

Regulations and other Acts

Gouvernement du Québec

O.C. 43-2012, 1 February 2012

An Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8)

Consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of the Société d'habitation du Québec

— Amendment

Regulation to amend the Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of the Société d'habitation du Québec

WHEREAS, by resolution 2011-15 dated 29 April 2011, the board of directors of Immobilière SHQ made the Regulation to amend the Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of Immobilière SHQ;

WHEREAS, under section 87 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8), the by-laws of the Société are subject to approval by the Government and come into force on the date of their publication in the *Gazette officielle du Québec* or on such later date as is determined 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 the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of Immobilière SHQ was published in Part 2 of the *Gazette officielle du Québec* of 28 September 2011 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS Immobilière SHQ was dissolved on 1 October 2011 with the coming into force of the Act to abolish the Ministère des Services gouvernementaux and to implement the Government's 2010-2014 Action Plan to Reduce and Control Expenditures by abolishing or restructuring certain bodies and certain funds (2011, c. 16);

WHEREAS sections 221 to 227 of that Act provide for the transfer of immovables, rights and obligations of Immobilière SHQ to the Société d'habitation du Québec;

WHEREAS section 214 of that Act amended the Act respecting the Société d'habitation du Québec to introduce section 3.6, under which the Société d'habitation du Québec may determine by by-law the consideration to be paid by housing bureaus and other non-profit organizations for the use of its immovables;

WHEREAS section 229 of that Act establishes that the Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of Immobilière SHQ (R.R.Q., c. I-0.3, r. 1), made under section 23 of the Act respecting Immobilière SHQ, is deemed to have been made under section 3.6 of the Act respecting the Société d'habitation du Québec;

WHEREAS paragraph 16 of section 244 of that Act specifies that, in any other Act, regulation, by-law, order in council, ministerial order, contract or other document, unless the context indicates otherwise and with the necessary modifications, a reference to Immobilière SHQ is a reference to the Société d'habitation du Québec;

WHEREAS amendments have been made to the draft Regulation, as published, since the coming into force of that Act;

WHEREAS no comments were made following the publication of the draft Regulation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs, Regions and Land Occupancy:

THAT the Regulation to amend the Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of the Société d'habitation du Québec, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of the Société d'habitation du Québec

An Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8, s. 3.6)

1. The Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of the Société d'habitation du Québec (R.R.Q., c. S-8, r. 5) is amended in its title by striking out “municipal”.

2. Section 1 is amended

(1) by striking out “municipal”;

(2) by adding the following paragraph:

“An additional amount, equal to the difference between the amounts used to finance the capital expenditures of that immovable and the part of the loan referred to in the first paragraph that was used to finance the capital expenditures, is also payable by the housing bureau or non-profit organization. That amount is established by taking into account the amortization period of the loan related to those expenditures, plus interest.”.

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

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Gouvernement du Québec

O.C. 58-2012, 1 February 2012

Professional Code
(R.S.Q., c. C-26)

Notaries

— Code of ethics
— Amendment

Regulation to amend the Code of ethics of notaries

WHEREAS, under section 87 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional

towards the public, clients and the profession, particularly the duty to discharge professional obligations with integrity;

WHEREAS the board of directors of the Chambre des notaires du Québec made the Regulation to amend the Code of ethics of notaries;

WHEREAS, under section 95.3 of the Professional Code, a draft of the Regulation was sent to every member of the Order at least 30 days before being made by the board of directors;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

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 Code of ethics of notaries was published in Part 2 of the *Gazette officielle du Québec* of 27 July 2011 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Code of ethics of notaries, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of notaries

Professional Code
(R.S.Q., c. C-26, s. 87)

1. The Code of ethics of notaries (c. N-3, r. 2) is amended by the replacement of section 26 with the following: