

Tracking Federal Regulatory Initiatives

Regulatory Affairs

VOL. 3, No. 15

April 26, 1997

Circulate to:	HIGHLIGHTS
1.	Proposed Regulations
2.	Use of lead shot for hunting most migratory birds to be prohibited 1-2
3.	Exempt from Pre-Publication and Approved
4.	Authority to use illegal drugs in drug enforcement activities approved . . . 5-6
5.	Visitor Visa exemption extended to Hong Kong residents 6
	Pre-Published and Approved
	Interim Immigrant Investment Program extended again 8

Proposed Regulations for Pre-Publication in Part I, Canada Gazette	Statutory Authority & Regulatory Plan Listing
<p>Migratory Birds Regulations, amendment</p> <p>The proposed amendment to the Migratory Birds Regulations will prohibit the possession and use of any shot other than non-toxic shot for the purpose of hunting migratory game birds across Canada, except for the hunting of three species of migratory upland game birds: woodcock, band-tailed pigeons and mourning doves.</p> <p>This change is part of a multi-phase program to eliminate the use of lead shot for hunting migratory game birds.</p> <p>This process began in 1990 with the creation of a number of non-toxic shot zones for the hunting of waterfowl, in cooperation with the provinces. In July 1995, the Minister of the Environment announced the government's intention to ban the use of lead shot for migratory game bird hunting.</p> <p>The Environment Minister advised that the ban would be phased in, first in all National Wildlife Areas (NWAs) in the fall of 1996, and then across Canada in the fall of 1997. This approach was taken in order to provide for an orderly transition to alternative shot, both for suppliers of ammunition and for hunters.</p> <p>Internationally, Denmark and the Netherlands have banned the use of lead shot for all hunting.</p>	<p><i>Migratory Birds Convention Act, 1994, section 12</i></p> <p>EC/9-10-L</p> <p>To be published in Canada Gazette April 26, 1997</p>

Regulatory Affairs is published weekly when Cabinet meets by J-K Carruthers Limited
 © 1997 J-K Carruthers Limited All Rights Reserved. Visit our Web Pages at www.carruthers.com.

Proposed Regulations for Pre-Publication in Part I, Canada Gazette

Statutory Authority & Regulatory Plan Listing

Non-toxic shot zones have been established in several other countries, including Finland, Australia, Mexico, Sweden and Switzerland. In the United States, a nationwide ban on the use of lead shot for waterfowl hunting was established in 1991.

The consultation process on this proposed change has been underway since 1994.

The exclusion, for the time being, of upland migratory birds (woodcock, band-tailed pigeons and mourning doves) was based on questions about the toxic effects of lead on these birds, as well as questions about the extent to which the ban could be enforced effectively when provincially-regulated upland game birds are harvested in the same locations and at the same time as species covered by the Migratory Birds Regulations.

Contact: Terry Mueller, Regulatory Analyst, Program Analysis and Coordination, Canadian Wildlife Service, Conservation and Protection, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel: 997-1272.

Government Property Traffic Regulations, amendment

The amendments to the Regulations provide for the administrative arrangements necessary for the operation and enforcement of the Regulations on the Confederation Bridge. They amend those provisions of the Regulations which identify a linkage to provincial legislation governing highway traffic.

Specifically, the amendments establish a link between the laws of the Province of Prince Edward Island and the Regulations. The amendments also provide a definition of "Confederation Bridge".

Contact: Christian H. Kroeger, Security Policy and Planning Directorate, Public Works and Government Services Canada, Hull, Quebec, K1A 0S5. Tel: 819-956-2236; Fax: 819-956-4962.

*Government Property
Traffic Act*

Not included in Regulatory Plan

To be published in Canada Gazette April 26, 1997

Laurentian Pilotage Authority Regulations, amendment

The proposed amendment is intended to ensure that towing operations remain subject to compulsory pilotage. The change is being made in light of a recent Federal Court decisions that, except in case of barges carrying pollutants, most towing operations are excluded from compulsory pilotage. The proposal would add the following after section 4: "4.1 Notwithstanding section 4, a tug used in the towing or pushing or one or more barges or scows is subject to compulsory pilotage."

Contact: Jean-Claude Michaud, Chairman, Laurentian Pilotage Authority, P.O. Box 680, Tour de la Bourse, Montreal, Quebec, H4Z 1J9. Tel: 514-283-6320; Fax: 514-496-2409.

Pilotage Act, paragraph 20(1)(b)

Not included in Regulatory Plan

Published in Canada Gazette April 12, 1997

Exempt from Pre-Publication and Approved

Statutory Authority & Regulatory Plan Listing

Canadian Wheat Board Regulations, amendment (SOR/97-223, OIC 1997-620)

The amendment establishes a higher initial payment for the base grade of amber durum wheat, an increase of \$25 per metric tonne, for the 1996-97 crop year.

The amendments come into effect April 28, 1997.

Contact: Craig Fulton, Commerce Officer, Grains and Oilseeds Division, International Markets Bureau, Market and Industry Services Branch, Agriculture and Agri-Food Canada, Sir John Carling Building, 930 Carling Avenue, Ottawa, Ontario, K1A 0C5. Tel: 613-759-7698; Fax: 613-759-7499.

Canadian Wheat Board Act, sections 32 and 61

Not included in Regulatory Plan

To be published in Canada Gazette May 14, 1997

Exempt from Pre-Publication and Approved

Statutory Authority & Regulatory Plan Listing

Pointe Shoes or Block Toe Shoes Remission Order, 1997 (SOR/97-224, OIC 1997-621)

This Order extends the duties relief on pointe shoes or block toe shoes from January 1, 1997 until December 31, 1997.

This Order will remit approximately \$120,000 of customs duties on an annual basis. Remission of the customs duties will assist professional ballet companies and schools to reduce their expenditures on pointe shoes or block toe shoes which meet the requirements of professional dancers.

Contact: Brian Roos, International Trade Policy Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel: 613-996-5538.

Customs Tariff, section 101

FIN/97-13

To be published in Canada Gazette May 14, 1997

Société de Cogénération Kingsey Turbine Remission Order (SOR/97-225, OIC 1997-622)

This Order remits customs duties on two 13-MW gas turbines imported by Société de Cogénération Kingsey (SCK) for use in the manufacture of two generator sets.

When these turbines were imported there was a tariff anomaly that resulted in SCK paying 15% duty. The turbines were unavailable from Canadian production and, as a result, if SCK had imported complete generator sets which are part of the Machinery Program instead of just the turbines which are not, duty would not have been charged. Remitting the duty on the imported turbines, eliminates an inequity that resulted because SCK chose to use Canadian components instead of importing complete generator sets.

The Order remits some \$538,158 in customs duties.

Contact: Randy Freda, International Trade Policy Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel: 613-992-0539.

Customs Tariff, section 101

FIN/97-13

To be published in Canada Gazette May 14, 1997

Customs Duties Reduction or Removal Order, 1988, amendment (SOR/97-226, OIC 1997-623)

This Order introduces five new temporary codes and amends three existing codes. It comes into force April 22, 1997.

An estimated \$1,140,000 of revenue will be foregone as a result of this Order.

Contact: Deborah Hoeg, International Trade Policy Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel: 613-996-7099.

Customs Tariff, paragraph 68(1) (a)

FIN/97-1

To be published in Canada Gazette May 14, 1997

Narcotic Control Regulations, amendments (SOR/97-227, OIC 1997-625); Food and Drug Regulations (Schedule 994), amendments (SOR/97-228, OIC 1997-626); Regulations Exempting Certain Precursors and Controlled Substances from the Application of the Controlled Drugs and Substances Act (SOR/97-229, OIC 1997-627); Regulations amending Schedules I, III and IV to the Controlled Drugs and Substances Act (SOR/97-230, OIC 1997-628); Order bringing into force the Controlled Drugs and Substances Act (SI/97-47, OIC 1997-624)

The amendments clarify and maintain consistency in light of the enactment of *Controlled Drugs and Substances Act*, which consolidates Canada's drug control policy to fulfil Canada's international obligations under the *Single Convention on Narcotic Drugs*, the *Convention on Psychotropic Substances* and the relevant portions of the *United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*.

Control Drugs and Substances Act, c. 19, sections 55, 60, 95; *Food and Drugs Act*, c. F-27, subsection 30(1)

HCan/96-6-I

To be published in Canada Gazette May 14, 1997

Exempt from Pre-Publication and Approved

Statutory Authority & Regulatory Plan Listing

While this enactment repeals the *Narcotic Control Act* and Parts III and IV of the *Food and Drugs Act*, the *Narcotic Control Regulations* as well as the *Food and Drug Regulations*, Part G and J, are deemed to remain in force.

More specifically, the approved amendments to the *Narcotic Control Regulations* and to Parts G and J of the *Food and Drug Regulations* involve minor changes involving no impact, but which are needed to add clarification and maintain consistency with the *Controlled Drugs and Substances Act*.

Another amendment exempts certain precursors and controlled substances from the application of the *Controlled Drugs and Substances Act* for which regulations have not yet been developed.

Another amendment updates the schedules to the *Controlled Drugs and Substances Act* by including or excluding drugs that have already been added to or exempted from the schedule to the *Narcotic Control Act* and to Schedule H of the *Food and Drugs Act* by Orders-in-Council.

The Order brings the *Controlled Drugs and Substances Act* into force on May 14, 1997.

Contact: Joan Korol, Risk Management and Regulatory Affairs Division, Bureau of Drug Policy and Coordination, Drugs Directorate, Health Protection Building, Address Locator 0702B1, Tunney's Pasture, Ottawa, Ontario, K1A 0L2. Tel: 613-957-0372; Fax: 613-941-6458; e-mail: joan_korol@inet.hwc.ca.

Direction to the CRTC (Ineligibility to hold broadcasting licence), amendment (SOR/97-231, OIC 1997-629)

This Order modifies the Cabinet's direction to the CRTC, to allow, in specified situations, for SaskTel, a provincial Crown corporation operating as a Canadian carrier on August 6, 1996 or its subsidiary, to offer competitive integrated broadcasting services in its operating territory.

The Order gives legal effect to the Government's policy decision on Convergence, publicly announced on August 6, 1996 by the Minister of Canadian Heritage, by amending the previous Direction.

The first amendment involves a change to the definition of "agents of Her Majesty in right of any province", as follows: "agents of Her Majesty in right of any province" means any agent of Her Majesty in that right, but does not include municipal governments, an independent corporation or an independent carrier."

The second amendment adds a new class of applicants eligible to hold broadcasting distribution licences and directs the CRTC on the applicable conditions for this new class, as follows: "independent carrier" means a corporation that is either a Canadian carrier within the meaning of the *Telecommunications Act* that is owned by Her Majesty in right of any province, that was operating on August 6, 1996 and that continues to be operated as a Canadian carrier, or a subsidiary corporation of the Canadian carrier, where (a) the Commission determines that the corporation is not directly controlled by Her Majesty in right of any province; and (b) without limiting the generality of paragraph (a), the corporation enjoys freedom of expression and journalistic, creative and programming independence in the pursuit of its objects and in the exercise of its powers."

Contact: Jean Guerette, Director, Distribution Systems and Multimedia, Broadcasting Policy Branch, Department of Canadian Heritage, Hull, Quebec, K1A 0M5. Tel: 819-997-9315; Fax: 819-997-7472.

Broadcasting Act, paragraph 26(1)(d)

Not included in Regulatory Plan

To be published in Canada Gazette May 14, 1997

Exempt from Pre-Publication and Approved

Statutory Authority & Regulatory Plan Listing

Incas Canada & the Americas Inc. Remission Order (SOR/97-232, OIC 1997-630)

This Order remits \$77,425.62 in customs duties to Incas Canada & the Americas Inc. (Incas).

Between June 1992 and November 1993, Incas imported plastic printer cartridge casings duty free under an incorrect tariff item. Incas was subsequently assessed \$77,425.62 in duties owing on these imported goods. Although Incas attempted to appeal the assessments through written submissions to the Department, the Department failed to respond and advise Incas that its submissions were not filed in the form prescribed under the Customs Act, and could not be accepted as appeals. Because of the Department's failure to respond to Incas, the time limits to submit appeals under the Act expired and as a result, Incas was ineligible for refunds of duty when an end-use code became applicable to the goods in June 1994.

This remission compensates Incas for the amount of duties that would otherwise have been refunded had the Department given the correct information to the importer with respect to protective appeals.

Contact: Megan Clifford, A/Secretary, Interdepartmental Remission Committee, Department of National Revenue, 6th Floor, Connaught Building, 555 MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel: 613-954-6937.

Customs Tariff, section 101

RC/R-32-L

To be published in Canada Gazette May 14, 1997

Royal Canadian Mounted Police Regulations, Amendment (sections 20 and 28) (SOR/97-233, OIC 1997-632)

This amendment removes the need for a medical board in cases of the discharge of a member of the RCMP on the basis of medical impairment where is consensus between the parties on the medical impairment of the member.

Since entitlements are established under a separate process, this amendment does not affect the rights of members to various entitlements

Contact: Jacques Courteau, Officer in Charge, Special Advisory Section, Royal Canadian Mounted Police Internal Affairs Branch, 250 Tremblay Road, Room 406, Ottawa, Ontario, K1A 0R2. Tel: 613-993-4249; Fax: 613-952-0618.

Royal Canadian Mounted Police Act, paragraph 21(1)(a)

96/Future Initiatives

To be published in Canada Gazette May 14, 1997

Controlled Drugs and Substances Act (Police Enforcement) Regulations (SOR/97-234, OIC 1997-632)

The Regulations provides clear authority for certain specialized drug enforcement techniques, such as controlled deliveries and other types of "sting" operations, that might otherwise be illegal in the context of drug investigations.

Under the regulations, the investigative methods could only be used by those police forces which have been designated as such by the appropriate federal or provincial minister responsible for policing.

The regulations establish two different circumstances:

- those in which forfeited drugs or drugs that have been manufactured or imported by the police for the purposes of a particular investigation under the Act (state drugs); and
- those involving drugs in circulation in society which a police officer may acquire for an activity proscribed by the Act while acting in the course of responsibilities for the purposes of a particular investigation under the Act (street drugs).

Where an investigation involves street drugs, the Regulations will exempt police officers from offences in the Act if certain specific conditions are met.

Controlled Drugs and Substances Act, subsection 55(2)

Not included in Regulatory Plan

To be published in Canada Gazette May 14, 1997

Exempt from Pre-Publication and Approved

Statutory Authority & Regulatory Plan Listing

Where use of state drugs in an investigation may involve conduct otherwise prohibited under sections 5 (trafficking and possession for the purpose of trafficking) & 7 (production) of the Act, certificates will have to be issued by a senior police officer.

Where such an investigation may involve the import or export of a controlled substance (section 6 of the Act), the certificate will only be issued by the appropriate RCMP officer.

The regulations will also provide for exemption of any person acting under the direction and control of an exempted police officer for the purpose of assisting that officer in the course of a specific investigation.

The enforcement regulations were pre-published in Part I of the Canada Gazette in May 1994. As a result of comments, the regulations also contain several elements of external control over the police including that only those police forces that are designated by the Solicitor General or the provincial minister responsible for policing may be authorized to apply these Regulations.

Contact: Michel Perron, Senior Advisor, Policing and Law Enforcement Directorate, Solicitor General Canada, 340 Laurier Avenue West, 8th floor, Ottawa, Ontario, K1A 0P8. Tel: 613-990-7039; Fax: 613-993-5252.

Western Grain Transition Payments Regulations, amendment (SOR/97-235, OIC 1997-642)

The amendments allow program benefits to be extended to eligible landowners who submitted applications after February 29, 1996, but on or before April 1, 1997 in respect of those farmlands for which no application had previously been submitted by an applicant who was eligible by virtue of holding the fee simple as at the beginning of February 28, 1995. These applicants would still be required to fulfill the obligations under section 5 of the regulations.

Contact: Rick Gaube, A/Director, Western Grain Transition Payments Program, Agriculture and Agri-Food Canada, Box 4046, Regina, Saskatchewan, S4P 3R9. Tel: 306-780-8133; Fax: 306-780-8162.

Immigration Regulations, 1978 (Hong Kong), amendment (SOR/97-236, OIC 1997-643)

These amendments will eliminate the requirement for obtaining visitors visas before entering Canada for certain Hong Kong residents, effective July 1, 1997.

More specifically, the amendments to Schedule II of the *Immigration Regulations, 1978* provide for the following:

- the removal of the words "Hong Kong" from the list in paragraph 3 of citizens of British dependent territories who are visitor visa exempt;
- the addition of a new paragraph to provide holders of the new Hong Kong Special Administrative Region (SAR) passport with an exemption from the Canadian visitor visa requirement; and
- the addition of another new paragraph will provide for a visitor visa exemption for holders of the British National Overseas (BNO) passport.

At present, Hong Kong Certificate of Identity (CI) holders are required to obtain visitor visas before entering Canada. This requirement will continue after July 1, 1997. There are some 1.3 million Hong Kong CI holders.

Contact: Patricia Nicoll, Deputy Director, Asia Pacific Division, International Region, Citizenship and Immigration Canada, 16th floor, Journal Tower South, 365 Laurier Avenue West, Ottawa, Ontario, K1A 1L1. Tel: 613-957-5811; Fax: 613-957-6988.

Budget Implementation Act 1995, Sch.11, Section 29, Clause 6; *Western Grain Transition Payments Act*, section 6

Not included in Regulatory Plan

To be published in Canada Gazette May 14, 1997

Immigration Act, section 9 and subsection 114(1)

Not included in Regulatory Plan

To be published in Canada Gazette May 14, 1997

Exempt from Pre-Publication and Approved

Statutory Authority & Regulatory Plan Listing

Order Designating the Province of Quebec for the Purposes of the Definition “applicable guidelines” in Subsection 2(1) of the Divorce Act (SOR/97-237, OIC 1997-644)

This Order designates Quebec’s *Regulations respecting the determination of child support payments* as the guidelines that will apply under the *Divorce Act*, pursuant to section 2(5) of the Act. The Quebec regulations, approved April 9, 1997, will come into effect on May 1, 1997. They meet all the requirements set out in subsection 26.1(1) of the *Divorce Act*.

Pursuant to the *Divorce Act*, as amended by Bill C-41, *An act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act, the Garnishment Attachment and Pension Diversion Act and the Canada Shipping Act, the Civil Code of Quebec and Code of Civil Procedure*, as amended by the Bill 68, *an Act to amend the Civil Code of Quebec and the Code of Civil Procedure as regards the determination of child support payments, and the Regulation respecting the determination of child support payments*, Quebec’s child support guidelines will apply to all child support orders made where both parents reside in Quebec as of May 1, 1997. Contact: Lise Lafrenière Henrie, Counsel, Coordinator, Policy Development, Child Support Team. Tel: (613) 957-0059.

Divorce Act, subsection 2(5)

JUS/97-269-01

To be published in Canada Gazette May 14, 1997

Pre-Published and Approved With comments or changes

Statutory Authority & Regulatory Plan Listing

Immigration Regulations, 1978, amendment (Prescribed Occupational Classification System for Assessment of Applications for Admission) (SOR/97-242, OIC 1997-680)

The amendment to the regulations is primarily technical in nature, relating to the occupational classification system to be used in future by Citizenship and Immigration Canada (CIC) for assessing independent immigrants who have applied for admission to Canada.

The change does not reflect a substantive change to the regulations or to program policy, but rather revises the regulations so that they refer to the occupational classification system currently supported and updated by Human Resources Development Canada (HRDC). CIC relies on HRDC for labour market information and expertise, to support its immigrant assessment.

More specifically, the amendment substitutes use of the *National Occupational Classification* (NOC) for the previous *Canadian Classification and Dictionary of Occupations* (CCDO), which is no longer being used by HRDC.

The change from CCDO to NOC will have no impact on Canadians, and little impact on those persons applying for admission to Canada as independent immigrants. However, as the NOC does contain a more accurate description than the CCDO of the skills and attributes necessary to work in specific vocations and professions in Canada, there could be a small number (no data exists from which to estimate an actual number) of individual applicants who will find that they cannot be considered for entry under the occupation for which they had hoped to be considered.

Immigration Act, paragraphs 114(1)(a) and (jj)

Not included in Regulatory Plan

To be published in Canada Gazette May 14, 1997

Pre-Published and Approved With comments or changes

Statutory Authority & Regulatory Plan Listing

The proposed regulations were prepublished in the Canada Gazette, Part I, on March 15, 1997 (see *Regulatory Affairs*, Vol. 3, No. 9, pp. 1-2, March 15, 1997). Contact: Bradley Pascoe, Senior Policy Officer, Selection Branch, Department of Citizenship and Immigration, 7th Floor, Journal Tower North, 300 Slater Street, Ottawa, Ontario, K1A 1L1. Tel: 613-957-1179; Fax: 613-954-0850.

Immigration Regulations, 1978, amendment (Immigrant Investment Program) (SOR/97-243, OIC 1997-681)

The amendment to the regulations extends the current interim Immigrant Investor Program until December 31, 1997, instead of having it end June 30, 1997 as previously proposed.

These amendments will permit the Minister to approve government-administered venture capital funds with offering periods not ending later than December 31, 1997.

The existing terms and conditions governing the approval and operation of government-administered venture capital funds remain unchanged.

Without these amendments, only the Quebec immigrant investor program would be open for new investment after June 30, 1997.

Proposed regulations for a new Immigrant Investor Program were prepublished on March 22, 1997 (see *Regulatory Affairs*, Vol. 3, No. 10, March 22, 1997, pp. 1-4 for more details). The redesigned Program was scheduled to be in place on July 1, 1997. In response, many provinces indicated they could not prepare the necessary regulatory and procedural framework in time for July 1, 1997. There are also concerns about providing sufficient time for an orderly transition for the funds now in the marketplace. Other provinces wish an opportunity for further consideration of some aspects of the redesigned Program and time to suggest further changes. The majority of the provinces asked to delay the implementation of the redesigned Program. The private sector also pointed out areas of concern which require detailed analysis and possibly the need to make amendments, which require more time.

The extension of the current Program allows the provinces time to establish a regulatory and operational framework in time to participate in the redesigned Program. Extension also ensures a more orderly transition between the current and redesigned Program, and provides the provinces an equal opportunity to participate in the redesigned Program from its inception.

Private sector fund managers who planned to participate in the redesigned Program from July 1, 1997 will be unable to do so.

Contact: Don Myatt, Director, Business Immigration Division, Department of Citizenship and Immigration, 7th Floor, Journal Tower North, 300 Slater Street, Ottawa, Ontario, K1A 1L1. Tel: 613-957-0001; Fax: 613-941-9014.

Immigration Act, paragraphs 114(1)(a.4) to (a.6), (ii.1) to (jj)

Not included in Regulatory Plan

To be published in Canada Gazette May 14, 1997

Ministerial Orders Approved

Statutory Authority & Regulatory Plan Listing

Public Service Superannuation Regulations, amendment (SOR/97-222)

The amendment implements a provision in the *Budget Implementation Act, 1996* whereby employees leaving the federal public service before becoming entitled to a pension are allowed to transfer the lump sum value of their earned pension to another pension plan, retirement savings vehicle or to purchase an annuity.

The amended regulations set out the manner for calculating the lump sum and for determining eligibility for payment of the transfer value benefit.

The changes are designed in part for employees who leave the federal government to join a "new employer" after administration of a government service has been divested to that new employer.

To be eligible, employees must be more than 10 years younger than pensionable age on the date of ceasing to be a federal public servant or, in the case of employees who join a "new employer", on the date they cease to be employed by the "new employer". Employers must apply for the transfer within one year of ceasing to be employed in the federal public service (or one year after ceasing to be employed by a "new employer").

The regulations come into effect on April 30, 1997.

Contact: Joanne F. Lee, Director, Pensions Legislation Development Group, Pensions Division, Treasury Board Secretariat, Ottawa, Ontario, K1A 0R5. Tel: 613-952-3233; Fax: 613-952-3240.

Public Service Superannuation Act, paragraph 42.1(1)(v.4) and section 71; *Financial Administration Act*, paragraph 7(2)(a)

Not included in Regulatory Plan

To be published in Canada Gazette May 14, 1997

Destruction of Paid Instruments Regulations (SOR/97-238)

The Regulations prescribe the details for conserving or destroying paid instruments and sets out the responsibilities of the Receiver General for Canada and the appropriate Minister.

The Regulations, which repeal the earlier *Destruction of Paid Instruments Regulations* (SOR/86-650), allow the deferral of the destruction of a paid instrument if it is needed in the course of an inquiry or examination. They also recognize electronic archiving of payment instruments and electronic payment instructions.

Normally, the paid instruments must be destroyed any time during the seventh year after an instrument has been paid.

The regulations come into effect on April 23, 1997.

Contact: Gilles Vézina, Project Manager, Financial Management Policy Division, Deputy Comptroller Branch, L'Espalanade Laurier, 8th Floor, West Tower, Treasury Board Secretariat, Ottawa, Ontario, K1A 1E4. Tel: 613-957-9660; Fax: 613-952-9613.

Financial Administration Act, subsection (2)

Not included in Regulatory Plan

To be published in Canada Gazette May 14, 1997

Payments to Estates Regulations (SOR/97-239)

The Regulations prescribe the general terms and conditions applicable to the payment of sums owed by the government to a deceased person. They stipulate that such sums must normally be paid to the deceased person's estate but provide for exceptions where the payment may be made to a legal heir.

One exception is the refund of a premium in respect to insurance under a contract of insurance under the *Returned Soldiers' Insurance Act* or the *Veterans Insurance Act*, based on the proportion of the share of insurance money the beneficiary would have been entitled to.

Persons entitled in law to succeed to the assets of a deceased may apply to the appropriate Minister for payment to them if:

- where the deceased had no will, the amount payable is \$25,000 or less; or
- where the deceased had a will, the amount payable is \$100,000 or less.

Financial Administration Act, section 10(f)

Not included in Regulatory Plan

To be published in Canada Gazette May 14, 1997

Ministerial Orders Approved

Statutory Authority
&
Regulatory Plan Listing

The Application and Release forms are attached as Schedules I and II.
The *Payments to Estates Regulations, 1990* (SOR/90-227) are repealed.
The regulations come into effect on April 23, 1997.

Contact: Gilles Vézina, Project Manager, Financial Management Policy Division, Deputy Comptroller Branch, L'Espalade Laurier, 8th Floor, West Tower, Treasury Board Secretariat, Ottawa, Ontario, K1A 1E4. Tel: 613-957-9660; Fax: 613-952-9613.

Cheque Issue Regulations, 1997 (SOR/97-240)

The Regulations updates the earlier regulations (which are repealed, in order to streamline the cheque replacement process and to increase the maximum amounts of cheques permitted under departmental bank accounts (normally \$5,000 without Treasury Board approval). They also incorporate new provisions to take into account new industry practices, such as cheque images (photocopies) provided instead of cashed cheques.

The *Cheque Issue Regulations* (SOR/80-474) are repealed.

The regulations come into effect on April 23, 1997.

Contact: Gilles Vézina, Project Manager, Financial Management Policy Division, Deputy Comptroller Branch, L'Espalade Laurier, 8th Floor, West Tower, Treasury Board Secretariat, Ottawa, Ontario, K1A 1E4. Tel: 613-957-9660; Fax: 613-952-9613.

Financial Administration Act, section 10

Not included in Regulatory Plan

To be published in Canada Gazette May 14, 1997

Regulatory Affairs

ISSN 1201-0716

© 1997 J-K Carruthers Ltd.



9 771201 071007

Editor: Mary Ferguson

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior written permission of the publisher.

Please send any questions or comments c/o the Editor, J-K Carruthers Ltd., R.R. #1, Perth, Ontario, K7H 3C3, Telephone (613) 267-3890, Fax (613) 267-6727. Visit our Web Pages at www.carruthers.com.