

Draft Regulation

Transport Act
(chapter T-12)

Brokerage of bulk trucking services — 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 brokerage of bulk trucking services, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes permanent the regulation of the brokerage of bulk trucking services. It provides for a fixed term for all permits. It also provides for a process for the renewal of permits. Lastly, it makes compulsory the annual filing of audited financial statements with the Commission des transports du Québec.

The amendments provided in the draft Regulation have little impact on enterprises since they do not create new significant requirements or change the structure and adjustment mechanism of fees. The amendments do not involve major administrative burden for brokerage permit holders.

Further information may be obtained by contacting Dave Henry, Director for economic policies, Direction générale du transport routier des marchandises, 700, boulevard René-Lévesque Est, 2^e étage, Québec (Québec) G1R 5H1; telephone: 418 643-6937, extension 22351; email: dave.henry@transports.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, Sustainable Mobility and Transport Electrification, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

ANDRÉ FORTIN,
*Minister of Transport, Sustainable Mobility
and Transport Electrification*

Regulation to amend the Regulation respecting the brokerage of bulk trucking services

Transport Act
(chapter T-12, s. 5)

1. The Regulation respecting the brokerage of bulk trucking services (chapter T-12, r. 4) is amended in section 5 by striking out the third paragraph.

2. Section 8 is replaced by the following:

“**8.** A brokerage permit may be renewed in accordance with section 37.3 of the Transport Act (chapter T-12).

A brokerage permit holder applying for renewal must comply with the conditions set out in subparagraph 1 and subparagraph *a* of subparagraph 2 of the first paragraph of section 5.

The permit holder must also submit to the Commission for approval any amendment to the by-laws referred to in section 8 of the Transport Act (chapter T-12), particularly those respecting disciplinary provisions, a description of the brokerage director’s duties and brokerage fees and the documents required under subparagraph *c* of subparagraph 2 of the first paragraph of section 5 allowing to ascertain compliance with the requirements of section 47.13.1 of the Transport Act.”

3. Section 9 is replaced by the following:

“**9.** The brokerage permit is issued for a period of 3 years. It expires on 31 March of the third year.”

4. Section 14 is amended by striking out “the first paragraph of” in subparagraph 6 of the first paragraph.

5. Section 17.2 is replaced by the following:

“**17.2.** Despite section 17, the operator may cancel the brokerage contract within 120 days following the coming into force of a by-law for which the brokerage permit holder obtained the approval provided for in section 8 of the Transport Act (chapter T-12) and that provides that all the permit holder’s by-laws in force concerning transport brokerage services under government contracts, and only those by-laws, also apply to contracts other than government contracts to which the permit holder is a party.”

6. The following is inserted after section 24:

“**24.1.** A brokerage permit holder must send to the Commission, before 31 March, audited financial statements for the preceding fiscal year ending on 31 December.

The financial statements must mention the auditing of the trust accounts and the compliance of the permit holder’s books, registers and accounts with this Regulation.”.

7. Sections 34 to 37.2 are revoked.

8. The following is inserted after section 33.1:

“**33.2.** All brokerage permits in force on 1 January 2018 expire on 31 March 2018.”.

9. Schedule 1 is amended by replacing the fifth and sixth paragraphs of part 1.1 by the following:

“The operator may cancel the brokerage contract within 120 days following the coming into force of a by-law for which the brokerage permit holder obtained the approval provided for in section 8 of the Transport Act and that provides that all the permit holder’s by-laws in force concerning transport brokerage services under government contracts, and only those by-laws, also apply to contracts other than government contracts to which the permit holder is a party.”.

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