



CHAPTER 14

An Act to amend the Quebec License Act

[Assented to, the 22nd of March, 1928]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 94 of the Quebec License Act (Revised Statutes, 1925, chapter 25) is amended: R. S., c. 25, s. 94, am.

a. By replacing subsection 2 thereof, by the following subsections:

"2. Every person residing in the Province, with a place of business therein and doing a brokerage business therein in shares, bonds, debentures or debenture-stock, must first obtain an annual license for the purpose, upon payment of a duty of three hundred dollars. If such person has more than one place of business in the Province, such duty shall be increased by the sum of one hundred and fifty dollars for each place of business over and above the first one. Duty on persons doing brokerage business.

"3. Every person residing in the Province, without any place of business therein and doing a brokerage business therein in shares, bonds, debentures or debenture-stock, must first obtain an annual license for the purpose, upon payment of a duty of ten dollars."; Idem.

b. By replacing therein the figure: "3", preceding the third subsection thereof, by the figure: "4".

2. Section 95 of the said act is replaced by the following: R. S., c. 25, s. 95, re-

"95. 1. Every person coming within the purview of subsection 1 of section 94, who carries on the business therein described without being the holder of a license for that purpose, then in force, commits an offence against this Division and shall be liable, in addition to the payment of the license duty and costs, to a fine equal to twice the placed. Offence and penalty.

amount of the duties exigible under the said subsection, and, failing payment, to imprisonment for one month in the common gaol.

Offence and penalty.

2. Every person coming within the purview of subsection 2 of section 94, who carries on the business therein described without being the holder of a license for that purpose, then in force, commits an offence against this Division and shall be liable, in addition to the payment of the license duty and costs, to a fine equal to twice the amount of the duties exigible under the said subsection, and, failing payment, to imprisonment for one month in the common gaol.

Idem.

3. Every person coming within the purview of subsection 3 of section 94, who acts as broker without being the holder of a license for that purpose, then in force, commits an offence against this Division and shall be liable, in addition to the payment of the license duty and costs, to a fine equal to twice the amount of the duties exigible under the said subsection, and, failing payment, to imprisonment for one month in the common gaol."

R. S., c. 25, ss. 95a to 95e, added.

3. The said act is amended by inserting therein, after section 95 thereof, the following sections:

"Broker".

"95a. For the purposes of this Division, the word "broker" means any person dealing commercially in shares, bonds, debentures, debenture-stock or other securities, and includes any person who offers to sell or buy or who sells or buys such securities on behalf of another person; but it does not include the notary who is not regularly appointed agent for a person, firm or corporation doing a brokerage business, and who acts as intermediary between his clients and such broker.

Sale of certain shares, etc., prohibited.

"95b. A broker shall not offer for sale or sell shares, bonds, debentures, debenture-stock or other securities of a company which is subject to the provisions of the Securities Sale Act (Chap. 228) and which has not complied therewith.

Broker's license.

"95c. A broker's license shall be valid throughout the Province and shall be issued by the Comptroller of Provincial Revenue. He may refuse to issue such license to any person who is not sufficiently recommended, and the Provincial Treasurer may suspend or revoke it, if, after investigation, he concludes that such broker has infringed any of the provisions of this act or of the Securities Sale Act (Chap. 228) or of the Security Transfer Tax Act (Chap. 27) or of the regulations made thereunder, or is accused of a criminal offence.

A license issued to a firm or corporation under sub-section 2 of section 94 does not include that required of its officers and directors under the authority of subsection 3 of the same section. Broker's license.

“**95d.** Every licensed broker who collects the tax imposed by the Security Transfer Tax Act (Chap. 27) acts, in such case, as agent for the Revenue Branch, and shall remit such tax in money to the Revenue Branch, at the times and with the reports and information which the Provincial Treasurer may exact. Tax to be remitted.”

“**95e.** The Attorney-General of the Province of Quebec or the Provincial Treasurer may, at any time, authorize, in writing, one or more officers of his department, to examine the books and documents relating to the business of any broker dealing in shares, debentures, debenture-stock, bonds or other securities, in order to ascertain whether the transactions of such broker are in conformity with this act or with the Security Transfer Tax Act (Chap. 27) or with the Securities Sale Act (Chap. 228). Inspections.”

Every broker, who neglects or refuses to show his books and documents relating to his business to such officer or officers, commits an offence against this act, and shall incur for each offence a fine not exceeding one thousand dollars, and, failing payment of the fine, the person, or, in the case of a company or corporation, the officers or directors of the company or corporation who, by their vote, may have contributed to the commission of the offence by the company or corporation, shall be liable to imprisonment not exceeding three months.” Refusal. Offence and penalty.

4. This act shall come into force on the day of its sanction. Coming into force.