

- (6) the drafting technique of a calling card;
- (7) the confidentiality of information;
- (8) the language to be used;
- (9) the definition of an emergency;
- (10) the operation of the 9-1-1 network;
- (11) the management of difficult situations;
- (12) stress management;
- (13) available resources;
- (14) operational modes; and
- (15) the statutes governing the practices and memoranda of understanding.

The centre is to ensure that the emergency call operators and the persons in charge of operations receive, at least twice a year, continuing training pertaining to their work.

23. 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. 1045-2010, 1 December 2010

An Act respecting tourist accommodation establishments
(R.S.Q., c. E-14.2)

Tourist accommodation establishments — Amendments

Regulation to amend the Regulation respecting tourist accommodation establishments

WHEREAS, under sections 6, 7, 8, 9, 30, 32, paragraph 16 of section 36 and paragraph 5 of section 37 of the Act respecting tourist accommodation establishments (R.S.Q., c. E-14.2), amended by the Act to amend the Act respecting tourist accommodation establishments and other legislative provisions (2009, c. 22), the Government may make regulations on the matters set forth in those provisions;

WHEREAS it is expedient to amend the Regulation respecting tourist accommodation establishments, made by Order in Council 1111-2001 dated 19 September 2001;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting tourist accommodation establishments was published in Part 2 of the *Gazette officielle du Québec* of 23 June 2010 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting tourist accommodation establishments, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting tourist accommodation establishments*

An Act respecting tourist accommodation establishments
(R.S.Q., c. E-14.2, ss. 6 to 9, 30, 32, 36, par. 16, and 37, par. 5; 2009, c. 22, ss. 1 to 4, 10 and 12)

1. The Regulation respecting tourist accommodation establishments is amended by replacing section 1 by the following:

“**1.** Any establishment operated by a person who offers for rent to tourists, in return for payment, at least 1 accommodation unit for periods not exceeding 31 days is a tourist accommodation establishment. Accommodation units rented on an occasional basis are not included in the above definition.

A group of movables and immovables, adjacent or grouped together, having accessories or dependencies in common, may constitute one establishment provided that the movables and immovables that form the establishment are operated by only one person and are part of the same class of tourist accommodation establishments.”.

* The Regulation respecting tourist accommodation establishments, made by Order in Council 1111-2001 dated 19 September 2001, has not been amended since it was made.

2. Section 2 is replaced by the following:

“2. The expression “accommodation unit” means a room, a bed, a suite, an apartment, a house, a cottage, a camp, a framed tent square, a wigwam, a short-lived facility or a camp site.”.

3. Section 4 is amended by striking out “that can accommodate a maximum of 6 persons”.

4. Section 7 is replaced by the following:

“7. The classes of tourist accommodation establishments are the following:

(1) hotel establishments: establishments that offer accommodation in furnished rooms, suites or apartments that have kitchen facilities, including hotel services;

(2) tourist homes: establishments that offer accommodation in furnished apartments, houses or cottages, including kitchen facilities;

(3) rugged furnished lodgings: establishments that offer accommodation in furnished camps, framed tent squares, wigwams or short-lived facilities;

(4) resorts: establishments that offer, for an all-inclusive price, accommodation, including food services or kitchen facilities, recreational or entertainment services, and recreational facilities and equipment;

(5) bed and breakfast establishments: establishments that offer, for an all-inclusive price, accommodation in rooms in a private residence where the operator resides and rents a maximum of 5 rooms receiving a maximum of 15 persons, including breakfast served on the premises;

(6) hospitality villages: establishments that offer, for an all-inclusive price, accommodation in rooms in a group of private residences where each of the hosts receives a maximum of 6 persons, including an accompaniment service during all the stay, reception or entertainment services, breakfast and the noon or evening meal;

(7) youth hostels: establishments that offer accommodation in rooms, or in beds in one or more dormitories, including food services or kitchen facilities and full-time supervision;

(8) educational establishments: establishments that offer accommodation in an educational institution, governed by whichever Act, except if the accommodation units are rented to students of the institution only;

(9) camping establishments: establishments that offer accommodation on camp sites composed of permanent

sites to accommodate tents or recreational camping vehicles, motorized or not, including services;

(10) outfitting establishments: establishments that offer accommodation in an outfitting operation within the meaning of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) or the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1);

(11) other accommodation establishments: tourist accommodation establishments that belong to none of the other classes.”.

5. Section 8 is replaced by the following:

“8. Persons operating a tourist accommodation establishment of one of the following classes are not subject to the obligation to hold the classification certificate provided for in section 6 of the Act respecting tourist accommodation establishments (R.S.Q., c. E-14.2):

(1) rugged furnished lodgings;

(2) outfitting establishments, if accommodation is offered in an outfitting operation to which the Act respecting hunting and fishing rights in the James Bay and New Québec territories applies.”.

6. Section 9 is revoked.

7. Section 10 is replaced by the following:

“10. An application for a classification certificate must be submitted in writing to the Minister. It must be signed by the person who is submitting it and must contain the following information:

(1) the name, address and telephone number of the person who operates the tourist accommodation establishment for which the application is made and, if applicable, the name, address and telephone number of the person’s representative;

(2) if applicable, the tourist accommodation establishment’s operator’s registration number in the register of sole proprietorships, partnerships and legal persons instituted by the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);

(3) the name of the tourist accommodation establishment that will appear on the classification certificate;

(4) the address of the establishment or its geographical location or, in the case of a group, the address or geographical location of the main immovable or movable, and of each of the other immovables and movables constituting the group;

(5) the class of tourist accommodation establishment for which the application is made;

(6) in the case of a group, a description of the accessories or dependencies common to the immovables and movables constituting the group;

(7) the types of accommodation units offered and the maximum number of units for each type and, where applicable, for each immovable and movable constituting the group;

(8) the period of operation of the establishment, over 12 months; and

(9) a description of the services offered.

10.1. The application must also be accompanied by the following documents:

(1) if applicable, a document authorizing the representative of the person who operates the tourist accommodation establishment for which the application is made to submit the application;

(2) if the person who operates the establishment is the owner of the establishment, a copy of the title of ownership or of the municipal tax account for the establishment or, if the person is a lessee, a copy of the leasing contract for the establishment and, in the case of a group, a copy of those documents for each of the immovables and movables forming the group;

(3) proof of civil liability insurance taken out according to the requirements under section 11.1;

(4) a certificate from the clerk, secretary-treasurer, secretary or any other officer designated for that purpose by a resolution of the council of a local municipality, of a borough or, in the case of a tourist accommodation establishment located in an unorganized territory, of a regional county municipality, attesting that the establishment violates no municipal urban planning by-law regarding uses adopted under the Act respecting land use planning and development (R.S.Q., c. A-19.1); and

(5) for the class “outfitting establishment”, a copy of the outfitter’s licence.

The documents referred to in subparagraphs 2 and 4 need not be provided if the establishment is located on lands in the domain of the State or in an Indian reserve.

10.2. If the application is made by a mandatary of the person who operates the tourist accommodation establishment for which the application is made, the following information and documents must also be included:

(1) the name, address and telephone number of the mandatary and, if applicable, of the mandatary’s representative;

(2) if applicable, the mandatary’s registration number in the register of sole proprietorships, partnerships and legal persons instituted by the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45); and

(3) a document, from the person who operates the establishment, authorizing the mandatary to submit the application for him or her and, if applicable, a copy of the contract of mandate.

10.3. An application for a classification certificate is subject to the payable fees, determined under section 7 of the Act respecting tourist accommodation establishments.

10.4. A provisional classification certificate may be issued upon receipt of all the information and documents required by sections 10, 10.1 and 10.2 and of the fees payable for such a certificate.”.

8. Section 11 is replaced by the following:

“**11.** Any new application must be made 2 months before the expiry date of the classification certificate.

If no change is made to the information and documents already produced under sections 10, 10.1 and 10.2, the information and documents need not be produced again, except the documents required by subparagraphs 3 and 5 of section 10.1.

In the case of a change to the information already produced under paragraphs 5 and 7 of section 10, the certificate referred to in subparagraph 4 of section 10.1 must be produced again.

11.1. The holder of a classification certificate must, during all the term of the certificate, be covered by civil liability insurance for at least \$2,000,000 per claim to cover the risks associated with the operation of a tourist accommodation establishment, except if the operator is the Government or a public body.

11.2. The holder of a classification certificate that is not a natural person must inform the Minister of any event bringing a change in its control.”.

9. Section 12 is amended by adding the following after the first paragraph:

“The provisional classification certificate takes the form of a written notice specifying the name of the accommodation establishment, its class and the expiry date.

In the case of an outfitting establishment, the sign or notice also indicates the name of the holder of the outfitter’s licence.”.

10. Section 13 is replaced by the following:

“**13.** For the classes “educational establishments” and “outfitting establishments”, the Minister may fix, for a classification certificate, another term than the term determined by the first paragraph of section 9 of the Act respecting tourist accommodation establishments.

13.1. Where a classification certificate expires or must be modified, it must be destroyed or returned to the Minister, at the holder’s expense, and no copy of the certificate must be kept.”.

11. Section 14 is amended by replacing “permanently posted in a conspicuous place outside the establishment” by “conspicuously posted at the main entrance of the establishment or, in the case of a group of movables or immovables, in the location used to welcome or register tourists”.

12. Section 15 is revoked.

13. Section 16 is amended by replacing “tourist information office” by “tourist welcome and information site”.

14. The following is inserted after Division VII:

**“DIVISION VII.I
OFFENCES**

16.1. Every person who contravenes any provision of section 11.1, 11.2, 13.1, 14 or 16 is guilty of an offence.”.

15. Evaluation attestations for the class and category of the lodging units of an outfitting operation that are already issued on the date of coming into force of this Regulation under the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) are considered to be classification certificates issued for establishments of the class “outfitting establishment” under the Regulation respecting tourist accommodation establishments (O.C. 1111-2001, 2001 *G.O.* 2, 5568).

16. The holder of a classification certificate has 2 months from the date of coming into force of this Regulation to comply with the provisions of section 11.1 of the Regulation respecting tourist accommodation establishments.

17. This Regulation comes into force on 1 January 2011.

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Gouvernement du Québec

O.C. 1049-2010, 1 December 2010

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

**Safety standards for road vehicles
— Amendments**

Regulation to amend the Regulation respecting safety standards for road vehicles

WHEREAS, under subparagraphs 25, 25.1, 28 and 29 of the first paragraph of section 621 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may by regulation establish the safety standards that must be met by a road vehicle to be authorized to be operated, define, for the purposes of such standards, classes of road vehicles, determine what road vehicles are subject to mechanical inspection and prescribe the frequency and the standards of the mechanical inspection of the various road vehicles that are subject to inspection;

WHEREAS, under subparagraphs 30, 32 and 32.1 of the first paragraph of section 621 of the Code, the Government may also by regulation determine, in relation to the inspection of vehicles the minor and major defects that may affect a road vehicle, establish the content of the certificate of mechanical inspection and determine the minimum standards to be met by a preventive maintenance program intended to stand in place of mandatory mechanical inspection;

WHEREAS, under subparagraphs 32.2, 32.5 and 42 of the first paragraph of section 621 of the Code, the Government may by regulation determine the information and documents that must be provided by an owner on application for the certification of a preventive maintenance program, establish the form, content and period of retention applicable to preventive maintenance records and determine, subject to the conditions it determines, the cases where a heavy vehicle is partially or totally exempt from the application of Title VIII.1 of the Code;

WHEREAS the Government made the Regulation respecting safety standards for road vehicles by Order in Council 1483-98 dated 27 November 1998;