

chapter A-12.1

Updated to 1 March 2017

## **ACT RESPECTING ASSISTANCE FOR THE DEVELOPMENT OF COOPERATIVES AND NON-PROFIT LEGAL PERSONS**

1997, c. 18, s. 1.

### **CHAPTER I SCOPE**

**1.** The objective of this Act is to foster the creation, maintenance and development of cooperatives and non-profit legal persons by granting financial or technical assistance that fosters greater participation by the population in economic activities, the economic development and the creation of jobs in the regions.

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1991, c. 1, s. 1; 1997, c. 18, s. 2.

**2.** For the purposes of this Act, “undertaking” means a cooperative or a federation or confederation of cooperatives governed by the Cooperatives Act ([chapter C-67.2](#)) or a subsidiary thereof or a non-profit legal person constituted under Part III of the Companies Act ([chapter C-38](#)).

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1991, c. 1, s. 2; 1997, c. 18, s. 3.

### **CHAPTER II FINANCIAL AND TECHNICAL ASSISTANCE**

**3.** The Government may establish any program of financial or technical assistance for the purposes of this Act, and determine the conditions, cases and limits of application thereof and the fees payable.

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1991, c. 1, s. 3; 1997, c. 18, s. 4; 2001, c. 69, s. 18.

**4.** Financial assistance may be in any of the following forms:

- (1) a guarantee of repayment of all or a part of a financial commitment;
- (2) a guarantee of total or partial redemption of preferred shares;
- (3) an assumption of liability for part or the whole of the interest on loans or on preferred shares;
- (4) a loan, with or without interest;
- (5) a partial exemption from repayment of a loan;
- (6) an acquisition of preferred shares;
- (7) any other form of assistance determined by the Government.

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1991, c. 1, s. 4; 1997, c. 18, s. 5; 2001, c. 69, s. 19.

### **CHAPTER III ADMINISTRATION**

**5.** The body designated by the Government administers any financial assistance program established under this Act. It advises undertakings on their financing.

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1991, c. 1, s. 5; 1998, c. 17, s. 64; 1999, c. 40, s. 13; 2001, c. 69, s. 12; 2010, c. 37, s. 81.

**6.** The Minister shall grant any technical assistance required by an undertaking to carry out its project.

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1991, c. 1, s. 6.

**7.** Any undertaking wishing to obtain financial assistance must apply for it to the body designated under section 5 in the manner determined by the body.

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1991, c. 1, s. 7; 1997, c. 18, s. 6; 1998, c. 17, s. 64; 1999, c. 40, s. 13; 2001, c. 69, s. 12; 2010, c. 37, s. 82.

**8.** Applications for financial assistance must be accompanied with the required documents and contain the information prescribed by the body designated under section 5.

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1991, c. 1, s. 8; 1997, c. 18, s. 7; 1998, c. 17, s. 64; 2001, c. 69, s. 12; 2010, c. 37, s. 83.

**9.** *(Repealed).*

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1991, c. 1, s. 9; 1997, c. 18, s. 8.

**10.** The body designated under section 5, after ascertaining that the undertaking has financial prospects allowing it to fulfill its commitments, and that its management has the competence required to achieve its objectives, and after verifying the financial viability of the project, shall determine the form and amount of assistance that may be granted.

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1991, c. 1, s. 10; 1997, c. 18, s. 9; 1998, c. 17, s. 64; 1999, c. 40, s. 13; 2001, c. 69, s. 12; 2010, c. 37, s. 84.

**11.** Financial assistance is granted by the Minister or by the Government in the cases and on the conditions determined by the Government.

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1991, c. 1, s. 11; 1997, c. 18, s. 10; 2001, c. 69, s. 20.

**12.** Financial assistance may also be granted by the body designated under section 5 in such cases and on such conditions as the Government may determine.

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1991, c. 1, s. 12; 1999, c. 40, s. 13; 2001, c. 69, s. 12, s. 20; 2010, c. 37, s. 85.

**13.** Authorized financial assistance shall be paid to the undertaking by the body designated under section 5.

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1991, c. 1, s. 13; 1998, c. 17, s. 64; 1999, c. 40, s. 13; 2001, c. 69, s. 12, s. 21; 2010, c. 37, s. 86.

## **CHAPTER IV**

### **TRANSITIONAL AND FINAL PROVISIONS**

**14.** The Société de développement industriel du Québec acquires the rights and shall assume the obligations of the Société de développement des coopératives.

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1991, c. 1, s. 14.

**15.** The rights and obligations arising from assistance granted by the Société de développement des coopératives before 1 April 1991 in the form of assumption of liability for interest shall be assumed by the Minister.

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1991, c. 1, s. 15.

**16.** The members of the personnel of the Société de développement des coopératives who, under the Règlement sur les effectifs ainsi que sur la nomination et la rémunération des employés de la Société de développement des coopératives (C.T. 158658, dated 8 October 1985, 117 G.O. 2, 6631) as amended, have permanent status and are in office on 31 March

1991, become, in accordance with the terms and conditions determined by the Conseil du trésor, permanent members of the personnel of the Ministère de l'Industrie, du Commerce et de la Technologie or of the Société de développement industriel du Québec and are, from that date, deemed to be appointed under the Public Service Act ([chapter F-3.1.1](#)).

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1991, c. 1, s. 16; 2000, c. 8, s. 242.

**17.** The immovable situated at 430, chemin Ste-Foy, Québec, described in Schedule I and belonging to the Société de développement des coopératives, becomes the property of the Société immobilière du Québec, incorporated under the Act respecting the Société immobilière du Québec ([chapter S-17.1](#)).

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1991, c. 1, s. 17.

**18.** The Act respecting duties on transfers of immovables ([chapter D-15.1](#)) does not apply to the transfer provided for by section 17.

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1991, c. 1, s. 18; 1991, c. 32, s. 275.

**19.** The rights and obligations arising from the leases in force on immovables leased by the Société de développement des coopératives are transferred to the Société immobilière du Québec.

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1991, c. 1, s. 19.

**20.** All movable property, records, documents and archives of the Société de développement des coopératives become the movable property, records, documents and archives of the Société de développement industriel du Québec or of the Ministère de l'Industrie, du Commerce et de la Technologie, as determined by the Minister.

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1991, c. 1, s. 20.

**21.** Proceedings to which the Société de développement des coopératives is a party are continued without continuance of suit by the Société de développement industriel du Québec or by the Minister, according to the rights acquired and the obligations assumed by each.

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1991, c. 1, s. 21.

**22.** From 1 April 1991, the Société de développement industriel du Québec shall reimburse to the Government and to the subscribing cooperators the advances made to the Société de développement coopératif incorporated pursuant to the Act respecting the Société de développement coopératif ([chapter S-10](#)) in proportion to their claims and out of the reimbursements of financial assistance granted by the Société de développement coopératif before 6 June 1984.

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1991, c. 1, s. 22.

**23.** (*Omitted*).

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1991, c. 1, s. 23.

**24.** (*Amendment integrated into c. S-11.01, s. 20*).

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1991, c. 1, s. 24.

**25.** The Minister of Economic Development, Innovation and Export Trade is responsible for the administration of this Act.

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1991, c. 1, s. 25; 1994, c. 16, s. 51; 1999, c. 8, s. 20; 2003, c. 29, s. 135; 2006, c. 8, s. 31.

**26. (Omitted).**

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1991, c. 1, s. 26.

**SCHEDULE I**

(Section 17)

**DESCRIPTION OF THE IMMOVABLE**

A. The eastern part of subdivision NINE of original lot TWENTY-TWO (22-9 pt. E.) in the official plan and book of reference for the official cadastre of the parish of Notre-Dame de Québec, Banlieue, registration division of Québec, measuring seventy-eight feet (78') wide by an average depth of approximately one hundred and sixty-three feet (163'); the said part being bounded to the south by Chemin Ste-Foy, without cadastral designation, to the north by a part of lot 22-24 (lane), to the east by a part of lot 22-8 (Avenue Désy) and to the west by the remaining part of the said lot 22-9, belonging to François Morisset or his assigns, excepting that part ceded to the City of Québec for the widening of Chemin Ste-Foy, mentioned in a deed of sale made before Paul LaRue, notary, registered at the registry office of Québec on 30 August 1964 under registration number 550535, this latter part measuring 22.5 feet in its northeast line bounded by a part of lot 22-8 (Avenue Désy), 22.4 feet in its southwest line bounded by a part of lot 22-9, 78.5 feet in its northwest line bounded by a part of lot 22-9 and 78 feet in its southeast line bounded by Chemin Ste-Foy, without cadastral designation, containing an area of 1756.7 feet, English measure.

With the house thereon erected, bearing civic number 430 Chemin Ste-Foy, Québec, and appurtenances.

B. A strip of land seven and a half feet (7.5') wide over the whole width of the part of lot 22-9 described above and presently sold, being the undivided half of subdivision TWENTY-FOUR of original lot TWENTY-TWO (22-24 pt.) in the official plan and book of reference for the official cadastre of the parish of Notre-Dame de Québec, Banlieue, registration division of Québec, bounded to the north and to the west by the remaining part of the said lot 22-24, to the south by the eastern part of lot 22-9 described above and to the east by a part of lot 22-8 (Avenue Désy), the said strip of land serving as a common passage for all the owners of land bounded by the said lane, including any owner of the said strip of land.

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1991, c. 1, Schedule I.

**REPEAL SCHEDULE**

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), chapter 1 of the statutes of 1991, in force on 1 September 1991, is repealed, except section 26, effective from the coming into force of chapter A-12.1 of the Revised Statutes.