

Draft Regulation

Travel Agents Act
(R.S.Q., c. A-10; 2002, c. 55)

Travel agents — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting travel agents, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of this Regulation is to provide exemptions from the contribution to the Fonds d'indemnisation des clients des agents de voyages

— for legal persons and public authorities provided that they have requested an exemption and waived the indemnification or reimbursement guaranteed by the fund; and

— for representations and international organizations and persons working for such representations and organizations that would be entitled to the reimbursement of the contribution collected by retail travel agents.

The Regulation has no impact on travel agents or the public doing business with travel agents.

Further information may be obtained by contacting Maryse Côté, Office de la protection du consommateur, Village olympique, 5199, rue Sherbrooke Est, bureau 3721, Montréal (Québec) H1T 3X2; telephone: (514) 873-3247; fax: (514) 864-2400.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Justice, 1200, route de l'Église, Sainte-Foy (Québec) G1V 4M1.

YVON MARCOUX,
Minister of Justice

Regulation to amend the Regulation respecting travel agents*

Travel Agents Act
(R.S.Q., c. A-10, s. 36, 1st par., subpars. c.1, h and n; 2002, c. 55, s. 25)

1. Section 18 of the Regulation respecting travel agents is amended by replacing paragraph *g* of subsection 2 by the following:

“(g) the amount of the contribution to the Fonds d’indemnisation des clients des agents de voyages or, where applicable, the number of the certificate of exemption issued by the president.”.

2. Section 39 is amended by replacing the first paragraph by the following:

“**39.** Subject to sections 39.1 and 39.2, the customers of retail travel agents in Québec are required to contribute to the fund.”.

3. The following is inserted after section 39:

“**39.1.** Section 39 does not apply to a customer who is a legal person or a public authority that has obtained a certificate of exemption from the contribution.

The certificate of exemption is issued by the president on written request.

39.2. The following customers are entitled to reimbursement of the contribution referred to in section 39:

(a) diplomatic missions and consular posts established in Canada;

(b) international government organizations that have entered into an agreement with the Government relating to their establishment in Québec;

(c) permanent missions of foreign States accredited with an international organization referred to in subparagraph *b*;

(d) international non-government organizations having a tax exemption pursuant to an agreement with the Government relating to their establishment in Québec;

* The Regulation respecting travel agents (R.R.Q., 1981, c. A-10, r.1) was last amended by the regulation made by Order in Council 1153-2004 dated 5 December 2004 (2004, *G.O.* 2, 3592). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

(e) offices of a province, a State or a similar division of a foreign State recognized by the Minister of Finance;

(f) persons working for those representations or international organizations if the persons

i. are registered with the Ministère des Relations internationales;

ii. are not Canadian citizens or permanent residents of Canada;

iii. have to reside in Canada by virtue of their functions; and

iv. do not operate an enterprise in Canada and do not hold an office or employment other than the position with the representation or international organization.

The president shall reimburse the contribution out of the indemnity fund at the request of the Minister of International Relations who certifies the conformity of the request.”.

4. Section 43.2 is amended

(1) by adding the following after subparagraph *f*:

“(g) the sums necessary to reimburse the contributions in accordance with section 39.2.”;

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

“The indemnifications and reimbursements provided for in subparagraphs *a* to *d* of the first paragraph do not apply to the cases provided for in sections 39.1 and 39.2.”.

5. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.