



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 412
(1998, chapter 3)

**An Act to amend the Act respecting
stuffing and upholstered and stuffed
articles**

**Introduced 17 March 1998
Passage in principle 24 March 1998
Passage 24 March 1998
Assented to 30 March 1998**

**Québec Official Publisher
1998**

EXPLANATORY NOTE

This bill amends the Act respecting stuffing and upholstered and stuffed articles to provide for the issue of a new artisan's permit and to remove certain categories of stuffed articles from the application of the Act. The bill also authorizes the Government to make regulations to establish classes of artisan's permits.

Bill 412

AN ACT TO AMEND THE ACT RESPECTING STUFFING AND UPHOLSTERED AND STUFFED ARTICLES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 1 of the Act respecting stuffing and upholstered and stuffed articles (R.S.Q., chapter M-5) is amended

(1) by replacing, in the French text, “manufacturier” in the first line of paragraph *e* by “fabricant”;

(2) by inserting, after paragraph *e*, the following :

“(e.1) “artisan”: any person who manufactures, on a small-scale basis, fewer than 1,000 stuffed or upholstered articles per year;”.

2. Section 2 of the said Act is amended by adding the following :

“(c) accessories for domestic animals;

“(d) coffins;

“(e) shoes.”

3. Section 3 of the said Act is replaced by the following :

“3. No person shall act as a manufacturer, artisan or renovator unless the person holds a manufacturer’s, an artisan’s or a renovator’s permit, as the case may be.”

4. Section 4 of the said Act is replaced by the following :

“4. No person shall sell or offer for sale stuffing if it has been manufactured by a person who does not hold a manufacturer’s permit, unless the stuffing has been manufactured in another province of Canada designated by regulation.

No person shall sell or offer for sale upholstered or stuffed articles other than second-hand articles if they have been manufactured by a person who does not hold a manufacturer’s permit or an artisan’s permit, unless the articles have been manufactured in another province of Canada designated by regulation.”

5. Section 5 of the said Act is amended

(1) by replacing, in the French text, “manufacturier” by “fabricant”;

(2) by adding, at the end, the following:

“Every artisan shall, immediately upon their manufacture, affix to the upholstered or stuffed articles which the artisan manufactures the label prescribed for such purpose by regulation.”

6. Section 7 of the said Act is amended by replacing the second paragraph by the following:

“This section does not apply to the sale, by a natural person, of movable property which furnishes that person’s residence.”

7. Section 12 of the said Act is amended by replacing the last two lines by the following: “it is in the possession of a manufacturer, an artisan, a wholesaler or a retailer, to be offered for sale by such manufacturer, artisan, wholesaler or retailer”.

8. Section 22 of the said Act is amended by replacing “manufacturer’s” in the first line of the first paragraph by “manufacturer’s, artisan’s”.

9. Section 37 of the said Act is amended by replacing the last two lines by the following: “and liable to a fine of not more than \$500 in the case of a natural person, or to a fine of not more than \$2,000 in the case of a legal person”.

10. Section 38 of the said Act is amended by adding the following:

“(k) to establish classes of artisan’s permits according to the number of upholstered or stuffed articles manufactured per year and to fix the duties payable for each class.”

11. This Act comes into force on the date fixed by the Government.