

- (5) in Sentence (1) of Article 2.2.5.1.
- (1) by replacing "the plumbing contractor" in the part preceding Clause (a) by "the plumbing contractor or owner-builder,";
- (2) by replacing "*appareil sanitaire*" in Subclauses (i) and (ii) of Clause (c) of the French text by "*appareil*".

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

2508

Draft Regulation

Consumer Protection Act
(chapter P-40.1)

Consumer protection

— Application

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the application of the Consumer Protection Act, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides that, in the same manner as certain distance contracts, a contract for the sale of goods to which sections 208 to 213 of the Consumer Protection Act (chapter P-40.1) apply is exempt from the application of certain rules applicable to a distance contract and certain formality rules when such a contract is a distance contract.

It also exempts

— non-profit legal persons and cooperatives that are parties to contracts for the loan of money not exceeding \$5,000 and whose credit rate does not exceed the legal interest rate, from paying the duties related to the application for a money lender's permit;

— until 31 December 2015, from the prohibition against providing an expiry date on a prepaid card, prepaid cards issued by a tourism enterprise, usable during an entire determined season exclusively for a determined service that, by its nature, is seasonal;

— merchants from the prohibition to ask for a price higher than the price advertised for goods or services where the consumer pays cash and the only difference between the price advertised and the price charged for goods or services is the amount rounded off to the nearest multiple of 5 cents;

— merchants from the obligation of including the deposit payable for recycling purposes in the advertised price.

Further information may be obtained by contacting Johanne Renaud, Office de la protection du consommateur, Village olympique – 5199, rue Sherbrooke Est, bureau 3721, Montréal (Québec) HIT 3X2; telephone: (514) 253-6556, extension 3426; fax: (514) 864-2400; email: johanne.renaud@opc.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-day period to the Minister of Justice, 1200, route de l'Église, Québec (Québec) G1V 4M1.

BERTRAND ST-ARNAUD,
Minister of Justice

Regulation to amend the Regulation respecting the application of the Consumer Protection Act

Consumer Protection Act
(chapter P-40.1, s. 350)

1. The Regulation respecting the application of the Consumer Protection Act (chapter P-40.1, r. 3) is amended by replacing section 6.3 by the following:

“6.3. Contracts of credit, contracts of service involving sequential performance within the meaning of Division VI of Chapter III of Title I of the Act, even if entered into by a person listed in section 188 of the Act, contracts for the sale of goods to which sections 208 to 213 of the Act apply, contracts of service or for the lease of goods entered into at the time of the entering into or performance of such a contract of service involving sequential performance are exempt from the application of Chapter II of Title I and sections 54.8 to 54.16 of the Act and section 26 of this Regulation if they are distance contracts.”.

2. The following is inserted after section 18:

“18.1. A non-profit legal person or a cooperative within the meaning of the Act respecting cooperatives (chapter C-67.2), that enters into contracts for the loan of money whose net capital does not exceed \$5,000 and under which the credit rate, computed in accordance with the Act, does not exceed the legal interest rate is exempt from the obligation of paying the duties provided for in section 107.».

3. The following is inserted after section 79.3:

“79.3.1. A stipulation providing an expiry date for a prepaid card if the card is issued by a tourism enterprise, is usable during an entire determined season and is exclusively for a determined service that, by its nature, is seasonal, provided that the nature of the service, the fact that the service is seasonal and the expiry date are on the card is exempt from the application of section 187.3 of the Act until 31 December 2015.”.

4. The following is inserted after section 91.7:

“91.7.1. The merchant is exempt from the application of subparagraph *c* of the first paragraph of section 224 of the Act where the consumer pays cash and the only difference between the price advertised and the price charged for goods or services is the amount rounded off to the nearest multiple of 5 cents after calculating the Québec sales tax and the Goods and Services Tax if they are payable.

The rounding off is deemed not to constitute a pricing error within the meaning of the Order in Council respecting the Policy on accurate pricing for merchants who use optical scanner technology (chapter P-40.1, r. 2).”.

5. Section 91.8 is amended by adding the following paragraph:

“The merchant, manufacturer or advertiser is also exempt from the obligation of including in the advertised price the deposit payable by a consumer, for recycling purposes, on the purchase of containers, packaging, materials or products and that is refunded on their return.”.

TRANSITIONAL AND FINAL

6. Section 79.3.1 of the Regulation respecting the application of the Consumer Protection Act (chapter P-40.1, r. 3), introduced by section 3 of this Regulation, ceases to have effect on 1 January 2016.

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

2506

Draft Regulation

Environment Quality Act
(chapter Q-2)

Charges payable for the disposal of residual materials — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation is to extend to 5 additional years, from 30 September 2015 to 31 December 2020, the period to collect additional charges provided for in the Regulation respecting charges payable for the disposal of residual materials (chapter Q-2, r. 43). Those charges are fixed at \$9.50 for each ton of residual materials received for disposal and will be adjusted as of 2013.

By extending the period to collect additional charges, the draft Regulation further reduces the quantity of residual materials that are sent for disposal and thus achieves the objectives specified in the Québec residual materials management policy. It will also enable the financing of more projects under the program for the treatment of organic matters by biomethanization and composting.