

Gouvernement du Québec

O.C. 82-2012, 8 February 2012

Highway Safety Code
(R.S.Q., c. C-24.2)

Financial Administration Act
(R.S.Q., c. A-6.001)

**Fees exigible and the return of confiscated objects
— Amendment**

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects

WHEREAS, under subparagraph 19 of the first paragraph of section 624 of the Highway Safety Code (R.S.Q., c. C-24.2), the Société de l'assurance automobile du Québec may by regulation fix the photography fee payable by a person who does not hold a driver's licence upon authentication by the Société of that person's application for renewal of registration with the Régie de l'assurance maladie du Québec;

WHEREAS, under section 83.8 of the Financial Administration Act (R.S.Q., c. A-6.001), a fee may be set under that Act to fund a particular public service or a set of public services delivered by a body, provided the law does not otherwise confer the power to set that fee and that in such a case the fee is set by a regulation of that body;

WHEREAS the Government approved the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects (c. C-24.2, r. 27);

WHEREAS the Société made the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects at the meeting of the board of directors held on 19 May 2011;

WHEREAS, under section 625 of the Highway Safety Code, every regulation made by the Société is subject to the approval of the Government;

WHEREAS, under section 83.8 of the Financial Administration Act, a fee set by a regulation of a government body under that Act must be approved by the Government 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 Regulation respecting fees exigible

under the Highway Safety Code and the return of confiscated objects was published in Part 2 of the *Gazette officielle du Québec* of 31 August 2011 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects

Highway Safety Code
(R.S.Q., c. C-24.2, s. 624, 1st par, subpar. 19)

Financial Administration Act
(R.S.Q., c. A-6.001, s. 83.8)

1. The Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects (c. C-24.2, r. 27) is amended in section 4 by revoking subparagraph 2.4 of the first paragraph.

2. The following is inserted after section 4:

**“DIVISION 3.1.0.1
FEES EXIGIBLE RELATED TO THE HEALTH
INSURANCE CARD ISSUED BY THE RÉGIE
DE L'ASSURANCE MALADIE DU QUÉBEC**

4.0.1. The fees exigible for taking the photograph of a person who is having the Société, or a person designated by it under section 69.1 of the Highway Safety Code, authenticate an application for renewal of registration with the Régie de l'assurance maladie du Québec or for the replacement of a health insurance card, are the same as those exigible by the Board for the same service under section 8.4 of the Regulation respecting forms and statements of fees under the Health Insurance Act (c. A-29, r. 7).

No fees are exigible if the person is required, on such occasion, to replace a licence by a licence bearing the person's photograph.”

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

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