

Regulations and other Acts

Gouvernement du Québec

O.C. 927-2021, 30 June 2021

Transport Act
(chapter T-12)

Brokerage of bulk trucking services — Amendment

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

WHEREAS, under paragraph *o* of section 5 of the Transport Act (chapter T-12), the Government may, by regulation, determine the duties, powers, rights and obligations of holders of brokerage permits and of operators registered in the register in relation to brokerage service;

WHEREAS, under paragraph *o.2* of section 5 of the Act, the Government may, by regulation, prescribe administrative, financing and management standards applicable to brokerage companies, especially with respect to the compulsory content of their by-laws, the production of budget estimates and audited financial statements and the qualifications required to hold the office of director;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the brokerage of bulk trucking services was published in Part 2 of the *Gazette officielle du Québec* of 3 February 2021 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 with amendments;

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

THAT the Regulation to amend the Regulation respecting the brokerage of bulk trucking services, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

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

Transport Act
(chapter T-12, s. 5, pars. *o* and *o.2*)

1. The Regulation respecting the brokerage of bulk trucking services (chapter T-12, r. 4) is amended by replacing section 24.1 by the following:

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

2. The following is inserted after section 24.1:

“**24.2.** At the Commission’s request, a brokerage permit holder must give to a member of the Ordre des comptables professionnels agréés du Québec holding the appropriate permit a mandate of reasonable assurance on the compliance of the management of the amounts with the requirements of sections 27 to 33 of this Regulation in the last completed fiscal year.

If a pay advance system has been set up by the permit holder in accordance with section 33.01, the mandate provided for in the first paragraph must also cover the compliance of the management of the system with the regulation authorizing its setting up.

The report produced at the end of the mandate referred to in the first paragraph must be sent to the Commission within the period indicated by the Commission, which may not be less than 60 days following the date of the request.”

3. The heading of subdivision 2 of Division IV is amended by replacing “permit holders” by “subscribers”.

4. Section 29 is amended by adding “or to a financial institution to whom the subscriber consented in writing to an assignment of that claim” at the end of paragraph 1.

5. Section 31 is amended by adding the following paragraph at the end:

“The same applies to a payment made to a financial institution in accordance with paragraph 1 of section 29.”

6. Section 33 is amended by replacing paragraph 2 by the following:

“(2) a permanent accounting register stating separately, for each subscriber for whom an amount has been collected under section 42.1 of the Transport Act (chapter T-12),

(a) the date on which and the place where the service was provided;

(b) the identification of the contract under which the service was provided;

(c) the registration of the truck with which the service was provided;

(d) the name of the person to whom the service was provided;

(e) the amount claimed in the name of the subscriber for that service;

(f) any amount received or disbursed;

(g) any outstanding balance;”.

7. The following is added after section 33:

“**33.01.** A brokerage permit holder may, by regulation, set up a pay advance system.

The regulation must allow subscribers to choose whether or not to use such a system, and preserve equity between all subscribers. It is submitted to the approval procedure provided for in section 8 of the Transport Act (chapter T-12).”.

33.02. Brokerage permit holders must keep in their establishment the information and documents referred to in section 33 for 3 years and make them available to the Commission, at the Commission’s request.”.

8. 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. 1047-2021, 7 July 2021

Police Act
(chapter P-13.1)

Police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction
— Amendment

Regulation to amend the Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction

WHEREAS the second paragraph of section 81 of the Police Act (chapter P-13.1) provides in particular that a regulation made by the Government determines the police services each category of municipality must provide, in conformity with the levels established in section 70 of the Act;

WHEREAS the Government made the Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction (chapter P-13.1, r. 6);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction was published in Part 2 of the *Gazette officielle du Québec* of 24 March 2021 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 amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif