

after the 30-day period set by that section and without having obtained and kept the attestation prescribed by that section, uses or allows the use of the non-compliant vehicle is liable to a fine of

- (1) \$1,250 to \$2,500, in the case of a natural person; and
- (2) \$2,500 to \$5,000, in the case of a legal person.”.

**9.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

9862

## Draft Regulation

An Act respecting parental insurance  
(R.S.Q., c. A-29.011)

### Premium rates under the parental insurance plan — 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 Regulation to amend the Regulation respecting premium rates under the parental insurance plan, made by the Conseil de gestion de l'assurance parentale on 30 April 2010 and appearing below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

The Regulation modifies the premium rates applicable to employees, persons referred to in section 51 of the Act respecting parental insurance, employers and self-employed workers, as of 1 January 2011.

The majority of workers and employers will be affected by the proposed amendments, which will have a financial impact in their respect. The amendments will entail an increase of 4.4¢ per \$100 of payroll for employers, 3.1¢ per \$100 of salary or wages for employees and 5.6¢ per \$100 of income for self-employed workers.

The proposed amendments are chiefly attributable to a significant increase in the birthrate since the coming into force of the plan.

Further information may be obtained by contacting Marie-Christine Bergeron, 1122, Grande Allée Ouest, 1<sup>er</sup> étage, bureau 104, Québec (Québec) G1S 1E5; telephone: 418 528-8818; fax: 418 643-6738.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the President and Director General of the Conseil de gestion de l'assurance parentale, 1122, Grande Allée Ouest, 1<sup>er</sup> étage, bureau 104, Québec (Québec) G1S 1E5; telephone: 418 643-1009; fax: 418 643-6738.

SAM HAMAD,  
*Minister of employment  
and Social Solidarity*

## Regulation to amend the Regulation respecting premium rates under the parental insurance plan

An Act respecting parental insurance  
(R.S.Q., c. A-29.011, s. 6)

**1.** The Regulation respecting premium rates under the parental insurance plan (c. A-29.001, r. 5) is amended by replacing section 1 by the following:

“**1.** The premium rate applicable to an employee and to a person referred to in section 51 of the Act is 0.537%.

The premium rate applicable to a self-employed worker is 0.955%.

The premium rate applicable to an employer is 0.752%”.

**2.** This Regulation comes into force on 1 January 2011.

9863

## Draft Regulation

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

### Tourist accommodation establishments — 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 Regulation respecting tourist accommodation establishments, appearing below, may be submitted to the Government to be made on the expiry of 45 days following this publication.

The draft Regulation better manages the certification and classification process and updates it. Amendments are proposed to solve specific problems and to support efforts to improve the quality and diversification of the tourist accommodation offer.

The draft Regulation

— clarifies the definition of “tourist accommodation establishment”;

— creates the new class “outfitting establishments”;

— specifies what information and documents are required when making an application for a classification certificate, in particular a certificate attesting that the establishment does not violate any municipal urban planning by-law regarding uses and proof of civil liability insurance;

— excludes, from the obligation to hold a classification certificate, persons who operate a tourist accommodation establishment of the class “outfitting establishment”, 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 (R.S.Q., c. D-13.1).

Further information on the draft Regulation may be obtained by contacting Frédéric Dufour, Executive Assistant to the Assistant Deputy Minister, Accueil et hébergement touristique; telephone: 418 643-5959, extension 3471; fax: 418 643-3311; e-mail: frederic.dufour@tourisme.gouv.qc.ca. Mr. Dufour may also be reached by mail at:

Monsieur Frédéric Dufour  
Ministère du Tourisme  
Bureau du sous-ministre adjoint à l'accueil  
et à l'hébergement touristique  
900, boulevard René-Lévesque Est, bureau 400  
Québec (Québec) G1R 2B5

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Frédéric Dufour at the above-mentioned address. The comments will be forwarded to the Minister of Tourism.

NICOLE MÉNARD,  
*Minister of Tourism*

## 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.”.

**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;

\* 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.

(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 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.

The application must be sent with:

(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 of the second paragraph need not be provided if the establishment is located on lands in the domain of the State or in an Indian reserve.

If the application is made by a mandatory 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 mandatory and, if applicable, of the mandatory’s representative;

(2) if applicable, the mandatory’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 mandatory to submit the application for him or her and, if applicable, a copy of the contract of mandate.

**10.1.** The application for a classification certificate must be sent with the payable fees, determined under section 7 of the Act respecting tourist accommodation establishments.

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

**8.** Section 11 is replaced by the following:

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

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

In the case of a change to the information already produced under subparagraphs 5 and 7 of the first paragraph of section 10, the certificate referred to in subparagraph 4 of the second paragraph of that section 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” by “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 (*insert the date of coming into force of the Act to amend the Act respecting tourist accommodation establishments and other legislative provisions (2009, c. 22)*).