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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-NINTH LEGISLATURE

## **Bill 31**

(2009, chapter 22)

### **An Act to amend the Act respecting tourist accommodation establishments and other legislative provisions**

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**Introduced 5 May 2009  
Passed in principle 19 May 2009  
Passed 12 June 2009  
Assented to 12 June 2009**

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**EXPLANATORY NOTES**

*This Act amends the Act respecting tourist accommodation establishments in order to streamline the classification certification process for tourist accommodation establishments and allow the Government to exempt all or part of an area or of a municipality from the Act or certain of its provisions.*

*The Act also makes outfitting operations, formerly governed by the Act respecting the conservation and development of wildlife, subject to the Act respecting tourist accommodation establishments.*

*Lastly, the Act contains a consequential amendment to the Tobacco Act.*

**LEGISLATION AMENDED BY THIS ACT:**

- Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1);
- Act respecting tourist accommodation establishments (R.S.Q., chapter E-14.2);
- Tobacco Act (R.S.Q., chapter T-0.01).

## Bill 31

### AN ACT TO AMEND THE ACT RESPECTING TOURIST ACCOMMODATION ESTABLISHMENTS AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### ACT RESPECTING TOURIST ACCOMMODATION ESTABLISHMENTS

**1.** Section 6 of the Act respecting tourist accommodation establishments (R.S.Q., chapter E-14.2) is amended by replacing the second paragraph by the following paragraph:

“The application for a classification certificate must be filed with the Minister under the conditions prescribed by regulation of the Government.”

**2.** Section 7 of the Act is amended

(1) by replacing “costs” in the second paragraph by “fees, payable by the applicant,”;

(2) by replacing “exempt classes of establishments from certain provisions of this Act” in the third paragraph by “exempt a class of establishment or all or part of an area or of a municipality from this Act or certain of its provisions”.

**3.** Section 8 of the Act is amended by adding the following paragraphs:

“The Minister may issue provisional classification certificates to allow a person to operate a tourist accommodation establishment in respect of which the application for a classification certificate has not yet been processed. The form of provisional classification certificates is determined by regulation of the Government.

The conditions for obtaining a classification certificate and the conditions that must be complied with by certificate holders are determined by regulation of the Government.”

**4.** Section 9 of the Act is amended by adding the following paragraph:

“A provisional classification certificate is valid for up to 12 months.”

**5.** The Act is amended by inserting the following section after section 10:

**“10.1.** Any mention of a tourist accommodation establishment’s classification in an advertisement for that establishment must be in conformity with the classification assigned by the Minister.”

**6.** Section 11 of the Act is amended

(1) by replacing “or” in paragraph 2 by a comma;

(2) by inserting “or the Act respecting the conservation and development of wildlife (chapter C-61.1)” after “(chapter P-40.1)” in that paragraph.

**7.** Section 11.1 of the Act is amended

(1) by replacing “, cancel or refuse to renew” in the introductory sentence by “or cancel”;

(2) by replacing “or” in paragraph 2 by a comma;

(3) by inserting “or the Act respecting the conservation and development of wildlife (chapter C-61.1)” after “(chapter P-40.1)” in that paragraph.

**8.** Section 12 of the Act is amended by replacing “a classification certificate or suspending, cancelling or refusing to renew” by “or before suspending or cancelling”.

**9.** Section 15 of the Act is amended by replacing “, cancelled or not renewed” in paragraph 2 by “or cancelled”.

**10.** Section 30 of the Act is replaced by the following section:

**“30.** The classification certificate of a tourist accommodation establishment, other than a provisional classification certificate, must be kept posted in public view in the places determined by regulation of the Government throughout the period of operation of the establishment.”

**11.** Section 31 of the Act is repealed.

**12.** Section 32 of the Act is amended by replacing “a tourist information office” in the first paragraph by “a tourist welcome and information site”.

**13.** The Act is amended by inserting the following section after section 32:

**“32.1.** The Minister may suspend or cancel an authorization given under section 32 if the authorized person no longer meets the conditions prescribed. In such a case, sections 12 to 14 and 15 apply with the necessary modifications.”

**14.** Section 37 of the Act is amended by replacing “30 or 31” in paragraph 5 by “10.1 or 30”.

**15.** Section 38 of the Act is amended by replacing “contravenes a provision of the first paragraph or of section 32 is guilty of an offence and” in the second paragraph by “is guilty of an offence under the first paragraph or under section 32”.

**16.** Section 39 of the Act is amended by replacing “contravenes” by “is guilty of an offence under”.

#### ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

**17.** Sections 78.3 and 78.4 of the Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1) are repealed.

#### TOBACCO ACT

**18.** Section 2 of the Tobacco Act (R.S.Q., chapter T-0.01) is amended by striking out “Act respecting the conservation and development of wildlife (chapter C-61.1) or the” in paragraph 8.

**19.** The provisions of this Act come into force on the date or dates to be set by the Government.