

chapter A-4.1, r. 2

**Regulation respecting an application for authorization and the information and documents required for the application**

Act respecting the acquisition of farm land by non-residents  
(chapter A-4.1, s. 35).

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## DIVISION I

### APPLICATION FOR AUTHORIZATION

**1.** In accordance with section 12 of the Act respecting the acquisition of farm land by non-residents (chapter A-4.1), a person who wishes to submit an application for authorization must forward the following documents to the Commission de protection du territoire agricole du Québec, for examination:

(a) the form described in section 2 duly completed and, where applicable, a copy of the signed promise of purchase;

(b) a dated and signed scale plan, indicating the scale used, the cardinal points, the numbers of the lots referred to in the application, the area and the measurement of each side of the sites in question, the area and the location of each lot belonging to the owner of the lots in question that is contiguous or deemed contiguous under the Act to each of the lots in question, the location of the buildings erected on the lots in question and the use of the lots contiguous to those lots;

(c) a certified cheque made to the order of the Minister of Finance for the amount determined in the Regulation respecting the tariff of duties, fees and costs made under the Act respecting the acquisition of farm land by non-residents (chapter A-4.1, r. 3);

(d) an affidavit mentioning the reasons for the acquisition of the farm land, its intended use and, where applicable, the applicant's intention to settle in Québec. The applicant must also certify in writing that all the information given in the form described in section 2 is true; and

(e) the incorporating document of the legal person, where applicable.

R.R.Q., 1981, c. A-4.1, r. 2, s. 1; O.C. 1091-2014, s. 1.

## DIVISION II

### FORM

**2.** For the purposes of section 12 of the Act, any application for authorization must be made on a form containing the following information:

(a) the identity of the applicant;

i. in the case of a natural person: his or her surname, first name, citizenship, address of domicile, email address or other technological address, job or occupation and telephone number, and the number of days the person has stayed in Québec during the 48 months preceding the date of the application;

ii. in the case of a legal person:

— the name of the legal person, where it was constituted and the Act that governs it;

— the address of its head office and, where applicable, of its business establishment in Québec and the telephone number and email address of the said head office and establishment;

— in the case of a company with share capital, the percentage of the shares of its share capital with full voting rights that belong to one or several persons that are not resident in Québec; the total number of its directors as well as the number of directors not resident in Québec; and

— in the case of a company without share capital, the percentage of its members that are not resident in Québec;

(b) the description of the farm land concerned:

- i. a summary description of the farm land referred to in the application, namely, the lot number and range, where applicable, the cadastral division and the municipality in which the farm land is located and the name and address of the owner;
- ii. the area in hectares of the farm land acquired within the meaning of the Act;
- iii. the present and future uses of the farm land and the areas devoted to the uses;
- iv. a description of any permanent structure and facility existing on the farm land, including any house and building;
- v. the production costs and the livestock;
- vi. the acquisition cost agreed to, distinguishing the prices for the land, the buildings and the equipment, and other property acquired;
- vii. where applicable, the opinion of the applicant that the land concerned is not suitable for the cultivation of the soil or the raising of livestock due to the biophysical conditions of the soil and of the environment;

(c) the list of documents to be attached.

R.R.Q., 1981, c. A-4.1, r. 2, s. 2; O.C. 1091-2014, s. 2.

#### UPDATES

R.R.Q., 1981, c. A-4.1, r. 2

O.C. 1091-2014, 2014 G.O. 2, 2805

