

4. Section 55 is amended by replacing “57” by “58” in the first paragraph.

5. Section 105 is amended by adding the following paragraph:

“A broker carrying on activities within a business corporation must ensure the collaboration of the corporation, its executive officers and its employees, if applicable.”.

6. Section 107 is amended by replacing “104” wherever it appears by “105”.

7. The following is inserted after section 115:

“**115.1.** Where a broker carries on activities within a business corporation, representations and advertising must be made by the corporation and indicate, in addition to the indications provided for in section 114, the name of the corporation.

The broker does not have to indicate the designations provided for in subparagraphs 1 and 2 of the first paragraph of section 114 if the broker indicates, after the name of the corporation, as the case may be, “business corporation of a real estate broker” or “business corporation of a mortgage broker”.

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

1793

Gouvernement du Québec

O.C. 1257-2011, 7 December 2011

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

Real Estate Indemnity Fund and determination of the professional liability insurance premium — Amendment

Regulation to amend the Regulation respecting the Real Estate Indemnity Fund and determination of the professional liability insurance premium

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 adopted the Regulation to amend the Regulation respecting the Real Estate Indemnity Fund and determination of the professional liability insurance premium 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 Real Estate Indemnity Fund and determination of the professional liability insurance premium 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 Real Estate Indemnity Fund and determination of the professional liability insurance premium, attached to this Order in Council, be approved without amendment.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the Real Estate Indemnity Fund and determination of the professional liability insurance premium

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 Real Estate Indemnity Fund and determination of the professional liability insurance premium (c. C-73.2, r. 5) is amended in section 17 by inserting the following after subparagraph 5 of the first paragraph:

“(6) the fact that the licence holder carries 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).”.

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

1794

Gouvernement du Québec

O.C. 1258-2011, 7 December 2011

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

Records, books and registers, trust accounting and inspection of brokers and agencies — Amendment

Regulation to amend the Regulation respecting records, books and registers, trust accounting and inspection of brokers and agencies

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 adopted the Regulation to amend the Regulation respecting records, books and registers, trust accounting and inspection of brokers and agencies 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 records, books and registers, trust accounting and inspection of brokers and agencies 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 records, books and registers, trust accounting and inspection of brokers and agencies, attached to this Order in Council, be approved without amendment.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting records, books and registers, trust accounting and inspection of brokers and agencies

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 records, books and registers, trust accounting and inspection of brokers and agencies (c. C-73.2, r. 4) is amended in section 9 by adding “and must indicate whether the brokers carry on activities within a business corporation, in accordance with Division IV of Chapter II of the Act 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)” at the end.

2. Section 10 is amended by adding the following after paragraph 4:

“(5) a record for all the business corporations within which the brokers acting for the agency carry on their activities, if applicable.”.

3. The following is inserted after section 14:

“**14.1.** The record for all business corporations contains

(1) a statement of updated information on each corporation within which brokers acting for the agency carry on activities, 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;

(2) where the broker is not the sole shareholder of the business corporation within which the broker carries on activities, the updated information relating to the names of all the shareholders of the corporation and, for each