco Tax Act, every regulation made under the Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein; such a regulation may also, once published and if it so provides, take effect on a date prior to its publication but not prior to the effective date of the legislative provision under which the regulation is made;

WHEREAS, under the second paragraph of section 1086 of the Taxation Act, the regulations made under the Act may, once published and if they so provide, apply to a period prior to their publication but not prior to the taxation year 1972;

WHEREAS, under section 97 of the Act respecting the Ministère du Revenu, every regulation made under the Act shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein. Such a regulation may also, if it so provides, apply to a period prior to its publication;

WHEREAS, under the second paragraph of section 677 of the Act respecting the Québec sales tax, amended by section 350 of chapter 2 of the Statutes of 2003, a regulation made under the 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;

WHEREAS, under section 56 of the Fuel Tax Act, every regulation made under the Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein; it may also, once published and if it so provides, take effect on a date prior to its publication but not prior to the effective date of the legislative provision under which the regulation is made;

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

THAT the Regulations attached to this Order in Council be made:

— Regulation to amend the Regulation respecting the application of the Tobacco Tax Act;

— Regulation to amend the Regulation respecting the Taxation Act;

— Regulation to amend the Regulation respecting fiscal administration;

— Regulation to amend the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families;

— Regulation to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families;

— Regulation to amend the Regulation respecting fiscal privileges granted to members of a diplomatic mission or consular post and to the members of their families;

— Regulation to amend the Road Vehicle Supply Remission Regulation;

— Regulation to amend the Regulation respecting the Québec sales tax;

— Regulation to amend the Regulation respecting the application of the Fuel Tax Act;

— Regulation to amend the Regulation to amend the Regulation respecting the Taxation Act made by Order in Council 1631-96 dated 18 December 1996;

— Regulation to amend the Regulation to amend the Regulation respecting the Taxation Act made by Order in Council 1451-2000 dated 13 December 2000;

— Regulation to amend the Regulation to amend the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families made by Order in Council 1451-2000 dated 13 December 2000.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

## **Regulation to amend the Regulation respecting the application of the Tobacco Tax Act\***

Tobacco Tax Act  
(R.S.Q., c. I-2, ss. 7.9 and 20)

**1.** Section 1.4 of the Regulation respecting the application of the Tobacco Tax Act is amended by striking out paragraph *a*.

**2.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

\* The Regulation respecting the application of the Tobacco Tax Act, made by Order in Council 1929-86 dated 16 December 1986 (1986, *G.O.* 2, 3156), 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, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

## Regulation to amend the Regulation respecting the Taxation Act\*

Taxation Act  
(R.S.Q., c. I-3, s. 1086, 1st par., subpars. *e.2* and *f*,  
and 2nd par.)

**1.** (1) Section 21.19R1 of the Regulation respecting the Taxation Act is amended in the second paragraph

(1) by replacing the period at the end of paragraph *f* by a semi-colon;

(2) by adding the following after paragraph *f*:

“(g) the corporation governed by the Act constituting Capital régional et coopératif Desjardins (R.S.Q., c. C-6.1).”.

(2) Subsection 1 applies from the taxation year 2001.

**2.** (1) Section 22R1.2 of the Regulation is amended

(1) by inserting “737.22.0.7,” after “737.22.0.3,” in the first paragraph;

(2) by inserting “, a foreign professor, within the meaning assigned by section 737.22.0.5 of the Act,” after “section 737.22.0.1 of the Act” in the second paragraph.

(2) Subsection 1 applies from the taxation year 2000.

**3.** (1) Section 22R15 of the Regulation is amended by replacing subparagraph *b* of the second paragraph by the following:

“(b) where the individual is a foreign researcher within the meaning assigned by paragraph *a* of section 737.19 of the Act, a foreign researcher on a post-doctoral internship within the meaning assigned by section 737.22.0.0.1 of the Act, a foreign expert within the meaning assigned by section 737.22.0.0.5 of the Act, a foreign specialist within the meaning assigned by section 737.22.0.1 of the Act, a foreign professor within the meaning assigned by section 737.22.0.5 of the Act or an individual referred to in section 737.14, 737.16.1,

737.25 or 737.28 of the Act, the amount deducted by the individual in computing the individual’s taxable income for the year under any of sections 737.14, 737.16.1, 737.21, 737.22.0.0.3, 737.22.0.0.7, 737.22.0.3, 737.22.0.7, 737.25 and 737.28 of the Act; and”.

(2) Subsection 1 applies from the taxation year 2000.

**4.** (1) The heading of Title IV of the Regulation is replaced by the following:

“CAPITAL COST OF AN EMPLOYEE’S AUTOMOBILE OR AIRCRAFT”.

(2) Subsection 1 has effect from 1 January 1992.

**5.** (1) The Regulation is amended by inserting the following after section 64R1:

### “TITLE IV.0.1 PENSION PLAN

**70.2R1.** For the purposes of section 70.2 of the Act, a prescribed plan means

(a) the pension plan established as a consequence of the establishment, pursuant to section 27 of the Members of Parliament Retiring Allowances Act (Revised Statutes of Canada, 1985, chapter M-5), of the Members of Parliament Retirement Compensation Arrangements Account; or

(b) the pension plan established by the Retirement Compensation Arrangements Regulations, No. 1, made under the Special Retirement Arrangements Act (S.C. 1992, chapter 46, Schedule 1).

### TITLE IV.0.2 CAPITAL COST OF AN EMPLOYEE’S MUSICAL INSTRUMENT”.

(2) Subsection 1 has effect from 1 January 1992. However, where section 70.2R1 of the Regulation applies before 15 December 1994, it shall be read without reference to paragraph *b*.

**6.** (1) Section 87R4 of the Regulation is amended

(1) by replacing the period at the end of paragraph *f* by a semi-colon;

(2) by adding the following paragraph after paragraph *f*:

\* The Regulation respecting the Taxation Act (R.R.Q., 1981, c. I-3, r.1) was last amended by the Regulation to amend the Regulation respecting the Taxation Act made by Order in Council 1470-2002 dated 11 December 2002 (2002, G.O. 2, 6552). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

“(g) an amount paid pursuant to subparagraph *a* of the first paragraph of section 94.0.3.2 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31).”.

(2) Subsection 1 applies to taxation years that end after 14 March 2000.

**7.** Division III of Chapter I.2 of Title V of the Regulation is revoked.

**8.** (1) Section 92.11R1.1 of the Regulation is amended by replacing the definition of “spouse” by the following:

““spouse” of a particular individual includes another individual who is a party to a void or voidable marriage with the particular individual;”.

(2) Subsection 1 applies from the taxation year 1998 in respect of spouses who made the election referred to in the third paragraph of section 2.2.1 of the Taxation Act (R.S.Q., c. I-3) and, in other cases, has effect from 16 June 1999.

**9.** (1) Section 92.19R7 of the Regulation is amended by replacing “prescribed premium” in paragraph *c* by “premium referred to in section 92.19R8”.

(2) Subsection 1 has effect from 20 December 2001.

**10.** (1) Section 92.19R8 of the Regulation is amended by replacing the portion before paragraph *a* by the following:

“**92.19R8.** A premium paid at a particular time under a life insurance policy is a premium to which paragraph *c* of section 92.19R7 refers where the total amount of one or more premiums paid at that time under the policy exceeds the amount of the premium that was to be paid under the policy at that time, as determined not later than 1 December 1982 and as adjusted to take into account those events among the following events occurring after that date in respect of the policy:”.

(2) Subsection 1 has effect from 20 December 2001.

**11.** (1) Section 93R1 of the Regulation is replaced by the following:

“**93R1.** For the purposes of subparagraph *e* of the second paragraph of section 93 of the Act, the prescribed manner and the prescribed delay are those prescribed by section 130R41.”.

(2) Subsection 1 has effect from 24 February 1998.

**12.** (1) Section 93R2 of the Regulation is replaced by the following:

“**93R2.** For the purposes of subparagraph *f* of the second paragraph of section 93 of the Act, a prescribed amount is an amount referred to in paragraph *d* of section 87R4.”.

(2) Subsection 1 has effect from 24 February 1998.

**13.** Section 99R1 of the French text of the Regulation is replaced by the following:

“**99R1.** Pour l’application du paragraphe *e* de l’article 99 de la Loi:

*a)* un bien prescrit est un bien visé à l’article 130R73;

*b)* une entreprise prescrite est une entreprise visée à l’article 130R74.”.

**14.** (1) Section 104R4 of the Regulation is amended by replacing the first paragraph by the following:

“**104R4.** In the case of a disposition mentioned in section 104R3, the taxpayer may, within the time prescribed under the Act for the filing of the taxpayer’s fiscal return for the taxation year in which the taxpayer disposed of the vessel, elect to have the vessel considered as a prescribed class or, if any conversion cost in respect of the vessel has been included in a separate prescribed class, have the vessel transferred to that class and, if the taxpayer so elects, the vessel is deemed to have been so transferred immediately before the disposition by the taxpayer.”.

(2) Subsection 1 has effect from 20 December 2001.

**15.** Section 130R2 of the French text of the Regulation is amended

(1) by replacing “revenu tiré d’une mine” in the portion of subparagraph *a* of subsection 3 before subparagraph *i* by “revenu provenant d’une mine”;

(2) by replacing “qu’un contribuable tire d’une mine” in the portion of subsection 5 before subparagraph *a* by “d’un contribuable provenant d’une mine”;

(3) by replacing “revenu brut tiré d’une mine” in the portion of subsection 5.0.2 before subparagraph *a* and in subsection 5.0.3 by “revenu brut provenant d’une mine”.

**16.** (1) Section 130R7 of the Regulation is replaced by the following:

“**130R7.** Where the taxpayer’s taxation year is less than 12 months, the amount allowed as a deduction under this Title, other than under sections 130R23, 130R25 to 130R28, 130R38 to 130R39.2, 130R55.3.1, 130R55.6.2, 130R55.6.4 or 130R105 to 130R117, shall not exceed the proportion of the maximum amount allowable that the number of days in the taxation year is of 365.”

(2) Subsection 1 applies from the taxation year 1998.

**17.** Section 130R38 of the French text of the Regulation is amended by replacing the portion before paragraph *b* by the following:

“**130R38.** Un contribuable peut déduire à titre d’amortissement supplémentaire à l’égard de biens décrits à la catégorie 28 de l’annexe B acquis dans le but de tirer ou de produire un revenu provenant d’une mine ou à l’égard de biens acquis dans le but de tirer ou de produire un revenu provenant d’une mine et pour lesquels l’article 130R90 prescrit une catégorie distincte, un montant ne dépassant pas le moindre des montants suivants:

*a)* son revenu pour l’année, provenant de la mine, déterminé sans tenir compte du paragraphe z.4 de l’article 87 de la Loi et avant toute déduction en vertu du présent article, des articles 130R39 à 130R39.2, de l’article 145 de la Loi, de la section II, III, IV ou IV.2 du chapitre X du titre VI du livre III de la partie I de la Loi ou de l’article 88.4 de la Loi concernant l’application de la Loi sur les impôts (L.R.Q., c. I-4);”

**18.** Section 130R39 of the French text of the Regulation is amended by replacing the portion before paragraph *b* by the following:

“**130R39.** Un contribuable peut déduire à titre d’amortissement supplémentaire à l’égard de biens acquis dans le but de tirer ou de produire un revenu provenant de plus d’une mine et pour lesquels l’article 130R91 prescrit une catégorie distincte, un montant ne dépassant pas le moindre des montants suivants:

*a)* son revenu pour l’année, provenant des mines, déterminé sans tenir compte du paragraphe z.4 de l’article 87 de la Loi et avant toute déduction en vertu du présent article, de l’article 130R39.2, de l’article 145 de la Loi, de la section II, III, IV ou IV.2 du chapitre X du titre VI du livre III de la partie I de la Loi ou de l’article 88.4 de la Loi concernant l’application de la Loi sur les impôts (L.R.Q., c. I-4);”

**19.** Section 130R39.1 of the French text of the Regulation is amended by replacing the portion before paragraph *b* by the following:

“**130R39.1.** Un contribuable peut déduire à titre d’amortissement supplémentaire à l’égard de biens acquis dans le but de tirer ou de produire un revenu provenant d’une mine et pour lesquels l’article 130R91.1 prescrit une catégorie distincte, un montant ne dépassant pas le moindre des montants suivants:

*a)* son revenu pour l’année, provenant de la mine, déterminé sans tenir compte du paragraphe z.4 de l’article 87 de la Loi et avant toute déduction en vertu du présent article, de l’article 130R39 ou 130R39.2, de l’article 145 de la Loi, de la section II, III, IV ou IV.2 du chapitre X du titre VI du livre III de la partie I de la Loi ou de l’article 88.4 de la Loi concernant l’application de la Loi sur les impôts (L.R.Q., c. I-4);”

**20.** Section 130R39.2 of the French text of the Regulation is amended by replacing the portion before paragraph *b* by the following:

“**130R39.2.** Un contribuable peut déduire à titre d’amortissement supplémentaire à l’égard de biens acquis dans le but de tirer ou de produire un revenu provenant de plus d’une mine et pour lesquels l’article 130R91.2 prescrit une catégorie distincte, un montant ne dépassant pas le moindre des montants suivants:

*a)* son revenu pour l’année, provenant des mines, déterminé sans tenir compte du paragraphe z.4 de l’article 87 de la Loi et avant toute déduction en vertu du présent article, de l’article 145 de la Loi, de la section II, III, IV ou IV.2 du chapitre X du titre VI du livre III de la partie I de la Loi ou de l’article 88.4 de la Loi concernant l’application de la Loi sur les impôts (L.R.Q., c. I-4);”

**21.** (1) Section 130R41 of the Regulation is amended

(1) by replacing “subparagraph *vi* of paragraph *e*” in the portion before paragraph *a* by “subparagraph *e* of the second paragraph”;

(2) by striking out “et” at the end of the French text of paragraph *a*.

(2) Paragraph 1 of subsection 1 has effect from 24 February 1998.

**22.** (1) Section 130R51 of the Regulation is amended by inserting the following after paragraph *a*:

“(a.1) computer software tax shelter property;”

(2) Subsection 1 applies to taxation years and fiscal periods that end after 5 August 1997. However, paragraph *a.1* of section 130R51 of the Regulation does not apply in respect of computer software for taxation years and fiscal periods of a taxpayer or partnership that end in 1997 or 1998, where

(1) the taxpayer's or partnership's interest in the computer software

(a) is acquired before 6 August 1997;

(b) is acquired before 1 January 1998 pursuant to an agreement in writing made by the taxpayer or partnership before 6 August 1997; or

(c) is, or is associated with, a tax shelter investment that is acquired by a taxpayer or partnership before 1 January 1998 pursuant to

i. a final prospectus, preliminary prospectus or registration statement where

(A) the document was filed before 6 August 1997 with a public authority in Canada in accordance with the securities legislation of Canada or of any province and, where required by law, approved by the authority before that date,

(B) the particular computer software is identified in the document, or acquired before 29 November 1997 from a person that is resident in Canada and that developed the software, and

(C) all the funds raised pursuant to the document are raised before 1 January 1998 and all or substantially all of the tax shelter investments that can reasonably be considered to be associated with the computer software are acquired before 1 January 1998 by a person who is not a promoter, or a mandatary of a promoter, of the securities, a vendor of the property, a broker or dealer in securities, or a person who does not deal at arm's length with such a promoter or mandatary, or such a vendor, or

ii. the terms of an offering memorandum distributed as part of an offering of securities where

(A) the memorandum contains a complete or substantially complete description of the securities contemplated in the offering as well as the terms and conditions of the offering,

(B) the memorandum was distributed before 6 August 1997,

(C) solicitations in respect of the sale of the securities contemplated by the memorandum were made before 6 August 1997,

(D) the sale of the securities was substantially in accordance with the memorandum,

(E) the particular computer software is identified in the memorandum or acquired before 29 November 1997 from a person that is resident in Canada and that developed the software, and

(F) all the funds raised pursuant to the memorandum were raised before 1 January 1998 and all or substantially all of the tax shelter investments that can reasonably be considered to be associated with the computer software are acquired before 1 January 1998 by a person who is not a promoter, or a mandatary of a promoter, of the securities, a vendor of the property, a broker or dealer in securities, or a person who does not deal at arm's length with such a promoter or mandatary, or such a vendor;

(2) there is no agreement or other arrangement under which any of the following obligations can be changed, reduced or waived should there be a change to the Taxation Act (R.S.Q., c. I-3) or should an adverse assessment under the Act be made:

(a) the obligation of the taxpayer or the partnership, with respect to the computer software; or

(b) the obligation of another taxpayer or partnership that acquires a tax shelter investment that is associated with computer software, with respect to the tax shelter investment;

(3) the computer software is, or is associated with, one or more tax shelters sold or offered for sale at a time in circumstances in which Book X.1 of Part I of the Taxation Act requires an identification number to be obtained and the identification number was obtained before that time; and

(4) the computer software, including computer software to which subparagraph *a* or *b* of paragraph 1 applies, is, or is associated with, a tax shelter investment sold or offered for sale pursuant to a document or an offering memorandum described in subparagraph *c* of paragraph 1 and

(a) the total amount of securities sold in 1997 pursuant to the document or offering memorandum does not exceed \$100,000,000; or

(b) at least 10% of the securities authorized to be sold in 1997 pursuant to the document or offering memorandum were in 1997 and before 6 August, sold to, or subscribed for by, a person who is not

i. a promoter, or a mandatary of a promoter, of the securities,

ii. a vendor of the computer software,

iii. a broker or dealer in securities, or

iv. a person who does not deal at arm's length with any person referred to in clause *i* or *ii*.

(3) For the purposes of subsection 2,

(1) computer software is deemed to be acquired by a taxpayer or partnership no earlier than the time and only to the extent that its cost is considered to be an expenditure made or incurred by the taxpayer or partnership for the purposes of the Taxation Act, without reference to section 130R55.6.6 of the Regulation; and

(2) "tax shelter investment" has the meaning assigned by section 851.38 of the Taxation Act.

**23.** (1) The Regulation is amended by inserting the following after section 130R55.6.1:

**"DIVISION XVI.1  
YEAR 2000 COMPUTER HARDWARE AND  
SYSTEMS SOFTWARE**

**130R55.6.2.** A taxpayer may elect to deduct as additional allowance, for a taxation year, an amount that does not exceed the amount determined under section 130R55.6.3, where the taxpayer

(a) is not a large corporation within the meaning of subsection 8 of section 225.1 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), in the year, or a partnership any member of which is such a corporation in a taxation year that includes any time that is in the partnership's fiscal period; and

(b) acquired property included in Class 10 of Schedule B under paragraph *g* of subsection 1 of that Class in the year but after 31 December 1997 and before 1 November 1999, for the purpose of replacing property that was acquired before 1 January 1998 that has a material risk of malfunctioning because of the change of the calendar year to 2000 and that is described in that paragraph *g* or in subparagraph *o* of the first paragraph of Class 12 of Schedule B.

**130R55.6.3.** The amount to which section 130R55.6.2 refers is equal to the least of

(a) the amount by which \$50,000 exceeds

i. the aggregate of all amounts each of which is an amount claimed by the taxpayer under section 130R55.6.2 for a preceding taxation year,

ii. the aggregate of all amounts each of which is an amount claimed by the taxpayer under section 130R55.6.4 for the year or a preceding taxation year, and

iii. the aggregate of all amounts each of which is an amount claimed under section 130R55.6.2 or section 130R55.6.4 by a corporation for a taxation year in which it was associated with the taxpayer;

(b) 85% of the capital cost to the taxpayer of all property described in paragraph *b* of section 130R55.6.2; and

(c) the undepreciated capital cost to the taxpayer, as of the end of the year, of property included in Class 10 of Schedule B, computed without reference to Division XVII and after all deductions claimed under this Title for the year except those under section 130R55.6.2.

**130R55.6.4.** A taxpayer may elect to deduct as additional allowance, for a taxation year, an amount that does not exceed the amount determined under section 130R55.6.5, where the taxpayer

(a) is not a large corporation within the meaning of subsection 8 of section 225.1 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), in the year, or a partnership any member of which is such a corporation in a taxation year that includes any time that is in the partnership's fiscal period; and

(b) acquired property included in Class 12 of Schedule B under subparagraph *o* of the first paragraph of that Class in the year but after 31 December 1997 and before 1 November 1999, for the purpose of replacing property that was acquired before 1 January 1998 that has a material risk of malfunctioning because of the change of the calendar year to 2000 and that is described in paragraph *g* of subsection 1 of Class 10 of Schedule B or in that subparagraph *o*.

**130R55.6.5.** The amount to which section 130R55.6.4 refers is equal to the least of

(a) the amount by which \$50,000 exceeds



i. the aggregate of all amounts each of which is an amount claimed by the taxpayer under section 130R55.6.4 for a preceding taxation year,

ii. the aggregate of all amounts each of which is an amount claimed by the taxpayer under section 130R55.6.2 for the year or a preceding taxation year, and

iii. the aggregate of all amounts each of which is an amount claimed under section 130R55.6.2 or section 130R55.6.4 by a corporation for a taxation year in which it was associated with the taxpayer;

(b) 50% of the capital cost to the taxpayer of all property described in paragraph b of section 130R55.6.4; and

(c) the undepreciated capital cost to the taxpayer, as of the end of the year, of property included in Class 12 of Schedule B, computed without reference to Division XVII after all deductions claimed under this Title for the year except those under section 130R55.6.4.

#### **DIVISION XVI.2** **COMPUTER SOFTWARE TAX** **SHELTER PROPERTY**

**130R55.6.6.** The aggregate of all amounts each of which is a deduction in respect of computer software tax shelter property allowed to the taxpayer under this Title in computing a taxpayer's income for a taxation year shall not exceed the amount determined according to the formula

A - B.

In the formula provided for in the first paragraph,

(a) A is the aggregate of all amounts each of which is

i. the taxpayer's income for the year from a business in which computer software tax shelter property owned by the taxpayer is used, computed without reference to any deduction under this Title in respect of such property, or

ii. the income of a partnership from a business in which computer software tax shelter property owned by the partnership is used, to the extent of the taxpayer's share of such income that is included in computing the taxpayer's income for the year;

(b) B is the aggregate of all amounts each of which is

i. a loss of the taxpayer from a business in which computer software tax shelter property is used, computed without reference to any deduction under this Title in respect of such property, or

ii. a loss of a partnership from a business in which computer software tax shelter property is used, to the extent of the taxpayer's share of such loss that is included in computing the taxpayer's income for the year.

**130R55.6.7.** For the purposes of this Title, computer software tax shelter property is computer software that is depreciable property of a prescribed class of a person or partnership where

(a) the person's or partnership's interest in the property is a tax shelter investment within the meaning of section 851.38 of the Act, determined without reference to section 130R55.6.6; or

(b) an interest in the person or partnership is a tax shelter investment within the meaning of section 851.38 of the Act, determined without reference to section 130R55.6.6.”.

(2) Subsection 1, where it enacts Division XVI.1 of Chapter III of Title VI of the Regulation, applies from the taxation year 1998.

(3) Subsection 1, where it enacts Division XVI.2 of Chapter III of Title VI of the Regulation, applies to taxation years and fiscal periods that end after 5 August 1997. However, the said Division XVI.2 does not apply in respect of computer software for taxation years and fiscal periods of a taxpayer or partnership that end in 1997 or 1998, where

(1) the taxpayer's or partnership's interest in the computer software

(a) is acquired before 6 August 1997;

(b) is acquired before 1 January 1998 pursuant to an agreement in writing made by the taxpayer or partnership before 6 August 1997; or

(c) is, or is associated with, a tax shelter investment that is acquired by a taxpayer or partnership before 1 January 1998 pursuant to

i. a final prospectus, preliminary prospectus or registration statement where

(A) the document was filed before 6 August 1997 with a public authority in Canada in accordance with the securities legislation of Canada or of any province and, where required by law, approved by the authority before that date,

(B) the particular computer software is identified in the document, or acquired before 29 November 1997 from a person that is resident in Canada and that developed the software, and

(C) all the funds raised pursuant to the document are raised before 1 January 1998 and all or substantially all of the tax shelter investments that can reasonably be considered to be associated with the computer software are acquired before 1 January 1998 by a person who is not a promoter, or a mandatary of a promoter, of the securities, a vendor of the property, a broker or dealer in securities, or a person who does not deal at arm's length with such a promoter or mandatary, or such a vendor, or

ii. the terms of an offering memorandum distributed as part of an offering of securities where

(A) the memorandum contains a complete or substantially complete description of the securities contemplated in the offering as well as the terms and conditions of the offering,

(B) the memorandum was distributed before 6 August 1997,

(C) solicitations in respect of the sale of the securities contemplated by the memorandum were made before 6 August 1997,

(D) the sale of the securities was substantially in accordance with the memorandum,

(E) the particular computer software is identified in the memorandum or acquired before 29 November 1997 from a person that is resident in Canada and that developed the software, and

(F) all the funds raised pursuant to the memorandum were raised before 1 January 1998 and all or substantially all of the tax shelter investments that can reasonably be considered to be associated with the computer software are acquired before 1 January 1998 by a person who is not a promoter, or a mandatary of a promoter, of the securities, a vendor of the property, a broker or dealer in securities, or a person who does not deal at arm's length with such a promoter or mandatary, or such a vendor;

(2) there is no agreement or other arrangement under which any of the following obligations can be changed, reduced or waived should there be a change to the Taxation Act (R.S.Q., c. I-3) or should an adverse assessment under the Act be made:

(a) the obligation of the taxpayer or the partnership, with respect to the computer software; or

(b) the obligation of another taxpayer or partnership that acquires a tax shelter investment that is associated with computer software, with respect to the tax shelter investment;

(3) the computer software is, or is associated with, one or more tax shelters sold or offered for sale at a time in circumstances in which Book X.1 of Part I of the Taxation Act requires an identification number to be obtained and the identification number was obtained before that time; and

(4) the computer software, including computer software to which subparagraph *a* or *b* of paragraph 1 applies, is, or is associated with, a tax shelter investment sold or offered for sale pursuant to a document or an offering memorandum described in subparagraph *c* of paragraph 1 and

(a) the total amount of securities sold in 1997 pursuant to the document or offering memorandum does not exceed \$100,000,000; or

(b) at least 10% of the securities authorized to be sold in 1997 pursuant to the document or offering memorandum were in 1997 and before 6 August, sold to, or subscribed for by, a person who is not

i. a promoter, or a mandatary of a promoter, of the securities,

ii. a vendor of the computer software,

iii. a broker or dealer in securities, or

iv. a person who does not deal at arm's length with any person referred to in clause *i* or *ii*.

(4) For the purposes of subsection 3,

(1) computer software is deemed to be acquired by a taxpayer or partnership no earlier than the time and only to the extent that its cost is considered to be an expenditure made or incurred by the taxpayer or partnership for the purposes of the Taxation Act, without reference to section 130R55.6.6 of the Regulation; and

(2) “tax shelter investment” has the meaning assigned by section 851.38 of the Taxation Act.

**24.** (1) Section 130R55.8 of the Regulation is replaced by the following:

“**130R55.8.** The amount which, in accordance with section 130R55.7, must be determined in respect of a class of Schedule B at the end of a taxation year shall be established according to the formula

A – B.

In the formula provided for in the first paragraph,

(a) A is any amount added, in respect of a property that is neither a property referred to in paragraph *q* or *r* of subsection 2 of Class 10 of Schedule B, in any of subparagraphs *a* to *c*, *e* to *i*, *k*, *l*, *p* and *q* of the first paragraph of Class 12 of that schedule or in the third paragraph of that Class 12, nor a property to which subparagraph *b* of the second paragraph of section 130R3 applies for the year, to the undepreciated capital cost to the taxpayer of property of the class either under subparagraph *i* of subparagraph *e* of the first paragraph of section 93 of the Act in respect of a property acquired during the year or that became available for use by the taxpayer in the year, or under subparagraph *ii.1* or *ii.2* of that paragraph *e* in respect of an amount repaid during the year; and

(b) B is any amount deducted from the undepreciated capital cost to the taxpayer of property of the class under subparagraph *c* or *d* of the second paragraph of section 93 of the Act in respect of a property disposed of during the year or under subparagraph *g* of that paragraph in respect of an amount that the taxpayer received or was entitled to receive during the year.”

(2) Subsection 1 has effect from 24 February 1998.

**25.** (1) Section 130R55.9 of the Regulation is replaced by the following:

“**130R55.9.** For the purposes of subparagraph *b* of the second paragraph of section 130R55.8, the proceeds of disposition of a property of Class 10 of Schedule B that would be referred to in subsection 3 of Class 16 of that schedule if it had been acquired after 12 November 1981 are deemed to be the proceeds of disposition of a property of Class 16 and not of a property of Class 10.”

(2) Subsection 1 has effect from 24 February 1998.

**26.** (1) Section 130R55.12 of the Regulation is amended

(1) by replacing the portion before subparagraph *a* of the first paragraph of the French text by the following:

“**130R55.12.** Les règles qui s’appliquent à l’égard d’un bien visé à l’un des articles 130R55.10 et 130R55.11 sont les suivantes:”;

(2) by replacing “paragraph *a*” in subparagraph *a* of the first paragraph by “subparagraph *a* of the second paragraph”.

(2) Paragraph 2 of subsection 1 has effect from 24 February 1998.

**27.** (1) Section 130R55.13 of the Regulation is amended by replacing “paragraph *b*” by “subparagraph *b* of the second paragraph”.

(2) Subsection 1 has effect from 24 February 1998.

**28.** Section 130R90 of the French text of the Regulation is amended by replacing “revenu d’une mine” and “revenu d’une autre mine” by, respectively, “revenu provenant d’une mine” and “revenu provenant d’une autre mine”.

**29.** Section 130R91 of the French text of the Regulation is amended by replacing “revenu de mines” and “revenu d’autres mines” by, respectively, “revenu provenant de mines” and “revenu provenant d’autres mines”.

**30.** Section 130R91.1 of the French text of the Regulation is amended by replacing “revenu d’une seule mine” and “revenu d’une autre mine” by, respectively, “revenu provenant d’une seule mine” and “revenu provenant d’une autre mine”.

**31.** Section 130R91.2 of the French text of the Regulation is amended by replacing “revenu de mines”, “revenu d’une ou de plusieurs mines” and “revenu des mines” by, respectively, “revenu provenant de mines”, “revenu provenant d’une ou de plusieurs mines” and “revenu provenant des mines”.

**32.** (1) The Regulation is amended by inserting the following after section 130R98.10:

“**130R98.11.** For the purposes of this Title, where one or more properties of a taxpayer are included in the same class of Schedule B and the properties are not all computer software tax shelter property, a separate class is to be created for all the properties that are computer software tax shelter properties and that would otherwise be included in the Class.”

(2) Subsection 1 applies to taxation years and fiscal periods that end after 5 August 1997. However, section 130R98.11 of the Regulation does not apply in respect of computer software for taxation years and fiscal periods of a taxpayer or partnership that end in 1997 or 1998, where

(1) the taxpayer's or partnership's interest in the computer software

(a) is acquired before 6 August 1997;

(b) is acquired before 1 January 1998 pursuant to an agreement in writing made by the taxpayer or partnership before 6 August 1997; or

(c) is, or is associated with, a tax shelter investment that is acquired by a taxpayer or partnership before 1 January 1998 pursuant to

i. a final prospectus, preliminary prospectus or registration statement where

(A) the document was filed before 6 August 1997 with a public authority in Canada in accordance with the securities legislation of Canada or of any province and, where required by law, approved by the authority before that date,

(B) the particular computer software is identified in the document, or acquired before 29 November 1997 from a person that is resident in Canada and that developed the software, and

(C) all the funds raised pursuant to the document are raised before 1 January 1998 and all or substantially all of the tax shelter investments that can reasonably be considered to be associated with the computer software are acquired before 1 January 1998 by a person who is not a promoter, or a mandatary of a promoter, of the securities, a vendor of the property, a broker or dealer in securities, or a person who does not deal at arm's length with such a promoter or mandatary, or such a vendor; or

ii. the terms of an offering memorandum distributed as part of an offering of securities where

(A) the memorandum contains a complete or substantially complete description of the securities contemplated in the offering as well as the terms and conditions of the offering,

(B) the memorandum was distributed before 6 August 1997,

(C) solicitations in respect of the sale of the securities contemplated by the memorandum were made before 6 August 1997,

(D) the sale of the securities was substantially in accordance with the memorandum,

(E) the particular computer software is identified in the memorandum or acquired before 29 November 1997 from a person that is resident in Canada and that developed the software, and

(F) all the funds raised pursuant to the memorandum were raised before 1 January 1998 and all or substantially all of the tax shelter investments that can reasonably be considered to be associated with the computer software are acquired before 1 January 1998 by a person who is not a promoter, or a mandatary of a promoter, of the securities, a vendor of the property, a broker or dealer in securities, or a person who does not deal at arm's length with such a promoter or mandatary, or such a vendor;

(2) there is no agreement or other arrangement under which any of the following obligations can be changed, reduced or waived should there be a change to the Taxation Act (R.S.Q., c. I-3) or should an adverse assessment under the Act be made:

(a) the obligation of the taxpayer or the partnership, with respect to the computer software; or

(b) the obligation of another taxpayer or partnership that acquires a tax shelter investment that is associated with computer software, with respect to the tax shelter investment;

(3) the computer software is, or is associated with, one or more tax shelters sold or offered for sale at a time in circumstances in which Book X.1 of Part I of the Taxation Act requires an identification number to be obtained and the identification number was obtained before that time; and

(4) the computer software, including computer software to which subparagraph *a* or *b* of paragraph 1 applies, is, or is associated with, a tax shelter investment sold or offered for sale pursuant to a document or an offering memorandum described in subparagraph *c* of paragraph 1 and

(a) the total amount of securities sold in 1997 pursuant to the document or offering memorandum does not exceed \$100,000,000; or

(b) at least 10% of the securities authorized to be sold in 1997 pursuant to the document or offering memorandum were in 1997 and before 6 August, sold to, or subscribed for by, a person who is not

i. a promoter, or a mandatary of a promoter, of the securities,

ii. a vendor of the computer software,

iii. a broker or dealer in securities, or

iv. a person who does not deal at arm's length with any person referred to in clause *i* or *ii*.

(3) For the purposes of subsection 2,

(1) computer software is deemed to be acquired by a taxpayer or partnership no earlier than the time and only to the extent that its cost is considered to be an expenditure made or incurred by the taxpayer or partnership for the purposes of the Taxation Act, without reference to section 130R55.6.6 of the Regulation; and

(2) "tax shelter investment" has the meaning assigned by section 851.38 of the Taxation Act.

**33.** (1) Section 192R2 of the Regulation is replaced by the following:

"**192R2.** For the purposes of the second paragraph of section 192 of the Act, a prescribed body is a body mentioned in any of paragraphs *a* to *w* of section 192R1."

(2) Subsection 1 has effect from 27 April 1995.

**34.** (1) Section 241.0.1R2 of the Regulation is amended by replacing "*c* to *f*" in subparagraph *b* of the first paragraph by "*c* to *g*".

(2) Subsection 1 applies from the taxation year 2001.

**35.** Section 308.1R1 of the French text of the Regulation is replaced by the following:

"**308.1R1.** Pour l'application de l'article 308.1 de la Loi, la partie prescrite d'un dividende visé à l'article 308.2 de la Loi est la partie de ce dividende qui est assujettie à l'impôt en vertu de la partie IV de la Loi de l'impôt sur le revenu (Lois révisées du Canada (1985), chapitre 1, 5<sup>e</sup> supplément) qui n'est pas remboursé en vertu de cette loi en raison du paiement d'un dividende à une société lorsqu'un tel paiement fait partie d'une série d'opérations ou d'événements à l'égard de laquelle l'article 308.1 de la Loi s'applique."

**36.** (1) Section 312R3 of the Regulation is revoked.

(2) Subsection 1 applies from the taxation year 2000.

**37.** (1) Section 360R2 of the Regulation is amended

(1) by replacing paragraph *a* by the following:

"(a) "disposition of property" has the meaning assigned by subparagraph *a* of the first paragraph of section 93 of the Act;"

(2) by replacing "revenu d'une ou de plusieurs mines" in the French text of paragraph *f.2* by "revenu provenant d'une ou plusieurs mines";

(3) by replacing paragraph *i* by the following:

(i) "proceeds of disposition" of a property has the meaning assigned by subparagraph *f* of the first paragraph of section 93 of the Act;"

(2) Paragraphs 1 and 3 of subsection 1 have effect from 24 February 1998.

**38.** (1) Chapter VI of Title XIV of the Regulation is revoked.

(2) Subsection 1 applies to taxation years that end after 21 February 1994. However, it does not apply to any obligation settled or extinguished

(1) before 22 February 1994;

(2) after 21 February 1994 under the terms of an agreement in writing entered into on or before that date, or under the terms of any amendment to such an agreement, where that amendment was entered into in writing before 12 July 1994 and the amount of the settlement or extinguishment was not substantially greater than the settlement or extinguishment provided under the terms of the agreement;

(3) before 1 January 1996 pursuant to a restructuring of debt in connection with a proceeding commenced in a court in Canada before 22 February 1994;

(4) before 1 January 1996 in connection with a proposal, or notice of intention to make a proposal, that was filed under the Bankruptcy and Insolvency Act (Revised Statutes of Canada, 1985, chapter B-3), or similar legislation of a country other than Canada, before 22 February 1994; or

(5) before 1 January 1996 in connection with a written offer that was made by, or communicated to, the holder of the obligation before 22 February 1994.

**39.** (1) Section 487.0.2R1 of the Regulation is amended

(1) by replacing the period at the end of paragraph *j* by a semi-colon;

(2) by adding the following after paragraph *j*:

“(k) for the 2001 calendar year:

i. in the Province of Ontario, the Counties of Elgin, Essex, Haldimand, Hastings, Huron, Lambton, Lanark, Lennox and Addington, Middlesex, Norfolk, Northumberland, Oxford and Renfrew, the United Counties of Leeds and Grenville, the Frontenac Management Board, the Regional Municipality of Niagara, the Cities of Brant County, Brantford, Hamilton, Ottawa and Prince Edward County and the Municipality of Chatham-Kent;

ii. in the Province of Québec, the Magdalen Islands;

iii. in the Province of Nova Scotia, the Counties of Annapolis, Antigonish, Cape Breton, Colchester, Cumberland, Digby, Hants, Inverness, Kings, Pictou, Richmond and Victoria;

iv. in the Province of New-Brunswick, the Counties of Albert, Kent and Westmorland;

v. in the Province of Manitoba, the Rural Municipality of Kelsey;

vi. in the Province of British Columbia, the Regional Districts of Central Kootenay, East Kootenay, Kootenay Boundary and Okanagan-Similkameen;

vii. the Province of Prince Edward Island;

viii. in the Province of Saskatchewan, the Rural Municipalities of Aberdeen, Abernethy, Antelope Park, Arborfield, Arlington, Arm River, Auvergne, Baildon, Barrier Valley, Battle River, Bayne, Beaver River, Bengough, Big Arm, Big Quill, Big River, Big Stick, Biggar, Birch Hills, Bjorkdale, Blaine Lake, Blucher, Bone Creek, Bratt’s Lake, Britannia, Brokenshell, Buchanan, Buckland, Buffalo, Calder, Caledonia, Cana, Canaan, Canwood, Carmichael, Caron, Chaplin, Chester, Chesterfield, Churchbridge, Clayton, Clinworth, Colonsay, Connaught, Corman Park, Cote, Coteau, Coulee, Craik, Cupar, Cut Knife, Deer Forks, Douglas, Duck Lake, Dufferin, Dundurn, Eagle Creek, Edenwold, Elcapo, Eldon, Elfros, Elmsthorpe, Emerald, Enfield, Enterprise,

Excel, Excelsior, Eye Hill, Eyebrow, Fertile Valley, Fish Creek, Flett’s Springs, Foam Lake, Fox Valley, Francis, Frenchman Butte, Frontier, Garden River, Garry, Glen Bain, Glen McPherson, Glenside, Good Lake, Grandview, Grant, Grass Lake, Grassy Creek, Gravelbourg, Grayson, Great Bend, Gull Lake, Happy Valley, Happyland, Harris, Hart Butte, Hazel Dell, Heart’s Hill, Hillsborough, Hillsdale, Hoodoo, Hudson Bay, Humboldt, Huron, Indian Head, Insinger, Invergordon, Invermay, Ituna Bon Accord, Kellross, Kelvington, Key West, Keys, Kindersley, King George, Kingsley, Kinistino, Kutawa, Lac Pelletier, Lacadena, Laird, Lajord, Lake Johnston, Lake Lenore, Lake of The Rivers, Lakeland, Lakeside, Lakeview, Last Mountain Valley, Lawtonia, Leask, Leroy, Lipton, Livingston, Lone Tree, Longlaketon, Loon Lake, Loreburn, Lost River, Lumsden, Manitou Lake, Mankota, Maple Bush, Maple Creek, Mariposa, Marquis, Marriott, Mayfield, McCraney, McKillop, McLeod, Meadow Lake, Medstead, Meeting Lake, Meota, Mervin, Milden, Milton, Miry Creek, Monet, Montmartre, Montrose, Moose Jaw, Moose Range, Morris, Morse, Mount Hope, Mountain View, Newcombe, Nipawin, North Battleford, North Qu’Appelle, Norton, Oakdale, Old Post, Orkney, Paddockwood, Parkdale, Paynton, Pense, Perdue, Piapot, Pinto Creek, Pittville, Pleasant Valley, Pleasantdale, Ponass Lake, Poplar Valley, Porcupine, Prairie Rose, Prairiedale, Preeceville, Prince Albert, Progress, Redberry, Redburn, Reford, Reno, Riverside, Rodgers, Rosedale, Rosemount, Rosthern, Round Hill, Round Valley, Rudy, Saltcoats, Sarnia, Saskatchewan Landing, Sasman, Scott, Senlac, Shamrock, Shellbrook, Sherwood, Sliding Hills, Snipe Lake, South Qu’Appelle, Spalding, Spiritwood, St. Andrews, St. Louis, St. Peter, St. Philips, Stanley, Star City, Stonehenge, Surprise Valley, Sutton, Swift Current, Terrell, The Gap, Three Lakes, Tisdale, Torch River, Touchwood, Tramping Lake, Tullymet, Turtle River, Osborne, Val Marie, Vanscoy, Victory, Viscount, Wallace, Waverley, Webb, Wheatlands, Whiska Creek, White Valley, Willner, Willow Bunch, Willow Creek, Wilton, Winslow, Wise Creek, Wolseley, Wolverine, Wood Creek, Wood River and Wreford;

ix. the Province of Alberta;

x. in the Province of Newfoundland and Labrador, the island of Newfoundland.”

(2) Subsection 1 has effect from 1 January 2001.

**40.** (1) Section 488R1 of the Regulation is amended

(1) by adding “or under Chapter III of Title II of the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001)” at the end of paragraph *t*;

(2) by inserting the following after paragraph *x.3* :

“(x.4) the amount of financial assistance granted under the housing allowance program for the elderly and for the family implemented by the Société d’habitation du Québec pursuant to Order in Council 904-97 dated 9 July 1997, Order in Council 1094-98 dated 26 August 1998 or Order in Council 1187-99 dated 20 October 1999;”.

(2) Paragraph 1 of subsection 1 has effect from 1 October 1999.

(3) Paragraph 2 of subsection 1 has effect from 1 October 1997. However, where paragraph *x.4* of section 488R1 of the Regulation applies

(1) before 1 October 1998, it shall be read without reference to “, Order in Council 1094-98 dated 26 August 1998 or Order in Council 1187-99 dated 20 October 1999”;

(2) between 30 September 1998 and 1 November 1999, it shall be read as if the reference to “, Order in Council 1094-98 dated 26 August 1998 or Order in Council 1187-99 dated 20 October 1999” were a reference to “or Order in Council 1094-98 dated 26 August 1998”.

**41.** Section 559R1 of the Regulation is amended by replacing “contemplated in paragraph *b*” by “referred to in subparagraph *b* of the second paragraph”.

**42.** (1) Section 589R1 of the Regulation is replaced by the following :

“**589R1.** A corporation shall make the election or the new election, as the case may be, prescribed in section 589 of the Act by forwarding to the Minister, in duplicate, the prescribed form and a declaration, with supporting evidence, attesting that it has made a similar election or a similar new election, as the case may be, for the purposes of section 93 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) in respect of the disposition referred to in that section 589.”.

(2) Subsection 1 has effect from 20 December 2001.

**43.** (1) Section 686R1 of the Regulation is amended by replacing “subsection 1” by “the first paragraph”.

(2) Subsection 1 applies in respect of dispositions that occur after 26 April 1995.

**44.** (1) The Regulation is amended by inserting the following after section 737.22.0.3R1 :

“**737.22.0.7R1.** For the purposes of section 737.22.0.7 of the Act, an eligible employer shall attest, in the manner prescribed in section 1086R8.12.0.2, the eligible income for a taxation year of a foreign professor.”.

(2) Subsection 1 applies from the taxation year 2000.

**45.** (1) Sections 752.0.1R1 and 752.0.1R2 of the Regulation are revoked.

(2) Subsection 1 applies from the taxation year 2000.

**46.** (1) Section 752.0.7.4R1 of the Regulation is amended by inserting “or, as the case may be, the individual’s legal representative” in the portion of the first paragraph before paragraph *a* after “individual”.

(2) Subsection 1 applies from the taxation year 2001.

**47.** (1) Section 752.0.11.1R1 of the Regulation is amended

(1) by replacing “Aux fins” in the portion before paragraph *a* of the French text by “Pour l’application”;

(2) by replacing “the prescribed accessories” in paragraph *h* by “accessories under a medical prescription”.

(2) Paragraph 2 of subsection 1 has effect from 20 December 2001.

**48.** Section 771R18 of the Regulation is replaced by the following :

“**771R18.** For the purposes of this division, the amount of loans or deposits is one-twelfth of the aggregate of the amounts outstanding on the loans granted by the bank, or, as the case may be, of the aggregate of the amounts on deposit with the bank, at the close of business on the last day of each month in the year; for such purposes, loans and deposits do not include bonds, debentures, stocks, items in transit and deposits in favour of Her Majesty in right of Canada.”.

**49.** (1) Section 818R1 of the Regulation is amended by replacing paragraph *a* by the following :

“(a) “total depreciation” has the meaning assigned by subparagraph *b* of the first paragraph of section 93 of the Act;”.

(2) Subsection 1 has effect from 24 February 1998.

**50.** (1) Section 818R51 of the Regulation is amended by striking out “and manner” in paragraph *a* of the definition of “attributed surplus”.

(2) Subsection 1 has effect from 20 December 2001.

**51.** (1) Section 851.20R1 of the Regulation is replaced by the following:

“**851.20R1.** The trustee of a segregated fund trust shall make the election mentioned in section 851.20 of the Act by filing with the Minister, not later than 90 days after the end of the taxation year of the trust, the prescribed form in respect of any capital property deemed to have been disposed of during the year by virtue of the election.”.

(2) Subsection 1 has effect from 20 December 2001.

**52.** (1) Section 862R1 of the Regulation is replaced by the following:

“**862R1.** The trustee shall make the election mentioned in the first paragraph of section 862 of the Act by filing with the Minister the prescribed form in duplicate. The election must be made on or before the last day of a taxation year of the trust in respect of any capital property deemed to have been disposed of in that taxation year by virtue of the election.”.

(2) Subsection 1 has effect from 20 December 2001.

**53.** (1) The Regulation is amended by inserting the following after section 895R1:

“**895.0.1R1.** For the purposes of section 895.0.1 of the Act, a prescribed post-secondary educational institution and a prescribed educational program are respectively a post-secondary educational institution referred to in paragraph *a* of section 895R1 and an educational program referred to in paragraph *c* of that section.”.

(2) Subsection 1 has effect from 1 January 1998.

**54.** (1) Section 1015R1 of the Regulation is amended

(1) by adding the following subparagraph after subparagraph *ii* of paragraph *b* of the definition of “personal tax credits”:

“iii. may deduct from the employee’s tax otherwise payable for the year, under sections 752.0.14 to 752.0.16 and 752.0.19 of the Act, or that the employee would be entitled to deduct under section 752.0.14 if that section were read without reference to paragraph *d* thereof;”;

(2) by replacing paragraphs *a* to *g* of the definition of “adjustment factor” by the following:

“(a) where the family income of the employee for the year does not exceed \$35,435:

i. 4.25 where the employee’s personal income for the year does not exceed \$27,094,

ii. 3.25 where the employee’s personal income for the year is greater than \$27,094;

(b) where the family income of the employee for the year is greater than \$35,435 without exceeding \$43,770:

i. 3.75 where the employee’s personal income for the year does not exceed \$27,094,

ii. 2.75 where the employee’s personal income for the year is greater than \$27,094;

(c) where the family income of the employee for the year is greater than \$43,770 without exceeding \$52,110:

i. 3.25 where the employee’s personal income for the year does not exceed \$27,094,

ii. 2.50 where the employee’s personal income for the year is greater than \$27,094;

(d) where the family income of the employee for the year is greater than \$52,110 without exceeding \$60,445:

i. 2.75 where the employee’s personal income for the year does not exceed \$27,094,

ii. 2 where the employee’s personal income for the year is greater than \$27,094 without exceeding \$54,195,

iii. 1.75 where the employee’s personal income for the year is greater than \$54,195;

(e) where the family income of the employee for the year is greater than \$60,445 without exceeding \$68,780:

i. 2.25 where the employee’s personal income for the year does not exceed \$27,094,

ii. 1.75 where the employee’s personal income for the year is greater than \$27,094 without exceeding \$54,195,

iii. 1.50 where the employee’s personal income for the year is greater than \$54,195;



(f) where the family income of the employee for the year is greater than \$68,780 without exceeding \$77,115:

i. 1.75 where the employee's personal income for the year does not exceed \$27,094,

ii. 1.25 where the employee's personal income for the year is greater than \$27,094 without exceeding \$54,195,

iii. 1 where the employee's personal income for the year is greater than \$54,195; and

(g) where the family income of the employee for the year is greater than \$77,115:

i. 1.25 where the employee's personal income for the year does not exceed \$27,094,

ii. 1 where the employee's personal income for the year is greater than \$27,094;”;

(3) by replacing paragraph *k* of the definition of “remuneration” by the following:

“(k) a payment made out of or under a registered retirement savings plan during the lifetime of an annuitant, within the meaning of paragraph *b* of section 905.1 of the Act, of such a plan for whom a retirement income is provided by the plan, other than a periodical annuity payment or a payment made by a person who has reasonable grounds to believe that the payment is deductible in computing an individual's income under section 924 of the Act;”.

(2) Paragraphs 1 and 2 of subsection 1 apply in respect of remuneration paid after 31 December 2002.

(3) Paragraph 3 of subsection 1 applies from the taxation year 2001.

**55.** (1) Section 1015R2.1 of the Regulation is amended

(1) by inserting the following after paragraph *f*:

“(f.0.1) where the amount that the employer is required to deduct under section 1015 of the Act in respect of the employee's remuneration is not established according to the mathematical formula referred to in the third paragraph of that section, the amount obtained by multiplying the appropriate percentage determined under section 1015R2.1.1 by the amount deducted from the employee's remuneration by the employer, pursuant to the employee's authorization, for the acquisition by that employee of a qualifying security within the meaning of

the cooperative investment plan adopted under the Act respecting the Ministère de l'Industrie et du Commerce (R.S.Q., c. M-17), without the total of the amounts determined under this paragraph exceeding, for a year, 30% of the amount by which the salary or wages paid to the employee for the year exceeds the total of the amounts determined for the year under paragraphs *a* and *b*, in respect of a qualifying security;”;

(2) by adding the following after paragraph *f.2*:

“(f.3) the employee's remuneration referred to in section 1015.0.1 of the Act;”.

(2) Paragraph 1 of subsection 1 applies in respect of pay periods that end after 30 April 2002.

(3) Paragraph 2 of subsection 1 applies in respect of remuneration paid after 6 October 2000.

**56.** (1) The Regulation is amended by inserting the following after section 1015R2.1:

“**1015R2.1.1.** The percentage to which paragraph *f.0.1* of section 1015R2.1 refers in relation to the acquisition of a qualifying security within the meaning of the cooperative investment plan adopted under the Act respecting the Ministère de l'Industrie et du Commerce (R.S.Q., c. M-17) is

(a) 150% in the case of the acquisition of a qualifying security of a small or medium-sized cooperative, within the meaning of the cooperative investment plan, within the scope of a workers investment program;

(b) 125% in the case of the acquisition of a qualifying security of a small or medium-sized cooperative, within the meaning of the cooperative investment plan, otherwise than within the scope of a workers investment program;

(c) 125% in the case of the acquisition of a qualifying security within the scope of a workers investment program in a cooperative, other than a cooperative referred to in paragraph *a* or *b*; and

(d) 100% in the case of the acquisition of a qualifying security in respect of which paragraphs *a* to *c* do not apply.”.

(2) Subsection 1 applies in respect of pay periods that end after 30 April 2002.

**57.** (1) Section 1015R2.2 of the Regulation is amended

(1) by replacing the period at the end of paragraph *b* by a semi-colon;

(2) by adding the following after paragraph *b*:

“(c) an amount equal to the employee’s premium consisting of qualifying securities within the meaning of the cooperative investment plan adopted under the Act respecting the Ministère de l’Industrie et du Commerce (R.S.Q., c. M-17), that is deducted directly from the employee’s remuneration and transferred by the employer to the issuer, within the meaning of paragraph *c* of section 905.1 of the Act, of a plan under which the employee or the employee’s spouse is the annuitant within the meaning of paragraph *b* of that section 905.1.”.

(2) Subsection 1 applies in respect of pay periods that end after 30 April 2002.

**58.** (1) Section 1015R2.3 of the Regulation is amended by striking out subparagraph *c* of the second paragraph.

(2) Subsection 1 applies in respect of remuneration paid after 31 December 2002.

**59.** (1) Section 1015R11 of the Regulation is amended by replacing paragraph *f* by the following:

“(f) a payment made out of or under a registered retirement savings plan during the lifetime of an annuitant, within the meaning of paragraph *b* of section 905.1 of the Act, of such a plan for whom a retirement income is provided by the plan, other than a periodical annuity payment or a payment made by a person who has reasonable grounds to believe that the payment is deductible in computing an individual’s income under section 924 of the Act;”;

(2) Subsection 1 applies from the taxation year 2001.

**60.** (1) Section 1027R1 of the Regulation is amended by replacing the first paragraph by the following:

“**1027R1.** In subparagraph *i* of subparagraph *a* of the first paragraph of section 1027 of the Act and subject to sections 1027R7 and 1027R9, the first basic provisional account of a corporation for a taxation year means the proportion of the tax payable under Part I of the Act by the corporation for the preceding taxation year, computed in the manner specified in the second paragraph or, where the corporation was for that preceding taxation year a corporation that carried on a recognized business within the meaning of the first paragraph of section 737.18.14 of the Act, a qualified corporation within the meaning of the first paragraph of section 737.18.18 or of sections 771.5

to 771.7 of the Act or an exempt corporation within the meaning of sections 771.12 and 771.13 of the Act, the proportion of what that tax so computed would have been if that corporation had not been such a corporation that carried on a recognized business, a qualified corporation or exempt corporation, that 365 is of the number of days in that year.”.

(2) Subsection 1 applies to taxation years that end after 14 March 2000. However, where the first paragraph of section 1027R1 of the Regulation applies to taxation years that end before 30 March 2001, it shall be read without reference to “of the first paragraph of section 737.18.18 or”.

**61.** Section 1027R2.1 of the Regulation is revoked.

**62.** (1) Section 1029.8.1R0.2 of the English text of the Regulation is amended by replacing the portion before paragraph *a* by the following:

“**1029.8.1R0.2.** The college centres for the transfer of technology referred to in paragraph *a.1* of section 1029.8.1 of the Act are:”.

(2) Subsection 1 has effect from 20 December 2001.

**63.** (1) Section 1029.8.1R0.3 of the Regulation is amended

(1) by adding a semi-colon at the end of paragraph *g*;

(2) by adding the following paragraphs after paragraph *g*:

“(h) the Institut universitaire de gériatrie de Sherbrooke;

(i) the Corporation du Service de recherche et d’expertise en transformation des produits forestiers de l’Est-du-Québec (SEREX);

(j) the Centre de foresterie des Laurentides.”.

(2) Paragraph 1 of subsection 1 and paragraph 2 of subsection 1, where paragraph 2 enacts paragraph *h* of section 1029.8.1R0.3 of the Regulation, apply in respect of scientific research and experimental development carried on after 30 November 2000 under an eligible research contract entered into after that date.

(3) Paragraph 2 of subsection 1, where paragraph 2 enacts paragraph *i* of section 1029.8.1R0.3 of the Regulation, applies in respect of scientific research and experimental development carried on after 7 August 2002 under an eligible research contract entered into after that date.

(4) Paragraph 2 of subsection 1, where paragraph 2 enacts paragraph *j* of section 1029.8.1R0.3 of the Regulation, applies in respect of scientific research and experimental development carried on after 17 September 2002 under an eligible research contract entered into after that date.

**64.** Section 1029.8.1R0.4 of the Regulation is revoked.

**65.** (1) Section 1029.8.9.1R1 of the Regulation is amended by replacing “that can reasonably be considered to be attributable to that research and development, taking into account the time devoted thereto by the employee” by “that may reasonably be considered to be attributable to that research and development having regard to the working time spent by the employee thereon”.

(2) Subsection 1 has effect from 17 October 2002.

**66.** (1) Section 1029.8.17R1 of the Regulation is revoked.

(2) Subsection 1 has effect from 20 December 2001.

**67.** (1) Section 1029.8.21.17R1 of the English text of the Regulation is amended by replacing the portion before paragraph *a* by the following:

“**1029.8.21.17R1.** For the purposes of the definition of “eligible college centre for the transfer of technology” in the first paragraph of section 1029.8.21.17 of the Act, the following college centres for the transfer of technology are prescribed college centres for the transfer of technology:”.

(2) Subsection 1 has effect from 20 December 2001.

**68.** (1) Section 1056.4R1 of the Regulation is amended

(1) by replacing subparagraph *a* of the first paragraph by the following:

“(a) in subsection 2 of section 96, any of sections 101.6, 110.1 and 180 to 182, the second paragraph of section 242, any of sections 243, 257.2, 279, 280.3, 284, 286.1 and 299, any of paragraphs *c*, *d* and *e* of section 418.23 or 418.24, any of sections 442, 444, 450, 453, 454 and 477, paragraph *a* of section 485.21, any of sections 499, 502, 656.4, 659 and 737.8, subparagraph *ii* of paragraph *b* of section 785.2, paragraph *d* of that section 785.2 or any of sections 851.28, 935.7 and 1054 of the Act;”;

(2) by replacing subparagraph *a* of the second paragraph by the following:

“(a) any reference to any of sections 242, 243 and 737.8 of the Act is a reference to that section as it read before its revocation;”;

(3) by striking out subparagraph *c* of the second paragraph.

(2) Paragraph 1 of subsection 1 applies in respect of an election relating to the taxation year 1998 or to subsequent taxation years, except where it replaces “454, 477 or 485.2” by “454 and 477”, in which case it has effect from 4 July 2001.

(3) Paragraph 2 of subsection 1 applies from the taxation year 1998.

(4) Paragraph 3 of subsection 1 has effect from 4 July 2001.

**69.** (1) Section 1079.1R2 of the Regulation is amended in the second paragraph

(1) by replacing the period at the end of paragraph *f* by a semi-colon;

(2) by adding the following paragraph after paragraph *f*:

“(g) a share of the capital stock of the corporation governed by the Act constituting Capital régional et coopératif Desjardins (R.S.Q., c. C-6.1).”.

(2) Subsection 1 applies from the taxation year 2001.

**70.** The Regulation is amended by inserting the following after section 1079.1R3:

“**1079.1R4.** For the purposes of the definition of “tax shelter” in the first paragraph of section 1079.1 of the Act, a prescribed benefit in respect of an interest in a property includes an amount that is a limited-recourse amount under any of sections 851.38, 851.42 and 851.48 of the Act, but does not include an amount of indebtedness that is a limited-recourse amount

(a) solely because it is not required to be repaid within 10 years from the time the indebtedness arose where the debtor would, if the interest were acquired by the debtor immediately after that time, be

i. a partnership at least 90% of the fair market value of the property of which is attributable to the partnership's tangible capital property located in Canada, and at least 90% of the value of all interests in which are held by limited partners within the meaning of section 613.6 of the Act, except where it is reasonable to conclude that one of the main reasons for the acquisition of one or more properties by the partnership, or for the acquisition of one or more interests in the partnership by limited partners, is to avoid the application of this section, or

ii. a member of a particular partnership having fewer than six members, except where

(1) the particular partnership is a member of another partnership,

(2) there is a limited partner, within the meaning of section 613.6 of the Act, of the particular partnership,

(3) less than 90% of the fair market value of the particular partnership's property is attributable to the particular partnership's tangible capital property located in Canada, or

(4) it is reasonable to conclude that one of the main reasons for the existence of a partnership that is a member of a group of partnerships, one of which is the particular partnership, or for the acquisition of one or more properties by the particular partnership, is to avoid the application of this Title to the member's indebtedness;

(b) of a partnership where

i. the indebtedness is secured by and used to acquire the partnership's tangible capital property located in Canada, other than specified energy property within the meaning of section 130R30.3.2, rental property within the meaning of section 130R46 and leasing property within the meaning of section 130R51,

ii. the person to whom the indebtedness is repayable is a member of the Canadian Payments Association, and

iii. throughout the period during which any amount is outstanding in respect of the indebtedness, except where it is reasonable to conclude that one of the main reasons for the acquisition of one or more properties by the partnership, or for the acquisition of one or more interests in the partnership by limited partners, is to avoid the application of this section,

(1) at least 90% of the fair market value of the property of the partnership is attributable to tangible capital property located in Canada of the partnership,

(2) at least 90% of the value of all interests in the partnership are held by limited partners, within the meaning of section 613.6 of the Act, that are corporations, and

(3) the principal business of each limited partner referred to in subparagraph 2 is related to the principal business of the partnership; or

(c) of a corporation where the amount is a *bona fide* business loan made to the corporation for the purpose of financing a business that the corporation operates and the loan is made pursuant to a loan program of the Government of Canada or of a province the purpose of which is to extend financing to small and medium-sized Canadian businesses.”.

(2) Subsection 1 has effect from 1 December 1994.

**71.** (1) Section 1086R1 of the Regulation is amended by replacing subparagraph *a* of the second paragraph by the following :

“(a) a scholarship, fellowship or bursary, or a prize for achievement in a field of endeavour ordinarily carried on by the recipient, other than a bursary received by the recipient from a school board, which relates to the actual costs of periodic transportation incurred by the recipient, or by an individual who is a member of the recipient's household, in accordance with the budgetary rules established by the Minister of Education for the purpose of applying the Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., c. I-14);”.

(2) Subsection 1 applies from the taxation year 2000. However, where subparagraph *a* of the second paragraph of section 1086R1 of the Regulation applies to the taxation year 2000, it shall be read as follows :

“(a) a scholarship, fellowship or bursary, or a prize for achievement in a field of endeavour ordinarily carried on by the recipient, other than a prize or bursary referred to in any of subparagraphs *i* to *iii* of paragraph *g* of section 312 of the Act;”.

**72.** (1) Section 1086R3 of the Regulation is amended

(1) by replacing the fourth paragraph by the following paragraph :

“Where a payment or transfer of property to which section 913 of the Act applies is made, the issuer of the plan from which the payment or transfer is made shall file an information return in prescribed form in respect of the payment or transfer.”;

(2) by striking out the fifth paragraph.

(2) Subsection 1 has effect from 1 January 2003.

**73.** (1) Section 1086R6.1 of the Regulation is amended by replacing paragraph *a.1* by the following:

“(a.1) in respect of an amount that the beneficiary pays out of that fund or under that fund and in respect of which

i. a portion of the amount must be included in computing the income of a taxpayer under the first paragraph of section 961.17 of the Act, or

ii. subparagraph *b* of the second paragraph of section 961.17 of the Act applies in respect of the amount;”.

(2) Subsection 1 applies in respect of transfers made after 31 December 2001.

**74.** (1) The Regulation is amended by inserting the following after section 1086R8.1.6:

“**1086R8.1.6.1.** The corporation governed by the Act constituting Capital régional et coopératif Desjardins (R.S.Q., c. C-6.1) shall file, in relation to a particular taxation year, an information return in prescribed form in respect of a share of the capital stock that it issues to an individual in the period referred to in the first paragraph of section 776.1.5.0.11 of the Act in relation to the particular year, except where

(a) during that period or within the 30 days that follow, the individual requests the redemption of the share in accordance with paragraph 3 of section 12 of the Act constituting Capital régional et coopératif Desjardins; or

(b) the corporation governed by the Act constituting Capital régional et coopératif Desjardins, at the request of the individual and before 1 March of the year that follows the particular year, in relation to another share of the capital stock of the corporation,

i. redeems the share in accordance with paragraph 1 or 4 of section 12 of that Act, or

ii. purchases the share in accordance with the purchase by agreement policy approved by the Minister of Finance under the second paragraph of section 11 of that Act, except where the purchase is made in accordance with a provision of that policy under which the corporation may, by agreement, purchase a share that it issued because no amount was deducted in respect of the share under section 776.1.5.0.11 of the Act.

The return must be sent to the Minister not later than

(a) where the share is issued in January or February of a calendar year, 31 March of the calendar year; or

(b) in all other cases, 31 March of the calendar year following the year in which the share is issued.”.

(2) Subsection 1 applies from the taxation year 2001. However, where section 1086R8.1.6.1 of the Regulation applies to the taxation year 2001,

(1) the portion of the first paragraph of that section before subparagraph *i* of paragraph *b* shall be read as follows:

“**1086R8.1.6.1.** The corporation governed by the Act constituting Capital régional et coopératif Desjardins (R.S.Q., c. C-6.1) shall file, in relation to a particular taxation year, an information return in prescribed form in respect of a share of the capital stock that it issues to an individual before the end of the particular year, except where

(a) during the particular year or within the 30 days that follow, the individual requests the redemption of the share in accordance with paragraph 3 of section 12 of the Act constituting Capital régional et coopératif Desjardins; or

(b) the corporation governed by the Act constituting Capital régional et coopératif Desjardins, at the request of the individual and before the end of the particular year, in relation to another share of the capital stock of the corporation;”.

(2) the second paragraph shall be read as follows:

“The return must be sent to the Minister not later than 28 February 2002.”.

**75.** Section 1086R8.1.7 of the Regulation is revoked.

**76.** (1) Section 1086R8.9 of the Regulation is amended

(1) by inserting the following after subparagraph *a* of the first paragraph:

“(a.1) a benefit the Minister pays under the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001), other than a benefit paid under Chapter III of Title II of that Act, an amount described in subparagraph *ii* or *iii* of subparagraph *a* of the second paragraph of section 311.1 of the Act, or a payment described in section 311.1R1;”.

(2) by replacing “section 311.1” in the second paragraph by “section 311.1 or 311.2”;

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

“A person who pays an amount as financial assistance within the scope of the first phase of the project described in section 311.2 of the Act shall file an information return in prescribed form, in respect of such an amount.”.

(2) Paragraph 1 of subsection 1 has effect from 1 October 1999. However, where paragraph *a.1* of section 1086R8.9 of the Regulation applies before 1 January 2000, it shall be read as if the reference to “subparagraph *ii* or *iii* of subparagraph *a*” were a reference to “subparagraph *b* or *c*”.

(3) Paragraphs 2 and 3 of subsection 1 apply in respect of amounts paid after 31 October 2000.

**77.** (1) The Regulation is amended by inserting the following after section 1086R8.12.0.1:

“**1086R8.12.0.2.** Every eligible employer shall file a statement of the amount of wages that is eligible income paid for a taxation year to a foreign professor by the eligible employer and remit two copies of the statement to the foreign professor in person or send the copies to the foreign professor at the foreign professor’s last known address, on or before the last day of February of each year in respect of the preceding calendar year.

In this section, “eligible employer”, “eligible income” and “foreign professor” have the meanings assigned by section 737.22.0.5 of the Act.”.

(2) Subsection 1 applies from the taxation year 2000.

**78.** (1) Section 1086R8.20 of the Regulation is amended

(1) by replacing the second paragraph by the following paragraph:

“The certificate must contain, in addition to the information required by subparagraphs *a* to *f* of the first paragraph of section 1029.8.120 of the Act, the individual’s name and address and social insurance number, and be sent to the individual in two copies, at the individual’s last known address, on or before the last day of February of the following year.”;

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

“The Secrétariat au loisir et au sport shall also send a copy of the certificate to the Minister within the same period.”.

(2) Subsection 1 applies from the 2003 calendar year.

**79.** (1) Section 1086R8.23 of the Regulation is amended by replacing “1086R8.20 or 1086R8.21” by “1086R8.21 or 1086R8.22”.

(2) Subsection 1 applies in respect of amounts paid after 31 December 2001.

**80.** (1) Section 1086R12 of the Regulation is amended by replacing the third paragraph by the following paragraph:

“The first paragraph does not require a trust to file an information return for a taxation year at the end of which it is a registered charity or a cemetery care trust, or is governed by an eligible funeral arrangement, a profit sharing plan, a deferred profit sharing plan, a registered education savings plan or a plan referred to in subsection 15 of section 147 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) as a revoked plan.”.

(2) Subsection 1 applies from the taxation year 1998.

**81.** (1) Section 1086R17 of the Regulation is amended

(1) by replacing “shall forward” by “shall, subject to the second paragraph, send”;

(2) by adding the following paragraphs:

“The information return may be sent in an electronic format if the person has received the express consent of the person in respect of which it is filed; the person shall send a single copy of the return to that person on or before the date on which the return is to be filed with the Minister.

For the purposes of the second paragraph, “express consent” means consent given in writing or in an electronic format.”.

(2) Subsection 1 has effect from 1 January 2003.

**82.** (1) Section 1086R18 of the Regulation is amended

(1) by replacing “at the prescribed time” in the first paragraph by “at the time provided for”;

(2) by replacing the French text of the second paragraph by the following:

“Toute personne, qu’elle soit tenue ou non de produire la déclaration visée au premier alinéa, doit, sur demande formelle, présenter au ministre dans le délai qui y est fixé la déclaration qui est visée à cet alinéa.”

(2) Paragraph 1 of subsection 1 has effect from 20 December 2001.

**83.** (1) Section 1086R23 of the Regulation is replaced by the following:

“**1086R23.** Where in any taxation year a reporting person, other than a registered investment, claims that a share of its capital stock issued by it, or an interest as a beneficiary under it, is a qualified investment within the meaning of section 890.15 of the Act, the reporting person shall, for the year and within 90 days after the end of the year, file an information return in prescribed form.

For the purposes of the first paragraph,

(a) a reporting person is

- i. a mutual fund corporation,
- ii. an investment corporation,
- iii. a mutual fund trust,

iv. a trust that would be a mutual fund trust if section 1120R1 were read without reference to paragraph *b*,

v. a trust described in paragraph *c.4* of section 998 of the Act, or

vi. any other person described in paragraph 1 of section 221 of the Regulations made under the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement); and

(b) a registered investment means a trust or corporation accepted for the purposes of the Income Tax Act by the Minister of Revenue of Canada as a registered investment and the registration of which is in effect.”

(2) Subsection 1 applies from the taxation year 1999.

**84.** (1) Section 1086R23.1 of the French text of the Regulation is amended by replacing “informations prescrites contenues” in subparagraph *e* of the first paragraph by “renseignements prescrits contenus”.

(2) Subsection 1 has effect from 20 December 2001.

**85.** (1) Section 1086R23.8 of the Regulation is amended

(1) by replacing “Division XIII” and “Divisions II or” in the first paragraph by, respectively, “Division XIII or XIII.1” and “Division II or”;

(2) by replacing subparagraph *c* of the second paragraph by the following:

“(c) a mandatary of a person referred to in subparagraph *a* or *b*.”

(2) Subsection 1 has effect from 1 January 2003.

**86.** (1) Section 1088R14 of the Regulation is amended by inserting “737.22.0.7,” after “737.22.0.3,” in the second paragraph.

(2) Subsection 1 applies from the taxation year 2000.

**87.** (1) Sections 1089R14 to 1089R16 of the Regulation are replaced by the following:

“**1089R14.** For the purposes of subparagraph *i* of the first paragraph of section 1089 of the Act, sections 1089R1 to 1089R13 apply with the necessary modifications to determine the part of losses that is attributable to an establishment in Québec.

**1089R15.** For the purposes of subparagraph *d* of the first paragraph of section 1089 of the Act, a Québec resource property means a property that would be referred to in section 370 of the Act if the words “Canada” and “Canadian” were replaced wherever they appear by the word “Québec”.

**1089R16.** For the purposes of subparagraph *e* of the first paragraph of section 1089 of the Act, a Québec timber resource property means property that would be referred to in subparagraph *d* of the first paragraph of section 93 of the Act if the word “Canada” were replaced wherever it appears by the word “Québec”.

(2) Subsection 1, where it replaces section 1089R16 of the Regulation, has effect from 24 February 1998.

**88.** Section 1089R17 of the Regulation is replaced by the following:

“**1089R17.** For the purposes of subparagraph *c* of the first paragraph of section 1089 of the Act, in computing the income earned in Québec in a taxation year by an individual referred to in section 26 of the Act, a capital

gain or loss resulting from the disposition of property referred to in any of paragraphs *c* to *i* of section 1094 of the Act shall not be taken into consideration.”.

**89.** Section 1089R18 of the Regulation is replaced by the following:

“**1089R18.** For the purposes of subparagraph *h* of the first paragraph of section 1089 of the Act, the share of the excess referred to in that paragraph that is attributable to an establishment of a partnership in Québec is computed in the same manner as the share of the revenues or losses of the businesses that the individual referred to in that paragraph carried on in Canada or is deemed to have carried on in Canada pursuant to section 613 of the Act in respect of that partnership, for the preceding taxation year, that was attributable to an establishment in Québec under sections 1089R1 to 1089R14.”.

**90.** (1) Section 1117R1 of the Regulation is amended by replacing “*c* to *f*” by “*c* to *g*”.

(2) Subsection 1 applies from the taxation year 2001.

**91.** (1) Section 1120R1 of the Regulation is amended by replacing paragraph *a* by the following:

“(a) a class of the units of the trust shall be qualified for distribution to the public or there has been a lawful distribution in a province to the public of units of the trust and a prospectus, registration statement or similar document was not required under the laws of the province to be filed;”.

(2) Subsection 1 applies in respect of trusts created after 31 December 1999.

**92.** (1) The Regulation is amended by inserting the following after section 1120R5:

“**1121.7R1.** For the purposes of section 1121.7 of the Act, a trust that is a money market fund as defined in National Instrument 81-102 Mutual Funds, as amended from time to time, of the Canadian Securities Administrators is a prescribed trust.”.

(2) Subsection 1 applies in respect of any filing, after 10 March 1999, of an election under in section 1121.7 of the Taxation Act (R.S.Q., c. I-3).

**93.** Chapters I and II of Title XXXII of the Regulation are revoked.

**94.** Class 10 of Schedule B of the French text of the Regulation is amended by replacing “revenu d’une mine” in subsection 2 by “revenu provenant d’une mine” in the following provisions:

— the portion of paragraph *a* before subparagraph *i*;

— the portion of paragraph *e* before subparagraph *i*;

— the portion of paragraph *m* before subparagraph *i*.

**95.** Class 28 of Schedule B of the French text of the Regulation is amended by replacing “revenu d’une ou de plusieurs mines” in the portion of subparagraph *a* of the first paragraph before subparagraph *i* by “revenu provenant d’une ou de plusieurs mines”.

**96.** Class 41 of Schedule B of the Regulation is amended

(1) by replacing “revenu d’une ou de plusieurs mines” in the French text of the portion of subparagraph *ii* of subparagraph *a.2* of the first paragraph before subparagraph 1 by “revenu provenant d’une ou de plusieurs mines”;

(2) by replacing subparagraphs *i* to *iv* of the second paragraph by the following:

“(a) would, if it were not included in this class, be included in Class 10 because of paragraph *a*, *e* or *f* of subsection 2 of the description of that class, or that is included in this class because of section 130R65 or 130R66;

(b) is not described in subparagraph *a* or *a.2* of the first paragraph;

(c) was acquired by the taxpayer principally for the purpose of gaining or producing income from one or more mines that are operated by the taxpayer and situated in Canada, and that became available for use for the purposes of section 93.6 of the Act in a particular taxation year; and

(d) had not, before it was acquired by the taxpayer, been used for any purpose by any person or partnership with whom the taxpayer was not dealing at arm’s length.”;

(3) by replacing “revenu brut du contribuable tiré de la mine ou des mines” in the French text of subparagraph *b* of the third paragraph by “revenu brut du contribuable provenant de la mine ou des mines”.



**97.** (1) Schedule C of the Regulation is amended

(1) by striking out the following universities in paragraph *a*:

“Ambassador University, Big Sandy, Texas.  
American College, The, Bryn Mawr, Pennsylvania.  
Anna Maria College, Paxton, Massachusetts.  
Baldwin-Wallace College, Berea, Ohio.  
Bluffton College, Bluffton, Ohio.  
Carroll College, Waukesha, Wisconsin.  
College of New Rochelle, New Rochelle, New York.  
College of Wooster, The, Wooster, Ohio.  
Columbia Pacific University, San Rafael, California.  
Dana College, Blair, Nebraska.  
De Pauw University, Greencastle, Indiana.  
Detroit College of Law, Detroit, Michigan.  
Divinity School, The, Rochester, New York.  
Earlham College, Richmond, Indiana.  
Eastern Baptist Theological Seminary, The, Philadelphia, Pennsylvania.  
Eastern Mennonite College, Harrisonburg, Virginia.  
Georgetown University, Washington, District of Columbia.  
GMI Engineering & Management Institute, Flint, Michigan.  
Gustavus Adolphus College, St-Peter, Minnesota.  
Hebrew Union College-Jewish Institute of Religion, Los Angeles, California.  
Hebrew Union College-Jewish Institute of Religion, New York, New York.  
Hobe Sound Bible College, Hobe Sound, Florida.  
Hollins College, Hollins, Virginia.

Hood College, Frederick, Maryland.  
Liberty Baptist College, Lynchburg, Virginia.  
Life Chiropractic College, Marietta, Georgia.  
Louisiana State University, Baton Rouge, Louisiana.  
Lutheran Bible Institute of Seattle, Issaquah, Washington.  
Marymount College, Tarrytown, New York.  
Medical College of Pennsylvania and Hahnemann University, The, Philadelphia, Pennsylvania.  
Mills College, Oakland, California.  
Mount Vernon College, Washington, District of Columbia.  
Nasson College, Springvale, Maine.  
Nazarene Bible College, Colorado Springs, Colorado.  
Nebraska Wesleyan University, Lincoln, Nebraska.  
Northrop Institute of Technology, Inglewood, California.  
Northwest College, Kirkland, Washington.  
Northwood Institute, Midland, Michigan.  
Ottawa University, Ottawa, Kansas.  
Parsons School of Design, New York, New York.  
Puget Sound Christian College...a College of the Bible, Edmonds, Washington.  
Radcliffe College, Cambridge, Massachusetts.  
Reformed Theological Seminary, Jackson, Mississippi.  
Ripon College, Ripon, Wisconsin.  
Saint Mary-of-the-Woods College, Saint Mary-of-the-Woods, Indiana.  
Saint Mary’s College, Notre-Dame, Indiana.  
Southern College of Seventh-Day Adventists, Collegedale, Tennessee.

- Temple Buell College, Denver, Colorado.
- Trinity College, Dunedin, Florida.
- University of Detroit, Detroit, Michigan.
- University of Dubuque, Dubuque, Iowa.
- University of Santa Clara, Santa Clara, California.
- University of the Ozarks, Clarksville, Arkansas.
- University of the South, The, Sewanee, Tennessee.
- University of Vermont and State Agricultural College, Burlington, Vermont.
- Wagner College, Staten Island, New York.
- Yeshiva University of Los Angeles, Los Angeles, California.”;
- (2) by inserting the following universities in paragraph *a* in alphabetical order:
- “Academy of the New Church, The, Bryn Athyn, Pennsylvania.
- Antioch College, Yellow Springs, Ohio.
- Aurora University, Aurora, Illinois.
- Baylor College of Medicine, Houston, Texas.
- California Lutheran University, Thousand Oaks, California.
- Carroll College, Helena, Montana.
- Colgate — Rochester Divinity School, The, Rochester, New York.
- Cornerstone College and Grand Rapids Baptist Seminary, Grand Rapids, Michigan.
- Duquesne University, Pittsburgh, Pennsylvania.
- Eastern College, St. Davids, Pennsylvania.
- Eastern Mennonite University, Harrisonburg, Virginia.
- Emporia State University, Emporia, Kansas.
- Florida Gulf Coast University, Fort Myers, Florida.
- Juilliard School, The, New York, New York.
- Kenyon College, Gambier, Ohio.
- Kettering University, Flint, Michigan.
- Liberty University, Lynchburg, Virginia.
- Life University, Marietta, Georgia.
- Louisiana State University and Agricultural and Mechanical College, Baton Rouge, Louisiana.
- Magdalen College, Warner, New Hampshire.
- Maranatha Baptist Bible College, Watertown, Wisconsin.
- Medaille College, Buffalo, New York.
- Medical College of Ohio, Toledo, Ohio.
- Medical University of South Carolina, Charleston, South Carolina.
- Michigan State University, Detroit College of Law, East Lansing, Michigan.
- Naropa Institute, The, Boulder, Colorado.
- New School University, New York, New York.
- Northern Michigan University, Marquette, Michigan.
- Northwest College of The Assemblies of God, Kirkland, Washington.
- Northwood University, Midland, Michigan.
- Nova Southeastern University, Fort Lauderdale, Florida.
- Saint John’s University, Collegeville, Minnesota.
- Santa Clara University, Santa Clara, California.
- Southern Adventist University, Collegedale, Tennessee.
- State University of New York at Stony Brook, Stony Brook, New York.
- St. Bonaventure University, St. Bonaventure, New York.
- Talmudic College of Florida, Miami Beach, Florida.
- Texas A&M University, College Station, Texas.
- Texas Woman’s University, Denton, Texas.
- ”

Trinity Lutheran College, Issaquah, Washington.

University of Detroit Mercy, Detroit, Michigan.

University of Missouri, Saint-Louis, Missouri.

University of Texas Southwestern Medical Center at Dallas, The, Dallas, Texas.

University of Vermont, Burlington, Vermont.

University of Wyoming, The, Laramie, Wyoming.

Western University of Health Sciences, Pomona, California.

Westfield State College, Westfield, Massachusetts.

West Virginia University, Morgantown, West Virginia.

Wheelock College, Boston, Massachusetts.

Wright State University, Dayton, Ohio.”;

(3) by striking out the following universities in paragraph *b*:

“Cranfield Institute of Technology, Cranfield, Bedford, England.

University of Hull, The, Hull, England.

University of Lancaster, Lancaster, England.

Victoria University of Manchester, Manchester, England.”;

(4) by inserting the following universities in paragraph *b* in alphabetical order:

“Cranfield University, Bedfordshire, England.

Imperial College of Science, Technology and Medicine, London, England.

King’s College London, London, England.

London Business School, London, England.

Loughborough University, Leicestershire, England.

University College London, London, England.

University of Manchester, The, Manchester, England.

University of North London, London, England.

University of Newcastle, The, Newcastle upon Tyne, England.

University of Surrey, Guildford, Surrey, England.”;

(5) by striking out the following universities in paragraph *d*:

“Les Facultés Catholiques de Lille, Lille.

L’Université d’Aix-Marseilles, Aix-en-Provence.

L’Université de Paris, Paris.”;

(6) by inserting the following university in paragraph *d* in alphabetical order:

“Université Catholique de Lille, Lille.”;

(7) by striking out the following university in paragraph *f*:

“L’Université libre de Bruxelles, Bruxelles.”;

(8) by striking out the following university in paragraph *g*:

“L’Université de Fribourg, Fribourg.”;

(9) by striking out the following university in paragraph *i*:

“Bezalel – Academy of Arts and Design, Jerusalem.”;

(10) by striking out the following university in paragraph *j*:

“American University of Beirut, The, Beirut.”;

(11) by inserting the following university in paragraph *l* in alphabetical order:

“Jagiellonian University, Cracow.”;

(12) by striking out the following university in paragraph *n*:

“Nanjing Institute of Technology, Nanjing.”;

(13) by inserting the following university in paragraph *n* in alphabetical order:

“Nanjing University, Nanjing.”;

(14) by striking out paragraph *p*;

(15) by striking out the following universities in paragraph *q*:

“Flinders University of South Australia, The, Adelaide.  
University of New South Wales, The, Sydney.”;

(16) by inserting the following universities in paragraph *q* in alphabetical order:

“Adelaide University, Adelaide.  
Queensland University of Technology, Brisbane.  
University of Melbourne, The, Parkville.  
University of Queensland, The, Brisbane.”;

(17) by inserting the following university in paragraph *s* in alphabetical order:

“University of Natal, Durban.”;

(18) by replacing “Nijenrode” in paragraph *t* by “Nyenrode”;

(19) by inserting the following universities in paragraph *t* in alphabetical order:

“Leiden University, Leiden.  
University of Groningen, Groningen.”;

(20) by adding the following university in paragraph *u*:

“University of Hong Kong, The, Hong Kong.”;

(21) by adding the following universities after paragraph *u*:

“(v) in New Zealand:  
Victoria University of Wellington, Wellington.

(w) in Hungary:  
Central European University, Budapest.

(x) in India:  
Panjab University, Chandigarh.”.

(2) Paragraph 1 of subsection 1 has effect from 7 June 2000. However,

(1) it has effect from 1 January 2001 where it strikes out the reference to the following universities in paragraph *a* of Schedule C to the Regulation:

“Lutheran Bible Institute of Seattle, Issaquah, Washington.

University of Detroit, Detroit, Michigan.”;

(2) it has effect from 23 May 2001 where it strikes out the reference to the following universities in paragraph *a* of Schedule C to the Regulation:

“Columbia Pacific University, San Rafael, California.  
Medical College of Pennsylvania and Hahnemann University, The, Philadelphia, Pennsylvania.

Ottawa University, Ottawa, Kansas.

Parsons School of Design, New York, New York.

Radcliffe College, Cambridge, Massachusetts.”.

(3) Paragraph 2 of subsection 1, where it inserts in paragraph *a* of Schedule C to the Regulation

(1) a reference to the following universities, has effect from 1 January 1997:

“Carroll College, Helena, Montana.

Duquesne University, Pittsburgh, Pennsylvania.

University of Texas Southwestern Medical Center at Dallas, The, Dallas, Texas.

University of Wyoming, The, Laramie, Wyoming.

Wright State University, Dayton, Ohio.”;

(2) a reference to the following universities, has effect from 1 January 1998:

“Antioch College, Yellow Springs, Ohio.

California Lutheran University, Thousand Oaks, California.

Cornerstone College and Grand Rapids Baptist Seminary, Grand Rapids, Michigan.

Eastern College, St. Davids, Pennsylvania.

Emporia State University, Emporia, Kansas.

Juilliard School, The, New York, New York.

Maranatha Baptist Bible College, Watertown, Wisconsin.

Naropa Institute, The, Boulder, Colorado.

State University of New York at Stony Brook, Stony Brook, New York.

West Virginia University, Morgantown, West Virginia.”;

(3) a reference to the following universities, has effect from 7 June 2000 :

“Colgate — Rochester Divinity School, The, Rochester, New York.

Eastern Mennonite University, Harrisonburg, Virginia.

Kettering University, Flint, Michigan.

Liberty University, Lynchburg, Virginia.

Life University, Marietta, Georgia.

Louisiana State University and Agricultural and Mechanical College, Baton Rouge, Louisiana.

Michigan State University, Detroit College of Law, East Lansing, Michigan.

Northwest College of The Assemblies of God, Kirkland, Washington.

Northwood University, Midland, Michigan.

Santa Clara University, Santa Clara, California.

Southern Adventist University, Collegedale, Tennessee.

University of Vermont, Burlington, Vermont.”;

(4) a reference to the following universities, has effect from 1 January 1999 :

“Academy of the New Church, The, Bryn Athyn, Pennsylvania.

Aurora University, Aurora, Illinois.

Baylor College of Medicine, Houston, Texas.

Florida Gulf Coast University, Fort Myers, Florida.

New School University, New York, New York.

Texas A&M University, College Station, Texas.

Texas Woman’s University, Denton, Texas.

University of Missouri, Saint-Louis, Missouri.

Western University of Health Sciences, Pomona, California.

Westfield State College, Westfield, Massachusetts.

Wheelock College, Boston, Massachusetts.”;

(5) a reference to the following universities, has effect from 1 January 2000 :

“Magdalen College, Warner, New Hampshire.

Medaille College, Buffalo, New York.

Medical College of Ohio, Toledo, Ohio.

Northern Michigan University, Marquette, Michigan.

St. Bonaventure University, St. Bonaventure, New York.”;

(6) a reference to the following universities, has effect from 1 January 2001 :

“Kenyon College, Gambier, Ohio.

Medical University of South Carolina, Charleston, South Carolina.

Nova Southeastern University, Fort Lauderdale, Florida.

Talmudic College of Florida, Miami Beach, Florida.

Trinity Lutheran College, Issaquah, Washington.

University of Detroit Mercy, Detroit, Michigan.”;

(7) a reference to the following university, has effect from 1 January 2002 :

“Saint John’s University, Collegeville, Minnesota.”.

(4) Paragraphs 3, 5 to 7, 10 and 15 of subsection 1 have effect from 7 June 2000. However,

(1) where paragraph 3 of subsection 1 strikes out the reference to the universities “University of Hull, The, Hull, England” and “University of Lancaster, Lancaster, England” in paragraph *b* of Schedule C to the Regulation, it has effect from 23 May 2001;

(2) where paragraph 5 of subsection 1 strikes out the reference to the universities “L’Université d’Aix-Marseilles, Aix-en-Provence” and “L’Université de Paris, Paris” in paragraph *d* of Schedule C to the Regulation, it has effect from 23 May 2001.

(5) Paragraph 4 of subsection 1, where it inserts in paragraph *b* of Schedule C to the Regulation

(1) a reference to the following universities, has effect from 1 January 1997:

University of Newcastle, The, Newcastle upon Tyne, England.

University of Surrey, Guildford, Surrey, England.”;

(2) a reference to the following university, has effect from 1 January 1998:

“Imperial College of Science, Technology and Medicine, London, England.”;

(3) a reference to the following universities, has effect from 1 January 1999:

“King’s College London, London, England.

University of North London, London, England.”;

(4) a reference to the following university, has effect from 1 January 2000:

“University College London, London, England.”;

(5) a reference to the following universities, has effect from 7 June 2000:

“Cranfield University, Bedfordshire, England.

University of Manchester, The, Manchester, England.”;

(6) a reference to the following universities, has effect from 1 January 2001:

“London Business School, London, England.

Loughborough University, Leicestershire, England.”.

(6) Paragraphs 8, 9, 12 and 14 of subsection 1 have effect from 23 May 2001.

(7) Paragraphs 11 and 19 of subsection 1 have effect from 1 January 1998. However, where paragraph 19 of subsection 1 inserts the reference to the university “University of Groningen, Groningen” in paragraph *t* of Schedule C to the Regulation, it has effect from 1 January 2001.

(8) Paragraph 13 of subsection 1 and paragraph 21 of that subsection, where it amends Schedule C to the Regulation to add paragraphs *v* and *w* to the Schedule, have effect from 1 January 1999.

(9) Paragraph 16 of subsection 1 has effect from 1 January 1997. However, where it inserts the reference to the universities “Queensland University of Technology, Brisbane” and “Adelaide University, Adelaide” in paragraph *q* of Schedule C to the Regulation, it has effect, respectively, from 1 January 1999 and from 1 January 2001.

(10) Paragraph 17 of subsection 1 and paragraph 21 of that subsection, where it amends Schedule C to the Regulation to add paragraph *x* to the Schedule, have effect from 1 January 2000.

(11) Paragraph 18 of subsection 1 has effect from 1 January 2001.

(12) Paragraph 20 of subsection 1 has effect from 1 January 2002.

**98.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

## Regulation to amend the Regulation respecting fiscal administration\*

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, s. 9.0.6, 1st par., subpar. 4, ss. 96 and 97)

**1.** (1) Section 7R2 of the Regulation respecting fiscal administration is amended by striking out “of the Ministère du Revenu”.

(2) Subsection 1 has effect from 5 April 1995.

\* The Regulation respecting fiscal administration (R.R.Q., 1981, c. M-31, r.1) was last amended by the Regulation to amend the Regulation respecting fiscal administration made by Order in Council 1470-2002 dated 11 December 2002 (2002, *G.O.* 2, 6552). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

**2.** Section 7R3.2 of the Regulation is amended by striking out “or Head of the Service de soutien administratif at the Direction des oppositions — Montréal” in the second paragraph.

**3.** Section 7R5 of the Regulation is amended

(1) by inserting “, Head of the Service de l’interprétation relative aux mandataires et aux fiducies” in the portion before paragraph 1 after “entreprises”;

(2) by inserting “the provisions of Division II.4.2 of Chapter III.1 of Title III of Book IX of Part I,” after “Part I,” in paragraph 2.

**4.** (1) Section 7R6 of the Regulation is amended by replacing “, Recovery and Administration” in the portion before paragraph 1 by “and Fiscal Administration”.

(2) Subsection 1 has effect from 1 April 2003.

**5.** (1) Section 7R7 of the Regulation is amended by replacing “, le recouvrement et l’administration” in the portion before paragraph 1 by “et l’administration fiscale”.

(2) Subsection 1 has effect from 1 April 2003.

**6.** (1) Section 7R8 of the Regulation is amended by replacing “, le recouvrement et l’administration” by “et l’administration fiscale”.

(2) Subsection 1 has effect from 1 April 2003.

**7.** (1) Section 7R10 of the Regulation is amended by replacing “at the legal affairs service, Revenue — Ministère de la Justice” in the portion before paragraph 1 by “at the Direction du contentieux”.

(2) Subsection 1 has effect from 1 April 2003.

**8.** (1) Section 7R11 of the Regulation is amended by replacing “at the legal affairs service, Revenue — Ministère de la Justice” in the portion before paragraph 1 by “at the Direction du contentieux”.

(2) Subsection 1 has effect from 1 April 2003.

**9.** Section 7R12 of the Regulation is amended

(1) by replacing “, 7R14 and” in paragraph 1 by “to”;

(2) by striking out paragraph 2;

(3) by striking out paragraph 4.

**10.** Section 7R13 of the Regulation is amended

(1) by replacing “to 7R15.2” in paragraph 1 by “and 7R15”;

(2) by inserting “15.3.0.1,” after “15.3,” in paragraph 2.

**11.** Section 7R14 of the Regulation is amended by replacing “a position of head of an inspection service, head of a fraud investigation service or head of a fraud investigation and enforcement service” in the portion before paragraph 1 by “the position of Head of the Service des divulgations volontaires, a position of head of an inspection service, head of a fraud investigation service or head of a fraud investigation and activity service in connection with police forces.”.

**12.** The Regulation is amended by inserting the following after section 7R14:

“**7R14.1.** A public servant who holds the position of head of the Service d’ententes et de soutien spécialisé at the Direction principale des enquêtes within the Direction générale de la législation et des enquêtes is authorized to sign the documents required for the purposes of

(1) section 17 of the Tobacco Tax Act (R.S.Q., c. I-2); and

(2) section 51 of the Fuel Tax Act (R.S.Q., c. T-1).”.

**13.** Section 7R15 of the Regulation is amended by replacing “of tax audit professional or a position of special investigations expert at the Direction principale des enquêtes within the Direction générale de la législation et des enquêtes or a public servant governed by the collective labour agreement for public servants who holds a position of tax audit officer, a position of inspection or investigation officer, a position of supporting documents and registers inspector” by “of financial management officer at the Direction principale des enquêtes within the Direction générale de la législation et des enquêtes or a public servant governed by the collective labour agreement for public servants who holds a position of tax audit officer, a position of fraud investigator”.

**14.** Section 7R15.2 of the Regulation is amended by replacing “Groupe des ententes of” by “Service d’ententes et de soutien spécialisé at”.

**15.** (1) The heading “Direction générale de la capitale et des régions” of Subdivision 4 of Subdivision 1 of Division II of the Regulation is amended by replacing “capitale” by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**16.** (1) Section 7R24 of the Regulation is amended

(1) by replacing “capitale” in the portion before subparagraph 1 of the first paragraph by “Capitale-Nationale”;

(2) inserting “48,” after “46,” in subparagraph 3 of the first paragraph;

(3) by adding the following paragraphs after the second paragraph:

“The signature of a public servant holding one of the positions mentioned in the first paragraph may be affixed by means of an automatic device to the documents required for the purposes of the provisions mentioned in subparagraph 3 of the first paragraph and in section 7R25.

A facsimile of that signature may also be engraved, lithographed or printed on the documents mentioned in the third paragraph, but then they must be countersigned by a person authorized by the Minister.”.

(2) Paragraph 1 of subsection 1 has effect from 1 April 2003.

(3) Paragraph 3 of subsection 1 has effect from 1 December 1995.

**17.** (1) Section 7R25 of the Regulation is amended

(1) by replacing “capitale” by “Capitale-Nationale”;

(2) by adding the following paragraphs after the first paragraph:

“The signature of a public servant holding the position mentioned in the first paragraph may be affixed by means of an automatic device to the documents required for the purposes of the provision mentioned in the first paragraph.

A facsimile of that signature may also be engraved, lithographed or printed on the documents mentioned in the second paragraph, but then they must be countersigned by a person authorized by the Minister.”.

(2) Paragraph 1 of subsection 1 has effect from 1 April 2003.

(3) Paragraph 2 of subsection 1 has effect from 1 December 1995.

**18.** (1) Section 7R26 of the Regulation is amended by replacing “capitale” in the portion before paragraph 1 by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**19.** (1) Section 7R27 of the Regulation is amended by replacing “capitale” in the portion before subparagraph 1 of the first paragraph by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**20.** (1) Section 7R28 of the Regulation is amended

(1) by replacing “capitale” in the portion before paragraph 1 by “Capitale-Nationale”.

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

“The signature of a public servant holding one of the positions mentioned in the first paragraph may be affixed by means of an automatic device to the documents required for the purposes of sections 416.1, 417, 417.1, 417.2 and 418 of the Act respecting the Québec sales tax.

A facsimile of that signature may also be engraved, lithographed or printed on the documents mentioned in the second paragraph, but then they must be countersigned by a person authorized by the Minister.”.

(2) Paragraph 1 of subsection 1 has effect from 1 April 2003.

**21.** (1) Section 7R29 of the Regulation is amended by replacing “capitale” in the portion before paragraph 1 by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**22.** (1) Section 7R30 of the Regulation is amended by replacing “capitale” in the portion before subparagraph 1 of the first paragraph by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**23.** (1) Section 7R31 of the Regulation is amended by replacing “capitale” in the portion before subparagraph 1 of the first paragraph by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**24.** (1) Section 7R32 of the Regulation is amended by replacing “capitale” in the portion before subparagraph 1 of the first paragraph by “Capitale-Nationale”.



(2) Subsection 1 has effect from 1 April 2003.

**25.** (1) Section 7R33 of the Regulation is amended by replacing “capitale” in the portion before subparagraph 1 of the first paragraph by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**26.** (1) Section 7R34 of the Regulation is amended by replacing “capitale” in the portion before paragraph 1 by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**27.** (1) Section 7R35 of the Regulation is amended by replacing “capitale” in the portion before paragraph 1 by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**28.** (1) Section 7R36 of the Regulation is amended by replacing “capitale” in the portion before paragraph 1 by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**29.** (1) Section 7R37 of the Regulation is amended by replacing “capitale” in the portion before paragraph 1 by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**30.** (1) Section 7R38 of the Regulation is amended by replacing “Québec” in the portion before subparagraph 1 of the first paragraph by “la Capitale-Nationale” and by replacing “capitale” by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**31.** (1) Section 7R39 of the Regulation is amended by replacing “Québec” in the portion before subparagraph 1 of the first paragraph by “la Capitale-Nationale” and by replacing “capitale” by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**32.** (1) Section 7R40 of the Regulation is amended

(1) by replacing “Québec” in the portion before subparagraph 1 of the first paragraph by “la Capitale-Nationale” and by replacing “capitale” by “Capitale-Nationale”;

(2) by replacing “and the provisions of section 7.0.6 and the second paragraph of section 678 of the Taxation Act” in the second paragraph by “, the provisions of section 7.0.6 and the second paragraph of section 678 of the Taxation Act and sections 416.1, 417, 417.1, 417.2 and 418 of the Act respecting the Québec sales tax”;

(3) by replacing “and the provisions of section 7.0.6 and the second paragraph of section 678 of the Taxation Act” in the third paragraph by “, the provisions of section 7.0.6 and the second paragraph of section 678 of the Taxation Act and sections 416.1, 417, 417.1, 417.2 and 418 of the Act respecting the Québec sales tax”.

(2) Paragraph 1 of subsection 1 has effect from 1 April 2003.

**33.** (1) Section 7R47 of the Regulation is amended by replacing “capitale” in the portion before subparagraph 1 of the first paragraph by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**34.** (1) Section 7R53 of the Regulation is amended by replacing “— Québec” in the portion before subparagraph 1 of the first paragraph by “— Capitale-Nationale”, by replacing “de Québec” by “de la Capitale-Nationale” and by replacing “capitale” by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**35.** (1) Section 7R56 of the Regulation is amended by replacing “Québec” in the portion before subparagraph 1 of the first paragraph by “la Capitale-Nationale” and by replacing “capitale” by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**36.** (1) Section 7R57 of the Regulation is amended by replacing “Québec” by “la Capitale-Nationale” and by replacing “capitale” by “Capitale-Nationale”.

(2) Subsection 1 has effect from 1 April 2003.

**37.** Section 7R67 of the Regulation is amended by striking out “3, 4,” in the second paragraph.

**38.** Section 7R71 of the Regulation is amended

(1) by striking out “3, 4,” in the second paragraph;

(2) by striking out “3, 4,” in the third paragraph.

**39.** (1) Section 7R74 of the Regulation is amended

(1) by replacing “and section 1016 of the Taxation Act” in the second paragraph by “; section 1016 of the Taxation Act and sections 416, 416.1, 417, 417.1 and 418 of the Act respecting the Québec sales tax”;

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

“A facsimile of that signature may also be engraved, lithographed or printed on the documents required for the purposes of sections 416, 416.1, 417, 417.1 and 418 of the Act respecting the Québec sales tax, but then they must be countersigned by a person authorized by the Minister.”.

(2) Subsection 1 has effect from 1 January 2002.

**40.** (1) Section 7R84 of the Regulation is amended by replacing “Secretary General and Director of the Deputy Minister’s Office” by “Director of the Deputy Minister’s Office and Secretary General”.

(2) Subsection 1 has effect from 1 April 2003.

**41.** Section 7R87 of the Regulation is amended by replacing “of a service at” by “of a service at the Direction des solutions d’affaires électroniques,”.**42.** (1) Section 8R3 of the Regulation is amended by replacing “Secretary General and Director of the Deputy Minister’s Office” by “Director of the Deputy Minister’s Office and Secretary General”.

(2) Subsection 1 has effect from 1 April 2003.

**43.** Section 9.0.6R16 of the Regulation is amended by inserting “that is equal to the higher of \$50 and” after “penalty” in the second paragraph.**44.** (1) Section 96R1 of the Regulation is amended by replacing “Part I or I.1” in the first paragraph by “Part I”.

(2) Subsection 1 applies from the taxation year 1997. However, where the first paragraph of section 96R1 of the Regulation applies

(1) to the taxation year 1997, it shall be read as if the reference to “Part I” were a reference to “Parts I, I.1 and VII.1”;

(2) to the 1998 and 1999 taxation years, it shall be read as if the reference to “Part I” were a reference to “Parts I and VII.1”.

**45.** (1) Section 96R4 of the Regulation is amended by replacing “Part I or I.1” in the portion before paragraph *a* by “Part I”.

(2) Subsection 1 applies from the taxation year 1997. However, where the portion of section 96R4 of the Regulation before paragraph *a* applies

(1) to the taxation year 1997, it shall be read as if the reference to “Part I” were a reference to “Parts I, I.1 and VII.1”;

(2) to the 1998 and 1999 taxation years, it shall be read as if the reference to “Part I” were a reference to “Parts I and VII.1”.

**46.** (1) Section 96R6 of the Regulation is amended by replacing “Part I or I.1” by “Part I”.

(2) Subsection 1 applies from the taxation year 1997. However, where section 96R6 of the Regulation applies

(1) to the taxation year 1997, it shall be read as if the reference to “Part I” in the Regulation were a reference to “Parts I, I.1 and VII.1”;

(2) to the 1998 and 1999 taxation years, it shall be read as if the reference to “Part I” were a reference to “Parts I and VII.1”.

**47.** (1) Section 96R8 of the Regulation is amended in the first paragraph

(1) by replacing “Part I or I.1” by “Part I”;

(2) by replacing “those Parts” by “that Part”.

(2) Paragraph 1 of subsection 1 applies from the taxation year 1997. However, where the first paragraph of section 96R8 of the Regulation applies

(1) to the taxation year 1997, it shall be read as if the reference to “Part I” in the Regulation were a reference to “Parts I, I.1 and VII.1”;

(2) to the 1998 and 1999 taxation years, it shall be read as if the reference to “Part I” were a reference to “Parts I and VII.1”.

(3) Paragraph 2 of subsection 1 applies from the taxation year 2000.

**48.** (1) Section 96R10 of the Regulation is amended by replacing “Parts I and I.1” in the portion before paragraph *a* by “Part I”.

(2) Subsection 1 applies from the taxation year 1997. However, where the portion of section 96R10 of the Regulation before paragraph *a* applies

(1) to the taxation year 1997, it shall be read as if the reference to “Part I” in the Regulation were a reference to “Parts I, I.1 and VII.1”;

(2) to the 1998 and 1999 taxation years, it shall be read as if the reference to “Part I” were a reference to “Parts I and VII.1”.

**49.** (1) Section 96R11 of the Regulation is amended by replacing “Parts I and I.1” by “Part I”.

(2) Subsection 1 applies from the taxation year 1997. However, where section 96R11 of the Regulation applies

(1) to the taxation year 1997, it shall be read as if the reference to “Part I” in the Regulation were a reference to “Parts I, I.1 and VII.1”;

(2) to the 1998 and 1999 taxation years, it shall be read as if the reference to “Part I” were a reference to “Parts I and VII.1”.

**50.** (1) Section 96R12 of the Regulation is amended by replacing “Parts I and I.1” in the first paragraph by “Part I”.

(2) Subsection 1 applies from the taxation year 1997. However, where the first paragraph of section 96R12 of the Regulation applies

(1) to the taxation year 1997, it shall be read as if the reference to “Part I” in the Regulation were a reference to “Parts I, I.1 and VII.1”;

(2) to the 1998 and 1999 taxation years, it shall be read as if the reference to “Part I” were a reference to “Parts I and VII.1”.

**51.** Section 96R14.1 of the Regulation is amended by replacing the definition of “Indian territory” by the following:

““Indian territory” means the Indian settlements of Hunter’s Point, Kitcisakik and Pakuashipi and an Indian settlement, within the meaning of section 2 of the Indians and Bands on certain Indian Settlements Remission Order or of section 1 of the Indians and Bands on certain Indian Settlements Remission Order (1997) made by Order in Council P.C. 1997-1529 dated 23 October 1997 under the Financial Administration Act, located in Québec.”.

**52.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

### **Regulation to amend the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families\***

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, s. 96, 1st par., subpar. *b* and s. 97)

**1.** (1) Section 4 of the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families is amended by replacing the second paragraph by the following paragraph:

“The right to a rebate or refund applies in respect of tax provided for in Titles I (except tax imposed on immovable property that is acquired for personal use), II, III, IV.2 and IV.5 of the Act respecting the Québec sales tax.”.

(2) Subsection 1 has effect from 1 October 1999.

**2.** (1) Section 4.1 of the Regulation is amended by replacing the second paragraph by the following paragraph:

“The right to a refund or rebate applies in respect of tax provided for in Titles I (only as regards movable property or a service), II, III, IV.2 and IV.5 of the Act respecting the Québec sales tax.”.

(2) Subsection 1 has effect from 1 October 1999.

**3.** (1) Section 8.2 of the Regulation is amended in the second paragraph

(1) by replacing the period at the end of subparagraph 2 by a semi-colon;

(2) by adding the following subparagraphs after subparagraph 2:

\* The Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families, made by Order in Council 1799-90 dated 19 December 1990 (1991, *G.O.* 2, 23), was last amended by the regulation made by Order in Council 1451-2000 dated 13 December 2000 (2000, *G.O.* 2, 5885). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

“(3) performs a function referred to in paragraph 1 of any of Schedules E to I and meets the conditions set out in paragraphs 2 and 3 of section 8.3;

(4) performs a recognized function referred to in paragraph 2 of any of Schedules E to I and meets the conditions set out in paragraphs 2 and 3 of section 8.3.”

(2) Subsection 1, except for the purposes of sections 8.6.1, 8.6.2 and 8.7.2 of the Regulation, has effect from 1 January 1991. However, where subparagraphs 3 and 4 of the second paragraph of section 8.2 of the Regulation apply

(1) before 1 January 1994, they shall be read as if the reference to “any of Schedules E to I” were a reference to “Schedule E”;

(2) after 31 December 1993 and before 1 February 1996, they shall be read as if the reference to “any of Schedules E to I” were a reference to “Schedule E or F”;

(3) after 31 January 1996 and before 1 January 2001, they shall be read as if the reference to “any of Schedules E to I” were a reference to “any of Schedules E to G”;

(4) after 31 December 2000 and before 1 January 2003, they shall be read as if the reference to “any of Schedules E to I” were a reference to “any of Schedules E to H”.

(3) Subsection 1, for the purposes of sections 8.6.1, 8.6.2 and 8.7.2 of the Regulation, applies in respect of duties imposed after 30 June 1992. However, where subparagraphs 3 and 4 of the second paragraph of section 8.2 of the Regulation apply

(1) in respect of duties imposed before 1 January 1994, they shall be read as if the reference to “any of Schedules E to I” were a reference to “Schedule E”;

(2) in respect of duties imposed after 31 December 1993 and before 1 February 1996, they shall be read as if the reference to “any of Schedules E to I” were a reference to “Schedule E or F”;

(3) in respect of duties imposed after 31 January 1996 and before 5 July 2001, they shall be read as if the reference to “any of Schedules E to I” were a reference to “any of Schedules E to G”;

(4) in respect of duties imposed after 4 July 2001 and before 1 June 2003, they shall be read as if the reference to “any of Schedules E to I” were a reference to “any of Schedules E to H”.

**4.** (1) Section 8.4 of the Regulation is replaced by the following:

“**8.4.** An organization referred to in the first paragraph of section 8.2 or an individual referred to in subparagraph 1 or 2 of the second paragraph of that section is exempt from all duties imposed under the Taxation Act (R.S.Q., c. I-3).”

(2) Subsection 1 has effect from the taxation year 1991.

**5.** (1) The Regulation is amended by inserting the following after section 8.4:

“**8.4.1.** An individual referred to in subparagraph 3 of the second paragraph of section 8.2 is exempt from all duties imposed under the Taxation Act (R.S.Q., c. I-3) on

(1) the individual’s income from the duties of an office or employment with the organization with which the individual performs functions; and

(2) the individual’s other income, if:

(a) the individual is required to reside in Canada owing to the individual’s duties;

(b) the individual is not performing the duties of an office or employment in Canada other than the individual’s functions with the organization; and

(c) the individual is not engaged in a business in Canada.

**8.4.2.** An individual referred to in subparagraph 4 of the second paragraph of section 8.2 is exempt from all duties imposed under the Taxation Act (R.S.Q., c. I-3) on

(1) the individual’s income from the duties of an office or employment with the organization with which the individual performs functions; and

(2) the individual’s other income, if

(a) the individual is required to reside in Canada owing to the individual’s duties;

(b) the individual is not performing the duties of an office or employment in Canada other than the individual’s functions with the organization;

(c) the individual is not engaged in a business in Canada; and

(d) immediately before entering upon the individual's duties with the organization, the individual met the condition referred to in subparagraph *a* of paragraph 6 of section 8.3 or the conditions referred to in subparagraph *b* of that paragraph.

**8.4.3.** An organization whose name appears in any of paragraphs 2 to 6 of Schedule B is exempt from contributions that may be imposed under the Act to foster the development of manpower training (R.S.Q., c. D-7.1).".

(2) Subsection 1, where it enacts sections 8.4.1 and 8.4.2 of the Regulation, has effect from 1 January 1991.

(3) Subsection 1, where it enacts section 8.4.3 of the Regulation, has effect from 1 January 1996. However, where section 8.4.3 of the Regulation applies

(1) before 1 February 1996, it shall be read as if the reference to "in any of paragraphs 2 to 6" were a reference to "in any of paragraphs 2, 3 and 6";

(2) after 31 January 1996 and before 5 July 2001, it shall be read as if the reference to "in any of paragraphs 2 to 6" were a reference to "in any of paragraphs 2 to 4 and 6".

**6.** (1) Section 8.5 of the Regulation is amended

(1) by replacing "A organization" in the first paragraph by "Subject to the fourth paragraph, an organization";

(2) by replacing the second and third paragraphs by the following paragraphs:

"The right to a rebate or refund applies in respect of tax provided for in Titles I (except tax imposed on immovable property that is acquired for personal use), II, III, IV.2 and IV.5 of the Act respecting the Québec sales tax.

However, in respect of the sale of alcoholic beverages, the organization referred to in the first paragraph of section 8.2, subject to the fourth paragraph, shall be exempt from the payment of tax under Titles I and II of the Act respecting the Québec sales tax where the sale is made at one of the branches of the Société des alcools du Québec that are designated by the Ministère des Relations internationales.";

(3) by adding the following paragraph after the third paragraph:

"The organization referred to in paragraph 5 of Schedule B is entitled to the rebate or refund provided for in the first paragraph and to the exemption provided for in the third paragraph only to the extent that the property or service is acquired within the scope of the carrying out of the mandate of the UNESCO Institute for Statistics."

(2) Paragraphs 1, 2 where it replaces the third paragraph of section 8.5 of the Regulation, and 3 of subsection 1 apply in respect of duties imposed after 4 July 2001.

(3) Paragraph 2 of subsection 1, where it replaces the second paragraph of section 8.5 of the Regulation, has effect from 1 October 1999.

**7.** (1) Section 8.6 of the Regulation is amended

(1) by replacing "an individual referred to in the second paragraph" in the portion before subparagraph 1 of the first paragraph by "an individual referred to in subparagraph 1 or 2 of the second paragraph";

(2) by replacing the second paragraph by the following paragraph:

"The right to a rebate or refund applies in respect of tax provided for in Titles I (only as regards movable property or a service), II, III, IV.2 and IV.5 of the Act respecting the Québec sales tax.";

(3) by replacing "the individual referred to in the second paragraph of section 8.2" in the third and fourth paragraphs by "an individual referred to in the first paragraph".

(2) Paragraphs 1 and 3 of subsection 1 apply in respect of duties imposed after 30 June 1992.

(3) Paragraph 2 of subsection 1 has effect from 1 October 1999.

**8.** (1) The Regulation is amended by inserting the following after section 8.6:

"**8.6.1.** An individual referred to in subparagraph 3 of the second paragraph of section 8.2 is entitled to the rebate or refund and to the exemptions provided for in section 8.6, with the exception of the duties imposed under the Acts listed in that section in respect of a property or service acquired within the scope of professional or commercial activities carried on by the individual in Canada or within the scope of the duties of an office or employment performed by the individual in Canada, other than the individual's duties of an office or employment with the organization with which the individual performs functions.

**8.6.2.** An individual referred to in subparagraph 4 of the second paragraph of section 8.2 who meets the conditions referred to in subparagraphs *a* and *d* of paragraph 2 of section 8.4.2 is entitled to the rebate or refund and to the exemptions provided for in section 8.6, with the exception of the duties imposed under the Acts listed in that section in respect of a property or service acquired within the scope of professional or commercial activities carried on by the individual in Canada or within the scope of the duties of an office or employment performed by the individual in Canada, other than the individual's duties of an office or employment with the organization with which the individual performs functions.”.

(2) Subsection 1 applies in respect of duties imposed after 30 June 1992.

**9.** (1) Section 8.7 of the Regulation is amended by replacing “an individual referred to in the second paragraph of section 8.2 if that” in the portion before paragraph 1 by “an individual referred to in subparagraph 1 or 2 of the second paragraph of section 8.2 if the”.

(2) Subsection 1 has effect from 1 January 1991.

**10.** (1) The Regulation is amended by inserting the following after section 8.7:

“**8.7.1.** The exemption provided for in section 8.4 applies also to a member of the family of an individual referred to in subparagraph 3 of the second paragraph of section 8.2 or of an individual referred to in subparagraph 4 of that paragraph who meets the conditions referred to in subparagraphs *a* and *d* of paragraph 2 of section 8.4.2 if the member

- (1) is residing with the individual;
- (2) is not a Canadian citizen;
- (3) is not a permanent resident; and

(4) is not performing the duties of an office or employment in Canada and is not engaged in a business in Canada.

**8.7.2.** Subject to the second paragraph, the rebate or refund and the exemptions provided for in section 8.6 apply also to a member of the family of an individual referred to in subparagraph 3 of the second paragraph of section 8.2 or of an individual referred to in subparagraph 4 of that paragraph who meets the conditions referred to in subparagraphs *a* and *d* of paragraph 2 of section 8.4.2, if the member meets the conditions referred to in paragraphs 1 to 3 of section 8.7.1.

Section 8.6 does not apply to the duties imposed on such a member under the Acts listed in that section in respect of a property or service acquired within the scope of professional or commercial activities carried on by the individual in Canada or within the scope of the duties of an office or employment performed by the individual in Canada.”.

(2) Subsection 1, where it enacts section 8.7.1 of the Regulation, has effect from 1 January 1991.

(3) Subsection 1, where it enacts section 8.7.2 of the Regulation, applies in respect of duties imposed after 30 June 1992.

**11.** (1) Schedule A to the Regulation is amended

- (1) by deleting paragraph 1;
- (2) by replacing paragraph 2 by the following:

“2. United Nations Educational, Scientific and Cultural Organization (UNESCO), in relation to the agreement entered into on 18 September 1989 respecting the establishment of a UNESCO office in the city of Québec.”.

(2) Paragraph 1 of subsection 1 applies from the taxation year 2003, except for the purposes of sections 4 and 4.1 of the Regulation and section 7 of the Regulation, where that section refers to the exemption and to the rebate or refund provided for in section 4.1, in which case it applies in respect of duties imposed after 31 May 2003.

(3) Paragraph 2 of subsection 1 applies from the taxation year 2001.

(4) In addition, where Schedule A to the Regulation applies in respect of duties imposed after 31 December 1990 and before 1 July 1992, the Schedule shall be read with reference to the following paragraph:

“3. Multilateral Fund for the Implementation of the Montréal Protocol on Substances that Deplete the Ozone Layer.”.

**12.** (1) Schedule B to the Regulation is amended

(1) by replacing “International Civil Aviation Organization (ICAO).” by “1. International Civil Aviation Organization (ICAO);”;

- (2) by adding the following paragraphs at the end:

“2. Multilateral Fund for the Implementation of the Montréal Protocol on Substances that Deplete the Ozone Layer;

3. Commission for Environmental Cooperation;

4. Secretariat of the Convention on Biological Diversity;

5. United Nations Educational, Scientific and Cultural Organization (UNESCO), in relation to the agreement entered into on 5 July 2001 respecting the establishment of the UNESCO Institute for Statistics in Montréal;

6. Institut de l'énergie et de l'environnement (des pays) de la Francophonie (IEPF).”.

(2) Paragraph 1 of subsection 1 has effect from 1 January 1991.

(3) Paragraph 2 of subsection 1,

(1) where it enacts paragraph 2 of Schedule B to the Regulation, has effect from 1 January 1991, except for the purposes of

(a) section 8.4.3 of the Regulation, in which case it has effect from 1 January 1996;

(b) section 8.5 of the Regulation, in which case it applies in respect of duties imposed after 30 June 1992;

(2) where it enacts paragraph 3 of Schedule B to the Regulation, has effect from 1 January 1994, except for the purposes of

(a) section 8.4.3 of the Regulation, in which case it has effect from 1 January 1996;

(b) section 8.5 of the Regulation, in which case it applies in respect of duties imposed after 31 December 1993;

(3) where it enacts paragraph 4 of Schedule B to the Regulation, has effect from 1 February 1996, except for the purposes of section 8.5 of the Regulation, in which case it applies in respect of duties imposed after 31 January 1996;

(4) where it enacts paragraph 5 of Schedule B to the Regulation, applies from the taxation year 2001, except for the purposes of

(a) section 8.4.3 of the Regulation, in which case it has effect from 5 July 2001;

(b) section 8.5 of the Regulation, in which case it applies in respect of duties imposed after 4 July 2001;

(5) where it enacts paragraph 6 of Schedule B to the Regulation,

(a) has effect from 1 January 1996 for the purposes of section 8.4.3 of the Regulation;

(b) applies from the taxation year 2003, except for the purposes of sections 8.4.3 and 8.5 of the Regulation;

(c) applies in respect of duties imposed after 31 May 2003 for the purposes of section 8.5 of the Regulation.

**13.** (1) The Regulation is amended by adding the following schedules:

**“SCHEDULE E**

(s. 8.2, par. 2)

**FUNCTIONS WITH THE MULTILATERAL FUND FOR THE IMPLEMENTATION OF THE MONTRÉAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER**

1. For the purposes of subparagraph 3 of the second paragraph of section 8.2, the function of officer belonging to senior categories at the P-4 level or higher to which the paragraph refers that an individual performs with the Multilateral Fund for the Implementation of the Montréal Protocol on Substances that Deplete the Ozone Layer is a function to which that subparagraph applies.

2. For the purposes of subparagraph 4 of the second paragraph of section 8.2, an individual who is an officer of the Multilateral Fund for the Implementation of the Montréal Protocol on Substances that Deplete the Ozone Layer, other than an officer referred to in paragraph 1, performs a recognized function.

3. For the purposes of this Schedule, “officer” means an officer of the Multilateral Fund for the Implementation of the Montréal Protocol on Substances that Deplete the Ozone Layer, including an officer of the United Nations assigned to the service of the Secretariat of the Multilateral Fund, other than an officer recruited locally who is given an hourly rate.

**SCHEDULE F**

(s. 8.2, par. 2)

**FUNCTIONS WITH THE COMMISSION FOR ENVIRONMENTAL COOPERATION**

1. For the purposes of subparagraph 3 of the second paragraph of section 8.2, an individual may perform any of the following functions with the Commission for Environmental Cooperation:

(a) executive director of the Secretariat of the Commission;

(b) director of the Secretariat of the Commission.

2. For the purposes of subparagraph 4 of the second paragraph of section 8.2, an individual who is an officer of the Secretariat of the Commission for Environmental Cooperation and who is not referred to in paragraph 1 performs a recognized function.

3. For the purposes of paragraph 2, “officer” means a member of the staff of the Secretariat of the Commission for Environmental Cooperation, other than a director, appointed and supervised by the executive director of the Secretariat.

### **SCHEDULE G**

(s. 8.2, par. 2)

#### **FUNCTIONS WITH THE SECRETARIAT OF THE CONVENTION ON BIOLOGICAL DIVERSITY**

1. For the purposes of subparagraph 3 of the second paragraph of section 8.2, an individual may perform any of the following functions with the Secretariat of the Convention on Biological Diversity:

(a) executive secretary;

(b) officer belonging to senior categories at the P-4 level or higher.

2. For the purposes of subparagraph 4 of the second paragraph of section 8.2, an individual who is an officer of the Secretariat of the Convention on Biological Diversity, other than an officer referred to in paragraph 1, performs a recognized function.

3. For the purposes this Schedule, “officer” means an officer of the United Nations assigned to the service of the Convention on Biological Diversity, other than an officer recruited locally who is given an hourly rate.

### **SCHEDULE H**

(s. 8.2, par. 2)

#### **FUNCTIONS WITH THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO)**

1. For the purposes of subparagraph 3 of the second paragraph of section 8.2, an individual may perform any of the following functions with the United Nations Educational, Scientific and Cultural Organization (UNESCO):

(a) director of the UNESCO Institute for Statistics;

(b) member of the staff of the UNESCO Institute for Statistics belonging to senior categories at the P-4 level or higher.

2. For the purposes of subparagraph 4 of the second paragraph of section 8.2, an individual who is a member of the staff of the UNESCO Institute for Statistics, other than a member referred to in paragraph 1, performs a recognized function.

3. For the purposes of this Schedule, “staff of the UNESCO Institute for Statistics” means the officers of the United Nations Educational, Scientific and Cultural Organization (UNESCO) assigned to the service of the UNESCO Institute for Statistics and any other person employed by the Institute through a letter of appointment or a contract.

### **SCHEDULE I**

(s. 8.2, par. 2)

#### **FUNCTIONS WITH THE INSTITUT DE L'ÉNERGIE ET DE L'ENVIRONNEMENT (DES PAYS) DE LA FRANCOPHONIE (IEPF)**

1. For the purposes of subparagraph 3 of the second paragraph of section 8.2, an individual may perform any of the following functions with the Institut de l'énergie et de l'environnement (des pays) de la Francophonie (IEPF):

(a) executive director;

(b) deputy director.

2. For the purposes of subparagraph 4 of the second paragraph of section 8.2, an individual who is an employee of the Institut de l'énergie et de l'environnement (des pays) de la Francophonie (IEPF) and who is not referred to in subsection 1, performs a recognized function.

3. For the purposes of paragraph 2, “employee” means a member of the staff of the Institut de l'énergie et de l'environnement (des pays) de la Francophonie (IEPF), appointed and supervised by the executive director of the Institute.”.

(2) Subsection 1,

(1) where it enacts Schedule E to the Regulation, has effect from 1 January 1991, except for the purposes of sections 8.6.1, 8.6.2 and 8.7.2 of the Regulation, in which case it applies in respect of duties imposed after 30 June 1992;



(2) where it enacts Schedule F to the Regulation, has effect from 1 January 1994, except for the purposes of sections 8.6.1, 8.6.2 and 8.7.2 of the Regulation, in which case it applies in respect of duties imposed after 31 December 1993;

(3) where it enacts Schedule G to the Regulation, has effect from 1 February 1996, except for the purposes of sections 8.6.1, 8.6.2 and 8.7.2 of the Regulation, in which case it applies in respect of duties imposed after 31 January 1996;

(4) where it enacts Schedule H to the Regulation, has effect from 1 January 2001, except for the purposes of sections 8.6.1, 8.6.2 and 8.7.2 of the Regulation, in which case it applies in respect of duties imposed after 4 July 2001;

(5) where it enacts Schedule I to the Regulation, has effect from 1 January 2003, except for the purposes of sections 8.6.1, 8.6.2 and 8.7.2 of the Regulation, in which case it applies in respect of duties imposed after 31 May 2003.”

**14.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

### **Regulation to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families\***

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, s. 96, 1st. par., subpar. *b* and s. 97)

**1.** (1) Section 4 of the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families is amended by replacing the second paragraph by the following paragraph:

“The right to a rebate or refund applies in respect of tax provided for in Titles I (except tax imposed on immovable property that is acquired for personal use), II, III, IV.2 and IV.5 of the Act respecting the Québec sales tax.”

(2) Subsection 1 has effect from 1 October 1999.

**2.** (1) Section 4.1 of the Regulation is amended by replacing the second paragraph by the following paragraph:

“The right to a rebate or refund applies in respect of tax provided for in Titles I (only as regards movable property or a service), II, III, IV.2 and IV.5 of the Act respecting the Québec sales tax.”

(2) Subsection 1 has effect from 1 October 1999.

**3.** (1) Section 8.2 of the Regulation is amended by replacing the second paragraph by the following paragraph:

“It also applies to any individual who is an employee of such an organization if

(1) the individual is an employee of the International Confederation of Free Trade Unions and

(a) is registered with the Ministère du Revenu;

(b) is not a Canadian Citizen;

(c) is not a permanent resident;

(d) is required to reside in Canada owing to the individual’s duties;

(e) immediately before entering upon the individual’s duties with the organization,

i. resided outside Canada, or

ii. assumed functions with another international organization that is a prescribed international body pursuant to subparagraph *b* of the first paragraph of section 96 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31) and, where applicable, resided outside Canada immediately before entering upon the individual’s duties with that other organization, or immediately before entering upon the individual’s duties with that other organization, met one of the conditions set out in this subparagraph ii; and

(f) is not performing the duties of an office or employment in Canada other than the individual’s functions with the organization and

\* The Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families, made by Order in Council 1285-87 dated 19 August 1987 (1987, *G.O.* 2, 3236), was last amended by the regulation made by Order in Council 1451-2000 dated 13 December 2000 (2000, *G.O.* 2, 5885). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

i. for the purposes of section 8.3, is not engaged in a business in Canada, and

ii. for the purposes of section 8.5, is not performing a professional or commercial activity in Canada;

(2) the individual is an employee of the International Federation of Air Traffic Controllers' Associations (IFATCA), is registered with the Ministère des Relations internationales and meets the conditions referred to in subparagraphs *b* to *f* of paragraph 1; or

(3) the individual is an employee of the World Anti-Doping Agency and meets the conditions referred to in subparagraphs *b*, *c* and *e* of paragraph 1.”

(2) Subsection 1, where it enacts the portion of the second paragraph of section 8.2 of the Regulation before subparagraph 3, applies from the taxation year 2001, except for the purposes of section 8.5 of the Regulation and section 8.6 of the Regulation, where the latter section refers to the rebate or refund provided for in section 8.5, in which case it applies in respect of duties imposed after 28 May 2001.

(3) Subsection 1, where it enacts subparagraph 3 of the second paragraph of section 8.2 of the Regulation, applies from the taxation year 2002, except for the purposes of sections 8.5.1 and 8.6.2 of the Regulation, in which case it applies in respect of duties imposed after 31 March 2002.

**4.** (1) Section 8.3 of the Regulation is replaced by the following:

“**8.3.** An organization referred to in the first paragraph of section 8.2 or an individual referred to in subparagraph 1 or 2 of the second paragraph of that section is exempt from all duties imposed under the Taxation Act (R.S.Q., c. I-3).”

(2) Subsection 1 applies from the taxation year 2001. However, where section 8.3 of the Regulation applies to an organization that is the World Anti-Doping Agency, subsection 1 has effect from 1 September 2001.

**5.** (1) The Regulation is amended by inserting the following after section 8.3:

“**8.3.1.** An individual referred to in subparagraph 3 of the second paragraph of section 8.2 is exempt from all duties imposed under the Taxation Act (R.S.Q., c. I-3) on

(1) the individual's income from duties of an office or employment with the organization referred to in that subparagraph; and

(2) the individual's other income if the individual is not performing the duties of an office or employment in Canada, other than the individual's functions with the organization, and if the individual is not engaged in a business in Canada.”

(2) Subsection 1 applies from the taxation year 2002.

**6.** (1) Section 8.4 of the Regulation is amended by replacing the second paragraph by the following paragraph:

“The right to a rebate or refund applies in respect of tax provided for in Titles I (except tax imposed on immovable property that is acquired for personal use), II, III, IV.2 and IV.5 of the Act respecting the Québec sales tax.”

(2) Subsection 1 has effect from 1 October 1999.

**7.** (1) Section 8.5 of the Regulation is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by the following:

“**8.5.** An individual referred to in subparagraph 1 or 2 of the second paragraph of section 8.2 is entitled to a rebate or refund of all duties imposed under the following Acts if the individual applies therefor to the Minister in prescribed form:”;

(2) by replacing the second paragraph by the following paragraph:

“The right to a rebate or refund applies in respect of tax provided for in Titles I (only as regards movable property or a service), II, III, IV.2 and IV.5 of the Act respecting the Québec sales tax.”

(2) Paragraph 1 of subsection 1 applies in respect of duties imposed after 28 May 2001.

(3) Paragraph 2 of subsection 1 has effect from 1 October 1999.

**8.** (1) The Regulation is amended by inserting the following after section 8.5:

“**8.5.1.** An individual referred to in subparagraph 3 of the second paragraph of section 8.2 is entitled to the rebate or refund provided for in section 8.5, with the exception of the duties imposed under the Acts listed in the first paragraph of that section in respect of a property or service acquired within the scope of professional or commercial activities carried on by the individual in Canada or within the scope of the duties of an office or employment performed by the individual in Canada, other

than the individual's duties of an office or employment with the organization referred to in that subparagraph 3.”.

(2) Subsection 1 applies in respect of duties imposed after 31 March 2002.

**9.** (1) Section 8.6 of the Regulation is amended by replacing the portion before paragraph 2 by the following:

“**8.6.** The exemption, rebate or refund provided for in sections 8.3 and 8.5 apply also to the spouse of an individual referred to in subparagraph 1 or 2 of the second paragraph of section 8.2 if the spouse

(1) is registered with

(a) the Ministère du Revenu, if the spouse is the spouse of an individual referred to in that subparagraph 1; or

(b) the Ministère des Relations internationales, if the spouse is the spouse of an individual referred to in that subparagraph 2;”.

(2) Subsection 1 applies from the taxation year 2001, except in respect of the rebate or refund provided for in section 8.5 of the Regulation, in which case it applies in respect of duties imposed after 28 May 2001.

**10.** (1) The Regulation is amended by inserting the following after section 8.6:

“**8.6.1.** The exemption provided for in section 8.3 applies also to the spouse of an individual referred to in subparagraph 3 of the second paragraph of section 8.2 if the spouse

(1) resides with the individual;

(2) is not a Canadian citizen;

(3) is not a permanent resident; and

(4) is not performing the duties of an office or employment in Canada and is not engaged in a business in Canada.

**8.6.2.** The rebate or refund provided for in section 8.5 applies also to the spouse of an individual referred to in subparagraph 3 of the second paragraph of section 8.2 if the spouse meets the conditions referred to in paragraphs 1 to 3 of section 8.6.1.

However, such a spouse is not entitled to the rebate or refund of the duties imposed under the Acts listed in the first paragraph of section 8.5 in respect of a property or service acquired within the scope of professional or commercial activities carried on by the spouse in Canada or within the scope of the duties of an office or employment performed by the spouse in Canada.”.

(2) Subsection 1, where it enacts section 8.6.1 of the Regulation, applies from the taxation year 2002 and, where it enacts section 8.6.2 of the Regulation, applies in respect of duties imposed after 31 March 2002.

**11.** (1) Section 8.7 of the Regulation is amended by replacing paragraph 2 by the following:

“(2) is registered with

(a) the Ministère du Revenu, if the member is a member of the family of an individual referred to in subparagraph 1 of that second paragraph; or

(b) the Ministère des Relations internationales, if the member is a member of the family of an individual referred to in subparagraph 2 of that second paragraph;”.

(2) Subsection 1 applies from the taxation year 2001.

**12.** (1) Schedule B to Regulation is amended by inserting the following organizations in alphabetical order:

“World Anti-Doping Agency;

International Federation of Air Traffic Controllers' Associations (IFATCA).”.

(2) Subsection 1, where it amends Schedule B to the Regulation to insert the name of the “International Federation of Air Traffic Controllers' Associations (IFATCA)” into the Regulation, applies from the taxation year 2001, except for the purposes of sections 8.4 and 8.5 of the Regulation and section 8.6 of the Regulation, where the latter section refers to the rebate or refund provided for in section 8.5, in which case it applies in respect of duties imposed after 28 May 2001.

(3) Subsection 1, where it amends Schedule B to the Regulation to insert the name of the “World Anti-Doping Agency” into the Regulation, has effect from 1 September 2001, except for the purposes of

(1) section 8.4 of the Regulation, in which case it applies in respect of duties imposed after 31 August 2001;

(2) sections 8.3.1 and 8.6.1 of the Regulation, in which case it applies from the taxation year 2002;

(3) sections 8.5.1 and 8.6.2 of the Regulation, in which case it applies in respect of duties imposed after 31 March 2002.

**13.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

### **Regulation to amend the Regulation respecting fiscal privileges granted to members of a diplomatic mission or consular post and to the members of their families\***

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, s. 96, 1st par., subpar. a and s. 97)

**1.** (1) Section 5 of the Regulation respecting fiscal privileges granted to members of a diplomatic mission or consular post and to the members of their families is amended by replacing the second paragraph by the following:

“The right to a refund or rebate applies in respect of tax provided for in Titles I (except tax imposed on immovable property that is acquired for personal use), II III, IV.2 and IV. 5 of the Act respecting the Québec sales tax.”

(2) Subsection 1 has effect from 1 October 1999.

**2.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

### **Regulation to amend the Road Vehicle Supply Remission Regulation\***

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, ss. 94 and 97)

**1.** (1) Section 1 of the Road Vehicle Supply Remission Regulation is amended by replacing paragraph 4 of the definition of “reserve” by the following:

“(4) the Indian settlements of Hunter’s Point, Kitecisakik and Pakuashipi; (*réserve*)”.

(2) Subsection 1 has effect from 15 March 2000.

**2.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

### **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. subpars. 11, 50.2, 55.1 and 57; 2003, c. 2, s. 350)

**1.** (1) Section 52R1 of the Regulation respecting the Québec sales tax is amended by replacing “M-39” in paragraph 2 by “D-15.1”.

(2) Subsection 1 has effect from 31 December 1992.

**2.** (1) Section 201R3 of the French text of the Regulation is amended by striking out “de” before “celui” in paragraph (1)

(2) Subsection 1 applies to supplies made after 23 April 1996.

\* The Regulation respecting fiscal privileges granted to members of a diplomatic mission or consular post and to the members of their families was made by Order in Council 1466-98 dated 27 November 1998 (1998, *G.O.* 2, 4610) and has not been amended since.

\* The Road Vehicle Supply Remission Regulation, made by Order in Council 206-2000 dated 1 March 2000 (2000, *G.O.* 2, 1295) was amended by regulation made by Order in Council 1470-2002 dated 11 December 2002 (2002, *G.O.* 2, 5583) and has not been amended since.

\* 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 143-2003 dated 12 February 2003 (2003, *G.O.* 2, 1018). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

**3.** (1) Section 201R4 of the French text of the Regulation is amended by striking out “de” before “celui” in paragraph (1).

(2) Subsection 1 applies to supplies made after 23 April 1996.

**4.** (1) The Regulation is amended by striking out the heading before each of sections 301.1R1, 301.3R1, 323.3R1, 324.1R1 and 324.3R1.

(2) Subsection 1 has effect from 24 April 1996.

**5.** (1) Section 489.1R2 of the Regulation is amended

(1) by replacing “2 500 000 000th” in paragraph 1 by “7 500 000 000th”;

(2) by replacing “2 500 000 001th” in paragraph 2 by “7 500 000 001st”.

(2) Subsection 1 applies in respect of sales made after 31 December 2001.

**6.** (1) Schedule II.2 of the Regulation is amended

(1) by replacing “Municipalities” in the heading “Included Municipalities” by “Territorial Entities”;

(2) by inserting the following territorial entities in alphabetical order in the tourist region of Charlevoix: “Lac-Pikauba;”, “Mont-Élie;”, “Sagard;”;

(3) by inserting the following territorial entities in alphabetical order in the tourist region of Outaouais: “Cascades-Malignes;”, “Dépôt-Échouani;”, “Kitigan Zibi;”, “Lac-Lenôtre;”, “Lac-Moselle;”, “Lac-Nilgaut;”, “Lac-Pythonga;”, “Lac-Rapide;”;

(4) by inserting the following territorial entities in alphabetical order in the tourist region of Québec: “Lac-Blanc;”, “Lac-Croche;”, “Lac-Jacques-Cartier;”, “Lac-Lapeyrère;”, “Linton;”, “Sault-au-Cochon;”;

(5) by inserting the following territorial entities in alphabetical order in the tourist region of Saguenay-Lac-Saint-Jean: “Belle-Rivière;”, “Chute-des-Passes;”, “Lac-Achouakan;”, “Lac-Ashuapmushuan;”, “Lac-Ministuk;”, “Lac-Moncouche;”, “Lalemant;”, “Mashteuiatsh;”, “Mont-Apica;”, “Mont-Valin;”, “Rivière-Mistassini;”;

(6) by inserting the following tourist regions and included territorial entities in alphabetical order:

### “Eastern Townships

Abercorn; Asbestos; Ascot Corner; Audet; Austin; Ayer’s Cliff; Barnston Ouest; Bedford (Town); Bedford (Township); Bolton-Est; Bolton-Ouest; Bonsecours; Brigham; Brome; Bromont; Bury; Chartierville; Cleveland; Coaticook; Compton; Cookshire-Eaton; Courcelles; Cowansville; Danville; Dixville; Dudswell; Dunham; East Angus; East Farnham; East Hereford; Eastman; Farnham; Frelighsburg; Frontenac; Granby (Town); Granby (Township); Hampden; Hatley (Municipality); Hatley (Township); Kingsbury; Lac-Brome; Lac-Drolet; Lac-Mégantic; Lambton; La Patrie; Lawrenceville; Lingwick; Magog; Maricourt; Marston; Martinville; Melbourne; Milan; Nantes; North Hatley; Notre-Dame-des-Bois; Notre-Dame-de-Stanbridge; Ogden; Orford; Piopolis; Potton; Racine; Richmond; Roxton Pond; Saint-Adrien; Saint-Alphonse; Saint-Armand; Saint-Augustin-de-Woburn; Saint-Benoît-du-Lac; Saint-Camille; Saint-Claude; Saint-Denis-de-Brompton; Saint-Étienne-de-Bolton; Saint-François-Xavier-de-Brompton; Saint-Georges-de-Windsor; Saint-Herménégilde; Saint-Ignace-de-Stanbridge; Saint-Isidore-de-Clifton; Saint-Joachim-de-Shefford; Saint-Joseph-de-Ham-Sud; Saint-Ludger; Saint-Malo; Saint-Pierre-de-Véronne-à-Pike-River; Saint-Robert-Bellarmin; Saint-Romain; Saint-Sébastien; Saint-Venant-de-Paquette; Sainte-Anne-de-la-Rochelle; Sainte-Catherine-de-Hatley; Sainte-Cécile-de-Milton; Sainte-Cécile-de-Whitton; Sainte-Edwidge-de-Clifton; Sainte-Sabine; Scotstown; Shefford; Sherbrooke; Stanbridge East; Stanbridge Station; Stanstead (Town); Stanstead (Township); Stanstead-Est; Stoke; Stornoway; Stratford; Stukely-Sud; Sutton; Ulverton; Valcourt (Town); Valcourt (Township); Val-Joli; Val-Racine; Warden; Waterloo; Waterville; Weedon; Westbury; Windsor; Wotton.

### Centre-du-Québec

Aston-Jonction; Baie-du-Febvre; Bécancour; Chester-Est; Chesterville; Daveluyville; Deschailions-sur-Saint-Laurent; Drummondville; Durham-Sud; Fortierville; Grand-Saint-Esprit; Ham-Nord; Inverness; Kingsey Falls; Laurierville; L’Avenir; La Visitation-de-Yamaska; Lefebvre; Lemieux; Lyster; Maddington; Manseau; Nicolet; Norbertville; Notre-Dame-de-Ham; Notre-Dame-de-Lourdes; Notre-Dame-du-Bon-Conseil (Village); Notre-Dame-du-Bon-Conseil (Parish); Odanak; Parisville; Pierreville; Plessisville (Town); Plessisville (Parish); Princeville; Saint-Albert; Saint-Bonaventure; Saint-Célestin (Village); Saint-Célestin (Municipality); Saint-Charles-de-Drummond; Saint-Christophe-d’Arthabaska; Saint-Cyrille-de-Wendover; Saint-Edmond-de-Grantham; Saint-Elphège; Saint-Eugène; Saint-Félix-de-Kingsey; Saint-Ferdinand; Saint-François-du-Lac; Saint-Germain-de-

Grantham; Saint-Guillaume; Saint-Joachim-de-Courval; Saint-Léonard-d'Aston; Saint-Louis-de-Blandford; Saint-Lucien; Saint-Majorique-de-Grantham; Saint-Nicéphore; Saint-Norbert-d'Arthabaska; Saint-Pie-de-Guire; Saint-Pierre-Baptiste; Saint-Pierre-les-Becquets; Saint-Rémi-de-Tingwick; Saint-Rosaire; Saint-Samuel; Saint-Sylvère; Saint-Valère; Saint-Wenceslas; Saint-Zéphirin-de-Courval; Sainte-Anne-du-Sault; Sainte-Brigitte-des-Saults; Sainte-Cécile-de-Lévrard; Sainte-Clotilde-de-Horton; Sainte-Élisabeth-de-Warwick; Sainte-Eulalie; Sainte-Françoise; Sainte-Marie-de-Blandford; Sainte-Monique; Sainte-Perpétue; Sainte-Séraphine; Sainte-Sophie-d'Halifax; Sainte-Sophie-de-Lévrard; Saints-Martyrs-Canadiens; Tingwick; Victoriaville; Villeroy; Warwick; Wickham; Wôlinak.

### Chaudière-Appalaches

Adstock; Armagh; Beauceville; Beaulac-Garthby; Beaumont; Berthier-sur-Mer; Cap-Saint-Ignace; Disraeli (Town); Disraeli (Parish); Dosquet; East Broughton; Frampton; Honfleur; Irlande; Kinnear's Mills; Lac-Étchemin; Lac-Frontière; Lac-Poulin; La Durantaye; La Guadeloupe; Laurier-Station; Leclercville; Lévis; L'Islet; Lotbinière; Montmagny; Notre-Dame-Auxiliatrice-de-Buckland; Notre-Dame-des-Pins; Notre-Dame-du-Rosaire; Notre-Dame-du-Sacré-Coeur-d'Issoudun; Sacré-Cœur-de-Jésus; Saint-Adalbert; Saint-Adrien-d'Irlande; Saint-Agapit; Saint-Alfred; Saint-Anselme; Saint-Antoine-de-l'Isle-aux-Grues; Saint-Antoine-de-Tilly; Saint-Apollinaire; Saint-Aubert; Saint-Benjamin; Saint-Benoît-Labre; Saint-Bernard; Saint-Camille-de-Lellis; Saint-Charles-de-Bellechasse; Saint-Côte-Linière; Saint-Cyprien; Saint-Cyrille-de-Lessard; Saint-Damase-de-l'Islet; Saint-Damien-de-Buckland; Saint-Édouard-de-Lotbinière; Saint-Elzéar; Saint-Éphrem-de-Beauce; Saint-Évariste-de-Forsyth; Saint-Fabien-de-Panet; Saint-Flavien; Saint-Fortunat; Saint-François-de-la-Rivière-du-Sud; Saint-Frédéric; Saint-Gédéon-de-Beauce; Saint-Georges; Saint-Gervais; Saint-Gilles; Saint-Henri; Saint-Hilaire-de-Dorset; Saint-Honoré-de-Shenley; Saint-Isidore; Saint-Jacques-de-Leeds; Saint-Jacques-le-Majeur de Wolfestown; Saint-Janvier-de-Joly; Saint-Jean-de-Brébeuf; Saint-Jean-Port-Joli; Saint-Joseph-de-Beauce; Saint-Joseph-de-Coleraine; Saint-Joseph-des-Érables; Saint-Jules; Saint-Julien; Saint-Just-de-Bretenières; Saint-Lambert-de-Lauzon; Saint-Lazare-de-Bellechasse; Saint-Léon-de-Standon; Saint-Louis-de-Gonzague; Saint-Luc-de-Bellechasse; Saint-Magloire; Saint-Malachie; Saint-Marcel; Saint-Martin; Saint-Michel-de-Bellechasse; Saint-Narcisse-de-Beaurivage; Saint-Nazaire-de-Dorchester; Saint-Nérée; Saint-Odilon-de-Cranbourne; Saint-Omer; Saint-Pamphile; Saint-Patrice-de-Beaurivage; Saint-Paul-de-Montminy; Saint-Philémon; Saint-Philibert; Saint-Pierre-de-Broughton;

Saint-Pierre-de-la-Rivière-du-Sud; Saint-Prosper; Saint-Raphaël; Saint-René; Saint-Roch-des-Aulnaies; Saint-Séverin; Saint-Simon-les-Mines; Saint-Sylvestre; Saint-Théophile; Saint-Vallier; Saint-Victor; Saint-Zacharie; Sainte-Agathe-de-Lotbinière; Sainte-Apolline-de-Patton; Sainte-Aurélie; Sainte-Claire; Sainte-Clotilde-de-Beauce; Sainte-Croix; Sainte-Euphémie-sur-Rivière-du-Sud; Sainte-Félicité; Sainte-Hénédine; Sainte-Justine; Sainte-Louise; Sainte-Lucie-de-Beaugard; Sainte-Marguerite; Sainte-Marie; Sainte-Perpétue; Sainte-Praxède; Sainte-Rose-de-Watford; Sainte-Sabine; Saints-Anges; Scott; Thetford Mines; Tourville; Tring-Jonction; Val-Alain; Vallée-Jonction.

### Gaspésie

Albertville; Amqui; Baie-des-Sables; Bonaventure; Cap-Chat; Caplan; Carleton-Saint-Omer; Cascapédia-Saint-Jules; Causapscal; Chandler; Chloridorme; Collines-du-Basque; Coulée-des-Adolphe; Escuminac; Gaspé; Gessgapegiag; Grand-Métis; Grande-Rivière; Grande-Vallée; Grosses-Roches; Hope; Hope Town; Lac-à-la-Croix; Lac-Alfred; Lac-au-Saumon; Lac-Casault; Lac-des-Eaux-Mortes; Lac-Matapédia; La Martre; La Rédemption; L'Ascension-de-Patapédia; Les Hauteurs; Les Méchins; Listuguj; Maria; Marsoui; Matane; Matapédia; Métis-sur-Mer; Mont-Albert; Mont-Alexandre; Mont-Joli; Mont-Saint-Pierre; Murdochville; New Carlisle; New Richmond; Nouvelle; Padoue; Paspébiac; Percé; Petite-Vallée; Pointe-à-la-Croix; Port-Daniel-Gascons; Price; Ristigouche-Partie-Sud-Est; Rivière-à-Claude; Rivière-Bonaventure; Rivière-Bonjour; Rivière-Nouvelle; Rivière-Patapédia-Est; Rivière-Saint-Jean; Rivière-Vaseuse; Routhierville; Ruisseau-des-Mineurs; Ruisseau-Ferguson; Saint-Adelme; Saint-Alexandre-des-Lacs; Saint-Alexis-de-Matapédia; Saint-Alphonse; Saint-André-de-Restigouche; Saint-Cléophas; Saint-Damase; Saint-Elzéar; Saint-François-d'Assise; Saint-Godefroi; Saint-Jean-de-Cherbourg; Saint-Joseph-de-Lepage; Saint-Léandre; Saint-Léon-le-Grand; Saint-Maxime-du-Mont-Louis; Saint-Moïse; Saint-Noël; Saint-Octave-de-Métis; Saint-René-de-Matane; Saint-Siméon; Saint-Tharcisius; Saint-Ulric; Saint-Vianney; Saint-Zénon-du-Lac-Humqui; Sainte-Angèle-de-Mérici; Sainte-Anne-des-Monts; Sainte-Félicité; Sainte-Flavie; Sainte-Florence; Sainte-Irène; Sainte-Jeanne-d'Arc; Sainte-Madeleine-de-la-Rivière-Madeleine; Sainte-Marguerite; Sainte-Paule; Sainte-Thérèse-de-Gaspé; Sayabec; Shigawake; Val-Brillant.”

(2) Paragraph 1 of subsection 1 has effect from 1 April 1997.

(3) Paragraphs 2 and 3 of subsection 1 have effect from 1 October 2001.

(4) Paragraph 4 of subsection 1 has effect from 1 July 2001.

(5) Paragraph 5 of subsection 1 has effect from 1 July 2002.

(6) Paragraph 6 of subsection 1 applies

(1) with respect to the tourist regions of the Eastern Townships and Chaudière-Appalaches and the included territorial entities, in respect of the supply of a sleeping-accommodation unit that is invoiced after 31 December 2002 by the operator of a sleeping-accommodation establishment for occupancy after that date, except if the price of the unit was fixed pursuant to an agreement entered into before 1 January 2003 between the operator of the establishment and a travel agent within the meaning of section 2 of the Travel Agents Act (R.S.Q., c. A-10), a foreign tour operator or a convention organizer that supplies the sleeping-accommodation units to the attendees and where the occupancy of the unit occurs between 31 December 2002 and 1 October 2003; however, for the period commencing after 31 December 2002 and ending before 12 February 2003, the list of the included territorial entities in the tourist region of Chaudière-Appalaches shall be read as though “Saint-Gédéon” were on the list;

(2) with respect to the tourist regions of the Centre-du-Québec and Gaspésie and the included territorial entities, in respect of the supply of a sleeping-accommodation unit that is invoiced after 30 June 2003 by the operator of a sleeping-accommodation establishment for occupancy after that date, except if the price of the unit was fixed pursuant to an agreement entered into before 1 July 2003 between the operator of the establishment and a travel agent within the meaning of section 2 of the Travel Agents Act (R.S.Q., c. A-10), a foreign tour operator or a convention organizer that supplies the sleeping-accommodation units to the attendees and where the occupancy of the unit occurs between 30 June 2003 and 1 April 2004.

**7.** (1) Schedule III to the Regulation is amended

(1) by striking out the following prescribed mandataries: “Garantie-Québec”, “Grande bibliothèque du Québec”, “Société d’Investissement-Jeunesse”, “Société québécoise de développement de la main-d’œuvre, in respect of its activities other than giving courses of initiation, professional training, adaptation and readaptation to work and recycling of manpower, or acquiring goods and services on behalf of or with the participation of teaching institutions, persons, businesses or other organizations with which the Société has entered into agreements so that those institutions, persons, businesses or other organizations may offer occupational training courses”;

(2) by inserting the following prescribed mandataries in alphabetical order: “Bureau d’accréditation des pêcheurs et des aides-pêcheurs du Québec”, “Bureau de transition de l’encadrement du secteur financier”, “École nationale des pompiers du Québec”, “Fonds québécois de la recherche sur la nature et les technologies”, “Fonds québécois de la recherche sur la société et la culture”, “Office Québec-Amériques pour la jeunesse”, “Société de la faune et des parcs du Québec”;

(3) by replacing “Investissement-Québec” by “Investissement Québec” and “Régie des assurances agricoles du Québec” and “Société de financement agricole” by “Financière agricole du Québec”.

(2) Paragraph 1 of subsection 1 has effect from

(1) 20 December 2001, for Garantie-Québec;

(2) 4 March 2002, for the Grande bibliothèque du Québec;

(3) 1 April 2002, for the Société d’Investissement-Jeunesse; and

(4) 1 April 1998, for the Société québécoise de développement de la main-d’œuvre, in respect of its activities other than giving courses of initiation, professional training, adaptation and readaptation to work and recycling of manpower, or acquiring goods and services on behalf of or with the participation of teaching institutions, persons, businesses or other organizations with which the Société has entered into agreements so that those institutions, persons, businesses or other organizations may offer occupational training courses.

(3) Paragraph 2 of subsection 1 has effect from

(1) 4 August 1999, for the Bureau d’accréditation des pêcheurs et des aides-pêcheurs du Québec;

(2) 1 November 2002, for the Bureau de transition de l’encadrement du secteur financier;

(3) 1 September 2000 for the École nationale des pompiers du Québec;

(4) 21 June 2001, for the Fonds québécois de la recherche sur la nature et les technologies and the Fonds québécois de la recherche sur la société et la culture;

(5) 13 September 2000, for the Office Québec-Amériques pour la jeunesse; and

(6) 1 December 1999, for the Société de la faune et des parcs du Québec.

(4) Paragraph 3 of subsection 1 has effect from

(1) 20 December 2001, for Investissement Québec;  
and

(2) 17 April 2001, for Financière agricole du Québec.

**8.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

### **Regulation to amend the Regulation respecting the application of the Fuel Tax Act\***

Fuel Tax Act  
(R.S.Q., c. T-1, ss. 10.2 and 56)

**1.** Schedule I to the Regulation respecting the application of the Fuel Tax Act is replaced by the following:

#### **“SCHEDULE I** (s. 10.2R1)

(1) Reserves

Akwesasne  
Betsiamites  
Doncaster  
Essipit  
Gesgapegiag  
Kahnawake  
Kebaowek  
Kitigan Zibi  
Lac-Rapide  
Lac-Simon  
Listuguj  
Maliotenam  
Manawan  
Mashteuiatsh  
Matimekossh  
Mingan  
Natashquan  
Obedjiwan  
Odanak  
Pikogan  
Romaine

Timiskaming  
Uashat  
Wemotaci  
Wendake  
Wôlinak

(2) Establishments

Chisasibi  
Eastmain  
Hunter’s Point  
Kanesatake  
Kawawachikamach  
Kitcisakik  
Mistissini  
Nemiscau  
Oujé-Bougoumou  
Pakuashipi  
Waskaganish  
Waswanipi  
Wemindji  
Whapmagoostui.”.

**2.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

### **Regulation to amend the Regulation to amend the Regulation respecting the Taxation Act made by Order in Council 1631-96 dated 18 December 1996\***

Taxation Act  
(R.S.Q., c. I-3, s. 1086, 1st par., subpars. e.2 and f)

**1.** (1) The Regulation to amend the Regulation respecting the Taxation Act, made by Order in Council 1631-96 dated 18 December 1996, is amended by replacing subsection 2 of section 12 by the following:

“(2) Paragraph 1 of subsection 1 applies to a lease, in respect of property, entered into after 10:00 p.m. Eastern Daylight Saving Time, 26 April 1989, other than a lease entered into pursuant to an agreement in writing entered into before that time under which the lessee thereunder has the right to require the lease of the property. For those purposes, a lease in respect of which a material change has been agreed to by the parties to it effective at any particular time that is after 10:00 p.m. Eastern Daylight Saving Time, 26 April 1989, is deemed to be entered into at that particular time.”.

\* The Regulation respecting the application of the Fuel Tax Act (R.R.Q., 1981, c. T-1, r.1) 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, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

\* The Regulation to amend the Regulation respecting the Taxation Act was made by Order in Council 1631-96 dated 18 December 1996 (1996, G.O. 2, 5507) and has not been amended since.



(2) Subsection 1 has effect from 31 December 1996.

**2.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

**Regulation to amend the Regulation to amend the Regulation respecting the Taxation Act made by Order in Council 1451-2000 dated 13 December 2000\***

Taxation Act  
(R.S.Q., c. I-3, s. 1086, 1st par., subpar. f)

**1.** (1) Section 16 of the Regulation to amend the Regulation respecting the Taxation Act, made by Order in Council 1451-2000 dated 13 December 2000, is amended by replacing subsection 2 by the following:

“(2) Subsection 1 applies to the taxation years of a trust that end after 31 March 1998. In addition, where section 659R1 of the Regulation applies in respect of the taxation year of a trust that includes 22 February 1994 and the trust elected under section 726.9.2 of the Taxation Act (R.S.Q., c. I-3) in respect of that taxation year, the portion of section 659R1 before paragraph *a* shall be read as follows:

“**659R1.** A trust and a beneficiary may elect as provided in section 659 of the Act by sending to the Minister, on or before the day on or before which the election under section 726.9.2 of the Act is required to be sent to the Minister, the following documents:”.

(2) Subsection 1 has effect from 27 December 2000.

**2.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

**Regulation to amend the Regulation to amend the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families made by Order in Council 1451-2000 dated 13 December 2000\***

An Act respecting the Ministère du Revenu  
(R.S.Q., c. M-31, s. 96, 1st par., subpar. *b* and s. 97)

**1.** (1) Section 1 of the Regulation to amend the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families, made by Order in Council 1451-2000 dated 13 December 2000, is amended

(1) by replacing the portion before paragraph 1 by the following:

“**1.** (1) The Regulation to amend the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families is amended”;

(2) by adding the following subsections at the end:

“(2) Paragraph 1 of subsection 1 has effect from 1 January 1991.

(3) Paragraphs 2 to 4 of subsection 1 apply from the taxation year 1991.”.

(2) Subsection 1 has effect from 27 December 2000.

**2.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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\* The Regulation to amend the Regulation respecting the Taxation Act, made by Order in Council 1451-2000 dated 13 December 2000 (*G.O.* 2, 5885), was amended by Order in Council 1463-2001 dated 12 December 2001 (2001, *G.O.* 2, 6328) and by Order in Council 1470-2002 dated 11 December 2002 (2002, *G.O.* 2, 6552).

\* The Regulation to amend the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families was made by Order in Council 1451-2000 dated 13 December 2000 (2000, *G.O.* 2, 5885) and has not been amended since.