

*officielle du Québec* of 29 May 2013 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 with 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.

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, s. 46, pars. 1, 3 and 12)

**1.** The Regulation respecting the issue of broker's and agency licences (chapter C-73.2, r. 3) is amended in section 1 by replacing introductory subparagraph 4 of the first paragraph by the following:

“(4) has demonstrated a knowledge of the official language of Québec appropriate to carry on the activity of broker by meeting one of the following requirements:”.

**2.** Section 2 is amended

(1) by inserting “, passes the training program and” after “in accordance with section 1” in the second paragraph;

(2) by inserting “passes the training program and” in the third paragraph after “A licence holder who”.

**3.** Section 3 is amended

(1) by striking out “, lease” in the first paragraph;

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

“The licence allows the holder to act as an intermediary for the leasing of a dwelling, regardless of the number of dwellings in the immovable.”.

**4.** Section 5 is amended by striking out “and the terms and conditions for participation in the dividends” after “voting rights” in subparagraph *b* of paragraph 13.

**5.** Section 34 is amended

(1) by adding “unless it is a restriction referred to in section 2” at the end of subparagraph 1 of the first paragraph;

(2) by adding “ 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 real estate or mortgage broker agency executive officer must have, provided for in the system of reference available on the Organization's official website and” at the beginning of subparagraph *a* of subparagraph 3 of the first paragraph.

**6.** Section 39 is replaced by the following:

“**39.** Registration under false representations, fraud, copying or participating in fraud or copying or attempting to fraud or copy results in the cancellation of the examination on decision of the Organization.

The examination of a person may also be cancelled if the person does not comply with the instructions given during the examination and any act or omission in that regard affects the examination process.

A person may only be admitted to an examination after a period of 12 months following the date of the cancellation of the person's examination by the Organization.”.

**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. 938-2013, 11 September 2013**

Real Estate Brokerage Act  
(chapter C-73.2)

## Records, books and registers, trust accounting and inspection of brokers and agencies — Amendment

Regulation to amend the Regulation respecting records, books and registers, trust accounting and inspection of brokers and agencies

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

WHEREAS paragraphs 9 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, on 25 January 2013, the Organization made the Regulation to amend the Regulation respecting records, books and registers, trust accounting and inspection of brokers and agencies;

WHEREAS section 130 of the 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 (chapter R-18.1), the draft Regulation to amend the Regulation respecting records, books and registers, trust accounting and inspection of brokers and agencies was published in Part 2 of the *Gazette officielle du Québec* of 29 May 2013 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 records, books and registers, trust accounting and inspection of brokers and agencies, attached to this Order in Council, be approved.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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## **Regulation to amend the Regulation respecting records, books and registers, trust accounting and inspection of brokers and agencies**

Real Estate Brokerage Act  
(chapter C-73.2, s. 46, par. 9)

**1.** The Regulation respecting records, books and registers, trust accounting and inspection of brokers and agencies (chapter C-73.2, r. 4) is amended in section 14.1 by striking out "and the terms and conditions for participation in the dividends" in paragraph 2.

**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. 939-2013, 11 September 2013**

Real Estate Brokerage Act  
(chapter C-73.2)

#### **Brokerage requirements, professional conduct of brokers and advertising — Amendment**

Regulation to amend the Regulation respecting brokerage requirements, professional conduct of brokers and advertising

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

WHEREAS section 21 of the Act provides that brokers, agencies and the directors and executive officers of agencies must act with honesty, loyalty and competence, must also disclose any conflict of interest and that the rules governing the disclosure of conflicts of interest are set out in the regulations of the Organisme d'autoréglementation du courtage immobilier du Québec ("the Organization");

WHEREAS paragraphs 5, 8 and 9 of section 46 of the Act provide that the Organization may determine, by regulation, the rules of professional conduct applicable to brokers and to executive officers of an agency, the requirements to be met in order to engage in a brokerage transaction described in section 1 of the Act and the nature, form and tenor of the records, books and registers that