

In the case of the duties of chair or vice-chair of the Régie, the Minister recommends to the Government the name of a commissioner in office or the name of a person declared apt for appointment as commissioner to the Régie.

28. If the Minister is of the opinion that because of exceptional circumstances he or she cannot, in the best interest of the proper operation of the Régie, recommend the appointment of a chair or vice-chair from among the commissioners in office or the persons declared apt for appointment as commissioners, the Minister then recommends to the Government the name of a person recognized as apt for appointment as commissioner and chair or vice-chair following an assessment by the Associate Secretary General that takes into account the criteria set out in section 17 and the skills required for those duties.

DIVISION X RENEWAL OF TERMS OF OFFICE

29. In the 12 months before the expiry of a commissioner's term of office, the Associate Secretary General asks that commissioner to provide him or her with the information mentioned in subparagraphs 6 and 7 of the first paragraph of section 6 and with a written statement in which the commissioner agrees to a verification with, in particular, a disciplinary body, any professional order of which the commissioner is or was a member and police authorities and, where applicable, in which the commissioner agrees that the persons or bodies mentioned in section 16 be consulted.

30. The Associate Secretary General forms a committee to examine the renewal of the commissioner's term of office and designates the chair thereof.

The committee is composed of a representative of the public able to assess the qualities required to exercise the function of commissioner to the Régie, a retiree from a body of the administrative branch who exercised adjudicative functions and a member of a professional order in a relevant field. The committee members may neither belong to nor represent the Administration within the meaning of the Public Administration Act (chapter A-6.01).

Sections 8 to 11 then apply.

31. The committee determines whether the commissioner still fulfils the criteria set out in section 17, considers the commissioner's annual performance evaluations and takes into account the needs of the board. The committee may hold the consultations provided for in section 16 on any matter in the record.

32. Committee decisions are made by a majority vote of its members. In the case of a tie-vote, the chair of the committee has a casting vote. A member may register dissent.

The committee forwards its recommendation to the Associate Secretary General and to the Minister.

33. The Associate Secretary General is the agent empowered to notify commissioners of the non-renewal of their term of office.

DIVISION XI CONFIDENTIALITY

34. The names of candidates, the reports of selection or renewal committees, the register, the list of candidates declared apt to be appointed as commissioners to the Régie, as well as any information or document related to a consultation or decision by a committee, are confidential.

Notwithstanding the foregoing, a commissioner whose term of office is not renewed may consult the recommendation of the renewal committee concerning him.

35. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 488-2017, 16 May 2017

An Act respecting deposits with the Bureau général de dépôts pour le Québec (chapter D-5.1)

Various regulatory provisions — Amendment to ensure consistency with the Act

CONCERNING the Regulation to amend various regulatory provisions to ensure consistency with the Act respecting deposits with the Bureau général de dépôts pour le Québec

WHEREAS section 46 of the Act respecting deposits with the Bureau général de dépôts pour le Québec (chapter D-5.1) provides that the Government may, by a regulation made before 18 May 2017, amend any regulation in order to make it consistent with this Act and to modernize the form and the administration of the securities required by departments and public bodies.

WHEREAS in accordance with sections 10 to 13 of the Regulations Act (chapter R-18.1), the Regulation to amend various regulatory provisions to ensure consistency with the Act respecting deposits with the Bureau général de dépôts pour le Québec was published in Part 2 of the *Gazette officielle du Québec* of 29 March 2017, with a notice that it could be made by the Gouvernement upon the expiry of 15 days following that publication;

WHEREAS 15 day-period has expired;

WHEREAS it is expedient to make this regulation without amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Finances:

THAT the Regulation to amend various regulatory provisions to ensure consistency with the Act respecting deposits with the Bureau général de dépôts pour le Québec, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend various regulatory provisions to ensure consistency with the Act respecting deposits with the Bureau général de dépôts pour le Québec

An Act respecting deposits with the Bureau général de dépôts pour le Québec
(chapter D-5.1, s. 46)

REGULATION RESPECTING THE PROFESSIONAL QUALIFICATION OF CONTRACTORS AND OWNER-BUILDERS

1. The Regulation respecting the professional qualification of contractors and owner-builders (chapter B-1.1, r. 9) is amended in section 39 by replacing “Minister of Finance who receives it on deposit under the Act respecting deposits with the Bureau général de dépôts pour le Québec (chapter D-5.1)” in the second paragraph by “Bureau général de dépôts pour le Québec who keeps it”.

2. Section 43 is amended by replacing the words “Minister of Finance” wherever they appear by the words “Bureau général de dépôts pour le Québec”.

REGULATION RESPECTING THE APPLICATION OF THE ACT RESPECTING PRIVATE EDUCATION

3. The Regulation respecting the application of the Act respecting private education (chapter E-9.1, r. 1) is amended in section 11

(1) by replacing “evidence of indebtedness payable to the bearer” and “5” in paragraph 2 by “debt security” and “2”, respectively;

(2) by replacing “savings and credit union” in paragraph 3 by “financial services cooperative”.

4. Section 12 is amended by replacing, in the second paragraph, “savings and credit union shall be forwarded to the Minister of Finance, who shall hold it in trust” in the second paragraph by “financial services cooperative shall be sent to the Bureau général de dépôts pour le Québec. It is held on deposit”.

5. Section 14 is amended

(1) by replacing “Minister of Finance” in paragraph 2 by “Bureau général de dépôts pour le Québec”;

(2) by replacing “savings and credit union, the Minister shall ask the Minister of Finance” in paragraph 3 by “financial services cooperative, the Minister shall ask the Bureau général de dépôts pour le Québec”.

RULES RESPECTING AMUSEMENT MACHINES

6. The Rules respecting amusement machines (chapter L-6, r. 2) are amended in section 6 by adding the following paragraph at the end:

“Security in the form of money is deposited by the Board with the Bureau général de dépôts pour le Québec.”.

RULES RESPECTING PUBLICITY CONTESTS

7. The Rules respecting publicity contests (chapter L 6, r. 6) are amended in section 9 by adding the following paragraph at the end:

“Security in the form of money is deposited by the Board with the Bureau général de dépôts pour le Québec.”.

LOTTERY SCHEME RULES

8. The Lottery Scheme Rules (chapter L-6, r. 12) are amended in section 15 by adding the following paragraph:

“Security in the form of money is deposited by the Board with the Bureau général de dépôts pour le Québec.”.

REGULATION RESPECTING MINERAL SUBSTANCES OTHER THAN PETROLEUM, NATURAL GAS AND BRINE

9. The Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2) is amended by replacing section 117 by the following:

“**117.** The guarantees referred to in subparagraphs 1 to 3 of the first paragraph of section 115 are deposited with the Bureau général de dépôts pour le Québec.”

TERMS AND CONDITIONS FOR THE SIGNING OF CERTAIN DEEDS, DOCUMENTS AND WRITINGS OF THE MINISTÈRE DES FINANCES

10. The Terms and conditions for the signing of certain deeds, documents and writings of the Ministère des Finances (chapter M-24.01, r. 3) are amended in section 6

(1) by striking out “receipts and” in subparagraph 5 of the first paragraph;

(2) by replacing “des dépôts et consignation” in the fourth paragraph by “général de dépôts pour le Québec”.

REGULATION RESPECTING PERMITS AND CERTIFICATES FOR THE SALE AND USE OF PESTICIDES

11. The Regulation respecting permits and certificates for the sale and use of pesticides (chapter P 9.3, r. 2) is amended in section 30 by striking out “bearer” in paragraph 2.

12. Section 31 is amended by replacing “deposited with the Minister of Finance” by “deposited with the Bureau général de dépôts pour le Québec”.

REGULATION RESPECTING THE APPLICATION OF THE CONSUMER PROTECTION ACT

13. The Regulation respecting the application of the Consumer Protection Act (chapter P 40.1, r. 3) is amended in section 110 by striking out “bearer” in subparagraph d of the first paragraph.

14. Section 119 is amended

(1) by replacing “section 112” in the first paragraph by “subparagraphs *a* and *b* of the first paragraph of section 110”;

(2) by replacing “Minister of Finance who shall hold it in trust” in the second paragraph by “Bureau général de dépôts pour le Québec. It is held on deposit”.

15. Section 121.2 is amended by replacing the words “Minister of Finance” wherever they appear by the words “Bureau général de dépôts pour le Québec”.

PRESERVATION OF AGRICULTURAL LAND AND AGRICULTURAL ACTIVITIES REGULATION

16. The Preservation of Agricultural Land and Agricultural Activities Regulation (P-41.1, r. 1) is amended in section 12

(1) by striking out “bearer” in paragraph 1;

(2) by adding the following paragraph at the end:

“Security referred to in subparagraphs 1 and 4 of the first paragraph are deposited by the Board with the Bureau général de dépôts pour le Québec.”

REGULATION RESPECTING THE BURIAL OF CONTAMINATED SOILS

17. The Regulation respecting the burial of contaminated soils (chapter Q-2, r. 18) is amended in section 51

(1) by striking out “bearer” in paragraph 2;

(2) by replacing “savings and credit union” in paragraph 4 by “financial services cooperative”.

18. Section 52 is amended by replacing “deposited with the Minister of Finance, pursuant to the Act respecting deposits with the Bureau général de dépôts pour le Québec (chapter D-5.1)” by “deposited with the Bureau général de dépôts pour le Québec”.

REGULATION RESPECTING THE LANDFILLING AND INCINERATION OF RESIDUAL MATERIALS

19. The Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19) is amended in section 141 by striking out “bearer” in paragraph 2.

20. Section 142 is amended by replacing “deposited with the Minister of Finance pursuant to the Act respecting deposits with the Bureau général de dépôts pour le Québec (chapter D-5.1)” by “deposited with the Bureau général de dépôts pour le Québec”.

REGULATION RESPECTING FINANCIAL
GUARANTEES PAYABLE FOR THE OPERATION
OF A RESIDUAL ORGANIC MATERIALS
RECLAMATION FACILITY

21. The Regulation respecting financial guarantees payable for the operation of a residual organic materials reclamation facility (chapter Q-2, r. 28.1) is amended in section 9 by replacing “deposited pursuant to the Act respecting deposits with the Bureau général de dépôts pour le Québec (chapter D-5.1)” by “deposited with the Bureau général de dépôts pour le Québec”.

REGULATION RESPECTING
HAZARDOUS MATERIALS

22. The Regulation respecting hazardous materials (chapter Q-2, r. 32) is amended in section 121 by striking out “bearer” in paragraph 2.

23. Section 122 is amended by replacing “deposited with the Minister of Finance” by “deposited with the Bureau général de dépôts pour le Québec”.

REGULATION RESPECTING CONTAMINATED
SOIL STORAGE AND CONTAMINATED SOIL
TRANSFER STATIONS

24. The Regulation respecting contaminated soil storage and contaminated soil transfer stations (chapter Q-2, r. 46) is amended in section 64 by striking out “bearer” in subparagraph 2 of the first paragraph.

25. Section 65 is amended by replacing “deposited with the Minister of Finance pursuant to the Act respecting deposits with the Bureau général de dépôts pour le Québec (chapter D-5.1)” by “deposited with the Bureau général de dépôts pour le Québec”.

REGULATION RESPECTING A CAP-AND-TRADE
SYSTEM FOR GREENHOUSE GAS EMISSION
ALLOWANCES

26. The Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1) is amended in section 48 by striking out the third paragraph.

REGULATION RESPECTING THE APPLICATION
OF THE ACT RESPECTING THE COLLECTION
OF CERTAIN DEBTS

27. The Regulation respecting the application of the Act respecting the collection of certain debts (chapter R-2.2, r. 1) is amended in section 16 by striking out “bearer” in paragraph d.

28. Section 25 is amended by replacing “Minister of Finance who holds it in trust” in the second paragraph by “Bureau général de dépôts pour le Québec. It is deposited”.

29. Section 27 is amended by replacing the words “Minister of Finance” wherever they appear by the words “Bureau général de dépôts pour le Québec”.

30. Section 41 is amended by replacing “Minister of Finance who keeps them in accordance with the Act respecting deposits with the Bureau général de dépôts pour le Québec (chapter D 5.1)” by “Bureau général de dépôts pour le Québec”.

REGULATION RESPECTING COMBAT
SPORTS LICENSING

31. The Regulation respecting combat sports licensing (chapter S-3.1, r. 7) is amended in the first paragraph of section 42

(1) by inserting “transfer,” after the first “by” in subparagraph 1;

(2) by striking out subparagraph 2.

32. Section 44 is replaced by the following:

“44. The deposit is deposited by the board in a trust account registered in its name with a financial institution to be disposed of in accordance with this Regulation.”.

33. Section 45 is amended by replacing “or by postal money order” by “, postal money order or by transfer”.

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