

Bill 75

**An Act respecting certain powers of
inspection and seizure**

Section 2

AMENDMENT:

Replace "A person authorized" in section 2 by "An advocate authorized".

Adopté
CG

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Section 3

AMENDMENT:

(1) Replace the first paragraph by:

3. A commissioner may authorize a person in writing to enter a place at any reasonable hour to inspect it, with the occupant's consent, if the commissioner considers that the inspection will assist the Commission in carrying out its mandate.

(2) Replace the introductory clause of the second paragraph by:

During the inspection, the authorized person may, with the occupant's consent,

(3) Replace "request" in subparagraph 2 of the second paragraph by "obtain".

Adopté
CD

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Section 4

AMENDMENT:

- (1) Replace “A person authorized” in the first paragraph by “An advocate or peace officer authorized”.
- (2) Strike out “, if entry into the place for inspection purposes has been denied or for any other reasonable cause” at the end of the first paragraph.
- (3) Add “and for believing that consent to the inspection of the place has been denied or entry into the place without prior notice is necessary” at the end of the second paragraph.

Adopté
CO

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Section 7

AMENDMENT:

- (1) Strike out paragraph 4.
- (2) Replaced “concerned” in paragraph 5 by “from whom the thing or document has been seized”.

Adopté
C6

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Section 9

AMENDMENT:

Insert the following paragraph after the first paragraph:

Under exceptional circumstances, the Commission may keep the originals of the seized things or documents for a reasonable period of time if required for the carrying out of its work.

Adopté
Co

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Section 12

AMENDMENT:

Replace section 12 by:

12. The authorization required to act under sections 2, 3 and 4 must be obtained each time powers set out in those sections are to be exercised.

Adopté
CO

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Sections 13.1, 13.2 and 13.3

AMENDMENT:

Insert after section 13:

TAX ADMINISTRATION ACT

13.1. Section 69.1 of the Tax Administration Act (R.S.Q., chapter A-6.002) is amended by adding the following subparagraph after subparagraph z of the second paragraph:

“(z.1) the Commission of Inquiry on the Awarding and Management of Public Contracts in the Construction Industry, established by Order in Council 1119-2011 dated 9 November 2011, for the carrying out of the Commission’s mandate.”

13.2. Section 69.3 of the Act is amended by replacing “section 69.1 or 69.2” in the first paragraph by “section 69.1, except subparagraph z.1 of the second paragraph, or section 69.2”.

13.3. Section 69.8 of the Act is amended by replacing “x and y” in the portion of the first paragraph before subparagraph a by “x, y and z.1”.

Adopte
CO

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Title

AMENDMENT:

Replace the title by “An Act to confer certain powers of inspection and seizure on the Commission of Inquiry on the Awarding and Management of Public Contracts in the Construction Industry”.

Adopté
CO