

Gouvernement du Québec

O.C. 1054-2012, 14 November 2012

Supplemental Pension Plans Act
(chapter R-15.1)

Arbitration relating to the surplus assets of supplemental pension plans
—Amendment

CONCERNING the Regulation to amend the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans

WHEREAS, under the first paragraph of section 243.8 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1), the Government prescribes by regulation the information and documents that must accompany the application for arbitration forwarded to the arbitration body by a pension committee;

WHEREAS, on 15 December 1993, the Government made, by order in Council number 1894-93, the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans (c. R-15.1, r. 1);

WHEREAS it is expedient to amend the Regulation to harmonize one of its provisions with the measures that were enacted by the Act to amend the Supplemental Pension Plans Act, particularly with respect to the funding and administration of pension plans (2006, c. 42) and that came into force on 1 January 2010;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q. c. R-18.1), a draft Regulation to amend the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans was published, with a written notice that it could be made by the Government on the expiry of 45 days following its publication in part 2 of the *Gazette Officielle du Québec* on 18 July 2012;

WHEREAS it is expedient to make the un-amended Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans

Supplemental Pension Plans Act
(chapter R-15.1, s. 243.8, 1st para.)

1. Section 1.1 of the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans (c. R-15.1, r. 1) is amended by striking out, in paragraph 3 of the second paragraph, “and, if any, more recent reports made under section 130 of the Act”.

2. 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. 1058-2012, 14 November 2012

Real Estate Brokerage Act
(chapter 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 section 5 of the Real Estate Brokerage Act (R.S.Q., c. C-73.2) provides that a broker's licence is issued to applicants who meet the requirements set out in this Act;

WHEREAS paragraphs 1, 3 and 6 of section 46 of the Act provide that the Organisme d'autoréglementation du courtage immobilier du Québec (“the Organization”) may determine, by regulation, rules governing the training required to become a broker and the examination to be taken by prospective brokers, the terms and conditions governing the issue, suspension or revocation of a licence, and the cases in which restrictions or conditions may be imposed on a licence and the information and documents to be provided by a prospective broker, a broker or an agency;

WHEREAS section 49 of the Act provides that the Organization may, for the purposes of any regulation, establish special or supplementary rules for real estate brokers, mortgage brokers, real estate agencies or mortgage broker agencies;

WHEREAS, on 2 March 2012, the Organization made the Regulation to amend the Regulation respecting the issue of broker's and agency licences;

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), the draft 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 23 May 2012 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 without amendment;

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

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.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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

Real Estate Brokerage Act
(chapter C-73.2, ss. 5, 46, pars. 1, 3 and 6, and s. 49)

1. The Regulation respecting the issue of broker's and agency licences (R.R.Q., c. C-73.2, r. 3) is amended in section 1

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

“(1.1) as of 1 September 2013, has passed one of the training programs recognized in an agreement between the Organization and an educational institution and that deals with the skills a broker must have, provided for in the system of reference available on the Organization's official website, according to the licence applied for or licence restrictions;”;

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

“A person who is qualified and authorized to engage in brokerage transactions within the meaning of section 1 of the Real Estate Brokerage Act, in a province, State or territory for which an agreement of mutual recognition of professional qualifications was entered into between the Gouvernement du Québec and another government is exempted from the requirements of subparagraph 1.1 of the first paragraph.”;

(3) by inserting “1.1,” in the second and third paragraphs after “subparagraphs”.

2. Section 5 is amended by inserting the following after paragraph 4:

“(4.1) an attestation, a diploma or a transcript showing that the prospective broker meets the requirement of paragraph 1.1 of section 1;”.

3. Section 37 is amended by inserting “, 4.1” after “4”.

4. 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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O.C. 1061-2012, 14 November 2012

Code of Civil Procedure
(chapter C-25)

Determination of child support payments —Amendment

Regulation to amend the Regulation respecting the determination of child support payments

WHEREAS, under article 825.8 of the Code of Civil Procedure (R.S.Q., c. C-25), the Government, by regulation, is to establish standards for the determination of the child support payments to be made by a parent, on the basis of the basic parental contribution determined in respect of the child, of the child care expenses, post-secondary education expenses and special expenses relating to the child and of the parents' custodial arrangement in respect of the child;

WHEREAS, under that article, the Government is to prescribe the use of a form and of a related table determining, on the basis of the parents' disposable income and the number of children, the basic parental contribution, as well as the production of evidentiary documents;