

Regulations and other Acts

Gouvernement du Québec

O.C. 555-2013, 5 June 2013

Consumer Protection Act
(chapter P-40.1)

Regulation — Amendment

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

WHEREAS, under paragraph *r* of section 350 of the Consumer Protection Act (chapter P-40.1), the Government may make regulations exempting, in whole or in part, from the application of the Act, any class of persons, goods, services or contracts that it determines and fixing conditions for that exemption;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting the application of the Consumer Protection Act was published in Part 2 of the *Gazette officielle du Québec* of 27 February 2013 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 without amendments;

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

THAT the Regulation to amend the Regulation respecting the application of the Consumer Protection Act, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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 prohibition 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*.

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Gouvernement du Québec

O.C. 610-2013, 12 June 2013

Chartered Professional Accountants Act
(chapter C-48.1)

Comptables professionnels agréés — Cooperation agreement between the Ordre des comptables professionnels agréés du Québec and the Canadian Public Accountability Board

Cooperation agreement between the Ordre des comptables professionnels agréés du Québec and the Canadian Public Accountability Board

WHEREAS, in accordance with the first paragraph of section 9 of the Chartered Professional Accountants Act (chapter C-48.1), the board of directors of the Ordre des comptables professionnels agréés du Québec may enter into an agreement with the following bodies exercising complementary functions with respect to the protection of the public: the Autorité des marchés financiers and the Canadian Public Accountability Board incorporated under the Canada Business Corporations Act (R.S.C. 1970, c. C-32);

WHEREAS the Order entered into a cooperation agreement with the Canadian Public Accountability Board;

WHEREAS, in accordance with the fifth paragraph of section 9 of the Chartered Professional Accountants Act, the agreement was published in Part 2 of the *Gazette officielle du Québec* of 13 March 2013 with a notice that it could be submitted to the Government for approval, with or without amendments, on the expiry of at least 45 days after that publication;

WHEREAS the Chair of the Office des professions du Québec received no comments following that publication;

WHEREAS it is expedient to approve the agreement with amendments;

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

THAT the Cooperation agreement between the Ordre des comptables professionnels agréés du Québec and the Canadian Public Accountability Board, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif
