

“(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

of them, the percentage of voting rights and the terms and conditions for participation in the dividends attached to the shares they hold; and

(3) the contract between the corporation, represented by the broker, and the agency.”.

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

1795

Gouvernement du Québec

O.C. 1279-2011, 7 December 2011

Transport Act
(R.S.Q., c. T-12)

Brokerage of bulk trucking services — Amendment

Regulation to amend the Regulation respecting brokerage of bulk trucking services

WHEREAS paragraphs *d, f, k, m, n, o, o.1* and *o.2* of section 5 of the Transport Act (R.S.Q., c. T-12) empower the Government to make regulations on the matters set forth therein;

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 of bulk trucking services was published in Part 2 of the *Gazette officielle du Québec* of 5 October 2011 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendment;

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

THAT the Regulation to amend the Regulation respecting brokerage of bulk trucking services, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting brokerage of bulk trucking services

Transport Act
(R.S.Q., c. T-12, s. 5, pars. *d, f, k, m, n, o, o.1, o.2* and *q*)

1. The Regulation respecting brokerage of bulk trucking services (R.R.Q., c. T-12, r. 4) is amended in section 4

(1) by inserting the following after the first paragraph:

“For the purposes of the first paragraph, where the application is for a brokerage permit in Region 10, operators that are registered in the bulk trucking register and that have signed, during the subscription period and pursuant to the second paragraph of section 16, a contract for brokerage services in that region, are added to the operators referred to in the first paragraph.”;

(2) by striking out “de la” in the fourth paragraph of the French text after “zone de courtage”;

(3) by replacing “second” in the fifth paragraph by “third”.

2. Section 5 is amended

(1) by striking out “, within 10 days of the expiry of the subscription period,” in the first paragraph;

(2) by replacing subparagraph 1 of the first paragraph by the following:

“(1) within 10 days of the expiry of the subscription period,

(a) file with the Commission

i. the application and the information that will establish its representativeness, using the appropriate forms;

ii. the originals of all brokerage contracts, upon request by the Commission;

iii. the contract for the hiring of the brokerage director;

(b) pay costs of \$304 to the Commission;”;

(3) by replacing subparagraph 2 of the first paragraph by the following:

“(2) within 40 days of the expiry of the subscription period,