
NATIONAL ASSEMBLY

THIRTY-SECOND LEGISLATURE

FOURTH SESSION

Bill 22

**An Act to amend the Act respecting
assistance for tourist development**

First reading



Introduced by
Mr Rodrigue Biron
Minister of Industry, Commerce and Tourism

EXPLANATORY NOTES

The object of this bill is to make financial assistance under the Act more widely available, notably by increasing the number of credit institutions qualified to make loans.

The bill authorizes the granting of financial assistance for a tourist project regardless of the recipient businesses' main activity. Moreover, the geographic location of a business will no longer be a factor in determining the priority of its application for assistance.

New forms of financial assistance to businesses are also provided for in the bill, such as grants, partial exemption from repayment of loans granted by the SDI (the Corporation), and the acquisition by the Corporation of shares of an incorporated business engaged in a tourist project.

The final object of the bill is to provide for more efficient administration of the Act. Thus, it provides that applications for financial assistance are to be sent to the regional office of the Corporation, and it spells out the role of the Minister and the Corporation, respectively, in examining applications and granting financial assistance.

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 1 of the Act respecting assistance for tourist development (R.S.Q., chapter A-13.1) is amended by replacing the definition of the word “lender” by the following definition:

“**lender**” means a bank subject to the Bank Act (Statutes of Canada 1980-81, chapter 40) or the Québec Savings Banks Act (Revised Statutes of Canada 1970, chapter B-4), a savings and credit union governed by the Savings and Credit Unions Act (R.S.Q., chapter C-4) and any other corporation qualified to grant loans and that the Minister recognizes as a credit institution for the purposes of this Act;”.

2. Section 3 of the said Act is replaced by the following section:

“**3.** Financial assistance for purposes contemplated in section 5 may be granted to any business that presents a tourist project of a class established by regulation.

Financial assistance for purposes contemplated in paragraph *d* of section 5 may be granted to any business whose activities correspond to one of the classes of tourist projects established by regulation.”

3. Section 4 of the said Act is repealed.

4. Section 5 of the said Act is amended

(1) by replacing paragraphs *a* and *b* by the following paragraphs:

“(a) the purchase, construction, renovation, improvement, expansion or equipping of immovable property connected with the tourist project;

“(b) the purchase, installation, renovation or improvement of furnishings, equipment, machinery or tools connected with the tourist project;”;

(2) by replacing paragraphs *d* and *e* by the following paragraph:

“(d) the improvement or consolidation of the financial structure of the business.”

5. Section 6 of the said Act is amended by adding, after paragraph *c*, the following paragraphs:

“(d) a grant;

“(e) a partial exemption from repayment of a loan granted by the Corporation;

“(f) an acquisition, by the Corporation, of shares of an incorporated business provided that the Corporation does not at any time hold a majority of shares; or

“(g) any other form of assistance defined by regulation.”

6. Section 8 of the said Act is replaced by the following section:

“**8.** Every person who wishes to receive financial assistance must apply therefor to the Corporation in the form prescribed by the Minister. Such application must be accompanied with the documents and contain the information determined by the Minister.”

7. Section 9 of the said Act is replaced by the following section:

“**9.** The Corporation shall forward the application to the Minister.

The Minister, in accordance with this Act and the regulations, shall determine the eligibility of the tourist project contained in the application, after assessing its relevance.

The Minister, in accordance with this Act and the regulations, shall determine the eligibility of a business for financial assistance provided for in the second paragraph of section 3.

The Minister shall transmit to the Corporation the results of his analysis and, where such is the case, his assessment.”

8. Section 10 of the said Act is replaced by the following section:

“**10.** The Corporation, after having ascertained that the business applying for financial assistance has financial prospects allowing it to meet its commitments and that its administrators have the competence required to achieve its objects and, where such is the case, after having verified the financial viability of the tourist project, shall determine the financial assistance it intends to grant to the business.”

9. Section 11 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**11.** However, financial assistance contemplated in paragraphs *c*, *d* and *e* of section 6 is granted only on the decision of the Minister with the prior authorization of the Government and upon the conditions determined by it.”

10. Section 12 of the said Act is amended by adding, after the first paragraph, the following paragraph:

“In case of refusal, the Corporation shall notify the applicant.”

11. Section 37 of the said Act is amended

(1) by replacing subparagraph *a* by the following subparagraph:

“(a) establish the classes of tourist projects eligible for financial assistance on the conditions and in the cases or circumstances that it determines;”;

(2) by replacing subparagraphs *c* to *g* by the following subparagraphs:

“(c) define any other form of financial assistance than that provided for in paragraphs *a* to *f* of section 6;

“(c.1) establish the conditions applicable to businesses or tourist projects to determine whether they are eligible for financial assistance;

“(d) determine the classes of tourist projects in respect of which financial assistance is granted by preference or priority;

“(e) determine the criteria to be used as guidelines in the assessment of the relevance of a tourist project;

“(f) exclude from the application of this Act any class of tourist projects for the whole or part of a territory;

“(g) determine the standards that tourist projects must meet to be eligible for the assistance provided for in paragraphs *d* and *e* of sec-

tion 6 and the minimal conditions according to which financial assistance may be granted;

“(g.1) determine the cases and conditions in which the Minister may grant financial assistance contemplated in section 11 without the prior authorization of the Government.”

12. This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

13. This Act will come into force on a date that will be fixed by proclamation of the Government.