

## Draft Regulations

### Draft Regulation

Private Security Act  
(R.S.Q., c. S-3.5)

#### Regulation

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 under the Private Security Act, made by the Bureau de la sécurité privée and appearing below, may be approved by the Minister of Public Security, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation determines the information to be included in an application for an agent or agency licence and the documents and fees that must be submitted with the application.

It also sets the coverage and other features of the liability insurance that an agency licence holder must take out, as well as the amount and form of security that the holder must furnish.

In addition, it determines the cases in and the conditions on which the Bureau de la sécurité privée may issue a temporary agent licence.

It also defines the nature and content of the register that must be kept by an agency licence holder.

To date, study of the matter has shown no impact on the public and on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Serge Roberge, Director General, Bureau de la sécurité privée, 35, rue de Port-Royal Est, 2<sup>e</sup> étage, bureau 2.00, Montréal (Québec) H3L 3T1; telephone: 514 873-5210; fax: 514 873-5223.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Chair of the board of directors of the Bureau de la sécurité privée, Pierre Ricard, 35, rue de Port-Royal Est, 2<sup>e</sup> étage, bureau 2.00, Montréal (Québec) H3L 3T1; telephone: 514 873-5210; fax: 514 873-5223.

JACQUES P. DUPUIS,  
*Minister of Public Security*

### Regulation under the Private Security Act

Private Security Act  
(R.S.Q., c. S-3.5, ss. 107 and 108)

#### DIVISION I AGENCY LICENCE

**1.** An agency licence application is filed by the enterprise's representative on the form provided by the Bureau de la sécurité privée.

The application contains

(1) the name, date of birth and residence and work addresses of the enterprise's representative;

(2) the name under which the enterprise carries on activities;

(3) the addresses of the enterprise's head office and of each of its establishments;

(4) the name, date of birth and residence address of the enterprise's owner, any partner or shareholder having a major interest in the enterprise, within the meaning of section 8 of the Private Security Act (R.S.Q., c. S-3.5), and any director, as well as their status and interest in the enterprise; and

(5) the class of licence applied for.

**2.** An agency licence application is accompanied by

(1) a copy of the constituting act, contract of partnership or declaration of registration made to the enterprise registrar, as the case may be;

(2) proof that the enterprise and its representative are solvent;

(3) a document certifying that the enterprise holds a liability insurance policy in accordance with section 5;

(4) proof of the security required in section 6; and

(5) a declaration from the representative that he or she is engaged full-time in the enterprise's activities.

**3.** An agency licence application is also accompanied by the following fees, depending on the class of licence, which are reimbursed to the applicant if the licence is not issued or renewed:

- (1) security guard agency: \$2,400;
- (2) investigation agency: \$1,700;
- (3) locksmith and electronic security systems agency: \$1,100 for each of those activities;
- (4) valuables transport agency: \$1,100;
- (5) security consulting agency: \$1,700.

A non-reimbursable fee of \$102 is also included in the application for each person referred to in sections 7 and 8 of the Act who must undergo verification under section 27 of the Act.

**4.** The representative of the enterprise applying for an agency licence must be solvent, in addition to meeting the conditions of section 7 of the Act.

**5.** The holder of an agency licence must hold a civil liability insurance policy providing the licence holder with at least \$1,000,000 coverage per incident throughout the term of the licence against the financial liability arising from an incident occurring in the course of its activities, for bodily injury, moral damage or material damage.

**6.** An agency licence holder must furnish security to the Bureau in the form of a pledge of money or bonds or an insurance policy in the amount of \$10,000.

**7.** An application to renew an agency licence must be filed at least 60 days before the date of expiry of the licence.

It is filed on the form provided by the Bureau, which contains the information determined in section 1 and is accompanied by the documents and fees determined in sections 2 and 3.

**8.** An agency licence holder must pay the fees provided for in section 3 on the anniversary dates of the licence's issue or renewal. The fee in the first paragraph of that section is reimbursed to the licence holder should the licence be cancelled consequently to the verification under section 27 of the Act.

**9.** The fee for a copy or the replacement of an agency licence is \$25.

## DIVISION II AGENT LICENCE

**10.** An agent licence application is filed on the form provided by the Bureau.

The application contains

- (1) the name, date of birth and residence address of the applicant;
- (2) the name of the applicant's employer or of the person having recourse to his or her services;
- (3) any other employment held by the applicant; and
- (4) the class of licence applied for.

**11.** An agent licence application is accompanied by

(1) a copy of the document certifying that the applicant meets the conditions of training required under paragraph 1 of section 19 of the Act;

(2) a certificate of birth;

(3) a declaration from the applicant that he or she is aware of the responsibilities and obligations incumbent upon him or her under the Act and its regulations; and

(4) 2 identical colour photographs measuring 50 by 70 millimetres, taken during the 6 months preceding the application, on a white background, showing the person facing front, from the shoulders up and bare headed, dated on the back with a date stamp, one of which is authenticated by a respondent able to confirm the applicant's identity.

**12.** An agent licence application is also accompanied by the following fees:

(1) a fee of \$38, reimbursed to the applicant if the licence is not issued or renewed; and

(2) a non-reimbursable fee of \$102 to cover the expenses required to do the verification referred to in section 27 of the Act.

**13.** A person who applies for a security consulting agent licence must, in addition to meeting the conditions provided for in section 19 of the Act, demonstrate to the satisfaction of the Bureau that he or she has the practical knowledge and professional skills necessary for that activity. For that purpose, the Bureau may require the person to come to an interview, to pass an examination, or both.

**14.** An application to renew an agent licence must be filed at least 45 days before the date of expiry of the licence.

It is filed on the form provided by the Bureau, which contains the information determined in section 10 and is accompanied by 2 photographs complying with the requirements of paragraph 4 of section 11 and by the fees determined in section 12.

**15.** An agent licence holder must pay the fees provided for in section 12 on the anniversary dates of the licence's issue or renewal. The fee in paragraph 1 of that section is reimbursed to the licence holder should the licence be cancelled consequently to the verification under section 27 of the Act.

**16.** The fee for the replacement of an agent licence is \$25.

### DIVISION III TEMPORARY AGENT LICENCE

**17.** The Bureau may issue a temporary agent licence to a person, for the purposes of carrying on a private security activity, in the following cases:

(1) while the person is receiving training that may qualify the person for the issue of an agent licence under section 21 of the Act, in particular during a training period;

(2) where the special needs of an investigation justify retaining that person's services, in particular to act as an undercover or double agent; or

(3) where an exceptional event requires hiring temporary labour, in particular a disaster or a pandemic.

Sections 10 to 12 apply to an application for a temporary agent licence. Such an application must be supported by a declaration from the person on whose behalf the holder of a temporary licence will carry on the private security activity, attesting to the purpose for which that person needs to retain the services of the temporary licence holder.

**18.** Paragraph 1 of section 19 of the Act does not apply to a person who applies for a temporary agent licence. Paragraph 4 of that section does not apply to a person who applies for a temporary licence for the purposes set out in subparagraph 1 of the first paragraph of section 17.

**19.** The holder of a temporary agent licence must remain at all times under the responsibility of the person on whose behalf the private security activity is carried

on. The temporary licence holder must also remain under the supervision of an agent licence holder, issued in accordance with section 21 of the Act, when carrying on that activity.

**20.** The holder of a temporary agent licence may not carry on a private security activity for a purpose other than that for which the licence was issued.

**21.** The person on whose behalf the holder of a temporary agent licence carries on a private security activity must inform the Bureau where the person no longer uses the licence holder's services.

**22.** A temporary agent licence may be renewed as long as the holder needs it for the purpose for which the licence was issued. In case of renewal, the fees prescribed in section 12 are paid once a year.

### DIVISION IV PAYMENT AND ANNUAL ADJUSTMENT OF FEES

**23.** The fees required under this Regulation are paid by certified cheque or postal money order made out to the Bureau de la sécurité privée, by credit card or in cash at the Bureau's head office.

**24.** The fees provided for in sections 3 and 12 are adjusted on 1 January of each year based on the rate of increase in the general Consumer Price Index for Canada, as determined by Statistics Canada, for the 12-month period ending on 30 September of the preceding year.

The adjusted fees are reduced to the nearest dollar if they contain a fraction of a dollar less than \$0.50; they are increased to the nearest dollar if they contain a fraction of a dollar equal to or greater than \$0.50.

The Bureau is to publish the results of the adjustment by means of a notice in the *Gazette officielle du Québec* or by any other appropriate means.

### DIVISION V REGISTER

**25.** An agency licence holder must set up and maintain, at its principal establishment in Québec, a register of the persons in its employ who carry on a private security activity.

The names of those persons, the activities they carry on as well as the dates on which they are hired and on which their employment is terminated are entered in that register.

**DIVISION VI**  
**FINAL**

**26.** This Regulation comes into force on the date of coming into force of section 1 of the Private Security Act (R.S.Q., c. S-3.5).

9690

**Draft Regulation**

An Act respecting the Société des loteries du Québec (R.S.Q., c. S-13.1)

**Interactive television games**  
**— Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the By-law to amend the By-law respecting interactive television games, made by the Société des loteries du Québec and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft By-law amends the By-law respecting interactive television games to provide a rate of return similar to the rate of return of online games. The amendment will result in legal and secure online games.

Further information may be obtained by contacting Lynne Roiter, Corporate Secretary and Vice-President of Legal Affairs, Loto-Québec, 500, rue Sherbrooke Ouest, Montréal (Québec) H3A 3G6; telephone: 514 499-5190; fax: 514 873-8999.

Any person wishing to comment on the draft By-law is requested to submit written comments within the 45-day period to the Minister of Finance, 12, rue Saint -Louis, 1<sup>er</sup> étage, Québec (Québec) G1R 5L3.

RAYMOND BACHAND,  
*Minister of Finance*

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**By-law to amend the By-law respecting interactive television games\***

An Act respecting the Société des loteries du Québec (R.S.Q., c. S-13.1, s. 13)

**1.** The By-law respecting interactive television games is amended by replacing section 8 by the following:

“**8.** The annual rate of return for all interactive television games covered by this By-law may not be less than 83%.”.

**2.** This By-law comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

9687

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\* The By-law respecting interactive television games, approved by Order in Council 268-92 dated 26 February 1992 (1992, *G.O.* 2, 1058), has not been amended since its approval.