

THAT 5 November 2008 be set as the date of application of the requirements relating to the independence of the chair of the board of directors of La Financière agricole du Québec provided in the first paragraph of section 6 of the Act respecting La Financière agricole du Québec.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

9024

Gouvernement du Québec

O.C. 1110-2008, 5 November 2008

Highway Safety Code
(R.S.Q., c. C-24.2)

Licences — Amendments

Regulation to amend the Regulation respecting licences

WHEREAS, under paragraphs 1, 1.1 and 6 of section 619 of the Highway Safety Code (R.S.Q., c. C-24.2), amended by section 74 of chapter 40 of the Statutes of 2007, the Government may establish standards in respect of licences;

WHEREAS the Government made the Regulation respecting licences by Order in Council 1421-91 dated 16 October 1991;

WHEREAS, under section 136 of chapter 14 of the Statutes of 2008, regulations made or approved before 1 December 2008 to give effect to section 63.2 of the Code, enacted by section 7 of chapter 40 of the Statutes of 2007 and amended by section 5 of chapter 14 of the Statutes of 2008, are not subject to the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting licences to give effect to section 63.2 of the Code;

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

THAT the Regulation to amend the Regulation respecting licences, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting licences*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 619, pars. 1, 1.1 and 6; 2007, c. 40, s. 74, pars. 1 and 2; 2008, c. 14, s. 136)

1. The Regulation respecting licences is amended in section 1 by inserting the following definition in alphabetical order:

““driver’s licence Plus” means a driver’s licence, learner’s licence, probationary licence or restricted licence, one of whose functions is to indicate that the Société, in accordance with this Regulation, has collected the information referred to in sections 32.4 and 32.5 and verified the documentary evidence required by section 32.5 in support of the licence holder’s declaration relating to the holder’s status of Canadian citizen; for the purposes of this Regulation, this function is designated by “Plus function”.”.

2. Section 5 is amended

(1) by inserting the following after subparagraph 3 of the first paragraph:

“(3.1) the holder’s date of birth;”;

(2) by inserting the following after subparagraph 7.1 of the first paragraph:

“(7.2) at the end of the indication required under subparagraph 7, the word “Plus” in the case of a driver’s licence Plus;”;

(3) by adding the following after subparagraph 9 of the first paragraph:

“(10) the letters CAN in the case of a driver’s licence Plus.”.

3. The following is added after section 7.11:

“**7.12.** The driver’s licence Plus is issued only in plastic form and bears a photograph of the licence holder.”.

* The Regulation respecting licences, made by Order in Council 1421-91 dated 16 October 1991 (1991, *G.O.* 2, 4146), was last amended by the regulation made by Order in Council 922-2008 dated 24 September 2008 (2008, *G.O.* 2, 4876). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 March 2008.

4. Section 10 is amended by replacing “provide the address of his principal residence, in particular, the street number” in paragraph 3 by “have his principal residence in Québec and provide the address of that residence, including the civic number”.

5. Section 12 is amended by adding the following after subparagraph 2 of the first paragraph:

“(3) have his principal residence in Québec and provide the address of that residence, including the civic number, apartment number where applicable, street name, municipality and postal code.”.

6. Section 17 is amended by replacing “provide the address of his principal residence, in particular, the street number” in paragraph 3 by “have his principal residence in Québec and provide the address of that residence, including the civic number”.

7. Section 32 is amended by replacing “provide the address of his principal residence, in particular, the street number” in paragraph 3 by “have his principal residence in Québec and provide the address of that residence, including the civic number”.

8. The following is inserted after section 32.2:

32.3. A person wishing to obtain a driver’s licence Plus must hold a licence and complete a declaration stating that the person has Canadian citizen status. The person must present himself at the time, date and place as agreed with the Société

(1) to prove his identity and present the documents required under section 32.5 in support of his declaration relating to his status of Canadian citizen;

(2) to complete a questionnaire on travel restrictions, provided by the Société and approved by the Canada Border Services Agency, in which the person declares that he is not forbidden to leave Canada, and sign the questionnaire;

(3) to complete and sign a form, provided by the Société, authorizing the communication of personal information necessary for the purposes of the driver’s licence Plus.

The authorization given under subparagraph 3 of the first paragraph is valid for the term of the driver’s licence Plus and every driver’s licence Plus that replaces one that was lost, stolen or damaged or for any other reason. Where the holder notifies the Société that he is withdrawing his authorization, the Société must deactivate the Plus function of the licence.

A person who applies for a driver’s licence Plus must provide a declaration in which the person recognizes having received, read and understood the information guide concerning the driver’s licence Plus, using the consent form referred to in subparagraph 3 of the first paragraph.

32.4. To prove his identity for a driver’s licence Plus, a person must submit at least 2 original documents, where one bears a photograph of the licence holder, issued by a competent administrative authority in Canada, among the following:

(a) a birth certificate;

(b) a licence authorizing a person to drive a road vehicle;

(c) a health insurance card that bears a photograph of the licence holder;

(d) a Certificate of Indian Status;

(e) a Canadian passport.

32.5. In support of his declaration relating to his status of Canadian citizen, a person must sign, in the presence of an agent of the Société, the citizenship questionnaire, provided by the Société and approved by the Minister of Citizenship and Immigration Canada, previously completed, and submit one of the following documents:

(1) a provincial or territorial birth certificate for any person born in Canada;

(2) a certificate of Canadian citizenship;

(3) a certificate of registration of birth abroad, issued by Canadian authorities for citizenship between 1 January 1947 and 14 February 1977 to persons born abroad to a Canadian parent;

(4) a certificate of retention of Canadian citizenship, issued between 1 January 1947 and 14 February 1977 to persons born abroad to a Canadian parent and who have retained their citizenship; or

(5) a certificate of naturalization, issued before 1 January 1947 to persons who were naturalized in Canada.

The Société verifies the authenticity of the document submitted by a person in support of the declaration relating to his status of Canadian citizen.

32.6. The Plus function of the driver's licence Plus is active if the licence holder has activated it, by following the instructions issued with the licence and available on the Société website.

32.7. The Société cancels the Plus function of the driver's licence Plus when

(1) it is informed by the licence holder or the competent authorities of the Government of Canada that the licence holder has lost his Canadian citizenship;

(2) it is informed by the licence holder or the competent authorities of the Government of Canada that the licence holder is forbidden to leave Canada; and

(3) it is aware or informed by a competent authority that the licence holder has obtained the driver's licence Plus by means of false or inaccurate information.

32.8. The Société cancels a driver's licence Plus that has been altered, reproduced or used in a fraudulent manner, and a lost or stolen driver's licence Plus.”.

9. This Regulation comes into force on 7 December 2008.

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Gouvernement du Québec

O.C. 1111-2008, 5 November 2008

Highway Safety Code
(R.S.Q., c. C-24.2)

Fees exigible and return of confiscated objects — Amendments

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects

WHEREAS, under subparagraphs 3 and 5 of the first paragraph of section 624 of the Highway Safety Code (R.S.Q., c. C-24.2), the Société de l'assurance automobile du Québec may by regulation fix the amount of the fee exigible for obtaining, renewing and replacing a licence;

WHEREAS, under section 625 of the Code, every regulation made by the Société under the Code is subject to the approval of the Government;

WHEREAS the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects was approved by Order in Council 646-91 dated 8 May 1991;

WHEREAS, under section 136 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14), regulations made or approved before 1 December 2008 to give effect to section 63.2 of the Code, enacted by section 7 of chapter 40 of the Statutes of 2007 and amended by section 5 of chapter 14 of the Statutes of 2008, are not subject to the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS the board of directors of the Société made the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects at its sitting held on 10 September 2008;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation amending the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects *

Highway Safety Code
(R.S.Q., c. C-24.2, s. 624, par. 1., par. 3 and 5;
2008, c. 14, section 136)

1. Section 4 of the Regulation respecting Fees exigible under the Highway Safety Code and the return of confiscated objects is amended by inserting the following after paragraph 4.10:

* The last amendments to the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, approved under Order-in-Council number 646-91 of May 8, 1991 (1991, *G.O.* 2, 2432), were enacted by the regulation approved under Order-in-Council number 923-2008 of September 24, 2008 (2008, *G.O.* 2, 4880). For previous amendments, see the “*Tableau des modifications et Index sommaire*”, Éditeur officiel du Québec, updated to March 1, 2008.