

(3) determining, from the rates thus obtained pursuant to subparagraph 2, the rates of contribution applicable for each of the 3 years, taking into account the percentage of exemption applicable to the maximum pensionable earnings of the year concerned as provided for in Schedule II.1.1 to the Act.

Despite the first paragraph, the rates of contribution respectively applicable from 1 January 2012 and 2013 are obtained by performing the following operations:

(1) for 2012, increasing the rate of contribution applicable in 2011, established with an exemption of 35% of the maximum pensionable earnings, by 0.50% and, for 2013, the rate thus obtained by 0.50%;

(2) determining, from the rates obtained pursuant to subparagraph 1, the rates of contribution applicable for each of the 2 years, taking into account the percentage of exemption applicable to the maximum pensionable earnings of the year concerned as provided for in Schedule II.1.1 to the Act.

For the purposes of this section, where a rate of contribution is established with a percentage of exemption of the maximum pensionable earnings and a second rate of contribution is established with a different percentage of exemption, the last rate must generate an aggregate of the contributions calculated for the year concerned equivalent to the aggregate of the contributions calculated with the other rate.

The applicable rate of contribution and the factor used each year in the formula provided for in Schedule II.1.1 to the Act, used to determine the amount withheld annually by employers, are referred to in Schedule IV.4.”

2. The following is inserted after Schedule IV.3:

“SCHEDULE IV.4

(s. 39)

RATE OF CONTRIBUTION AND FACTOR

Year	Rate of contribution	Factor
2012	8.94%	0.0034
2013	9.18%	0.0071.”

3. This Regulation comes into force on 1 January 2012.

1790

Gouvernement du Québec

O.C. 1255-2011, 7 December 2011

Real Estate Brokerage Act
(R.S.Q., c. C-73.2)

**Issue of broker’s and agency licences
— Amendment**

Regulation to amend the Regulation respecting the issue of broker’s and agency licences

WHEREAS the first paragraph of section 22.1 of the Real Estate Brokerage Act (R.S.Q., c. C-73.2), made by section 16 of chapter 40 of the Statutes of 2010, provides that a broker acting on behalf of an agency may carry on brokerage activities, in accordance with the terms, conditions and rules set out in the regulations of the Organisme d’autoréglementation du courtage immobilier du Québec, within a business corporation which the broker controls;

WHEREAS the Organization made the Regulation to amend the Regulation respecting the issue of broker’s and agency licences on 21 July 2011;

WHEREAS section 130 of the Real Estate Brokerage Act provides that all regulations of the Organization, except internal by-laws, must be submitted to the Government for approval with or without amendments;

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 the issue of broker’s and agency licences was published in Part 2 of the *Gazette officielle du Québec* of 5 October 2011 with a notice that it could be submitted to the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance and the Minister for Finance:

THAT the Regulation to amend the Regulation respecting the issue of broker’s and agency licences, attached to this Order in Council, be approved without amendment.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the issue of broker's and agency licences

Real Estate Brokerage Act
(R.S.Q., c. C-73.2, s. 22.1, 1st par.; 2010, c. 40, s. 16)

1. The Regulation respecting the issue of broker's and agency licences (c. C-73.2, r. 3) is amended in section 5 by adding the following after paragraph 12:

“(13) if the broker intends to carry on activities within a business corporation, in accordance with Division IV of Chapter II of the Real Estate Brokerage Act (R.S.Q., c. C-73.2) and Division VI.1 of Chapter I of the Regulation respecting brokerage requirements, professional conduct of brokers and advertising (c. C-73.2, r. 1);

(a) a statement of updated information on that corporation, published in the enterprise register and, if the corporation is constituted under a statute other than a statute of Québec, written confirmation from a competent authority attesting to the corporation's existence; or

(b) where the broker is not the sole shareholder, the names of all shareholders and, for each of them, the percentage of voting rights and the terms and conditions for participation in the dividends attached to the shares they hold.”.

2. Section 13 is amended by inserting “, at the request of the Organization,” in the second paragraph after “social life or”.

3. Section 18 is amended by replacing “suspension lifted if the person establishes that the cause giving rise to the suspension” by “suspension, restriction or condition imposed on the licence if the person establishes that the cause giving rise to the suspension, restriction or condition”.

4. This Regulation comes into force on 1 January 2012.

1792

Gouvernement du Québec

O.C. 1256-2011, 7 December 2011

Real Estate Brokerage Act
(R.S.Q., c. C-73.2)

Brokerage requirements, professional conduct of brokers and advertising — Amendment

Regulation to amend the Regulation respecting brokerage requirements, professional conduct of brokers and advertising

WHEREAS the first paragraph of section 22.1 of the Real Estate Brokerage Act (R.S.Q., c. C-73.2), made by section 16 of chapter 40 of the Statutes of 2010, provides that a broker acting on behalf of an agency may carry on brokerage activities, in accordance with the terms, conditions and rules set out in the regulations of the Organisme d'autoréglementation du courtage immobilier du Québec, within a business corporation which the broker controls;

WHEREAS the Organization made the Regulation to amend the Regulation respecting brokerage requirements, professional conduct of brokers and advertising on 21 July 2011;

WHEREAS section 130 of the Real Estate Brokerage Act provides that all regulations of the Organization, except internal by-laws, must be submitted to the Government for approval with or without amendments;

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 brokerage requirements, professional conduct of brokers and advertising was published in Part 2 of the *Gazette officielle du Québec* of 5 October 2011 with a notice that it could be submitted to the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance and the Minister for Finance:

THAT the Regulation to amend the Regulation respecting brokerage requirements, professional conduct of brokers and advertising, attached to this Order in Council, be approved with amendments.

GILLES PAQUIN,
Clerk of the Conseil exécutif