

## Regulations and other Acts

Gouvernement du Québec

### O.C. 559-2017, 14 June 2017

An Act respecting the Société d'habitation du Québec (chapter S-8)

#### Conditions for the leasing of dwellings in low-rental housing in Nunavik — Amendment

By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik

WHEREAS, under subparagraph *g* of the first paragraph of section 86 of the Act respecting the Société d'habitation du Québec (chapter S-8), the Société d'habitation du Québec may notably, by by-law, establish the conditions upon which leases may be taken or granted by a municipality, a bureau or by any organization or person who obtains a loan, subsidy or allowance for the carrying out of a housing program;

WHEREAS, under the second paragraph of section 86 of the Act, by-laws relating notably to matters referred to in subparagraph *g* of the first paragraph of section 86 may, subject to the Charter of human rights and freedoms (chapter C-12) and the Canadian Charter of Rights and Freedoms (Part I of Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom), include distinctions, exclusions or preferences based on age, handicap or any element pertaining to the situation of a person;

WHEREAS the board of directors of the Société d'habitation du Québec adopted the draft By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik by resolution 2017-025 dated 30 march 2017;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik was published in Part 2 of the *Gazette officielle du Québec* of 20 April 2017 with a notice that it may be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Société did not receive any comments on the draft By-law;

WHEREAS, under section 87 of the Act respecting the Société d'habitation du Québec, the by-laws of the Société are subject to approval by the Government and come into force on the date of their publication in the *Gazette officielle du Québec* or on such later date as is determined therein;

WHEREAS it is expedient to approve the By-law with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Land Occupancy and the Minister responsible for Native Affairs:

THAT the By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

#### By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik

An Act respecting the Société d'habitation du Québec (chapter S-8, s. 86, 1st par., subpar. *g*, and 2nd par.)

**1.** The By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik (chapter S-8, r. 4) is amended by replacing the heading of Division II by the following:

“MONTHLY RENT, MAXIMUM RENT AND MINIMUM RENT”.

**2.** Section 2 is replaced by the following:

“**2.** The monthly rent is the maximum rent established in accordance with Schedule I. A lessee may request the lessor to establish the monthly rent on the basis of his or her income, in accordance with Division III.

The monthly rent must not be less than a minimum rent of \$100.

The lessee must give the lessor the documents required in support of his or her request.”

**3.** Section 3 is amended by replacing the first paragraph by the following:

“3. The monthly rent is adjusted on 1 July of each year.”

**4.** Section 4 is amended

(1) by replacing the first paragraph by the following:

“4. The minimum rent is adjusted on 1 July of each year as of 1 July 2017 according to the rate of change in the general Consumer Price Index for Québec, as determined by Statistics Canada under the Statistics Act (R.S.C. 1985, c. S-19), calculated on the basis of the average of the indices for the 12 months of the preceding year.”;

(2) by adding “or its mandatary” after “Société d’habitation du Québec” in the third paragraph.

**5.** Section 5 is amended

(1) by replacing “\$5,000” in subparagraph 3 of the first paragraph by “\$6,221”;

(2) by replacing subparagraph 4 of the first paragraph by the following:

“(4) “D” is the total of the following amounts:

(a) 50% of  $[A - (B + C)]$  for the portion of  $[A - (B + C)]$  that is less than \$24,194;

(b) 40% of  $[A - (B + C)]$  for the portion of  $[A - (B + C)]$  that is equal to or greater than \$24,194 but less than \$48,388;

(c) 20% of  $[A - (B + C)]$  for the portion of  $[A - (B + C)]$  that is equal to or greater than \$48,388.”;

(3) by adding, at the end, the following paragraph:

“The amounts mentioned in this section are adjusted in accordance with the first paragraph of section 4.”

**6.** Section 6 is amended by replacing subparagraph 3 by the following:

“(3) a rent of \$100, plus 2.4% of the income in excess of the first \$30,000 of income resulting from the application of the formula  $[A - (B + C)]$  whose parameters are defined in section 5. The amount of \$30,000 is adjusted in accordance with the first paragraph of section 4.”

**7.** Section 7 is replaced by the following:

“7. As of 1 July 2016 and up to 1 July 2019, the maximum rent corresponds to the maximum rent of the preceding year increased by 6%. It is increased by 8% per year for subsequent years.

The amount of the rent thus increased is reduced to the nearest dollar if it contains a fraction of a dollar less than \$0.50; it is increased to the nearest dollar if it contains a fraction of a dollar equal to or greater than \$0.50.”

**8.** Section 8 is replaced by the following:

“8. The monthly rent of lessees is adjusted not later than (*insert the date occurring 120 days after the coming into force of this Regulation*), in accordance with section 2.

If the rent thus adjusted is lower than the monthly rent paid by a lessee since 1 July 2016, the sums of the overpayment since that time are reimbursed to the lessee after the lessor has recovered by compensation the balance of any unpaid rent.

If the rent thus adjusted is greater than the monthly rent paid by a lessee since 1 July 2016, the increase has effect only from the date of the next renewal of the lease.”

**9.** Schedule I is replaced by the following:

“**SCHEDULE I**  
(ss. 2 and 6)

**Maximum Rent**

DWELLINGS AND TYPES	MAXIMUM RENT (as of 1 July 2016)			
	Recipient of last resort financial assistance		Other	
	With freeze in 2014 *	Without freeze	With freeze in 2014 *	Without freeze
Studio 1 bedroom	\$266	\$287	\$383	\$413
Large studio	\$284	\$306	\$383	\$413
2 bedrooms				
Type R	\$413	\$446	\$513	\$554
Type M or U	\$374	\$404	\$513	\$554
Type J	\$413	\$446	\$560	\$604

DWELLINGS AND TYPES	MAXIMUM RENT (as of 1 July 2016)			
	Recipient of last resort financial assistance		Other	
	With freeze in 2014 *	Without freeze	With freeze in 2014 *	Without freeze
3 bedrooms				
Type R	\$430	\$464	\$584	\$631
Type U	\$430	\$464	\$647	\$699
4 bedrooms				
Type R	\$446	\$482	\$664	\$717
Type J	\$446	\$482	\$732	\$791
5 bedrooms	\$467	\$505	\$818	\$884
6 bedrooms	\$529	\$571	\$901	\$973

\* In this Schedule, "freeze in 2014" means the absence of increase in the maximum rent of certain lessees as of 1 July 2014, under the By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik, approved by Order in Council 1027-2014 dated 26 november 2014."

**10.** Schedule II is revoked.

**11.** 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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**M.O., 2017-06**

**Order number I-14.01-2017-06 of the Minister of Finance dated 15 June 2017**

Derivatives Act  
(chapter I-14.01)

CONCERNING the Regulation 94-102 respecting derivatives customer clearing and protection of customer collateral and positions and the Regulation to amend Regulation 91-506 respecting derivatives determination

WHEREAS subparagraphs 2, 3, 7, 9, 11, 12, 26, 27 and 29 of section 175 of par. 1 and section 177 of the Derivatives Act (chapter I-14.01) stipulates that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the fourth and fifth paragraphs of section 175 of the said Act stipulate that a draft regulation shall be published in the *Bulletin de l'Autorité des marchés financiers*, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the second and sixth paragraphs of the said section stipulate that every regulation made under section 175 must be submitted to the Minister of Finance for approval with or without amendment and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;

WHEREAS the draft Regulation 94-102 respecting derivatives customer clearing and protection of customer collateral and positions was published in the *Bulletin de l'Autorité des marchés financiers*, volume 13, no. 3 of January 21, 2016;

WHEREAS the Regulation 91-506 respecting derivatives determination have been approved by ministerial order no. 2013-21 dated December 6, 2013 (2013, *G.O.* 2, 3631);

WHEREAS there is cause to amend this regulation;

WHEREAS the draft Regulation 91-506 respecting derivatives determination was published in the *Bulletin de l'Autorité des marchés financiers*, volume 13, no. 3 of January 21, 2016;

WHEREAS the Authority made, on May 24, 2017, by the decision no. 2017-PDG-0073, Regulation 94-102 respecting derivatives customer clearing and protection of customer collateral and positions and by the decision no. 2017-PDG-0074, Regulation to amend Regulation 91-506 respecting derivatives determination;

WHEREAS there is cause to approve those regulations without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment Regulation 94-102 respecting derivatives customer clearing and protection of customer collateral and positions and Regulation to amend Regulation 91-506 respecting derivatives determination appended hereto.

June 15, 2017

CARLOS LEITÃO,  
*Minister of Finance*