

(3) the amount referred to in section 230.0.0.9 of the Act;

(4) the total of the amortization payments provided for in paragraph 1 of section 21 and the total of the amortization payments provided for in paragraph 2 of that section;

(5) if instructions were given to the pension committee to apply the measure provided for in paragraph 1 of section 2, a description of the asset valuation method used.

#### **SUBDIVISION 6**

#### **END OF THE APPLICATION OF THIS REGULATION IN RESPECT OF A PENSION PLAN**

**25.** Subject to section 27, the provisions of this Regulation cease to apply in respect of a pension plan for which instructions were given under section 2 on the earlier of the following dates:

(1) the date of the first actuarial valuation showing that the plan is solvent;

(2) the date fixed in a writing giving instructions to that effect and sent to the pension committee by the employer that is a party to a pension plan or, in the case of a multi-employer pension plan, even not considered as such under section 11 of the Act, by the person or body empowered to amend the plan. That date must fall on the date on which a fiscal year of the plan ends; or

(3) the date of the end of the plan's first fiscal year beginning after 31 December 2010.

**26.** On the date fixed pursuant to section 25, technical actuarial deficiencies, including the financial crisis deficiency and those resulting from the application of the funding relief measures, and improvement unfunded actuarial liabilities concerning amendments made before 31 December 2008, as well as amortization payments for those deficiencies and liabilities, are eliminated.

If paragraph 1 of section 25 applies, the amount referred to in section 230.0.0.9 of the Act is equal to zero.

#### **DIVISION 7**

#### **FINAL**

**27.** To calculate the amount referred to in section 230.0.0.9 of the Act if a participating employer withdraws from a pension plan for which instructions were given under section 2 or if such a plan is terminated, section 11 applies by replacing “date of any subsequent actuarial

valuation”, “date of the actuarial valuation” and “valuation date” by “date of the employer’s withdrawal” or “date of the plan’s termination”, as the case may be.

If subdivision 4.0.1 of Division II of Chapter XIII of the Act applies to a pension plan after the date fixed pursuant to section 25 for that plan, the amount referred to in section 230.0.0.9 of the Act bears interest between that date and the date of the employer’s withdrawal or plan’s termination at the rate of return of the pension fund.

**28.** Section 49 of the Act to amend the Supplemental Pension Plans Act, particularly with respect to the funding and administration of pension plans (2006, c. 42) does not apply to a pension plan for which instructions were given under section 2.

**29.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* but has effect from 31 December 2008.

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### **Draft Regulation**

Court Bailiffs Act  
(R.S.Q., c. H-4.1)

#### **Tariff of fees and transportation expenses of bailiffs — 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 Tariff of fees and transportation expenses of bailiffs, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The Tariff of fees and transportation expenses of bailiffs has not been revised since 1999. Amendments are made to increase all the fees under the Tariff by 15% and to allow bailiffs to claim fees not currently in the Tariff for certain acts.

Further information may be obtained by contacting Anne Richard, Direction générale des services de justice, 1200, route de l'Église, 7<sup>e</sup> étage, Québec (Québec) G1V 4M1; telephone: 418 644-7700, extension 20191; fax: 418 644-9968.

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, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1.

JACQUES P. DUPUIS,  
*Minister of Justice*

## Regulation to amend the Tariff of fees and transportation expenses of bailiffs\*

Court Bailiffs Act  
(R.S.Q., c. H-4.1, s. 13)

**1.** The Tariff of fees and transportation expenses of bailiffs is amended in section 12 by replacing subsection 1 by the following:

“(1) For each notice of sale subsequent to the notice forming part of the minutes of seizure in execution or the notice of sale referred to in article 588 or 592.3 of the Code of Civil Procedure, the bailiff is entitled to the fees prescribed for

(a) drawing up;

(b) service on the debtor;

(c) service on the guardian if other than the debtor;

(d) service on the holders of rights published in the register of personal and movable real rights of the certified copy of the bailiff's minutes of seizure and of the notice of sale if the bailiff ascertains that rights have been granted by the debtor in the seized property;

(e) transportation.”.

**2.** Section 21 is replaced by the following:

“**21.** To certify the authenticity of the copy of the facsimile of a document sent by fax machine for the purposes of article 82.1 of the Code of Civil Procedure, or to certify the copy of minutes of seizure and of a notice of sale or a scheme of collocation, in matters of seizure of moveable property, where required by the law, the bailiff is entitled to the fees in section 19.2 of Schedule 1.”.

**3.** Schedule 1 is amended

(1) in section 1 by replacing “\$7” in Class 1 by “\$8” and “\$18” in Class 2 by “\$21”;

(2) in section 2 by replacing “\$7” in Class 1 and Class 2 by “\$8”;

(3) in section 3 by replacing “\$7” in Class 2 by “\$8”;

(4) in section 5 by replacing “\$7” in Class 1 and Class 2 by “\$8”;

(5) in section 6 by replacing “\$7” in Class 1 and Class 2 by “\$8”;

(6) in section 7 by replacing “\$7” in Class 1 and Class 2 by “\$8”;

(7) in section 8 by replacing

(a) “\$5” in paragraphs *a* and *c* of Class 1 and Class 2 by “\$6”;

(b) “\$10” in paragraph *b* of Class 1 and Class 2 by “\$12”;

(8) in section 9 by replacing “\$5” in paragraphs *a* and *b* of Class 1 and Class 2 by “\$6”;

(9) in section 10 by replacing “\$40” in Class 1 by “\$46” and “\$63” in Class 2 by “\$72”;

(10) in section 10.1 by replacing “\$10” in Class 1 and Class 2 by “\$12”;

(11) by replacing section 11 by the following:

	Class 1	Class 2
“11. (1) Demand for payment:		
(a) not followed by seizure or sale of moveable property:	\$36	\$53
(b) not followed by seizure or sale of immoveable property:	\$23	\$40
(2) Seizure or verification:	\$46	\$72
(3) <i>Nulla bona</i> report in respect of seizable property, including the demand for payment:	\$36	\$53

\* The Tariff of fees and transportation expenses of bailiffs (R.R.Q., 1981, c. H-4, r.3) was last amended by the regulation made by Order in Council 937-2004 dated 6 October 2004 (2004, G.O. 2, 2951). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

			<b>Class 1</b>	<b>Class 2</b>
(4) Operations respecting the installation and removal of a device used to immobilize a motor vehicle:				
			\$7	\$9”;
(a) for the execution of a first writ:	\$146	\$146		“(a) of each notice of sale subsequent to the notice forming part of the minutes of seizure in execution or the notice of sale referred to in article 588 or 592.3 of the Code of Civil Procedure:
(b) for any additional writ:				
i. execution:	\$46	\$46		(b) by replacing “\$6” in paragraphs <i>b</i> to <i>d</i> of Class 1
ii. service:	\$8	\$8		by “\$7” and “\$8” in paragraphs <i>b</i> to <i>d</i> of Class 2 by “\$9”;
(5) Operations respecting the immobilization and, not less than 24 hours after that operation, the towing away of a motor vehicle:				(15) in section 15 by replacing “\$58” in subsections 1 and 2 of Class 1 and Class 2 by “\$67”;
(a) for the execution of a first writ:	\$212	\$212		(16) in section 15.1 by replacing “\$69” in Class 1 and Class 2 by “\$79”;
(b) for any additional writ:				(17) in section 16 by replacing “\$9” in Class 1 and Class 2 by “\$10”;
i. execution:	\$46	\$46		(18) in section 17
ii. service:	\$8	\$8		(a) by replacing “\$40” in paragraph <i>a</i> of Class 1 by “\$46” and “\$69” in paragraph <i>a</i> of Class 2 by “\$79”;
(6) Operations respecting the immediate towing away of a motor vehicle:				(b) by replacing “\$75” in paragraph <i>b</i> of Class 1 and Class 2 by “\$86”;
(a) for the execution of a first writ:	\$173	\$173		(19) in section 17.1 by replacing “\$20” in Class 1 and Class 2 by “\$23”;
(b) for any additional writ:				(20) in section 18 by replacing “\$16” in Class 1 and Class 2 by “\$18”;
i. execution:	\$46	\$46		(21) in section 19 by replacing “\$29” in Class 1 by “\$33” and “\$52” in Class 2 by “\$60”;
ii. service:	\$8	\$8”;		(22) by replacing sections 19.1 and 19.2 by the following:
(12) in section 12				
(a) by replacing “\$9” in subsections 1 to 3 of Class 1 by “\$10” and “\$17” in subsections 1 to 3 of Class 2 by “\$20”;				
(b) by replacing “\$25” in subsection 4 of Class 1 and Class 2 by “\$29”;				
(13) in section 13 by replacing “\$9” in subsections 1 and 2 of Class 1 by “\$10” and “\$17” in subsections 1 and 2 of Class 2 by “\$20”;				
(14) in section 14				
(a) by replacing paragraph <i>a</i> by the following:				
			<b>Class 1</b>	<b>Class 2</b>
			\$46	\$46
			\$23	\$23
			\$3	\$3”;

(23) in section 20 by replacing “55¢/km” in paragraph *a* of Class 1 and Class 2 by “\$0.63/km”;

(24) in section 21 by replacing “\$12” in Class 1 and Class 2 by “\$14”;

(25) in section 23 by replacing “\$50” in subsections 1 and 2 of Class 1 and Class 2 by “\$58”.

**4.** 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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