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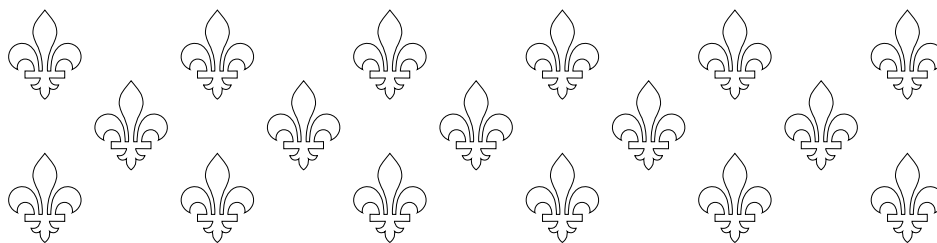
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NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 58
(1999, chapter 66)

An Act to amend the Highway Safety Code and other legislative provisions

Introduced 28 May 1999
Passage in principle 1 December 1999
Passage 9 December 1999
Assented to 13 December 1999

**Québec Official Publisher
1999**

EXPLANATORY NOTES

This bill amends the Highway Safety Code to change the rules governing the disposal of road vehicles that are not claimed after being seized from a driver subject to a sanction or driving without a licence. Henceforth, responsibility for disposing of unclaimed road vehicles will be assumed by the Société de l'assurance automobile du Québec instead of the Public Curator.

In addition, the bill authorizes the Société de l'assurance automobile du Québec to enter into agreements with the Minister of Agriculture, Fisheries and Food and an association certified under the Farm Producers Act to facilitate the exchange of information for the purposes of farm vehicle registration.

The bill introduces new measures concerning the powers of highway controllers and on-road inspections.

Under the bill, a person driving a road train or a heavy vehicle with air brakes or manual transmission, but whose driver's licence does not include the required particulars for driving such a vehicle, is liable to a fine and seizure of the vehicle. The bill specifies that the special rules in the Highway Safety Code governing the owners and operators of heavy vehicles continue to apply even when the drivers and operators are exempted from registration under the Act respecting owners and operators of heavy vehicles, and also apply to the drivers of heavy vehicles and persons supplying driver services.

The bill authorizes a Native community represented by its band council to prosecute traffic violations committed in its territory and retain the amount of any fine imposed, provided an agreement to that effect has been entered into with the Government.

The bill also contains transitional provisions and consequential amendments.

LEGISLATION AMENDED BY THIS BILL :

- Highway Safety Code (R.S.Q., chapter C-24.2) ;

- Act to amend the Highway Safety Code and other legislative provisions (1996, chapter 56);
- Act respecting owners and operators of heavy vehicles (1998, chapter 40).

Bill 58

AN ACT TO AMEND THE HIGHWAY SAFETY CODE AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 21 of the Highway Safety Code (R.S.Q., chapter C-24.2), amended by section 56 of chapter 40 of the statutes of 1998, is again amended

(1) by striking out “an owner or operator of” in the third and fourth lines of the third paragraph of the English text ;

(2) by replacing “is not a person” in the fourth line of the third paragraph of the English text by “before the owner or operator is”.

2. Section 65 of the said Code, amended by section 61 of chapter 40 of the statutes of 1998, is again amended by adding “, and containing the particulars prescribed by regulation, if any” at the end.

3. Section 180 of the said Code is amended by replacing that part which precedes subparagraph 1 of the first paragraph by the following :

“180. Where a person is convicted under the Criminal Code of an offence committed with a road vehicle or an off-highway vehicle, that person’s learner’s licence, probationary licence or driver’s licence shall be cancelled if the offence is an offence under”.

4. Section 209.5 of the said Code is amended by replacing “If the owner was not present at the time of the seizure, the Société shall advise him” in the first line of the second paragraph by “The Société shall advise the owner”.

5. Section 209.10 of the said Code is amended by replacing “the period provided for in section 209.16, but, in the latter case, only with the permission of the Public Curator” in the fifth and sixth lines by “the period provided for in section 209.17 but, in the latter case, only with the permission of the Société”.

6. Section 209.16 of the said Code is repealed.

7. The heading of Division III of Chapter III of Title V and sections 209.17 to 209.22 of the said Code are replaced by the following :

“DIVISION III**“DISPOSAL OF THE ROAD VEHICLE BY THE SOCIÉTÉ**

“209.17. If within ten days after the end of the period of seizure, the road vehicle is not claimed, the Société shall dispose of it in accordance with the rules set out in this division. The disposal costs shall be borne by the owner.

“209.18. Where the value of the road vehicle is greater than \$2,500, the Société shall dispose of it by auction.

The vehicle may be sold only after prior notice of at least ten days has been sent to the owner of the vehicle and to each person holding a right in the vehicle published in the register of personal and movable real rights, and after prior notice of at least ten days has been published in a newspaper circulated in the locality where the owner of the vehicle resides or, in the case of a legal person, in the locality where the legal person's establishment is situated. Prior notice given under this section must specify, in particular, the year, make, model and registration number of the vehicle, the name of its owner, the owner's right to claim the vehicle at any time prior to the sale on payment to the custodian of the vehicle of the towing and impounding charges and on payment of the charges that may be imposed by the Société pursuant to subparagraph 13.1 of the first paragraph of section 624.

The rules set out in the Civil Code pertaining to voluntary auction sales apply, in all other matters, to a sale made by the Société pursuant to this section.

“209.19. Where the value of the road vehicle is equal to or less than \$2,500, the Société may classify the vehicle as discarded and sell it or dispose of it by any other means, in particular by giving it to the custodian in payment of the latter's claim for the cost of towing and impounding the vehicle.

The vehicle may be disposed of only after prior notice of at least five days has been sent to the owner of the vehicle and to every holder of a right in the vehicle published in the register of personal and movable real rights. Prior notice given under this section must specify, in particular, the year, make, model and registration number of the vehicle, the name of its owner, the owner's right to claim the vehicle at any time prior to the sale on payment to the custodian of the vehicle of the towing and impounding charges and on payment of the charges that may be imposed by the Société.

“209.20. For the purposes of sections 209.18 and 209.19, the value of a road vehicle is the average wholesale price indicated, for a vehicle of the make, model and equipment concerned, in the current edition of the road vehicle value guide recognized by the Société and of which the Société gives notice in the *Gazette officielle du Québec*.

Where the model year of the vehicle is earlier than the years covered in the current edition, the price used is the price appearing in the current edition for the year closest to the model year of the vehicle; the value of the vehicle is that price less 1% for each complete month between the model year of the vehicle and that closest year appearing in the current edition.

Where the make or model of the vehicle is not covered in the guide, the Société shall assess the value of the vehicle or have it assessed.

“209.21. Every disposal of a vehicle by the Société pursuant to the rules of this division entails the extinction of all reserves of ownership, rights of redemption, hypothecs and other rights or charges encumbering the vehicle.

The Société shall forward a notice of any disposal of a vehicle to the registrar who shall, in each case, cancel the relevant entries.

“209.22. When a road vehicle is sold, the Société shall allocate the proceeds to payment of the costs of the sale, to payment of the claim of the custodian for the cost of towing and impounding, and then to payment of the charges imposed by the Société, if any, pursuant to subparagraph 13.1 of the first paragraph of section 624. The remaining proceeds shall be allocated, in order, to payment of the following claims on the vehicle :

- (1) the claim of the lessor or holder of a reserve of ownership ;
- (2) prior claims ;
- (3) hypothecary claims.

Any remaining proceeds shall be remitted to the owner of the vehicle at the time of the seizure.

“209.22.1. Even where the proceeds of the sale prove insufficient, the Société is bound to pay the costs of the sale and the claim of the custodian.

“209.22.2. To cover any loss that may be incurred by the custodian when a vehicle is given in payment, the Société shall pay the custodian the amount fixed by regulation for every vehicle given in payment.

“209.22.3. A custodian who acquires a road vehicle in payment of a claim shall, when the vehicle is purchased to be put back into operation, provide the purchaser with a certificate of mechanical inspection issued pursuant to Title IX.”

8. Section 291 of the said Code, replaced by section 84 of chapter 40 of the statutes of 1998, is amended by replacing “to maintain the highway or to install or maintain public utilities on the highway” in the third paragraph by “under a special permit expressly giving the vehicle access to that highway.”

9. Section 315.2 of the said Code, enacted by section 89 of chapter 40 of the statutes of 1998, is amended by adding the following paragraph at the end:

“In the case of a contravention of a sign or signal limiting the authorized load on a bridge or viaduct, the owner or operator of the vehicle is liable to a fine of \$600 plus

- (a) \$100 per excess 1,000 kg up to 5,000 kg in excess;
- (b) \$150 per excess 1,000 kg between 5,000 kg and 10,000 kg in excess;
- (c) \$200 per excess 1,000 kg over 10,000 kg in excess.”

10. Section 439 of the said Code is replaced by the following section:

“439. No person may drive a road vehicle in which a television set or a display screen is so placed that the image broadcast on the screen is directly or indirectly visible to the driver, except in the cases or on the conditions determined by regulation.”

11. The said Code is amended by inserting the following section after section 470:

“470.1. When required to do so by a peace officer or by a sign or signal, the driver of a road vehicle or combination of road vehicles must drive it to an inspection station and facilitate such inspection as may be required under this Code.”

12. Section 513 of the said Code, replaced by section 112 of chapter 40 of the statutes of 1998, is amended

(1) by replacing “on a bridge or viaduct on which the heavy vehicle is not authorized to travel according to a sign or signal specifying the limit on the structure” in subparagraph 4 of the third paragraph by “without special authorization on a bridge or viaduct where a sign or signal prohibits overweight vehicles”;

(2) by striking out the sixth paragraph.

13. Section 517.1 of the said Code, enacted by section 115 of chapter 40 of the statutes of 1998, is amended by striking out paragraph 7.

14. Section 519.1 of the said Code, replaced by section 119 of chapter 40 of the statutes of 1998, is again replaced by the following section:

“519.1. This Title applies to heavy vehicles and to the following persons:

(1) owners and operators of heavy vehicles within the meaning of section 2 of the Act respecting owners and operators of heavy vehicles;

(2) drivers of heavy vehicles and persons supplying the services of such drivers.”

15. Section 519.13 of the said Code, enacted by section 119 of chapter 40 of the statutes of 1998, is amended by replacing the first paragraph by the following paragraph :

“519.13. A driver of a bus, of a minibus or of a heavy vehicle carrying dangerous substances in quantities requiring hazard signs to be installed on the vehicle pursuant to a regulation respecting the transportation of dangerous substances must stop the vehicle at least 5 metres from a level crossing and then proceed only after ascertaining that it is safe to proceed.”

16. Section 519.14 of the said Code is repealed.

17. Section 519.50 of the said Code, enacted by section 119 of chapter 40 of the statutes of 1998, is amended by inserting “, 519.13” after “519.7” in the first line.

18. Section 519.52 of the said Code, enacted by section 119 of chapter 40 of the statutes of 1998, is amended by replacing subparagraph 3 of the third paragraph by the following subparagraph :

“(3) \$175 to \$525, \$350 to \$1,050 or \$700 to \$2,100 for an offence under paragraph 4 of that section according to the seriousness of the offence as determined by regulation.”

19. Section 519.67 of the said Code, amended by section 122 of chapter 40 of the statutes of 1998, is again amended by replacing “every public servant who supervises” by “the public servants who supervise”.

20. Section 519.68 of the said Code is replaced by the following section :

“519.68. The Société may, with the approval of the Minister of Transport, enter into an agreement with the Minister of Public Security in order that highway controllers may act as special constables, in particular, when they enforce the Act respecting motor vehicle transport by extra-provincial undertakings (Revised Statutes of Canada, 1985, chapter 29, 3rd Supplement) or when they ascertain the commission of an offence under the Criminal Code in the performance of their duties.”

21. The said Code is amended by inserting the following section after section 520 :

“520.1. A peace officer may, within the scope of an on-road inspection program established by the Société, conduct or order a mechanical inspection on a road vehicle, including a vehicle subject to a periodic mechanical inspection or a road vehicle to which a preventive maintenance program applies pursuant to the provisions of this Title.”

22. The heading of Division III of Chapter II of Title X of the said Code is amended by adding “OR NATIVE COMMUNITY” at the end.

23. Section 597 of the said Code is replaced by the following section :

“597. Penal proceedings for an offence under a provision of this Code may be instituted by a municipality if the offence was committed within its territory.

Such proceedings may be instituted by a Native community, represented by its band council, where an agreement for that purpose has been entered into by the Government and the council, if the offence was committed

(1) on the reserve attributed to that community,

(2) within a territory in respect of which particular conditions for the provision of police services to the community have been ordered by the Minister of Public Security or agreed on between the community and the Government pursuant to the Police Act, or

(3) within the territory over which a Cree or Naskapi village, formed of the members of the community, has jurisdiction under Division IV.1 of that Act.

Fines collected pursuant to this section belong to the prosecutor.”

24. The said Code is amended by inserting the following section before section 602 :

“601.1. Sections 112, 587.1 and 649 are applicable to a Native community that has entered into an agreement concerning the right to institute proceedings, as stipulated therein.”

25. The said Code is amended by inserting the following section after section 611.1 :

“611.2. The Minister of Agriculture, Fisheries and Food and an association certified under the Farm Producers Act may, after entering into agreements with the Société, communicate to the Société, for the registration of road vehicles, the information needed to verify farmer status and membership in such an association or the status of holder of an agricultural operation registration card issued pursuant to a regulation made under section 36.15 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (chapter M-14).

The agreements must include provisions specifying the nature of the information to be communicated, the steps to be taken to ensure confidentiality and the relevant security measures.

The agreements must be submitted for an opinion to the Commission d’accès à l’information in accordance with the procedure set out in section 70

of the Act respecting Access to documents held by public bodies and the Protection of personal information.”

26. Section 621 of the said Code, amended by section 144 of chapter 40 of the statutes of 1998, is again amended

(1) by replacing “\$100 to \$200, or \$300 to \$600 for an owner to whom Chapter I.1 of Title IX applies or \$350 to \$1,050 or \$700 to \$2,100 if Title VIII.1 applies to the owner” in paragraph 23 by “\$90 to \$270, \$175 to \$525 or \$350 to \$1,050 for a driver, owner or lessee or \$175 to \$525, \$350 to \$1,050 or \$700 to \$2,100 for an operator to whom Title VIII.1 applies”;

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

“(51) determine in what cases and on what conditions a road vehicle may be equipped with a television set or a display screen.”

27. Section 624 of the said Code is amended

(1) by inserting the following subparagraph after subparagraph 13 of the first paragraph:

“(13.1) fix the amount of the fee exigible from the person who, at the time of the seizure, was the owner of the road vehicle, for the management of the vehicle disposal record;”;

(2) by striking out “electronic” in subparagraph 18 of the first paragraph;

(3) by inserting the following subparagraph after subparagraph 19 of the first paragraph:

“(20) fix the amount to be paid to a custodian for any loss that may be incurred by the custodian when a vehicle is given in payment pursuant to section 209.22.2 and the terms and conditions governing payment of the amount.”

28. The said Code is amended by inserting the following section after section 636.2:

“636.3. The person to whom custody of an impounded road vehicle has been entrusted by a highway controller in accordance with sections 536 and 636.2 shall act with care and prudence.

The custodian is entitled to retain the road vehicle until all towing and impounding charges have been paid.

Where an impounded road vehicle has not been claimed 40 days after the date of impoundment, the Société shall dispose of it in accordance with the rules set out in sections 209.17 to 209.22.3, substituting “impounding” for “seizure”, with the necessary modifications, in sections 209.17 and 209.22.”

29. Section 646 of the said Code is replaced by the following section :

“646. Every driver of a heavy vehicle who contravenes a regulatory provision the violation of which constitutes an offence under subparagraph 8 of the first paragraph of section 622 is guilty of an offence and is liable to a fine of \$90 to \$270, \$175 to \$525 or \$350 to \$1,050 according to the seriousness of the offence as determined by regulation.

The person who offers dangerous substances for transport, the owner or operator of a heavy vehicle and the carrier of dangerous substances who contravenes a regulatory provision the violation of which constitutes an offence under subparagraph 8 of the first paragraph of section 622 is guilty of an offence and is liable to a fine of \$175 to \$525, \$350 to \$1,050 or \$700 to \$2,100 according to the seriousness of the offence as determined by regulation.”

30. Section 647 of the said Code is amended by adding the following paragraph at the end :

“The fine must be \$175 to \$525 where the offence prescribed by a municipal by-law made under paragraph 5 of the said section involves a truck or tool vehicle.”

31. Section 648 of the said Code is amended by replacing paragraph 1 by the following paragraphs :

“(1) the fines belonging to the prosecuting municipality or Native community ;

“(1.1) the costs relating to proceedings brought before a municipal court that belong to the municipality in which the court has jurisdiction ;”.

32. Section 158 of the Act to amend the Highway Safety Code and other legislative provisions (1996, chapter 56) is amended by replacing “39” in the English text of paragraph 1 by “37”.

33. Section 39 of the Act respecting owners and operators of heavy vehicles (1998, chapter 40) is amended

(1) by inserting “and section 209.23” after “209.10” in the first paragraph ;

(2) by replacing “may be obtained in accordance with the provisions of sections 209.11 to 209.16 of the Highway Safety Code, adapted as required and replacing therein, except in sections 209.15 and 209.16” in the second paragraph by “or recovery of the vehicle may be obtained in accordance with the provisions of sections 209.11 to 209.15 of the Highway Safety Code, adapted as required and replacing therein, except in section 209.15” ;

(3) by replacing the third paragraph by the following paragraph :

“The provisions of sections 209.17 to 209.22.3 and 209.24 to 209.26 and the regulatory provisions under paragraph 50 of section 621 of that Code, adapted as required, also apply to the seizure.”

34. Chapter III of Title V of the Highway Safety Code comprising sections 209.1 to 209.26, as in force on *(insert here the date preceding the date of coming into force of section 7)*, shall continue to apply to seizures effected before *(insert here the date of coming into force of section 7)*.

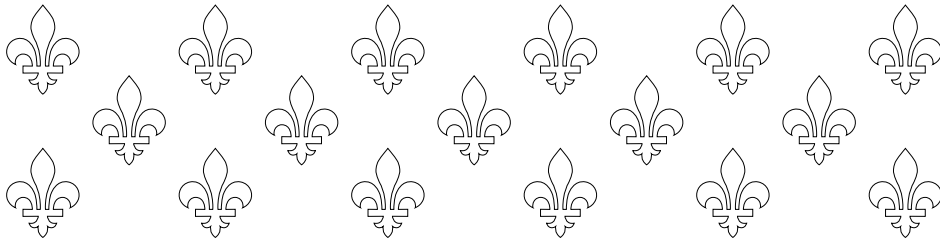
35. The first regulation made under subparagraphs 13.1 and 20 of the first paragraph of section 624 of the Highway Safety Code, enacted by section 27 of this Act, is not subject to the publication requirement under section 8 of the Regulations Act (R.S.Q., chapter R-18.1).

36. Section 1 has effect from 20 June 1998 and section 32 has effect from 23 December 1996.

37. This Act comes into force on 13 December 1999 except

(1) sections 4 to 7, paragraphs 1 and 3 of section 27 and sections 28, 33 and 34, which come into force on 1 May 2000;

(2) sections 8 to 10, 12, 13, 15, 18, 20, 22 to 24, 26 and 29 to 31, which come into force on the date or dates to be fixed by the Government.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 91
(1999, chapter 76)

**An Act to amend the Environment
Quality Act concerning the procedure
for environmental impact assessment
and review of certain projects**

**Introduced 11 November 1999
Passage in principle 1 December 1999
Passage 14 December 1999
Assented to 16 December 1999**

**Québec Official Publisher
1999**

EXPLANATORY NOTES

The object of this bill is to empower the Minister of the Environment to make an agreement with the competent authority to coordinate all applicable environmental assessment procedures, where a project is to be carried out partly outside Québec and is subject to another environmental assessment procedure.

The bill specifies that an agreement may concern the constitution and operation of a body responsible for the implementation of the environmental assessment procedure, and the conditions applicable to impact studies and information and consultation sessions. The provisions of the agreement will stand in lieu of the corresponding legislative provisions.

Lastly, the bill provides that the agreement is to be tabled in the National Assembly.

Bill 91

AN ACT TO AMEND THE ENVIRONMENT QUALITY ACT CONCERNING THE PROCEDURE FOR ENVIRONMENTAL IMPACT ASSESSMENT AND REVIEW OF CERTAIN PROJECTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Environment Quality Act (R.S.Q., chapter Q-2) is amended by inserting the following section after section 31.8 :

“31.8.1. Where a project referred to in section 31.1 is to be carried out in part outside Québec and, as a consequence, the project is also subject to an environmental assessment procedure prescribed under an Act of a legislative authority other than the Parliament of Québec, the Minister may make, as provided by law, an agreement with any competent authority to coordinate the environmental assessment procedures, which may include the establishment of a unified procedure.

The agreement may, in keeping with the objectives of this division, provide for

(1) the constitution and operation of a body responsible for the implementation of all or part of the environmental assessment procedure ;

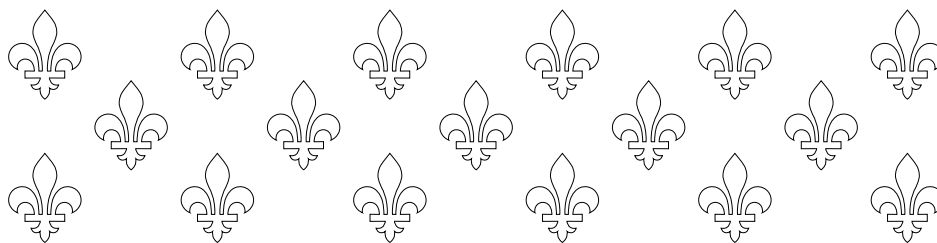
(2) the conditions applicable to the carrying out of the study on the project’s environmental impact ; and

(3) the holding of information sessions and public consultations as well as public hearings on the project.

The provisions of the agreement pertaining to the matters mentioned in the second paragraph apply in lieu of the corresponding provisions of this Act and its statutory instruments.

The agreement shall be tabled in the National Assembly within 10 days of its making or, if the National Assembly is not sitting, within 10 days of resumption.”

2. This Act comes into force on 16 December 1999.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 98
(1999, chapter 79)

An Act to amend the Act respecting the Régie des installations olympiques

Introduced 9 December 1999
Passage in principle 14 December 1999
Passage 14 December 1999
Assented to 16 December 1999

**Québec Official Publisher
1999**

EXPLANATORY NOTE

This bill amends the Act respecting the Régie des installations olympiques to enable the Régie to construct, equip and operate the movable and immovable installations situated within a specific square block in the territory of Ville de Montréal.

Bill 98

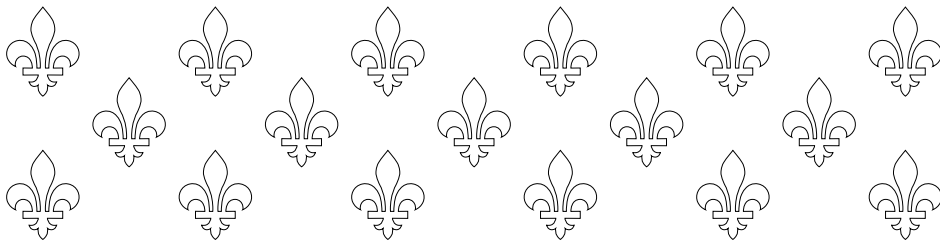
AN ACT TO AMEND THE ACT RESPECTING THE RÉGIE DES INSTALLATIONS OLYMPIQUES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Act respecting the Régie des installations olympiques (R.S.Q., chapter R-7) is amended by inserting the following section after section 13 :

“13.1. The object of the Régie is also to carry out the construction, equipping and operation of the movable and immovable installations that are contained within the quadrilateral bounded by Saint-Jacques, Peel, de la Montagne and Notre-Dame Ouest streets, in the territory of Ville de Montréal, and consisting of lots two thousand and thirty-eight, two thousand four hundred and three and two thousand four hundred and four of the cadastre of the City of Montréal (Saint-Antoine Ward) in the registration division of Montréal.”

2. This Act comes into force on the date to be fixed by the Government.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 210

(Private)

An Act to amend the charter of the city of Québec

Introduced 13 May 1999

Passage in principle 8 December 1999

Passage 8 December 1999

Assented to 13 December 1999

**Québec Official Publisher
1999**

Bill 210

(Private)

AN ACT TO AMEND THE CHARTER OF THE CITY OF QUÉBEC

WHEREAS it is in the interest of the city of Québec that its charter, chapter 95 of the statutes of 1929 and the Acts amending it, be again amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 1 of the charter of the city of Québec (1929, chapter 95), amended by section 10 of chapter 102 of the statutes of 1939, section 3 of chapter 72 of the statutes of 1949, section 3 of chapter 52 of the statutes of 1952-53, section 2 of chapter 85 of the statutes of 1966-67, section 1 of chapter 68 of the statutes of 1970, section 447 of chapter 72 of the statutes of 1979, section 1 of chapter 46 of the statutes of 1985, section 1 of chapter 116 of the statutes of 1986 and section 829 of chapter 57 of the statutes of 1987, is again amended by striking out “permanent” in the fourth line of subparagraph *d* of the first paragraph.
2. Section 5 of the said charter, replaced by section 9 of chapter 51 of the statutes of 1948, amended by section 2 of chapter 85 of the statutes of 1966-67, replaced by section 1 of chapter 75 of the statutes of 1972 and amended by section 269 of chapter 19 of the statutes of 1988, is again amended by replacing “the Schedule” by “Schedule 1”.
3. Section 17*c* of the said charter, enacted by section 3 of chapter 88 of the statutes of 1988, is amended by adding the following sentence at the end of the third paragraph: “The councillor designated as leader of the Opposition ceases to act as such when another councillor is designated to hold that office, upon filing with the council or the clerk a notice of resignation from that office or upon termination of the councillor’s term of office as a member of the council.”
4. Section 157 of the said charter, amended by section 5 of chapter 91 of the statutes of 1990, is again amended by replacing “If the chairman and the vice-chairman are absent from a sitting of the council” by “Where the chairman and the vice-chairman are absent from or unable to act at a sitting of the council”.
5. The said charter is amended by inserting the following section after section 165:

“165a. The clerk is authorized to amend any minutes, by-law, resolution, ordinance or other act of the council or executive committee in order to correct therein an error that appears on the face of the documents submitted in support of the decision made or the act performed. In such a case, the clerk shall attach to the original of the amended document the minutes of the correction made and submit a copy of the amended document and minutes of the correction at the following sitting of the council or executive committee, as the case may be.”

6. Section 173a of the said charter, replaced by section 52 of chapter 81 of the statutes of 1965 and amended by section 2 of chapter 85 of the statutes of 1966-67, section 7 of chapter 68 of the statutes of 1970, section 10 of chapter 42 of the statutes of 1980, section 58 of chapter 61 of the statutes of 1984, section 9 of chapter 116 of the statutes of 1986 and section 6 of chapter 85 of the statutes of 1996, is again amended by replacing “d’incapacité d’agir” in the third line of the fifth paragraph of the French text by “d’empêchement”.

7. The said charter is amended by inserting the following section after section 183:

“183.1. Following an agreement with a municipality whose territory forms part of the territory of the Communauté urbaine de Québec, the city may place at the disposal of a fire investigation commissioner appointed under the Fire Investigations Act (R.S.Q., chapter E-8) and responsible for inquiring into a fire or explosion in the territory of that municipality, the investigation and support services it places at the disposal of the investigation commissioner appointed for Ville de Québec.

Twenty-five per cent of the costs incurred for such purposes by the city shall be reimbursed by the municipality according to the terms of the agreement, and 75% of those sums shall be recoverable from the legal persons, companies, mutual or other associations and from any person carrying on the business of fire insurance or the agents thereof, doing business in that municipality, in accordance with the rules prescribed in section 183, with the necessary modifications.”

8. Section 185 of the said charter, replaced by section 56 of chapter 81 of the statutes of 1965 (1st session) and amended by sections 2 and 12 of chapter 85 of the statutes of 1966-67, section 11 of chapter 68 of the statutes of 1970, section 6 of chapter 97 of the statutes of 1974, section 10 of chapter 54 of the statutes of 1976, section 2 of chapter 22 of the statutes of 1979, section 11 of chapter 42 of the statutes of 1980, sections 8 and 58 of chapter 61 of the statutes of 1984, section 136 of chapter 27 of the statutes of 1985, section 12 of chapter 116 of the statutes of 1986, section 7 of chapter 88 of the statutes of 1988, section 4 of chapter 84 of the statutes of 1991, section 102 of chapter 30 of the statutes of 1994, section 3 of chapter 55 of the statutes of 1994 and section 9 of chapter 85 of the statutes of 1996, is again amended

(1) by replacing the first paragraph of subsection 1 by the following paragraph:

“(1) The mayor is the chairman of the executive committee; at the first meeting of the executive committee, he shall appoint one of the members as vice-chairman; the latter shall carry out all the duties of the chairman if the chairman is absent or unable to act or in the case of vacancy in such office. The executive committee may designate one of its members to carry out the duties and exercise the powers of the chairman of the executive committee where both the chairman and vice-chairman of the executive committee are absent or unable to act.”;

(2) by replacing “council” in the second line of subparagraph 3 of the third paragraph of subsection 2 by “executive committee”;

(3) by adding “, and prescribe, in that case, that certain contracts or documents or certain categories of contracts or documents do not require the signature of the clerk” at the end of the second paragraph of subsection 16;

(4) by replacing “, accompanied with a report of the treasurer as to its value” in the second and third lines of subsection 28 by “attesting, in particular, its value”.

9. Section 186.16 of the said charter, enacted by section 11 of chapter 85 of the statutes of 1996, is replaced by the following section:

“186.16. Within 60 days after a meeting that establishes or changes the address of the head office or the list of directors, the ward council shall transmit a notice of the address of its head office or a list of its directors, as the case may be, to the Inspector General of Financial Institutions, who shall deposit it in the register.”

10. Section 187 of the said charter, replaced by section 12 of chapter 42 of the statutes of 1980, is amended by replacing “In the absence of the chairman” in the fifth line by “Where the chairman is absent or unable to act”.

11. The said charter is amended by inserting the following section after section 245:

“245a. The city may impose, by by-law, a special tax on any person who, in the territory of the city, operates a business, factory or a financial or commercial establishment, who practises an occupation, art, profession or trade or who carries on an activity constituting a means of profit, gain or livelihood.

The tax referred to in the first paragraph may not, however, be imposed in respect of an activity for which the city imposes a business tax under section 232 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1).”

12. Section 254 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53 and section 2 of chapter 85 of the statutes of 1966-67, is repealed.

13. Section 260 of the said charter, replaced by section 14 of chapter 42 of the statutes of 1980, is amended by replacing “The municipal and school taxes imposed upon any lot of land” in the first and second lines by “The prior claims payable to the city that may be secured by a legal hypothec”.

14. Section 271 of the said charter, replaced by section 454 of chapter 72 of the statutes of 1979, is amended by adding the following paragraph at the end:

“An application to the court for the recovery of a prior claim that may be secured by a legal hypothec, filed before the claim is prescribed and served, not later than 60 days after the expiry of the prescription period, on any of the persons from whom the payment may be claimed under section 260, shall interrupt prescription with respect to all those persons.”

15. Section 274 of the said charter, replaced by section 50 of chapter 102 of the statutes of 1937 and amended by section 2 of chapter 85 of the statutes of 1966-67, section 15 of chapter 116 of the statutes of 1986 and section 106 of chapter 30 of the statutes of 1994, is again amended by striking out “, with the debtor’s consent in writing,” in the first paragraph.

16. Section 286*d* of the said charter, enacted by section 1 of chapter 34 of the statutes of 1984, is amended by adding the following paragraph at the end:

“Where two or more authorized parties having the same number of councillors as members could be entitled to the amounts referred to in paragraph 1 or 2 of section 286*c*, the party, among those parties, deemed to have the greatest number of councillors as members is the party having the highest total number of votes obtained by the councillors who were members on the date on which they were deemed to be members. Any such member elected by acclamation is deemed to have received a number of votes equal to the average number of votes received by the other councillors of that party.”

17. Section 295*a* of the said charter, enacted by section 9 of chapter 70 of the statutes of 1950-51, amended by section 2 of chapter 85 of the statutes of 1966-67 and section 107 of chapter 30 of the statutes of 1994, is again amended by inserting “or any other officer designated for that purpose by the executive committee” after “treasurer” in the first line.

18. Section 335 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67 and section 16 of chapter 64 of the statutes of 1982, is again amended by replacing “336*i*” at the end of subparagraph 18 of the third paragraph by “336*h*”.

19. Section 336 of the said charter, amended by section 8 of chapter 122 of the statutes of 1930-31, section 5 of chapter 104 of the statutes of 1931-32, section 19 of chapter 111 of the statutes of 1935, section 67 of chapter 102 of the statutes of 1937, section 12 of chapter 104 of the statutes of 1938, section 22 of chapter 102 of the statutes of 1939, section 27 of chapter 74 of the statutes of 1940, section 12 of chapter 50 of the statutes of 1943, section 8 of chapter 47 of the statutes of 1944, section 20 of chapter 71 of the statutes of 1945, section 17 of chapter 51 of the statutes of 1948, section 3 of chapter 22 of the statutes of 1950, section 8 of chapter 63 of the statutes of 1951-52, section 4 of chapter 36 of the statutes of 1952-53, section 3 of chapter 52 of the statutes of 1952-53, section 1 of chapter 67 of the statutes of 1955-56, section 9 of chapter 50 of the statutes of 1957-58, section 6 of chapter 96 of the statutes of 1960-61, section 7 of chapter 66 of the statutes of 1963 (1st session), section 5 of chapter 69 of the statutes of 1964, section 2 of chapter 85 of the statutes of 1966-67, section 38 of chapter 86 of the statutes of 1969, sections 29 to 31 of chapter 68 of the statutes of 1970, section 146 of chapter 55 of the statutes of 1972, section 29 of chapter 75 of the statutes of 1972, section 8 of chapter 80 of the statutes of 1973, section 12 of chapter 97 of the statutes of 1974, section 15 of chapter 54 of the statutes of 1976, section 457 of chapter 72 of the statutes of 1979, sections 23, 45 and 51 of chapter 42 of the statutes of 1980, section 272 of chapter 63 of the statutes of 1982, section 17 of chapter 64 of the statutes of 1982, sections 22, 59 and 60 of chapter 61 of the statutes of 1984, section 140 of chapter 27 of the statutes of 1985, section 22 of chapter 116 of the statutes of 1986, section 17 of chapter 88 of the statutes of 1988, section 1 of chapter 81 of the statutes of 1989, sections 1155 to 1168 of chapter 4 of the statutes of 1990, section 9 of chapter 91 of the statutes of 1990, section 15 of chapter 84 of the statutes of 1991, section 702 of chapter 61 of the statutes of 1992, section 34 of chapter 65 of the statutes of 1992, section 108 of chapter 30 of the statutes of 1994, section 22 of chapter 55 of the statutes of 1994, section 20 of chapter 85 of the statutes of 1996 and section 65 of chapter 51 of the statutes of 1997, is again amended

(1) by replacing “permit on payment of a licence” in paragraph 7 by “license”;

(2) by replacing “moyennant” in the French text of paragraph 11 by “au moyen d””;

(3) by replacing “moyennant le paiement d’une licence” in the French text of paragraph 12 by “au moyen d’un permis”;

(4) by replacing “moyennant” in the French text of paragraph 22 by “au moyen d””;

(5) by replacing paragraph 23 in the French text by the following paragraph :

“23. Pour permettre, au moyen d’un permis, et réglementer les ventes à l’encan et pour réglementer et assujettir à l’obtention d’un permis les colporteurs, marchands ambulants et solliciteurs;”;

(6) by replacing “moyennant” in the French text of paragraph 25 by “au moyen d’”;

(7) by replacing paragraph 27 by the following paragraph :

“27. To license and regulate pawnbrokers, second-hand dealers, junk dealers and auctioneers. The by-law may, in particular,

(a) compel those persons to keep a record of their transactions giving a precise description of the property that is the subject of the transaction and the persons involved ;

(b) compel those persons to require documentary proof of identity to be produced and to mention in the record the documents produced ;

(c) prescribe the manner and time limit for transmitting the record or extracts thereof ;

(d) compel those persons to keep in their possession the articles purchased or held by them and prescribe the conservation measures and retention period for those articles ;”;

(8) by replacing “Pour octroyer des permis et imposer des règlements aux” in the French text of paragraph 28 by “Pour réglementer et assujettir à l’obtention d’un permis les”;

(9) by replacing “To license and regulate all” in paragraph 29 by “To license and regulate”;

(10) by replacing “to require from the owner or keeper of such animals a licence” in the third and fourth lines of the first paragraph of paragraph 31 by “to require the owner or keeper of such animals to have a licence”;

(11) by striking out “to fix the rates to be levied on persons selling in the said markets any provisions or commodities whatsoever, or on the said provisions and commodities, or on the vehicles containing the same;” in paragraph 37;

(12) by replacing “used by handicapped persons within the meaning of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1), who use wheel chairs” in subparagraph 8 of paragraph 42a by “bearing an identification sticker authorizing its holder to use the parking spaces reserved for the exclusive use of handicapped persons issued by the government or administrative authority having jurisdiction”;

(13) by adding the following paragraph at the end of paragraph 44b :

“To order, where the owner or administrator of a lane refuses or fails to agree to the carrying out of development, drainage, maintenance or paving work in the lane and the persons holding, as owners, more than 50% of the

total property value of the immovables adjacent to the part of the lane in which the work is to be carried out have so agreed, that the city be allowed to carry out the work and recover the cost thereof, less any subsidy granted under an assistance program; that cost constitutes a prior claim on the land on which the work was carried out. The cost of the work carried out on a part of a lane of which the Public Curator assumes provisional administration pursuant to section 24 of the Public Curator Act (R.S.Q., chapter C-81) may not be claimed from the Public Curator. The cost of the work, other than the cost of the work carried out on a part of a lane of which the Public Curator assumes provisional administration, constitutes a prior claim on the land on which the work was carried out, of the same nature and with the same rank as the claims described in paragraph 5 of article 2651 of the Civil Code of Québec; that cost is secured by a legal hypothec on the land. The Public Curator may not be held liable for injury resulting directly from the carrying out of work in accordance with this paragraph;”;

(14) by replacing paragraph 69 by the following paragraph :

“69. To regulate the use of cycle lanes or pedestrian paths, on or off the street;”;

(15) by replacing “moyennant le paiement d’une licence” in the French text of paragraph 74 by “au moyen d’un permis”;

(16) by replacing “moyennant une licence” in the French text of paragraph 75 by “au moyen d’un permis”;

(17) by replacing “autoriser par permis” in the French text of paragraph 80 by “permettre, au moyen d’un permis,”;

(18) (a) by replacing “empower any person” in paragraph 83 by “license any person”; and

(b) by striking out, in the same paragraph, all the text after “sold on the public markets”;

(19) by repealing paragraph 153;

(20) by replacing, in paragraph 176, “To oblige all persons selling or offering for sale in the streets, squares or public promenades of the said city, any” by “To license the sale or offer for sale in the streets, squares or public promenades of the said city, of any” and by striking out “, to obtain from the said council a license for that purpose, which license shall be valid during the period fixed, and shall be given by the officer named for that purpose by the by-law”;

(21) by repealing paragraphs 187, 189 and 190;

(22) by replacing paragraph 193 by the following paragraph :

“193. To license and regulate devices used in the sale or rental of merchandise or services, including a gaming device the operation whereof is dependant in some way upon the skill or judgment of the person operating it; to determine where the devices may be placed and upon what conditions; the cost of the licenses for these devices that may be collected from the owner or the operator of the device or the occupant of the establishment where it is located;”;

(23) by repealing paragraph 194;

(24) by replacing “autoriser moyennant l’obtention” in the French text of paragraph 208 by “permettre, au moyen”;

(25) by replacing “licences or permits, as the case may be, to limit the number of licences and permits and fix the cost thereof, to prescribe” in paragraph 209 by “permits, to prescribe, in particular.”;

(26) by replacing paragraph 209*a* by the following paragraph:

“209*a*. To regulate the exhibition and sale of artistic works or handicrafts on public property; the by-law may determine classes of artists, artisans or agents and, in respect of one or more classes, may, in particular,

(a) require that artists, artisans or agents secure a permit;

(b) prescribe as one of the conditions for obtaining a permit that artists, artisans or agents be members of an association recognized by the city;

(c) impose rules of conduct and discipline on artists, artisans or agents;

(d) determine the places, dates and hours where and when artists, artisans or agents may engage in their activities;

(e) determine the types or classes of products, objects or works that may be put on sale or exhibited and the processes of production, which may vary according to the types or classes.

The city may entrust the application of such a by-law to a third person;”;

(27) by replacing paragraph 209*b* by the following paragraph:

“209*b*. To regulate the activities of public entertainers on public property; the by-law may determine classes of public entertainers and, in respect of one or more classes, may, in particular,

(a) require that public entertainers secure a permit;

(b) prescribe as one of the conditions for obtaining a permit that public entertainers be members of an association recognized by the city;

(c) impose rules of conduct and discipline on public entertainers ;

(d) determine the places, dates and hours where and when public entertainers may engage in their activities.

The city may entrust the application of such a by-law to a third person ;”.

20. Section 336*b* of the said charter, replaced by section 23 of chapter 55 of the statutes of 1994, is amended by replacing subsection 5 by the following subsection :

“(5) The owner of property occupying the public domain of the city, aboveground or belowground, is liable for any damage or injury as a result of the occupancy and shall take up the defense of the city and hold the city harmless from any claim made against it by reason of such damage or injury.”

21. Section 336*c* of the said charter, enacted by section 18 of chapter 64 of the statutes of 1982, is amended by replacing “336*i*” in the first line by “336*h*”.

22. Section 336*f* of the said charter, enacted by section 18 of chapter 64 of the statutes of 1982, is amended by replacing “336*i*” in the third line of the third paragraph by “29.2 of the Cities and Towns Act (R.S.Q., chapter C-19)”.

23. Section 355 of the said charter is repealed.

24. The said charter is amended by inserting the following section after section 381 :

“381*a*. Notwithstanding section 79 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), the documents gathered or prepared more than fifteen years ago by the assessor for the preparation of the roll, whether or not they were used for that purpose, and transferred to the records of the city, are subject to the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1).”

25. Section 388 of the said charter, replaced by section 26 of chapter 42 of the statutes of 1980 and amended by section 273 of chapter 63 of the statutes of 1982, section 20 of chapter 84 of the statutes of 1991 and section 24 of chapter 85 of the statutes of 1996, is again amended by inserting the following paragraph after the fourth paragraph :

“The public notice regarding the tabling of a by-law amending or repealing a zoning by-law is not subject to the thirty-day period mentioned in the third paragraph or to the content prescribed in the fourth paragraph, if the proposed amendment or repeal has been submitted for consultation to the ward council or advisory committee concerned and has been the subject, on the part of the ward council or advisory committee, of a favorable recommendation tabled before the council at the same time as the draft by-law. The advisory committee

or ward council concerned is the advisory committee or ward council where the zone to which the amendment or repeal applies or any zone adjacent to the zone to which the amendment or repeal applies is situated.”

26. Section 394.1 of the said charter, enacted by section 30 of chapter 55 of the statutes of 1994, is replaced by the following section :

“394.1. Except where specially provided for in this charter or in a by-law, every person who contravenes a provision of this charter or a by-law is guilty of an offence and is liable to a fine of not less than \$100 in the case of an offence under the charter or \$50 in the case of an offence under a by-law, nor more than \$1,000, in the case of a natural person, or \$2,000, in the case of a legal person, and, for a second or subsequent offence, to a fine of not less than \$500 nor more than \$2,000, in the case of a natural person, or \$4,000, in the case of a legal person.”

27. Section 419 of the said charter, enacted by section 30 of chapter 42 of the statutes of 1980, is amended

(1) by replacing “description” in the first line of the French text of subparagraph 1 of the first paragraph by “désignation”;

(2) by replacing subparagraph 2 of the first paragraph by the following subparagraph :

“(2) the description must be made according to an official plan deposited in conformity with the Cadastre Act (R.S.Q., chapter C-1) and the Civil Code;”;

(3) by replacing “description” in the first line of the French text of subparagraph 3 of the first paragraph by “désignation” and by replacing “office of the registrar” in the third line of that subparagraph by “registry office”;

(4) by replacing “description” in the French text of subparagraph *b* of subparagraph 4 of the first paragraph by “désignation”.

28. Section 453*c* of the said charter, replaced by section 26 of chapter 84 of the statutes of 1991 and amended by section 35 of chapter 85 of the statutes of 1996, is again amended

(1) by replacing subsection 1 by the following subsection :

“(1) The city is authorized to promote the construction, renovation or restoration of buildings and to acquire, renovate, restore, construct, sell, lease or administer immovables.

The city is also authorized to promote employment development, housing development or, generally, the economic development of the city.

For the purposes mentioned in this subsection, the city may, in particular, participate in any venture capital investment fund, become associated with any person, partnership, cooperative or association, pay a subsidy or grant financial assistance in the form of loans or otherwise.”;

(2) by striking out subsections 3 and 4.

29. Section 453g of the said charter, enacted by section 4 of chapter 89 of the statutes of 1982 and amended by section 34 of chapter 61 of the statutes of 1984, section 21 of chapter 88 of the statutes of 1988, section 276 of chapter 32 of the statutes of 1991, section 514 of chapter 48 of the statutes of 1993 and section 35 of chapter 55 of the statutes of 1994, is again amended

(1) by replacing “an initiatives and development association” in the fifth line of the first paragraph of subsection 1 by “a commercial development association” and by replacing the second paragraph of that subsection by the following paragraph :

“For the purposes of this section, unless the context requires a different meaning,

“place of business” means the premises or part thereof where a ratepayer carries on his activity ;

“ratepayer” means a person carrying on in a place of business, for pecuniary gain or not, an economic or administrative activity in matters of finance, trade, industry or services, a calling, an art, a profession or any other activity constituting a means of profit, gain or livelihood, except a charge or employment.”;

(2) by replacing subsection 3 by the following subsection :

“(3) The association may be formed on the application of more than 50% of the ratepayers having a place of business in the district. The application shall be submitted to the executive committee of the city.

The application must conform to the by-law passed under subsection 19 and contain :

(a) the names of the applicants ;

(b) the addresses of their places of business ;

(c) the limits of the proposed commercial district, using street names wherever possible ;

(d) the proposed name of the association ;

(e) the proposed address of its head office.

The application must be accompanied by a list of the names and addresses of the ratepayers having a place of business in the district, a business plan, a draft operating budget for the first year of operation of the association and a sketch of the proposed commercial district. The application must also contain the signature of each of the applicants attesting that he has taken cognizance of the business plan and draft budget attached to the application, and the date of the attestation. To be valid, such an attestation may not be signed more than 90 days before the date of deposit of the application.

There shall be only one applicant per place of business.”;

(3) by replacing subsections 4 and 5 by the following subsections :

“(4) Within forty-five days of receipt of the application, the clerk shall ascertain the conformity of the application and shall report to the executive committee on the conformity of the application and on the percentage of ratepayers having a place of business in the district applying for the establishment of the association.

“(5) Where the application complies with the provisions of subsection 3 and the percentage of ratepayers having a place of business in the district applying for the establishment of the association is greater than 50%, the executive committee shall report to the council, which may then authorize, by resolution, the establishment of the association.

Where the percentage of ratepayers having a place of business in the district applying for the establishment of the association is equal to or less than 50%, the application is denied and no new application may be filed before a period of one year has expired.”;

(4) by repealing subsections 6 to 13;

(5) by replacing subsection 23 by the following subsection :

“(23) The members who have not paid an exigible assessment may not sit on the board of directors of the association and may not exercise their right to vote.”;

(6) by replacing subsection 27 by the following subsection :

“(27) The association shall file with the clerk of the city a copy of its budget and of the rules prescribing the method of computing the assessments approved by its members, where applicable.”;

(7) by replacing subsection 28 by the following subsection :

“(28) The rules governing the computation of the assessments of the members, the payments and the dates they become due shall be established by by-law. The by-law may provide for categories of members and rules governing

the computation of the assessments of the members and for different assessment shares according to the category of members. A category of members may also be excluded from the computation and payment of the assessment. A minimum or maximum limit on the assessment share may be prescribed for all the members or for each category of members.

The board of directors of the association may establish rules governing the computation of assessments that differ from those prescribed by by-law of the city.

The rules governing the computation of members' assessments adopted by the board of directors of an association must be approved by its members, at the general meeting called for the adoption of the budget. The rules approved by the members must be submitted to the executive committee of the city for approval.

Where rules governing the computation of assessments that differ from those prescribed by by-law of the city apply to an association, the association shall supply the city with all information necessary to establish each member's assessment share for the purpose of collecting it or pay to the city all the costs required to establish the share.”;

(8) by replacing subsection 35 by the following subsection :

“(35) Where the application provided for in subsection 33 is for the enlargement of the district of the association, it must be accompanied by a list of the names and addresses of the ratepayers having a place of business in the territory to be added to the district, a business plan, a draft operating budget for the first year of operation following the changes to the limits of the district and a sketch of the limits of the proposed district, using street names whenever possible.

The application must also contain the signatures of 50% of the ratepayers having a place of business in the territory to be added to the district attesting that they have taken cognizance of the business plan and the draft budget attached to the application, and the date of the attestation. To be valid, such an attestation may not be signed more than 90 days before the date of deposit of the application. There shall be only one signatory per place of business.

Subsections 4 and 5 apply, with the necessary modifications.”

30. The said charter is amended by inserting the following section after section 453g :

“453h. The city is authorized to construct or lay out cycle lanes or pedestrian paths, on or off the street.”

31. Section 489b of the said charter, enacted by section 16 of chapter 77 of the statutes of 1950 and amended by section 2 of chapter 85 of the statutes of 1966-67, is again amended

(1) by inserting “while they are employed by the city or are retired,” after “489” in the third line of the second paragraph ;

(2) by striking out the third paragraph.

32. Section 539 of the said charter, replaced by section 29 of chapter 85 of the statutes of 1966-67 and amended by section 16 of chapter 97 of the statutes of 1974, section 1 of chapter 86 of the statutes of 1975, section 37 of chapter 61 of the statutes of 1984, section 58 of chapter 61 of the statutes of 1984, section 59 of chapter 55 of the statutes of 1994 and section 40 of chapter 85 of the statutes of 1996, is again amended by inserting “commercial,” after “others,” in the second line of subparagraph *b* of the second paragraph.

33. Section 541 of the said charter, enacted by section 4 of chapter 114 of the statutes of 1987 and amended by section 60 of chapter 55 of the statutes of 1994, is again amended by adding “, or the Government of Canada, a department or a body of that Government in the case of an agreement excluded from the application of the Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30) to the extent that the powers required for the carrying out of the duties are included in those that the Government may delegate to a municipality” at the end.

34. Section 545 of the said charter, enacted by section 17 of chapter 97 of the statutes of 1974 and amended by section 40 of chapter 42 of the statutes of 1980, section 39 of chapter 61 of the statutes of 1984, section 671 of chapter 91 of the statutes of 1986 and section 38 of chapter 84 of the statutes of 1991, is again amended by replacing the third paragraph by the following paragraph :

“It may regulate the parking of vehicles bearing an identification sticker authorizing its holder to use the parking spaces reserved for the exclusive use of handicapped persons issued by the government or administrative authority having jurisdiction.”

35. Section 545*d* of the said charter, enacted by section 40 of chapter 61 of the statutes of 1984 and amended by section 36 of chapter 116 of the statutes of 1986 and section 5 of chapter 114 of the statutes of 1987, is again amended by replacing “For that purpose, the city shall, before the beginning of the operations and within the time limit prescribed by by-law, erect signs to that effect on the street.” in the first paragraph by “The by-law must provide for the appropriate means to be used, within the time limit prescribed, by the head or the officer to announce the maintenance on public thoroughfares before it begins. An appropriate means includes the installation of signs, in the places determined by the executive committee, indicating the means of obtaining information on the maintenance on public thoroughfares where telephone, radio or television messages or any other similar means of communication are used to disseminate the information or the means of obtaining the information.”

36. The said charter is amended by inserting the following section after section 546 :

“546.1. The city may, by by-law, regulate, restrict or prohibit the traffic of heavy vehicles, buses and minibuses within the meaning of the Highway Safety Code (R.S.Q., chapter C-24.2), or certain classes thereof, according to the reason for their travel. The by-law may in particular

(a) prescribe that a licence be held to travel within the part of its territory classified as a historic district ;

(b) prescribe different rules according to classes of vehicle users ;

(c) prescribe rules to limit access to the part of its territory described in subparagraph *a* of this paragraph, according to the day or time of day.

The city may exercise the powers described in the first paragraph, in respect of bus or minibus traffic, solely in the part of its territory classified as a historic district. The city may exercise the same powers, in respect of heavy vehicles, solely in the part of its territory classified as a historic district comprised within the boundaries described in Schedule 2.

Without limiting the scope of section 627 of the Highway Safety Code, every by-law passed pursuant to this section must, to come into force, be approved by the Minister of Transport.”

37. The said charter is amended by inserting the following section after section 546.1 :

“546.2. Notwithstanding section 546.1, a by-law passed pursuant to that section comes into force at the expiry of 60 days from receipt by the Minister of Transport of a request for approval of the by-law sent by the city if, by that date, the city has not received any reply.”

38. The said charter is amended by inserting the following section after section 554 :

“554*a*. No judicial proceedings or administrative procedure founded upon the omission of a formality, even imperative, in any act of the council, the executive committee or an officer or employee of the city shall prevail, unless the omission has caused actual prejudice or it is of a formality whose omission, according to the provisions of the law, would render the act null.”

39. The said charter is amended by inserting the following sections after section 557 :

“557.1. Before taking office, a judge appointed under section 557 shall make the following oath :

“I swear that I will faithfully, impartially and honestly, and to the best of my knowledge and abilities, fulfil all the duties and exercise all the powers of a judge of the Municipal Court of the city of Québec.”

The oath shall be made before the chief judge of the Municipal Court of the city of Québec or before a judge of the Court of Québec. The writing evidencing the oath shall be transmitted to the Minister of Justice.

“557.2. The functions of the chief judge shall be

(1) to ensure that the general policy of the Court in judicial matters is applied;

(2) to coordinate, apportion and supervise the work of the judges and see to their complementary training;

(3) to ensure that the judicial code of ethics is observed;

(4) to see to the scheduling of the sittings of the Court and the allotment of cases entered on the roll.

The judges must comply with the orders and directives of the chief judge with respect to the matters referred to in subparagraph 2.

“557.3. Where the chief judge is absent or unable to act, the senior judge appointed in accordance with section 561 shall exercise the functions of the chief judge.”

40. Section 567 of the said charter, replaced by section 27 of chapter 88 of the statutes of 1988 and amended by section 44 of chapter 85 of the statutes of 1996, is again amended by replacing the first paragraph by the following paragraph:

“567. If the council is of the opinion that, for a limited period, the number of judges is not sufficient for the proper dispatch of business of the Court, the council may request the chief judge of the municipal courts, appointed under section 36.1 of the Act respecting municipal courts (R.S.Q., chapter C-72.01), to designate one or more, part-time or full-time, deputy municipal judges from among the judges of other municipal courts.”

41. Section 568 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53, is replaced by the following section:

“568. A deputy municipal judge so designated shall exercise the functions of municipal judge for the time indicated and, in all respects, have all the authority and powers conferred upon the judges of the Municipal Court of the city of Québec.”

42. Section 573 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53, is again amended by replacing “d’incapacité d’agir” in the first line of the French text by “d’empêchement”.

43. Section 589 of the said charter, replaced by section 33 of chapter 74 of the statutes of 1940 and amended by section 3 of chapter 52 of the statutes of 1952-53, section 2 of chapter 85 of the statutes of 1966-67 and section 1208 of chapter 4 of the statutes of 1990, is again amended by replacing the first and second paragraphs by the following paragraph:

“589. The Court shall have jurisdiction and decide summarily any action brought for the recovery of any sum of money due to the city under this charter, a by-law, ordinance or resolution of the council or executive committee.”

44. Section 591 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53, section 2 of chapter 17 of the statutes of 1965 (1st session), section 2 of chapter 85 of the statutes of 1966-67 and section 66 of chapter 21 of the statutes of 1988, is again amended by replacing the first paragraph by the following paragraph:

“591. The Municipal Court shall also have jurisdiction and decide any action brought by the city as lessor of property, other than an immovable for housing purposes, situated in its territory.”

45. Section 609 of the said charter, replaced by section 11 of chapter 72 of the statutes of 1941 and amended by section 3 of chapter 52 of the statutes of 1952-53 and section 2 of chapter 85 of the statutes of 1966-67, is replaced by the following section:

“609. The city may summon to appear before the Municipal Court any person against whom the city considers that it has just cause to bring an action in a matter over which the Court has jurisdiction.”

46. Section 610 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is again amended by replacing “la sommation” in the third line of the French text of the first paragraph by “l’assignation”.

47. Section 613 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53, section 2 of chapter 85 of the statutes of 1966-67 and section 1226 of chapter 4 of the statutes of 1990, is again amended by striking out “for a sum of money due to the city”.

48. Section 614 of the said charter is replaced by the following section:

“614. Where the defendant fails to appear or to plead within the time fixed, judgment may be rendered against the defendant by default.”

49. The said charter is amended by inserting the following section after section 616:

“616a. The defendant who has appeared must file his written defence within 10 days from the expiry of the time fixed to appear.”

50. Section 626 of the said charter, amended by section 1234 of chapter 4 of the statutes of 1990, is replaced by the following section:

“626. Where oral evidence is admissible, it may be submitted by the sworn statement of one witness.”

51. Section 632 of the said charter, replaced by section 1238 of chapter 4 of the statutes of 1990 and amended by section 703 of chapter 61 of the statutes of 1992, is again amended by inserting “the court costs and court office fees imposed or collected by the Municipal Court from the party condemned to the court costs and court office fees and” after “herewith,” in the second line.

52. Section 657*a* of the said charter, enacted by section 53 of chapter 84 of the statutes of 1991, is amended by adding “Notwithstanding section 6 of the Act respecting municipal courts (R.S.Q., chapter C-72.01), the city and a local municipality whose territory is situated outside the territory of the Communauté urbaine de Québec are authorized to enter into such an agreement where the city has entered into an agreement relating to police services with the municipality.” at the end of the first paragraph.

53. The heading of the schedule to the said charter is replaced by “SCHEDULE 1”.

54. The said charter is amended by adding the following after SCHEDULE 1:

“SCHEDULE 2

“Starting from a point being the intersection of the projection on the ground of the east side of Autoroute Dufferin-Montmorency (in the direction of Beauport) and the south side of rue Saint-Paul, thence, along the south side of rue Saint-Paul to Marché-du-Vieux-Port (formerly designated as carré Parent), across the said Marché-du-Vieux-Port to its intersection with the south side of rue Saint-André, the south side of rue Saint-André to its intersection with the southwest side of rue Dalhousie, the said side up to its intersection with rue du Marché-Champlain, thence, along the north side of the said street to its intersection with the west side of boulevard Champlain, along the same boundary to its intersection with the southwest side of rue du Petit-Champlain, thence, along a straight line up to the south wall of the Citadel, thence, along the said wall to its intersection with the fortifications wall, along the fortifications wall to its intersection with the extension to the south of rue Honoré-Mercier, along the northeast side of rue Honoré-Mercier, up to its intersection with the west side of the access ramp to Autoroute Dufferin-Montmorency from rue Dauphine, thence, along the west side of the access ramp to its intersection with the east side of the d’Youville parking lot exit, facing Place d’Youville, thence, along the said side to its intersection with the northwest side of the extension of rue d’Aiguillon, across Place d’Youville and rue Saint-Jean, thence, along the said line to the northeast side of Autoroute

Dufferin-Montmorency, the northeast side of Autoroute Dufferin-Montmorency to its intersection with the northwest side of Côte de la Potasse, along the projection on the ground of the east side of Autoroute Dufferin-Montmorency to the starting point.”

55. Section 51 of the Act to amend the charter of the city of Québec (1996, chapter 85) is amended by adding the following paragraph at the end:

“An application for authorization made under the Act respecting municipal industrial immovables (R.S.Q., chapter I-0.1) with respect to the alienation of the immovables referred to in the first paragraph is deemed to be granted at the expiry of thirty days after its receipt if, by that date, the city has not received any reply.”

56. Section 2 of the Act to amend the Charter of the city of Québec (1989, chapter 81) is amended

(1) by replacing “1999” in the second line of the third paragraph by “2009” and “2009” in the second line of the fourth paragraph by “2019”;

(2) by replacing “in the territory in which the corporation of the Parc technologique du Québec métropolitain carries on its main activities” in the second, third and fourth lines of the fifth paragraph by “in the territory of the Parc technologique du Québec métropolitain situated in the territory of the city”.

57. The contract of sale, minute 1439, executed on 12 January 1961 by notary Paul Larue, registered in the registry office of the registration division of Québec on 18 January 1961 under the number 483,974, by which the city of Québec transfers land to the Canadian Red Cross Society to be used for the establishment of a clinic or blood donor bank may not be declared null on the ground that the contract was not ratified by the Legislature or that part of the land transferred was in the nature of a street.

58. Section 18 of the Act to amend the charter of the city of Québec (1938, chapter 104), replaced by section 8 of chapter 74 of the statutes of 1940 and amended by section 2 of chapter 85 of the statutes of 1966-67, is again amended by inserting “, a sale by the creditor, a sale under judicial authority” after “insolvency” in the first line.

59. The remuneration and expense allowances paid to the members of the council of the city for the performance of their duties on the executive committee or board of directors of the Commission de l'exposition provinciale de Québec, now ExpoCité, during the years 1990 to 1998 inclusive, are deemed to have been paid in accordance with the Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001).

60. Paragraph 14 of section 19 and section 30 have effect from 15 June 1978.

61. Section 31 has effect from 25 October 1978.

62. This Act comes into force on 13 December 1999 except section 29, which comes into force on 1 October 2000.

Regulations and other acts

M.O., 001-2000

Order of the Minister of State for Health and Social Services and Minister of Health and Social Services making the Regulation to amend the Regulation respecting the List of medications covered by the basic prescription drug insurance plan dated 2 February 2000

An Act respecting prescription drug insurance (R.S.Q., c. A-29.01; 1999, c. 37)

THE MINISTER OF STATE FOR HEALTH AND SOCIAL SERVICES AND MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 60 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01; 1999, c. 37);

CONSIDERING Minister's Order 1999-014 dated 15 September 1999 of the Minister of State for Health and Social Services and Minister of Health and Social Services making the Regulation respecting the list of medications covered by the basic prescription drug insurance plan;

CONSIDERING that it is necessary to amend the list of insured medications attached to that regulation;

CONSIDERING that the Conseil consultatif de pharmacologie has been consulted on the draft regulation;

MAKES the Regulation to amend the Regulation respecting the list of medications covered by the basic prescription drug insurance plan, the text of which is attached hereto.

Québec, 3 February 2000

PAULINE MAROIS,
*Minister of State for Health and Social Services
and Minister of Health and Social Services*

Regulation to amend the Regulation respecting the List of medications covered by the basic prescription drug insurance plan*



An Act respecting prescription drug insurance (R.S.Q., c. A-29.01, s. 60; 1999, c. 37)

1. The Regulation respecting the List of medications covered by the basic prescription drug insurance plan is amended by substituting, in the list of insured medications attached thereto, the package size costs and unit prices indicated hereinafter for the package size costs and unit prices of the following medications:

* The Regulation respecting the List of medications covered by the basic prescription drug insurance plan, made by Minister's Order 1999-014 dated 15 September 1999 (1999, *G.O.* 2, 3197) of the Minister of State for Health and Social Services and Minister of Health and Social Services, was last amended by the Regulations made by Minister's Orders 1999-015 dated 29 September 1999 (1999, *G.O.* 2, 3621) and 1999-018 dated 16 December 1999 (1999, *G.O.* 2, 4695) of that Minister.

CODE	BRAND NAME	MANUFACTURER	PKG. SIZE	COST OF PKG. SIZE	UNIT PRICE
8:12.04					
ANTIFUNGAL ANTIBIOTICS					
KETOCONAZOLE					
Tab. 200 mg					
02237235	<i>Apo-Ketoconazole</i>	Apotex	100	118.35	1.1835
02231061	<i>Novo-Ketoconazole</i>	Novopharm	100	118.35	1.1835
02122197	<i>Nu-Ketocon</i>	Nu-Pharm	100	118.35	1.1835
8:12.16					
PENICILLINS					
PHENOXYMETHYLPENICILLIN					
(BASE OR POTASSIUM SALT)					
Tab. 250 mg à 300 mg ... P.P.B.					
00642215	<i>Apo-pen-VK</i>	Apotex	1000	37.50	▶ 0.0375
02232391	<i>PVF-K 500</i>	Lioh	500	18.75	▶ 0.0375
00018740	<i>Nadopen-V</i>	Nadeau	1000	37.50	▶ 0.0375
00021202	<i>Novopen-VK</i>	Novopharm	1000	37.50	▶ 0.0375
00717568	<i>Nu-Pen-VK</i>	Nu-Pharm	1000	37.50	▶ 0.0375
00468029	<i>Penicilline V</i>	Pro Doc	1000	37.50	▶ 0.0375
02229619	<i>Pen-Vee</i>	Lioh	500	19.80	0.0396
12:12					
SYMPATHOMIMETIC AGENTS					
ORCIPRENALINE SULFATE					
Syr. 10 mg/5 mL ... P.P.B.					
02229862	<i>Orcipren</i>	Technilab	250 mL	9.53	▶ 0.0381
24:06					
ANTILIPEMIC AGENTS					
GEMFIBROZIL					
Caps. 300 mg					
01979574	<i>Apo-Gemfibrozil</i>	Apotex	500	148.20	0.2964
02185407	<i>Gen-Gemfibrozil</i>	Genpharm	500	148.20	0.2964
02058456	<i>Nu-Gemfibrozil 300 mg</i>	Nu-Pharm	100	29.64	0.2964
02239951	<i>pms-Gemfibrozil</i>	Phmscience	250	74.10	0.2964
02136031	<i>Gemfibrozil-300</i>	Pro Doc	500	148.20	0.2964
28:08.04					
NONSTEROIDAL ANTI-INFLAMMATORY AGENTS					
DICLOFENAC SODIUM					
Supp. 50 mg ... P.P.B.					
02174677	<i>Novo-Difenac</i>	Novopharm	30	18.71	▶ 0.6237
02231506	<i>pms-Diclofenac</i>	Phmscience	30	18.71	▶ 0.6237
02237786	<i>Diclotec</i>	Technilab	30	18.71	▶ 0.6237
Supp. 100 mg ... P.P.B.					
02174685	<i>Novo-Difenac</i>	Novopharm	30	25.19	▶ 0.8397
02231508	<i>pms-Diclofenac</i>	Phmscience	30	25.19	▶ 0.8397
02237787	<i>Diclotec</i>	Technilab	30	25.19	▶ 0.8397

CODE	BRAND NAME	MANUFACTURER	PKG. SIZE	COST OF PKG. SIZE	UNIT PRICE
28:16.04					
ANTIDEPRESSANTS					
FLUVOXAMINE MALEATE					
Tab.		50 mg			
02218453	<i>Alti-Fluvoxamine</i>	AltiMed	100	49.52	0.4952
02231329	<i>Apo-Fluvoxamine</i>	Apotex	250	123.80	0.4952
02239953	<i>Novo-Fluvoxamine</i>	Novopharm	250	123.80	0.4952
02240682	<i>pms-Fluvoxamine</i>	Phmscience	100	49.52	0.4952
02236753	<i>Fluvoxamine-50</i>	Pro Doc	100	49.52	0.4952
02240723	<i>Riva-Fluvox</i>	Riva	250	123.80	0.4952
Tab.		100 mg			
02218461	<i>Alti-Fluvoxamine</i>	AltiMed	100	89.02	0.8902
02231330	<i>Apo-Fluvoxamine</i>	Apotex	250	222.55	0.8902
02239954	<i>Novo-Fluvoxamine</i>	Novopharm	250	222.55	0.8902
02236754	<i>Fluvoxamine-100</i>	Pro Doc	100	89.02	0.8902
02240724	<i>Riva-Fluvox</i>	Riva	250	222.55	0.8902
MOCLOBEMID					
Tab.		100 mg			
02232148	<i>Apo-Moclobemide</i>	Apotex	100	25.20	0.2520
02239746	<i>Novo-Moclobemide</i>	Novopharm	100	25.20	0.2520
02237111	<i>Nu-Moclobemide</i>	Nu-Pharm	100	25.20	0.2520
02236928	<i>Moclobemide-100</i>	Pro Doc	100	25.20	0.2520
Tab.		150 mg			
02232150	<i>Apo-Moclobemide</i>	Apotex	500	182.70	0.3654
02239747	<i>Novo-Moclobemide</i>	Novopharm	500	182.70	0.3654
02237112	<i>Nu-Moclobemide</i>	Nu-Pharm	100	36.54	0.3654
02236929	<i>Moclobemide-150</i>	Pro Doc	100	36.54	0.3654
02240736	<i>Riva-Moclobemide</i>	Riva	250	91.35	0.3654
52:08					
ANTI-INFLAMMATORY AGENTS					
FLUNISOLIDE					
Nas. vaporisator		0.025 % ...P.P.B.			
00878790	<i>Alti-Flunisolide</i>	AltiMed	25 mL	13.86	◆
02230306	<i>Novo-Flunisolide</i>	Novopharm	25 mL	13.86	◆
52:36					
MISCELLANEOUS EENT DRUGS					
LATANOPROST					
Oph. Sol.		0.005 %			
02231493	<i>Xalatan</i>	Pharmacia	2.5 mL	26.00	
56:40					
MISCELLANEOUS GI DRUGS					
FAMOTIDINE					
Tab.		20 mg			
01953842	<i>Apo-Famotidine</i>	Apotex	500	294.80	0.5896
02196018	<i>Gen-Famotidine</i>	Genpharm	500	294.80	0.5896
02022133	<i>Novo-Famotidine</i>	Novopharm	500	294.80	0.5896
02024195	<i>Nu-Famotidine 20 mg</i>	Nu-Pharm	500	294.80	0.5896
02240622	<i>Rho-Famotidine</i>	Rhoxal	500	294.80	0.5896

CODE	BRAND NAME	MANUFACTURER	PKG. SIZE	COST OF PKG. SIZE	UNIT PRICE
Tab.					
01953834	<i>Apo-Famotidine</i>	Apotex	500	530.60	1.0612
02196026	<i>Gen-Famotidine</i>	Genpharm	500	530.60	1.0612
02022141	<i>Novo-Famotidine</i>	Novopharm	500	530.60	1.0612
02024209	<i>Nu-Famotidine 40 mg</i>	Nu-Pharm	100	106.12	1.0612
02240623	<i>Rho-Famotidine</i>	Rhoxal	500	530.60	1.0612
NIZATIDINE 					
Caps.					
02220156	<i>Apo-Nizatidine</i>	Apotex	500	264.35	0.5287
02240457	<i>Novo-Nizatidine</i>	Novopharm	100	52.87	0.5287
02177714	<i>pms-Nizatidine</i>	Phmscience	100	52.87	0.5287
Caps.					
02220164	<i>Apo-Nizatidine</i>	Apotex	100	95.80	0.9580
02240458	<i>Novo-Nizatidine</i>	Novopharm	100	95.80	0.9580
02177722	<i>pms-Nizatidine</i>	Phmscience	100	95.80	0.9580
8:18.08					
ANTIRETROVIRAL AGENTS					
RITONAVIR 					
Caps.					
02241480	<i>Norvir Sec</i>	Abbott	84	112.18	1.3355

2. The list of insured medications, attached to the Regulation respecting the List of medications covered by the basic prescription drug insurance plan, is amended in Subdivision 8:18:08, ANTIRETROVIRAL AGENTS, by substituting the brand name “Norvir Sec” for “Norvir” and by substituting the code “2241480” for “02229137”, with respect to RITONAVIR, 100 mg capsule.

3. This Regulation comes into force on 16 February 2000.

3432

Gouvernement du Québec

O.C. 98-2000, 2 February 2000

An Act respecting international financial centres (1999, c. 86)

Fees and annual contribution payable

Fees and annual contribution payable under the Act respecting international financial centres

WHEREAS, under section 35 of the Act respecting international financial centres (1999, c. 86), the Government may, by regulation, establish a tariff of the fees

payable for the examination of an application for a qualification certificate or certificate under the Act or for the issue or amendment of such qualification certificate or certificate, and determine the terms and conditions of payment of the fees;

WHEREAS, under that section, fees must be paid to the Minister by the applicant or the holder on the date or dates fixed by the regulation;

WHEREAS, under section 36 of the Act, the Minister of Finance may require that every holder of a qualification certificate or certificate issued under the Act pay an annual contribution to be applied to the financing of activities designed to promote Montréal as a centre for international financial activities and foster the development of Montréal as an international financial centre;

WHEREAS, under that section, the rate and terms and conditions of payment of the contribution shall be determined by regulation of the Government;

WHEREAS section 111 provides that the first regulation made under sections 35 and 36 is not subject to the publication requirement or the time limits fixed for its coming into force that are provided for in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS, under that section, if the first regulation is made after 1 January 2000, it will come into force on the date of its publication in the *Gazette officielle du Québec* and may apply to a period prior to its publication but not prior to 1 January 2000;

WHEREAS the Government is of the opinion that a tariff of fees should be established and an annual contribution determined so that the amounts thus paid to the Minister by the corporations or partnerships be, in accordance with the provisions of the Act, applied to the financing of activities designed to promote Montréal as a centre for international financial activities and foster the development of Montréal as an international financial centre;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for the Economy and Finance and Minister of Finance:

THAT the Regulation respecting the tariff of fees and the annual contribution payable under the Act respecting international financial centres, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting the tariff of fees and the annual contribution payable under the Act respecting international financial centres

An Act respecting international financial centres
(1999, c. 86, ss. 35, 36 and 111)

1. The fees payable by a corporation or partnership for the examination of an application for a qualification certificate or certificate under the Act or for the amendment of such qualification certificate or certificate are established as follows:

(1) the fees for the examination of an application for a qualification certificate under section 9 of the Act are \$500;

(2) the fees for the examination of an application for a certificate under section 11 of the Act are \$500;

(3) the fees for the examination of an application for a qualification certificate under section 13 of the Act are \$500;

(4) the fees for the examination of an application for a certificate under section 17 of the Act are \$300;

(5) the fees for the examination of an application for an amendment of a qualification certificate or certificate issued in accordance with sections 10 and 12 of the Act are \$300;

(6) the fees for the examination of an application for an amendment of a qualification certificate or certificate issued in accordance with sections 14 to 16 or sections 19 to 22 of the Act are \$100.

The fees shall be payable to the Minister by the corporation or partnership in a lump sum on the date on which the application to the Minister is made.

2. The following is the annual contribution payable by a corporation or partnership that holds a qualification certificate issued by the Minister under sections 9 and 10 of the Act:

(1) for the first year, the contribution is \$10 000;

(2) for each subsequent year, the contribution is \$3 000.

The contribution is payable to the Minister in a lump sum no later than the last day of February of the following calendar year.

3. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec* and takes effect on 1 January 2000.

3429

Draft Regulations

Draft Regulation

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3)

Financial assistance for education expenses — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting financial assistance for education expenses, the text of which appears below, may be made by the Government upon the expiry of 21 days following this publication.

Under section 12 of the Regulations Act, the draft Regulation may be made upon the expiry of a period shorter than the 45 days provided for in section 11 of that Act because of the urgency due to the following circumstances:

— amendments are made to the Regulation respecting financial assistance for education expenses in order to allow for the millennium scholarships agreement approved by Décret 39-2000 dated 19 January 2000;

— amendments made to the Regulation must apply from 1 May 2000 of the 2000-2001 year of allocation.

The purpose of the draft Regulation is to reduce the maximum amounts of loans so that more of the financial assistance for education expenses is paid through bursaries. It also aims to increase the maximum amounts of bursaries and to increase the maximum level of indebtedness of students attending private educational institutions at the college level. In addition, the eligibility periods for financial assistance shall be amended in order to take into account the length of certain programs of studies.

To date, study of the draft Regulation shows no impact on businesses.

Additional information is available by contacting Mr. Pierre-Paul Allaire, Director, Aide financière aux études, 1035, rue De La Chevrotière, 19^e étage, Québec (Québec) G1R 5A5; tel: (418) 646-5313.

Any interested person having comments to make on the matter is asked to send them in writing before the expiry of the 21-day period, to the Minister of Education, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

FRANÇOIS LEGAULT,
Minister of Education

Regulation to amend the Regulation respecting financial assistance for education expenses*

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3, s. 57; 1997, c. 90, s. 12)

1. Section 47 of the Regulation respecting financial assistance for education expenses is amended by substituting the following amounts for those listed respectively in subparagraphs 0.1 to 4 of the first paragraph:

- (0.1) "\$2 005";
- (1) "\$2 005";
- (2) "\$2 640";
- (3) "\$3 255";
- (4) "\$3 255".

2. Section 49.1 is amended:

(1) the first paragraph;

(2) by substituting the word "seven" for the word "eight" in subparagraph 5 of the first paragraph;

(3) by adding the words "or for a program offered by a private educational institution" to the second paragraph at the end of the first sentence.

3. Section 50 is amended by substituting the following amounts for those listed respectively in subparagraphs 0.1 to 2 of the first paragraph:

* The Regulation respecting financial assistance for education expenses, made by Order in Council 844-90 dated 20 June 1990 (1990, G.O. 2, 1685), was last amended by the Regulation made by Order in Council 1424-98 dated 19 November 1998 (1998, G.O. 2, 4491). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

- (0.1) “\$11 855”;
- (1) “\$11 855”;
- (2) “\$12 485”.

4. Schedule VIII is amended:

(1) by inserting the following subparagraph after subparagraph 1 of the table:

“(1.1) undergraduate level, for a program of studies of seven trimesters: 8 9th 10th;”;

(2) by adding “, programme d’économie et gestion agroalimentaires (Université Laval)” at the end of subparagraph 7 of the table;

(3) by adding “, programme d’optométrie (Université de Montréal)” at the end of subparagraph 8 of the table;

(4) by inserting “, (1.1)” after the figure “(1)” wherever it appears in the second paragraph.

5. Schedule X is amended in the second paragraph:

(1) by inserting the following subparagraph after subparagraph 1:

“(1.1) undergraduate level, for a program of studies of seven trimesters: 7;”;

(2) by adding “, programme d’économie et gestion agroalimentaires (Université Laval)” at the end of subparagraph 9;

(3) by adding “, programme d’optométrie (Université de Montréal)” at the end of subparagraph 10.

6. This Regulation applies from the 2000 summer trimester of the 2000-2001 year of allocation.

7. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

3435

Draft Regulation

An Act respecting labour standards
(R.S.Q., c. N-1.1; 1999, c. 52)

Labour standards — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting labour

standards, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to determine the cases in which an employer shall be exempted from the prohibition against employing a child to work between 11 p.m. on any given day and 6 a.m. on the following day where the child is subject to compulsory school attendance. Its purpose is also to determine the cases, circumstances, periods or conditions in or under which an employer shall be exempted from the requirement to schedule the child’s work so that the child may be at the family residence between 11 p.m. on any given day and 6 a.m. on the following day.

Further information may be obtained by contacting Luc Desmarais, Socioeconomic Research and Planning Officer, ministère du Travail, 200, chemin Sainte-Foy, 5^e étage, Québec (Québec) G1R 5S1, by telephone at (418) 646-2547 or by fax at (418) 644-6969.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of State for Labour and Employment and Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

DIANE LEMIEUX,
*Minister of State for Labour and Employment
and Minister of Labour*

Regulation to amend the Regulation respecting labour standards*

An Act respecting labour standards
(R.S.Q., c. N-1.1, s. 89.1; 1999, c. 52, s. 12)

1. The Regulation respecting labour standards is amended by inserting the following Division after section 35:

“DIVISION VI.1 NIGHT-TIME WORK BY CHILDREN

35.1. The prohibition against employing a child to work between 11 p.m. on any given day and 6 a.m. on the following day does not apply to work that is creation

* The Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3) was last amended by the Regulation made by Order in Council 1148-98 dated 2 September 1998 (1998, *G.O.* 2, 3769). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

or interpretation in the following fields of artistic endeavour: the performing arts including theatre, opera, music, dance and variety entertainment, the making of films and records and other sound recordings, dubbing and the recording of commercials.

35.2. The requirement that an employer schedule a child's working hours so that, having regard to the location of the child's family residence, the child may be at that residence between 11 p.m. on any given day and 6 a.m. on the following day does not apply in the following cases, circumstances, periods or conditions:

(1) creation or interpretation in the following fields of artistic endeavour: the performing arts including theatre, opera, music, dance and variety entertainment, the making of films and records and other sound recordings, dubbing and the recording of commercials; and

(2) work for a social or community organization, such as a summer camp or a recreational organization, if the working conditions involve lodging at the employer's establishment, provided the child is not required to attend school on the following day.”.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Municipal Affairs

Gouvernement du Québec

O.C. 93-2000, 2 February 2000

An Act respecting municipal territorial organisation
(R.S.Q., c. O-9)

Correction to Order in Council 1275-99 dated 24 November 1999 respecting the Municipalité de Compton

WHEREAS the Government, by Order in Council 1275-99 dated 24 November 1999, authorized the amalgamation of the municipalities of Compton and Compton Station;

WHEREAS it is expedient to correct an error in writing in the Order in Council;

WHEREAS section 214.2 of the Act respecting municipal territorial organization (R.S.Q., c. O-9) provides that the Government may correct an error in writing or supply an obvious omission in an order made under that Act;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs and Greater Montréal:

THAT section 8 of Order in Council 1275-99 dated 24 November 1999 respecting the amalgamation of the municipalities of Compton and Compton Station be amended by substituting, in the first paragraph, the words “first general election and for each partial election held before the second general election” for the words “second general election and for each partial election held before”.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

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Abbreviations: **A:** Abrogated, **N:** New, **M:** Modified

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