

NATIONAL ASSEMBLY
Thirty-second Legislature, fourth session

1983, chapter 25

AN ACT TO AMEND THE ACT RESPECTING ASSISTANCE FOR TOURIST DEVELOPMENT

Bill 22

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

First reading: 25 May 1983

Second reading: 16 June 1983

Third reading: 22 June 1983

Assented to: 22 June 1983

Coming into force: by proclamation of the Government

— 15 September 1983: ss. 1 to 13

G.O., 1983, Part 2, p. 3417

Act amended:

Act respecting assistance for tourist development (R.S.Q., chapter A-13.1)



CHAPTER 25

An Act to amend the Act respecting
assistance for tourist development

[Assented to 22 June 1983]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

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

“lender” **“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;”.

c. A-13.1, s.
3, replaced **2.** Section 3 of the said Act is replaced by the following section:

Eligible
business **“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.

Eligible
business 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.”

c. A-13.1, s.
4, repealed **3.** Section 4 of the said Act is repealed.

c. A-13.1, s.
5, am. **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.”

c. A-13.1, s. 6, am. **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.”

c. A-13.1, s. 8, replaced **6.** Section 8 of the said Act is replaced by the following section:

Application **“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.”

c. A-13.1, s. 9, replaced **7.** Section 9 of the said Act is replaced by the following section:

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

Assessment 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.

Eligibility 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.

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

c. A-13.1, s. 10, replaced **8.** Section 10 of the said Act is replaced by the following section:

Examination
by the
corporation

“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.”

c. A-13.1, s.
11, am.

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

Authoriza-
tion of the
Government

“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.”

c. A-13.1, s.
12, am.

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

Refusal

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

c. A-13.1, s.
37, am.

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*, *e* and *f* of

section 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;”.

Exception

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).

Coming into force

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