

## R.S.Q., chapter C-18

# AN ACT RESPECTING THE CINEMA

*Chapter C-18 is replaced by the Cinema Act (chapter C-18.1). (1983, c. 37, s. 194).*

### CHAPTER I DEFINITIONS

**1.** In this act and in the regulations, unless the context requires a different meaning,

(a) “Cinémathèque nationale” means the Cinémathèque nationale du Québec constituted by this act;

(b) “director” means the director of the Service d'information et de classification des films;

(c) “Québec film” means a cinematographic or audiovisual work recognized by the Institut, by virtue of section 52, as being a Québec film, in such measure as provided in that section;

(d) “Institut” means the Institut québécois du cinéma established by this act;

(e) “Minister” means the Minister of Cultural Affairs;

(f) “public agency” means any school corporation or any agency to which the Government or a minister appoints the majority of the members, any agency to which, by law, the officers or employees are appointed or remunerated in accordance with the Public Service Act (chapter F-3.1.1), and any agency which derives more than one-half of its resources from the consolidated revenue fund;

(g) “regulations” means the regulations made by the Government by virtue of this act.

1975, c. 14, s. 1; 1977, c. 5, s. 14; 1978, c. 15, s. 140; 1983, c. 55, s. 161.

## **CHAPTER II**

### **POLICY ON THE CINEMA**

**2.** The Minister shall devise policy on the cinema and propose it to the Government; he shall implement such policy, and oversee the application and coordinate the execution of it.

The Minister shall promote the Québec film industry. The Institut québécois du cinéma shall pursue the same objective, within the scope of the agreements it makes with the Minister.

1975, c. 14, s. 2; 1977, c. 5, s. 14.

**3.** The policy of Québec on the cinema must foster the achievement of the following objectives:

(a) the establishment and development of the artistic, industrial and commercial organizational basis of a film industry that will reflect and develop the distinctive culture of the people of Québec;

(b) the development of a Québec cinema of the first rank and the flourishing of cinematographic culture in every part of Québec;

(c) freedom of creation and expression;

(d) freedom of choice for the viewing public;

(e) the establishment and development of independent and financially autonomous Québec firms in the film industry;

(f) the development of children's cinema and the development of short film subjects.

1975, c. 14, s. 3.

## **CHAPTER III**

### **DUTIES OF THE MINISTER AND OF THE GOVERNMENT**

#### **DIVISION I**

##### **WORK ON GOVERNMENT COMMISSION**

**4.** The Minister is entrusted with coordinating the production, acquisition, lending, leasing and selling of cinematographic and audiovisual works commissioned or produced by the departments of the Government and the public agencies, while seeing that the exercise of government purchasing power in this field conforms to the objectives set out in section 3.

1975, c. 14, s. 4; 1977, c. 5, s. 14.

**5.** The Minister shall see to the preservation and classification of cinematographic and audiovisual works commissioned or produced by the government departments and public agencies; he shall also see that the distribution of such works is ensured and that the public has ready access to them.

1975, c. 14, s. 5.

## **DIVISION II**

### **GOVERNMENT PROMOTION OF THE QUÉBEC CINEMA**

**6.** The Minister shall see to the promotion of the Québec cinema and coordinate its representation at film festivals and other such exhibitions.

1975, c. 14, s. 6.

**7.** The Minister shall foster the opening up of new markets for Québec film and audiovisual productions and the development of existing markets, particularly the television market.

1975, c. 14, s. 7.

**8.** The Government, if it considers that suitable market outlets for Québec films are unduly restricted in Québec, may, by regulation, require the owners and operators of moving picture theatres and outdoor theatres to include Québec films in their programming, in such proportion and at such time as it indicates.

That proportion may vary depending on the region or locality, the audience, and the class of the film, moving picture theatre or outdoor theatre concerned.

The Institut shall establish, without the intervention of any court, the losses or revenue incurred by owners and operators as a direct result of the application of this section, and compensate them from the fund entrusted to it by the Government.

1975, c. 14, s. 8; 1977, c. 5, s. 14.

**9.** The Government may, by regulation, oblige any person whose activities are related to the cinema in Québec to give the Minister any information he may request regarding the cost of distribution rights on a film, the cost of a lease, the amounts collected as the price of admittance to a moving picture theatre or outdoor theatre, and any information that may be required under the Act respecting the Bureau de la statistique (chapter B-8).

1975, c. 14, s. 9.

**10.** The officers of the Ministère des Affaires culturelles are, with regard to information contemplated in section 9, bound, in so far as it may apply, by the obligation to secrecy imposed in sections 16, 19 and 20 of the Act respecting the Bureau de la statistique.

1975, c. 14, s. 10; 1977, c. 5, s. 14.

**11.** The Minister may take action against any practice employed in the film industry in Québec, if such practice tends to thwart the cultural needs of the population, or if it restricts the availability or the free choice of films, unduly delays the exhibiting of films, or is otherwise inconsistent with the objectives set out in section 3.

In exercising such power, the Minister may prohibit any restrictive practice, nullify any transaction involving the ownership of a firm whose activities relate to the cinema, and obtain the appropriate injunctions from the Superior Court or judges of such court.

Any person interested in a projected transaction may apply to the Minister for, and obtain within thirty days, a declaration in writing indicating, on conditions the Minister shall determine, whether or not the Minister intends to use the power to take action provided in this section with regard to such transaction.

1975, c. 14, s. 11.

#### not in force

**12.** The Minister, on the recommendation of the council of a municipality by way of a resolution, may issue a permit to set up or make alterations to a moving picture theatre or an outdoor theatre intended for exhibiting films to the public within the limits of the municipality, to any person who applies therefor and who complies with the by-laws in force in the municipality concerned.

1975, c. 14, s. 12.

#### not in force

**13.** No one may set up or make alterations to a moving picture theatre or outdoor theatre intended for exhibiting films to the public unless he produces evidence that he has the permit required under section 12.

Any court having jurisdiction may, on a motion by the Minister, order the demolition of any structure built in nonconformity to this section, or issue any appropriate injunction.

1975, c. 14, s. 13.

### **DIVISION III**

#### **INFORMATION, FILM CLASSIFICATION, AND ADMITTANCE TO PUBLIC EXHIBITING OF FILMS**

**not in force** § 1. — *The Service d'information et de classification des films*

**not in force**

**14.** A Service d'information et de classification des films is established at the Ministère des Affaires culturelles; the service shall consist of a director and of the personnel deemed necessary.

The Government shall publish a list in the *Gazette officielle du Québec* of the persons who, under the authority of the director, are entrusted with classifying films; they will be known as classifying agents.

1975, c. 14, s. 14; 1977, c. 5, s. 14.

**not in force**

**15.** The director and the members of the personnel of the Service d'information et de classification des films shall be appointed and remunerated in accordance with the Public Service Act (chapter F-3.1.1).

1975, c. 14, s. 15; 1977, c. 5, s. 14; 1978, c. 15, s. 140; 1983, c. 55, s. 161.

**not in force**

**16.** The director shall be entrusted with informing the public on the nature, content and origin of the films exhibited in Québec, with special indication of those suitable for children.

He may require distributors and operators to disclose such information in the manner prescribed by regulation.

He may also inform the public by any other means of publicity.

1975, c. 14, s. 16.

**not in force**

**17.** The director shall also be entrusted with classifying the films which it is proposed to exhibit in Québec, approving the advertising connected with the exhibiting of such films and performing every other duty which devolves to him by this act or the regulations.

1975, c. 14, s. 17.

**not in force** § 2. — *Classification of films*

**not in force**

**18.** It is forbidden to exhibit a film in public in Québec which has not been classified in accordance with this act and so certified by a visa issued by the director.

It is also forbidden to lease, lend or forward such a film for public exhibiting in Québec.

1975, c. 14, s. 18.

**not in force**

**19.** Any person wishing to exhibit a film in public in Québec must first apply to the director for the classification of the film, and suggest the classification he considers appropriate.

He must accompany the film with a registration card filled out according to regulation, giving the name of the distributor, the title of the film registered in the country of origin, the country of origin and the year in which it was produced, and with the other information deemed necessary by the director.

1975, c. 14, s. 19.

**not in force**

**20.** Within fifteen days following the application, the director shall classify the film by means of a visa indicating as follows the class of spectators for which it is issued:

- (a) "Film for all": spectators of all ages;
- (b) "Film for adolescents and adults": spectators at least fourteen years of age;
- (c) "Film for adults only": spectators at least eighteen years of age.

1975, c. 14, s. 20.

**not in force**

**21.** The Government, by regulation, on such conditions as it may determine, may exempt from compulsory classification, films of any class indicated by it if they come under the heading of films of general information, documentary or educational films, tourist or specialized films, news films or instructional, clinical, scientific or experimental films.

1975, c. 14, s. 21.

**not in force**

**22.** Where, in the director's opinion, a film for adults only is likely to shock certain spectators, he may require in his visa that the film be preceded by a notice to the spectators succinctly describing the nature or content of the film.

He may also in such a case restrict the promotional content of the advertising connected with the film, and even order that nothing be published except the title of the film and the names of the producer, director and actors.

1975, c. 14, s. 22.

**not in force**

**23.** Every film must be submitted for classification in its complete form without alteration except any which has been expressly authorized in writing by the person holding the appropriate copyright.

It shall not subsequently be altered without such authorization; if it is so altered, it must again be submitted to the director for

classification.

1975, c. 14, s. 23.

**not in force**

**24.** Trailers or previews must be classified according to their content.

A person may submit several versions of the same trailer or preview and obtain the classification of each version according to its content.

The exhibiting of such trailers or previews is subject to the rules contained in section 36.

1975, c. 14, s. 24.

**not in force**

**25.** Upon classifying a film, the director shall notify the person concerned and advise him of the classification given.

1975, c. 14, s. 25.

**not in force**

**26.** A fresh application for classification of a film already classified shall not be made before the expiry of three years.

1975, c. 14, s. 26.

**not in force** § 3. — *Approval of advertising*

**not in force**

**27.** The director shall not issue the visa establishing the classification of a film without at the same time approving the advertising to be connected with the film, unless the person submitting the film declares in writing that there will be no advertising connected with the film.

1975, c. 14, s. 27.

**not in force**

**28.** The person applying for approval of the advertising must submit to the director the posters, advertisements and advertising material to be used for promoting such film.

1975, c. 14, s. 28.

**not in force**

**29.** The director shall, within three working days following the application, approve the advertising submitted if, in his opinion, it is not likely to mislead the viewing public and is not contrary to public order, good morals or common decency.

1975, c. 14, s. 29.

**not in force**

**30.** Any change in the approved advertising must be submitted to the director for approval, following the rules provided above.

1975, c. 14, s. 30.

**not in force**

**31.** Any advertising connected with the exhibiting of a film, if such advertising has not been approved by the director in accordance with the preceding sections, is prohibited.

1975, c. 14, s. 31.

**not in force** § 4. — *Review of the director's decisions*

**not in force**

**32.** A committee is established to review the decisions of the director regarding film classification and the approval of advertising for films.

1975, c. 14, s. 32.

**not in force**

**33.** The committee shall consist of five members appointed by the Government. Three of such members shall be recommended by the Minister and two by the Institut.

Three members of the committee shall be a quorum.

The Government shall fix the term of office and the salary or, if necessary, the additional salary, allowances or fees of the members of the committee.

1975, c. 14, s. 33.

**not in force**

**34.** Every person who, having submitted a film to the director for classification or having submitted advertising to him for approval, is dissatisfied with the decision rendered, may appeal therefrom to the committee of review within fifteen days from the date of the decision.

1975, c. 14, s. 34.

**not in force**

**35.** The committee may confirm, quash or amend the decision of the director. It must render its decision within fifteen days from the date of the appeal, substantiate it, and make it public.

The committee's decision is final.

1975, c. 14, s. 35.

§ 5. — *Admittance to film presentations*

**36.** No person shall admit to the public presentation of a film:

(a) any person under eighteen years of age if a film for adults only is being exhibited there;

(b) any person under fourteen years of age, if a film for adolescents and adults is being exhibited there.

Films for adults only shall not be exhibited in outdoor theatres.

1975, c. 14, s. 36.

**37.** The class of spectators determined in the visa issued by the director must be posted up in a conspicuous place at the entrance to every moving picture theatre or outdoor theatre where the film is exhibited.

When films of different classes are exhibited at the same presentation, only the most restrictive class shall be so posted up.

Such obligation binds the owner, the lessee and the manager of the moving picture theatre or outdoor theatre where a film is publicly exhibited.

1975, c. 14, s. 37.

#### **not in force** § 6. — *Inspections and seizures*

##### **not in force**

**38.** Any person authorized by the Minister to act as an inspector may enter any building or place where films intended for public exhibition are kept in order to examine them and ascertain whether visas have been issued for them by the director in accordance with this act.

The inspector may obtain a search warrant in accordance with the Summary Convictions Act and seize any film for which a visa has not been issued by the director in accordance with this act or which has been put to a use inconsistent with the requirements of this act.

The justice of the peace shall order the film returned to its owner once it has served the purposes for which it was seized; he may, however, order the destruction of any copies made to the detriment of the owner's rights.

1975, c. 14, s. 38.

#### **not in force** § 7. — *Dubbing and subtitling*

##### **not in force**

**39.** The regulations may prescribe that films of the classes indicated therein must, if the original version is not in French, be accompanied with a version with French dubbing or subtitles, without which they cannot be submitted for classification.

Dubbing and the addition of subtitles must be done entirely in Québec, subject to any exception provided by regulation or any agreement between the Minister and another government.

1975, c. 14, s. 39.

## **DIVISION IV**

### **CINÉMATHÈQUE NATIONALE DU QUÉBEC AND LEGAL DEPOSIT**

**40.** The Cinémathèque nationale du Québec shall consist of a conservator and of the other members of the personnel of the Ministère des Affaires culturelles who are assigned to it.

1975, c. 14, s. 40; 1977, c. 5, s. 14.

**41.** The duties of the conservator shall be:

(a) to acquire, collect and preserve copies of cinematographic, audiovisual and photographic works and works for radio and television, produced in Québec or of interest to Québec;

(b) to acquire and preserve as many documents as possible which may be useful for research in the fields of cinematography, audiovisual aids, photography and television;

(c) to compile and publish inventories and catalogues of the cinematographic, audiovisual and photographic works and works for television produced or published in Québec as well as those published elsewhere but of interest to Québec;

(d) to set up a photographic library.

1975, c. 14, s. 41.

## **not in force**

**42.** The owner of every new cinematographic or audiovisual work produced in Québec must deposit a copy of it with the Cinémathèque nationale.

The delay for such deposit, the standards of quality demanded for the copy deposited, the compensation payable to the person who makes the deposit and the other terms and conditions of deposit shall be determined by regulation.

1975, c. 14, s. 42.

**not in force**

**43.** If the owner of the work is not domiciled or does not have his chief place of business in Québec, the obligation imposed by section 42 devolves to the producer or, failing him, to the distributor if he is domiciled or has his chief place of business in Québec.

1975, c. 14, s. 43.

**not in force**

**44.** The conservator, at the expense of the person who fails to comply with section 42 within the delay prescribed by regulation, may acquire the copy which that section requires to be deposited.

1975, c. 14, s. 44.

**45.** The Minister shall see to the coordination of the activities of existing film libraries and to the development of a system of regional film libraries within the Cinémathèque nationale to make cinematographic culture more accessible to all Québec inhabitants.

1975, c. 14, s. 45.

**CHAPTER IV**  
**INSTITUT QUÉBÉCOIS DU CINÉMA**

**DIVISION I**  
**CREATION AND MANDATE OF THE INSTITUT**

**46.** The Institut québécois du cinéma is established.

1975, c. 14, s. 46.

**47.** The mandate of the Institut is to allocate the funds set aside by the Government for the private sector in order to implement the policy on the cinema defined under this act, safeguarding, in so doing, freedom of expression and creation, and freedom of choice for the viewing public.

1975, c. 14, s. 47; 1977, c. 5, s. 14.

**48.** The Institut shall carry out its mandate in accordance with a contract it shall make with the Minister.

Such contract shall establish the goals the Institut must pursue for the term of the contract, its fields of activity, its minimum and maximum staff, the limits to the financial commitments it may make and the conditions to be observed in carrying out its functions.

1975, c. 14, s. 48.

**49.** In carrying out its mandate, the Institut shall:

(a) promote and, taking into account the soundness of its investments, lend financial support to the creation, production, distribution, broadcasting and exhibiting of Québec films of good quality;

(b) stimulate and foster the distribution, broadcasting and exhibiting of films of good quality in Québec;

(c) stimulate and foster industries contributing to cinematographic production in Québec, particularly in dubbing and subtitling;

(d) stimulate and foster the development of children's cinema in Québec;

(e) stimulate and foster training, research and innovation in the fields of cinematography and audiovisual aids in Québec.

1975, c. 14, s. 49.

**50.** The Institut shall carry out its mandate by the following means:

(a) investments in production, in return for a share of the profits;

(b) loans with or without interest;

(c) guarantees to lenders or investors, directly or indirectly, particularly through investment companies;

(d) premiums for high quality and achievement;

(e) grants, including deficit-reducing grants;

(f) prizes for excellence;

(g) reinvestment by recipients of financial assistance of their profits from the sums advanced by the Institut;

(h) in the cases provided for in paragraph e of section 49, loans, scholarships and grants.

1975, c. 14, s. 50.

**51.** The Institut must cooperate with the Minister in devising and applying the policy on the cinema defined pursuant to this act, especially as regards classification, promotion, subtitling, dubbing, the supervision of distribution and exhibition and the allocation of work on Government commission.

1975, c. 14, s. 51.

**52.** The Institut shall recognize as Québec films such works as it may indicate, in such measure as it may determine; it shall recognize them according to the standards it shall establish by regulation, in consultation with the Minister, in accordance with paragraph e of section 68.

The Institut may thus recognize a coproduced work, to the extent of Québec participation.

1975, c. 14, s. 52.

## **DIVISION II**

### **STRUCTURE AND OPERATION OF THE INSTITUT**

**53.** The Institut shall consist of seven members appointed by the Government in accordance with this division.

1975, c. 14, s. 53.

**54.** The Minister shall recognize, on such conditions as he determines, the most representative association in each of the five

following sectors of cinema activity: producing, directing, art practitioners, distributing and exhibiting.

He shall, in writing, request each of the representative associations to submit to him, within a delay of thirty days, the names of three representative candidates from its sector.

1975, c. 14, s. 54.

**55.** The Minister shall select one name from among the names submitted to him from each sector and recommend the person named for appointment by the Government.

If any association fails to submit the names it proposes for its sector within the prescribed delay or if a particular sector has no representative association, the Minister shall himself choose the person he considers representative of that milieu and recommend that person for appointment by the Government.

1975, c. 14, s. 55.

**56.** Upon the making by the Government of the five appointments provided for in the preceding sections, the Minister shall consult the members so appointed and, with their consent, propose two more persons for appointment as members by the Government, one of whom shall represent the film viewing public of Québec.

1975, c. 14, s. 56.

**57.** The Minister may at any time ascertain the representative character of any association recognized by him pursuant to section 54 and, if necessary, recognize another more representative association from the same sector.

1975, c. 14, s. 57.

**58.** The members of the Institut must be domiciled in Québec.

1975, c. 14, s. 58.

**59.** The members of the Institut shall be appointed for three years. However, two of the first members shall be appointed for two years and two for one year.

1975, c. 14, s. 59.

**60.** The members shall remain in office at the expiry of their term until replaced.

1975, c. 14, s. 60.

**61.** Every vacancy among the members of the Institut shall be filled in accordance with the formalities prescribed for the appointment of the member to be replaced, but only for the unexpired portion of such member's term of office.

1975, c. 14, s. 61.

**62.** The Institut is a corporation within the meaning of the Civil Code; it is vested with the general powers of such a corporation and the special powers granted to it by this act.

1975, c. 14, s. 62.

**63.** The head office of the Institut shall be in the City of Québec or in the City of Montréal as it may decide by a by-law, which must be approved and published in conformity with section 69.

The Institut may sit anywhere in Québec.

1975, c. 14, s. 63.

**64.** The members of the Institut shall appoint a general manager.

1975, c. 14, s. 64.

**65.** The office of general manager of the Institut shall be incompatible with any other office.

1975, c. 14, s. 65.

**66.** The general manager of the Institut shall be responsible for its administration within the scope of this act and the by-laws of the Institut.

He shall define the duties of the personnel of the Institut and supervise their work.

1975, c. 14, s. 66.

**67.** The remuneration, indemnities and other benefits to which the members of the Institut, the general manager, and the members of the personnel are entitled shall be fixed by internal by-law of the Institut; these shall be so fixed in the case of the members of the personnel that their remuneration equals what they would receive in the same office if they were appointed and remunerated pursuant to the Public Service Act (chapter F-3.1.1).

1975, c. 14, s. 67; 1978, c. 15, s. 140; 1983, c. 55, s. 161.

**68.** The Institut must adopt the internal by-law contemplated in section 67; it may adopt any other internal by-law.

It may also adopt regulations:

(a) to rule on the form and tenor of applications for financial assistance presented to the Institut, the information they must contain and the documents that must accompany them;

(b) to establish rules for the appointment of juries to award prizes and other benefits the Institut may grant, and to make sections 73 to 77 of this act applicable to such juries;

(c) to determine the scales, criteria and limits to be observed by the Institut in granting financial assistance;

(d) to establish the minimum frequency of meetings of the Institut;

(e) to establish, in consultation with the Minister, the standards contemplated in section 52.

1975, c. 14, s. 68.

**69.** The by-laws and regulations adopted by the Institut must be submitted for approval to the Government.

The internal by-laws shall come into force on such approval. The regulations shall come into force on their publication in the *Gazette officielle du Québec*.

1975, c. 14, s. 69.

**70.** No deed, document or writing shall bind the Institut or be imputed to it unless it is signed by the general manager.

A deed, document or writing signed by a member of the Institut or of its personnel may also bind the Institut or be imputed to it

to the extent provided by regulation of the Institut.

Such a regulation must be approved and published in accordance with section 69.

1975, c. 14, s. 70.

**71.** The Minister shall receive notice and minutes of all meetings of the members of the Institut.

1975, c. 14, s. 71.

**72.** Not later than 30 September each year, the Institut shall submit a report to the Minister of its activities for the previous fiscal year.

The report must also contain all the information the Minister may prescribe. It shall be laid before the National Assembly within fifteen days if it is in session or, if not, within thirty days of the opening of the next session.

Furthermore, the Institut must give the Minister any information he may require on its activities.

1975, c. 14, s. 72.

### **DIVISION III**

#### **CONFLICTS OF INTEREST**

**73.** A member of the Institut shall not take part in the discussion of a matter in which he has a direct or indirect personal interest.

The Institut shall decide whether the member has a personal interest in the matter; the member concerned shall not take part in such decision.

1975, c. 14, s. 73.

**74.** The members and officers of the Institut must notify it upon becoming interested in a contract or draft contract with the Institut.

They are deemed to have such an interest if they are directors, representatives, employees or officers of any firm interested in a contract with the Institut or if their interests in the firm represent more than 15 per cent of its capital, property or financing.

1975, c. 14, s. 74.

**75.** The regulations shall determine the exact time when the interested member or officer must report his interest.

The member or officer must report his interest either by declaring it in writing or by making a verbal declaration recorded in the minutes of the meetings of the Institut.

1975, c. 14, s. 75.

**76.** On taking office, the directors and officers of the Institut shall, and thereafter they may, make a general declaration of their interests in any firms that could become the recipients of financial assistance from the Institut.

1975, c. 14, s. 76.

**77.** At the request of the Minister or the Institut, any contract made with the Institut may be cancelled if the provisions of this division have not been complied with.

1975, c. 14, s. 77.

#### **DIVISION IV** **FINANCIAL PROVISIONS**

**78.** The fiscal year of the Institut ends on 31 March each year.

1975, c. 14, s. 78.

**79.** Each year, the Institut must submit its budget for the next fiscal year to the Minister, before the date prescribed by him. Such budget shall be without effect until approved by the Minister.

1975, c. 14, s. 79.

**80.** The books and accounts of the Institut shall be audited annually by the Auditor General and also as often as the Government may determine.

1975, c. 14, s. 80.

## **DIVISION V** TEMPORARY ADMINISTRATION

**81.** The Government, on its own initiative or at the request of at least two members of the Institut, may appoint one or more persons for the temporary administration of the Institut for a period of sixty days, in the following cases:

(a) if the Institut has exceeded the mandate granted to it by virtue of this act;

(b) if the Institut makes an expenditure not provided for in the budget or inconsistent with the contract with the Minister;

(c) if it has reason to believe the assets of the Institut have been misappropriated or becomes aware that part of the assets are unaccountably missing;

(d) if it has reason to believe that a serious offence has been committed, particularly embezzlement or breach of trust by one or more members of the Institut, or that the Institut has been seriously remiss in fulfilling the obligations imposed on it by this act or the regulations or by any contract with the Minister.

1975, c. 14, s. 81.

**82.** The temporary administrator shall substitute for the members of the Institut during his administration.

1975, c. 14, s. 82.

**83.** The temporary administrator shall submit a detailed report of his findings to the Minister, together with his recommendations, without delay.

1975, c. 14, s. 83.

**84.** When appointing a temporary administrator, the Minister must grant a hearing to the representative organization and to the members of the Institut concerned.

1975, c. 14, s. 84.

**85.** Once the Minister has received the report contemplated in section 83, the Government may:

- (a) order the extension or termination of the temporary administration on the conditions it determines;
- (b) prescribe the delay within which any situation contemplated in section 81 must be remedied;
- (c) declare one or more members of the Institut forfeited of office;
- (d) revoke all or part of the mandate mentioned in sections 47 to 50.

1975, c. 14, s. 85.

## CHAPTER V REGULATIONS

**86.** The Government, by regulation, may rule on any matter that, under this act, may be subject to regulation.

It may also, by regulation:

- (a) prescribe standards of arrangement, operation and admittance in respect of any place used for the public exhibiting of films in Québec, and the form of applications for permits and of permits;
- (b) prescribe administrative and procedural rules for the classification of films, the inspection and control of film publicity and the review of decisions rendered by the director;
- (c) rule on the publicity to be given to the classification of films, including the information and notices which must appear in such publicity, and to the authorization to exhibit them;
- (d) rule on calls for tenders, unit prices for production and production contracts, in respect of the production of cinematographic and audiovisual works commissioned or produced by the government departments or public agencies;
- (e) exempt any class of works it may indicate from legal deposit as provided for in section 42;
- (f) fix the various duties payable on the application of this act;
- (g) provide for the appointment and duties of the inspectors entrusted with verifying the application of this act;
- (h) provide for the setting up of a system of registers of the decisions and orders of the director and determine how such

decisions and orders are to be published;

(i) fix the fees that may be granted to inspectors, peace officers, bailiffs, clerks, prothonotaries and advocates, as a part of taxable costs, in any proceedings or suit brought under this act.

1975, c. 14, s. 86.

**87.** Draft regulations pursuant to sections 8, 9, 16, 39 and 42 and paragraphs *a*, *b* and *c* of section 86 shall be adopted only on prior notice of 60 days published in the *Gazette officielle du Québec* giving the text thereof.

The above mentioned regulations shall come into force on the day of publication in the *Gazette officielle du Québec* of notice of their approval by the Government or, if amended by it, of their final text.

The other regulations provided for by this act shall come into force on the date of their publication in the *Gazette officielle du Québec*.

1975, c. 14, s. 87.

## CHAPTER VI FINAL PROVISIONS

**88.** Every person who contravenes this act or the regulations is guilty of an offence and is liable, in addition to payment of the costs, to a fine of not more than \$5 000 in the case of an individual nor more than \$10 000 in the case of a company, corporation, circle, club or other society.

1975, c. 14, s. 88.

**89.** The magistrate may in all cases cancel a license issued under Division II of the Licenses Act (chapter L-3) and notify the collector of revenue accordingly.

1975, c. 14, s. 89.

**90.** In proceedings instituted for a contravention of section 36, the accused shall not be liable to any penalty if he proves that he used reasonable diligence to ascertain the age of the minor before admitting him to the moving picture theatre and had good reason to believe such minor old enough to be legally admitted.

1975, c. 14, s. 90.

**91.** Prosecutions for offences against this act or the regulations are governed by the Summary Convictions Act (chapter P-15) and Part II of that act applies thereto.

1975, c. 14, s. 91.

**92.** The Minister of Cultural Affairs is entrusted with the application of this Act.

1975, c. 14, s. 92.

**93.** *(This section ceased to have effect on 17 April 1987).*

1982, c. 21, s. 1; U. K., 1982, c. 11, Sch. B, Part I, s. 33.

## REPEAL SCHEDULE

In accordance with section 17 of the Act respecting the consolidation of the statutes (chapter R-3), chapter 14 of the statutes of 1975, in force on 31 December 1977, is repealed, except the preamble and sections 94 to 96 and 100 to 104, effective from the coming into force of chapter C-18 of the Revised Statutes.

UPDATING CONCERNING THIS CHAPTER:

*1 JUNE 1979*

*1 JULY 1982*

*1 JULY 1984*

*1 SEPTEMBER 1987*